

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Memorandum for the President from Samuel Berger. Subject: International Affairs Funding Issues. (2 pages)	09/11/2000	P5 6290
001b. note	Handwritten note on reverse of a Lexis/Nexis email. [Concerning Military Reform] (2 pages)	n.d.	P5
001c. email	From Malinowski, Tomasz P to @APNSA at 4:44 PM. Subject: defense speech. (1 page)	09/29/2000	P5
001d. draft	Speech Draft. Remarks by Samuel R. Berger Assistan to the President for National Security Affairs at the Center for Strategic and International Studies. (13 pages)	09/29/2000	P5

COLLECTION:

Clinton Presidential Records
Speechwriting
Heather Hurlburt, John Pollack
OA/Box Number: 24510

FOLDER TITLE:

[Berger National Security [Military Reform] 9/27/00 [1]

2008-0700-F

db3354

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

5721
COPY

THE WHITE HOUSE

WASHINGTON

6290

September 11, 2000

MEMORANDUM FOR THE PRESIDENT

FROM: SAMUEL R. BERGER *SRB*

SUBJECT: International Affairs Funding Issues

In preparation for your meeting with Lott, Hastert, Daschle, and Gephardt, I wanted to highlight for you the international budgetary issues of highest priority. These are consistent with the comprehensive memo on the budget situation that Jack sent last week.

I. Foreign Operations bill

The overall amount is nearly \$2B below your request. The appropriators have indicated greater willingness than in past years to provide additional funding, but we also anticipate that they may expect a commitment on accepting their international family planning language and/or sacrificing HIPC in exchange for higher overall funding levels.

Areas of greatest concern include:

- International Debt Reduction. (HIPC). Originally cut FY 2001 request by more than two-thirds (we requested \$262M, they funded \$82M, while not funding any of the fy2000 supp request of \$210M). Some funding restored in Waters floor amendment in House, but at the expense of other critical bilateral assistance, such as FMF in the Middle East.
- Multilateral Development Banks. U.S. contributions highly leverage other donor contributions. House cut Administration request by 40 percent. Will reduce lending substantially for education, health, infectious disease prevention, to poorest of poor countries in the world. This reduction severely undercuts ability to influence new policy directions, such as working to bring the HIV/AIDS pandemic under control. Would include proposed cuts specifically to International Development Association (for

poorest of poor countries); Global Environment Facility; African Development Bank.

- International Family Planning funds and language. Froze assistance at FY 2000 level of \$385M. Administration requested increase in FY 2001 to \$541M. Increase would significantly reduce number of unintended pregnancies, abortions, deaths of mothers and children. Coupled with language issue -- language in the bill maintains unnecessary restrictions on international family planning providers. Should not impose limitation on foreign non-governmental organization's use of their own money or their ability to participate in the democratic process in their own countries. (Gag rule.)

II. Commerce Justice State

General funding levels are problematic here as well. The State portion of the CJS bill was underfunded \$404M in the House and \$695M in the Senate from the FY01 request of \$6.797 billion.

Areas of greatest concern here include:

- Peacekeeping/UN arrears: We are in serious danger of sliding back into a significant arrears problem that we had partly cured last year. House cut \$241M (33%) and the Senate \$452M (61%) from the '01 request of \$739M. And we anticipate current needs in fiscal year 2001 at nearly \$900M. Moreover, we must contend with existing legislative language that places restrictions and certifications on money for UN arrears. Some of these restrictions are not workable and prevent use of the funding in the manner intended.
- Counterterrorism funding: Across the three main agencies within the CJS Bill (Commerce, Justice, and State), the House cut CT funding by \$225M (10%) while the Senate cut CT funding by \$664M (29%) from a total \$2.34B request. \$420M of the Senate cut was to reduce funding for embassy security. (Additionally, the Treasury Postal conference report does not include your requested funds for Treasury counterterrorism efforts.)
- Critical Infrastructure Protection (CIP) funding: Cut CIP by roughly \$75M (55%) of the \$137.5M total requested. Given the national interest in and concern about cybersecurity, we should be able to focus some public attention here, despite the relatively small amount of funds at issue.

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. memo	Memorandum for John Podesta from Neal Lane. Subject: U.S.-U.K. JOINT STATEMENT ON THE HUMAN GENOME. (1 page)	03/08/2000	P5
001b. memo attachment	Joint Statement to Ensure that Discoveries from the Human Genome are used to Advance Human Health (1 page)	03/08/2000	P5
001c. memo attachment	Joint Statement on the Human Genome Questions and Answers. (2 pages)	03/08/2000	P5
002. note	From David Beier [Concerning the Human Genome Project] (1 page)	03/08/2000	P5
003. memo	Memorandum for the President from Neal Lane. Subject: Gene Patents. (2 pages)	02/11/2000	P5 6291

COLLECTION:

Clinton Presidential Records
Speechwriting
Heather Hulburt
OA/Box Number: 19909

FOLDER TITLE:

Binder: Briefing Materials for MOS/MOT Event Access to Information on the Human Genome March 14, 2000

2008-0700-F
ab1219

RESTRICTION CODES

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Smith
LevinsonTHE WHITE HOUSE
WASHINGTON

February 11, 2000

6291

MEMORANDUM FOR THE PRESIDENT

FROM: NEAL LANE *Neal*

SUBJECT: GENE PATENTS

L.A. Times article

Reaction to today's L.A. Times article has been extremely positive from the scientific community. We had very strong supportive statements from NIH and AAAS. Industry support depends on the business strategy of the company. Some companies whose financial plan is based on obtaining broad patents and controlling access to the information will not be happy. Other firms might rejoice in a policy that obviates their having to negotiate licenses in order to develop gene-based products. In a discussion earlier this week, Craig Venter, CEO of Celera Genomics, told me that he didn't think that patents ought to be granted on raw DNA sequences without accompanying information on its usefulness (See attached background paper).

Process for Deciding Which Gene Patents will be Approved

On December 21, the Patent and Trademark Office published draft guidelines to help clarify requirements for obtaining gene patents. This issue has been debated for the past few years, with some friction apparent between PTO and the National Institutes of Health. In the new guidelines, PTO indicated that the agency's policy was moving in a direction that makes NIH and the scientific community happy, but the situation is still not resolved. There is general agreement that raw DNA sequence without accompanying evidence of function of the gene or its protein product is not patentable. On the other end of the spectrum, it is also clear that an applicant will be granted a patent when he/she knows the sequence of a specific gene, what protein the gene codes for, and what the protein does in the body. This information would satisfy the utility criterion in patent law. I thought you made both of these points very clearly in your interview. The problem is the grey area in between.

PTO's draft guidelines state that an applicant must disclose a "specific and substantial utility that is credible." My staff (with OVP, DPC and OMB) met with Todd Dickinson, Patent Commissioner, on Jan. 7, to discuss the utility standard. At that meeting, PTO promised to issue examples of how this statement would be interpreted, but have not yet done so. These examples are critical to understanding the somewhat vague guidelines. I will communicate to Todd Dickinson the need to issue the examples in short order and extend the comment period, if necessary.

Neal, A separate question is whether the patent office has the capacity to make (a) the right calls, (b) in a timely way Does it?

Need a separate question of whether the capacity to make (a) the right calls, (b) in a timely way.

*copied
Lane
Podesta*

The PTO is a service organization serving the needs of the scientific and technological communities, in industry and academia. I think your interview was particularly useful in letting all parties know your position on the value of making genetic information public.

Public/Private Cooperation in the Human Genome Project

On a final note, I believe negotiations have stalled between the private and public sectors engaging in human genome sequencing. Both Craig Venter and Francis Collins (NIH) profess continued interest, however. I think some form of collaboration would demonstrate the complementarity of the two activities and accelerate scientific progress. This is a noble goal, and I will pursue it but have no illusions as to whether or not it can be achieved.

Attachment

cc: John Podesta
Chris Jennings
David Beier
Eddie Correia
Tom Kalil

COPY