



THE SECRETARY OF AGRICULTURE
WASHINGTON, D.C.
20250-0100

MEMORANDUM TO THE CHIEF OF STAFF

OCT 23 1997

FROM: SECRETARY DAN GLICKMAN

Subject: Country of Origin Labeling

Senator Bob Graham recently wrote you a letter regarding S. 1042, which would require country of origin labeling of imported perishable agricultural commodities. You may be aware that Congressman Sonny Bono has introduced identical legislation in the House (H.R. 1232).

The bill would apply only to fresh fruits and vegetables that are imported and sold as fresh. Fresh produce that is imported and then processed into canned goods, for example, would not be covered. While flexible in how its labeling requirements are met, the bill does require that domestic retailers inform consumers at the final point of sale of the country of origin of perishable agriculture products and subjects them to fines for failing to do so.

I want to make several points. First, country of origin labeling is not a food safety issue. Food safety experts throughout the Administration believe that country of origin labeling would not improve our ability to detect and control outbreaks of foodborne illness. It is possible that a sophisticated system of bar coding would help from a food safety perspective, but mere country of origin labeling would not.

If the Administration were to support country of origin labeling, it should not do so on the basis of food safety. One potential justification could be that consumers have the right to know a product's country of origin. However, some groups have expressed skepticism that consumers do in fact believe that country of origin is important information. Other groups have raised concerns that such labeling will be used to stigmatize imported food products through negative advertising campaigns. Finally, a consumer right to know argument could have implications for other labeling disputes, such as our current disagreement with the European Union over the labeling of products of biotechnology.

Second, at the request of Senator Daschle, the Administration has recently agreed to develop guidelines to assist the domestic meat and poultry industry in voluntarily labeling their products as being of U.S. origin. We would prefer that a similar voluntary approach be developed for perishable agricultural commodities. If the Administration were to support Senator Graham's legislation, it would be difficult not to support similar mandatory labeling requirements for imported meat and poultry products.

Third, industry and the retail sector are strongly opposed to country of origin legislation because of the costs it would impose. While many agricultural producers support such legislation, others do not, in part because of concern that country of origin labeling would be used unfairly against U.S. exports. As you know, the U.S. exports nearly 60 percent more agricultural products than it imports.

Fourth, the Administration has generally objected to country of origin labeling when it has been considered by our trading partners. If the Administration were to support country of origin labeling, it could be seen as protectionist by our trading partners and would obviously limit our ability to object to such requirements in the future.

Fifth, it is possible to require country of origin labeling of imported products under our GATT and WTO obligations, provided that all imports are treated similarly, the difficulties are reduced to a minimum, and the labeling does not seriously damage the product or unduly increase its costs or decrease its value.

In general, Senator Graham's legislation appears to be consistent with U.S. rights under Article 9 of the WTO agreement. However, it is possible that an exporting country could challenge these labeling requirements as unduly increasing the costs of their product, for example, because the labeling requirements imposed on domestic retailers will (1) either be passed on to the exporting countries, making their product less competitive, or (2) make domestic retailers less likely to market imported products.

Sixth, the Department of Agriculture would be required to enforce Senator Graham's legislation, as well as any similar legislation on meat and poultry, without any additional personnel or funding. At a time of limited budgets, we question whether this would be the most effective use of our resources, particularly given the need to more effectively address food safety.

I appreciate the concerns that have given rise to this legislation, but I am concerned about its potential adverse effects in terms of costs on domestic industry, possible export problems, and resource implications with respect to food safety. I have directed USDA officials to develop alternative legislation that would minimize these potential problems should the Administration decide to support country of origin labeling. I expect this draft legislation to be ready for interagency clearance by the end of next week.

Please let me know your thoughts. I would like to discuss this issue with you further.

BOB GRAHAM
FLORIDA

COMMITTEES:
FINANCE
ENVIRONMENT AND
PUBLIC WORKS
VETERANS AFFAIRS
SELECT COMMITTEE ON
INTELLIGENCE
ENERGY AND NATURAL
RESOURCES

United States Senate

WASHINGTON, DC 20510-0903
October 23, 1997

Mr. Erskine Bowles
Chief of Staff
Executive Office of the President
White House
Washington, D.C. 20500

*Don Gleason
Charles
Helly
Gene*

*Why would
we introduce
propose the
legislation
(EBS)*

Dear Erskine:

I am pleased that President Clinton has recently elevated the food safety issue to the national agenda. This is a welcomed development.

I am writing to bring to your attention legislation Senator Craig and I have introduced which goes hand-in-hand with the Administration's overall goal of increasing the safety of food Americans purchase. Our bill, S. 1042, would require agricultural commodities imported into the United States to be labeled as to country of origin at the time of sale to the final consumer.

Giving American consumers the ability to make informed, educated decisions on the food they serve their families is a simple first step in assuring food safety. To illustrate, last year when the Centers for Disease Control (CDC) announced that Americans should avoid raspberries from Guatemala, there was no way for the residents of 49 states to comply with the CDC's directive.

Fortunately, the residents of Florida have had the ability to make informed decisions relative to the produce they buy since 1979. The Florida Statute is a simple, straight-forward model for what S. 1042 would provide all Americans no matter where they live.

I urge you to include our country of origin labeling bill in the food safety initiative the Administration is assembling. Should you or your staff have any questions or need more information please do not hesitate to contact me or Tom Greene or my staff at 224-0734.

Thank you in advance for your consideration of this important consumer information, food safety issue.

With warm regards,

Sincerely,



United States Senator

BG/tag
Enclosure

II

105TH CONGRESS
1ST SESSION

S. 1042

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

IN THE SENATE OF THE UNITED STATES

JULY 21, 1997

Mr. CRAIG (for himself, Mr. GRAHAM, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Imported Produce La-
5 beling Act of 1997".

1 **SEC. 2. INDICATION OF COUNTRY OF ORIGIN OF IMPORTED**
2 **PERISHABLE AGRICULTURAL COMMODITIES.**

3 (a) **DEFINITIONS.**—For purposes of this section, the
4 terms “perishable agricultural commodity” and “retailer”
5 have the meanings given the terms in section 1(b) of the
6 Perishable Agricultural Commodities Act, 1930 (7 U.S.C.
7 499a(b)).

8 (b) **NOTICE OF COUNTRY OF ORIGIN REQUIRED.**—
9 A retailer of a perishable agricultural commodity imported
10 into the United States shall inform consumers, at the final
11 point of sale of the perishable agricultural commodity to
12 consumers, of the country of origin of the perishable agri-
13 cultural commodity.

14 (c) **METHOD OF NOTIFICATION.**—

15 (1) **IN GENERAL.**—The information required by
16 subsection (b) may be provided to consumers by
17 means of a label, stamp, mark, placard, or other
18 clear and visible sign on the imported perishable ag-
19 ricultural commodity or on the package, display,
20 holding unit, or bin containing the commodity at the
21 final point of sale to consumers.

22 (2) **LABELED COMMODITIES.**—If the imported
23 perishable agricultural commodity is already individ-
24 ually labeled regarding country of origin by the
25 packer, importer, or another person, the retailer

1 shall not be required to provide any additional infor-
2 mation to comply with this section.

3 (d) VIOLATIONS.—If a retailer fails to indicate the
4 country of origin of an imported perishable agricultural
5 commodity as required by subsection (b), the Secretary of
6 Agriculture may impose a monetary penalty on the retailer
7 in an amount not to exceed—

8 (1) \$1,000 for the first day on which the viola-
9 tion occurs; and

10 (2) \$250 for each day on which the same viola-
11 tion continues.

12 (e) DEPOSIT OF FUNDS.—Amounts collected under
13 subsection (d) shall be deposited in the Treasury of the
14 United States as miscellaneous receipts.

15 (f) APPLICATION OF SECTION.—This section shall
16 apply with respect to a perishable agricultural commodity
17 imported into the United States after the end of the 6-
18 month period beginning on the date of the enactment of
19 this section.

SUPPORTER OF S. 1042: THE IMPORTED PRODUCE LABELING ACT

American Agriculture Movement of
Arkansas

American Agriculture Movement/
American Corn Growers Association
Of Illinois

American Farm Bureau Federation

American Corn Growers Association

California Agricultural Commissioners
& Sealers Association

California Citrus Mutual

California Farm Bureau

California Women in Agriculture

Coalition of Labor, Agriculture
and Business

Dade County Farm Bureau

Desert Grape Growers Association

Florida Citrus Mutual

Florida Farmers & Suppliers Coalition

Florida Fruit & Vegetable Association

Florida Tomato Exchange

Georgia Fruit & Vegetable Growers
Association

George Peanut Producers Association

Grower-Shipper Vegetable Association

Grown in the U. S. A.

Indian River Citrus League

International Brotherhood of Teamsters

Made in the U. S. A. Foundation

Michigan Asparagus Advisory
Committee

National Association of Farmer
Committeemen

National Farmers Organization, Iowa

National Farmers Union

National Peach Council

National Onion Association

National Watermelon Council

Riverside County Farm Bureau

South Carolina Tomato Association

Texas Corn Growers Association

U. S. Business & Industrial Council

Western Growers Association



THE SECRETARY OF AGRICULTURE
WASHINGTON, D.C.
20250-0100

MEMORANDUM TO THE CHIEF OF STAFF

OCT 23 1997

FROM: SECRETARY DAN GLICKMAN

Subject: Country of Origin Labeling

Senator Bob Graham recently wrote you a letter regarding S. 1042, which would require country of origin labeling of imported perishable agricultural commodities. You may be aware that Congressman Sonny Bono has introduced identical legislation in the House (H.R. 1232).

The bill would apply only to fresh fruits and vegetables that are imported and sold as fresh. Fresh produce that is imported and then processed into canned goods, for example, would not be covered. While flexible in how its labeling requirements are met, the bill does require that domestic retailers inform consumers at the final point of sale of the country of origin of perishable agriculture products and subjects them to fines for failing to do so.

I want to make several points. First, country of origin labeling is not a food safety issue. Food safety experts throughout the Administration believe that country of origin labeling would not improve our ability to detect and control outbreaks of foodborne illness. It is possible that a sophisticated system of bar coding would help from a food safety perspective, but mere country of origin labeling would not.

If the Administration were to support country of origin labeling, it should not do so on the basis of food safety. One potential justification could be that consumers have the right to know a product's country of origin. However, some groups have expressed skepticism that consumers do in fact believe that country of origin is important information. Other groups have raised concerns that such labeling will be used to stigmatize imported food products through negative advertising campaigns. Finally, a consumer right to know argument could have implications for other labeling disputes, such as our current disagreement with the European Union over the labeling of products of biotechnology.

Second, at the request of Senator Daschle, the Administration has recently agreed to develop guidelines to assist the domestic meat and poultry industry in voluntarily labeling their products as being of U.S. origin. We would prefer that a similar voluntary approach be developed for perishable agricultural commodities. If the Administration were to support Senator Graham's legislation, it would be difficult not to support similar mandatory labeling requirements for imported meat and poultry products.

Third, industry and the retail sector are strongly opposed to country of origin legislation because of the costs it would impose. While many agricultural producers support such legislation, others do not, in part because of concern that country of origin labeling would be used unfairly against U.S. exports. As you know, the U.S. exports nearly 60 percent more agricultural products than it imports.

Fourth, the Administration has generally objected to country of origin labeling when it has been considered by our trading partners. If the Administration were to support country of origin labeling, it could be seen as protectionist by our trading partners and would obviously limit our ability to object to such requirements in the future.

Fifth, it is possible to require country of origin labeling of imported products under our GATT and WTO obligations, provided that all imports are treated similarly, the difficulties are reduced to a minimum, and the labeling does not seriously damage the product or unduly increase its costs or decrease its value.

In general, Senator Graham's legislation appears to be consistent with U.S. rights under Article 9 of the WTO agreement. However, it is possible that an exporting country could challenge these labeling requirements as unduly increasing the costs of their product, for example, because the labeling requirements imposed on domestic retailers will (1) either be passed on to the exporting countries, making their product less competitive, or (2) make domestic retailers less likely to market imported products.

Sixth, the Department of Agriculture would be required to enforce Senator Graham's legislation, as well as any similar legislation on meat and poultry, without any additional personnel or funding. At a time of limited budgets, we question whether this would be the most effective use of our resources, particularly given the need to more effectively address food safety.

I appreciate the concerns that have given rise to this legislation, but I am concerned about its potential adverse effects in terms of costs on domestic industry, possible export problems, and resource implications with respect to food safety. I have directed USDA officials to develop alternative legislation that would minimize these potential problems should the Administration decide to support country of origin labeling. I expect this draft legislation to be ready for interagency clearance by the end of next week.

Please let me know your thoughts. I would like to discuss this issue with you further.

BOB GRAHAM
FLORIDA

COMMITTEES:
FINANCE
ENVIRONMENT AND
PUBLIC WORKS
VETERANS AFFAIRS
SELECT COMMITTEE ON
INTELLIGENCE
ENERGY AND NATURAL
RESOURCES

United States Senate

WASHINGTON, DC 20510-0903
October 23, 1997

Mr. Erskine Bowles
Chief of Staff
Executive Office of the President
White House
Washington, D.C. 20500

*Don Gleason
Charles
Heller
Gene*

*Why would
we include
proposed to
legislation
EBS*

Dear Erskine:

I am pleased that President Clinton has recently elevated the food safety issue to the national agenda. This is a welcomed development.

I am writing to bring to your attention legislation Senator Craig and I have introduced which goes hand-in-hand with the Administration's overall goal of increasing the safety of food Americans purchase. Our bill, S. 1042, would require agricultural commodities imported into the United States to be labeled as to country of origin at the time of sale to the final consumer.

Giving American consumers the ability to make informed, educated decisions on the food they serve their families is a simple first step in assuring food safety. To illustrate, last year when the Centers for Disease Control (CDC) announced that Americans should avoid raspberries from Guatemala, there was no way for the residents of 49 states to comply with the CDC's directive.

Fortunately, the residents of Florida have had the ability to make informed decisions relative to the produce they buy since 1979. The Florida Statute is a simple, straight-forward model for what S. 1042 would provide all Americans no matter where they live.

I urge you to include our country of origin labeling bill in the food safety initiative the Administration is assembling. Should you or your staff have any questions or need more information please do not hesitate to contact me or Tom Greene or my staff at 224-0734.

Thank you in advance for your consideration of this important consumer information, food safety issue.

With warm regards,

Sincerely,

Bob Graham
United States Senator

BG/tag
Enclosure

II

105TH CONGRESS
1ST SESSION

S. 1042

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

IN THE SENATE OF THE UNITED STATES

JULY 21, 1997

Mr. CRAIG (for himself, Mr. GRAHAM, and Mr. JOHNSON) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To require country of origin labeling of perishable agricultural commodities imported into the United States and to establish penalties for violations of the labeling requirements.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the "Imported Produce La-
5 beling Act of 1997".

1 **SEC. 2. INDICATION OF COUNTRY OF ORIGIN OF IMPORTED**
2 **PERISHABLE AGRICULTURAL COMMODITIES.**

3 (a) **DEFINITIONS.**—For purposes of this section, the
4 terms “perishable agricultural commodity” and “retailer”
5 have the meanings given the terms in section 1(b) of the
6 Perishable Agricultural Commodities Act, 1930 (7 U.S.C.
7 499a(b)).

8 (b) **NOTICE OF COUNTRY OF ORIGIN REQUIRED.**—
9 A retailer of a perishable agricultural commodity imported
10 into the United States shall inform consumers, at the final
11 point of sale of the perishable agricultural commodity to
12 consumers, of the country of origin of the perishable agri-
13 cultural commodity.

14 (c) **METHOD OF NOTIFICATION.**—

15 (1) **IN GENERAL.**—The information required by
16 subsection (b) may be provided to consumers by
17 means of a label, stamp, mark, placard, or other
18 clear and visible sign on the imported perishable ag-
19 ricultural commodity or on the package, display,
20 holding unit, or bin containing the commodity at the
21 final point of sale to consumers.

22 (2) **LABELED COMMODITIES.**—If the imported
23 perishable agricultural commodity is already individ-
24 ually labeled regarding country of origin by the
25 packer, importer, or another person, the retailer

1 shall not be required to provide any additional infor-
2 mation to comply with this section.

3 (d) VIOLATIONS.—If a retailer fails to indicate the
4 country of origin of an imported perishable agricultural
5 commodity as required by subsection (b), the Secretary of
6 Agriculture may impose a monetary penalty on the retailer
7 in an amount not to exceed—

8 (1) \$1,000 for the first day on which the viola-
9 tion occurs; and

10 (2) \$250 for each day on which the same viola-
11 tion continues.

12 (e) DEPOSIT OF FUNDS.—Amounts collected under
13 subsection (d) shall be deposited in the Treasury of the
14 United States as miscellaneous receipts.

15 (f) APPLICATION OF SECTION.—This section shall
16 apply with respect to a perishable agricultural commodity
17 imported into the United States after the end of the 6-
18 month period beginning on the date of the enactment of
19 this section.

○

SUPPORTER OF S. 1042: THE IMPORTED PRODUCE LABELING ACT

American Agriculture Movement of
Arkansas

American Agriculture Movement/
American Corn Growers Association
Of Illinois

American Farm Bureau Federation

American Corn Growers Association

California Agricultural Commissioners
& Sealers Association

California Citrus Mutual

California Farm Bureau

California Women in Agriculture

Coalition of Labor, Agriculture
and Business

Dade County Farm Bureau

Desert Grape Growers Association

Florida Citrus Mutual

Florida Farmers & Suppliers Coalition

Florida Fruit & Vegetable Association

Florida Tomato Exchange

Georgia Fruit & Vegetable Growers
Association

George Peanut Producers Association

Grower-Shipper Vegetable Association

Grown in the U. S. A.

Indian River Citrus League

International Brotherhood of Teamsters

Made in the U. S. A. Foundation

Michigan Asparagus Advisory
Committee

National Association of Farmer
Committeemen

National Farmers Organization, Iowa

National Farmers Union

National Peach Council

National Onion Association

National Watermelon Council

Riverside County Farm Bureau

South Carolina Tomato Association

Texas Corn Growers Association

U. S. Business & Industrial Council

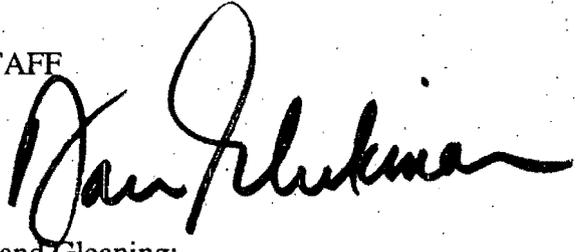
Western Growers Association



THE SECRETARY OF AGRICULTURE
WASHINGTON, D. C.
20250-0100

MEMORANDUM

TO: ERSKINE BOWLES, CHIEF OF STAFF
THE WHITE HOUSE

FROM: SECRETARY DAN GLICKMAN 

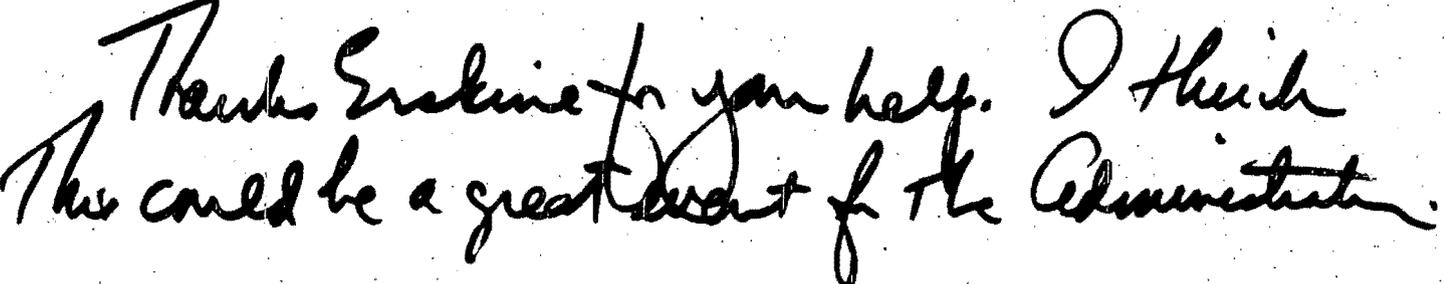
SUBJECT: National Summit on Food Recovery and Gleaning;
September 15-16, 1997 in Washington, DC

Erskine, I need your assistance. As you know, USDA has been actively pursuing food rescue and gleaning at the community level as a way to supplement our critical food assistance programs like food stamps. This nation throws out over 96 billion pounds of edible, wholesome food each year, enough to feed millions of hungry people. It is disgraceful that food is thrown in the garbage when much of it could feed hungry children and families.

On September 15 and 16, we will be sponsoring a national summit on food recovery here in Washington. Our co-hosts are Second Harvest (the umbrella organization for all the nation's food banks), Food Chain (the national organization dealing with saving perishable food), and the Congressional Hunger Center. We expect the active involvement of dozens of organizations including religious groups, the National Restaurant Association, the National Hotel/Motel Association, various charitable foundations, non-profit groups and anti-hunger organizations. Other cabinet level departments are also involved.

We sent a scheduling request for the President to speak and participate, but I understand that there are scheduling conflicts. My plea to you is to encourage the First Lady or the Vice President to address this event and participate in the activities. Your presence would also be key. The size and scope of the event, the number and diversity of attendees and the focus on domestic hunger should make this a widely covered and reported summit. It is also one that parallels perfectly the President's focus on volunteerism and community participation. The President has spoken about this initiative in one of his Saturday radio addresses, and a strong Administration presence would send a clear signal that we are serious about reducing food waste in this country.

Thanks for your assistance.





THE SECRETARY OF AGRICULTURE
WASHINGTON, D.C.
20250-0100

MEMORANDUM

TO: ERSKINE BOWLES, CHIEF OF STAFF
THE WHITE HOUSE

FROM: SECRETARY DAN GLICKMAN 

SUBJECT: National Summit on Food Recovery and Gleaning;
September 15-16, 1997 in Washington, DC

Erskine, I need your assistance. As you know, USDA has been actively pursuing food rescue and gleaning at the community level as a way to supplement our critical food assistance programs like food stamps. This nation throws out over 96 billion pounds of edible, wholesome food each year, enough to feed millions of hungry people. It is disgraceful that food is thrown in the garbage when much of it could feed hungry children and families.

On September 15 and 16, we will be sponsoring a national summit on food recovery here in Washington. Our co-hosts are Second Harvest (the umbrella organization for all the nation's food banks), Food Chain (the national organization dealing with saving perishable food), and the Congressional Hunger Center. We expect the active involvement of dozens of organizations including religious groups, the National Restaurant Association, the National Hotel/Motel Association, various charitable foundations, non-profit groups and anti-hunger organizations. Other cabinet level departments are also involved.

We sent a scheduling request for the President to speak and participate, but I understand that there are scheduling conflicts. My plea to you is to encourage the First Lady or the Vice President to address this event and participate in the activities. Your presence would also be key. The size and scope of the event, the number and diversity of attendees and the focus on domestic hunger should make this a widely covered and reported summit. It is also one that parallels perfectly the President's focus on volunteerism and community participation. The President has spoken about this initiative in one of his Saturday radio addresses, and a strong Administration presence would send a clear signal that we are serious about reducing food waste in this country.

Thanks for your assistance.

*Thanks Erskine for your help. I think
This could be a great event for the Administration.*



THE SECRETARY OF AGRICULTURE
WASHINGTON, D. C.
20250-0100

February 21, 1997

MEMORANDUM FROM SECRETARY DAN GLICKMAN

A handwritten signature in black ink that reads "Dan Glickman".

TO: ERSKINE BOWLES, CHIEF OF STAFF
THE WHITE HOUSE

SUBJECT: DENIAL OF CERTIFICATION OF THE CLASS ACTION IN COURT
ACTION AGAINST USDA BROUGHT BY AFRICAN AMERICAN
FARMERS

I have been keeping you apprised of the civil rights issues faced by USDA in recent months. One of the significant specific issues faced by USDA has been the pending request for class certification in a court action, *Robert Williams, et al. v. Daniel R. Glickman*, brought by a group of African American farmers represented by James W. Myart, Jr. The plaintiffs had requested certification of a class composed of all African American and Hispanic farmers.

On Thursday, February 20, USDA received the decision from District Court Judge Thomas Flannery that denied the certification of the class in very strong terms. Below is a summary of the Court's ruling, and a copy of the decision is attached.

Summary of the Opinion of the Court

The Court issued an opinion on February 14, 1997, in which it determined that the plaintiffs in *Williams v. Glickman* had not satisfied any of the legal requirements necessary for class certification under the Federal Rules of Civil Procedure.

Specifically, the Court found the following:

1. **The plaintiffs have not precisely defined the class so that it is administratively feasible for the court to determine whether a particular individual is a member of the class.** The purpose of this requirement is to protect unnamed members of the class who will be bound by the outcome of a

class action case. The Court stated the plaintiffs had not stated any clear identifying basis for the class, such as a specific policy or practice alleged to be discriminatory. At the same time, the plaintiffs had submitted complaints that revealed complainants that do not qualify as members of the proposed class: "One of the complainants, a white farmer, clearly does not qualify." (Opinion, p. 8 - 11)

2. **The plaintiffs have not established that their claims involve questions of law or fact common to the class.** The Court, citing previous cases, stated that the "bare allegation" of discrimination against the class is not adequate to meet this requirement and that the plaintiffs "have not come close to establishing that there are common legal and factual issues common to this wide-ranging class." (Opinion, p. 11 - 15)
3. **The plaintiffs have not established that the claims of the named plaintiffs are typical of the claims of the class.** The Court stated that even among the named plaintiffs, the claims don't share the same bases, depending on different facts and legal theories. Some have administrative decisions finding discrimination; some have never filed administrative claims or have received decisions; and some are spouses of farmers who base their claims on allegations that they were harmed by their spouses dealings with USDA. (Opinion, p. 15 - 16)
4. **The plaintiffs have not established that they would fairly and adequately protect the interests of the class they claim to represent.** The Court stated that because their claims are not "typical" of the class (see 3 above), they have little incentive to litigate the merits of the claims of other class members and thus "are inadequate class representatives." (Opinion, p. 16 - 17)
5. **The plaintiffs have not established that they are primarily seeking injunctive or declaratory relief.** The Court stated that it was "not convinced by the plaintiff's attempt to downplay the importance of damages in this lawsuit." and that their request for injunctive relief is "somewhat half-hearted" -- stating that "this is essentially a suit to recover damages, not obtain injunctive relief." (Opinion, p. 17 - 19)

The significance of the ruling is that further proceedings in the litigation will be based on the claims of the individual named plaintiffs, not the broader class of all African American and Hispanic farmers. If the plaintiffs choose to continue the litigation, the next step will be to proceed with the status conference set for February 28, 1997. At this conference, the Court will explore with the attorneys the plans for continuing the litigation.

Attachment



From the desk of Dan Glickman, Secretary

Sean -

12/13/96

I wanted you to see the attached news release USDA put out on Sun Demand Craves. This is for your information.

Dan

PROGRAM ANNOUNCEMENT

United States
Department of
Agriculture

Agricultural
Marketing
Service

Information Staff
P.O. Box 96456
Washington, DC
20090-6456

Release No. AMS-390-96
Clarence Steinberg (202) 720-8998
csteinberg@usda.gov

USDA PROPOSES DEBARRING SUN-DIAMOND AFFILIATES AND OFFICIALS FROM FEDERAL PURCHASE PROGRAMS

WASHINGTON, Dec. 13, 1996--The U.S. Department of Agriculture announced that it is excluding certain officials and affiliates of Sun-Diamond Growers of California from participating in any federal purchasing programs.

Robert C. Keeney, a debarring official with USDA's Agricultural Marketing Service, an agency processing USDA purchasing contracts for domestic feeding programs, explained the action. He said it applies federal procurement regulations to the effect that a proposed debarment takes place at its announcement, pending the debarred parties' submissions of information in their defense.

Sun-Diamond is an agricultural cooperative owned by other cooperatives that grow, process, package, market, and sell dried fruits and nuts. In September, a federal court convicted Sun-Diamond, in part, of making and condoning improper gifts to a former government official.

On Oct. 4, responding to the conviction, USDA effectively debarred both a former vice-president and a former lobbyist of Sun-Diamond and also debarred the cooperative.

USDA proposes to debar Sun-Diamond's directors, managing officials, and affiliates because of their silence and failure to correct the criminal and dishonest business practices leading to the court conviction. The individuals' and the affiliates' inaction calls into question their responsibility as government contractors or subcontractors, Keeney said.

Sun-Diamond officials proposed for debarment today are William Cuff, Earl L. Giacolini, William Hosie, Harold Jackson, Barry Kriebel, Pete Penner, Fred Shaeffer, William Wagershauser, Larry D. Busboom, Nicholas Tummers, William Beaton, and Robert E. McAuley.

Sun-Diamond affiliates proposed for debarment today are Diamond Walnut Growers Inc., Stockton, Calif.; Sun-Maid Growers of California, Kingsburg, Calif.; Sunsweet Growers Inc., Yuba City, Calif.; Valley Fig Growers, Fresno, Calif.; Hazelnut Growers of Oregon, Cornelius, Ore.; and Sunland Products of California, Pleasanton, Calif.

-more-

The individuals and affiliates have 30 days to request an opportunity to present information or argument in opposition to the proposed debarment. The normal length of debarment is three years, and is government-wide.

#

*An electronic version of this document can be obtained via the World Wide Web at:
<http://www.usda.gov/ams/newsrel.htm>*



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

July 22, 1996

MEMORANDUM FROM SECRETARY GLICKMAN

TO: LEON PANETTA, CHIEF OF STAFF
THE WHITE HOUSE

SUBJECT: NORTHEAST DAIRY COMPACT

Since our July 11 meeting, the following significant developments have occurred concerning implementation of the Northeast Dairy Compact:

1. The initial analysis of whether to implement the Northeast Dairy Compact did not resolve to my satisfaction one, my questions about the constitutionality of the farm bill's grant of authority and two, whether I might condition or revoke approval of the compact.

I expect to receive additional options later this week or next, to include whether I might grant approval but suspend implementation until I seek and receive a finding affirming the constitutionality of the legislation.

2. The department received 1585 comments on whether there exists a "compelling public interest in the compact region," the standard by which the farm bill requires me to make my decision.

The overwhelming majority -- 1291 -- were from the compact region. 95% of all comments -- 1508 -- favor the compact. Only 71 oppose it; 6 were neutral.

3. Senator Leahy called me today about the status of the decision. I responded as outlined above. I understand he spoke with the Vice President last week and may call you, too, if he has not done so already.

As developments warrant, I will communicate with you directly and will ensure that my staff communicates with yours.



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D. C. 20250

Sean -
I think it is important
for the President to see this
before saying anything further
on agriculture when he returns
reconciliation. I have a copy for
you and I have put in a
request to talk to the President
before I leave for Israel on a 5
day personal trip today.

Dan



THE SECRETARY OF AGRICULTURE
WASHINGTON, D. C.
20250-0100

2/19/97

Dear Euskine —

As you can see from the attached letter to me, general aviation sales were up significantly largely due to product liability legislation President Clinton signed (and which I authored while in the Honor). The letter is complementary to the President, and is one more example of an Administrator success story the President might like to see.

Dan

LEON E. PANETTA
15 PANETTA ROAD
CARMEL VALLEY, CALIFORNIA 93924

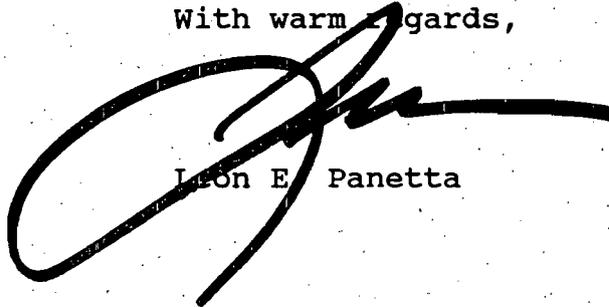
June 12, 1996

Dear Dan:

Please accept my sincere thanks for addressing the Santa Clara University Law School. Having you be a part of this celebration meant a great deal to my family. We appreciate your taking time out of your busy schedule to accept this engagement. I know it was difficult to arrange.

Sylvia joins me in extending our deepest thanks. Please accept this bottle of wine as a token of our appreciation. We hope you and Rhoda will both enjoy it.

With warm regards,



Leon E. Panetta

The Honorable Dan Glickman
U.S. Department of Agriculture
Washington, D.C. 20250

Thank you — you were great!

LEON E. PANETTA
15 PANETTA ROAD
CARMEL VALLEY, CALIFORNIA 93924

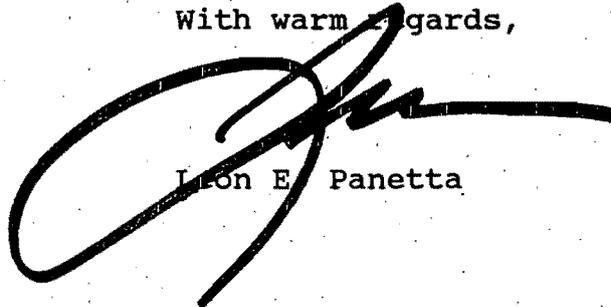
June 12, 1996

Dear Dan:

Please accept my sincere thanks for addressing the Santa Clara University Law School. Having you be a part of this celebration meant a great deal to my family. We appreciate your taking time out of your busy schedule to accept this engagement. I know it was difficult to arrange.

Sylvia joins me in extending our deepest thanks. Please accept this bottle of wine as a token of our appreciation. We hope you and Rhoda will both enjoy it.

With warm regards,



Leon E. Panetta

The Honorable Dan Glickman
U.S. Department of Agriculture
Washington, D.C. 20250

Thank you - you were great!



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

INFORMATIONAL MEMORANDUM TO CHIEF OF STAFF LEON PANETTA

FROM: Dan Glickman
Secretary

1.9 JUN 1996

SUBJECT: Northeast Interstate Dairy Compact

ISSUE:

Congress gave consent in the 1996 Farm Bill to the Northeast Interstate Dairy Compact (the Compact) subject to several conditions. One of those conditions provides that the Secretary of Agriculture may grant the New England States the authority to implement the Compact based upon a finding of a "compelling public interest" in the Compact region. The issue is whether consent for the Compact should be granted following a determination of whether there is a "compelling public interest" in the Compact region.

DISCUSSION:

Compact Origin. In 1988, legislators in several northeastern states began developing the Northeast Interstate Dairy Compact. The Compact grew out of concerns that dairy farmers throughout the Northeast were receiving a low price for their milk. There were also concerns over the lack of uniformity in State and local milk marketing regulations. After approval of the Compact by the New England States--Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island and Vermont--legislation granting congressional consent for the Compact was introduced in Congress in 1994 and again in 1995, with no congressional action.

On April, 4, 1996, the Federal Agriculture Improvement and Reform Act of 1996 (1996 Farm Bill) was signed into law. In the 1996 Farm Bill, Congress gave consent to the Northeast Interstate Dairy Compact, but made implementation of the Compact discretionary and subject to a finding by the Secretary of Agriculture of a "compelling public interest" in the Compact region.

Congressional consent for the Compact terminates upon implementation of Federal milk marketing order consolidation and reform mandated by the 1996 Farm Bill to be completed within 3 years following the bill's enactment. The 1996 Farm Bill also provides that six additional Northeastern States--Delaware, New Jersey, New York, Pennsylvania, Maryland and Virginia--could join the Compact so long as the State is contiguous to a participating State and Congress consents.

Present Situation. Currently, the Federal milk order program regulates the minimum prices paid to dairy farmers by handlers of Grade A milk in 33 specified marketing areas in the United States, including the New England area. Federal orders cover most of the major population centers of the country, except California, and include about 70 percent of all U.S. milk marketings.

Compact Authorities. The Compact would be administered by a commission composed of delegations, consisting of not less than three nor more than five persons from each State in the Compact. The commission would be authorized to establish Class I prices at a level above the Federal order minimum Class I price for processors selling fluid milk products in the Compact region. Class I milk is milk utilized in fluid milk products. The proceeds from the over-order Class I price would be paid to the region's dairy farmers. The Compact would also provide authority to investigate existing regulations and to prepare model regulations regarding farm and plant inspection, sanitary codes, dairy product labels and standards, producer security programs and fair trade laws.

The Over-Order Price. The commission must decide what level of price will assure that producers receive a price sufficient to cover their costs of production and will elicit an adequate supply of milk in the Compact region. The Compact specifies the maximum over-order Class I price that could be established. That price would have been \$20.30 per hundredweight in 1995, compared with the average minimum order Class I price of \$14.87 in the New England Federal order market that year.

The 1996 Farm Bill prohibits the commission from limiting the marketing in the Compact region of any milk product produced in any other area of the United States. However, the Compact has the authority to regulate everyone selling milk in the Compact region, and this authority is expected to enable the commission to insure that milk shipped into the Compact region does not undercut the over-order Class I price.

Regulations establishing a Compact over-order price may contain provisions for the reimbursement to participants of the Women's, Infants and Children Special Supplemental Food Program (WIC) to offset the increased cost of fluid milk products. In addition, the commission is required to compensate the Commodity Credit Corporation (CCC) for the cost of any increase in CCC dairy purchases that results from milk production in the Compact States increasing faster than the national rate.

Analysis of Impacts. The effects of the Compact on consumers, fluid milk processors, dairy producers outside of the Compact region, food assistance program costs and dairy program outlays cannot be estimated with much accuracy. It is impossible to determine how the broad authorities granted to the commission would be used if the Compact is implemented. There is every indication that the Compact would impose an over-order price for milk used as Class I probably well below the maximum level permitted under the Compact. The higher price paid to

producers for milk used as Class I would raise the price of fluid milk to New England consumers, lower farm-level milk prices outside of the Compact region and raise the cost of food assistance programs.

The Department estimates that, if the over-order price was set at the maximum level allowed under the Compact, retail fluid milk prices would increase by about \$0.50 per gallon in the Compact region, farm-level milk prices would average 1 to 2 cents per cwt. lower outside of the Compact region and CCC purchase costs could increase by about \$25 million. If the six additional States also joined the Compact, which appears unlikely, the effects on the milk price outside of the Compact region and on CCC purchase costs would increase by about fivefold. These estimates assume the Compact does not restrict milk production, which appears likely.

First-year fluid milk price increases would be borne by food assistance program participants, since FY 1996 program funding is set. In later years, food assistance program costs would rise to the extent that fluid milk price increases become reflected in the Thrifty Food Plan and the CPI. Assuming the over-order price is set at the maximum level allowed, the annual cost of the food stamp and child nutrition programs is projected to rise by \$36 million and by \$200 million if the six additional States join the Compact. Since adjustments in benefit levels are tied to changes in national prices, the increase in benefit levels to program participants in the Compact region would not be reflective of the relative increase in fluid milk prices occurring there.

The above estimates assume the Compact becomes operational within the next 1 to 2 months and the Compact has about a 3-year life span. Litigation could increase the time frame for Federal order consolidation and reform beyond 3 years, extending the life of the Compact. In addition, if Secretarial authority is granted and the Compact becomes operational, new legislation would likely be introduced in Congress authorizing the Compact to continue, possibly indefinitely, irrespective of the outcome of the Federal order consolidation and reform process. Also, other regions would likely pursue establishment of a similar compact.

Compelling Public Interest. Before making a determination of whether authority should be granted to implement the Compact, I wanted to be certain that all interested parties had an opportunity to provide comments on the existence of a "compelling public interest" in the Compact region. Therefore, I invited interested parties to submit written comments in this regard by June 3, 1996. We have received about 1,500 comments from a wide range of interested parties, including consumers, dairy farmers, milk processors and agri-business firms. We are now in the process of making a determination on whether a "compelling public interest" exists in the Compact region and whether authority to implement the Compact should be granted. Under the 1996 Farm Bill, I am not required to authorize implementation of the Compact even if a "compelling public interest" in the Compact region is found to exist.

SUMMARY:

- Congress has provided consent to the Northeast Interstate Dairy Compact, but made implementation discretionary and subject to a finding by the Secretary of Agriculture of a "compelling public interest" in the Compact region.
- The Compact has been approved by and would apply to the six New England States, although other Northeastern States can join.
- The basic impact of the Compact would be to mandate an over-order change on prices of Class I milk (milk used in fluid products) by milk handlers in the Compact region.
- Proceeds from these higher Class I milk prices would be paid to dairy farmers in the Compact region.
- The Compact would increase income to dairy farmers in New England by distorting market signals; burdening consumers, especially low-income households; raising the cost of food assistance programs; increasing dairy program costs; and lowering milk prices outside of the Compact region.
- In response to an invitation to submit comments on whether a "compelling public interest" exists in the Compact region, we have received about 1,500 comments from a wide range of interested parties.
- We are now in the process of making a determination on whether a "compelling public interest" exists in the Compact region and whether authority to implement the Compact should be granted.
- Granting the Compact is strongly supported by dairy and political interests in the Northeast, but strongly opposed by Midwest dairy and political interests.

NEWS

UNITED STATES DEPARTMENT OF AGRICULTURE
Office of Communications News Room 460-A
Washington, DC 20250-1300
Internet: News @usda.gov Phone: 202-720-9035
World Wide Web Home Page: <http://www.usda.gov>

Release No. 0433.96

Tom Amontree (202) 720-4623

Statement

by Secretary Dan Glickman on the
Northeast Interstate Dairy Compact
August 9, 1996

"The State legislatures in Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont have approved the Northeast Interstate Dairy Compact, the governor of each Compact State has signed a resolution supporting the Compact, and the Congress has consented to the Compact in the Federal Agriculture Improvement and Reform (FAIR) Act of 1996. In addition, approximately 95 percent of the comments the Department of Agriculture received regarding the Compact supported its implementation. For these reasons, I have found that a compelling public interest in the Compact region exists and have authorized the Compact States to implement the Northeast Interstate Dairy Compact. This finding and authorization became effective today and will be published in the Federal Register.

"While it is unclear what specific actions the Compact Commission will take to implement the Compact, I am concerned about the potential effects of the Compact in several respects. I intend, therefore, to monitor closely its implementation. I also encourage Congress to exercise its oversight function and monitor the implementation of the Compact. If my expectations are not met, or if conditions otherwise warrant, I will revoke this authorization to implement the Compact.

"I expect that the Compact Commission will implement the Compact in a way that does not burden other regions of the country, consistent with the provisions of the FAIR Act and the Compact. I would be greatly concerned if the Commission restricts in any way the ability of producers to ship milk into the Compact region. I will monitor whether the Compact has any adverse effects on the income of dairy producers outside the Compact region as well as the extent to which the Commission utilizes its authority to impose production controls to minimize the effect of the Compact on other dairy producing regions. I also expect the Commission to ensure that its actions are flexible and responsive to changing supply, demand and price conditions in milk markets.

"Perhaps most significantly, I am deeply concerned about and will closely monitor the effect of the Compact on consumers, especially low-income families, within the Compact region. I expect that the Commission will pay close attention to and monitor the effects of its decisions on consumers before and after it takes any action. I also expect the Commission and the Compact States to provide assistance to offset any increased burden on low-income families in the Compact region. I am also concerned about the effect of the Compact on the Department of Agriculture's nutrition programs, and I expect the Commission to exercise its authority to reimburse participants in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) and to fulfill its obligation to reimburse the Commodity Credit Corporation, as provided in the Compact and in the FAIR Act.

"The Compact is a transitional milk marketing system for the region and will expire when a new nationwide Federal milk marketing order structure is implemented. I believe the approach outlined in this statement offers the best opportunity to strengthen the dairy industry in the Compact region during the transition to the reformed milk marketing order structure required by the FAIR Act."

#



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250

September 13, 1996

MEMORANDUM TO LEON PANETTA, CHIEF OF STAFF TO THE PRESIDENT

FROM: Secretary Dan Glickman

A handwritten signature in cursive script, appearing to read "Dan Glickman", written over the printed name.

SUBJECT: Bill Signing Options for the Bill Emerson Good Samaritan Food Donation Act

In follow up to our conversation last Friday, I wanted to share with you some thoughts regarding possible activities through which we could highlight the President's signing of H.R. 2428, the Bill Emerson Good Samaritan Food Donation Act.

The Act

The Bill Emerson Good Samaritan Food Donation Act will promote food recovery by limiting the liability of donors to instances of gross negligence and intentional misconduct. It also establishes basic nationwide uniform definitions pertaining to donation and distribution of nutritious foods and will help assure that donated foods meet all quality and labeling standards of Federal, State, and local laws and regulations.

Although each of the 50 States and the District of Columbia have individual laws which limit the liability of food donors, these statutes vary widely with respect to the types of foods and donors covered as well as the degree of liability immunity. Consequently, many potential donors who operate on a regional or national basis have been reluctant to establish separate donation policies for each State in which they do business. This bill would help to eliminate this obstacle. Second Harvest, the national foodbank network, has estimated that enactment of the legislation would result in approximately 50 million additional pounds of donated food each year.

The Message

Enactment of the legislation would reaffirm this Administration's commitment to public/private partnerships by promoting the role of the Federal Government as a catalyst to

energetically empower local communities to help solve food shortage problems experienced by low-income individuals. This would be achieved not by creating a new government program, but by publicizing and energizing cooperation between non-profit organizations and business.

Possible Policy Announcement

The President could issue an Executive Order to all Federal agencies establishing a policy to promote food recovery through their organizations, contractors and grantees. Attached is a preliminary draft which identifies potential food recovery opportunities.

Event Options

White House Ceremony: The President could sign the bill in a standard ceremony at the White House, convening Members of Congress who played a role in the passage of the legislation as well as those who have been actively involved in food recovery efforts; representatives of organizations which sponsor food recovery activities; charitable organizations; and anti-hunger advocacy groups.

Washington, D.C. Vicinity: D.C. Central Kitchen is a perishable and prepared food recovery program located in Washington. Its mission is to coordinate and transport the surplus foods of caterers, restaurants, hotels, and other food service businesses to feed needy children and adults at shelter and feeding programs throughout the Washington area and to train homeless individuals in basic food preparation skills with the goal of employment in the food service industry. Since it opened in 1989, D.C. Central Kitchen has received 1.3 million pounds of donated surplus food, prepared more than 2 million meals and trained over 100 homeless men and women for food service jobs.

Since 1992, D.C. Central Kitchen has been receiving weekly donations of prepared and perishable food from U.S. Department of Agriculture cafeterias. This food is combined with that received from other donors and transformed into complete meals by staff, volunteers and participants in the Kitchen's food service job training program.

This would be an ideal location for the bill signing in that it demonstrates the impact of the food recovery concept as a major contributor to the nutritional wellbeing of vulnerable populations and it also boasts a successful job training a placement mechanism for unskilled individuals who currently lack employment.

As an option in the D.C. area, we could travel to a nearby farm where USDA AmeriCorps members have led gleaning efforts. At such a site, the President could be photographed gleaning food from a field or loading recovered food onto a truck.

Other Areas of the Country: In the near future, the President is scheduled to visit Chicago -- the home of Second Harvest -- and Detroit. We would be able to coordinate an event at a perishable and prepared food recovery program or the collection of produce at a nearby farm. If the President is unable to schedule such an activity during one of these trips, we have established a network of food recovery contacts around the country and we can easily arrange an appropriate event.

DRAFT

Washington

DRAFT

September 11, 1954

MEMORANDUM FOR THE RECORD: FEDERAL BUREAU OF INVESTIGATION

SUBJECT: [Illegible]

[Illegible text]

[Illegible text]

[Illegible text]

[Illegible text]

D R A F T

D R A F T

Section 2. Definitions. The terms (1) Apparently Wholesome Food, (2) Apparently Wholesome Food, (3) Donate, (4) Food, (5) Cleaner or Grocer, (6) Grocer, (7) Gross Negligence, (8) Intentional Misconduct, (9) Nonprofit Organization, and (10) Person mean the same as defined in the Bill Emerson Good Samaritan Food Donation Act of 1996 (42 USC 1791).

Section 3. Policy. It is hereby declared to be the policy of the Federal Government to promote the donation of apparently wholesome food or grocery products to nonprofit organizations for distribution to needy individuals inasmuch as it is in the public interest that such commodities be provided to persons in need.

Section 4. Implementation.

(a) The regulations shall be promulgated by the Secretary of Health and Human Services, in consultation with the Secretary of Agriculture, to carry out the purposes of this Act, and shall be promulgated in accordance with the provisions of the Administrative Procedure Act, 5 U.S.C. 551, and shall be promulgated in accordance with the provisions of the Administrative Procedure Act, 5 U.S.C. 551, and shall be promulgated in accordance with the provisions of the Administrative Procedure Act, 5 U.S.C. 551.

(b) The Secretary shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act, and shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act.

(c) Where appropriate, the Secretary shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act.

Section 5. Enforcement.

(a) Where appropriate, the Secretary shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act.

(b) Where appropriate, the Secretary shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act.

(c) Where appropriate, the Secretary shall encourage and encourage the development of contracts, subcontracts, and other arrangements between producers and processors of food and other commodities and nonprofit organizations for the distribution of such commodities to needy individuals in accordance with the provisions of this Act.

Section 6. Annual Report. This Act shall be carried out in accordance with the provisions of this Act, and the Secretary shall submit an annual report to the President and the Congress on the progress made in carrying out the purposes of this Act.

Martha file

Memorandum To: Leon Panetta, Chief of Staff
Jack Quinn, Counsel to the President

From: Dan Glickman, Secretary

Re: Campaign Finance

Given the significance of the myriad of issues surrounding the financing of federal campaigns this election cycle, and given my experience in working on these issues during my years in Congress, I wanted to share my thoughts on the substance and timing of proposals to change federal campaign laws. These issues must be dealt with decisively and quickly, and frankly must be thought through more carefully and substantively than previous congressional proposals.

To begin with, a sensible resolution of the excesses of our current campaign laws is a threshold issue upon which the President's legacy will rest. If done correctly, it can restore the President's leadership on the issue, and can profoundly change for the positive the nation's political climate. If done in a haphazard or noncommittal fashion, it will reinforce and intensify all the negative feelings people have about elected officials and Washington.

Secondly, in my judgement, the issue of campaign finance reform cannot fully and intelligently be dealt with without a constitutional amendment. As opposed to other issues, this subject cries out for constitutional change because of Buckley v. Vales and other Supreme Court rulings. Without an organic constitutional amendment giving Congress the generic authority to regulate election spending, we will be relegated to a "Rube Goldberg," patchwork solution which will never plug the two critical loopholes: unlimited spending by wealthy candidates and the proliferation of independent expenditures theoretically uncontrolled by the candidate for office or his or her political party. A constitutional amendment properly written, also sends the issue back to the State where the American people can be intimately involved in the process and can be stakeholders in the proceeding. Otherwise, a pure legislative solution will be written by Washington insiders with Washington ideas and will deteriorate into the lowest common denominator of support. Furthermore, with direct involvement by the American people (spurred on by President Clinton's motivation and encouragement), Congress can finally be encouraged to take dramatic action and the President can legitimately claim credit for a monumental change in our political system. Once a constitutional amendment is passed in a timely way, then Congress, either through the normal legislative process or in conjunction with an independent commission, can write meaningful legislation to deal with the specifics of campaign reform. So here is my specific recommendation and game plan:

- 1.) Immediately after the election, bring together constitutional experts from across the country under the guidance of the Counsel's office, with appropriate Justice Department input, and develop language for a proposed constitutional amendment and, if it can be done in time, for a specific recommendation on a commission for a through review of all campaign laws.
- 2.) Announce at the State of the Union address in January that a constitutional amendment is necessary to properly reform the system that we are sending the proposal to the Congress, and that we expect that it will be approved by Congress and sent to the States by a time certain -- e.g., no later than April 1.
- 3.) Recognizing that the April 1 date means few State legislatures will have time to finish action in 1997, announce that we are asking for legislation to create a commission to study the specifics of campaign law changes in the context of a constitutional amendment and ask that the legislation be approved by February 15.
- 4.) Announce what Administrative action that can be taken prior to any legislative action, either unilaterally or in conjunction with a bipartisan group of leaders. To give credibility to the proposal, the President cannot be talking about fundamental change to a campaign finance system and then quietly start the current race for dollars all over again.
- 5.) The goal should be that the structural, statutory and constitutional changes should be in effect by the end of the 105th congress, if not sooner. That means the President must take this project on with a high and continuous sense of personal commitment and involvement for this two-year period.

I obviously have not thought through all the legal and political ramifications of my ideas, but my main point is to emphasize that we cannot reform the system using the failed methods of the past. They won't work. Congress will get bogged down in minutiae and self-protective devices. The Democrats and Republicans will work to skew the system in their favor. Nothing will happen, even with the best of intentions. The problem cries out for new level of Presidential and congressional commitment, with a realization that fundamental reform is impossible without constitutional change.

Daniel R. Glickman

1/4/96

Leon -

It is important
for me to speak to the
President ASAP (see
attached memo to Steve
Silverman). Thanks for
your help.

Dan



DEPARTMENT OF AGRICULTURE
OFFICE OF THE SECRETARY
WASHINGTON, D.C. 20250
(202) 720-3631

MEMORANDUM

Date: January 4, 1996

To: Steve Silverman
From: Martha Phipps *Martha*
RE: Request for Meeting with President Clinton

Secretary Glickman would like to request a meeting with President Clinton within the next two days to discuss farm bill issues. The meeting would require 15 minutes of time, and we would also like to include Deputy Secretary Rominger and Marion Berry.

The Secretary believes that it is urgent that this meeting occur for the following reasons:

- The Secretary will be addressing the American Farm Bureau, the largest farmer organization in the country, this coming Monday, January 8. This speech is an excellent opportunity for the Secretary to make a statement about the Administration's position on the farm bill. We expect his speech to attract a lot of media attention.
- The farm bill is one of the nine issues the Administration outlined as important in the reconciliation bill. There are many regional and political pressures that can affect the direction of negotiations, and the Secretary wants to be sure that all of these viewpoints are presented to the President.
- We have reason to believe that we can reach what the Secretary would consider a reasonable compromise on farm legislation, particularly in reference to the President's desire to promote rural development and infrastructure. The Secretary wants to be sure he proceeds toward these goals with the President's support.

Please let me know if there is anything else I should do to facilitate this request.

Action Office: osec
Referral Code: 6



THE WHITE HOUSE
WASHINGTON
February 12, 1997

DATE: FEB 19 10 14
DATE: _____
DATE: _____

LF

MEMORANDUM FOR MEMBERS OF THE CABINET
SENIOR WHITE HOUSE STAFF
EOP AGENCY HEADS

FROM: ERSKINE BOWLES *[Signature]*
WHITE HOUSE CHIEF OF STAFF

SUBJECT: White House Mission Requests

Commercial airline accommodations generally shall be used as the most economical means to conduct official travel. In appropriate cases, military aircraft may be used for official White House support missions. Situations in which commercial flight accommodations are not available or those in which commercial travel is inappropriate for the mission, fall into this category.

Use of DoD Aircraft

White House directed use of Department of Defense (DoD)¹ aircraft on a non-reimbursable basis is limited to the following types of missions:

1. White House Support Missions
 - a. Direct support of the President, Vice President and First Family;
 - b. Immediate White House activities; and
 - c. Presidential Missions - missions which, due to special interest on the part of the President, are performed at his specific direction.²

Approval of Agency requests for Presidential Mission status will generally be limited only to missions led by Cabinet-level officials. Absent extenuating circumstances, Agency requests for Presidential Mission status for sub-Cabinet officials will not be considered.

¹Unless specifically stated, this memorandum and attachment does not apply to the Department of Defense. This policy memorandum establishes controls for the use by other agencies of aircraft owned, controlled, and operated by the DoD.

²Requests based solely on "the general furtherance of on-going Presidential initiatives" do not automatically qualify as "Presidentially directed missions." The fact that the President concurs with a prospective trip by a Cabinet member or his/her representative -- as distinct from directing the trip to be made -- does not make it a White House mission (for which reimbursement is not required). Requests that are not specifically covered by criteria set forth in this memorandum require the President's specific direction to receive Presidential Mission designation.

2. Official Support Missions for:
 - a. Secretary of State;
 - b. Attorney General;
 - c. Director of the Federal Bureau of Investigation;
 - d. Director of Central Intelligence.

Pursuant to applicable statutes and policies, one of the following criteria -- in addition to the unavailability of the requesting agency's assets for the mission -- must be met in order for the White House to direct the use of military aircraft on a non-reimbursable basis for these officials. Travel must be:

- a. defense-related;
- b. In direct support of the President,³ the Vice President or First Family;
- c. specifically directed by the President; or,
- d. required to meet national security concerns (e.g., a threat exists, 24-hour secure communications required).⁴

Presidential, Vice-Presidential, and Heads of State airlift missions, in addition to use for classified military exercises, receive first priority for the use of DoD aircraft, including HMX-1 helicopters.⁵ When HMX-1 assets are not committed to these priority missions, their use is determined pursuant to applicable DoD statutes and policies without White House involvement.

For all other travel by Cabinet and government officials, the Economy Act, 31 U.S.C. § 1535, authorizes DoD to provide transportation to another government agency provided all of the following conditions are met:

- a. travel is in the national interest;
- b. there is full reimbursement to DoD;
- c. use of resources does not detract from the national defense; and,
- d. transportation cannot be provided as conveniently or cost effectively by a commercial enterprise.

³Official international travel by the Secretary of State always is considered to be in direct support of the President.

⁴Unofficial travel on military aircraft in accordance with the President's February 10, 1993 Memorandum is permitted if a threat exists or 24-hour secure communications are required, provided that travellers reimburse for fixed-wing aircraft at full commercial economy class rate and for helicopter aircraft on a prorated fare based on the hourly operating cost and total passengers.

⁵Military helicopter support may be used when the press pool requires simultaneous movement with the President and no other means of transportation is available. Press organizations are billed their pro rata fare based on the helicopter hourly operating cost and total passengers.

Review of Requests

The Chief of Staff,⁶ or his designee, will evaluate all Executive Office of the President (EOP) and other agency requests for White House directed use of military aircraft. Requests that meet the criteria will be granted White House mission status. All other requests shall be referred to the Office of the Executive Secretariat of the Secretary of Defense for consideration in accordance with appropriate statutes, regulations and policies.

The Chief of Staff, or his designee, will notify the Director of the White House Military Office (WHMO) once a mission is approved; the Director then will direct DoD to carry out the mission. DoD will schedule and operate White House missions only when directed to do so by the WHMO, Airlift Operations Office.

The Airlift Operations Office is the White House point of contact for all aircraft planning and scheduling. They may be contacted at any time for inquiries regarding aircraft availability and assist with advance mission planning. Airlift Operations is located in room 405 OEOB, and may be reached at (202) 757-1263 or by fax at (202) 638-1578. During non-business hours, an Airlift Operations representative may be reached through the White House Signal Switchboard at (202) 757-5000.

Attached are procedures to ensure that the appropriate approvals are obtained and that DoD resources are efficiently used. This memorandum supersedes memoranda entitled "White House Mission Requests," July 30, 1993; "Supplemental Guidance Re: White House Mission Requests," August 11, 1993; and White House Chief of Staff Memoranda, "White House Mission Requests," May 31, 1994; "White House Mission Requests," September 16, 1994; and "Addendum to September 16, 1994 White House Mission Requests Memorandum," June 16, 1995.

REFERENCES: Executive Memorandum, "Restricted Use of Government Aircraft," February 10, 1993; Counsel to the President Memorandum, "Use of Government Aircraft for Official Business," July 30, 1993.

⁶In instances where the Chief of Staff seeks to use military aircraft, approval by the White House Counsel or Deputy Counsel is required.

WHITE HOUSE MISSION REQUEST PROCEDURES

I. REQUESTS FROM CABINET OFFICERS, WHITE HOUSE STAFF, SENIOR ADMINISTRATION OFFICERS, AND CONGRESSIONAL REQUESTS.

All requests for White House missions by the above mentioned officials require the approval of the Chief of Staff, or his designee. Requests for White House directed travel by Cabinet Secretaries (except the Secretary of State and the Attorney General), shall be forwarded in writing to the Assistant to the President for Cabinet Affairs (Cabinet Secretary). The Cabinet Secretary will forward those requests that meet the criteria for White House mission status to the Assistant to the President for Management and Administration. Approval of Agency requests for Presidential Mission status will generally be limited only to missions led by Cabinet-level officials. Absent extenuating circumstances, Agency requests for Presidential Mission status for sub-Cabinet officials will not be considered.

White House Staff, Senior Administration Officers, and Congressional requests shall be forwarded in writing directly to the Assistant to the President for Management and Administration.

The Assistant to the President for Management and Administration then will forward all requests that meet the criteria for White House mission status to the Chief of Staff, or his designee.

After coordinating with the White House Counsel (or his designee), the Chief of Staff (or his designee) will notify the requesting party or agency of his decision as to whether the proposed travel meets the criteria for a White House mission for which DoD resources may be used.

II. DEPARTMENT OF STATE REQUESTS (Includes Delegations and Foreign Dignitaries)

The Secretary of State is authorized to use government aircraft on a non-reimbursable basis for overseas official travel and domestic travel related specifically to an international diplomatic mission. All proposed missions that State Department officials determine warrant consideration for Presidential Mission status, including travel by the Secretary of State, shall be forwarded in writing to the Assistant to the President for National Security Affairs. The National Security Advisor will forward these requests with a recommendation to the Assistant to the President for Management and Administration who, in turn, will forward the requests (with recommendation) to the Chief of Staff or his designee. The Chief of Staff, or his designee, will notify WHMO and NSC of the decision.

Requests based solely on "the general furtherance of on-going Presidential initiatives" do not automatically qualify as Presidential Missions. Requests not specifically covered by criteria set forth in this memorandum require the President's specific direction to receive Presidential Mission designation.

Unless specifically directed by the President, other Department of State requests may be sent directly to the Office of the Executive Secretariat at DoD.

III. REQUESTS FROM THE ATTORNEY GENERAL, THE DIRECTOR OF THE FBI, AND THE DIRECTOR OF THE CIA.

Requests for White House directed travel on DoD aircraft by the Attorney General, the Director of the FBI, or the Director of the CIA shall be forwarded in writing to the Assistant to the President for Management and Administration. The Assistant to the President for Management and Administration will forward requests that meet the criteria for White House mission status to the Chief of Staff or his designee. After coordinating with the White House Counsel (or his designee), the Chief of Staff (or his designee) will notify the requesting official of his decision as to whether the proposed travel meets the criteria for which DoD resources may be used.

IV. GENERAL INFORMATION

Every effort should be made to submit requests as early as possible and when feasible, not later than 72 hours before the proposed travel. Requests should contain the following information:

- a. purpose of the trip;
- b. travel dates;
- c. type of aircraft requested;
- d. number of passengers and name of primary (principal) passenger;
- e. a proposed flight itinerary; and,
- f. statement outlining reasons that agency assets or commercial aircraft accommodations are not reasonably available or appropriate for the mission.

A copy of the request must be forwarded to the Director of the White House Airlift Operations Office to ensure aircraft availability and permit ample time for mission planning.

V. REIMBURSEMENT RATES

Travel on government aircraft, except White House missions, must be reimbursed at "Government Non-DoD" rates as follows:

<u>AIRCRAFT TYPE</u>	<u># OF PASSENGERS</u>	<u>RATE/HOUR*</u>
C-137 B/C (Boeing 707)	50-63	\$9,916
C-9 (DC-9)	42	\$6,048
C-20 B/H (Gulfstream III)	12**	\$3,348

* FY 97 Government non-DoD rates

** 10 passengers for overseas missions

Notes:

- Government non-DoD use rates are subject to and will change in subsequent fiscal years.
- The above numbers are for general planning only. The number of seats available for a mission is restricted by distance and airport.
- Should a mission require the use of another (unlisted) aircraft, that aircraft's hourly operating cost will be used to determine the appropriate reimbursement.
- Agencies are charged a minimum of two flight-hours per day for each full day an aircraft is deployed on the agency's mission.
- In-flight meal and beverage service is not included in the hourly rate of the aircraft. These charges must be paid by each passenger. Passengers will be billed following each trip whether or not meals are actually consumed.
- Availability of these aircraft is dependent on numerous factors, including maintenance, missions already in progress, and higher priority taskings (e.g., Air Force One or Air Force Two).



7/29/97

From the desk of Dan Glickman, Secretary

Erskine -

I thought you'd be interested in two items:

1) Discussion from the Congressional Record last week including remarks from Senator Robb about our efforts in civil rights + his additional amendment adding money for enforcement and outreach. I doubt you were aware of this at the Clayton meeting.

2) Federal Times (August 4, 1997) article about USDA effort on civil rights - basically a fair article.

I regret the confusion today which necessitated your call to me.



From the desk of Dan Glickman, Secretary

After the meeting, senior USDA staff spent some time with Eva Clayton and her staff to work on finishing our comments regarding her bill.

As you can imagine, the civil rights effort at USDA is difficult, tedious, time-consuming, frustrating, but extremely important to us in the Administration. We will continue to do our best.

Dan

The Independent Weekly for Federal Employees

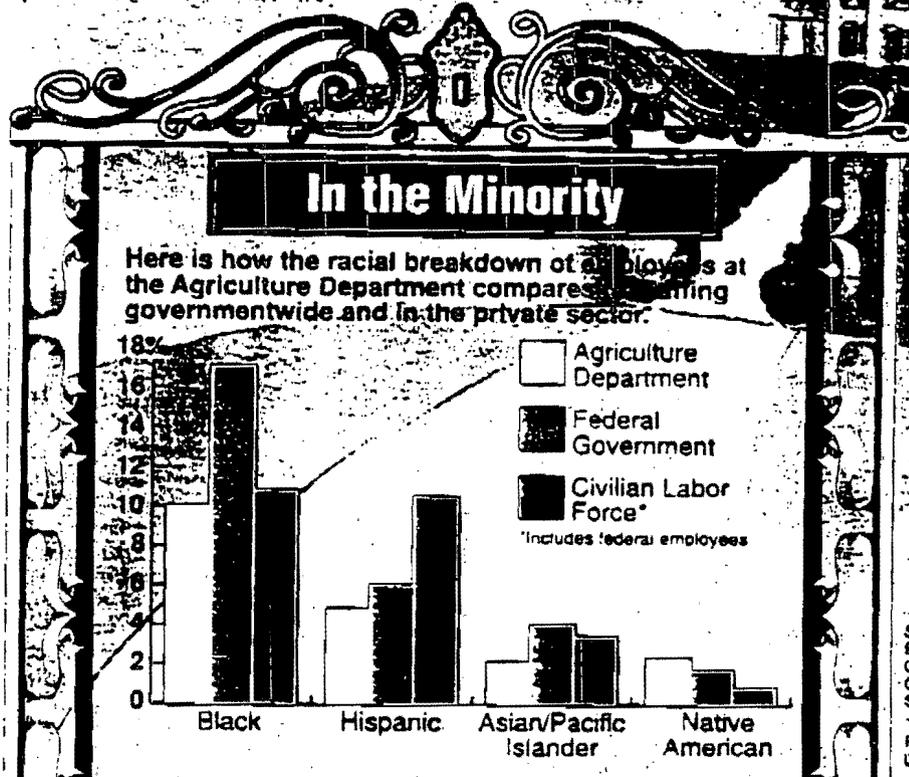
FEDERAL TIMES

AUGUST 4, 1997

VOL. 33, NO. 26

124
101/5

FOCUS



Razing the 'Plantation'

The Agriculture Department has embarked on an ambitious plan to rid itself of a racist reputation.

Will the plan work?

By Meg Walker
Federal Times Staff Writer

Cliff Herron, a black man who has worked at the Agriculture Department 18 years, and LaTanya Wright, a black woman who has been there six years, have different expectations about official efforts to end racial discrimination at the agency known as the "Last Plantation."

Herron, a Farm Service Agency outreach programs manager in Washington, D.C., has a "wait-and-see attitude" about Secretary Dan Glickman's initiatives. After being passed over for promotions at least three times, Herron, who holds a doctor-

ate in agricultural education, has almost given up his dream of becoming a senior executive. He can't quite believe the agency could become a fair place to work.

Wright, a Food Safety and Inspection Service personnel specialist in Washington, thinks the day is slowly coming when a battery of new civil rights policies will affect all of Agriculture's 90,000 employees.

"It's going to make a big difference," she said of Glickman's initiative.

From employees to Congress members who oversee the department, opinions vary on

See RACISM, Page 12

mail

123
CA-AGR California Farming-Ag Extras,0570

Sonoma County struggles with what enterprises to allow on farm

SANTA ROSA, Calif. (AP) A new cash crop is growing in Sonoma County's fertile farmland, a hybrid of wine country entertainment, upscale tourism and modern marketing with roots in old-fashioned farming.

Sonoma County's agricultural industry is diversifying as vintners and farmers search for new ways to promote their products, burnish their images and boost their incomes. Increasingly, local wineries and farms are hosting weddings and festivals, serving meals to visitors and selling an array of merchandise on their property.

These activities raise difficult questions about what Sonoma County agriculture will become in the future.

Are commercial activities a flower that helps promote Sonoma County agriculture and keep it economically strong? Or are they a weed that threatens to overrun the region's precious vineyards and farmlands?

Finding the right answer is the underlying goal of a project to revamp the county's 8-year-old set of zoning ordinances, which place strict limits on what you can and can't do in an agricultural district.

County planners are drafting new standards to regulate three activities on agricultural land: food service, retail sales and special events. The proposals will attempt to strike a balance between two sometimes conflicting goals protecting agricultural land while providing more opportunities for wineries and farmers to promote their products and prosper.

"The question is, how do we protect agriculture in the 1990s, given the economics of today?" said planner Richard Rogers.

Rogers said the proposals would clarify existing land use regulations to make retail stores, restaurants and concert facilities, "secondary and incidental" to agricultural production.

"The question is where do you cross the line," Rogers said. "It is a very tough line to draw, but that is what we are attempting to do."

The project is being closely watched within the county's diverse agricultural community. Some fear the new rules could make it easier for commercial operations to set up shop in Sonoma County's vineyards, orchards and farmland, turning scarce agricultural land into an open-air bazaar filled with products from far away.

"Sonoma County has always been very careful with its agricultural land. This opens it wide open to nonagricultural uses. That is a scary thing," said Jan Tolmasoff. He chairs the planning and zoning committee for the Dry Creek Valley Association, a collection of vineyard growers and other landowners opposed to commercial development in the scenic valley north of San Francisco.

Others are concerned that the rules could force them to stop selling some products or hosting events that draw customers to their wineries and farms, limiting their ability to promote home-grown agricultural products that are the core of their businesses.

"How do you promote agriculture and protect agricultural land? You can't lose the land. But if you don't have a healthy agricultural economy, you lose the people on the land," said Bob Anderson, head of United Winegrowers for Sonoma County.

(PROFILE
(CAT:Agriculture;)
(CAT:Travel;)
(SRC:AP; ST:CA;)
)

AP-NY-07-29-97 1306EDT

:SUBJECT: CA AGRI CA

Copyright (c) 1997 The Associated Press

Received by NewsEDGE/LAN: 7/29/97 1:11 PM

Trying to Put an End to Discrimination

RACISM, From Page 1

whether Glickman has established a process that finally will wipe out a workplace atmosphere that has drawn thousands of discrimination complaints from employees.

For years, complaints by minorities have cited abusive managers, unequal promotion and training opportunities and often venuequous reprisals.

Changes "may not happen overnight, but you are incorporating actions and steps into performance ratings," Wright said. "Even if you can't change the attitudes, you can change the performance."

Wright is one of 300 employees from offices around the country assigned to a special detail to write policies enacting the 92 recommendations of a task force appointed by Glickman.

After black farmers marched on the White House last December to protest delays in farm loans, Glickman ordered a special task force to investigate decades-old discrimination complaints about farm programs and from the department's own employees.

Nearly six months after the task force issued its 121-page report, few doubt Glickman's intent to rid the agency of its "Last Plantation" nickname. "I want to close this chapter of USDA history," Glickman recently told a House panel.

The question is whether an agency steeped in a culture that traditionally has excluded minorities from decision-making can really change. Even officials working on the civil rights report knew it is a daunting task. They admit they have not met many deadlines for reform set by the report because the problems are deeper than first realized.

"I think the secretary is sincere," said Otis Thompson, executive director of the Organization of Professional Employees of USDA, "but we've had similar efforts in the past and nothing came of it."

No one seems to know precisely when Agriculture became known as the "Last Plantation." The nickname started out as the "Original Plantation" around the turn of the century, when technical farm services were provided by separate staffs of white and black employees to farmers in the South.

Today, disgruntled employees say the nickname aptly describes a workplace atmosphere that has caused thousands

of them to file equal employment opportunity complaints that can take years for their agencies to investigate, let alone settle.

Employees say often nothing happens to managers even when they have been found to discriminate.

"I think there is a system here now that rewards friendship, basic commonalities and the idea that you look like me," said John Just-Buddy, a black program manager in the Natural Resources Conservation Service. He said he has filed more than one complaint against a manager in his 33-year career.

Almost every Agriculture secretary in the last 20 years has vowed to end workplace discrimination. But instead of improving, employees say things always seem to get worse.

That is evident from statistics on mounting discrimination complaints languishing at the department. From 1992 to 1994, complaints filed by employees jumped 37 percent from 1,628 to 2,233, according to Agriculture figures.

Glickman Listens

Recently, during "listening sessions" at 12 offices across the country, employees told Glickman and other top officials about hostile workplaces where nepotism and favoritism are widespread.

Both women and minority employees told the civil rights task force that managers often detail "favored" employees into vacant positions before advertising the openings. This practice of "pre-selection" gives the employees valuable experience that qualifies them later for eventual selection, according to the task force's report issued in February.

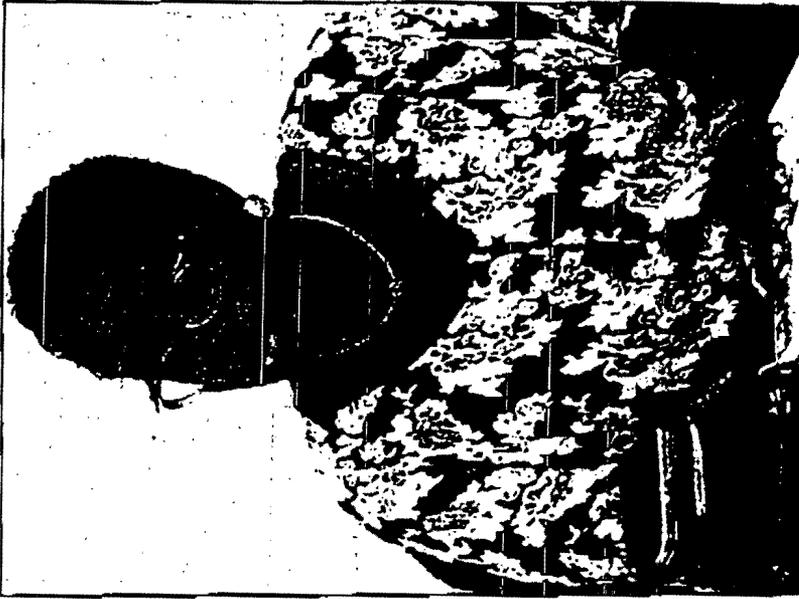
Black employees repeatedly complained that selecting officials turned them down for technical or entry-level positions, saying they did not qualify despite their college degrees or experience.

One black employee who applied for an accounting technician job was told his hands were too large to use an adding machine, the report said.

Asians, who are slightly more than 2 percent of Agriculture employees, told the task force they "feel invisible."

Many Asians at Agriculture's National Finance Center in New Orleans told the team that despite their specialized degrees, they are held back by a "sticky floor" that does not allow them promotions above GS-12. Others said managers used the employees' accents as excuses to hold them back.

Women told the civil rights team that those who refused to engage in sexual relationships with their supervisors often were denied promotions and transfers.



FEDERAL TIMES/Red McCrehm
LaTanya Wright is one of 300 employees from offices around the country assigned to write policy enacting the 92 recommendations of the civil rights task force.

Top-Level Attention

Most employees and leaders of employee groups say the only way to transform the agency is to punish those who harmed employees' careers because of discrimination.

The purge should start with top officials, the employees say.

"They should remove all the political appointees responsible for the demise and condition of employees," said Lawrence Lucas, president of the USDA Coalition of Minority Employees.



FEDERAL TIMES/Jed McClellan

Recently appointed director of USDA's office of civil rights, Lloyd Wright says the first step is to eliminate a backlog of 1,500 discrimination complaints.

"Managers here have never been held accountable, so they just feel they can do what they want," Herron said. "The first step is to hold them responsible."

Accountability is but one recommendation forwarded by the task force, and it will change the course at Agriculture in several ways, say those in charge of putting the recommendations in place. Clickman has promoted two careerists, both black, to oversee the changes.

Pearlie Reed, formerly associate chief of the Natural Resource Conservation Service, has been appointed acting assistant secretary for administration. A 24-year employee, Reed will be responsible for all civil rights issues.

Lloyd Wright, a 35-year employee, has been appointed director of the office of civil rights. Besides assisting agency civil rights offices, Wright, formerly director of conservation operation at the resource conservation service, will have the fast word on programs and employee complaints.

Firings and Demotions

As the first step, Wright has set up a system to eliminate the backlog of about 1,500 complaints.

About 600 employees who have filed complaints have agreed to settle them through alternative dispute resolution, in which agency officials, employees and counselors try to arrive at an appropriate settlement. In most cases, the negotiated settlements do not assign blame to any party.

In about 140 of those cases, employees have signed settlements with agencies, Wright said.

"If employers and management can get together, you'd have to say this is successful," Wright said. "We should do more of it in the future. Oftentimes they haven't talked, and once they do, they may find there are not as many differences as they thought."

About 70 other cases, in which no wrongdoing was found, have been dismissed. About 170 cases have gone on to a hearing at the Equal Employment Opportunity Commission.

Investigators are beginning to determine the facts in other 600 cases where "management and employees can see eye to eye," he said.

These cases will go through the normal complaint process which means Wright or his staff will approve a finding either for the employee or the agency. "We will hold someone accountable," he said. "That's been the missing link in the past. Wright does not think anyone ever has been removed from a job for committing discrimination."

"I think it's going to take that to get the attention of folks," he said. "I would hope that the actions we take are severe enough that it would encourage people not to discriminate. We need to be willing to demote people. We need to be willing to suspend people from management."

Wright says his decisions will be fair. "We need to make sure we don't punish the innocent."

New Appraisals Coming

The task force also recommended civil rights standards for performance appraisals.

Under the new performance evaluations, expected to be used in 1998, agency heads must get at least a "satisfactory" on the civil rights standard. Among other things, the standard will take into account the agency's performance in hiring and keeping a diverse work force. Reed will review the appraisals for some political appointees and senior executives.

"If you don't get a 'satisfactory,' you could lose your job," said Sylvia Magbanua, a computer training specialist on the team of employees working to enact the recommendations.

Top officials and managers are now rated on their civil rights performance, but they are not penalized for a poor rating. Agriculture officials say.

4

FOCUS

A Civil Rights To-Do List

The Civil Rights Action Team made 92 recommendations to improve race relations at the Agriculture Department. Here's where some of them stand:

124
4015

Recommendation	Status
To ensure civil rights accountability at USDA, delegate to the assistant secretary for administration full authority over all civil rights issues at USDA. He or she may further delegate civil rights authority through the mission area assistant and undersecretaries to agency heads.	Fully implemented through Memorandum 1010-4, from Agriculture Secretary Dan Glickman, dated May 16, 1997.
Delegate to the assistant secretary for administration the authority to rate agency heads on their civil rights performance elements. He or she will provide feedback to the secretary on the civil rights performance of the subcabinet.	To be put into effect Oct. 1.
Assure accountability, adopt and enforce a policy that the department will take the appropriate adverse or disciplinary action against any manager found guilty of reprisal against any USDA employee or customer. Investigate all allegations of reprisal, abuses of power, and -- where the allegations appear meritorious, immediately remove the official from managerial duties pending full investigation.	A departmental personnel manual bulletin has been drafted establishing units to handle reprisal complaints within existing offices; establishing reprisal complaints as first priority ahead of all other types of cases except those involving violence in the workplace; establishing penalties for reprisal; and coordinating reporting on reprisal cases and disciplinary actions for employee review and performance evaluations.
Direct the Forest Service to end the use of surplus lists.	Memorandum issued to stop the use of surplus lists in hiring.

Source: USDA, July 11, 1997

"This will be like a report card," said LaTanya Wright. "If I get an A or an F, it will make a difference."

Outside observers say punishing top officials who are not proactive about civil rights is crucial.

'Not Everyone Agrees'

Resistance to Glickman's ambitious plan is not hard to find at USDA headquarters or in field offices in rural communities.

Some long-time agency managers maintain the extent of discrimination is being exaggerated. Some career executives disagree with the direction in which Glickman is leading the agency. But no managers or executives would agree to discuss their concerns on the record with *Federal Times*.

Employees and leaders of employee groups often have accused the general counsel's office of blocking progress on employee complaints.

The civil rights task force recommended greater diversity among attorneys in that office and adding a legal expert on civil rights issues.

Recently, Lloyd Wright sent a memo to General Counsel James Gilliland, criticizing him for obstructing a resolution on a discrimination complaint filed by a farmer.

'We need to be willing to demote people.'
Civil Rights Director
Lloyd Wright

"It is very clear to me that I cannot trust or depend on [the general counsel's office] for any assistance in dealing with civil rights issues at USDA," Wright wrote in the July 10 memo. "Also it is very clear to me that [the general counsel] will do everything it can to discredit me personally and professionally and to obstruct any effort to improve civil rights at USDA."

USDA Spokesman Tom Amontree refused to comment on the memo, saying it was a misunderstanding and the two officials will continue to work together as team players.

But Wright's memo aroused the attention of several black members of the House Agriculture Committee who questioned Glickman at a July 17 hearing.

"Sources have suggested to us that [the general counsel] has been not only not cooperative but in fact hostile" to changes, said Rep. Sanford Bishop, D. Ga. -

Glickman said it is understandable that "not everyone agrees with the profound changes going on at USDA. The

12-4
5-15

(5)

key is to make sure we are all working together."

The most controversial recommendation in the civil rights report could be the one that would give federal status to the 12,000 employees who work in county offices of the Farm Service Agency.

Glickman's civil rights initiative was triggered by complaints from black farmers that the agency discriminated against them by delaying or denying their loans.

County employees receive federal salaries and benefits but are not governed by civil service laws. They are hired by a county executive director, who is hired by a committee of local farmers. The committee is elected by farmers in the area.

Critics say the farmers committees often make sure their friends and relatives are the county employees who review loan applications. That, critics contend, means the system is vulnerable to nepotism and discrimination.

Along with bringing the employees under federal guidelines, Glickman wants to expand the county committee system to ensure minority and small farmers are selected to the committees. But his proposals are meeting resistance from legislators who are hesitant to diminish the political muscle of farmers back home.

"The report came down hard on us," said John Heatly, vice president of the National Association of FSA Committee Employees. He has been part of the county system 31 years and is the executive director of an FSA office serving Jones County, Texas. "It made us look discriminatory just by being county committee employees."

If the county employees are brought into the federal system, Heatly said they should keep the same service record, but a number of other employees disagree.

Some credit managers in FSA say their jobs, which are federal, have higher standards.

County employees should not become federal employees without having to meet some extra standards and perhaps go through training.

"I don't mind that they are converted to the federal system," said an FSA employee in North Dakota, "but I think they should have to compete for their jobs just like we did."



7/29/97

From the desk of Dan Glickman, Secretary

Ernie -

I thought you'd be interested in two items:

1) Discussion from the Congressional Record last week including remarks from Senator Robb about our efforts in civil rights + his additional amendment adding money for enforcement and outreach. I doubt you were aware of this at the Clayton meeting.

2) Federal Times (August 4, 1997) article about USDA effort on civil rights - basically a fair article. I regret the confusion today which necessitated your call to me.



From the desk of Dan Glickman, Secretary

After the meeting, senior USDA staff spent some time with Eva Clayton and her staff to work on finishing our comments regarding her bill.

As you can imagine, the civil rights effort at USDA is difficult, tedious, time-consuming, frustrating, but extremely important to us in the Administration. We will continue to do our best.

Dan

FOCUS

The Independent Weekly for Federal Employees

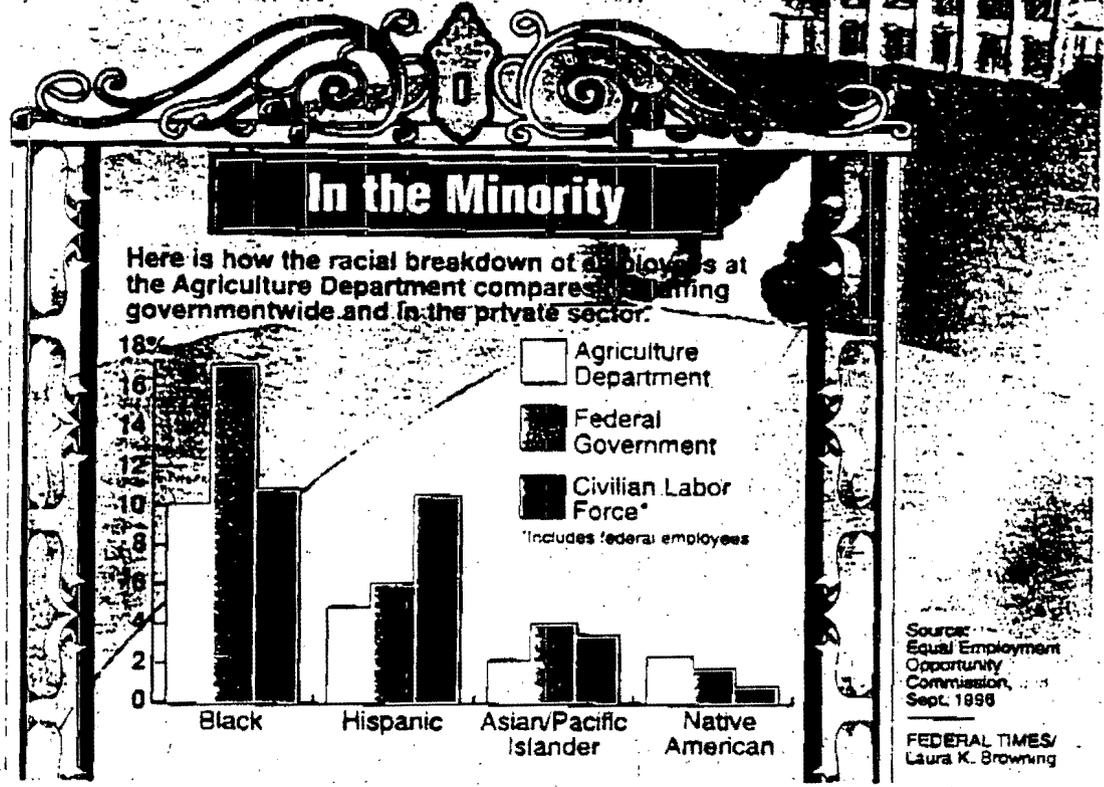
FEDERAL TIMES

\$2.25

AUGUST 4, 1997

VOL. 33, NO. 26

124
101/5



Razing the 'Plantation'

The Agriculture Department has embarked on an ambitious plan to rid itself of a racist reputation. Will the plan work?

By Meg Walker
Federal Times Staff Writer

Cliff Herron, a black man who has worked at the Agriculture Department 18 years, and LaTanya Wright, a black woman who has been there six years, have different expectations about official efforts to end racial discrimination at the agency known as the "Last Plantation."

Herron, a Farm Service Agency outreach programs manager in Washington, D.C., has a "wait-and-see attitude" about Secretary Dan Glickman's initiatives. After being passed over for promotions at least three times, Herron, who holds a doctor-

ate in agricultural education, has almost given up his dream of becoming a senior executive. He can't quite believe the agency could become a fair place to work.

Wright, a Food Safety and Inspection Service personnel specialist in Washington, thinks the day is slowly coming when a battery of new civil rights policies will affect all of Agriculture's 90,000 employees.

"It's going to make a big difference," she said of Glickman's initiative.

From employees to Congress members who oversee the department, opinions vary on
See RACISM, Page 12

123
CA-AGR California Farming-Ag Extras, 0570

Sonoma County struggles with what enterprises to allow on farm

SANTA ROSA, Calif. (AP) A new cash crop is growing in Sonoma County's fertile farmland, a hybrid of wine country entertainment, upscale tourism and modern marketing with roots in old-fashioned farming.

Sonoma County's agricultural industry is diversifying as vintners and farmers search for new ways to promote their products, burnish their images and boost their incomes. Increasingly, local wineries and farms are hosting weddings and festivals, serving meals to visitors and selling an array of merchandise on their property.

These activities raise difficult questions about what Sonoma County agriculture will become in the future.

Are commercial activities a flower that helps promote Sonoma County agriculture and keep it economically strong? Or are they a weed that threatens to overrun the region's precious vineyards and farmlands?

Finding the right answer is the underlying goal of a project to revamp the county's 8-year-old set of zoning ordinances, which place strict limits on what you can and can't do in an agricultural district.

County planners are drafting new standards to regulate three activities on agricultural land: food service, retail sales and special events. The proposals will attempt to strike a balance between two sometimes conflicting goals protecting agricultural land while providing more opportunities for wineries and farmers to promote their products and prosper.

"The question is, how do we protect agriculture in the 1990s, given the economics of today?" said planner Richard Rogers.

Rogers said the proposals would clarify existing land use regulations to make retail stores, restaurants and concert facilities, "secondary and incidental" to agricultural production.

"The question is where do you cross the line," Rogers said. "It is a very tough line to draw, but that is what we are attempting to do."

The project is being closely watched within the county's diverse agricultural community. Some fear the new rules could make it easier for commercial operations to set up shop in Sonoma County's vineyards, orchards and farmland, turning scarce agricultural land into an open-air bazaar filled with products from far away.

"Sonoma County has always been very careful with its agricultural land. This opens it wide open to nonagricultural uses. That is a scary thing," said Jan Tolmasoff. He chairs the planning and zoning committee for the Dry Creek Valley Association, a collection of vineyard growers and other landowners opposed to commercial development in the scenic valley north of San Francisco.

Others are concerned that the rules could force them to stop selling some products or hosting events that draw customers to their wineries and farms, limiting their ability to promote home-grown agricultural products that are the core of their businesses.

"How do you promote agriculture and protect agricultural land? You can't lose the land. But if you don't have a healthy agricultural economy, you lose the people on the land," said Bob Anderson, head of United Winegrowers for Sonoma County.

(PROFILE

(CAT:Agriculture;)

(CAT:Travel;)

(SRC:AP; ST:CA;)

AP-NY-07-29-97 1306EDT

:SUBJECT: CA AGRI CA

Copyright (c) 1997 The Associated Press

Received by NewsEDGE/LAN: 7/29/97 1:11 PM

FO

Trying to Put an End to Discrimination

RACISM, From Page 1

whether Clickman has established a process that finally will wipe out a workplace atmosphere that has drawn thousands of discrimination complaints from employees.

For years, complaints by minorities have cited abusive managers, unequal promotion and training opportunities and often ferocious reprisals.

Changes "may not happen overnight, but you are incorporating actions and steps into performance ratings," Wright said. "Even if you can't change the attitudes, you can change the performance."

Wright is one of 300 employees from offices around the country assigned to a special detail to write policies enacting the 92 recommendations of a task force appointed by Clickman.

After black farmers marched on the White House last December to protest delays in farm loans, Clickman ordered a special task force to investigate decades-old discrimination complaints about farm programs and from the department's own employees.

Nearly six months after the task force issued its 124-page report, few doubt Clickman's intent to rid the agency of its "Last Plantation" nickname. "I want to close this chapter of USDA history," Clickman recently told a House panel. The question is whether an agency steeped in a culture that traditionally has excluded minorities from decision-making can really change. Even officials working on the civil rights report know it is a daunting task. They admit they have not met many deadlines for reform set by the report because the problems are deeper than first realized.

"I think the secretary is sincere," said Otis Thompson, executive director of the Organization of Professional Employees of USDA. "But we've had similar efforts in the past and nothing came of it."

No one seems to know precisely when Agriculture became known as the "Last Plantation." The nickname started out as the "Original Plantation" around the turn of the century, when technical farm services were provided by separate staffs of white and black employees to farmers in the South.

Today, disgruntled employees say the nickname aptly describes a workplace atmosphere that has caused thousands

of them to file equal employment opportunity complaints that can take years for their agencies to investigate, let alone settle.

Employees say often nothing happens to managers even when they have been found to discriminate.

"I think there is a system here now that rewards friendship, basic commonalities and the idea that you look like me," said John Just-Buddy, a black program manager in the Natural Resources Conservation Service. He said he has filed more than one complaint against a manager in his 33-year career.

Almost every Agriculture secretary in the last 20 years has vowed to end workplace discrimination. But instead of improving, employees say things always seem to get worse.

That is evident from statistics on mounting discrimination complaints languishing at the department. From 1992 to 1994, complaints filed by employees jumped 37 percent from 1,628 to 2,233, according to Agriculture figures.

Clickman Listens

Recently, during "listening sessions" at 12 offices across the country, employees told Clickman and other top officials about hostile workplaces where nepotism and favoritism are widespread.

Both women and minority employees told the civil rights task force that managers often detail "favored" employees into vacant positions before advertising the openings. This practice of "pre-selection" gives the employees valuable experience that qualifies them later for eventual selection, according to the task force's report issued in February.

Black employees repeatedly complained that selecting officials turned them down for technical or entry-level positions, saying they did not qualify despite their college degrees or experience.

One black employee who applied for an accounting technician job was told his hands were too large to use an adding machine, the report said.

Asians, who are slightly more than 2 percent of Agriculture employees, told the task force they "feel invisible."

Many Asians at Agriculture's National Finance Center in New Orleans told the team that despite their specialized degrees, they are held back by a "sticky floor" that does not allow them promotions above GS-12. Others said managers used the employees' accents as excuses to hold them back.

Women told the civil rights team that those who refused to engage in sexual relationships with their supervisors often were denied promotions and transfers.



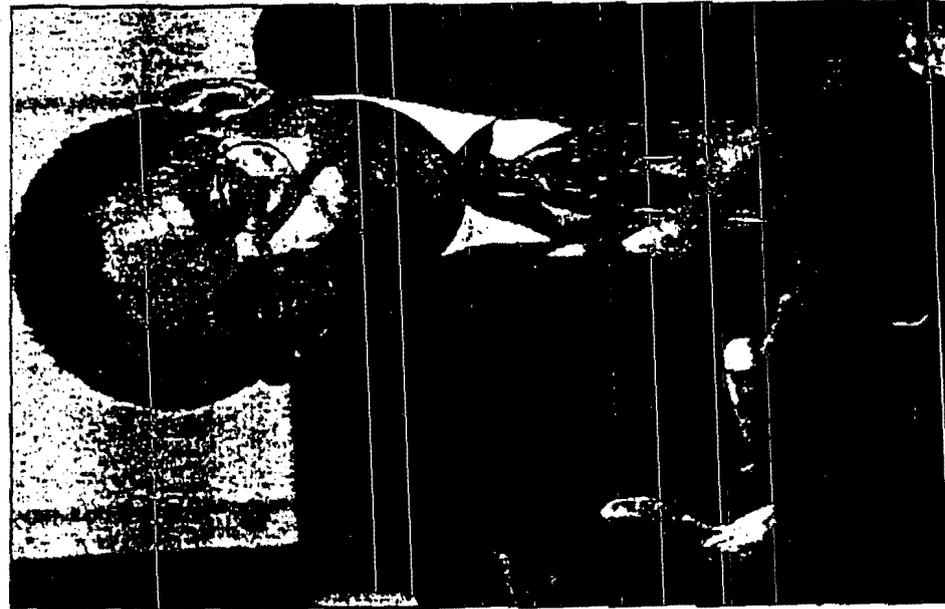
FEDERAL TIMES/Jud McCrelin
LaTanya Wright is one of 300 employees from offices around the country assigned to write policy enacting the 92 recommendations of the civil rights task force.

Top-Level Attention

Most employees and leaders of employee groups say the only way to transform the agency is to punish those who harmed employees' careers because of discrimination.

The purge should start with top officials, the employees say.

"They should remove all the political appointees responsible for the demise and condition of employees," said Lawrence Lucas, president of the USDA Coalition of Minority Employees.



FEDERAL TIMES/John McCreehan

Recently appointed director of USDA's office of civil rights, Lloyd Wright says the first step is to eliminate a backlog of 1,500 discrimination complaints.

"Managers here have never been held accountable, so they just feel they can do what they want," Jerron said.

"The first step is to hold them responsible." Accountability is but one recommendation forwarded by the task force, and it will change the course at Agriculture in several ways, say those in charge of putting the recommendations in place. Glickman has promoted two careerists, both black, to oversee the changes.

Pearlie Reed, formerly associate chief of the Natural Resource Conservation Service, has been appointed acting assistant secretary for administration. A 24-year employee, Reed will be responsible for all civil rights issues.

Lloyd Wright, a 35-year employee, has been appointed director of the office of civil rights. Besides assisting agency civil rights offices, Wright, formerly director of conservation operation at the resource conservation service, will have the last word on programs and employee complaints.

Firings and Demotions

As the first step, Wright has set up a system to eliminate the backlog of about 1,500 complaints.

About 600 employees who have filed complaints have agreed to settle them through alternative dispute resolution, in which agency officials, employees and counselors try to arrive at an appropriate settlement. In most cases, the negotiated settlements do not assign blame to any party.

In about 140 of those cases, employees have signed settlements with agencies, Wright said.

"If employees and management can get together, you'd have to say this is successful," Wright said. "We should do more of it in the future. Oftentimes they haven't talked, and once they do, they may find there are not as many differences as they thought."

About 70 other cases, in which no wrongdoing was found, have been dismissed. About 170 cases have gone on to a hearing at the Equal Employment Opportunity Commission.

Investigators are beginning to determine the facts in 10 other 600 cases where "management and employees can see eye to eye," he said.

These cases will go through the normal complaint process which means Wright or his staff will approve a finding either for the employee or the agency. "We will hold someone accountable," he said. "That's been the missing link in the past. Wright does not think anyone ever has been removed from a job for committing discrimination."

"I think it's going to take that to get the attention of folks," he said. "I would hope that the actions we take are severe enough that it would encourage people not to discriminate. We need to be willing to denote people. We need to be willing to suspend people from management."

Wright says his decisions will be fair. "We need to make sure we don't punish the innocent."

New Appraisals Coming

The task force also recommended civil rights standards for performance appraisals.

Under the new performance evaluations, expected to be in use in 1998, agency heads must put at least a "satisfactor" on the civil rights standard. Among other things, the standard will take into account the agency's performance in hiring and keeping a diverse work force. Reed will review the appraisals for some political appointees and senior executives.

"If you don't get a 'satisfactory,' you could lose your job," said Sylvia Magbanua, a computer training specialist on the team of employees working to enact the recommendations.

The officials and managers are now rated on their civil rights performance, but they are not penalized for a poor rating, Agriculture officials say.

4

FOCUS

124
4015

A Civil Rights To-Do List

The Civil Rights Action Team made 92 recommendations to improve race relations at the Agriculture Department. Here's where some of them stand:

Recommendation	Status
To ensure civil rights accountability at USDA, delegate to the assistant secretary for administration full authority over all civil rights issues at USDA. He or she may further delegate civil rights authority through the mission area assistant and undersecretaries to agency heads.	Fully implemented through Memorandum 1010-4, from Agriculture Secretary Dan Glickman, dated May 16, 1997.
Delegate to the assistant secretary for administration the authority to rate agency heads on their civil rights performance elements. He or she will provide feedback to the secretary on the civil rights performance of the subcabinet.	To be put into effect Oct. 1.
Assure accountability, adopt and enforce a policy that the department will take the appropriate adverse or disciplinary action against any manager found guilty of reprisal against any USDA employee or customer. Investigate all allegations of reprisal, abuses of power, and — where the allegations appear meritorious, immediately remove the official from managerial duties pending full investigation.	A departmental personnel manual bulletin has been drafted establishing units to handle reprisal complaints within existing offices; establishing reprisal complaints as first priority ahead of all other types of cases except those involving violence in the workplace; establishing penalties for reprisal; and coordinating reporting on reprisal cases and disciplinary actions for employee review and performance evaluations.
Direct the Forest Service to end the use of surplus lists.	Memorandum issued to stop the use of surplus lists in hiring.

Source: USDA, July 11, 1997

"This will be like a report card," said LaTanya Wright. "If I get an A or an F, it will make a difference."

Outside observers say punishing top officials who are not proactive about civil rights is crucial.

'Not Everyone Agrees'

Resistance to Glickman's ambitious plan is not hard to find at USDA headquarters or in field offices in rural communities.

Some long-time agency managers maintain the extent of discrimination is being exaggerated. Some career executives disagree with the direction in which Glickman is leading the agency. But no managers or executives would agree to discuss their concerns on the record with *Federal Times*.

Employees and leaders of employee groups often have accused the general counsel's office of blocking progress on employee complaints.

The civil rights task force recommended greater diversity among attorneys in that office and adding a legal expert on civil rights issues.

Recently, Lloyd Wright sent a memo to General Counsel James Gilliland, criticizing him for obstructing a resolution on a discrimination complaint filed by a farmer.

'We need to be willing to demote people.'

**Civil Rights Director
Lloyd Wright**

"It is very clear to me that I cannot trust or depend on [the general counsel's office] for any assistance in dealing with civil rights issues at USDA," Wright wrote in the July 10 memo. "Also it is very clear to me that [the general counsel] will do everything I can to discredit me personally and professionally and to obstruct any effort to improve civil rights at USDA."

USDA Spokesman Tom Amontree refused to comment on the memo, saying it was a misunderstanding and the two officials will continue to work together as team players.

But Wright's memo aroused the attention of several black members of the House Agriculture Committee who questioned Glickman at a July 17 hearing.

"Sources have suggested to us that [the general counsel] has been not only not cooperative but in fact hostile" to changes, said Rep. Sanford Bishop, D. Ga. —

Glickman said it is understandable that "not everyone agrees with the profound changes going on at USDA. The

12-4
5/15

(5)

key is to make sure we are all working together."

The most controversial recommendation in the civil rights report could be the one that would give federal status to the 12,000 employees who work in county offices of the Farm Service Agency.

Glickman's civil rights initiative was triggered by complaints from black farmers that the agency discriminated against them by delaying or denying their loans.

County employees receive federal salaries and benefits but are not governed by civil service laws. They are hired by a county executive director, who is hired by a committee of local farmers. The committee is elected by farmers in the area.

Critics say the farmers committees often make sure their friends and relatives are the county employees who review loan applications. That, critics contend, means the system is vulnerable to nepotism and discrimination.

Along with bringing the employees under federal guidelines, Glickman wants to expand the county committee system to ensure minority and small farmers are elected to the committees. But his proposals are meeting resistance from legislators who are hesitant to diminish the political muscle of farmers back home.

"The report came down hard on us," said John Heatly, vice president of the National Association of FSA Committee Employees. He has been part of the county system 31 years and is the executive director of an FSA office serving Jones County, Texas. "It made us look discriminatory just by being county committee employees."

If the county employees are brought into the federal system, Heatly said they should keep the same service record, but a number of other employees disagree.

Some credit managers in FSA say their jobs, which are federal, have higher standards.

County employees should not become federal employees without having to meet some extra standards and perhaps go through training.

"I don't mind that they are converted to the federal system," said an FSA employee in North Dakota, "but I think they should have to compete for their jobs just like we did."

Put on
my gold seal

LEON PANETTA and

March 19, 1996

DRAFT

MEMORANDUM FOR KITTY HIGGINS, THE WHITE HOUSE

FROM: SECRETARY DAN GLICKMAN

SUBJECT: Product Liability

In light of the current debate in Congress on product liability legislation, and the President's statement on a prospective veto, it may be useful to point out that the President did sign a narrow form of product liability legislation in August of 1994.

That bill, introduced by Senator Kassebaum and myself, created an 18 year statute of repose period for general aviation products (e.g. Beech, Cessna, Piper, Falcon and Learjet) so that if the airplane ~~was~~^{were} manufactured more than 18 years ago, a product liability suit could not be brought against the manufacturer for a product defect unless the manufacturer lied or misled the FAA in its regulatory responsibilities. The bill was ~~normally~~^{narrowly} focused - it did not limit the amount of recovery in all other cases, nor did it not deal with punitive damages or joint and ~~several~~ liability.

As a direct result of the bill's passage, Cessna has announced that it is opening a single engine manufacturing facility in Independence, Kansas and is in the process of hiring up to 2,000 people in Wichita and Independence.

Since airplanes are federally regulated products, and since the bill was exclusively focused on the statute of repose, the President signed the bill enthusiastically. Current more general product liability legislation, however is not focused, does not deal with just federally regulated products, and does preempt state tort laws in a much broader sense.

My point is that a ~~normally~~^{narrowly} defined bill has met with President Clinton's approval in the past, ~~which shows that he looks at these issues on a case by case basis~~

Perhaps this information will be useful as you respond to the current debate on the product liability issue.

Put on my gold seal

LEON PANETTA and

DRAFT

March 19, 1996

MEMORANDUM FOR ^RKITTY HIGGINS, THE WHITE HOUSE

FROM: SECRETARY DAN GLICKMAN

SUBJECT: Product Liability

In light of the current debate in Congress on product liability legislation, and the President's statement on a prospective veto, it may be useful to point out that the President did sign a narrow form of product liability legislation in August of 1994.

That bill, introduced by Senator Kassebaum and myself, created an 18 year statute of repose period for general aviation products (e.g. Beech, Cessna, Piper, Falcon and Learjet) so that if the airplane ~~was~~ ^{were} manufactured more than 18 years ago, a product liability suit could not be brought against the manufacturer for a product defect unless the manufacturer lied or misled the FAA in its regulatory responsibilities. The bill was ~~normally~~ ^{narrowly} focused - it did not limit the amount of recovery in all other cases, nor did it not deal with punitive damages or joint and ~~several~~ liability.

As a direct result of the bill's passage, Cessna has announced that it is opening a single engine manufacturing facility in Independence, Kansas and is in the process of hiring up to 2,000 people in Wichita and Independence.

Since airplanes are federally regulated products, and since the bill was exclusively focused on the statute of repose, the President signed the bill enthusiastically. Current more general product liability legislation, however is not focused, does not deal with just federally regulated products, and does preempt state tort laws in a much broader sense.

My point is that a ^{narrowly} ~~normally~~ defined bill has met with President Clinton's approval in the past, ~~which shows that he looks at these issues on a case by case basis~~. ^{Perhaps this} information will be useful as you respond to the current debate on the product liability issue.

THE WHITE HOUSE

Chief of Staff

DAN

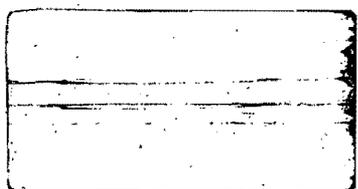
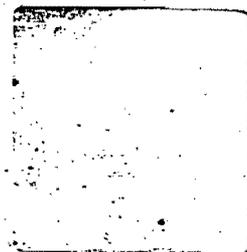
7-3-99



I followed up
with Mont Rowley
on your suggestion
on Doppler radar.
He argued that
only the top 50
airports could/should
make immediate use
of it & that new
generations of technology
should be deployed to
the other airports.
You should talk to

him directly + if
you think he's all
set, call me.

John



THE WHITE HOUSE

Chief of Staff

DAN

7-3-99

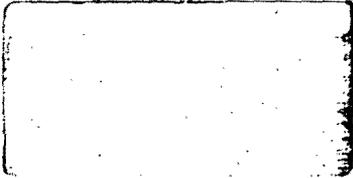


I followed up
with Don Dawney
on your suggestion
on Doppler radar.
He argued that
only the top 50
airports could/should
make immediate use
of it & that new
generations of technology
should be deployed to
the other airports.
You should talk to

him directly + if
you think he's all
set, call me.

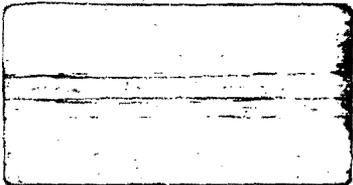
John





CHIEF OF STAFF TO THE PRESIDENT

Jim -
Thank you for your note. You
should be very proud of what you did
to bolster the economy and create
jobs.
C.

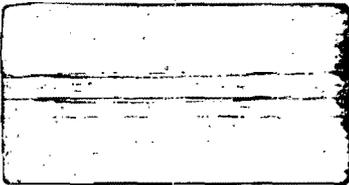




CHIEF OF STAFF TO THE PRESIDENT

Jim -
Thank you for your note. You
should be very proud of what you did
to bolster the economy and health
care.
Jim

Q.

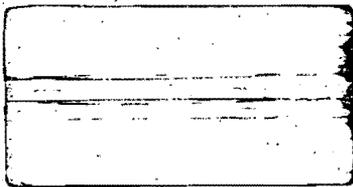


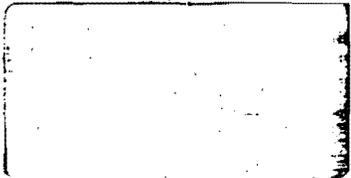


CHIEF OF STAFF TO THE PRESIDENT

Dron —

JUST REE THE LOCAL
FOLK WERE FRIENDS - THEN
I MIGHT REALLY THINK I'M
SOMEbody - Any help Cadell





a I can provide you while
you're in Charlotte just let
me know, my friend.

Thank so much for all your
help —

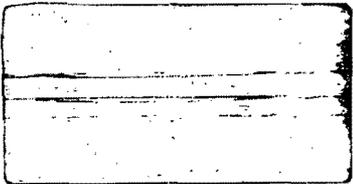
LR



CHIEF OF STAFF TO THE PRESIDENT

Don -

JUST Tell the local
folks were friends - then
I might really think I'm
Somebody - Any help Cadell





a I can provide you while
you are in Charlotte just let
me know, my friends

Thank so much for all your
love — <<