

Originally Processed With FOIA(s):

FOIA Number:
2025-0373-S

FOIA MARKER

This is not a textual record. This is used as an administrative marker by the George Bush Presidential Library Staff.

Record Group/Collection: George H.W. Bush Presidential Records
Collection/Office of Origin: Chief of Staff, White House Office of
Series: Card, Andrew, Files
Subseries:

OA/ID Number: 04883
Folder ID Number: 04883-002a

Folder Title:
Correspondence--B [1]

Stack:

G

Row:

15

Section:

21

Shelf:

7

Position:

Withdrawal/Redaction Sheet (George Bush Library)

Doc. No. / Type	Subject/Title	Date	Restriction	Classification
01. Resume	Re: Rosalie E. Simmonds-Ballentine; Personally Identifiable Information redacted. (1 pp.)	n.d.	(b)(6)	
02. Memo	Ray Briscuso to Linda Casey, Re: September 26th appointment with Andy Card; Personally Identifiable Information redacted. (1 pp.)	09/16/91	(b)(6)	

Page 1 of 1

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, Office of the
Series: Card, Andrew H., Jr., Files
Subseries:
WHORM Cat.:
File Location: Correspondence--B [1]

Pinksheet Number: RML16129
OA/ID Number: 04883-002a
Date Closed: 3/17/2025
FOIA/Sys Case #: 2025-0373-S
Re-review Case #:
P-2/P-5 Review Case #:

THE WHITE HOUSE

12-26-91

Dear Ted-

Thank you for your letter of 12/20.
I will forward your request for two
presidential signing pens to Phil Brady,
Assistant to the President and Staff
Secretary. Phil will know how to
appropriately commemorate the signing of
SS43.

Happy New Year.

Sincerely, Andy Card

THE WHITE HOUSE
WASHINGTON

Theodore C. Barreaux
Counselor to the
Comptroller General
Washington, D. C.
20548



Counselor to the Comptroller General
of the United States

Washington, D.C. 20548

To Phil Brady
for appropriate
actions.
AHC
12/26

RECEIVED

DEC 26 1991

December 20, 1991

The Honorable Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Andy:

Even though there was no bill signing ceremony for the recently approved banking legislation, I would greatly appreciate having two presidential signing pens as a memento of the occasion.

I know they will not be the actual pens that were used by President Bush to sign S. 543, but would like having them nonetheless.

I hope you are having a good Holiday Season, and I look forward to seeing and working with you in the New Year.

With kindest regards,

TED

Theodore C. Barreaux
Counselor to the Comptroller General
of the United States

12-29-91

THE WHITE HOUSE

Dear Steve -

Thank you for the great
1992 Olympic Diary.
Happy New Year.

Sincerely,
Andy Card

Andrew H. Card Jr.
THE WHITE HOUSE
WASHINGTON

Stephen Bull
Director, Government Relations
U. S. O. C.
201 Eye Street, N.W.
Washington, D.C. 20006

Suite 800



AC HAS SEEN

RECEIVED

DEC 19 1991

December 18, 1991

The Honorable Andrew Card
Assistant to the President
The White House
Washington, D.C. 20500

Dear Andy:

Politically, 1992 is a year of participation, representation, and decision. It is no less so for our 1992 Olympic Teams that will be competing in Albertville, France in February, and in Barcelona, Spain in July and August.

May the performances of the participants in both arenas, political and athletic, be characterized in this coming year by adherence to the principles of the Olympic Spirit - mutual understanding and solidarity, with the goal of building a better world.

Please accept this 1992 Olympic Diary as a reminder of these fundamental values which all Americans share.

Best wishes for the holidays and for the New Year.

Sincerely,

Stephen Bull
Director, Government Relations

THE DEPUTY SECRETARY OF TRANSPORTATION

NOTED
AC HAS SEEN 12/26
L.B.

Andy,

Jean and I enjoyed the "Avis Group"
Party very much. Many thanks to you and
your lady for hosting us. The tour through
the Wal Office was a special treat.

Thank you very much and I look
forward to working with you.

Sincerely
Jim



ALEX. BROWN & SONS
INCORPORATED

One Thirty-five East Baltimore Street
Baltimore, Maryland 21202

AC HAS SEEN

J. CARTER BEESE
Principal

RECEIVED

301-727-1700

DEC 16 1991

Andy—

Thanks for all your support
this year — and congratulations
on all you accomplished.

Looking forward to '92!

Best regards

Carter

THE WHITE HOUSE

WASHINGTON

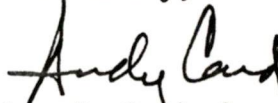
December 6, 1991

Dear Mr. Bensaude:

I'm sorry to have missed you and Tony Frias when you visited the White House earlier this week. Hopefully, there will be another opportunity to meet in the not-too-distant future. In any case, I appreciate your patience and understanding.

Best wishes.

Sincerely,



Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff

Mr. Miguel A. Bensaude
President
Portuguese-American Leadership Council
of the United States, Inc.
Suite 503
1140 Connecticut Avenue, N.W.
Washington, D.C. 20036

THE WHITE HOUSE

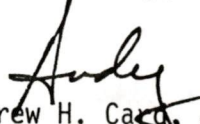
December 6, 1991

Dear Ted,

Thanks very much for your letter of December 3. I have made sure that the right folks here are aware of your request. They'll be in touch if the signing ceremony happens.

I hope all is well with you. Please keep in touch.

Sincerely,



Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff

THE WHITE HOUSE
WASHINGTON

Mr. Theodore C. Barreaux
Counselor to the Comptroller General
of the United States
Washington, D.C. 20548

bcc: Ede Holiday
Fred McClure



Counselor to the Comptroller General
of the United States

Washington, D.C. 20548

RECEIVED

DEC - 4 1991

December 3, 1991

The Honorable Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Andy:

As you may be aware, an important series of GAO amendments were a key part of the recently passed banking legislation.

Specifically, they were the so-called safety and soundness provisions that included the GAO amendments dealing with "tripwires" and new accounting and auditing reforms for our nation's largest banks.

Given my background in financial regulation, I was put in charge of these issues by the Comptroller General.

Therefore, should there be a signing ceremony for the Federal Deposit Insurance Corporation Improvement Act of 1991, I would greatly appreciate an invitation for myself and Comptroller General Bowsher.

It would be great fun to see you again too. I often think of you and my other White House friends.

With kindest regards,

A handwritten signature in dark ink, appearing to read "T.C. Barreaux", is written over a horizontal line.

Theodore C. Barreaux
Counselor to the Comptroller General
of the United States

THE WHITE HOUSE

12.2.91

Dear Gary-

Thank you very much for
the way you held down the
fort during Ede's leave. Cabinet
Affairs went very well and you
served the President in an
exemplary manner.

Sincerely,
Andy

THE WHITE HOUSE
WASHINGTON

Gary R. Blumenthal

OEOB 231

THE WHITE HOUSE November 29, 1991

Dear Victor -

Thank you for your letter reiterating your interest in having The President and/or Mrs. Bush participate in Knoxville's bicentennial celebration. I will make sure that your request is again reviewed.

Keep in touch.

Sincerely,
Andy Card

THE WHITE HOUSE
WASHINGTON

The Honorable Victor Ashe
Mayor
P. O. Box 1631
Knoxville, Tennessee
37901

THE WHITE HOUSE
WASHINGTON

Date: Dec. 2, 1991

TO: Kathy Super

FROM: ANDY CARD

- ☐ Action
- ☐ Your Comment
- ☒ Let's Talk
- ☐ FYI

cc: Deb Anderson
Jim Snyder

thanks in person and until that time, I wish I could deliver my thanks in person and
gratitude. Truly you are a man of your word. please accept my deepest gratitude. Truly you

AC HAS SEEN

RECEIVED

NOV 25 1991



1991-Knoxville's Bicentennial Year

THE CITY OF KNOXVILLE, TENNESSEE

VICTOR ASHE
MAYOR

November 20, 1991

Mr. Andrew Card
The White House
1600 Pennsylvania Avenue
Washington, D.C.

Dear Andy:

Recently, I put in a request through Debra Anderson for a meeting of citizens of Knoxville to celebrate the city's bicentennial at the White House in lieu of the President not being able to come to Knoxville when the state legislature met here on October 3.

It is my understanding that the long range planning committee for the President turned down this request on the grounds that if Knoxville was honored, other cities' bicentennials would have to be similarly treated.

First, I hope this request should stand on its own and not in relation to other communities.

Secondly, I think the politics of the upcoming Tennessee Presidential primary argues strongly in terms of something being done in Republican East Tennessee. Under state law, if David Duke and/or Pat Buchanan decide to become candidates, they will automatically be placed on the ballot by the Democratic Secretary of State without the necessity of a qualifying petition. Also under state law, if each received 18% of the vote, they will automatically receive one delegate from each district in which that is the case, plus a proportional share of those delegates elected at large. If their combined total equals 18% or better (i.e. Duke receives 10% and Buchanan receives 8%), then an uncommitted delegate will be chosen in the same sequence. We are talking about 15 delegates.

Mr. Andrew Card
November 20, 1991
Page Two

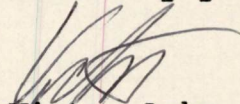
The enclosed letter to Tim McBride indicates the politics in greater detail.

Frankly, I would like very much for the President to come to Knoxville, but I did not put in that request with Debra Anderson because I had already been turned down for October 3, and did not see any point in trying a second time. If I am wrong about this, I would certainly prefer such a visit or one by Mrs. Bush if at all possible.

However, a short visit by members of the Knoxville City Council and volunteers for the bicentennial would be front page news and the local media which covers most of East Tennessee, would carry this for at least three days. It could be nothing but positive news for the President. If November and December are out of the question, perhaps this can be done in January.

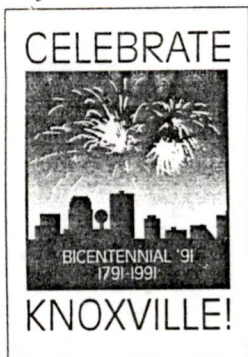
Having been a long time Bush supporter, I am interested in seeing the President do well in Tennessee's upcoming Republican primary. In all honesty, it is certainly conceivable that a David Duke and/or Buchanan could get 10 to 15 Tennessee Republican delegates to the Houston convention. I would like to see every possible step be taken to reduce or eliminate that possibility.

Sincerely yours,



Victor Ashe

VA:dh
Enclosure



1991-Knoxville's Bicentennial Year

THE CITY OF KNOXVILLE, TENNESSEE

VICTOR ASHE
MAYOR

November 18, 1991

Honorable Tim McBride
Executive Assistant to the
Chief of Staff
The White House
Washington, D. C. 20500

Dear Tim:

It was good to talk with you on Monday, November 18.

To follow up on some pertinent reasons for the President to either receive a delegation from Knoxville at the White House, to visit Knoxville, or to have a televised hookup of some nature it is important to understand the upcoming March Presidential Primary.

Under Tennessee state law, the Secretary of State (a Democrat) will automatically place on the ballot all those candidates that he deems to be legitimate candidates for president. This could very well include David Duke and Pat Buchanan. Should Mr. Duke or Mr. Buchanan receive 18% of the vote each they will receive one delegate from each congressional district wherein they received that percentage. Additionally, they will receive their proportional share of the at large delegates.

Should Mr. Duke and Mr. Buchanan receive less than 18% of the vote but the combined total exceeds 18% of the vote (i.e. Duke gets 10% and Buchanan gets 8%) then the President will lose one delegate in such a district and an uncommitted delegate will be elected.

In Tennessee, 50% of the total Republican Primary vote is cast in East Tennessee. Therefore, any positive news emanating from the Bush Administration or a Presidential visit in East Tennessee could only have a positive impact on the Tennessee

Honorable Tim McBride
November 18, 1991
Page Two

Republican Primary.

I would personally be embarrassed and very sorry if the President did not get more than 82% of the vote but in any situation getting 82% of the vote is difficult. With the Tennessee Presidential Primary less than one hundred thirty days from now, it seems to me that every effort should be made to insure a solid Bush delegation to the Houston Convention.

Sincerely yours,



Victor Ashe

VA:cw

11-29-91

THE WHITE HOUSE

11-29-91

Dear Heidi -

Thanks you for your note.
I enjoyed sharing some of the
excitement of The White House
with fellow Gamecocks.

Sincerely,
Andy Card

THE WHITE HOUSE
WASHINGTON

Heidi M. Brooks
175 S. Reynolds St. #K109
Alexandria, VA 22304

AC HAS SEEN

Heidi M. Brooks
175 S. Reynolds St. #K109
Alexandria, VA 22304

RECEIVED
NOV 27 1991

125 Russell Senate Building
Washington, D.C. 20510
November 21, 1991

Mr. Andrew W. Card, Jr.
Asst. to the President and Deputy to the Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Card:

Thank you very much for meeting with a small group of students and professors from the University of South Carolina on October 29, 1991. It is always a pleasure to talk to former students of USC who have "made good," and our discussion with you was no exception. Your insights into the workings of the executive branch and the entire federal government were very interesting in light of classroom discussions of policy formation and because of my personal experiences as a senatorial intern. (It was also a real treat to peep into the Oval Office.)

Again, I appreciate the time you spent with us, and wish you continued success in the future.

Sincerely,

Heidi M. Brooks

Heidi M. Brooks

THE WHITE HOUSE November 24, 1991

Dear Jim -

It was good to talk with you the other day about the challenges of western water issues. The recommendations you sent via fax to Governor Sumner will be shared with other appropriate officials here.

Keep in touch and thank you!

Sincerely,
Andy Card

Andrew H. Card Jr.
THE WHITE HOUSE
WASHINGTON

Mr. James C. Barker
Republican Counsel
Water, Power and Offshore Energy Resources Subcom.
Committee on Interior and Insular Affairs
U.S. House of Representatives
Washington, D.C. 20515

AC HAS SEEN

COMMITTEE ON INTERIOR AND INSULAR AFFAIRS
U.S. HOUSE OF REPRESENTATIVES
WASHINGTON, DC 20515

November 20, 1991

The Honorable John Sununu
Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Sununu:

I am writing you today regarding a very serious problem developing in California and an opportunity for the Bush Administration to take a very positive step which shows leadership and concerns about our domestic agenda.

The issue is water and the prolonged drought in California, now in its fifth year. Drought conditions are particularly severe in California (both in the North and the South) where major Federal and State water supply agencies have reduced deliveries to many users throughout the State.

Though late spring rains helped this past year, California may enter next year with water supplies at very dangerous levels.

Within the Department of Interior, the Bureau of Reclamation is the major water supplier for the Western United States. It has been called upon to assist local water agencies in meeting critical water needs.

The various interests include: 1) cities which have water deliveries for their citizens, business and industry, 2) agriculture interests which consume some 82% of the State's water; and, 3) environmental interests protecting existing fish and wildlife resources.

Unless heavy rains come within the next 150 days, California may be brought to its knees over lack of adequate rainfall.

I recommend the President use his office to lead out on this issue and offer the following recommendations:

1. Hold a special news conference.
2. Announce the creation of a special Water Commission, Office or Presidential Task Force to direct Federal Government Agencies to assist and help coordinate water management activities in the California and the affected States in the West. The future management of the Colorado River can be a key topic here.

The creation of such an office will score big points in California and other Western States.

3. Note, while the Department of Interior has their own Drought Office, this issue needs Presidential involvement.

Should the President act now, he also has the option to criticize the Congress for sitting on an Emergency Drought Relief Act, H.R. 355, which has passed (in different forms) both Houses of Congress. The bill has failed to pass due to congressional infighting.

As a footnote, related to this whole issue is the competing needs between the agriculture interests and the urban/suburban interests. The urban/suburban interests are growing so quickly in California and their water needs so basic--that the extensive water amounts consumed by agriculture interests are now being challenged.

I work with the Bureau of Reclamation and water users on a daily basis. I have great confidence in Dennis Underwood, the Commissioner of the Bureau of Reclamation. He is extremely competent. But the agency needs help and the President's involvement will help all parties concerned and complement what the Department of Interior is doing.

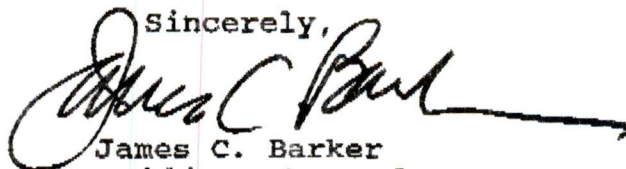
The Presidential Commission on Western Water is good public policy. This is a method for the President to send a message that he is "concerned" and offering leadership. If the Congress doesn't take action swiftly on drought or other issues--he'll set up his own "Administrative fix", to move forward with resolutions.

Should the Congress pass a drought bill in the final days of the session, there is still strong justification to move ahead with a Presidential Task Force on Water Management in the West that deals with California's growth and environmental challenges.

I would be more than happy to discuss this further with you or a member of the President's staff. I can be contacted at 202 226-2311.

Thank you for your attention to this issue.

Sincerely,



James C. Barker
Republican Counsel

Water, Power and Offshore Energy Resources Subcommittee

MORRIS K. UDALL, ARIZONA, CHAIRMAN
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U.S. House of Representatives
Committee on
Interior and Insular Affairs
Washington, DC 20515-6230

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 RICHARD T. SCHULZE, PENNSYLVANIA
 JOEL HERTLEY, COLORADO
 CHARLES H. TAYLOR, NORTH CAROLINA
 JOHN T. DOOLITTLE, CALIFORNIA
 WAYNE ALLARD, COLORADO

FACSIMILE COVER SHEET

DANIEL P. BEARD
 STAFF DIRECTOR
 RICHARD MELTZER
 GENERAL COUNSEL
 DANIEL VAL KISH
 REPUBLICAN STAFF DIRECTOR



ATTENTION:

Andy Card

COMPANY:

FAX NUMBER:

406-2397

DATE:

11/20/91

FROM: INTERIOR & INSULAR AFFAIRS COMMITTEE MINORITY

Jim Parker

FAX NUMBER: (202) 226-2301

OFFICE NUMBER: (202) 226-2311

NUMBER OF PAGES (INCLUDING COVER SHEET):

MESSAGE:

Per call - CA. WATER

THE WHITE HOUSE

11-17-91

Dear Krim -

Thank you for your two letters and your wife's resume. I appreciate your interests!

I will make sure that the appropriate people here consider your suggestions.

Keep in touch.

Sincerely,

Andy Card

Andrew A. Card
THE WHITE HOUSE
WASHINGTON

The Honorable

Krim M. Ballentine

P.O. Box 5396

St. Thomas, V.I. 00803

THE WHITE HOUSE
WASHINGTON

Date: November 18, 1991

TO: Boyden Gray

FROM: **ANDY CARD**

- ☒ **Action**, as appropriate
- ☐ **Your Comment**
- ☐ **Let's Talk**
- ☐ **FYI**

REPUBLICAN TERRITORY COMMITTEE
OF THE VIRGIN ISLANDS

P. O. Box 5396
ST. THOMAS, VIRGIN ISLANDS 00803

CHARLOTTE POOLE-DAVIS, ESQ
CHAIRMAN
(809) 776-7660 (O)

KRIM M. BALLENTINE
EXECUTIVE DIRECTOR
(809) 776 0581 (O,H,& F)

NOVEMBER 12, 1991

MR. ANDREW H. CARD, JR.
DEPUTY TO THE CHIEF OF STAFF
OFFICE OF THE PRESIDENT
THE WHITE HOUSE
WASHINGTON, DC 20501

RECEIVED

NOV 15 1991

DEAR ANDY:

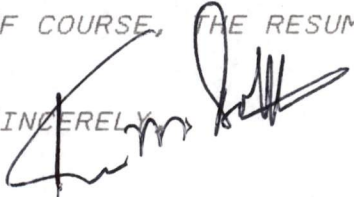
I HOPE YOU'RE NOT IMPOSED ON BY MY CONTACTING YOUR OFFICE
DIRECT BUT I WANTED TO KNOW YOU PERSONALLY HAD THIS IN HAND
FOR FUTURE POSSIBILITIES.

I'M ENCLOSING AN UPDATED RESUME FOR MY WIFE IN CASE THERE
BECOME SOME PROBLEM WITH THE NAMES RELEASED PUBLICLY UNDER
CONSIDERATION FOR THE TWO (2) JUDGE VACANCIES HERE: THOMAS
MOORE AND FINCH (A DEMOCRAT).

ALSO, FOR FUTURE REFERENCE, KEEP THE RESUME FOR POSSIBLY A
PREFERRED VACANCY ON THE THIRD CIRCUIT AS THE VIRGIN ISLANDS
IS ENTITLED UNDER COMMON PRACTICES TO BE REPRESENTED ON THAT
CIRCUIT WITH AN APPOINTMENT. AND, "CULTURAL REFLECTION" IS
PARAMOUNT.

OF COURSE, THE RESUME SPEAKS FOR ITSELF.

SINCERELY,


MR. KRIM M. BALLENTINE

V I T A E

ROSALIE E. SIMMONDS-BALLENTINE, ESQ.
Post Office Box 5396
Charlotte Amalie, VI 00803

(809) 776 0581

EXPERIENCE:

ATTORNEY GENERAL OF THE VIRGIN ISLANDS NOMINATED BY THE HONORABLE ALEXANDER A. FARRELLY, GOVERNOR OF THE VIRGIN ISLANDS, AND CONFIRMED BY THE 19TH VIRGIN ISLANDS LEGISLATURE ON APRIL 23, 1991, TO SERVE AT THE PLEASURE OF THE GOVERNOR. I SUPERVISE AND DIRECT ALL OPERATIONS OF THE VIRGIN ISLANDS DEPARTMENT OF JUSTICE, INCLUDING CIVIL AND CRIMINAL LAW ENFORCEMENT, SUPERVISING PATERNITY AND CHILD SUPPORT, BUREAU OF PRISONS, INTERNAL INVESTIGATIONS, WHITE COLLAR CRIMES, AND APPROXIMATELY 50 ATTORNEYS WITH SOME ATTORNEYS ASSIGNED TO CABINET AGENCIES, SUCH AS INTERNAL REVENUE BUREAU, LABOR, CONSUMER & LICENSING, EDUCATION, LABOR NEGOTIATOR AND ECONOMIC DEVELOPMENT. CONTINUED ARE OTHER FUNCTIONS PERFORMED AS SITTING ATTORNEY GENERAL. COLLATERALLY, I ALSO SERVE ON THE PORT AUTHORITY BOARD, THE LOTTERY COMMISSION AND THE PUBLIC EMPLOYEES REVIEW BOARD. I ALSO MAINTAIN BUDGET CONTROL OF THE CIVIL RIGHTS COMMISSION, VIRGIN ISLANDS PAROLE BOARD AND THE BOARD OF LAND USE APPEALS.

ACTING ATTORNEY GENERAL OF THE VIRGIN ISLANDS (NOMINATION SUBMITTED CONFIRMATION PENDING) WHEREIN I DIRECTED THE OF THE VIRGIN ISLANDS DEPARTMENT OF JUSTICE INCLUDING LEGAL REPRESENTATIONS FOR THE GOVERNMENT AND THE PEOPLE OF THE VIRGIN ISLANDS SUPERVISING ALL SUBORDINATE STAFF ATTORNEYS, SUPPORT STAFF, THE CORRECTIONS BUREAU, MEDICAL EXAMINER, SPECIAL INVESTIGATION DIVISION, CHILD SUPPORT DIVISION, WHITE COLLAR CRIME INVESTIGATIONS AND CRIME LABORATORY WITH SUB-OFFICES ON TWO OTHER ISLANDS. I FURTHER PREPARED THE BUDGET FOR THOSE UNITS AND OVERVIEW EXPENDITURES. I FURTHER RENDERED ALL LEGAL OPINIONS AND SUPERVISED THE SOLICITOR GENERAL IN ALL APPEAL MATTERS. I MAINTAINED LIASON WITH ALL CONCERNED AGENCIES WITH PERSONAL CONTACT WITH JUDGES, MARSHALS, TASK FORCES AND RELATED IN AN EFFORT TO SERVE THE TOTAL SPECTRUM OF THE LAW ENFORCEMENT PROCESSES.

SOLICITOR GENERAL I SUPERVISED PREPARATION OF APPEALS IN WHICH THE GOVERNMENT IS INTERESTED; DRAFTING OF ATTORNEY GENERAL'S OPINIONS, SUPERVISED REPRESENTATION OF GOVERNMENT IN ADMINISTRATIVE LAW MATTERS; REPRESENTATION OF BOARD OF

LAND USE APPEALS; ADMINISTRATION OF COMMISSION ON ETHICS; PREPARATION AND REVIEW OF LEGISLATION AND DEPARTMENTAL RULES AND REGULATIONS. ADVISE AND/OR REPRESENT ALL DEPARTMENTS ON A DAILY BASIS. PERFORM ADMINISTRATIVE FUNCTIONS FOR THE DIVISION INCLUDING FILLING OF VACANCIES. ALSO, PREPARED THE BUDGET FOR THE DIVISION.

CHIEF, ASSISTANT ATTORNEY GENERAL FOR THE U.S. VIRGIN ISLANDS, CIVIL DIVISION, WHEREIN I SUPERVISED APPROXIMATELY 15 ATTORNEYS IN LITIGATION OF CASES IN WHICH THE GOVERNMENT WAS INVOLVED. REVIEW OF AND/OR DRAFTING OF GOVERNMENT CONTRACTS AND ATTORNEY GENERAL'S OPINIONS. REPRESENTATION OF THE GOVERNMENT IN PROCEEDINGS AND PREPARATION OF ALL APPEALS IN WHICH THE GOVERNMENT WAS INTERESTED. PREPARED THE BUDGET FOR THE CIVIL DIVISION. CONDUCTED HIRING INTERVIEWS, FILLED VACANCIES AND PERFORMED OTHER PERSONNEL ADMINISTRATION FOR THE DIVISION. I HAVE ACTED, IN THE ABSENCE OF THE ATTORNEY GENERAL, AS ATTORNEY GENERAL.

STAFF ATTORNEY, N.L.R.B. REGION 14, ST. LOUIS, WHEREIN I INVESTIGATED AND INTERVIEWED COMPLAINTS IN UNFAIR LABOR PRACTICE OR REPRESENTATION CASES BOTH IN THE FILING AND LITIGATION OF SAME. ARGUED CASES BEFORE THE BOARD.

SELF-EMPLOYED, DETROIT, MICHIGAN, FEDERAL COURT CIVIL RIGHTS JURY TRIALS; EMPLOYER REPRESENTATIVE IN LABOR LAW LITIGATION AND N.L.R.B. PROCEEDINGS.

ASSOCIATE ATTORNEY, ZWERDLING & MAURER, DETROIT, MICHIGAN: CHIEF CONTRACT NEGOTIATOR FOR CITY NURSES UNION; ATTORNEY FOR PUBLIC AND PRIVATE EMPLOYEES' UNIONS IN ARBITRATIONS AND ADMINISTRATIVE PROCEEDINGS; TRIAL ATTORNEY, LABOR LAW LITIGATION IN STATE COURTS.

STAFF ATTORNEY, COMMUNITY LEGAL SERVICES, INC., PHILADELPHIA, PENNSYLVANIA. ATTORNEY FOR INDIVIDUAL AND GROUP CLIENTS IN STATE AND FEDERAL COURTS AND BEFORE ADMINISTRATIVE AGENCIES OF ALL TYPES. MATTERS HANDLED INCLUDED SOCIAL SECURITY, EMPLOYMENT DISCRIMINATION, NEGLIGENCE, DOMESTIC RELATIONS, CONTRACTS, HOUSING AND MORTGAGE FORECLOSURES, INTER ALIA. AREAS OF SPECIALIZATION: EMPLOYMENT DISCRIMINATION AND HOUSING AND MORTGAGE FORECLOSURES. MEMBER OF HIRING COMMITTEE.

LEGAL WRITING INSTRUCTOR, COUNCIL ON LEGAL EDUCATION OPPORTUNITY (CLEO) NORTHEAST REGION, PHILADELPHIA, PENNSYLVANIA

SUMMER ASSISTANT, U.S. ATTORNEY, SOUTHERN DISTRICT OF NEW

YORK.

SUMMER LAW CLERK, UNITED STATES DISTRICT COURT FOR THE
VIRGIN ISLANDS FOR THE CHIEF JUDGE.

NEW YORK CITY URBAN FELLOW, ASSISTANT TO CHAIRMAN OF CITY
COMMISSION ON HUMAN RIGHTS.

EDUCATION:

NEW YORK UNIVERSITY SCHOOL OF LAW
NEW YORK, NEW YORK JURIS DOCTOR DEGREE-1975
ACTIVITIES: STUDENT BAR ASSOCIATION
CRIMINAL LAW CLINIC
BLACK AMERICAN LAW STUDENTS' ASSOCIATION

AUGUSTANA COLLEGE ROCK ISLANDS, ILLINOIS
BACHELOR OF ARTS-1971
SOCIOLOGY
HONORS :DEAN'S LIST
WHO'S WHO AMONG STUDENTS IN AMERICAN COLLEGES &
UNIVERSITIES

ACTIVITIES:REPRESENTATIVE ASSEMBLY, 3RD &
4TH YEAR
FRESHMAN STUDENTS ADVISOR
SENIOR CLASS PRESIDENT
COLLEGE UNION BOARD
CO-CHAIRMAN, BLACK CULTURAL HOUSE
HOST, RADIO QUAD CITIES SHOW

PROFESSIONAL AFFILIATIONS:

VIRGIN ISLANDS BAR ASSOCIATION, 1986
MISSOURI BAR ASSOCIATION, 1983
MICHIGAN BAR ASSOCIATION, 1979
PENNSYLVANIA BAR ASSOCIATION, 1975
UNITED STATES DISTRICT COURT OF
THE VIRGIN ISLANDS
UNITED STATES DISTRICT COURT,
EASTERN DISTRICT OF
PENNSYLVANIA
UNITED STATES COURT OF APPEALS
FOR THE THIRD CIRCUIT
UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
AMERICAN BAR ASSOCIATION

Withdrawal/Redaction Sheet

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Collection:

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Date Closed: 3/17/2025	OA/ID Number: 04883-002a
FOIA/SYS Case #: 2025-0373-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
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P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]

AMERICAN TRIAL LAWYERS ASSOCIATION
FOUNDING SPONSOR, CIVIL JUSTICE
FOUNDATION

UNITED STATES SUPREME COURT, 1988

ORGANIZATIONS:

PRESIDENT, VIRGIN ISLANDS GIRL SCOUT
COUNCIL
LEAGUE OF WOMEN VOTERS, ST. LOUIS, MISSOURI
AUGUSTANA ALUMNI ASSOCIATION
NEW YORK UNIVERSITY ALUMNI ASSOCIATION
NEW YORK UNIVERSITY CLUB
U. S. NAVY LEAGUE
ROTARY INNER-WHEEL OF ST. THOMAS/ST. JOHN
UNITED WAY ALLOCATION COMMITTEE, ST. CROIX
FORMER, COMMITTEE CHAIRPERSON, CUBSCOUT PACK 156
ETA PHI BETA SORORITY -3-
MEMBER, ST. ANTHONY'S GUILD
BUSINESS AND PROFESSIONAL WOMEN
MEMBER, ALL-SAINTS CATHEDRAL DEAN SEARCH
COMMITTEE
FORMER MEMBER, PERB (PUBLIC EMPLOYEES RELATIONS
BOARD
MEMBER, V.I. PORT AUTHORITY BOARD
ALL SAINTS CATHEDRAL VESTRY
MEMBER, V.I. LOTTERY COMMISSION
ALL SAINTS CATHEDRAL SCHOOL BOARD

PERSONAL DATA:

BORN (b)(6) IN ST. THOMAS, U.S. VIRGIN ISLANDS,
MARRIED TO KRIM BALLENTINE, BUSINESS MANAGEMENT CONSULTANT;
SON, JABRIEL, BORN (b)(6)

REFERENCES FURNISHED UPON REQUEST.

AC HAS SEEN

RECEIVED

NOV 12 1991

*To Hayden may
for Action*

THE VIRGIN ISLANDS
REPUBLICAN TERRITORY COMMITTEE
P.O. BOX 5396
ST. THOMAS, VIRGIN ISLANDS 00803

CHARLOTTE POOLE-DAVIS, ESQ.
STATE CHAIRMAN
P.O. BOX 7030
ST. THOMAS, VI 00801
(809) 7767660

MR. KRIM M. BALLENTINE
EXECUTIVE DIRECTOR
P.O. BOX 5396
ST. THOMAS, VI 00803
(809) 7760581 (O)(H)&(F)

NOVEMBER 7, 1991

MR. ANDREW H. CARD, JR.
DEPUTY TO THE CHIEF OF STAFF
OFFICE OF THE PRESIDENT
THE WHITE HOUSE
WASHINGTON, DC 20500

DEAR ANDY:

THANKS FOR BEING SO RECEPTIVE TO MY URGENT CALL ON BEHALF OF
NOW JUSTICE CLARENCE THOMAS; AND, CONGRATULATIONS ON THE
CONFIRMATION EFFORTS I'M CERTAIN YOU PERSONALLY HAD INPUT.

I HAVE TWO THINGS FOR WHICH I NEED YOUR PERSONAL HELP.

I'M ATTEMPTING TO TURN A ERIC DAWSON, DEMOCRAT, COMMISSIONER
OF ECONOMIC DEVELOPMENT AND AGRICULTURE, CABINET OFFICER FOR
THIS DEMOCRATIC GOVERNOR.

HE IS A FULL COLONEL IN THE NATIONAL GUARD, A LAWYER, AND A
EPISCOPAL MINISTER OF SORTS IN THE ANGLICAN CHURCH. HE HAS
LITTLE TRIAL OR LAWYER EXPERIENCE; HOWEVER, HE SERVED TWO OR
THREE TERMS AS A LOCAL LEGISLATURE.

I'D LIKE TO NOMINATE HIM AS THE UNITED STATES ATTORNEY FOR
THE DISTRICT OF THE VIRGIN ISLANDS IF I CAN CONVINCE HIM TO
BECOME A REGISTERED REPUBLICAN. HE LISTENS WELL AND HE WILL
FOLLOW THE DIRECTIONS OF THE OFFICE OF UNITED STATES
ATTORNEYS IMPLICITLY.

MY SECOND PROBLEM: I HAVE 18 YEARS OF FEDERAL SERVICE 10 OF
WHICH WAS SERVED AS A CHIEF DEPUTY. I'VE RECOVERED FROM
DISABILITY AND I'VE BEEN RECERTIFIED FOR FULL-DUTY
EMPLOYMENT. I'VE PRESENTLY APPLIED FOR A CHIEF DEPUTY'S
POSITION IN SOUTHERN DISTRICT OF ILLINOIS WHICH IS PRESENTLY
VACANT. I NEED 2 YEARS TO COMPLETE 20 YEARS UNDER THE
HAZARDOUS DUTY RETIREMENT PROGRAM.

I'M PREPARED TO WORK IN EAST ST. LOUIS, ILLINOIS; HOWEVER, MY
WIFE IS THE PRESENT ATTORNEY GENERAL FOR THE VIRGIN ISLANDS

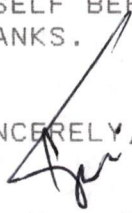
FOR THE NEXT 4 YEARS.

I'D LIKE TO BE APPOINTED BY THE PRESIDENT TO A VACANT (A CAREER EMPLOYEE NOW SERVES) TERM AS THE UNITED STATES MARSHAL FOR THE DISTRICT OF THE VIRGIN ISLANDS. I AM MORE THAN QUALIFIED AND IT WOULD BE GOOD FOR THE REPUBLICAN ADMINISTRATION, THE REPUBLICAN PARTY NATIONALLY AND LOCALLY, AND THE "NATIVE" PEOPLE OF THE VIRGIN ISLANDS.

IT WOULD BE ESPECIALLY IMPORTANT SINCE WE HAVE NOMINATED A "WHITE", THOMAS MOORE, AS CHIEF JUDGE OF THE DISTRICT COURT. IT WOULD TAKE SOME OF THE PRESSURE OFF OF THOMAS MOORE AND THE LOCAL PARTY AND AT THE SAME TIME ALLOW ME TO COMPLETE MY CAREER.

ANDY, I'VE NEVER ASKED ANYTHING FROM THE ADMINISTRATION FOR MYSELF BEFORE, SEE IF YOU CAN ASSIST ME IN THIS ENDEAVOR.
THANKS.

SINCERELY,


MR. KRIM M. BALLENTINE

CC/CLAYTON YEUTTER
MR. BARR, ATTY GEN

Auth copy

THE VIRGIN ISLANDS
REPUBLICAN TERRITORY COMMITTEE
P.O. BOX 5396
ST. THOMAS, VIRGIN ISLANDS 00803

CHARLOTTE POOLE-DAVIS, ESQ.
STATE CHAIRMAN
P.O. BOX 7030
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(809) 7767660

MR. KRIM M. BALLENTINE
EXECUTIVE DIRECTOR
P.O. BOX 5396
ST. THOMAS, VI 00803
(809) 7760581 (O)(H)&(F)

NOVEMBER 6, 1991

MR. CLAYTON YEUTTER
CHAIRMAN, RNC
310 FIRST STREET, SE
WASHINGTON, DC 20003

DEAR CLAYTON:

FIRST LET ME APOLOGIZE FOR SITTING BY WHEN I THINK,
ESPECIALLY IN PHILADELPHIA, I MAY HAVE BEEN OF GREAT HELP AND
INFLUENCE IN ASSISTING THORNBURG.

I'LL TELL HIM AND ANYONE ELSE, ATTEMPTING NOT TO BE RUDE, IF
WE DON'T CHANGE OUR ALOOF APPROACH TO GRASSROOTS PEOPLE IN
PARTICIPATING IN THE POLITICAL PROCESS, WE'RE GOING TO LOSE
MANY MORE RACES IN THE FUTURE.

BROWN, OF THE DEMOCRATS, IS RIGHT WHEN HE SAYS WE DON'T
LISTEN TO "SMALL" "COMMON" PEOPLE AND THEIR CONCERNS. BUT,
HE TOO MISSES THE POINT. IT HAS NOTHING TO DO WITH THEIR
PROGRAMS: DOMESTIC VERSUS FOREIGN. IT HAS TO DO WITH
AMERICANS FEELING EMPHATICALLY THAT THEY HAVE NO INPUT INTO
THE POLITICAL PROCESS - - - THAT THEIR HARD WORK, DEDICATION,
SINCERITY, HONESTY, INTEGRITY, AND LOYALTY WILL NOT EARN THEM
INPUT. PEOPLE, THE "SMALL GRASSROOTS" SUCH AS MYSELF, WANT
TO KNOW THAT IT CONTINUES TO BE AN AVAILABLE WAY TO EARN
THOSE QUALITIES NOT JUST "WRITE A CHECK" AS OUR TODAY'S
REPUBLICAN PARTY APPEAR TO REACT.

IT WAS DICK THORNBURG, EVEN UNDER HIS REMAINING
ADMINISTRATION, WHO PRACTICED IGNORING THE CRIES OF LOCAL
REPUBLICAN OFFICIALS FOR INPUT INTO PATRONAGE JOBS,
COMMISSIONS, AND RELATED POLITICAL SPOILS WHICH DICK AND
OTHERS EXERCISED A BELIEF THAT THE POSITIONS OUGHT TO BE
"CAREER." AND, "CAREER" WAS BASED ON THEIR INDIVIDUAL
CONCEPTUALIZATION.

PLEASE DON'T JEOPARDIZE THE RE-ELECTION OF OUR PRESIDENT
BASED ON PERCEIVED SUCCESSES AND LET'S REVERT BACK TO THE OLD
METHOD OF "INPUT" NOW CLEAN. THE ROTTENESS OF "MACHINE

POLITICS" WAS THAT THE MACHINE WAS NEVER CLEANED - - -ALWAYS DIRTY.

GRASSROOTS HAVE NO MONEY. THEY ONLY HAVE HOPE IN BELIEVING THAT THROUGH HARD WORK, LEGITIMACY, HONESTY, LOYALTY AND RECOGNITION CAN THEY EVER EVOLVE IN TO A "GOOD" "TEAM-PLAYER" REPUBLICAN. WE BELIEVE THAT A "GENUINE FRIENDSHIP" CAN BE EARNED AND AS A RESULT WILL GIVE A VOICE TO THOSE THAT COUNT.

WE CAN HELP MR. BUSH IF WE REDEFINE "CONSERVATISM" SO THAT IT DOESN'T IMPLY "RACISM" AND MAKE SURE OUR COMMUNICATION IS FLUID WITH OUR SO-CALLED "GRASSROOTS" PEOPLE NOT "GRASSROOTS" ISSUES. PEOPLE HAVE HOPE NOT ISSUES.

I HOPE YOU CALL ON ME TO HELP IN THE COMING CAMPAIGN OTHER THAN REQUEST FOR MONEY AS THE CONNIE NEWMANS, FRED BROWNS, AND OTHER IN-HOUSE "BLACK AFRICAN AMERICANS" WILL NOT BE CONFRONTATIVE TO THE POINT THE JESSE JACKSONS, BROWNS, AND WILDERS WILL BE AS THEY JUST DON'T HAVE THE "GRASSROOTS" MENTALITY ANYMORE OR THEY WOULD HAVE ALREADY SHARED WHAT I'VE SAID TO A FRIEND.

SINCERELY,

MR.  M. BALLENTINE

PS: IN THE NOVEMBER ISSUE OF THE "COMMITTEE" LISTINGS, PAGE 19, MY PHONE NUMBER IS INCORRECT, THE CORRECT NUMBER IS: (809)776 0581 (H) (O) & (F)

Andrew H. Card, Jr.
THE WHITE HOUSE
WASHINGTON

Mr. Ronald Bounney, Jr.
% Arlington Heights Trans Inc.
7 Boulevard Road
Arlington, MA 02174

THE WHITE HOUSE

10.31.91

Dear Ron -

Thank you for allowing Kathi and me to share time with you and other members of The President's Club when you were in Washington. I am flattered by your friendship and encouragement.

Thank you, too, for the flowers. They brightened my office!

Keep in touch.

Sincerely, Andy

GREEN

KS

X-RAYED

by Shane Florio

Andy and Kathy Card
Deputy Chief of Staff
West Wing. # 456-2333

17 and Penn. Room G1
Q. new Executive Office No. 39795

Thank you for the
Pleasure of your
company. your friend,
Ron Bonney

ARLINGTON HEIGHTS TRANS INC.

TRANSPORTATION MANAGEMENT

7 Boulevard Road
Arlington, MA 02174
(617) 623-8464

October 8, 1991

Linda Casey
The White House
Washington, D.C.

Dear Ms. Casey:

Thank you for your time in arranging Deputy Chief of Staff Card's attendance at our reception.

As we discussed The Massachusetts Chapter of The President's Club has arranged for a conference suite at the Grand Hyatt Washington Hotel to host Andy and his wife Kathy. The reception will take place from 8:00 P.M. until 10:00 P.M., October 22, 1991. There will be hors d'oeuvres and an open bar for all.

I will call as soon as we arrive in Washington to inform you of our Suite number. I hope if you have time in your busy schedule, that you might drop by our reception so that I can thank you for all your help. Thank you again for your time.

Sincerely,



Ronald Bonney, Jr.
Chairman Massachusetts
Chapter The President's
Club

rb/fb

*About 30
people in
attendance.
No list available.*

*Need note
of thanks*

Suite 153

*copy sent
to Kathy*

THE WHITE HOUSE

11-7-91

Dear Mr. Bryant -

It was a pleasure to talk with you when you were in Washington with Bucky. Your interest in being part of the President's Team will not be forgotten. — Keep in touch.

Sincerely, *Andy Card*

Sent 11/7/91
JR



THADDEUS BUCZKO
JUSTICE

THE COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT
PROBATE AND FAMILY COURT DEPARTMENT
ESSEX DIVISION
SALEM, MASS. 01970

TELEPHONE
(617) 741-0200

October 29, 1991

RECEIVED

NOV 01 1991

Mr. Andrew Card
Deputy Chief of Staff
1700 Pennsylvania Avenue
Washington, D.C. 20500

Dear Andy:

Longtime friends of our family, Walter A. and Clara T. Flowers, will be celebrating their 50th wedding anniversary on Saturday, 23rd November, 1991. Mrs. Flowers (whose maiden name is Malioneck) is one of thirteen children.

It would be greatly appreciated if there is a possibility of President Bush honoring them with a note of congratulations on this very special occasion and mailing it to me at my home address which is 47 Butler Street, Salem, MA 01970.

With warmest regards,

Sincerely,

Thaddeus Buczko
First Justice

TB:tttt

Requested
Submitted
11/4

Robert -
Let's get a letter
for these people.
lc

LAW OFFICES OF
FLOWERS AND LICHTMAN

TAX AND FINANCIAL COUNSELLING
303 CONGRESS STREET
BOSTON, MASSACHUSETTS 02210
Tel. (617) 439-0411
Fax (617) 439-0042

WALTER J. FLOWERS

RICHARD K. LICHTMAN
MEMBER MA AND N.J. BAR

October 21, 1991

The Honorable Thaddeus J. Buczko
Probate & Family Court
Essex County Division
32 Federal Street
Salem, MA 01970

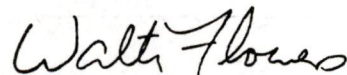
Dear Judge Buczko:

I would like to request a personal favor.

As you might recall a conversation we had in the past, my father is not well and is now resident in a local nursing home. My parents will observe their 50th wedding anniversary on Saturday, November 23, which we will celebrate with a family party at the Commodore Restaurant in Beverly at 5 p.m. (you can be sure that, were my father well, we'd have one of the biggest Polish parties Salem has seen, but unfortunately that will not be the case). Given his health, the party will be small, but I'm sure that my parents would be pleased if you could drop in to say hello. If it's possible, and unless you think it inappropriate, could you arrange some sort of a special citation that you could present to my parents in honor of this event? It would be most appreciated.

Thank you very much for your consideration, and I hope that we might see you at the party. Fifty years seems to be such a long time; it certainly causes the next generation to pause and reflect a bit!

Very truly yours,



Walter J. Flowers

WJF:j

GOLDEN WEDDING ANNIVERSARY - 50 years of marriage

WALTER A. FLOWERS and his wife CLARA T. FLOWERS

(maiden name Malioneck)

FLOWERS



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET

DATE: October 23, 1991

TO: Andrew H. Card, Jr.

FROM: ROBERT E. GRADY *Nelson Rockefeller / For*
ASSOCIATE DIRECTOR
NATURAL RESOURCES, ENERGY AND SCIENCE

SUBJECT: Karen L. Barclay, Director
Department of Natural Resources
and Conservation, State of Montana

Thank you for your note of October 22.
In response:

1. I will be calling Karen Barclay today.
2. For your information, I attach a recent status report on the issue of her interest. (NORTHERN CHEYENNE WATER RIGHTS SETTLEMENT)



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

October 23, 1991

MEMORANDUM TO: Robert E. Grady
FROM: David Gibbons *dg*
SUBJECT: Northern Cheyenne Water Rights Settlement

Background:

The latest draft of the Proposed Legislation (S. 1607):

- 1) Establishes Northern Cheyenne tribal water rights as follows:
 - . The Secretary of the Interior would allocate to the tribe 30,000 acre-feet of stored water from the Federal Big Horn Reservoir.
 - . The State of Montana would confirm: 12,500 acre-feet of water currently used by the tribe from the Tongue River, an additional 20,000 acre-feet of currently unclaimed water from the Tongue River, and water from other sources.
- 2) Requires the Feds to spend \$25 million to rehabilitate the State of Montana's Tongue River dam in order for it to meet safety standards. This investment would not alter the dam's current capacity. The State would contribute \$9.2 million in direct payments.
- 3) Requires the Feds to pay \$18 million, the full cost of expanding the dam by nearly 2/3, in order to accommodate the 20,000 acre-feet of water for the tribe.
- 4) Requires the Feds to establish an economic development fund of \$21.5 million for the tribe.
- 5) From the economic development fund, requires the Tribes to provide the State with a 40-year, interest free loan of \$11.5 million to be used to rehabilitate the dam. This is different from earlier proposals which required a direct Federal loan to the State on the same terms. The tribe ends up with \$10 million for economic development.

6) Authorizes a \$4.1 million wetlands enhancement element.

Montana's letter to Andrew Card made several points to which we offer the following responses:

- (1) The State calculates its share of the total settlement cost as \$43.8 million by counting its past expenditures of \$23.1 million, its direct payment of \$9.2 million, and its repayment of the interest-free loan of \$11.5 million. They count the Federal expenditure as \$31.5 million for the dam and \$21.5 million for the trust fund which totals \$53 million. Thus, of the total settlement cost of \$96.8 million, they see themselves paying \$43.8 million or 45 percent.

Response: The State is double counting and miss-counting.

Total cost of dam repair and expansion is actually \$52.2 million: \$31.5 million directly from the Feds, \$11.5 million from the Feds as part of the trust fund (which is then passed to the State to spend on the dam), and \$9.2 million in direct expenditures by the State. The amount of the tribal trust fund is \$10 million. Thus, the total settlement cost is \$62.2 million. The fish and wildlife enhancement is not part of the water rights settlement.

The \$11.5 million loan from the tribe should not be counted toward the State's contribution. It is an interest free, 40-year loan financed by Federal appropriations, essentially a Federal grant, and as such is part of the Federal share, not the State share. The \$23.5 million of "existing assets" -- expenditures for buying land, building the original dam, and for subsequent expenditures on the dam -- is not relevant since the State incurred these costs for reasons totally unrelated to any water rights settlement.

Thus, the State's percentage share, under the proposed legislation, could be no more than \$9.2 million of the \$62.2 million or 15 percent.

Moreover, the State of Montana's \$9.2 million cash "contribution" under the proposed legislation is to meet a long-standing responsibility for making its own dam safe. The Federal Government does not repair non-Federal dams. The State has been aware of the need to do this for 10 years and would need to do so regardless of a water rights settlement. Only the cost of enlarging the dam should be counted as part of the settlement.

In reality, the State is making no contribution beyond costs it would have to incur anyway.

- (2) The State's cash contribution compares favorably to other State contributions for Indian water rights settlements.

Response:

The State of Montana is correct in observing that other State treasuries have only rarely contributed significant amounts to Indian water rights settlements. However, it should be noted that other non-Federal entities such as local Governments or water districts have contributed significantly to past settlements usually in the form of very valuable water (eg. in Salt River Settlement the districts contributed \$58 million in water rights). In this case, however, it is the Feds that give up significant amounts of water. The water given up by the State is mainly unclaimed water.

- (3) The U.S. has a trust responsibility to provide a water supply to the tribe.

Response:

The U.S. trust responsibility is to protect Indian water rights. In this case, there is no evidence that the U.S. failed to do so. The Department of Justice states that the U.S. has made no breach of trust exposure. Thus, the U.S. responsibility includes continued litigation on behalf of the tribe to secure its reserved water rights. This means non-Indian water users in Montana are at risk and should contribute more to the settlement.

The provision of water projects for Indians is a discretionary, programmatic responsibility. In certain circumstances where there has been breach of trust, the U.S. has agreed to provide water projects for Indians.

- (4) The State would contribute 25 percent for fish and wildlife enhancement

Response:

This is correct. Nevertheless, this enhancement feature does not appear to be a necessary part of the water rights settlement.

- (5) Untimely and adamant objection of OMB

Response:

The U.S. has a formal process (published in the Federal Register) for settling Indian water rights claims which includes OMB participation. OMB has a responsibility to be involved because of the potential expenditure of taxpayer dollars. Under this process, Interior personnel are not to approve any agreement without consultation with the Department of Justice and OMB. OMB informed Interior of its position on Northern Cheyenne on June 13, 1991, but has yet to receive a formal response.

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



STAN STEPHENS, GOVERNOR

LEE METCALF BUILDING
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699
TELEFAX NUMBER (406) 444-6721

HELENA, MONTANA 59620-2301

September 25, 1991

Mr. Andrew Card
Executive Assistant to the President
White House
Washington DC 20510

Dear Mr. Card:

Thank you for the time you spent in our September 5, 1991 meeting concerning the Northern Cheyenne Tribe Reserved Water Rights Settlement Act. As promised in our meeting, we have compiled information supporting a much different view of the cost-share provisions of this agreement than related to you by the Office of Management and Budget (OMB). First, let me say that I concur in your efforts to insulate the federal taxpayer against inappropriate and unnecessary expenditures of public funds. Governor Stephens has adamantly maintained a similar posture with respect to Montana taxpayers. However, as explained below and shown in the attachment, the cost-share provisions of the Act represent a defensible and appropriate contribution from each party.

Under the water rights settlement, the State of Montana is contributing cash and services amounting to 45 percent of the total settlement costs. These contributions, discussed in greater detail below, are partitioned among the three primary cost components of the settlement: (1) the Tongue River Dam repair and enlargement, (2) the fish and wildlife enhancement project, and (3) the Tribal Development Fund. While we have included all three components in our information, it is the State of Montana's position that we have no responsibility to participate in the Tribal Development Fund. If this fund were excluded from our calculations, Montana's contribution would be 56 percent of the settlement cost.

Tongue River Dam Repair and Enlargement

As a result of a breach of its federal trust responsibility to the Northern Cheyenne Tribe and as a trustee responsible for promoting the economic vitality of the tribe, the federal government has an obligation to provide a firm water supply to the Northern Cheyenne Tribe. The Settlement Act

Received in RPD 10/2/91

LETTER TO: ANDREW CARD
September 24, 1991
Page 2

All new water associated with this project accrues to the Northern Cheyenne Tribe. The non-tribal water allocation remains constant at 32,500 acre-feet, while the tribal water supply increases from 7,500 to 27,500 acre-feet. While Montana receives 54 percent of the water supply from the project, it has agreed to contribute 58 percent of the rehabilitation costs. Under provisions of this bill, Montana would contribute \$9.2 million directly to construction and construction administration and would repay an \$11.5 million loan. In addition, Montana would provide existing project assets (amounting to \$23.1 million) that are essential to the new construction.

Fish and Wildlife Enhancement Project

The Act includes a project to develop waterfowl wetlands habitat along the Tongue River and surrounding the dam. These activities are being carried out under the Federal Water Project Recreation Act which requires a 25 percent state contribution that totals \$1.1 million.

Tribal Development Fund

The funds authorized to be appropriated for the Tribal Development Fund (\$21.5 million) are a federal obligation resulting from the breach of the United State's trust responsibility. The tribe's estimate of its claims against the United States is significantly larger. Originally, the tribal development fund included only \$10 million. The difference (\$11.5 million) had been a portion of Montana's contribution and was structured as a loan through the Small Reclamation Projects Act (SRPA). In accordance with the SRPA, loan repayments would have been deposited in the federal treasury. However, objections to the SRPA loan were voiced by OMB after the agreement had been approved by the Northern Cheyenne Tribal Council, the Montana Legislature, and, in principle, by the federal negotiating team. As a result of this untimely and adamant opposition by OMB, the SRPA loan was reconfigured as a loan to the state from the Tribal Development Fund, to be repaid to that fund.

The second concern raised by OMB is the precedent-setting nature of this cost-share arrangement. Based on our research into past Indian water right settlements approved by Congress, I would conclude that Montana's contribution included in the Northern Cheyenne Indian Reserved Water Rights Settlement Act sets a positive precedent. As an example, the enclosed attachment shows that, in the Fort Hall

LETTER TO: ANDREW CARD

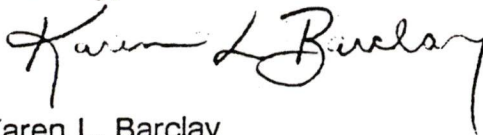
September 24, 1991

Page 3

settlement supported by the Administration, the State of Idaho contributed \$500,000 and the federal government \$22,000,000. In fact, there was no state contribution in two of the six settlements passed in the 101st congress. It is obvious that Montana's cost-share proposal is substantial in comparison with that provided in the past by non-federal parties.

I believe that Montana's proposed contribution to the Northern Cheyenne water right settlement is exceedingly generous. I therefore trust that with this information you and OMB will support the Northern Cheyenne Indian Reserved Water Rights Settlement Act. If you have any questions, please contact me at (406)444-6699.

Sincerely,



Karen L. Barclay
Director

Attachments

cc: Governor Stephens
Senator Burns
Senator Baucus
Congressman Marlenee
Congressman Williams
Senator Bradley
Congressman Miller
Senator Inoye
Senator McCain
Secretary Lujan
Lanny Griffith
Robert E. Grady

NORTHERN CHEYENNE INDIAN RESERVED WATER
RIGHTS SETTLEMENT ACT OF 1991
FEDERAL/STATE COST SHARE

SETTLEMENT COST

	\$(millions)
Tongue River Dam Repair and Enlargement	52.2 ¹
Fish and Wildlife Enhancement Project	4.7
Tribal Development Fund	21.5 ¹

FEDERAL/STATE COST SHARE

	\$(millions)	%
Tongue River Dam Repair and Enlargement		
Federal Share	31.5	42
State Share		
Direct Contributions	9.2	
Loan Repayment	11.5	
Existing Assets ²	23.1	
Subtotal	43.8	58
Fish and Wildlife Enhancement Project		
Federal Share	3.6	75
State Share	1.1	25
Tribal Development Fund		
Federal Share	21.5	100

¹ The \$11.5 million loan to Montana from the Tribal Development Fund is included in that fund amount and in the "Project Cost".

² "Existing Assets" includes items that are essential to the settlement and that have already been secured by the State of Montana. Examples of these items contributed include necessary engineering studies, land, and dam features.

NORTHERN CHEYENNE INDIAN RESERVED WATER
RIGHTS SETTLEMENT ACT OF 1991

LEGISLATION PASSED IN THE 101ST CONGRESS RELATIVE TO
INDIAN WATER RIGHTS SETTLEMENTS - FEDERAL/STATE COST-SHARING

Salt River Pima-Maricopa Water Rights Settlement Act (P.L. 100-152): The Act authorizes funds in the amount of \$47,470,000 for the settlement of water rights claims of the Salt River Pima-Maricopa Indian Community in Arizona. Funds are deposited in a trust fund established by Section 9 of the Act for use in rehabilitating and improving the Community's existing water facilities. Funds in the amount of \$23,735,000 were provided in FY 1990 as partial fulfillment of this Act and \$23,650,021 was provided in FY 1991.

Federal Contribution - \$47,470,000
State Contribution - \$ 3,000,000

San Luis Rey Indian Water Rights Settlement Act (P.L. 100-675):

The Act provides for the settlement of water rights claims of five bands of California Mission Indians. Funds are deposited in a tribal development fund established by section 105 of the Act for the benefit of the bands. Funds in the amount of \$32,445,751 provided in FY 1990 fulfilled the United States obligation incurred by enactment of this Act.

Federal Contribution - \$32,445,751
State Contribution - \$0

Fallon Paiute Shoshone Tribal Settlement Act (P.L. 101-618): The Act provides for a total settlement of \$43,000,000 for water rights claims of the Fallon Paiute Shoshone Indian Tribes. The \$43 million is to be paid in six annual installments: \$3 million in FY 1992 and \$8 million in FY 1993 - 1997. These funds will be deposited in a trust fund established by section 101 of the Act to be used for tribal economic development, tribal governmental services and facilities, per capita distribution to tribal governmental services and facilities, per capita distribution to tribal members, rehabilitation and betterment of the irrigation system on the Fallon Paiute Shoshone Indian Reservation, and land acquisition.

Federal Contribution - \$43,000,000
State Contribution - \$0

Truckee-Carson-Pyramid Lake Water Settlement (P.L. 101-618): The Act provides the total settlement of \$65,000,000 for the water rights claims of the Pyramid Lake Paiute Tribe. Two trust funds are established by section 208 of the Act: the Pyramid Lake Fisheries Fund and the Pyramid Lake Paiute Economic Development Fund. The amount of \$25,000,000 is for the Fisheries Fund and interest earned on the Fund is for operation and maintenance of fishery facilities at Pyramid Lake. In addition, the Act authorizes \$40 million to be paid in five equal installments in FY 1993 - 1997 for the Pyramid Lake Paiute Economic Development Fund. The principal and interest are available for tribal economic development. The state contribution of \$9 million is for the purchase of water rights for the Stillwater Refuge.

Federal Contribution - \$65,000,000
State Contribution - \$ 9,000,000

INDIAN RIGHTS SETTLEMENT LEGISLATION
PASSED IN 101ST CONGRESS
FEDERAL/STATE COST-SHARING
PAGE 2

Fort McDowell Community Water Rights Settlement (P.L. 101-628):

The Act provides for the total settlement of \$53,000,000 for water rights claims of the Fort McDowell Indian Community. The amount of \$23,000,000 is authorized for a trust fund established by section 408 of the Act to be used for the design and construction of facilities for the beneficial use of the Community's water entitlement and for other economic and community development of the reservation. A \$30,000,000 appropriation is authorized if the Secretary acquires at least 7,000 acre-feet from certain entities listed in section 406 (a)(2). This is to be used to pay the costs of diversion, collection and conveyance facilities under section 406 (c) of the Act. The tribe will receive a \$13 million federal loan under the Small Reclamation Projects Act.

Federal Contribution - \$53,000,000
State Contribution - \$ 2,000,000

Fort Hall Indian Water Rights Settlement (P.L. 101-602): The Fort Hall Indian Water Rights Settlement Act authorizes funds in the amount of \$22,000,000 for the settlement of water rights claims of the Shoshone-Bannock Indian Tribes in Idaho. Of this amount, \$10,000,000 is authorized under section 7(a) for a tribal development fund, payable in three annual installments of \$4,000,000 beginning in FY 1992, \$3,000,000 in FY 1993, and \$3,000,000 in FY 1994. For a reservation-wide water management system, \$7,000,000 is authorized under section 7(b) payable in three annual installments of \$3,000,000 in FY 1992, \$2,000,000 in FY 1993 and \$2,000,000 in FY 1994. For land acquisition and grazing rights, section 7(c) authorizes \$5,000,000 to be paid in FY 1992.

Federal Contribution - \$22,000,000
State Contribution - \$ 500,000

THE WHITE HOUSE

10.21.91

Dear Steve -

Thank you for your kind letter following up on the successful First Annual Olympic Dinner. I will make sure that the appropriate people here know of your praise.

Keep in touch.

Sincerely, *Andy Card*

Andrew Card
THE WHITE HOUSE
WASHINGTON

Stephen Bull
U.S.O.C.
2011 Eye Street, N.W.
Washington, D.C. 20006

Suite 800



AC HAS SEEN

STEPHEN BULL
DIRECTOR, GOVERNMENT RELATIONS

RECEIVED

October 11, 1991 OCT 15 1991

The Honorable Andrew H. Card
Assistant to the President
The White House
Washington, D.C. 20500

Dear Andy:

ROBERT H. HELMICK
PRESIDENT
MICHAEL B. LENARD
VICE PRESIDENT
GEORGE M. STEINBRENNER III
VICE PRESIDENT
WILLIAM B. TUTT
VICE PRESIDENT
CHARLES U. FOSTER
SECRETARY
DR. LeROY T. WALKER
TREASURER
WILLIAM E. SIMON
IMMEDIATE
PAST PRESIDENT
HARVEY W. SCHILLER
EXECUTIVE DIRECTOR

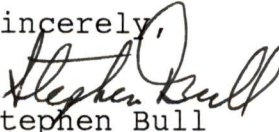
I want to express my most sincere appreciation for the magnificent support that numerous members of the White House Staff rendered on behalf of the First Annual Olympic Dinner. Although not an exclusive list, the individuals and offices that immediately come to mind include the Scheduling Office, which kept us apprised of the status of the invitation to the President, Associate White House Counsel Greg Walden who provided guidance on Office of Government Ethics matters, the Office of Public Liaison that scheduled a breakfast and White House tour for the Olympic athletes, Ede Holiday and Dorrance Smith who assisted us all along the way in every aspect of planning, and so many others who cooperated so cheerfully.

I want to make special note of the White House Advance Office. From personal experience I know that an appearance by the President can complicate and otherwise transform an event. I know; twenty years ago I was personally responsible for single-handedly destroying numerous dinners of this nature. But my experience with your Advance Office was just the opposite. They took our event and improved it, and rather than complicate the program, the measures they employed to facilitate the appearance of the President and Mrs. Bush greatly simplified the process of the entire evening.

I am particularly grateful for the contributions of Jay Parmer, Mel Lukens, and Don Mains. They were courteous, cooperative, and creative, and extremely generous with their time. They could not have been more accommodating, and I freely acknowledge that the dinner was a success as a direct result of their efforts. Their professionalism reflects favorably upon the President and Mrs. Bush, and upon the leadership of the White House Staff.

On behalf of the United States Olympic Committee and for myself personally, thanks so much to so many of your colleagues for making the First Annual Olympic dinner a success.

Sincerely,


Stephen Bull



SECRETARY OF STATE
STATE OF MISSOURI
JEFFERSON CITY
65102

ROY D. BLUNT

Rec'd 8/10 Kent

file
COPY

July 31, 1991

John Sununu
Chief of Staff
The White House
Washington, D.C. 20500

Dear John:

During your last visit to Missouri, you and I had an opportunity to visit briefly about a program that I thought might be worthy of the President's "point of light" recognition. I have taken the liberty of enclosing some materials about that program for your consideration.

The St. Patrick's Center and McMurphy's Grill in St. Louis, Missouri are programs designed to help the homeless and assist them in moving to a more stable life-style. Edith Cunnane, Executive Director of St. Patrick's Center has done an excellent job of working with the community in making this program effective. I've visited the St. Patrick Center and had lunch at McMurphy's Grill; it is truly an amazing undertaking.

The Center's mission is to provide a flexible and innovative program which addresses the immediate and ongoing needs of the homeless population and the residents of the nearby northside of St. Louis. The Center achieves this goal by developing private side support, financial and volunteer, that coordinates with publicly-funded services. McMurphy's Grill is a full-service restaurant open to the public which provides homeless people the opportunity to live and work independently.

Mr. Sununu
Page 2

St. Patrick's Center and McMurphy's Grill are indeed "points of light" serving as a model to other communities.

I look forward to hearing from you soon. Thanks for all you do.

Sincere regards,

Roy Blunt

enclosure

cc: Andrew Card

Andy - I've visited with Gov. Sununu
about this - he wanted me to be
sure and call it to your attention.
If you need more information
or have questions please call.
Thank you, Roy

THE WHITE HOUSE
WASHINGTON

DATE: September 5, 1991

TO: Gregg Petersmeyer

FROM: ANDY CARD

All yours.

THE WHITE HOUSE
Office of the Press Secretary

Andy -
EYE - They
were named recently.
Cheers -
Guy

FOR IMMEDIATE RELEASE

August 26, 1991

The President today named the volunteers of the St. Patrick Center of St. Louis, Missouri, as the 545th Daily Point of Light for the Nation. More than 2000 volunteers of the St. Patrick Center help over 30,000 homeless individuals and at-risk families each year.

The services offered through the St. Patrick Center ("Center") enable local residents to make permanent and positive changes in their lifestyles and to become independent and self-sufficient members of the community. Currently, the Center's shelter, the Shamrock Club, responds to emergency calls and meets the basic needs of 250 people per day.

Through the work and commitment of its volunteers, the Center provides a comprehensive array of programs to assist low-income and homeless persons improve their social, educational, and economic conditions. The program's participants work with the staff and volunteers to establish goals to achieve stability in their lives. The educational and social development opportunities of the St. Patrick Center include: GED and adult literacy classes, a restaurant training program, an employment services agency, drug and alcohol rehabilitation, marriage and family counseling, programs in parenting skills, temporary shelters and transitional housing, mobile outreach, on the job training programs as well as social activities for children.

Many volunteers lend their professional expertise after hours to the Center: lawyers manage the Free Legal Aid Program; accountants offer assistance to homeless families residing in the shelters; computer programmers maintain the records and files of the Center; and nurses provide specialized care to the residents. Additional volunteers offer companionship, direction and assistance to homeless individuals through the Night Shelter Program; others help clients through a home weatherization program, drive participants to job interviews and medical appointments or care for the children of parents attending classes.

The President salutes the volunteers of the St. Patrick Center for their community service efforts and for demonstrating his belief that, "From now on in America, any definition of a successful life must include serving others."

#

FOR FURTHER INFORMATION CONTACT: Tracey Taylor or Jill Chodorov
(202) 456-6266

ST. PATRICK CENTER

BACKGROUND PAPER

ST. PATRICK CENTER
1200 North Sixth Street
St. Louis, MO 63106

The number of individuals without proper food, clothing or shelter is a problem our society continually faces. St. Patrick Center, an Agency of Catholic Charities and the United Way of Greater St. Louis, is located on the near northside of downtown St. Louis. It provides local residents with the basic needs required to survive on a day-to-day basis and also offers programs that assist all individuals in making permanent, positive changes in their lifestyles. The services provided include the following areas:

Direct Assistance: Offering the support needed to address each individual's basic needs.

- Day Shelter Program (The Shamrock Club) provides the homeless with a place to call "home" during the daylight hours. Provisions include on-site counseling, hot lunches, showers, laundry facilities, clothing, medical care, a mailing address, telephones and shelter from the elements.
- Neighborhood Outreach is offered to those who require assistance to maintain a household. This includes providing clothing, household items, food, transportation, medical assistance and a means of paying rent and utilities.
- Free Employment Services give individuals the opportunity to work with a professional to identify skills; to receive counseling on resume preparation, interviewing and job retention; and to assist in arranging interviews with potential employers. Employers may also use this service.
- Housing Services are provided to families who are homeless and in need of counseling and assistance in finding a home and developing a stable atmosphere.
- Legal Services are offered free of charge to individuals who need advice on civil matters.

Education: Teaching the specific skills necessary for the individual to become self-sufficient and independent.

- Adult Basic Education classes provide individuals with the opportunity to complete the GED program and to enhance basic reading and math skills.
- Consumer Homemaking Adult Education offers disadvantaged adults education in nutrition, parenting skills, home management and consumer issues.
- Day Care is offered to children from ages two to five years. There is a moderate charge for enrollment.
- Tutorial Facilities give both adults and youth the opportunity to improve basic reading and writing skills.

Health Education: Teaching individuals to be health conscious.

- Basic Health Programs stress the importance of proper nutrition, diet, and regular exercise. One program is neighborhood gardening, which gives individuals the opportunity to learn how to grow their own nutritional food.

- Parenting Skills help individuals understand the developmental stages of the family cycle, demonstrate skills in the art of communication and involve participants in actual problem-solving situations.

Counseling: Enables people to receive assistance in dealing with social and psychological difficulties.

- Mental Health Services are offered by the day program (The Shamrock Club) to give the poor and homeless the opportunity to receive counseling.

- Alcohol and Drug Abuse programs are designed to reach out to the chemically dependent by advice, education, treatment and fellowship.

- Environmental Adjustment counseling is offered to children and adults who may need assistance adapting to their surroundings.

- Marriage and Family Counseling is designed to provide family evaluations, crisis intervention and outreach.

Social Activities: Providing facilities for healthy recreational interaction.

- Social Programs offered include free recreation for area residents of all ages, such as parties, bingo, softball and many other seasonal programs.

- Children's Programs are structured to enrich individual creative abilities during all stages of development.

The staff of St. Patrick Center realizes that many of St. Louis' poor and homeless simply need the opportunity to improve their lifestyle in order to become independent members of society. With numerous full and part-time volunteers, the Center is able to provide many of the social services necessary to aid these needy people. However, in order to maintain the present services and continue to respond to the need for new services, St. Patrick Center relies on the support of the St. Louis community. Whether individual or corporate, small or large, every gift is greatly appreciated. Contributions may be unrestricted or may be designated to a specific program.

For more information about St. Patrick Center call (314) 621-1283

UNITED STATES ARMS CONTROL AND DISARMAMENT AGENCY
WASHINGTON

DIRECTOR

September 30, 1991

Dear Andy,

Thank you very much for your support of our request to the President to participate in the commemoration of ACDA's 30th Anniversary. Attached is a copy of a letter I have sent to Brent Scowcroft reaffirming our earlier request, with alternative dates, as you suggested. I understand that this proposal has again been approved by the NSC and hope we can have an early commitment for the President's appearance.

Best regards.

Sincerely,

Ron

Ronald F. Lehman II

Attachment
As stated

*As we discussed,
the President really is
the "arms control" President.
No one would have anticipated
the great achievements.*

THE WHITE HOUSE

10.20.91

David -

Times have been very hectic.
I apologize for my tardy response
to your 9.26 letter.

You are in the mix! No decision
has been made.

Keep in touch.

Andy Card

THE WHITE HOUSE
WASHINGTON

David J. Beightol
State of Wisconsin
Washington Office
444 N. Capitol Street
Washington, DC 20001

Suite 345



TOMMY G. THOMPSON
GOVERNOR

STATE OF WISCONSIN

Washington Office
444 N. Capitol St., Suite 345
Washington, D.C. 20001
(202) 624-5870

AC HAS SEEN

RECEIVED
SEP 26 1991
DAVID J. BEIGHTOL
DIRECTOR

September 26, 1991

Andy Card
Assistant to the President and
Deputy to the Chief of Staff
The White House
Washington, D.C. 20500

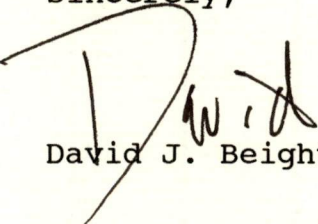
Dear Andy:

Enclosed, please find my resume.

As you know, I feel as though I've been part of the "Bush extended family" for over 13 years. It would be an honor to serve on the Bush team more directly.

Thanks for your assistance.

Sincerely,


David J. Beightol

DAVID J. BEIGHTOL

Wisconsin Washington Office
444 N. Capitol Street, Suite 345
Washington, D.C. 20001
202/624-5870

7109 Georgia Street
Chevy Chase, MD 20815
301/654-3179

EXPERIENCE

May 1987 - Present

Director, the Wisconsin Washington Office. Appointed by Governor Thompson and confirmed by State Legislature. Report directly to Governor. Represent Governor and State in Washington, D.C. through close daily contact with Congress, the White House, federal agencies, and foreign governments to advance Wisconsin's objectives; manage all professional staff; identify and acquire federal funds for Wisconsin programs; issue a bi-weekly analysis to Governor and quarterly report to Legislature; initiate state/federal policy development and represent Governor in several national and regional interest groups, including serving as Chairman of USTR's Intergovernmental Policy Advisory Committee, past chairman of National Governors' Association Trade Committee's Staff Advisory Council; member of Executive Committee for the Council of Great Lakes Governors, and primary liaison to the Republican Governors Association. Generate state and national media coverage for Governor in Washington.

Accomplishments

Secured millions of dollars in new competitive grant awards for Wisconsin, including \$25 million Urban Mass Transit grant for Milwaukee County, and a \$4.3 million Impact Aid Education Grant for the Lac du Flambeau Indian Tribe. Private sector initiatives include working with Oshkosh Truck Corporation to secure hundreds of millions of dollars worth of defense contracts. Successfully lobbied for the elimination of subsidies in the Clean Air Bill, saving Wisconsin utilities an estimated \$100 million a year. Spearheaded the Commerce/Wisconsin Program, a partnership between the U.S. Department of Commerce and the Wisconsin Department of Development. This joint effort has provided \$200,000 annually from the U.S. Department of Commerce to the State of Wisconsin. Developed policy statement in support of U.S./Canada Free Trade Agreement which was later adopted by the National Governors' Association.

January 1987 - May 1987

Technical Consultant: House of Representatives' Science, Space and Technology Subcommittee on International Scientific Cooperation. Planned and attended oversight mission to Africa.

August 1985 - December 1986

Technical Consultant: House of Representatives' Science and Technology Subcommittee on Energy Development. Oversight included Superconducting Super Collider and Challenger investigation.

Fall 1983 - August 1985

Press Secretary: Representative F. James Sensenbrenner (R-WI) U.S. Congress. Managed massive newsletter program (annual distribution, two million), weekly column, press conferences, and remarks. Generated all state/national media coverage.

February 1983 - Fall 1983

Legislative Assistant: Promoted to Representative F. James Sensenbrenner's Washington Office.

January 1982 - February 1983

Staff Assistant to representative F. James Sensenbrenner in district office: As scheduler, arranged and accompanied Representative to 373 appearances in the district in one year.

EDUCATION/PERSONAL

Graduate, University of Wisconsin-Madison, Bachelor of Arts, History.

Married, two children.

Hobbies include: golf, tennis, basketball, boating, reading and photography.

References furnished upon request.

737-1234
Rm 885

DEPARTMENT OF NATURAL RESOURCES
AND CONSERVATION



STAN STEPHENS, GOVERNOR

LEE METCALF BUILDING
1520 EAST SIXTH AVENUE

STATE OF MONTANA

DIRECTOR'S OFFICE (406) 444-6699
TELEFAX NUMBER (406) 444-6721

HELENA, MONTANA 59620-2301

September 25, 1991

RECEIVED
SEP 30 1991

Mr. Andrew Card
Executive Assistant to the President
White House
Washington DC 20510

Dear Mr. Card:

Thank you for the time you spent in our September 5, 1991 meeting concerning the Northern Cheyenne Tribe Reserved Water Rights Settlement Act. As promised in our meeting, we have compiled information supporting a much different view of the cost-share provisions of this agreement than related to you by the Office of Management and Budget (OMB). First, let me say that I concur in your efforts to insulate the federal taxpayer against inappropriate and unnecessary expenditures of public funds. Governor Stephens has adamantly maintained a similar posture with respect to Montana taxpayers. However, as explained below and shown in the attachment, the cost-share provisions of the Act represent a defensible and appropriate contribution from each party.

Under the water rights settlement, the State of Montana is contributing cash and services amounting to 45 percent of the total settlement costs. These contributions, discussed in greater detail below, are partitioned among the three primary cost components of the settlement: (1) the Tongue River Dam repair and enlargement, (2) the fish and wildlife enhancement project, and (3) the Tribal Development Fund. While we have included all three components in our information, it is the State of Montana's position that we have no responsibility to participate in the Tribal Development Fund. If this fund were excluded from our calculations, Montana's contribution would be 56 percent of the settlement cost.

Tongue River Dam Repair and Enlargement

As a result of a breach of its federal trust responsibility to the Northern Cheyenne Tribe and as a trustee responsible for promoting the economic vitality of the tribe, the federal government has an obligation to provide a firm water supply to the Northern Cheyenne Tribe. The Settlement Act

LETTER TO: ANDREW CARD
September 24, 1991
Page 2

All new water associated with this project accrues to the Northern Cheyenne Tribe. The non-tribal water allocation remains constant at 32,500 acre-feet, while the tribal water supply increases from 7,500 to 27,500 acre-feet. While Montana receives 54 percent of the water supply from the project, it has agreed to contribute 58 percent of the rehabilitation costs. Under provisions of this bill, Montana would contribute \$9.2 million directly to construction and construction administration and would repay an \$11.5 million loan. In addition, Montana would provide existing project assets (amounting to \$23.1 million) that are essential to the new construction.

Fish and Wildlife Enhancement Project

The Act includes a project to develop waterfowl wetlands habitat along the Tongue River and surrounding the dam. These activities are being carried out under the Federal Water Project Recreation Act which requires a 25 percent state contribution that totals \$1.1 million.

Tribal Development Fund

The funds authorized to be appropriated for the Tribal Development Fund (\$21.5 million) are a federal obligation resulting from the breach of the United State's trust responsibility. The tribe's estimate of its claims against the United States is significantly larger. Originally, the tribal development fund included only \$10 million. The difference (\$11.5 million) had been a portion of Montana's contribution and was structured as a loan through the Small Reclamation Projects Act (SRPA). In accordance with the SRPA, loan repayments would have been deposited in the federal treasury. However, objections to the SRPA loan were voiced by OMB after the agreement had been approved by the Northern Cheyenne Tribal Council, the Montana Legislature, and, in principle, by the federal negotiating team. As a result of this untimely and adamant opposition by OMB, the SRPA loan was reconfigured as a loan to the state from the Tribal Development Fund, to be repaid to that fund.

The second concern raised by OMB is the precedent-setting nature of this cost-share arrangement. Based on our research into past Indian water right settlements approved by Congress, I would conclude that Montana's contribution included in the Northern Cheyenne Indian Reserved Water Rights Settlement Act sets a positive precedent. As an example, the enclosed attachment shows that, in the Fort Hall

LETTER TO: ANDREW CARD
September 24, 1991
Page 3

settlement supported by the Administration, the State of Idaho contributed \$500,000 and the federal government \$22,000,000. In fact, there was no state contribution in two of the six settlements passed in the 101st congress. It is obvious that Montana's cost-share proposal is substantial in comparison with that provided in the past by non-federal parties.

I believe that Montana's proposed contribution to the Northern Cheyenne water right settlement is exceedingly generous. I therefore trust that with this information you and OMB will support the Northern Cheyenne Indian Reserved Water Rights Settlement Act. If you have any questions, please contact me at (406)444-6699.

Sincerely,



Karen L. Barclay
Director

Attachments

cc: Governor Stephens
Senator Burns
Senator Baucus
Congressman Marlenee
Congressman Williams
Senator Bradley
Congressman Miller
Senator Inoye
Senator McCain
Secretary Lujan
Lanny Griffith
Robert E. Grady

NORTHERN CHEYENNE INDIAN RESERVED WATER
RIGHTS SETTLEMENT ACT OF 1991

LEGISLATION PASSED IN THE 101ST CONGRESS RELATIVE TO
INDIAN WATER RIGHTS SETTLEMENTS - FEDERAL/STATE COST-SHARING

Salt River Pima-Maricopa Water Rights Settlement Act (P.L. 100-152): The Act authorizes funds in the amount of \$47,470,000 for the settlement of water rights claims of the Salt River Pima-Maricopa Indian Community in Arizona. Funds are deposited in a trust fund established by Section 9 of the Act for use in rehabilitating and improving the Community's existing water facilities. Funds in the amount of \$23,735,000 were provided in FY 1990 as partial fulfillment of this Act and \$23,650,021 was provided in FY 1991.

Federal Contribution - \$47,470,000
State Contribution - \$ 3,000,000

San Luis Rey Indian Water Rights Settlement Act (P.L. 100-675): The Act provides for the settlement of water rights claims of five bands of California Mission Indians. Funds are deposited in a tribal development fund established by section 105 of the Act for the benefit of the bands. Funds in the amount of \$32,445,751 provided in FY 1990 fulfilled the United States obligation incurred by enactment of this Act.

Federal Contribution - \$32,445,751
State Contribution - \$0

Fallon Paiute Shoshone Tribal Settlement Act (P.L. 101-618): The Act provides for a total settlement of \$43,000,000 for water rights claims of the Fallon Paiute Shoshone Indian Tribes. The \$43 million is to be paid in six annual installments: \$3 million in FY 1992 and \$8 million in FY 1993 - 1997. These funds will be deposited in a trust fund established by section 101 of the Act to be used for tribal economic development, tribal governmental services and facilities, per capita distribution to tribal governmental services and facilities, per capita distribution to tribal members, rehabilitation and betterment of the irrigation system on the Fallon Paiute Shoshone Indian Reservation, and land acquisition.

Federal Contribution - \$43,000,000
State Contribution - \$0

Truckee-Carson-Pyramid Lake Water Settlement (P.L. 101-618): The Act provides the total settlement of \$65,000,000 for the water rights claims of the Pyramid Lake Paiute Tribe. Two trust funds are established by section 208 of the Act: the Pyramid Lake Fisheries Fund and the Pyramid Lake Paiute Economic Development Fund. The amount of \$25,000,000 is for the Fisheries Fund and interest earned on the Fund is for operation and maintenance of fishery facilities at Pyramid Lake. In addition, the Act authorizes \$40 million to be paid in five equal installments in FY 1993 - 1997 for the Pyramid Lake Paiute Economic Development Fund. The principal and interest are available for tribal economic development. The state contribution of \$9 million is for the purchase of water rights for the Stillwater Refuge.

Federal Contribution - \$65,000,000
State Contribution - \$ 9,000,000

INDIAN RIGHTS SETTLEMENT LEGISLATION
PASSED IN 101ST CONGRESS
FEDERAL/STATE COST-SHARING
PAGE 2

Fort McDowell Community Water Rights Settlement (P.L. 101-628):

The Act provides for the total settlement of \$53,000,000 for water rights claims of the Fort McDowell Indian Community. The amount of \$23,000,000 is authorized for a trust fund established by section 408 of the Act to be used for the design and construction of facilities for the beneficial use of the Community's water entitlement and for other economic and community development of the reservation. A \$30,000,000 appropriation is authorized if the Secretary acquires at least 7,000 acre-feet from certain entities listed in section 406 (a)(2). This is to be used to pay the costs of diversion, collection and conveyance facilities under section 406 (c) of the Act. The tribe will receive a \$13 million federal loan under the Small Reclamation Projects Act.

Federal Contribution - \$53,000,000

State Contribution - \$ 2,000,000

Fort Hall Indian Water Rights Settlement (P.L. 101-602): The Fort Hall Indian Water Rights Settlement Act authorizes funds in the amount of \$22,000,000 for the settlement of water rights claims of the Shoshone-Bannock Indian Tribes in Idaho. Of this amount, \$10,000,000 is authorized under section 7(a) for a tribal development fund, payable in three annual installments of \$4,000,000 beginning in FY 1992, \$3,000,000 in FY 1993, and \$3,000,000 in FY 1994. For a reservation-wide water management system, \$7,000,000 is authorized under section 7(b) payable in three annual installments of \$3,000,000 in FY 1992, \$2,000,000 in FY 1993 and \$2,000,000 in FY 1994. For land acquisition and grazing rights, section 7(c) authorizes \$5,000,000 to be paid in FY 1992.

Federal Contribution - \$22,000,000

State Contribution - \$ 500,000

NORTHERN CHEYENNE INDIAN RESERVED WATER
RIGHTS SETTLEMENT ACT OF 1991
FEDERAL/STATE COST SHARE

SETTLEMENT COST

	\$(millions)
Tongue River Dam Repair and Enlargement	52.2 ¹
Fish and Wildlife Enhancement Project	4.7
Tribal Development Fund	21.5 ¹

FEDERAL/STATE COST SHARE

	\$(millions)	%
Tongue River Dam Repair and Enlargement		
Federal Share	31.5	42
State Share		
Direct Contributions	9.2	
Loan Repayment	11.5	
Existing Assets ²	23.1	
Subtotal	43.8	58
Fish and Wildlife Enhancement Project		
Federal Share	3.6	75
State Share	1.1	25
Tribal Development Fund		
Federal Share	21.5	100

¹ The \$11.5 million loan to Montana from the Tribal Development Fund is included in that fund amount and in the "Project Cost".

² "Existing Assets" includes items that are essential to the settlement and that have already been secured by the State of Montana. Examples of these items contributed include necessary engineering studies, land, and dam features.

THE WHITE HOUSE

10.21.91

Dear Steve -

Thank you for your kind letter following up on the successful First Annual Olympic Dinner. I will make sure that the appropriate people here know of your praise.

Keep in touch.

Sincerely, *Andy Card*

Andrew Card
THE WHITE HOUSE
WASHINGTON

Stephen Bull
U.S.O.C.
2011 Eye Street, N.W.
Washington, D.C. 20006

Suite 800



*Copy to
Rogich
Sig*

AC HAS SEEN

STEPHEN BULL
DIRECTOR, GOVERNMENT RELATIONS

RECEIVED

October 11, 1991 OCT 15 1991

The Honorable Andrew H. Card
Assistant to the President
The White House
Washington, D.C. 20500

Dear Andy:

ROBERT H. HELMICK
PRESIDENT
MICHAEL B. LENARD
VICE PRESIDENT
GEORGE M. STEINBRENNER III
VICE PRESIDENT
WILLIAM B. TUTT
VICE PRESIDENT
CHARLES U. FOSTER
SECRETARY
DR. LeROY T. WALKER
TREASURER
WILLIAM E. SIMON
IMMEDIATE
PAST PRESIDENT
HARVEY W. SCHILLER
EXECUTIVE DIRECTOR

I want to express my most sincere appreciation for the magnificent support that numerous members of the White House Staff rendered on behalf of the First Annual Olympic Dinner. Although not an exclusive list, the individuals and offices that immediately come to mind include the Scheduling Office, which kept us apprised of the status of the invitation to the President, Associate White House Counsel Greg Walden who provided guidance on Office of Government Ethics matters, the Office of Public Liaison that scheduled a breakfast and White House tour for the Olympic athletes, Ede Holiday and Dorrance Smith who assisted us all along the way in every aspect of planning, and so many others who cooperated so cheerfully.

I want to make special note of the White House Advance Office. From personal experience I know that an appearance by the President can complicate and otherwise transform an event. I know; twenty years ago I was personally responsible for single-handedly destroying numerous dinners of this nature. But my experience with your Advance Office was just the opposite. They took our event and improved it, and rather than complicate the program, the measures they employed to facilitate the appearance of the President and Mrs. Bush greatly simplified the process of the entire evening.

I am particularly grateful for the contributions of Jay Parmer, Mel Lukens, and Don Mains. They were courteous, cooperative, and creative, and extremely generous with their time. They could not have been more accommodating, and I freely acknowledge that the dinner was a success as a direct result of their efforts. Their professionalism reflects favorably upon the President and Mrs. Bush, and upon the leadership of the White House Staff.

On behalf of the United States Olympic Committee and for myself personally, thanks so much to so many of your colleagues for making the First Annual Olympic dinner a success.

Sincerely,

Stephen Bull
Stephen Bull

THE WHITE HOUSE

WASHINGTON

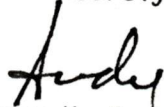
October 1, 1991

Dear Maureen:

Belated thanks for your letter on behalf of Judge Robert Barton. I appreciate your letting me know of his interest in an appointment to the Federal bench, and I will make sure the right folks here know of his willingness to serve.

It was good to hear from you. Please keep in touch.

Sincerely,



Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff

Say hi to everyone.

Honorable Maureen Barrows
Chair
Board of Rockingham County Commissioners
111 North Road
Brentwood, New Hampshire 03833

ROCKINGHAM COUNTY COMMISSIONERS

111 North Rd., Brentwood, NH 03833



TELEPHONE 603-679-2256

E. Jane Walker

Maureen Barrows

Ernest P. Barka

August 12, 1991

Mr. Andrew Card
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20006

Dear Andy:

It was nice seeing you the other day. You look well and judging by the spring in your step still enjoying your role in Washington.

Enclosed is a copy of the resume of Honorable Robert A. Barton, an Associate Justice of the Massachusetts Superior Court. Judge Barton's resume was given to me by a long time personal friend Donald J. Allard, Chief Probation Officer, Middlesex County, Commonwealth of Massachusetts.

According to Don, Judge Barton is conscientious, fair, hard working and thorough. He is interested in an appointment to the federal bench and according to Don, in whom I have the utmost confidence, has 'the right stuff.'

I appreciate your review of this information and will gladly supply additional data if requested.

Thank you for your consideration.

Very truly yours,

A handwritten signature in blue ink that reads "Maureen Barrows".

Maureen Barrows
Chairman, Board of
Rockingham County Commissioners

MB/cap

HONORABLE ROBERT A. BARTON

RESUME

PARENTS: Dr. and Mrs. Benjamin Barton
Everett, Massachusetts

RESIDENCE: 16 Page Road, Bedford, Massachusetts
Telephone: 275-9537

JUDICIARY: Associate Justice of the Superior Court,
Appointed December 22, 1978.

AGE: Born: June 3, 1930, Chelsea, Massachusetts

EDUCATION: Everett, Massachusetts - Primary Schools - 1943
Boston Latin School Graduate - 1948
Dartmouth College A.B. - 1952
Boston University Law School J.D. - 1955
Cum Laude - Valedictorian
Editor, Boston University Law Review 1954 - 1955

ATHLETICS: Boston Latin School; Varsity Letterman,
Football - Baseball
Dartmouth College; Varsity Letterman,
Baseball, 3 years

MILITARY: Captain, United States Marine Corps 1955 - 1958
Overseas Service - Far East
Foreign Claims Commissioner, Ryukyu Island - 1957
Judge Advocate - Third Marine Division F.M.F.

PUBLIC SERVICE: Assistant District Attorney, Middlesex County
1959 - 1962
Special Assistant Attorney General, Commonwealth
of Massachusetts 1959; 1974
Chairman, Personnel Board; Town of Bedford 1963-1966
Selectman - Town of Bedford 1967 - 1973
Chairman, Board of Selectmen 1969 - 1972
Moderator, Town of Bedford 1973 - 1978

TEACHING EXPERIENCE: Adjunct Professor of Law
New England School of Law - 1962 to present

FAMILY: Married to Norma Ann Green
Children: Stephen B.
Daniel J.

PROFESSIONAL ASSOCIATIONS: Massachusetts Bar Association - Former Member
of Board of Delegates
International Bar Association - Ryukyu Islands
Middlesex County Bar Association
Past President, Central Middlesex Bar Association

NOTEWORTHY CASES: Grand Slamm Rape Case, King Arthur Motel,
Commonwealth vs. Clemente, Commonwealth vs.
Dr. Roger Mamay, LaPlante, Barnoski, etc.

THE WHITE HOUSE

WASHINGTON

September 6, 1991

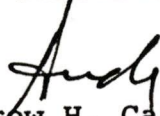
Dear Bruce:

A quick (and belated) note to acknowledge yours of June 11, 1991, recommending Jim Nicholson for the Board of Visitors for West Point. I'm told that Mr. Nicholson is under serious consideration for this highly sought-after post, although I understand the competition is fierce.

Jose Martinez, Special Assistant to the President and Associate Director, Presidential Personnel, who handles these appointments has been, and will continue to be in touch with Mr. Nicholson.

Thanks for the input - it really helps!

Sincerely,



Andrew H. Card, Jr.
Assistant to the President
and Deputy Chief of Staff

Mr. Bruce Benson
State Chairman
Colorado Republicans
1275 Tremont Place
Denver, Colorado 80204

THE WHITE HOUSE
WASHINGTON

Date: 9/6/91

TO: Jose Martinez

FROM: Mia Kelly
Special Assistant to the Chief of Staff

The attached is what prompted my inquiry about the Board of Visitors for West Point.

Thanks for the info.



COLORADO REPUBLICANS

1275 Tremont Place, Denver, Colorado 80204 (303) 893-1776

Bruce Benson
State Chairman

June 11, 1991

Mr. Andrew H. Card, Jr.
Assistant to the President and
Deputy to the Chief of Staff
The White House
Washington, DC 20500

Dear Andy:

I would like to recommend Jim Nicholson, Colorado National Committeeman, for the Board of Visitors for West Point. I understand there are a couple of openings coming up and with Jim's military background, I know he would do an excellent job.

Sincerely,

Bruce D. Benson
Chairman



COLLEGE OF LIBERAL ARTS
THE UNIVERSITY OF TEXAS AT AUSTIN

Department of Government • Burdine Hall 536
Austin, Texas 78712-1087 • (512) 471-5121

8/5/91

Dear Mr. Cud,

It was a pleasure to visit
with you in your office on July
30, and I much appreciate
the time you took to
answer my questions.

Sincerely,

Beverly Buckner



THE CATHOLIC UNIVERSITY OF AMERICA

Office of the President

Washington, D.C. 20064

202-319-5100

FAX - 202-319-4441

July 23, 1991

RECEIVED

JUL 26 1991

The Honorable
Andrew H. Card
Deputy Chief of Staff
The White House
Washington, DC 20500

Dear Andy:

I have just received a notification that President Bush has nominated me to serve on the Board of Directors of the new Commission on National and Community Service. Thank you for your assistance in making this happen. I'm looking forward to confirmation by the Senate and the opportunity to serve. I hope I can make an impact on a public policy issue that surely needs more attention these days.

With all best wishes.

Yours gratefully,

William J. Byron, S.J.
President

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo	Ray Briscuso to Linda Casey, Re: September 26th appointment with Andy Card; Personally Identifiable Information redacted. (1 pp.)	09/16/91	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff, Office of the
Series: Card, Andrew H., Jr., Files
Subseries:
WHORM Cat.:
File Location: Correspondence--B [1]

Date Closed: 3/17/2025	OA/ID Number: 04883-002a
FOIA/SYS Case #: 2025-0373-S	Appeal Case #:
Re-review Case #:	Appeal Disposition:
P-2/P-5 Review Case #:	Disposition Date:
AR Case #:	MR Case #:
AR Disposition:	MR Disposition:
AR Disposition Date:	MR Disposition Date:

RESTRICTION CODES

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

(b)(1) National security classified information
(b)(2) Release would disclose internal personnel rules and practices of an agency
(b)(3) Release would violate a Federal statute
(b)(4) Release would disclose trade secrets or confidential or financial information
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy
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(b)(8) Release would disclose information concerning the regulation of financial institutions
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PRM. Removed as a personal record misfile

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

P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]



**Industrial
Biotechnology
Association**

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Washington, D.C. 20006-1604
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FAX: (202) 857-0237

Raymond J. Briscuso, Jr.
Deputy Director of
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Dennis N. Longstreet
Ortho Biotech

John R. Norell
Phillips Petroleum Company

Edward E. Penhoet
Chiron Corporation

Harry H. Penner, Jr.
Novo Nordisk of North America

G. Kirk Raab
Genentech, Inc.

George B. Rathmann
ICOS Corporation

Hubert J.P. Schoemaker
Centocor, Inc.

James P. Sherblom
TSI Corporation

Mark B. Skaletsky
Enzytech, Inc.

Henri A. Termeer
Genzyme Corporation

James L. Vincent
Biogen Inc.

MEMORANDUM

To: Linda Casey
From: Ray Briscuso *Ray*
Date: September 16, 1991
Subject: September 26th appointment with Andy Card

Thank you for making arrangements for us to meet with Andy at 11:00am on the 26th of September. Below is the information you need to clear this group. In addition, I have attached a second page with some helpful information for you and Andy.

WEST WING APPOINTMENT WITH ANDY CARD
11:00am 09/26/91

NAME

DOB

James D. Grant

Mark B. Skaletsky

John L. Castello

Lisa J. Raines

Mitchel Kertzman

Edward Hatcher

Ray Briscuso

(b)(6)

BIOGRAPHIES

James D. Grant
Chairman and CEO
T Cell Sciences
Cambridge, Massachusetts

James Grant joined T Cell Sciences from CPC International, Inc. where he was Vice President of Scientific Development. He also served as Deputy Commissioner of the U.S. Food and Drug Administration from 1969 to 1972, and is currently Vice Chairman of an Advisory Committee on the FDA, convened by Dr. Louis Sullivan, Secretary of Health and Human Services. In addition, he has held public policy, research and development, and commercial technology management positions with several branches of the U.S. Federal government. He presently serves on the IBA Board of Directors.

Mark B. Skaletsky
CEO
Enzytech, Inc.
Cambridge, Massachusetts

Mark Skaletsky joined Enzytech in April, 1988 as Chief Executive Officer. Before moving to Enzytech, Mr. Skaletsky had been Chief Executive Officer and President at Biogen since December, 1982. In this position his management and operational responsibilities included research, pharmaceutical development, production, marketing, and administration. He is an industrial advisory board member of the Biotechnology Process Engineering Center at MIT, serves on the New England Council of Higher Education and is a member of IBA's Board of Directors.

John Castello
President
Ares-Serono, Inc.
Boston, Massachusetts

John Castello joined Ares-Serono in 1988 as president and Chief Operating Officer. He was previously President of Serono Diagnostics from 1986 to 1988. Prior to joining Serono, he worked at Amersham Corporation in Illinois as President and Chief Executive Officer from 1977 to 1982 and then took the position of president, medical division at Amersham International PLC in Buckinghamshire, England where he stayed until 1986. Before working for Amersham, he held various positions at Abbott Laboratories, General Food Corporation and Honeywell Corporation from 1960 to 1977. Mr. Castello has been a member of the Board of Directors at Alpha Therapeutics Corporation since 1979. He is presently a member of IBA's Board of Directors.

Lisa J. Raines
Vice President, Government Relations
Industrial Biotechnology Association
Washington, D.C.

Lisa Raines is the Vice President of government relation for the Industrial Biotechnology Association, a position she has held since June, 1986. Prior to joining IBA, Ms. Raines served as a legal analyst for the Office of Technology Assessment, a nonpartisan congressional support agency. While at OTA, she worked in the Office of General Counsel on diverse administrative law and legislative issues and in the Biological Applications program on biomedical research and public health issues.

Mitchell E. Kertzman
President and Chief Executive Officer
Powersoft Corporation
Burlington, Massachusetts

Mitchell Kertzman is the founder, President and Chief Executive Officer of Powersoft Corporation, a supplier of applications software for manufacturers as well as application development tools. He has more than 20 ears of experience in the design, development and implementation of large-scale management information systems. Mr. Kertzman serves as 1990 Chairman of the Board of the American Electronics Association, and Currently serves on the AEA's board and Executive Committee. He is also a board member of the Massachusetts Computer Software Council and the Massachusetts Taxpayers Foundation. Her serves on the New York State Commission on Industrial Competitiveness and Chairs its task force on Industrial Policy.

Edward Hatcher
Senior Manager for Tax Policy
and Director of Congressional Affairs
American Electronics Association
Washington, D.C.

Edward Hatcher, previous to his work at the American Electronics Association, worked on Capitol Hill for six years for a variety of members of Congress.

THE WHITE HOUSE

WASHINGTON

September 13, 1991

AC HAS SEEN

MEMORANDUM FOR ANDREW CARD

FROM: LARRY LINDSEY *L*
SUBJECT: Biotechnology Meeting

I am told that you have scheduled a meeting with representatives of the biotechnology industry to discuss the Bumpers capital gains bill on Thursday September 26 at 11:00. If possible, I would like to attend. At your convenience, please give me a call at x6402.

Larry is most welcome.

1 INFORMATION

THE WHITE HOUSE
WASHINGTON

September 13, 1991

~~NOT SENT~~

AC HAS SEEN 9/19/91

MEMORANDUM FOR ANDREW CARD

FROM: LARRY LINDSEY

SUBJECT: The Bumpers Capital Gains Tax Cut

A number of proposals have been offered which would cut capital gains tax rates, but would limit preferential treatment to prospective gains. The advantage of a prospective cut is its greater enactibility over a cut for all investments, both old and new. The perception, bolstered by often controversial scoring techniques, is that a prospective capital gains tax cut is less costly in terms of revenue than a general tax cut and is less advantageous for upper income taxpayers. In fact the CBO, in an August 1991 study, speculates that a prospective capital gains tax cut could actually increase revenues.

The Bumpers bill is a very narrowly targeted prospective capital gains tax cut, costing a modest \$900 million over 5 years according to the JCT and the bill's sponsors.

- Only initial issues of corporate stock, purchased directly from the issuing corporation, would be eligible for the tax break. Traded stock is not eligible.
- Only smaller sized companies' stock is eligible. The rate cut is based on a maximum tax rate of 28 percent.
 - For companies with paid in capital under \$100 million, there is a 5 year holding period and a 50 percent reduction in the capital gains tax rate.
 - For companies with paid in capital under \$5 million, stocks held 5 to 10 years receive a reduction in the capital gains tax rate of 50 to 100 percent.
- Holders of current stock may mark to market eligible assets by paying the normal capital gains tax, thus qualifying previously purchased stock for future preferential treatment.

The Bumpers bill is so narrowly targeted that achieving the broad support necessary for legislative success is not likely. However, the Administration might want to seriously consider a broad prospective capital gains tax cut as a way of achieving a measure of capital gains relief.

[Handwritten mark]

OUTLINE: ENTERPRISE CAPITAL FORMATION ACT

- * Incentive for Venture and Seed Capital Investments
- * Incentive Applies Only to Purchase of Corporate Stock
 - Includes Founders Stock, Incentive Stock Options, and Private Placements, Non-Public Offerings, and Public Offerings of Stock
 - Includes Common, Preferred and Convertible Preferred Stock and Stock in Both "C" and "S" Corporations
 - Encourages Capital Formation Through Equity Rather Than Debt, Discourages L.B.O.'s
- * Applies Only To The Direct Purchase of Stock From Corporation
 - Focuses Exclusively on Investments That Put Capital Into Hands of Entrepreneurs
 - Does Not Apply To Trading of Stock in Secondary Markets
 - Investments in Venture Capital and Seed Capital Mutual Funds Qualify for Incentive
- * Incentive Focuses on Start-Ups and Other Smaller Companies -- Paid-in Capital For Company Issuing Stock Must Not Exceed Certain Thresholds
 - Seed Capital Investments -- Stock Issued By Companies With \$5 Million or Less in Paid-in Capital
 - Venture Capital Investments -- Stock Issued by Companies with \$100 Million or Less in Paid-in Capital
 - Paid-in Capital Thresholds Are Adjusted For Inflation
 - Company May Issue More Than One Round of Qualified Stock as Long as Total Paid-in Capital Does Not Exceed Thresholds
 - Retained Earnings or Deficits of Corporation Are Counted in Determining Whether \$100 Million or \$5 Million Paid-In Capital Thresholds Have Been Exceeded
- * Investors Receive 50% Deduction on Gains on Stock Held For Five Years -- Maximum Gains Tax Rate for Taxpayers in 28% or 31% Tax Brackets is 14% and for Taxpayers in 15% Tax Bracket is 7.5%
- * Additional Deductions on Gains on Seed Capital Investments
 - Investors Receive 60-100% Deduction for Seed Capital Investments Held 6-10 Years
 - Shareholders With Losses on Seed Capital Investments May Deduct Losses Against Ordinary Income Under Section 1244 (Up To \$50,000 Per Individual Taxpayer) -- Section 1244 Currently Permits Ordinary Losses for Investments in Stock of Companies with \$1 Million or Less in Paid-In Capital

* Investment Incentive is Available to Individual and Corporate Taxpayers

* Shareholders Must Hold Stock For At Least Five Years To Qualify for Gains Incentive

* Holding Period for Incentive Stock Options Runs from Grant, Not Exercise, Date for Option

* Holding Period Is Not Interrupted by Corporate Reorganizations and Other Tax-Free Transfers of Stock

* Incentive Applies Only to New Investments -- Not Retroactive to Investments Made Before Incentive Goes Into Effect

-- No Tax Windfall -- Sale of Current Assets Not Critical to Capital Formation

-- Holders of Stock May "Mark to Market" (Paying Capital Gains Tax At Current Rate on Appreciation) and Qualify Existing Stock (With Holding Period Starting When Mark to Market)

* Alternative Minimum Tax Applies to Deductions on Venture Capital Investments But Not On Seed Capital Investments

-- Low and Middle Income Taxpayers Should Not Take Risk Associated With Seed Capital Investments -- Need To Encourage Wealthy Taxpayers To Take Risk With Seed Investments

* Anti-Evasion Provisions Prevent Companies From Redeeming Stock So Can Issue New, Qualified Stock

* Company Issuing Stock Must Be An Active Trade or Business For Five Years Following Issuance of Stock -- Prevents Tax Shelters

* When Existing Business Incorporates and Issues Stock, The Tax Basis of its Existing Assets Must Be Stepped Up To Current Value

* Company May Not Divide Itself Into Many Small Companies to Qualify the Stock of Each Small Company

* Bill Not Based on Supply-Side Economics -- No Claim That It "Pays For Itself"

-- Joint Tax Committee Finds That Bill Would Lose \$900 Million in Revenue Over Five Years -- Sponsors Accept Estimate of Joint Tax Committee

-- Lost Revenue Must Be Financed Under Pay-As-You-Go Requirements of 1990 Reconciliation Bill

-- But, Low Revenue Loss Estimate Means Congress Will Not Have to Raise Tax Rates on Individuals or Corporations or Impose Surcharge on Wealthy Taxpayers to Finance the Bill

* Bill Avoids Partisan and Ideological Issues -- No Excessive Revenue Loss, No "Supply-Side" Claims, No Windfall for Sale of Past Investments and Focuses on Investments that Enhance America's Competitiveness



**Industrial
Biotechnology
Association**

1625 K Street, N.W.
Suite 1100
Washington, D.C. 20006-1604
(202) 857-0244
FAX: (202) 857-0237

Richard D. Godown
President

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Jerry D. Caulder
Mycogen Corporation

Vice Chairman

Stephen A. Duzan
Immunex Corporation

Secretary

Charles C. Leighton
Merck & Co., Inc.

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Phillips Petroleum Company

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Chiron Corporation

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Novo Nordisk of North America

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Genentech, Inc.

George B. Rathmann
ICOS Corporation

Hubert J.P. Schoemaker
Centocor, Inc.

James P. Sherblom
TSI Corporation

Mark B. Skaletsky
Enzytech, Inc.

Henri A. Termeer
Genzyme Corporation

James L. Vincent
Biogen Inc.

Sept 26
11:00

September 6, 1991

yes ☒
no ☐

Mr. Andrew Card
Assistant to the President and
Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Mr. Card:

I am writing to you on behalf of the Industrial Biotechnology Association (IBA), a trade association of 115 leading biotechnology companies. On September 25th and 26th Chief Executive Officers of several Massachusetts based biotechnology companies will be in Washington, D.C. for meetings with the IBA. I am writing to request a opportunity for us to meet briefly with you.

I understand that Ray Briscuso, a person you know personally from his work in the Executive Office of the President, has sent you a letter outlining a capital gains proposal being circulated among congressional offices. We would like to discuss this tax proposal with you. I hope that you schedule thirty minutes to meet with us on the 25th or 26th of September. However, If another time is more convenient, we will do our best to accommodate you.

I hope you will accept our request for a meeting. If you have any questions please call me, and I invite your staff to contact Ray Briscuso if he may be of any assistance.

Very truly yours,



**Industrial
Biotechnology
Association**

1625 K Street, N.W.
Suite 1100
Washington, D.C. 20006-1604
(202) 857-0244
FAX: (202) 857-0237

Raymond J. Briscuso, Jr.
Deputy Director of
Government Relations

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Dennis N. Longstreet
Ortho Biotech

John R. Norell
Phillips Petroleum Company

Edward E. Penhoet
Chiron Corporation

Harry H. Penner, Jr.
Novo Nordisk of North America

G. Kirk Raab
Genentech, Inc.

George B. Rathmann
ICOS Corporation

Hubert J.P. Schoemaker
Centocor, Inc.

James P. Sherblom
TSI Corporation

Mark B. Skaletsky
Enzytech, Inc.

Henri A. Termeer
Genzyme Corporation

James L. Vincent
Biogen Inc.

September 4, 1991

A-
Any interest
in meeting
w/ his group?

OK

Mr. Andrew Card
Assistant to the President and
Deputy Chief of Staff
The White House
Washington, D.C. 20500

Dear Andy:

I left the Office of National Service almost two years ago and regret not having opportunities to call on you. I do my best to keep up with Ron and am happy with his recent appointment. I am writing to you in my new position with the Industrial Biotechnology Association. Biotechnology is important to this country, my home state - Maryland and your Bay State. For this reason I hope you will read this letter and agree to meet with a small delegation of CEOs from hightech Massachusetts companies.

We have been working with legislators on both sides of the aisle on the Enterprise Capital Formation Act, a capital gains bill that is focused on high-risk, long-term, growth-oriented venture capital investments. The biotech and electronics industries, which both support the President's broader capital gains proposal, have also endorsed this bill. Other groups are now being approached to support the bill, and we hope to get the administration's vigorous support.

We believe this bill probably represents the only hope for enacting a capital gains differential in the next few years. As you know the Administration does not have a capital gains proposal in its published 1992 budget proposal. Yet, by providing an opportunity to objectively demonstrate that capital gains incentives really work to increase new investment, this focused capital gains bill could help the Administration prove its case for a broader capital gains bill during the President's second term.

Furthermore, since the Joint Tax Committee has "scored" the bill at a cost of less than \$1 billion over five years, it is the "cheapest" and perhaps only feasible capital gains bill in town.

Although the original version of this bill was Republican, it is being championed by Democrats in the Senate and House. We believe the President could capture an equal amount if not most of the credit for this legislation if it is endorsed by the

Administration before introduction. A lack of Administration support before the bill is introduced would nullify any possible gains and allow the Democrats to claim champions of a capital gains position.

The bill provides that the first \$5 million raised by a company be treated as "seed capital" and the first \$ 100 million be treated as "venture capital." Seed and venture capital gains earned after a five year holding period would be eligible for a 50% deduction. In addition, seed capital investments would be entitled to an additional 10% deduction for each year beyond five years. Thus seed capital gains held for ten years would be totally tax exempt.

The bill applies equally to corporate and individual investors, but only investments made after the date of enactment qualify as the purpose is to provide an incentive for new investment, rather than a windfall for old investment.

Although the legislation superficially appears to benefit only small companies, it also applies to small companies that are created by large companies. Therefore, if enacted, this bill would also allow a unqualified company (i.e., one with paid-in capital exceeding \$100 million) to provide investors with a capital gains tax preference by spinning off technologies into new, qualified companies using SWORD financing.¹

Consequently, this bill will benefit both a broad range of small and emerging companies. It will be introduced in the Senate by Sen. Bumpers, chairman of the Small Business Committee.

The bill will be introduced in the House by Bob Matsui (D-CA), Jim Moody (D-WI), and Bill Gradison (R-OH). Matsui and Moody oppose the president's broader capital gains proposal, while Gradison supports it. Other House cosponsors also support a broader capital gains proposal, including Jake Pickle and Rod Chandler.

This bill thus presents the opportunity to fuse traditional capital gains support with support from the "Atari Democrats" who recognize the benefits of high technology industry, substantially

¹ /some high technology companies are creating spin off companies using stock warrant off-balance sheet R&D (SWORD) financing to raise the capital necessary to finance new R&D projects. The founder company will transfer its patent rights or proprietary technology to the new company, plus warrants for the parent company's stock. The new company will agree to contract with the founder company to perform the new company's R&D on that product. The new company will then sell 'units' to raise the funds necessary to develop the new product. Units generally consist of one share of new company stock, plus an option to buy one share of founder stock at a later date for a specified price.

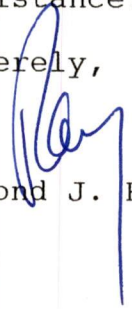
enhancing the probability of enactment.

It is worth noting that when the congressional leadership convened the Budget Summit at Andrews Air Force Base in mid-1990, the agreement that emerged contained a small business package that included a small business capital gains component. This suggests no philosophical objection to special tax treatment for small businesses was made by Leader Mitchell, House Speaker Foley, or OMB Director Darman, all of whom participated in the summit.

We have held recent discussions with Larry Lindsey, Todd Buchholz, and Jeff Vogt and I am in the process of contacting Bob Grady and Hollis McLoughlin. We have asked the bill sponsors to delay introducing this bill so that we can seek the Administration's support.

I believe you, more than anyone else, will understand the economic and political benefits of this bill. Therefore, I am suggesting that you meet briefly with the President of our Trade Association and a delegation of Massachusetts biotechnology company CEOs to discuss this matter. A letter requesting a meeting on September 25th or 26th is forthcoming. Again, thank you for your earlier assistance. //

Sincerely,



Raymond J. Briscuso, Jr.

Enclosures.

cc: Jeff Vogt
Todd Buchholz
Richard Porter
Larry Lindsey

OUTLINE: ENTERPRISE CAPITAL FORMATION ACT

- * Incentive for Venture and Seed Capital Investments
- * Incentive Applies Only to Purchase of Corporate Stock
 - Includes Founders Stock, Incentive Stock Options, and Private Placements, Non-Public Offerings, and Public Offerings of Stock
 - Includes Common, Preferred and Convertible Preferred Stock and Stock in Both "C" and "S" Corporations
 - Encourages Capital Formation Through Equity Rather Than Debt, Discourages L.B.O.'s
- * Applies Only To The Direct Purchase of Stock From Corporation
 - Focuses Exclusively on Investments That Put Capital Into Hands of Entrepreneurs
 - Does Not Apply To Trading of Stock in Secondary Markets
 - Investments in Venture Capital and Seed Capital Mutual Funds Qualify for Incentive
- * Incentive Focuses on Start-Ups and Other Smaller Companies -- Paid-in Capital For Company Issuing Stock Must Not Exceed Certain Thresholds
 - Seed Capital Investments -- Stock Issued By Companies With \$5 Million or Less in Paid-in Capital
 - Venture Capital Investments -- Stock Issued by Companies with \$100 Million or Less in Paid-in Capital
 - Paid-in Capital Thresholds Are Adjusted For Inflation
 - Company May Issue More Than One Round of Qualified Stock as Long as Total Paid-in Capital Does Not Exceed Thresholds
 - Retained Earnings or Deficits of Corporation Are Counted in Determining Whether \$100 Million or \$5 Million Paid-In Capital Thresholds Have Been Exceeded
- * Investors Receive 50% Deduction on Gains on Stock Held For Five Years -- Maximum Gains Tax Rate for Taxpayers in 28% or 31% Tax Brackets is 14% and for Taxpayers in 15% Tax Bracket is 7.5%
- * Additional Deductions on Gains on Seed Capital Investments
 - Investors Receive 60-100% Deduction for Seed Capital Investments Held 6-10 Years
 - Shareholders With Losses on Seed Capital Investments May Deduct Losses Against Ordinary Income Under Section 1244 (Up To \$50,000 Per Individual Taxpayer) -- Section 1244 Currently Permits Ordinary Losses for Investments in Stock of Companies with \$1 Million or Less in Paid-In Capital

* Investment Incentive is Available to Individual and Corporate Taxpayers

* Shareholders Must Hold Stock For At Least Five Years To Qualify for Gains Incentive

* Holding Period for Incentive Stock Options Runs from Grant, Not Exercise, Date for Option

* Holding Period Is Not Interrupted by Corporate Reorganizations and Other Tax-Free Transfers of Stock

* Incentive Applies Only to New Investments -- Not Retroactive to Investments Made Before Incentive Goes Into Effect

-- No Tax Windfall -- Sale of Current Assets Not Critical to Capital Formation

-- Holders of Stock May "Mark to Market" (Paying Capital Gains Tax At Current Rate on Appreciation) and Qualify Existing Stock (With Holding Period Starting When Mark to Market)

* Alternative Minimum Tax Applies to Deductions on Venture Capital Investments But Not On Seed Capital Investments

-- Low and Middle Income Taxpayers Should Not Take Risk Associated With Seed Capital Investments -- Need To Encourage Wealthy Taxpayers To Take Risk With Seed Investments

* Anti-Evasion Provisions Prevent Companies From Redeeming Stock So Can Issue New, Qualified Stock

* Company Issuing Stock Must Be An Active Trade or Business For Five Years Following Issuance of Stock -- Prevents Tax Shelters

* When Existing Business Incorporates and Issues Stock, The Tax Basis of its Existing Assets Must Be Stepped Up To Current Value

* Company May Not Divide Itself Into Many Small Companies to Qualify the Stock of Each Small Company

* Bill Not Based on Supply-Side Economics -- No Claim That It "Pays For Itself"

-- Joint Tax Committee Finds That Bill Would Lose \$900 Million in Revenue Over Five Years -- Sponsors Accept Estimate of Joint Tax Committee

-- Lost Revenue Must Be Financed Under Pay-As-You-Go Requirements of 1990 Reconciliation Bill

-- But, Low Revenue Loss Estimate Means Congress Will Not Have to Raise Tax Rates on Individuals or Corporations or Impose Surcharge on Wealthy Taxpayers to Finance the Bill

* Bill Avoids Partisan and Ideological Issues -- No Excessive Revenue Loss, No "Supply-Side" Claims, No Windfall for Sale of Past Investments and Focuses on Investments that Enhance America's Competitiveness

PROVISIONS TO PREVENT USE OF
ENTERPRISE CAPITAL FORMATION ACT AS A TAX SHELTER

The Enterprise Capital Formation Act contains numerous provisions to prevent its abuse as a tax shelter. These provisions are described below.

1. Disqualification of Redemptions

The bill is prospective in application, applying only to investments in stock "issued after December 31, 1991." To prevent companies from evading this effective date by redeeming existing stock and issuing new, qualified stock the bill provides that stock "shall not be treated as acquired by the taxpayer at its original issue if it is issued directly or indirectly in redemption of or otherwise in exchange for stock which is not qualified small business stock." A company that sets up a new corporation that sells stock in order to buy the stock of the old company is involved in an indirect redemption of the stock of the first company and the stock issued by the new company does not qualify for favorable tax treatment.

2. Division of Larger Company

The bill prevents a large corporation from splitting itself into smaller companies, each of which could issue qualified stock. It provides that if a corporation reorganizes itself and issues stock in exchange for property under section 351 of the I.R.C. and if "both the recipient and the issuer of the stock are members of the same controlled group of corporations, as defined in section 1563, immediately after the exchange" the stock issued does not qualify for favorable tax treatment.

3. Retained Earnings

The bill prevents large corporations that have very little outstanding equity, i.e. companies that have undergone an L.B.O., from issuing qualified stock. The bill provides that the "retained earnings and deficits" of the corporation are counted in determining whether it has exceeded the \$100 million or \$5 million paid-in capital thresholds. This prevents large corporations from issuing qualified stock and it helps small companies to qualify when they have been running deficits.

4. Carryover Basis

The bill prevents small unincorporated companies from taking advantage of a low carryover basis for their current assets when they become S or C corporations and issue qualified stock. The carryover basis on their existing assets might be very low, so to prevent these companies from using this low carryover basis in determining the basis for the new, qualified

stock, the bill provides that the basis for the basis for the assets and stock must be stepped up for purposes of determining the gain on the stock when it is sold.

5. Active Trade or Business

The bill prevents the organization of shell corporations to be used as a tax shelter. The bill requires that the corporation issuing the stock must be an "active conduct of a trade or business" and that "substantially all of the assets of such corporation are used in the active conduct of a trade or business."

A corporation fails to meet the active trade or business test if during the five year period following issuance of the stock more than 10 percent of its assets consist of stock in other corporations which are not subsidiaries of such corporation. A corporation is a subsidiary if the parent owns 50 percent or more of the combined voting power of all classes of stock entitled to vote or 50 percent or more of the total value of all classes of stock outstanding.

A corporation fails to meet the active trade or business test if during this five year period following issuance of the stock more than 10 percent of the total value of its assets is real property which is not used in the active conduct of a trade or business. The owning, dealing in, or renting of real property shall not be treated as the active conduct of a trade or business.

The bill makes it clear, however, that corporations meet this test if they are engaged in start-up activities and research and experimentation expenditures. The bill also makes it clear that assets used as working capital and computer software royalties shall be counted in determining whether the corporation meets the active trade or business test.

6. Alternative Minimum Tax

The alternative minimum tax applies to the deductions taken for gains on venture capital investments covered by the bill (investments in the stock of corporations with more than \$5 million and less than \$100 million in paid-in capital). The minimum tax ensures that taxpayers cannot use these deductions to reduce their total tax liability to zero or close to zero.

The deductions taken for gains on seed capital investments (investments in the stock of corporations with less than \$5 million in paid-in capital) are not subject to the minimum tax as these investments should only be made by individuals who have a very wide margin of safety, i.e. well-to-do individuals, who are often very sensitive to the impact of the minimum tax.

ENTERPRISE CAPITAL FORMATION ACT:
REVENUE ESTIMATE IN CONTEXT

* The Enterprise Capital Formation Act Loses \$900 Million in Revenue Over 5 Years (Joint Tax Committee Estimate)

-- This Revenue Loss Must be Financed Under the Pay As You Go Requirements of the 1990 Budget Reconciliation Act

-- But, In The Last Five Tax Bills There Are Many Revenue Losing Provisions Of This Size That Have Been Financed.

* Last Year's Budget Reconciliation Bill Had \$27.4 Billion In Revenue Losing Provisions and \$164.6 Billion In Revenue Raising Provisions

* Among The Revenue Losing Provisions In This Bill Were 4 That Lost More Than \$900 Million Over 5 Years:

-- Extending The Expiring Tax Breaks For One Year Cost \$5.9 Billion Over Five Years, Including --

(1). The Low Income Housing Tax Credit -- \$1.9 Bil.;

(2). The R and D Tax Credit -- \$1.2 Bil.;

(3). The R and D Foreign Allocation Rules -- \$792 Mil.; and

(4). The Exemption for Educational Assistance -- \$468 Mil.

-- Expanding the Earned Income Tax Credit Cost \$12.4 Billion Over 5 Years

-- Enacting a Tax Credit for Child Health Insurance Cost \$5.2 Billion Over 5 Years

* Among the Revenue Losing Provisions In This Bill Were 3 Other Large Items:

-- Modifying the Estate Tax Freeze Rules Cost \$775 Million Over 5 Years

-- Reducing the Minimum Tax Preference For Intangible Drilling Expenses Cost \$756 Million Over 5 Years

-- Reducing the Minimum Tax Preference for Percentage Depletion on Marginally Producing Properties Cost \$404 Million Over 5 Years

* Among the Revenue Raising Provisions In This Bill Were 19 Separate Provisions That Raised More Than \$900 Million Over Five Years:

-- 5 Cent Gasoline Tax Increase -- Raises \$25 Billion;

-- Rise in HI Wage Base -- Raises \$26.9 Billion;

-- Limit Itemized Deductions -- Raises \$17.9 Billion;

-- Extend Telephone Excise Tax -- Raises \$13 Billion;

-- Increase Airline Ticket Tax -- Raises \$11.9 Billion;

-- Increase Individual Income Tax Rates -- Raises \$11.2 Bil.;

-- Phase Out Personal Exemption -- Raises \$10.7 Billion;

-- Add State/Local Employees to Social Security -- Raises \$9.2 Billion;

-- Increase Alcohol Taxes -- Raises \$8.8 Billion;

-- DAC Insurance Amortization -- Raises \$8 Billion;

-- Raise Tobacco Taxes -- Raises \$5.9 Billion;

-- Extend FUTA Tax -- Raises \$5.4 Billion;

-- Increase Interest Rate on Corporate Tax Underpayments -- Raises \$1.8 Billion;

-- Increase Harbor Maintenance Tax -- Raises \$1.8 Billion; and

-- Impose Luxury Taxes -- Raises \$1.5 Billion.

* The 1989 Budget Reconciliation Bill Had \$7.7 Billion In Revenue Losing Provisions and \$32.3 Billion In Revenue Raising Provisions

* Among the Revenue Raising Provisions In This Bill Were 9 Separate Provisions That Raised More Than \$900 Million Over Five Years, Including:

- Repeal ESOP Interest Exclusion -- Raises \$8.5 Billion;
- Impose Tax on Ozone Depleting Chemicals -- Raises \$4.3 Billion;
- Speedup Payroll Tax Deposit -- Raises \$3.1 Billion;
- Limit Net Operating Losses -- Raises \$1.8 Billion;
- Repeal FSLIC Tax Benefits -- Raises \$1.5 Billion;
- Limitations on 351 Transactions -- Raises \$1.4 Billion;
- Suspend Airport Trust Fund Trigger -- Raises \$1.4 Billion;
- Expanded Tax Base for RIC's -- Raises \$1.1 Billion; and
- Repeal Completed Contract Method -- Raises \$967 Million.

* The 1988 Miscellaneous Revenue Act Had \$4.2 Billion in Revenue Losing Provisions and \$4.2 Billion in Revenue Raising Provisions (3 Year Total)

* The 1987 Budget Reconciliation Bill Had \$38.2 Billion in Revenue Raising Provisions (3 Year Total)

* The 1986 Tax Reform Bill Had \$121.9 Billion in Revenue Raising Provisions (5 Year Total)

THE WHITE HOUSE

9-18-91

Dear Ron -

It was a pleasure to meet
you when I was in Massachusetts
last weekend.

Keep in touch.

Sincerely,

Andy Card

Andy Card
THE WHITE HOUSE
WASHINGTON

Ronald Bonney, Jr.
President
Arlington Heights Trans Inc.
7 Boulevard Rd.
Arlington, MA 02174

THE WHITE HOUSE

9-18-91

Dear Katie -

It was nice to meet you
when I was in Easton last
week. Here is some information
about The White House.

Keep in touch. Sincerely Andy Card

THE WHITE HOUSE
WASHINGTON

Miss Katie Brown
258 Purchase St.
Easton, MA 02375

Andrew F. Card
THE WHITE HOUSE
WASHINGTON

*John Buckley
The Association for the Development
of the Catholic University of Portugal
2121 Commonwealth Avenue
Brighton, Massachusetts
02135*

September 18, 1991

THE WHITE HOUSE

Dear John -

It was great to see you last week at Leon's. You triggered a flood of memories!

The President's scheduler now has your letter suggesting that Bernard Cardinal Law would like to invite the President to a "Conference on Investment in Portuguese Speaking Africa for American Business." March 1992 scheduling has not been discussed yet, so your inquiry is in order.

I will also share Cardinal Law's hope with Governor Sanne and General Scowcroft.

Keep in touch.

*Sincerely,
Andy*

THE WHITE HOUSE
WASHINGTON

Date: 9-18-91

TO: *Kathy Supes*

FROM: ANDY CARD

- ☒ Action, *as appropriate*
- ☐ Your Comment
- ☐ Let's Talk
- ☐ FYI

w/ cc of my response

THE WHITE HOUSE
WASHINGTON

Date: 9-18-91

TO: *Gov. Sununu*

FROM: ANDY CARD

- ☐ Action
- ☐ Your Comment
- ☐ Let's Talk
- ☒ FYI

THE WHITE HOUSE
WASHINGTON

Date: 9-18-91

TO: *Gen. Scowcroft*

FROM: ANDY CARD *Andy*

- ☐ Action
- ☐ Your Comment
- ☐ Let's Talk
- ☒ FYI



The Association for the Development of the Catholic University of Portugal, Inc.
2121 Commonwealth Avenue
Brighton, Massachusetts 02135
Tel. (617) 254-0100

September 12, 1991

Andrew H. Card
Deputy Chief of Staff
to the President
White House
1600 Pennsylvania Avenue
Washington, DC

Dear Andy:

Bernard Cardinal Law, Archbishop of Boston, would be privileged to invite the President to be the main speaker at a "Conference on Investment in Portuguese Speaking Africa for American Business."

With the great diplomatic victory of the United States in forging a peace agreement in Angola, the justification for American business to invest in Portuguese speaking Africa has greatly increased. This part of the world has the potential for major development opportunities for U.S. business. The countries of Angola, Mozambique, Guinea Bissau, Sao Tome, and Cape Verde offer a wide range of possibilities which have yet to be explored. With the failure of communism and one party rule in many of these countries, the change to a free market system will finally allow these economies to grow and become healthy. It is, therefore, desirable that the Association for the Development of the Catholic University of Portugal follow the diplomatic success with a peace initiative that is beneficial to the people of these nations, our own industries, and those of Portugal as well.

American business are unaware of the specific possibilities of this region. Portugal, even after its withdrawal from these former colonies, has kept up business and intellectual ties that have proved extremely advantageous over the years.

This conference will introduce the United States business community to the government officials, business principals, and community leaders of Portuguese speaking Africa. With the help of the Luso-American Foundation and International Strategy Services, Inc., information will be given out about the resources and opportunities for investment available.

Andrew H. Card
Page 2
September 11, 1991

Bernard Cardinal Law, Archbishop of Boston, and the President and Association for the Development of the Catholic University of Portugal, has brought forth this opportunity to put into action the concept laid out in Pope John Paul II's Encyclical, Centesimus Annus. In this document, the Pope states, "It would appear that, on the level of individual nations and of international relations, the free market system is the most efficient instrument for utilizing resources and effectively responding to human needs."

The conference will be held in March 1992 subject to the President's schedule.

His Eminence will extend to the President a formal invitation after I hear from you on the President's schedule.

Cordially,

A handwritten signature in dark ink, appearing to read "John", with a stylized flourish at the end.

John Buckley
617-489-1708

HAND DELIVERED

BARBOUR & ROGERS**ATTORNEYS AT LAW**

Suite 1010

600 New Hampshire Avenue, N.W.

Washington, D.C. 20037

**HALEY BARBOUR
ED ROGERS****AC HAS SEEN****(202) 333-8767
Fax (202) 338-5950****MEMORANDUM TO ANDY CARD**

FROM: Haley Barbour *Haley B.*
DATE: September 16, 1991
RE: Cash Transfer Provision and Cargo Preference Opponents

Our telephone conversation this morning reminded me that the principal opposition to the cash transfer provision in Congress comes from opponents of cargo preference itself. Dole, Grassley, etc., oppose this because they are opposed to cargo preference per se. I should have made you aware of that in my August memo. In fact, they supported a similar provision (Bentsen-Boren "Buy American" amendment), which is another version of cash transfer reform, but without cargo preference.

Since President Bush was inaugurated, Grassley has tried to eliminate cargo preference on a variety of bills and has been defeated in the Senate every time. You will recall that a difference between Dole and Bush in the 1988 campaign was cargo preference. In fact, President Bush specifically endorsed cargo preference in the campaign, published documents about his support thereof and has reiterated his commitment to cargo preference since his inauguration.

I hope the opponents of cargo preference will not be allowed to torpedo the cash transfer reform, as their only basis for doing so is cargo preference, a point upon which they directly disagree with the President. Please make sure the White House understands this very important fact.

Thanks. I will call you at 10:00 a.m.

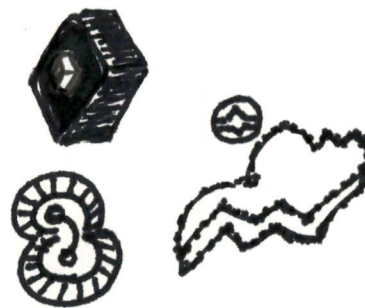
BARBOUR & ROGERS

ATTORNEYS AT LAW

Suite 1010

600 New Hampshire Avenue, N.W.

Washington, D.C. 20037

**HALEY BARBOUR
ED ROGERS**

(202) 333-8767

Fax (202) 338-5950

Determined NOT to be
National Security Classified Marking
By rac (NLGB) on 03/17/25**AC HAS SEEN**

MEMORANDUM TO ANDY CARD

FROM: Haley Barbour *Haley B*

DATE: August 27, 1991

~~CONFIDENTIAL~~RE: Administration Position on Cash Transfer Provisions Contained in House
and Senate Foreign Assistance Reauthorization Bills

Since 1987 the Maritime industry, working in conjunction with some ag groups, has supported a revision of the foreign aid laws to require countries which receive U.S. economic aid in cash ("cash transfers") as a precondition for that aid to spend a like amount on U.S. goods and services. While this is essentially a "Buy America" reform, it is the most important single legislative initiative by the maritime industry in several years.

I am writing because of my concern that the Administration has issued a veto threat on the foreign aid reauthorization bill. While media attention focused on the veto threat as it relates to abortion language, the Administration very specifically threatened a veto if cash transfer reform were included. The politics of this veto threat concerns me greatly.

One of the two labor unions to endorse President Bush in 1988 was the Marine Engineers Beneficial Association (MEBA), District One, and they and their President Gene DeFries have supported the President on almost every issue to come along since his inauguration.

The President indicated his support for a strong domestic merchant marine during the campaign; however, the Administration has not been able to come up with anything that actually helps this threatened industry. It continues under siege, and the unions that opposed Bush are now trying to use DeFries' support of the President as one ground to defeat him (DeFries) in his reelection next year. They say the Administration has not tried to help the industry, and DeFries and MEBA were wrong to have supported Bush-Quayle.

If the President maintains his threat to veto or does veto the foreign aid reauthorization over cash transfer reform, we will have moved politically from not having helped the industry to having killed the only positive program anyone has produced on their behalf.

August 27, 1991

Page Two

The political impact of that will be incredibly bad. Others in labor will say that the President is the enemy of the maritime industry, cares more about foreign governments than U.S. jobs and that MEBA and DeFries were dupes.

As an aside, most Americans will look at cash transfer reform not as a maritime issue, but as a "Buy America" issue. I venture to say that hardly anyone would believe that the United States government gives American taxpayers' money to foreign governments and then allows them to turn around and spend that money on goods and services produced in other countries. The least we can do when we give foreign aid is to require that it be spent for American goods and services, if those goods and services are available at comparable prices. That is all the cash transfer provision would do. Therefore, I think a veto would not only be awful politics from a maritime industry standpoint; I would hate to have to defend it to the general public.

Finally, supporters of cash transfers in Congress (where it passed both Houses by comfortable margins) think the President can kill cash transfers without actually having to veto the bill. They say a strong veto threat, one which is believed by the conferees, will result in taking the cash transfer language out. This is because no one thinks a veto override and a new reauthorization would ever be considered by Congress. They believe the congressional leadership would decide that foreign aid reauthorization is too low a priority to absorb that much time in Congress. Hence, we can politically be put in the position of getting the blame just by the threat.

Andy, I believe we are on the wrong side of this issue politically, both as to the maritime industry and to the general public. Moreover, I do not understand why people think this provision is so important that it should result in a veto of the foreign aid reauthorization bill. Our political enemies will say that we went out of our way to slap down the maritime industry. and we will have to contend with that perceived broken promise in 1992.

I urge the Administration to advise the conferees that, while we do not support the Cash Transfer provision, it alone would not be enough to veto the bill if other problems are worked out.

THE WHITE HOUSE

September 8, 1991

Dear Chairman Briggs -

Thank you for your letter inviting me to participate in the Hollbrook Board of Health's Health Fair on Saturday, October 19, 1991. I doubt that my schedule will allow me to be in Massachusetts on the day of the Fair. We can talk further during Mike Sullivan's event on September 15th.

Keep in touch.

Sincerely,
Andy Card

Andrew H. Card
THE WHITE HOUSE
WASHINGTON

Chairman Robert R. Briggs
Board of Health
Town Hall
Hollbrook, Massachusetts
02343



Town of Holbrook
Board of Health
Holbrook, Ma. 02343

767-3030

August 29, 1991

Mr. Andrew H. Card Jr.
Deputy
Chief of Staff
The White House
1600 Pennsylvania Avenue
Washington, D.C. 20500

Dear Andy:

The Holbrook Board of Health will be sponsoring the second annual Health Fair on Saturday, October 19, 1991.

The Health Fair will afford the opportunity for townspeople to receive various types of health screening and to receive vital information relative to the prevention of disease and disability. Specific options will include blood pressure screening, mammogram, ophthalmologic evaluation, nutrition planning, cancer risk assessment, substance abuse prevention, HIV/AIDS information, and smoking cessation programs and several other programs.

Last year approximately 300 people participated and we are anticipating an increase in interest particularly in view of community concern relative to increased health issues that appear to be directly related to the Baird McGuire toxic waste site.

The purpose of my letter to you is to extend, on behalf of the Board, a most cordial invitation to you to attend and participate in this activity.

If I can provide any additional information you can reach me at my office in the JFK Federal Building (FTS) 835-1139, at home 617-767-4363 or a message can be left at the Board office at 617-767-3030.

I plan to attend the Sullivan Committee event on September 15 and perhaps we can speak briefly at that time.

Sincerely,

Robert R. Briggs, Chairman

THE WHITE HOUSE

August 23, 1991
Kennebunkport, Maine

Dear Mike -

Thank you for your letter and for your interest in serving on a National Commission on Time and Learning. I am not familiar with the particulars of the Commission, but I am familiar with your leadership role in reforming education in the Bay State.

I will share the information you sent with other appropriate officials in the Administration. — Keep in touch.

Sincerely,
Andy

THE WHITE HOUSE
WASHINGTON

The Honorable Michael J. Barrett
Massachusetts Senate
State House
Boston, Massachusetts

02133

Rm. 405



SENATOR
MICHAEL J. BARRETT
MIDDLESEX AND SUFFOLK
DISTRICT
ROOM 405
TEL. 722-1280

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE
STATE HOUSE, BOSTON 02133

AC has seen
To Pres. Pers. w/
copies of Barrett
letter only to
Mary McElwaine
and Roger Pater.
fuk
8/23
RECEIVED
AUG 2 1991

July 29, 1991

The Honorable Andrew Card
The White House
Washington, DC 20500

Dear Mr. Card,

I understand that legislation creating a National Commission on Time and Learning has been signed into law recently. As a twelve-year veteran of the Massachusetts State Legislature, a current member of its Joint Committee on Education, and an active researcher and writer on public policy issues including the longer school year, I believe I can make a positive contribution to the Commission's work, and would be honored and delighted to be appointed to the body.

I represent a diverse legislative district which includes the middle class suburb of Belmont, the working class suburb of Watertown, and large parts of the cities of Boston and Cambridge. I deal frequently with teachers and students from urban and suburban systems alike. For example, in 1989, as chair of the Legislature's Local Affairs Committee, I helped draft the law authorizing the Chelsea-Boston University contract, whereby a large urban institution of higher education entered into an unprecedented commitment to run a troubled inner-city school district for ten years.

In 1990 I wrote a long essay on the question of extending the American school year which, happily for me, appeared as the cover story in the November issue of the *Atlantic* magazine. The article has drawn comments and reviews from newspapers as diverse as *The Washington Post*, *The Los Angeles Times*, *The Chicago Tribune* and *The Dallas Times Herald*. A copy is enclosed your review.

Shortly after the piece was published, I filed a bill to lengthen the school year in Massachusetts from 180 to 220 days. As you might imagine, much of my time since has been spent in an effort to spur educational reform in Massachusetts, and to create, quite specifically, a broad public debate on the merits of extending the school year and the school day. The exercise has involved parents, students, business leaders, educators, and elected officials from around the state. I have certainly learned a great deal and hope others have, as well.

As you will note from the enclosed selection of newspaper clippings, interest in my 220-day proposal is intense. The Massachusetts Business Alliance for Education, weighing in on behalf of

the state's business community just several months ago, endorsed the longer school year as part of a sweeping reform of the schools.

I would very much like to contribute my knowledge and practical experience to the National Commission on Time and Learning, and I hope you will consider recommending me for appointment to the body. As the enclosed op-ed piece indicates, I am one Democrat who thinks there is much of value in the President's education reform initiative. I am happy to answer any questions you or your staff might have. Thank you in advance for considering this request.

Sincerely,

Mike

Michael J. Barrett
State Senator
Middlesex and Suffolk District

Enclosures:

Atlantic ("The Case for More School Days," November, 1990)
Recent Op-Ed Piece
Press Clippings
Biography

*Hi, Andy! I hope all is
going well for you. I'd love
to serve on this Commission --
if there are added steps I
should take, please let me know.
Warmest regards, Mike*

Sincerely,
Marianne

State Representative Marianne Brenton



Thanks for your help,
Andy !



The Commonwealth of Massachusetts
House of Representatives
State House, Boston 02133

file
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JUL 22 1991

MARIANNE BRENTON
REPRESENTATIVE
23RD MIDDLESEX DISTRICT
BEDFORD, BURLINGTON AND
PCT. 3 WILMINGTON
ROOM 443, STATE HOUSE
TEL. (617) 722-2460

Committees on
State Administration
Transportation

ANN HOLMQUEST
LEGISLATIVE AIDE

July 17, 1991

Mr. Anthony J. Fusco, Division Administrator
Federal Highway Administration
U.S. Department of Transportation
55 Broadway
Cambridge, MA 02142

Dear Tony:

I sincerely appreciate your meeting with John, Ann, and me on Monday.

I still believe that government is "for the people". That is why I needed your help in working out the situation in which the Burlington people are being forced to accept the Winn Street project although they strongly object to part of the design.

The meeting of all parties which you suggested is scheduled for Monday at 11:00 a.m., Room 348 in the State House. At that time, I expect some "give and take" all around. It can't be perfect, but at least, everyone will have heard everyone else.

Thanks again, for meeting with us. It was a helpful, reassuring and pleasant discussion.

Sincerely,

MARIANNE W. BRENTON
State Representative

MWB:kab
cc: Andy Card