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1998-0004-F[2]

FOIA Number:
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FOIA MARKER

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

OA/ID Number: 29176
Folder ID Number: 29176-005

Folder Title:
Cabinet Affairs (Holiday) (1991) [1]

Stack:	Row:	Section:	Shelf:	Position:
G	15	25	4	7

THE WHITE HOUSE
WASHINGTON

December 6, 1991

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: EDE HOLIDAY *EAH*

SUBJECT: Wall Street Journal Article on Public Housing
Authorities

Jack Kemp's office reports that the article in today's Wall Street Journal is a largely accurate description of a proposal HUD sent to OMB in response to its budget passback.

The proposal, which Kemp's office describes as a refinement of an OMB idea, would target the most distressed Public Housing Authorities (PHAs) in the country. The plan would allow tenants of public housing communities to vote on whether to transfer management of their community from the PHA to the state, the city, or a local nonprofit group.

HUD's proposal would also allow private sector groups to take over the management of the 33,000 vacant public housing units currently run by PHAs. The HUD subsidies that are now given to the PHAs for vacant units would be given to the new management group. Congress has mandated that PHAs continue to receive federal subsidies for vacant units.

No additional budget authority is required for either part of the proposal.

Kemp's staff had discussed these proposals with OMB staff who were apparently receptive to HUD's ideas. The initial OMB proposal had also targeted the most distressed Public Housing Authorities by setting aside funds and setting management goals for them.

THE WHITE HOUSE

WASHINGTON

November 27, 1991

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM:

EDE HOLIDAY *KS for*

SUBJECT:

Food Stamp Participation Increase

On Friday, November 29, 1991, the Department of Agriculture will release food stamp participation figures for the month of September. The number of people participating in the Food Stamp Program increased by approximately 250,000 persons in September, following an August increase of 300,000 persons. The attached status report compares September 1991 figures with August 1991 and September 1990 figures. As detailed in a memo to you last month, research shows that expansion of Medicaid eligibility and changes in the economy are two major factors for the increases. The department expects continued significant increases in participation through the winter months.

Attachment

November 26, 1991

FOOD STAMP PARTICIPATION STATUS

Preliminary** Food Stamp participation numbers for September 1991 will be available on November 29. They are as follows:

	Participation (Millions)	Issuance (Billions \$)
Sept 1991	23,761	1,519

Comparisons with Sept 1991:		% Change	
August 1991	23,590*	+ 0.72%	1,508
Sept 1990	20,500	+ 15.9%	1,198

* August participation figures have been changed slightly from last month's report due to revised reports from states.

**The September figures are preliminary because they too will change slightly due to normal reporting.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01. Memo	From Ede Holiday to John Sununu Re: Lunch w/Secretaries Sullivan, Kemp, and Martin (2 pp.)	11/25/91	P5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs
(Holiday) (1991) [1]

Open on Expiration of PRA
(Document Follows)
By JP (NLGB) on 10/28/05

Date Closed:	12/20/2004	OA/ID Number:	29176-005
FOIA/SYS Case #:	1998-0004-F[2]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
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RESTRICTION CODES

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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THE WHITE HOUSE

WASHINGTON

November 25, 1991

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: EDE HOLIDAY *gro for*
SUBJECT: Lunch with Secretaries Sullivan, Kemp and Martin

You are scheduled to have lunch on Tuesday at 12:00 noon with Secretaries Sullivan, Kemp and Watkins. Gary Blumenthal will represent Cabinet Affairs at the luncheon. Listed below is a summary of current issues that may be raised by these Cabinet members:

LOUIS SULLIVAN

The Timing of the Steelman Commission Report. Secretary Sullivan believes that for more than two years, the Administration has deferred definitive answers on health care reform until the Steelman Commission report was complete. Sullivan anticipates that with the imminent release of the report (scheduled for December 19), the Administration will be under pressure to have a concrete response to its recommendations. Sullivan will wish to discuss the coordination and timing of the Administration's response. Note that we must first find out the likely content of the report before planning the Administration's response.

Donated Medicaid Funds. On September 12, HHS announced regulations that prohibit the payment of Medicaid funds to match donations made by health care providers to states. The result would be the loss of considerable Medicaid funding for some large states. Since then, OMB and the National Governors Association have agreed to an interpretation of the rule that amounts to a compromise on the funding issue. Sullivan supports this compromise but believes that it begs the larger question that must be addressed: Medicaid reform.

SECRETARY KEMP

Secretary Kemp has not indicated any specific issues he intends to raise. Beyond his usual pitch for an economic plan, he may request some Presidential involvement in follow-up activities to his Commission on Regulatory Barriers to Affordable Housing, which presented its (NIMBY) report to the President last summer.

LYNN MARTIN

Secretary Martin has not indicated any specific issues she wishes to raise with you tomorrow. She is scheduled to leave tomorrow afternoon for a trip to Portugal, Rome and Moscow and that will likely be her focus during the luncheon. On her trip, she will meet with government officials and international labor officials in each country.

--In Portugal she may talk about the integration of a low-cost labor market like Portugal into the EC with an eye towards its analogousness to Mexico and the NAFTA.

--In Rome, she will address the Ripon Society.

--In Moscow she will have a courtesy meeting with President Gorbachev and address the Soviet - American Business conference.
Topic: Do not fear the free market system.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo	From Ede Holiday to John Sununu Re: Recent Developments Under the Endangered Species Act (1 pp.)	11/13/91	P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
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THE WHITE HOUSE

WASHINGTON

November 13, 1991

AC/TM

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: EDE HOLIDAY *job for*

SUBJECT: Recent Developments Under the Endangered Species Act

Tomorrow, the Department of Commerce's National Marine Fisheries Service (NMFS) will announce two developments under the Endangered Species Act:

1) Removal of the California Grey Whale from the Endangered Species List

NMFS has determined that the California Grey Whale population has recovered sufficiently to be removed from endangered status under the Endangered Species Act (ESA). Accordingly, NMFS will issue a proposed rule to "delist" the whale. A final rule to delist will be issued within one year. This is the first time that a whale species has been removed from the Endangered Species List. While the recovered status of the whale is a very positive development, criticism of the decision is expected from some environmental groups.

2) Final Listing of the Snake River Sockeye Salmon as Endangered

NMFS also will announce the release of the final rule listing the Snake River Sockeye Salmon, found in the rivers of Oregon, Washington, and Idaho, as an endangered species under the ESA. This decision comes five months earlier than the April 2, 1992 deadline. This early final listing decision was based on: a) the current adequacy of the biological information about this particular species (such information typically takes at least a year to accumulate), b) the fact that the full protection of the ESA would expedite the creation of a salmon recovery plan and would enable agencies to better plan their 1992 river and ocean activities, and c) the expectation that current litigation by two environmental groups to force an "emergency" listing of the salmon would become moot.

The final listing decision has been expected by all affected parties in the Northwest, including the Congressional Delegations from the three states. The impact of this decision will likely be greater than the spotted owl listing because a greater diversity of citizens will be affected. However, the one positive aspect of this decision is that, under the ESA, economic factors may be taken into account when formulating a species recovery plan.

THE WHITE HOUSE
WASHINGTON

AC/TM

November 1, 1991

THE CHIEF of STAFF
has seen

6
MEMORANDUM TO GOVERNOR SUNUNU

FROM:

EDE HOLIDAY *gob for*

SUBJECT:

INCREASES IN FOOD STAMP PARTICIPATION

The U.S. Department of Agriculture (USDA) has reported that food stamp participation increased by 300,000 persons from July to August. In August, 23.57 million people received food stamps. This represents a 15 percent increase over August 1990. Unusually high increases are also predicted for September and October. While the rate of increase is of concern, participation as a proportion of the population appears to be lower than the 9.71 percent experienced in 1983.

For the past two years, food stamp participation increases have not followed traditional patterns. This began at a time when neither increasing unemployment nor major program changes could account for the increase. Participation generally follows a seasonal pattern, with more people receiving food stamps in the winter months than in the summer months, reflecting seasonal employment trends.

A 1990 study commissioned by USDA and conducted by Mathematica determined that the major causes of increases were expansion of Medicaid, pockets of state unemployment, and legalization of undocumented aliens. Enhanced education and outreach were responsible to a lesser degree. Medicaid participation expanded due to changes in the law. Applicants tend to apply for all available benefits at the welfare office; in some states one can apply for Medicaid and food stamps using the same form.

A follow-up study published in August 1991 reported that expansion of Medicaid and pockets of state unemployment continued to be major contributing factors to the increases. It further revealed that states can be segregated into three groups according to the causes of their increases in food stamp participation:

--States in which changes in the economy played only a minor role in the increase in participation, including Texas, California and Arizona.

Page two

--States in which changes in the economy can account for a significant proportion of the increase, but in which factors unrelated to the state of the economy also played an important role. Florida, New York and Michigan are in this group.

--States in which an increase in unemployment and other changes in the economy were the major reasons for the increase, including New Jersey and Massachusetts.

The study concluded that no one factor caused the increase in food stamp participation between FY89 and FY90. Further, less than one-half of the increase in participation between the second quarter of FY90 and the second quarter of FY91 was the result of increased unemployment, where a direct proportional relationship once existed.

Increased food stamp participation burdens already stretched Federal and State governments. There are currently more than a dozen States involved in litigation for failure to meet application process standards. At the same time, benefits are adjusted each year to account for changes in the price of food. Maximum benefits for a family of four rose to \$370 per month this year from \$352 last year.

USDA is intensifying efforts to more precisely determine the causes for recent and anticipated increases in food stamp participation. Declines in participation historically lag behind economic recovery, as participants make the transition from assistance to financial independence. Therefore, increases will continue to be a concern.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03a. Memo	From Ede Holiday to John Sununu Re: Allan Bromley's EPC and DPC Status (1 pp.)	10/2/91	P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
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WHORM Cat.:
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THE WHITE HOUSE
WASHINGTON

AC HAS SEEN

DATE: October 2, 1991

TO: Governor Sununu

THE CHIEF of STAFF
has seen

FROM: **EDE HOLIDAY**
Assistant to the President
and Secretary of the Cabinet

This is the statement we discussed concerning Allan Bromley's EPC/DPC status. We normally invite him to all EPC and DPC meetings and afford him the opportunity to sit at the table whenever there is an issue that relates to his area of expertise. Until last week, we were unaware that the attached memo existed.

The question that I have is whether the President intends to include him as a full member of the EPC and DPC and therefore afford him the opportunity to review EPC/DPC papers, and participate in EPC/DPC policy development? I would appreciate your guidance on this.

Attachment

Treat as a full member.
I spoke w/ Ede and Gary B. puts "treat as full member for paper."
AKC.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03b. Memo	From John Sununu to Heads of Departments and Agencies Re: Assistant to the President for Science and Technology and Director of the Office of Science and Technology (1 pp.)	10/31/89	P 5	

Collection:

Record Group: Bush Presidential Records
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THE WHITE HOUSE
WASHINGTON

October 31, 1989

MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES

SUBJECT: Assistant to the President for Science and
Technology and
Director of the Office of Science and Technology
Policy

On October 13, 1989, in the Oval Office, Dr. D. Allan Bromley was formally sworn in as Assistant to the President for Science and Technology. Dr. Bromley also serves as Director of the Office of Science and Technology Policy (OSTP).

The elevation of the Science Advisor to the status of Assistant to the President reflects the President's keen awareness of the importance of science and technology to U.S. competitiveness, national security, and economic health. Dr. Bromley is an important source of scientific and technical counsel for the President.

Dr. Bromley serves on the Economic Policy Council, the Domestic Policy Council, and the Space Council and will work closely with the National Security Council and the Competitiveness Council on matters relating to science and technology.

Dr. Bromley looks forward to working with the departments and agencies on a wide range of scientific, technological and educational issues.



John H. Sununu
Chief of Staff to the President

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04. Memo	From Ede Holiday to John Sununu Re: OSHA Enforcement in North Carolina (1 pp.)	10/22/91	P5	

Collection:

Record Group: Bush Presidential Records
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THE WHITE HOUSE

WASHINGTON

October 22, 1991

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM:

EDE HOLIDAY

RUP for

SUBJECT:

OSHA ENFORCEMENT IN NORTH CAROLINA

On September 3, 1991, a fire in a poultry plant in Hamlet, North Carolina, killed 25 workers. That day, Secretary Martin directed the Occupational Safety and Health Administration to review the North Carolina plan and all other state OSHA programs. This review is still ongoing, but the North Carolina Secretary of Labor -- who is a Democrat elected independently of the Republican Governor -- has been uncooperative in this effort.

Tomorrow morning, Secretary Martin is announcing that OSHA will reinstate limited concurrent federal enforcement in the state of North Carolina. The Federal OSHA will respond to all new complaints about safety violations, but the State OSHA will be responsible for responding to the existing backlog of complaints and conducting other inspections.

OSHA has not imposed selective concurrent jurisdiction on any other state, although a state asked the Federal OSHA to help with certain problems once before. No additional resources will be required to meet these new responsibilities. Funds are typically moved within a region to address emergencies and high priorities -- that is the design of the OSH Act.

Secretary Martin is calling Governor Martin tonight to provide him with advance notice about her announcement tomorrow.

THE WHITE HOUSE

WASHINGTON

THE CHIEF of STAFF
has seen

October 8, 1991

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: AMBASSADOR THOMAS E. MCNAMARA *TM*
Special Assistant to the President and Senior
Director for International Programs
National Security Council

RICHARD W. PORTER *RWP*
Special Assistant to the President and Executive
Secretary
Domestic Policy Council

SUBJECT: Status of Border Security Implementation Plan
(BSIP)

BACKGROUND

In 1988, then Vice President Bush led a task force established to identify opportunities to increase the effectiveness of border security. In October 1990, a joint DPC/NSC review group was formed to measure the Administration's response to these recommendations. The review group developed an implementation plan, to be coordinated by William J. Corcoran of the Department of Justice, the status of which is more fully described below.

THE PLAN

The BSIP contains 39 initiatives, of which 14 are to be completed this year; of the remaining 25, 16 require implementation phases ranging from one to five years, and nine have no scheduled date for completion. Of those scheduled for completion during 1991, 13 are either completed or are on target, and one has been delayed approximately six months.

The key elements of the plan are summarized below:

IBIS

The Interagency Border Inspection System (IBIS) is an enhanced data base system designed to better coordinate and consolidate information to improve border security. Upon completion, all agencies with border security responsibilities will have access to information that is not currently available on a timely basis.

Tipoff

- The State Department has developed a procedure to make data on known or suspected terrorists available to the IBIS

system, after appropriate sanitizing and declassifying. To date, over 5000 names have been transferred for inclusion in IBIS. CIA, NSA, DIA, INS, and Customs have agreed to these procedures.

Land Border Installations

- Customs developed and presented to the IBIS Steering Committee on October 3, 1991 a plan to implement at land border installations systems equivalent to those at airports. At present, land border stations have considerably less information at their disposal than do their counterparts at airports.

Machine-readable Visa Program

- Machine-readable visas and passports have been designed to reduce forgeries, provide a centralized mechanism for access to information, and reduce waiting time at checkpoints.

Expansion of the existing program has been planned as follows:

Number of posts currently issuing machine-readable visas: 9

Number of posts to be upgraded during next two years: 24

Thereafter, State expects to add 50 posts per year, until all non-immigrant visa-issuing posts have machine-readable capability.

Domestically, machine-readable passports are being issued in all passport agencies, and several overseas locations are equipped as well. Twelve additional overseas issuance posts are expected to be equipped during the next fiscal year.

THE WHITE HOUSE

WASHINGTON

October 22, 1991

MEMORANDUM FOR GOVERNOR SUNUNU

FROM:

EDE HOLIDAY *grs for*
ASSISTANT TO THE PRESIDENT
AND SECRETARY OF THE CABINET

SUBJECT:

Federal Emergency Management Agency Correspondence

Attached is a letter sent to you through the Office of Cabinet Affairs. Our office has kept a copy for our FEMA files. The attached letter is for your information.

Thank You.



Federal Emergency Management Agency

Washington, D.C. 20472

OCT 21 1991

The Honorable John H. Sununu
Chief of Staff
The White House
Washington, DC 20500

Dear Governor ~~Sununu~~ *Sununu*:

It has been our practice to advise the White House staff of our decision on requests for Fire Suppression Assistance under Section 420 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (Stafford Act), Public Law 93-288, as amended. This letter advises you of our decision on a recent request from the State of Washington.

On October 16, 1991, the State of Washington submitted a request under Section 420 of the Stafford Act for the uncontrolled wildfires in eastern Washington. The fires, which were started on October 16, 1991, have burned over 25,000 acres of forest and grassland, and threatened communities in eastern Washington. There has been one confirmed death and other deaths are suspected as a result of these fires. Our assessment of this situation in consultation with the US Forest Service, Department of Agriculture, determined that the fires threatened such destruction as would constitute a major disaster. Consequently, assistance under Section 420 was authorized.

Our Regional Director in Bothell, Washington, assisted by the US Forest Service, verified the need for Federal funding for this potentially critical fire situation. Federal funding under Federal/State cost sharing is 70 percent of eligible State fire suppression costs in excess of the State Floor Cost which is \$745,149. On this basis, our preliminary estimate of Federal assistance is \$3,000,000.

Due to the diminishing balance in the Disaster Relief Fund, it will be necessary to defer obligations for fire suppression assistance until such time as funds become available.

The Regional Director is actively monitoring the situation and has notified the Governor that Section 420 assistance is available.

Sincerely,

Wallace E. Stickney
Director

THE WHITE HOUSE

WASHINGTON

September 19, 1991

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: EDE HOLIDAY

SUBJECT: FDA Ban on Texas Shellfish

FDA gave notice to the State of Texas on September 18 that shellfish from the state would be taken off the Agency's "approved list" effective October 18. The FDA issued the notice after the Calhoun County Court ruled in May that provisions of Texas law providing for state shellfish inspection are unconstitutional.

FDA relies on the ability of the state to close waters when a health risk is present. The lack of enforcement authority coupled with the inability to isolate Calhoun County shellfish from other shellfish moving in intrastate commerce, forced FDA to issue notice that shellfish from the entire state will be barred from interstate commerce. With the Texas oyster harvesting season opening on November 1, 1991, expedited action by higher level courts or by the Texas Legislature is being pursued.

The notice issued by FDA does allow the state 30 days during which they can request an informal hearing to protest the action. However, FDA has worked closely with state officials on this issue and they share the goal of using the FDA notice to illicit timely action from the Texas court system, or from the Texas Legislature. State officials are highly skeptical that the county court ruling can withstand higher court scrutiny. FDA has also consulted with the Texas Congressional delegation.

Attachment

cc: Andy Card



DEPARTMENT OF HEALTH & HUMAN SERVICES
PUBLIC HEALTH SERVICE
MMD AND DRUG ADMINISTRATION
SOUTHWEST REGION

September 18, 1991

OFFICE OF THE REGIONAL
FOOD AND DRUG DIRECTOR
1012 BRYAN STREET
DALLAS, TEXAS 75201-4111
TELEPHONE: 214-661-6111

Robert A. MacLean, M.D.
Acting Commissioner of Health
Texas Department of Health
1100 West 49th Street
Austin, TX 78756-3199

Dear Dr. MacLean:

In May, Calhoun County Judge Michael M. Fricke declared provision 76.115, of the Texas Parks and Wildlife Code Ann. Vernon (1989) and provision 436.012, of the Texas Health and Safety Code Ann. Vernon (1989) to be unconstitutional. We have been advised that the result of this ruling is that currently in Calhoun County, the Department of Health does not have the authority to classify and close waters, and that the Parks and Wildlife Department does not have the authority to issue citations or to make arrests for harvesting in closed waters.

The areas affected include not only conditionally approved areas that have been managed via the establishment of performance criteria based upon rainfall but also prohibited areas containing commercially attractive quantities of oysters. It is our understanding that there is no effective way to isolate oysters from the waters controlled by Calhoun County from other oysters harvested in the State. Unfortunately, this brings into question the safety of all oysters from Texas.

While we recognize that this situation is completely beyond the control of the State Shellfish Program managers, the result is a severely compromised program. Crucial elements that are required under the National Shellfish Sanitation Program (NSSP) for effective sanitation control have been eliminated by the court decision. The appellate courts may eventually reverse Judge Fricke's decision, thereby eliminating this problem, however, in order to protect public health, we cannot assume that the ruling will be overturned before the November 1, 1991 opening of the Texas oyster harvesting season.

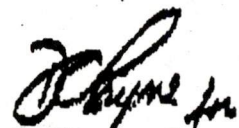
The sanitation controls contained in the NSSP were developed to ensure that shellfish products shipped in interstate commerce are free of the potential to transmit foodborne illness. The "Interstate Certified Shellfish Shippers List" (ICSSL) is published monthly for the information of, and for use by, food control officials, the seafood industry, and other interested persons. The shippers listed in the ICSSL are certified by state shellfish control officials as meeting the uniform sanitation requirements of the NSSP. A primary control measure of the NSSP is the requirement that all shellfish handled by certified shippers originate from properly classified waters.

F. D. A. DALLAS

Page 2 - Robert A. MacLean

This fundamental health control cannot be sustained by a state shellfish program that does not have the ability to apprehend illegal harvesters, to issue citations, or to impede the harvest of oysters from waters that have been surveyed and found to be out of compliance with the shellfish growing waters classification requirements of the NSSP. Therefore, we have to inform you that, in the absence of a favorable court ruling before October 18, we have no choice but not to include shellfish shippers certified by the State of Texas from the November ICSSL because of the State's inability to ensure that the shellfish shipped by these firms are in compliance with NSSP standards. If you wish to challenge this action, you should write to me within 30 days requesting an informal hearing in accordance with 21 CFR Part 16. While we deeply regret having to send this notice, we feel that we have no other choice if we are to ensure that shellfish shipped in interstate commerce are free of the potential to transmit foodborne illness and are to maintain the integrity of the ICSSL.

Sincerely yours,



LaRoy M. Gomez
Regional Food and Drug Director

Enclosure
21 CFR Part 16

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
05. Memo	From Ede Holiday to John Sununu Re: Final Rule on Airport Noise Abatement (1 pp.)	9/18/91	P-5	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices File
WHORM Cat.:
File Location: Cabinet Affairs
(Holiday) (1991) [1]

Open on Expiration of PRA
(Document Follows)
By *JP* (NLGB) on 10/28/05

Date Closed:	12/20/2004	OA/ID Number:	29176-005
FOIA/SYS Case #:	1998-0004-F[2]	Appeal Case #:	
Re-review Case #:	2005-0426-S	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

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

P-1 National Security Classified Information [(a)(1) of the PRA]
P-2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P-3 Release would violate a Federal statute [(a)(3) of the PRA]
P-4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) 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]
P-6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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

PRM. Removed as a personal record misfile.

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

(b)(1) National security classified information [(b)(1) of the FOIA]
(b)(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
(b)(3) Release would violate a Federal statute [(b)(3) of the FOIA]
(b)(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
(b)(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
(b)(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
(b)(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
(b)(9) Release would disclose geological or geophysical information

THE WHITE HOUSE

WASHINGTON

September 18, 1991

THE CHIEF of STAFF
has seen

MEMORANDUM FOR GOVERNOR SUNUNU

FROM: EDE HOLIDAY AND
AL HUBBARD

SUBJECT: Final Rule on Airport Noise Abatement

Secretary Skinner would like to send the final rule on airport noise abatement to the Federal Register today. OIRA and the Council on Competitiveness are satisfied with the final rule and support releasing it as soon as possible.

The rule implements the Aviation Noise and Capacity Act of 1990. It provides for a gradual phaseout of Stage 2 noisier aircraft (about one-half of the commercial air fleet) by the year 2000. The statutory costs of this phaseout are estimated to be in the range of \$860 million to \$4.2 billion (net present value) when fully implemented. Waivers to permit final compliance up to the year 2003 may reduce these statutory costs.

The NPRM originally proposed a compliance schedule costing as much as \$300 million to \$1.5 billion on additional compliance costs during the period 1991-2000. In accordance with the mandate that we minimize costs of rules, and consistent with the urging of members of the Senate on both sides of the aisle, DOT made changes that provide more flexibility in the implementation of the final rule. As a result, the discretionary compliance costs were reduced an estimated 80 percent (up to \$1.2 billion) with relatively little measurable decrease in estimated noise reduction benefits. The final rule allows carriers to generate and "bank" credits by meeting the interim compliance requirements ahead of schedule.

You should know that there will be some criticism of the final rule. DOT, OIRA and the Competitiveness Council, however, believe that the benefits far outweigh the negatives. The New York Times and papers from other noise-conscious regions of the country will not like the added flexibility provided to the carriers in the final rule. The carriers, however, should be extremely supportive. Under the NPRM, carriers claim they would have been severely crippled and, in some cases, might have actually gone out of business. Aircraft lessors, who own approximately half of the current fleet and lease them to the airlines, should be in a much better position under the final rule than under the NPRM. This group will not be completely satisfied, however, because of their own inability to generate credits. There were a number of reasons to allow only carriers to generate credits.

cc: Andy Card