

Originally Processed With FOIA(s):
1998-0004-F[2]

FOIA Number:
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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:	29178
Folder ID Number:	29178-006

Folder Title:
Intergovernmental Affairs (Anderson) (1991)

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NATIONAL CONFERENCE OF STATE LEGISLATURES

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SPEAKER OF THE HOUSE
MAINE
PRESIDENT, NCSL

WILLIAM RUSSELL
CHIEF LEGISLATIVE COUNSEL
VERMONT
STAFF CHAIR, NCSL

WILLIAM POUND
EXECUTIVE DIRECTOR

July 9, 1991

The Honorable George Bush
President
The White House
Washington, D.C.

Dear Mr. President:

We are writing to express our disappointment at several recent policy decisions made by members of your Administration. These decisions raise serious questions about the Administration's view of federalism and its approach to relations with state governments. We are particularly frustrated with these initiatives because they are contrary to your own public statements about the partnership between the federal and state governments.

As you know, the National Conference of State Legislatures endorsed the consolidated grant concept that you proposed in your State of the Union address in February. We welcomed your call for greater flexibility for state governments and for protecting the states' ability to be laboratories of democracy. We responded promptly and responsibly with a set of principles for structuring the package and with an illustrative list of programs that could be included. We supported your proposal because it was consistent with NCSL's fervent belief in the capabilities of state governments to solve public problems. It was compatible, too, with our strong opposition to unfunded federal mandates, preemption, and invasion by the federal government of traditional state revenue sources.

We hoped that, even if your consolidated grant proposal were not adopted immediately by Congress, it would establish a framework for other decisions and initiatives taken by members of your Administration. It could, we believed, be a strong and unequivocal signal to officials throughout the federal departments and agencies to look for ways to promote state innovation and flexibility, to avoid mandates and preemption, and to protect state revenue sources.

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Unfortunately, very much the opposite has occurred. There have been at least five examples in recent weeks in which federal agencies have reached decisions or launched initiatives that would severely restrict state flexibility, impose mandates, preempt, and place additional, unwarranted financial burdens on state governments. The examples are in the proposed child care regulations, the voluntary donation and provider-specific tax issue, the Clean Air permit regulations, the medical malpractice package, and the mandatory social security regulations.

Child Care Regulations. During the negotiations regarding the child care legislation adopted last year, state legislators from states as diverse as Illinois, Missouri, Oklahoma, Louisiana, and Connecticut were instrumental in removing unfunded mandates and other federal standards from the legislation. NCSL based its support of the legislation on the flexibility it provided states to respond to the specific child care needs of their citizens. Regulations offered by the Department of Health and Human Services on June 5 drastically limit state program flexibility, add mandates and administrative burdens, and circumvent state authority.

Most egregious of the changes offered in the regulations is the requirement that states spend 90% of the 75% flexible setaside funds on child services. By drastically limiting states' authority to choose between expanding services and improving quality, the regulations directly violate the terms of the agreement achieved during negotiations over the legislative package.

The regulations address two politically delicate issues that concern us, not for their substance or goals, but rather for their preemption of state laws and authority. Although NCSL does not have a position on your educational choice initiative, we are concerned that the provision in the regulations encouraging parental choice in child care would preempt state authority to establish standards for health and safety. And, in redefining the definition of public funds so they can be used for sectarian purposes, the regulations may preempt state constitutional and statutory provisions that restrict this use of public funds.

Our other objections include (1) a requirement that would forbid states from restricting the number of child care certificates even if federal funds are exhausted; (2) a requirement that narrows the definition of "supplantation," using the state's previous year's funding as the base; and

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(3) selection of September 1990 as the base year for the grant.

Medicaid (Voluntary Contributions and Provider-Specific Taxes). While the federal and state governments continue to seek creative and responsible solutions to the nation's health care problems, the cost's of financing health care escalate at an alarming rate. Among ways that many states pay a portion of their share of Medicaid expenses are provider-specific taxes and voluntary contributions or donations. Although both are legitimate under federal law, Richard Darman, Director of the Office of Management and Budget, has attacked them as a "scam" and officials in the Health Care Finance Administration apparently are drafting regulations that would prohibit use of voluntary contributions and possibly limit use of provider-specific taxes. If the OMB and HCFA campaigns are successful, they would severely restrict states' revenue-raising authority and limit their ability to meet their obligations under Medicaid and to provide health care to their poor and elderly populations.

Clean Air Regulations. Proposed rules on operating permits under the Clean Air Act severely restrict and preempt state authority. Our objections relate to the following: minor permit amendments, stringency of programs, and fees.

The proposed regulations on minor permit amendments give states only seven days to evaluate a modification to a source's permit authority. If a state fails to perform the evaluation in seven days, the emission increase is automatically approved.

The proposed regulations forbid states from instituting aspects of permit programs more stringent than those in the Clean Air Act. This provision, which clearly would preempt state laws and authority, violates legislative intent and traditional EPA practice to allow states to exceed minimum federal standards.

The provisions regarding fees would require that states base permit fees on actual emissions, rather than allowable emissions. This would create a costly and cumbersome bureaucratic burden on the states that would involve, among other things, continuous monitoring to prove actual emissions.

Honorable George Bush
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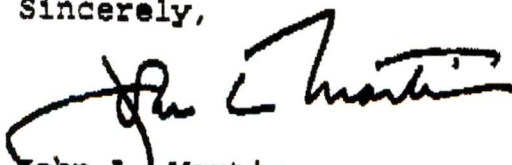
Medical Malpractice. The proposal you put forward in May to reform the medical malpractice system would significantly preempt state tort laws. Included as preemptions in the proposed legislation are the cap of \$250,000 on awards for non-economic damages and a requirement that states eliminate joint and several liability and the collateral source rule.

Mandatory Social Security Coverage. Final regulations issued by the Internal Revenue Service interpreting the Social Security Section of the 1990 Omnibus Budget Reconciliation Act impose significant administrative and financial burdens on state governments. It is our view that these regulations far exceed congressional intent, particularly in requirements concerning minimum benefit rules and immediate vesting.

It is our hope, of course, that these examples are simply aberrations from your goal of offering greater flexibility to states and reducing unnecessary administrative costs. We hope that you would use your office to reverse these five specific decisions and to reemphasize throughout the federal agencies the spirit embodied in your consolidated grant proposal.

Thank you for your consideration of our request. We would be happy to meet with you to discuss this critical matter and to assist in developing mechanisms within the regulatory process to protect against similar decisions in the future.

Sincerely,



John L. Martin
Speaker of the House
Maine
President, NCSL



Paul Bud Burke
President of the Senate
Kansas
President-Elect, NCSL

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01a. Note	From Andy Card to John Sununu Re: Suggestion for replacement for Special Assistant to the President for Intergovernmental Affairs (1 pp.)	7/31/91	(b)(6)	

Collection:

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

Date Closed:	12/21/2004	OA/ID Number:	29178-006
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

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
01b. Resume	Candidate for replacement for Special Assistant to the President for Intergovernmental Affairs (2 pp.)	n.d.	(b)(6)	

Collection:

Record Group: Bush Presidential Records
Office: Chief of Staff to the President, Office of the
Series: Sununu, John, Files
Subseries: White House Offices Files
WHORM Cat.:
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AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

RESTRICTION CODES

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

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 (b)(9) Release would disclose geological or geophysical information

JAMES SNYDER OF CATTARAUGUS COUNTY, NEW YORK

A successful businessman, an advocate of Native American rights, a county legislator and county executive, and former Syracuse University basketball star, James J. Snyder of Cattaraugus County, New York was the President of the National Association of Counties (NACo) during 1988-89 and the New York State Association of Counties in 1990.

First elected to the Cattaraugus County Legislature in 1969, Snyder served as its Chief Elected Officer for 11 years, from 1977-1987. He also served 2 years as a City Councilman, Olean, New York. Because of his keen interest and strong advocacy of Native American rights, Snyder was adopted into the Seneca Nation of Indians, the only member in the history of the Cattaraugus County Legislature accorded such an honor.

Snyder is President of the County Board of Health and chairs the Cattaraugus Economic Development Zone Corporation, one of only 10 zones created in New York State to encourage business development. He also serves on the Western New York Economic Development Council as an appointee of New York Governor Mario Cuomo. This council is charged with rejuvenating the Western New York economy.

Snyder is considered the father of the Cattaraugus County Community College and has served 16 years as its first and only chairman of the Board of Trustees. The executive director of the Cattaraugus-Allegany Auto Club, Inc., and affiliate of the American Automobile Association, Snyder has interests in several other businesses and is on the Board of Directors of the Fleet Norstar Bank in Olean, New York.

Jim graduated from Syracuse University with a B.A. degree in 1957 and received his M.S. from St. Bonaventure University in 1971. He lives in Portville, New York.

In 1990 Jim was named 'County Leader of the Year' by City and County Magazine. A scholarship "The Jim Snyder Educational Opportunity Fund", has been set up in his name at the Jamestown Community College to help members of single parent families achieve their educational goals.

business



GILBERT
STINGER

ALL OF YOUR BUSINESS

You may have been surprised at a photo in the April 14 Times Herald showing North Union Street all decorated with flags and banners. It was culled from the Olean Historical and Preservation Society files by my newsroom colleague Rosemary Daley.

No, the flags were not flying for returning servicemen and women. They hailed the Republican candidate for governor, Frank W. Higgins. The year was 1904 when Mr. Higgins went on to be elected, serving at Albany for a two-year term from 1905-1907.

You may have been surprised that Olean produced a governor 87 years ago. For many years, until, alas, it was demon-

around the state might, well, if they are wise, wait on Big Jim, see if he would be receptive to following in Frank Higgins' footsteps.

SIGN OF THE WEEK. In Allegany Hardware window on Allegany's Main Street on a new lawnmower, no motor, the kind you push, "So advanced it doesn't even use an engine."

With noise and pollution from powered mowers, the Allegany Hardware mower might very well be "advanced."

BUSINESS BITS

Baker's Sporting Goods, a new enterprise, has opened on Center Avenue Extension in Salamanca. Hunting and fishing supplies.

Former gas station on South Union Street at the bridge will become a tool rental operation. Some remodeling going on. Man from Smethport or some Pennsylvania place doing it.

Interest in property in vicinity of Olean General Hospital is growing in anticipation of the hospital's enlarging.

When you read this and depending on the weather, construction may be starting on North Union Street for the new Prudential Insurance building.

ENTERPRISE. Jim Jobe, Irving Street, good example of our free enterprise system and how it makes business possible.

He decided this year to be more aggressive about his lawn cutting business. The free enterprise system encourages young men and women to be just that; it's called getting ahead.

So Jim gave his enterprise a new name: The Grass Cutter.

He had some fliers printed. In big letters: "Hello," and "Lawn time is almost here, mowing, hedge trimming, and other lawn needs, call for estimates," and his phone number. Had 3,000 printed and he went door-to-door.

By the time he had distributed 1,500 he had 22 customers.

Another 10 or 12 and he would have a full-time job this summer. If he can handle more, he plans an ad in the Times Herald saying so.

Looks like The Grass Cutter is thriving already under our free enterprise system.

(Gil Stinger is a Times Herald business writer.)

In Touch With GOOD NEWS

lished for a supermarket, the Higgins home stood on South Avenue across from Lincoln Park, the site now occupied by the state Conservation Department offices where trees are being planted in front.

Why all this recollection of the past?

Because the time is approaching when history should repeat, and the next governor of New York State should come from this very area, from Olean!

Go no further than Portville and the Olean area's own James (Big Jim) Snyder.

He's widely known statewide because of his county legislator connections. Indeed, if memory serves, he was named by a national group as "legislator of the year." He is known for his motor club job — he manages the Cattaraugus-Allegany Triple A, biggest membership organization in our area. And he gets elected as county legislator consistently; which speaks well for his knowledge of and experience in politics.

Amo Houghton, another outstanding area Republican, could be considered a candidate for governor, but he's reportedly content with his job as congressman, and he's good at it.

That leaves Big Jim. Republicans

OTH- 8/1/89

Gift is 'seed money' for scholarship fund

By JOHN T. EBERTH
Times Herald Staff Writer

Ensuring educational opportunity for members of single-parent families is the goal of a new fund instituted at the Cattaraugus County Campus of Jamestown Community College.

During a press conference this morning, James J. Snyder, chairman of JCC's Cattaraugus County Campus College Advisory Board, presented a \$5,000 check to Dr. James J. Ross, campus dean.

The \$5,000 is intended as the "seed money" for an educational fund designed to provide financial assistance to members of single-parent families who wish to attend the college but have exhausted all other financial assistance.

The \$5,000 check is from the Washington, D.C.-based National Association of Counties, given in honor of Mr. Snyder as he leaves his position as president of the organization.

"I'm pleased the National Association of Counties is honoring me in this way and I'm pleased the money can be used to help other people," Mr. Snyder said.

Dr. Ross called Mr. Snyder "the focal point of this institution," stressing that he has been "chairman of the board since its (JCC's) inception 13 years ago."

The fund was named the James J. Snyder Educational Opportunity Fund. Mr. Snyder said he hopes donations from local industry and concerned individuals will increase the fund.

"Hopefully we can take that \$5,000 and use it as the seed money for a fund of \$25,000 or even \$30,000," Mr. Snyder said. "I feel quite confident that we'll reach our goal of \$25,000."

The fund will be available to any member of a single-parent family who is enrolled in the college and is in danger of leaving the campus due to financial problems. It also could be used by members of a single-parent family wishing to enroll who cannot get the financial assistance to do so.

"I know what it means to be a member of a single-parent family," Mr. Snyder said. "It means that you're broke."

He noted that while educational funding is usually available to other students who need it, it is often the case that students from single-parent families cannot get assistance.

"A lot of folks in that category slip through the funding net," Mr. Snyder



James J. Snyder

said. "For the lack of \$300 or \$400, people, whom I know from my own personal experience, have had to drop out of the community college."

A lifelong Cattaraugus County resident, Mr. Snyder himself grew up in a single-parent family.

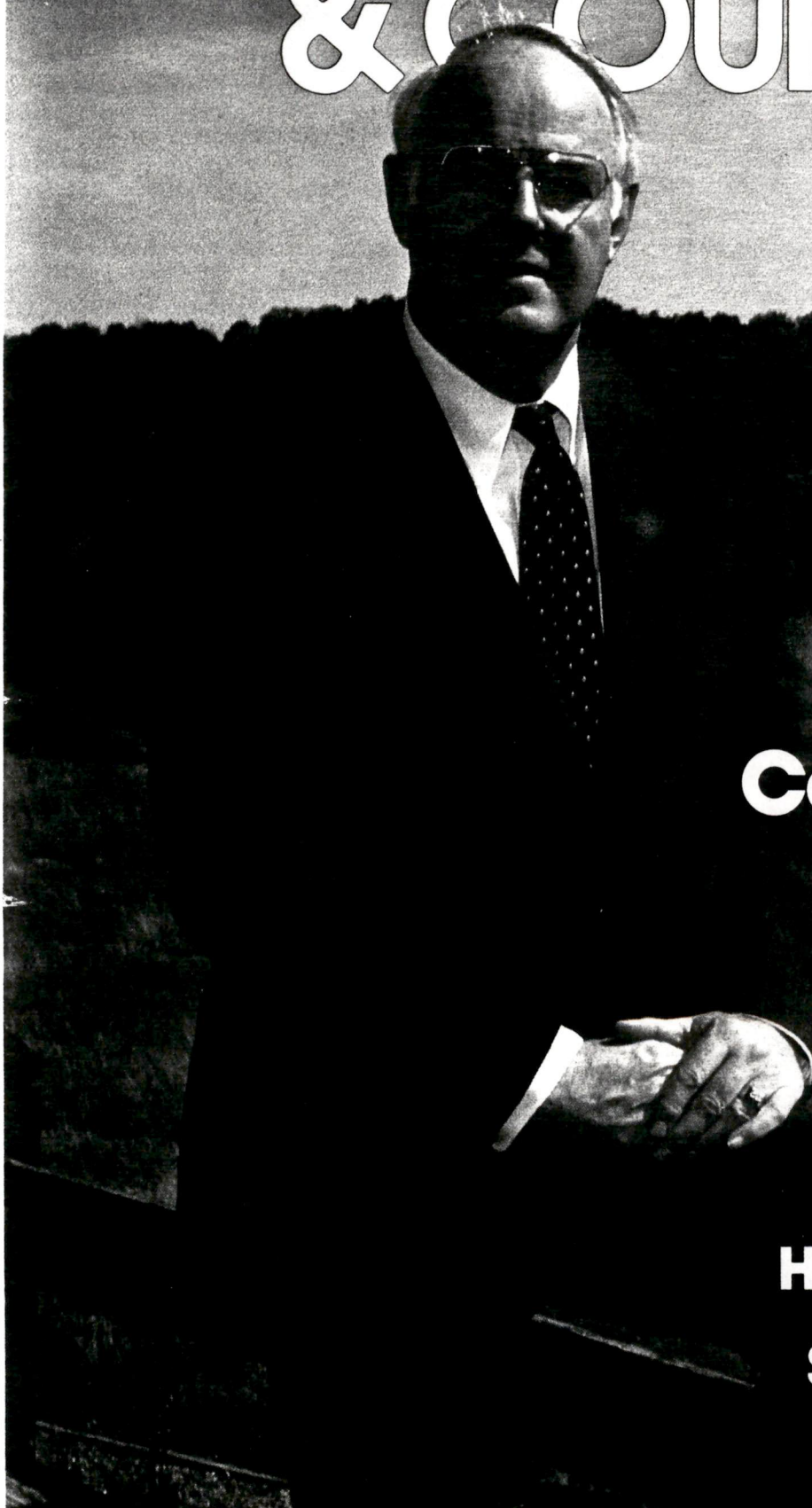
Dr. Ross said the fund is primarily for students from Cattaraugus County but will be granted to those who need it from the surrounding vicinity.

Students from Allegany, McKean, Potter and Cameron counties attend the college.

The fund could be available to students who are eligible this fall, Mr. Snyder said.

For further information, contact the financial aid office of the Cattaraugus County Campus of Jamestown Community College at (716) 372-1661.

AMERICAN CITY & COUNTY[®]



**County Leader
Of The Year:
Cattaraugus'
Jim Snyder**

**Public Housing —
Home Sweet Home?**

**Sweeping Changes
In Street Cleaning**



The Art Of Making Deals

During more than 20 years in office, Cattaraugus County, N.Y.'s Jim Snyder has struck deals, restructured his county's government and become an honorary Seneca Indian. Now he's **American City & County's** 1990 County Leader of the Year.

By Joe Morris, Associate Editor

Joseph K. Eade likes to tell the story of how James Snyder, then chairman of the Cattaraugus County Legislature, defused an angry constituent.

"She had called me to complain about the budget, and I told her to come on down to the county seat and complain, because that way more of the legislators could hear her," says Eade, a Democrat and the county legislature's minority leader for 15 years. "Well, he just romanced her. He put his arm around her and started talking government, and she forgot to yell about the budget."

Snyder's ability to placate angry constituents, as well as a knack for involving all parts of the community in the county's government process, has served him well. In addition to sitting on the county legislature since 1969 (10 of those years as chairman), he also has held state and national posts. A recent past president of the National Association of Counties (NACo), he currently is serving as the president of the New York State Association of Counties.

Other titles and activities are numerous, and all reflect a

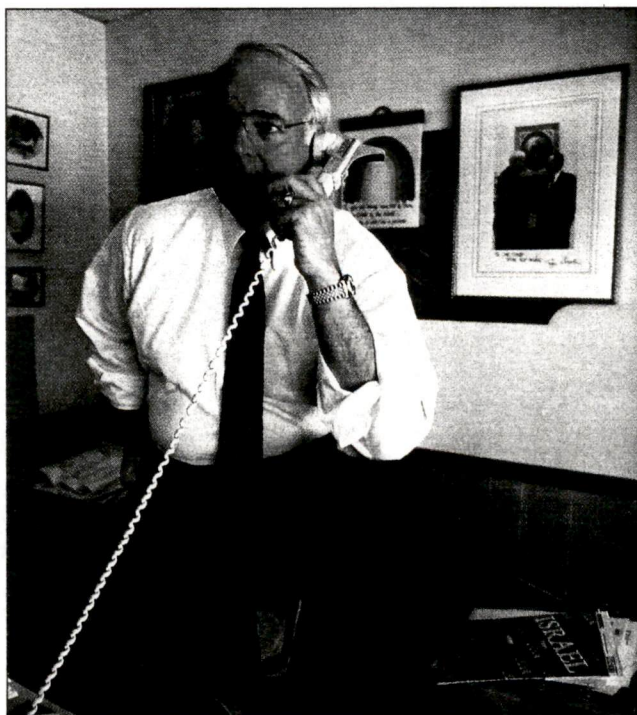
willingness to hear all sides of an issue, no matter how controversial. Cattaraugus County is located in New York's Southern Tier, on the Pennsylvania border in a region known as the Enchanted Mountains. Business develop-

ment in the sparsely populated area has been slow, and to bolster it Gov. Mario Cuomo created the Western New York Economic Development Council, naming Snyder a member. For Snyder, a small-town Republican, an appoint-

ment to any state committee by a Democratic governor in solidly Democratic New York is another example of his ability to cross over party and issue lines.

"It's unheard of for a rural county official to get to be the president of NACo, and that's been a contributing factor in his appointments to state committees," Eade says. "Cuomo wants to keep up a rapport with those organizations, to keep them off his back. (Snyder) has always been able to get people to work together despite their differences. He was the legislature chairman for 12 years and only left because of his NACo commitments. Under normal conditions, he'd still be chairman."

Snyder may seek the chairmanship again now that those commitments are almost up, but that does not mean his sights have always been set on local goals. He ran for the U.S. House of Representatives six years ago, losing to Demo-



Cattaraugus County legislator James J. Snyder balances local commitments to business and education with national obligations such as the NACo presidency.

DARRELL GRONEMEIER



*'I used to
apologize for New
York's high taxes,
but I don't
anymore ... The
taxes are too high,
but we take care
of our people.'*

James Snyder

crat Stanley Lundine, now New York's lieutenant governor. Following that defeat, he became more heavily involved in county politics at the national level, beginning his ascent to the NACo presidency.

In his own county, Snyder's deal-making capabilities are being tested as the business growth, for which he is at least partly responsible, occurs within the area. Despite being a booster of business, he says the county's leadership will not sacrifice any of the region's special environmental qualities for the sake of a new plant or office facility.

"Urban, rural — we have all the conflicts built into the traditional county structure here," he says. "We want reasonable growth. The county is beautiful, and we want to keep it that way, not recklessly stripping down forests. We have tough zoning and environmental laws in New York — we're way ahead in that area."

Cattaraugus is benefitting from the newly completed Route 17 through the county, as well as relaxed trade restrictions between the United States and Canada. But other than road construction and national trade policy decisions, Snyder is loath to look beyond his own horizons for ways to swell county coffers.

"The future rests with local and pri-

vate partnership arrangements, not with the state or federal governments," he says. "Local governments have been astounding. We on the local level have had to raise taxes, but services have not been cut. The costs have been shifted, though, and there is additional financial pressure. The people in Washington think we're cutting services, but that's not the case."

Snyder is chairman of the Cattaraugus Economic Development Zone Corp., one of only 10 zones created in New York state to encourage business development. The zone, in conjunction with the other recent improvements to the area, is helping launch new businesses more efficiently, he says.

"So far (the zone) has worked out well," he says. "There's a series of tax credits involved, which has proven to be very effective."

Although taxes, whether increases or abatements, can be a sore subject, and one likely to split officials along party lines, Snyder says he no longer shies away from the issue.

"I used to apologize for New York's high taxes, but I don't anymore," he says. "The school programs are the best, the roads are good, and I see other states that will have to raise their taxes, and I'd rather be here. The taxes are too high, but we take care of our people."

Snyder speaks with authority about

the situation in other states and counties. During his tenure as NACo president, he traveled a great deal and says he is putting what he learned on the road to work in his own county.

"He's naturally very knowledgeable, and now he's one up with the federal government and how what it does will affect the county," says Bruce Moody, the legislature's current chairman. "He's probably one up on most of the information we have."

While Snyder may get away with supporting a high tax base, and while his fellow legislators value his knowledge and contacts, one of his pet projects may have tarnished his star a bit with some of his fellow legislators.

Cattaraugus County has a 23-member legislature. While that number was pared down from 49 to 25 following the 1970 census, Snyder felt it was still too large. He sought to have it reduced further. In the early 1980s, he got part of his wish when the legislature was reduced by two seats. Snyder, however, has not given up. Despite previous rejections at the polls, he is seeking to have the county charter restructured to further streamline government. If he gets his way, the Cattaraugus County Legislature will have only six to eight members.

"Quite a few people agree with him, but it just hasn't caught on," says

Moody. "But he's not giving up. It's just one of those things that he'll keep on the back burner."

As expected, such a stance has not been popular with all the legislators, many of whom are being asked to vote themselves out of a job. The voters also have turned their noses up at the proposal in the past, because rural residents felt they would lose their representation, Eade says. Snyder, however, says the changes are essential.

"It's a struggle, but we have to fix the charter," he says. Streamlining, Snyder adds, is necessary to stay on top of the county's \$80 million budget and 1,000 employees. But while he has yet to achieve great success with the legislator-slashing measure, he has brought about one change which he says may be his greatest achievement, the adding of a county administrator.

Prior to 1986, the legislature chairman was responsible for many of the county's day-to-day functions, and since the position was not full-time, projects sometimes fell through the cracks. A bid to add an elected county executive was defeated at the polls, so the legislature adopted a measure calling for an appointed county executive, who would be hired by and work for the legislators. On July 1, 1986, Donald Furman was hired.

"The need was here, and (Snyder), as chairman of the legislature and chairman of the search committee, was a very positive supporter of the concept, not someone who had to be dragged to the fountain," says Furman, who still serves in the position. "There was some opposition to creating the position, but he's always been a person who seeks compromises on difficult issues. I've never seen him dig in his heels on an issue so much that he wouldn't compromise."

"He's got the most political moxie of anybody on the board," adds Moody. "He did a lot of peacemaking when he was the majority leader, and as the chairman, and still does."

"He is the consummate politician," says Eade. "He can endear himself to the opposition more than to his own people, not to the extent that he'd break with his party on an issue, though. He's just got a lot of charisma."

Keeping both sides happy has led to some unusual plaudits for the former Syracuse University basketball center. In addition to being honored by the National Organization of Black County Officials, in 1982 Snyder became the first county official to be adopted into the Seneca Nation of Indians, whose reservation lies within the county.

"I just made sure we had them on panels and agencies within the county government," Snyder says. "They had a history of being rejected and left behind, and they had been discriminated

*'He's always been
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issue so much that
he wouldn't
compromise.'*

Donald Furman

against. I included them, and they were pleased."

County officials recently have had reason to be grateful for Snyder's rapport with the Senecas. Salamanca, a city of 6,000 people built on Seneca land, is nearing the end of its 90-year lease with the Indians. And because of past grievances, the Indians have driven a hard bargain with state and federal officials seeking to renew the contract.

"They're getting \$60 million from the federal and state governments," Snyder says. "The lease is up next February, and nobody ever really negotiated with them. The new lease is only for 40 years, with a 40-year renewal clause, and they're upping the rent from a few thousand to \$800,000 annually." Although the county was not directly involved in the negotiations, the residents of Salamanca will have to come up with the rent, so the negotiations have been a topic of great interest to the region's residents.

Another issue near to Snyder's heart is education. He is considered the father of the Cattaraugus County campus of the Jamestown Community College and is the first and only chairman of its board of trustees. When he left the NACo presidency, the organization donated \$5,000 in seed money to establish a scholarship in Snyder's name at the school, money which ensures members of single-parent families have adequate educational opportunities.

"I came from a single-parent home, so this is an issue that is really important to me," he says. "I was really pleased that NACo chose to honor me in this way."

He began campaigning for a local campus 14 years ago because there was "a need for the system to come here and fill a vacuum." Currently the Cattaraugus campus has 2,000 students,

with up to 9,000 students involved through outreach programs. The campus' space will double this fall, as 34,000 square feet of new classroom space and a library open.

The county itself also is adding new space, with a 90,000-square-foot office facility dedicated last month. Although the county seat is in Little Valley, most of the administrative functions of the county are performed in Olean. The building will house the human services departments, ancillary courtrooms and the department of motor vehicles offices, among others.

Whether or not Snyder regains the legislature's chairmanship, his influence will continue to be felt on the board. And it is a safe bet that if he ever manages to reduce the board to eight or nine seats, he will continue to warm one of them. Whether it is politicking or deal-making, compromising or campaigning, Snyder's success stems from being able to walk the middle line without being neutral.

"If I have contributed anything, it's to bring people together," he says. "It's not something you're born with — it's something you learn." □

Coming Next Month

Our 1990 Solid Waste/Resource Recovery Supplement looks at the problem of radioactive scrap, a new method of source-separating plastic from the municipal waste stream, and a revolutionary use for landfills.

Our cover story examines issues and trends in the local governmental computer market. Also featured is how municipalities can use high-powered GIS systems in everyday applications.

All of this, plus the usual information-packed departments and columns, in the August issue of *American City & County*.

Dreams: The Stuff That Life Is Made Of

(Editor's note: This is the final story in a five-part series profiling people who have devoted significant portions of their lives to dreams and causes.)

By JANETTE MARTIN

OLEAN — He's too tall and too young to be that book-toting, philosophy-spewing, lovable Prospero.

With Prospero's wisdom, however, he says we are such things as dreams are made of, and most times these dreams can be as transient as Prospero's vision of the "baseless fabric" of life.



Dreams and hopes and goals and causes come and go as our lives progress, and while some of us devote our whole lives to one vision or one ambition, most of our dreams shift, move, grow.

And besides. Personal dreams are the only ones that really count, says James J. Snyder, *American City & Country's* 1990 County Leader of the Year.

As the president of the National Association of Counties, Snyder headed up 35,000 members and 3,109 U.S. counties from 48 states, a position he says had nothing to do with his *real* dreams.

"I was just in the right place at the right time," he says.

The experience was heady stuff, he admits, but even though he was in the White House 11 times in one and a half years, he says even this was not the stuff *real* dreams are made of.

Dreams had nothing whatsoever to do with the time he spent in the Oval Office with President Bush, either.

Snyder says that was "an awesome experience" and although having a staff of 150 and an eight-story building on Capitol Hill was exciting, still — not *real* dream material, he says.

"Political dreams are too shallow," he says. They are not the stuff

good lives are made of.

He describes his youth as "tough," but says he has "never been driven by finances."

He was raised by a single parent — his mother, after his father died when he was 4. He's blunt about his past: "My family had nothing," he says.

His first dream, he says, had nothing to do with politics or public service.

"Basketball, basketball, basketball," that was his dream.

"I was born to basketball," he says, and his 6-foot-6-inch frame helped secure him a full scholarship to Syracuse University.

He played for the school's varsity team and helped bring them to the National Collegiate Athletic Association's eastern regional finals against the North Carolina Tarheels, a match which ended in favor of the opposition.

According to a newspaper report, the game ended Snyder's collegiate basketball playing because of a punch to the solar plexus that landed him in a hospital bed.

So that dream faded as college ended, as reality set in, as his business ventures grew, as he stepped into the political arena.

He chose politics at age 26 when he joined the Olean City Council because it appealed to him. Then he moved on to the Cattaraugus County Legislature where he's been for 22 years.

Although Snyder says politics is no dream machine, his last October visit to the remains of the Berlin Wall was, yes, indeed, a dream come true.

Right now, he has dreams for Jamestown Community College.

"The Olean campus now has over 1,500 full-time students," he says, and it's still growing.

Snyder says the JCC board is "fabulous and very cooperative and very helpful." But he says there's more to be done.

Lots more. Changes to make, plans to draw, plays to cast.

This dreamer says he also dreams for other people, including his own children and the children of his county constituency.

He believes education is the key to the realization of most important dreams.

So he's seeing his children through college, and delighting as others take advantage of a scholarship fund that

bears his name.

The James J. Snyder Opportunity Fund sends "three kids from single-parent homes" to college each year.

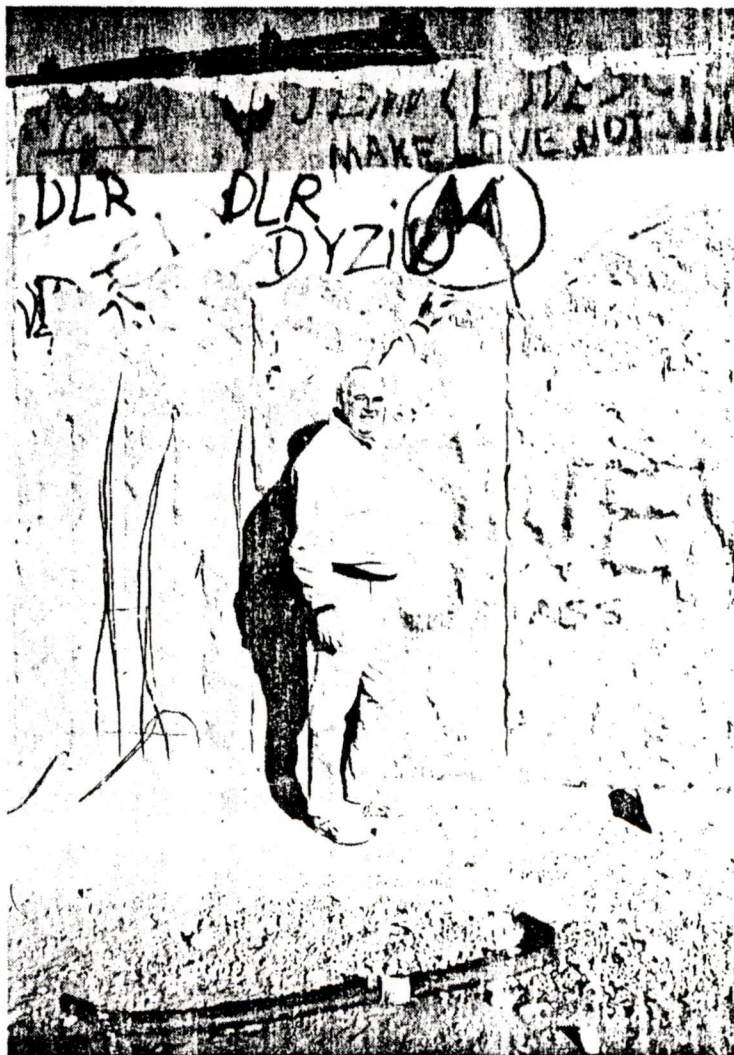
But his own revels are far from ended.

"My biggest dream of all is going

to happen one of these days when I grow up," he says.

"More than anything, I want to be a high school basketball coach. I'm going to do that some day."

And that, he says, is the stuff *real* dreams are made of.



Dream Barriers

Sometimes political walls bar the realization of dreams, and Snyder says one of the greatest sights he ever witnessed was the fall of the Berlin wall. He's pictured here with a portion of the wall before it came tumbling down.

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
02. Memo	From Debra Anderson to POTUS Re: Proposed Regulations for Federal Aid in Wildlife Restoration and Federal Aid in Sport Fish Restoration Acts (1 pp.)	5/13/91	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 Files
WHORM Cat.:
File Location: Intergovernmental Affairs
 (Anderson) (1991)

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

Date Closed:	12/21/2004	OA/ID Number:	29178-006
FOIA/SYS Case #:	1998-0004-F[2]	Appeal Case #:	
Re-review Case #:	2005-0426-S	Appeal Disposition:	
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RESTRICTION CODES

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THE WHITE HOUSE

WASHINGTON

May 13, 1991

MEMORANDUM FOR THE PRESIDENT

THROUGH

ANDREW H. CARD, JR. *Andy*

FROM

DEBRA ANDERSON *Deb*

The U. S. Fish and Wildlife Service has proposed regulations for purposes of the Federal Aid in Wildlife Restoration and Federal Aid in Sport Fish Restoration Acts. This is a \$240 million grant program to states requiring a state match (75%-25%). This regulation currently requires states to use interest earned on state hunting and fishing license revenues for fish and wildlife resource management as a condition to remain eligible to receive Federal aid funds.

The Governors and State Budget Officers are in strong opposition to the interest provision. The elected officials say this is unnecessary intrusion into their individual budget processes; that the interest generated (\$10 million/yr. nationally) is from their sale of licenses and they should be allowed to spend that interest as they see fit. States view this as another mandate through regulation. They argue that states should be free to dedicate interest, or not, on an individual basis.

Although this seems like a very small issue (and small amount of money), whenever we have meetings to go over "lists of grievances", if you will, states always include this as an important item. They feel, rightly so, that this sets a terrible precedent for future Federal regulations to dedicate revenues which belong to the states.

OIRA, through OMB, has requested a suspension of the proposed rule with the goal being accommodating the states. The Office of Intergovernmental Affairs wholeheartedly agrees with this suspension. Please keep in mind that until two years ago, the states were free to spend these interest revenues as they deemed appropriate.

This falls directly into your "more flexibility, fewer mandates" directive and the Office of Intergovernmental Affairs respectfully asks for your concurrence in this rule suspension.

cc: ✓ Governor John Sununu
David Demarest

THE WHITE HOUSE

WASHINGTON

April 15, 1991

MEMORANDUM FOR THE PRESIDENT
✓ GOVERNOR SUNUNU

THROUGH DAVID DEMAREST

FROM DEBRA RAE ANDERSON

SUBJECT MODEL VOLUNTEER SERVICE ACT

When you presented the Model Volunteer Service Act on December 13, 1990, in keeping with the principles of Federalism, you asked the states to adopt and implement legislation patterned after the act but tailored by each state to fit its own needs.

During the first quarter of 1991, the Office of Intergovernmental Affairs has received responses from 22 states. It is our goal to have comprehensive volunteer protection legislation adopted in every state by the end of 1992. The attached report provides a summary of activities to date.

THE WHITE HOUSE

WASHINGTON

VOLUNTEER SERVICE MODEL ACT

State Response To Date

April 1, 1991

ALABAMA

Model Act scheduled to be introduced on April 16 by Rep. Perry O. Hooper, Jr. (R-AL).

CONNECTICUT

Model Act was not introduced this session. Per conversations with Minority Leader Ed Krawiecki (R-CT), he will have someone sponsor the Act during the next legislative session.

DELAWARE

Existing statute in place with the exception of coverage for governmental entities. Amendment being prepared by Rep. David Ennis (R-DE) and Rep. Jane Maroney (R-DE).

FLORIDA

Model Act introduced by Sen. William Bankhead (R-FL) and Rep. Ken Pruitt (R-FL).

HAWAII

Model Act introduced by Sen. Mary George (R-HI) as S.B. 753; still in committee.

ILLINOIS

Contacted Sen. Carroll's office; legislation may be introduced until April 12, 1991.

KENTUCKY

Unable to take up special items during this year's session; Model Act will be introduced next year by Rep. Ken Harper (R-KY).

LOUISIANA

Model Act being prepared for introduction by Sen. Sam Nunez (D-LA).

MAINE

The National Conference of State Legislatures informed us that Speaker Martin (D-ME) planned to introduce Model Act legislation.

MARYLAND

Model Act introduced as HB-1302 by Delegates Kenneth Montague (D-MD) and Ellen Sauerbrey (R-MD); assigned to Rules committee.

MINNESOTA

Model Act introduced as Senate File 349 by Sen. Bill Belanger (IR-MN) and as House File 286 by Rep. Kathleen Blatz (IR-MN). Bill will be taken to hearing.

VOLUNTEER SERVICE MODEL ACT
State Response to Date
Page Two

MISSISSIPPI

Existing statute already in place.

NEVADA

Model Act being prepared for introduction by Sen. Bill Raggio (R-NV).

NEW JERSEY

Rep. Chuck Hardwick (R-NJ) reports that similar legislation is already in place. However, governmental entities do not appear to be covered.

NEW YORK

Model Act introduced as S.B. 2491. Senators Ralph Marino (R-NY), Hugh Farley (R-NY), Jim Lack (R-NY) and Guy Velella (R-NY) assisting. No hearings yet scheduled but bill likely to pass Senate.

NORTH DAKOTA

Model Act introduced by Sen. Gary Nelson (R-ND) and Sen. David Nething (R-ND) but withdrawn because similar legislation already in place. However, existing law does not appear to cover governmental entities.

OHIO

Model Act prepared for introduction by Rep. Vernon Sykes (D-OH).

OKLAHOMA

Model Act will be introduced.

PENNSYLVANIA

Model Act being reviewed by Senate Office of Policy Development and Research to prepare bill for introduction by Sen. Robert Jubelirer (R-PA).

SOUTH DAKOTA

Existing statute already in place.

TEXAS

Existing statute already in place.

UTAH

Similar legislation already in place according to Sen. Arnold Christensen (R-UT).

VERMONT

Model Act introduced as H.488 by Rep. Sara Gear (R-VT) and Rep. Carmel Babcock (D-VT).

VOLUNTEER SERVICE MODEL ACT
State Response to Date
Page Three

WASHINGTON

Senator Jack Metcalf (R-WA) has introduced Senate Bill 5015 which protects LANDOWNERS from volunteers. I have sent additional materials to sponsors with request to include language of Model Act.

WYOMING

Model Act will be introduced next year by Sen. Diemer True (R-WY).

Withdrawal/Redaction Sheet

(George Bush Library)

Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
03. Memo	From Debra Anderson to John Sununu Re: Potential Reorganization (1 pp.)	2/15/91	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 Files
WHORM Cat.:
File Location: Intergovernmental Affairs
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 By JP (NLGB) on 10/28/05

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Re-review Case #:	2005-0426-S	Appeal Disposition:	
P-2/P-5 Review Case #:		Disposition Date:	
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AR Disposition:		MR Disposition:	
AR Disposition Date:		MR Disposition Date:	

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THE WHITE HOUSE

WASHINGTON

February 15, 1991

MEMORANDUM FOR GOVERNOR SUNUNU
CHIEF OF STAFF

FROM DEBRA RAE ANDERSON *DR*
DEPUTY ASSISTANT TO THE PRESIDENT

SUBJECT POTENTIAL REORGANIZATION

THE CHIEF of STAFF
has seen

I learned from recent press reports that you are contemplating a possible reorganization of White House staff.

I would respectfully request that the Office of Intergovernmental Affairs not be re-linked (as in the previous Administration) with the Office of Political Affairs. As you'll recall, the elected officials, while meeting with the President-elect during the transition, specifically drew attention to the problems this had created, and the President-elect agreed that the two entities would not be linked.

The Office of Intergovernmental Affairs has worked in a very conscious bipartisan manner since the Inauguration and I believe it has enhanced the effectiveness of this office.

Thank you for your consideration.

Withdrawal/Redaction Sheet

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Document No. and Type	Subject/Title of Document	Date	Restriction	Class.
04. Memo	From Debra Anderson to John Sununu Re: Background on Leonard Peltier (1 pp.)	4/11/91	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 Files
WHORM Cat.:
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THE WHITE HOUSE

WASHINGTON

April 11, 1991

MEMORANDUM FOR GOVERNOR SUNUNU
THROUGH DAVID DEMAREST
FROM DEBRA RAE ANDERSON
SUBJECT BACKGROUND ON LEONARD PELTIER

THE CHIEF of STAFF
has seen

Sen. Inouye wishes to discuss with you a future appointment with the President regarding the case of Leonard Peltier.

Background:

In the aftermath of the Wounded Knee takeover on the Pine Ridge Indian Reservation in South Dakota (mid-1970's) two FBI agents were killed in a shootout while attempting to serve warrants. Leonard Peltier and others were involved. Peltier was apprehended in Canada, arrested, and tried (in North Dakota because of pre-trial publicity). After several appeals, he was sent to prison, where he remains (Marion in Illinois). The other suspects were tried in Iowa, but the government lost the case there and they went free.

Although it could not be proven which gun actually fired the fatal shot, Peltier was convicted of murder based on the evidence that he was shooting at an agent who died. It later turned out that the ballistics expert had not revealed all the information that he should have and it made the government look bad. However, during the appeals, the court found no reason to reverse the murder conviction.

Peltier has now exhausted the appeals process, hence his lawyer (Bruce Ellison) and others are turning this into a cause celebre in the hopes of exerting political pressure. There are T-shirts and "Free Peltier" demonstrations in this country and in Europe--the implication being that the conviction was the result of racism. The American Indian Movement may be involved. There is also a movie in the works.

If you want to get Janklow wound up, just ask him about Leonard Peltier.

cc: Fred McClure
Andy Card
Jim Dyer

INDIAN GAMING IN THE UNITED STATES FACES A CRITICAL JUNCTURE

In accordance with the Indian Gaming Regulatory Act (25 U.S.C. 2701-2721), the Secretary of the Interior is charged with the responsibility of prescribing procedures which will apply to casino gaming conducted by the Mashantucket Pequot tribe on tribal lands in the the State of Connecticut. Essentially, the Secretary will determine whether the tribe will be permitted to conduct casino gaming on a scale equivalent to that found in Atlantic City or whether it must conform to the limited scope that applies to other entities within the state.

The plain language of the IGRA supports the position that procedures prescribed by the Secretary must conform to relevant state law. Additional factors, discussed below, also support the contention that a full scale commercial casino is not an equitable result of the issues decided by the courts.

A Decision to Permit the Tribe to Operate a Commercial Casino Would Set a Bad National Precedent

The situation in Connecticut has come about primarily because state officials initially believed they were under no obligation to negotiate terms for a commercial casino because that activity is criminally prohibited in the state. The proposed compact submitted by the state to the court-appointed mediator was submitted under duress of a court order. While the state's responses to the original request by the tribe and the subsequent court order may have been inappropriate, state officials still hold the fundamental belief that commercial casinos violate Connecticut public policy and the intent of Congress to create a level playing field for Indian tribes.

A decision by the Secretary to permit the tribe to operate a commercial casino would encourage tribes in other states to demand similar treatment. Tribes in at least seven states have already filed suit alleging bad faith by states that are trying to enforce their public policies on gaming. The number of complaints involving this issue would no doubt increase dramatically if the Mashantucket Pequot tribe prevails. State attorneys general are on record stating their serious concerns over such an outcome. (See attachments.)

Tribes Already Enjoy a Significant Economic Advantage

Tribes have argued that the primary purpose of the IGRA is to provide economic opportunity to Indian tribes. A survey of Indian bingo activities prepared by the Bureau of Indian Affairs in 1987 indicates that the Mashantucket Pequot tribe, population 344, grosses \$10,000,000 annually from its bingo operation alone. The

special exemption tribes received to conduct bingo games under IGRA offers a substantial economic advantage unavailable to non-Indian organizations. For instance, the state of Connecticut reports that 334 state-licensed organizations, which are limited by state law to bingo jackpots of \$500, grossed less than \$20 million in the first three quarters of fiscal year 1990.

Numerous Commercial Gaming Opportunities
Are Available to the Tribe

Connecticut law permits several types of commercial gaming, including lotteries, greyhound racing, jai alai, harness racing, thoroughbred racing, and off-track betting. The Mashantucket Pequot tribe, under the IGRA, is entitled to offer any of these types of gaming under conditions similar to those prescribed for non-Indian entities. The tribe, however, desires to open a \$55 million commercial casino which would be open year-round and would generate an estimated \$50 million annually. (See attached articles.) It is significant that Connecticut legislators have expressly rejected commercial casino gaming several times in the past. While the state does permit charitable casino gaming, its social and law enforcement consequences are minimal. Twenty-one charitable organizations, which are permitted to conduct "Las Vegas nights" a maximum of four times a year and are limited to non-cash prizes, grossed less than \$250,000 in 1990.

In summary, it is clear that, despite the regrettable course of events in Connecticut, the ultimate intent of Congress was not to permit full scale commercial casino gaming in states where only limited charitable casino gaming is permitted. The real intent of the IGRA was two-fold: (1) to carve out an exception which permits tribes to conduct bingo and certain card games outside of state regulatory restrictions; and (2) to guarantee tribes the right to conduct other types of gaming on a basis equivalent to that permitted elsewhere in the state. The procedures prescribed by the Secretary in the Mashantucket Pequot case should reflect that intent.

NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

Adopted

**Spring Meeting
March 10-12, 1991
Washington, D.C.**

IV

RESOLUTION

THE CRITICAL ROLE OF THE STATES IN THE REGULATION AND CONTROL OF GAMING IN INDIAN COUNTRY

WHEREAS, on October 18, 1988, the Congress of the United States enacted the Indian Gaming Regulatory Act in response to the growing controversy surrounding the conduct and regulation of gaming within Indian country; and

WHEREAS, the congressional purposes of the Indian Gaming Regulatory Act of 1988 are to provide a statutory basis for the regulation of gaming in Indian country, and to further the operation of gaming by Indian tribes as a means of promoting tribal economic development; and

WHEREAS, the Indian Gaming Regulatory Act of 1988 specifically provides that Class III Gaming — namely high stakes gaming activities such as lotteries, banking card games, gaming devices and pari-mutuel wagering — may be conducted on Indian lands only if in conformance with a Tribal-State compact entered into by the Indian tribe and the affected State; and

WHEREAS, the legalization and regulation of gambling within the several States has long been recognized as a matter within the exclusive province and expertise of the States under the police powers of the individual sovereign States in establishing public policy; and

WHEREAS, with the exception of the states of Hawaii and Utah, every state in the United States of America has legalized and regulates some form of charitable or commercial gaming for the purpose of generating funds to either support public purposes and projects or aid nonprofit and charitable institutions which is necessary, in part because of reduction in federal revenue sharing and domestic programs; and

WHEREAS, the Indian Gaming Regulatory Act of 1988 and other federal statutes explicitly provide that the laws and, therefore, the public policy of the several States respecting gambling must be recognized in the federal authorization of and the tribal operation of Class III gaming establishments in Indian country; and

WHEREAS, the objective of the Congress in enacting the Indian Gaming Regulatory Act of 1988 to reduce the conflict between Indian tribes and the States has not been accomplished;

NOW, THEREFORE, the National Association of Attorneys General does resolve as follows:

- 1) That the Secretary of the U.S. Dept. of the Interior exercise his authority over the Department and the National Indian Gaming Commission (the "Commission") and direct them to consult with the Governors and Attorneys General of the several states concerning the laws and public policy of the respective States on charitable and commercial gaming with the specific objective of ensuring that state laws and policies are fully considered in accordance with the requirements of the Indian Gaming Regulatory Act;
- 2) That to the extent the Secretary is required to exercise his authority to prescribe procedures for a Class III gaming operation in Indian country because of the inability of a tribal government and a State government to successfully negotiate a compact, he consult with the Attorney General of the affected State to ascertain the laws and public policy of that State in order to ensure that the procedures developed for Indian gaming take into account the laws and public policy of the state to the extent required by the Indian Gaming Regulatory Act;
- 3) That the Secretary should acquire and commit the resources needed to complete the formation of the Commission and that the Commission should commence rulemaking to resolve the numerous problematic aspects of implementing the Indian Gaming Regulatory Act of 1988;
- 4) That the president of the National Association of Attorneys General form a working group consisting of three Attorneys General or more to direct staff in monitoring developments on the subject of the regulation and control of gaming in Indian country and in preparing a study of and recommendations for the resolution of problems arising from the implementation of the Indian Gaming Regulatory Act of 1988. The working group is directed to enlist the assistance and participation of the National Governors' Association, the National Association of Sheriffs and Police Chiefs and similar associations in a coalition of State, county and local government officials in the preparation of the study and recommendations;
- 5) That the Executive Director is further instructed to communicate the views of the National Association of Attorneys General expressed in this resolution by transmitting a copy of this resolution to the Honorable Manuel Lujan and the Honorable Anthony Hope and such other persons and entities as the Association shall deem appropriate.

CONFERENCE OF WESTERN ATTORNEYS GENERAL

121 SECOND STREET 4TH FLOOR SAN FRANCISCO, CALIFORNIA 94105 TELEPHONE 415 974-4432

March 12, 1991

Honorable John Schrote
Assistant Secretary of the Interior
1849 C Street NW
Room 6117
Washington, DC 20240

Dear John:

Thank you for taking the time to meet with me and my colleagues from Connecticut, Idaho, Nevada, New Mexico, Oregon and Wisconsin.

Our concerns about the interpretation and implementation of the IGRA are shared by every Attorney General, and the potential impact of Secretary Lujan's actions in the controversy between Connecticut and the Mashantucket Pequot tribe will establish a precedent for all of the nation.

As Dave Frohnmayer mentioned, the relations between tribes and states have, in most cases, steadily improved in recent years. We are anxious to see such progress continue, but we feel that certain developments in the evolution of gaming on Indian lands could impede further breakthroughs in state-tribal relations.

When it comes to negotiating Class III gaming compacts, the Indian Gaming Regulatory Act does not specify how far a state or a tribe should go as each tries to address its public policy issues. Clearly, differences arise when a tribe attempts to maximize economic development and a state attempts to minimize the potential for criminal activity.

We view the IGRA as a declaration by Congress that tribes should enjoy every opportunity to raise revenues through commercial gaming in the same manner as that permitted for other residents of a state. Further, Congress expressly permits Indian tribes to conduct high stakes bingo without regard to state regulations. That approach seems to be a fair balancing of public policy concerns raised by both sides.

The problem which has arisen in Connecticut and several other states is the potential that tribes will be permitted to conduct high stakes casino gaming in contravention of state public policy. If that becomes a reality, many states will be forced to deal with major law enforcement issues they are not currently equipped to handle.

WESTERN STATES

ALASKA

ARIZONA

CALIFORNIA

CONNECTICUT

IDAHO

NEVADA

NEW MEXICO

OREGON

NEW MEXICO

NORTH DAKOTA

RENO

SOUTH DAKOTA

UTAH

VERMONT

WISCONSIN

PACIFIC ISLANDS

AMERICAN SAMOA

COMMONWEALTH OF THE
NORTHERN MARIANA
ISLANDS

GUAM

HONORARY MEMBER

PROVINCE OF
BRITISH COLUMBIA

AFFILIATED WITH
THE COUNCIL OF STATE
GOVERNMENTS

Page 2

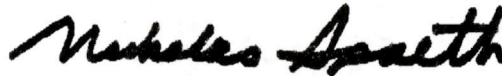
A Secretarial decision which would allow the Mashantucket Pequot tribe to open a full-scale commercial casino in a state that only permits limited charitable gaming would set a terrible precedent. States which have thus far negotiated with tribes in good faith would have a much more difficult time concluding compacts which would place reasonable limits on tribal operations.

Any attempt to limit casino operations to the scope of that permitted under state law would likely be met with litigation in hopes of achieving better results from a mediator or the Secretary of the Interior. Should the Secretary decide to impose procedures for the regulation of casino gaming that greatly exceed state law, he could find himself in the unwanted position of becoming the final arbiter for Class III gaming by every tribe in every state.

We recognize the desire of Indian tribes to promote economic development on their reservations and we are committed to doing everything possible to assist in that effort. But our first obligation is to ensure the public safety within our state borders. Our job will become dramatically more difficult with the introduction of commercial casino gaming at levels which far exceed that permitted under current state law.

The long term implications of the Secretary's pending decision are enormous. We would appreciate the opportunity to discuss our concerns in more detail with you and Secretary Lujan in the near future. Once again, thank you for your interest and support.

Sincerely,



Nicholas Speath
Attorney General of South Dakota

Pequot tribe secures \$55 million advance to build casino, hall

LEDYARD (AP) — An Indian tribe has secured \$55.5 million in financing from a Malaysian company to build a casino and expand its high-stakes bingo hall, the tribe's attorney said.

The Mashantucket Pequot tribe has already received about \$7 million of the loan from the Kien Huat Realty Ltd., whose parent company operates a number of casinos and hotels around the world.

Release of additional funds is contingent on the tribe winning its final legal battle with Connecticut to build and operate the casino, Barry A. Margolin, the tribe's attorney, said Wednesday.

In terms of the number of gaming activities it would offer, the proposed casino — which the tribe hopes to have open by this October — would be the largest Indian-run gambling operation in the nation. The tribe has said it would offer poker, blackjack, craps, roulette and baccarat.

Ledyard is only about an hour's drive from New Haven, Hartford and Providence, R.I., and about an hour-and-a-half from Boston.

Connecticut, which has twice

argued unsuccessfully in federal courts that the Indians have no right to conduct such gaming activities, has appealed to the U.S. Supreme Court. But the case is thought to have little chance of being accepted for consideration.

The high court in January asked Justice Department lawyers for their views of rulings that forced Connecticut to negotiate with the tribe over the planned casino and to reach an agreement on the scope of its operations.

The court is expected to announce next month or in early May whether it will grant full review to Connecticut's appeal. Margolin said it was very likely the court would turn the case down.

The tribe has budgeted about \$44 million for construction of the casino, the expansion of its bingo hall, and related improvements that will benefit both operations, Margolin said.

A larger loan commitment was sought in case there are cost overruns and the tribe ends up getting permission to offer additional activities.

Bristol Press 3/21/91

Tribe shows hand as casino seems sure bet

By JON LENDER
Courant Staff Writer

LEDYARD — As casinos go, this one is being called a "boutique," if you can imagine a boutique with an indoor waterfall.

The Mashantucket Pequot Indians' casino would be much smaller and more tasteful than the gambling palaces on the Boardwalk in Atlantic City, say members of the tribe and their casino consultants.

Its emphasis, they say, would be nature instead of glitz — harmony with the natural beauty outside, instead of the clash of neon and light along the strip.

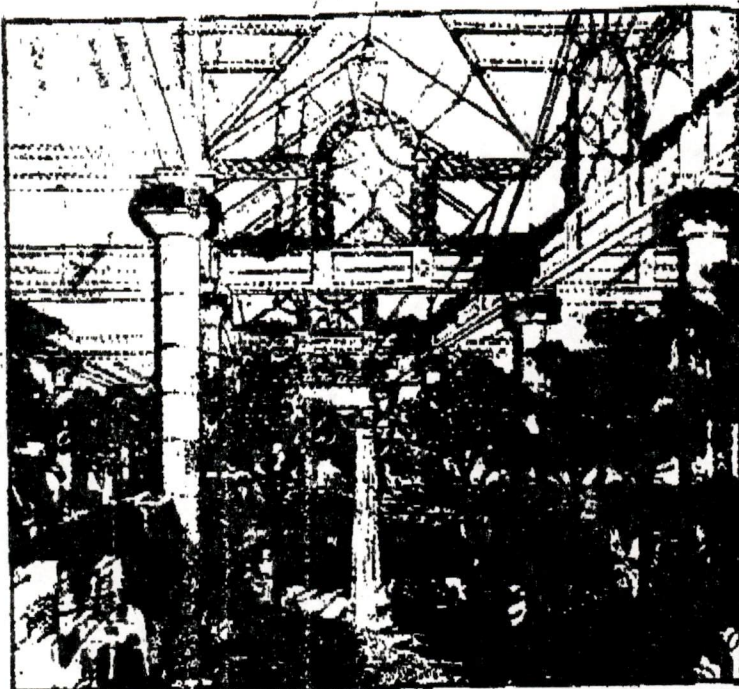
Don't misunderstand: We're still talking glass and steel here, but the Indians pledge to use restraint.

They say that the casino is only one part of a plan to develop their land, a plan that includes a golf course and a museum and research center on American Indian history.

The Pequots have been revealing more about their plans lately as their hoped-for opening date of Oct. 1 comes into sight and as, by most accounts, the state's prospects of blocking the casino fade.

The state attorney general's office has asked the U.S. Supreme Court to reverse lower court rulings that the tribe has the right to run a casino. But even state officials express doubt that the Supreme Court will hear the case.

The Pequots say the casino would bring hundreds of millions of dollars to the region's economy by employing more than 1,200 local people, purchasing goods and services, and attracting tourists.



■ The proposed casino would have a central, glassed-in atrium about 30 feet high, with plantings and an indoor waterfall to reflect the natural environment of the reservation, say members of the tribe and casino consultants.

They say things would be different from Atlantic City, where huge casino-hotels have largely failed to benefit the surrounding area. "What hasn't happened is the real story" in New Jersey, said Al Luciani, consultant to the Ledyard tribe.

Luciani, a lawyer, was an executive for three casinos after helping

to draft New Jersey's Casino Control Act as a member of that state attorney general's office. He will be hired to run the Indians' gaming operation if the casino opens.

Last week, the tribe and its planners briefed state legislators on their plans, and they provided additional details in recent days. Here is some of what they have said:

- The facility would have a one-story, 40,000-square-foot game room — compared with the 60,000 to 120,000-square-foot gaming areas of Atlantic City casinos. Also restaurant, lounge, lobby and atrium areas would connect both to the new casino and to the existing bingo room, which also would be expanded. Large windows would provide views of the outside, even from the casino area.

- There would be no large room for musical shows, but there could be some outdoor concerts.

- The casino would operate seven days a week, from late morning until sometime in the wee hour after midnight. Five hundred to 1,000 customers would be expected at any time.

- It would not have a hotel, at least not at the beginning. The means overnight customers would use the 3,130 rooms at 63 hotels in New London County, where the average occupancy rate now is 5 percent.

- Its annual gross revenue from "table games" in the casino — including blackjack, dice and roulette — is projected at \$50 million. In addition, there would be \$3 million in gross revenue from other sources such as food, beverages, possible off-track betting operation and video bingo games. Video bingo machines would be used as a first as opposed to more-lucrative video slot machines; the tribe says it is entitled to use the video slot machines but has agreed — only temporarily — not to press for

Please see Tribe, Page D

Tribe showing its hand as plans for casino appear to be a sure bet

Continued from Connecticut Page

them.

- Of the total \$80 million in gross revenue — which Luciani said is less than half that of New Jersey's smallest casino and barely more than one-tenth of the largest — about \$35 million would pay employees' salaries and \$25 million would purchase other goods and services.

- Of the remaining \$20 million in gross revenue, part would go toward repaying the debt incurred in building the casino, which Luciani said has not been determined. He would not estimate the debt service or the tribe's annual profit.

- Training for casino jobs would begin around June. Roughly 600 of the jobs would be directly involved in casino games. Another 100 to 150 jobs would involve food or beverages. There would be about 30 accounting-related jobs.

- Under a "compact" that the state was ordered to negotiate with the Indians, all executives and employees of the casino would be licensed by the state Division of Special Revenue after checking their backgrounds for criminal records or associations. Any company doing more than \$50,000 worth of business with the casino every two years would also have to be licensed.

Hartford Courant
2-11-91

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ALL HAVE TREATIES $\equiv$ OBLIGATIONS

**BRIEFING PAPER
TO PRESIDENT BUSH
FROM THE NATIONAL INDIAN TRIBAL LEADERS FORUM**

We very much appreciate this historic opportunity to meet with you today and to discuss the relationship between the United States and tribal governments.

Critical Issues in Federal Indian Policy

Tribal Sovereignty and the Government-to-Government Relationship: Indian tribes, along with the United States and the states, are one of three sources of sovereignty within the United States of America. Tribal governments have exercised sovereignty since time immemorial. Two centuries of treaties, executive action, legislation, and supreme court opinions have recognized tribes as sovereigns. Today, tribes enact laws, administer them, and adjudicate disputes in tribal courts. Every president from Nixon to Reagan has issued a formal statement recognizing the government-to-government relationship between the United States and Indian tribes.

Trust Relationship and Federal Expenditures: The United States has a well-established special trust obligation to American Indians. When treaties were negotiated, the United States promised Indian tribes that the federal government would meet the special needs of Indian people. Today, special federal programs for education, health, housing, and economic development remain seriously underfunded and are inadequate to address pressing needs in Indian country.

Culture and Religion: The vibrant and diverse cultures and religions of Indian people are flourishing. Our traditions -- including our reverence for the land and the extended family -- are the indispensable underpinning for tribal policy.

Sustainable Homelands: Our ultimate goal is that our reservations will be prosperous, self-sustaining, permanent homelands in which strong and creative tribal governments preserve the old ways and adopt new ones, including the tools of modern technology, when consistent with our traditions and our love and respect for the land.

Requests Relating to this Meeting

We respectfully request that the President take the following preliminary actions in order to further the goal of fulfilling the special government-to-government relationship between the federal government and American Indian tribes:

1. The President should issue a formal statement acknowledging and supporting the government-to-government relationship between the United States and Indian tribes;
2. The President should designate a senior staff member in the White House to serve as liaison with Indian tribes; and
3. The designated liaison person within the White House should promptly begin discussions with Indian leaders on the issue of how best to institutionalize, within the White House, a mechanism for carrying out the government-to-government relationship.

SIGNATORIES

We sign this statement on behalf of 200 Indian leaders meeting in Washington, D.C. in Room 216 of the Senate Hart Office Building at a National Indian Tribal Leaders Forum conducted from April 15 through April 17, 1991:

DELBERT FRANK, President
Affiliated Tribes of N.W. Indians

EDWARD K. THOMAS, President
Tlingit & Haida Tribes of Alaska

JACOB VIARRIAL, Governor
Pojoaque Pueblo

PETERSON ZAH, President
Navajo Tribe

WILMA MANKILLER, Principal Chief
Cherokee Nation of Oklahoma

NORA GARCIA, Chairperson
Ft. Mohave Indian Reservation

RUSSELL HAWKINS, Chairman
Sisseton-Wahpeton Sioux Tribe

LIONEL BORDEAUX, President
Sinte Gleska College

EDDIE L. TULLIS, Chairman
Poarch Creek Indian Reservation

WAYNE DUCHENEAUX, Pres.
Nat'l Congress of Am. Indians

PHILLIP MARTIN, Chief
Mississippi Band of Choctaw Inds.

EARL OLD PERSON, Chief & Chmn.
Blackfeet Indian Reservation

LARRY NUCKOLLS, Governor
Absentee-Shawnee Tr. of Oklahoma

GLEN MILLER, Chairman
Menominee Indian Reservation

ELBRIDGE COOCHISE, President
Nat'l Amer. Ind. Ct Judges Assoc.

OREN LYONS, Chief
Onondaga Nation, Iroquois Confed.

JERRY G. HANEY, Chief
Seminole Nation of Oklahoma

DATED: April 17, 1991

THE WHITE HOUSE

WASHINGTON

BRIEFING MEMORANDUM FOR MEETING WITH TRIBAL CHAIRMEN

DATE: WEDNESDAY, APRIL 17, 1991
TIME: 9:15 a.m.
LOCATION: THE ROOSEVELT ROOM
THROUGH: DAVID F. DEMAREST JR.
ASSISTANT TO THE PRESIDENT
FOR COMMUNICATIONS
FROM: DEBRA ANDERSON
DEPUTY ASSISTANT TO THE PRESIDENT AND
DIRECTOR OF INTERGOVERNMENTAL AFFAIRS

I. PURPOSE:

The tribal chairmen's concern is the erosion of tribal sovereignty. They feel the U.S. courts have been gradually diluting their sovereign rights. Senator Inouye is addressing this problem through legislation.

II. BACKGROUND:

Senator Daniel K. Inouye (D-HI) requested a brief meeting with a representative group from amongst the 200 tribal chairmen meeting today on Capitol Hill. The theme of the National Tribal Leaders Forum is "Seizing the Initiative: Indian Tribes and a National Legislative Agenda for the 1990's."

III. PARTICIPANTS:

The President
Governor Sununu
Senator Daniel K. Inouye
Senator John McCain
Representative Ben Nighthorse Campbell
Tribal Delegation (see attached list)
Debra Anderson
Jim Dyer
Mary McClure

IV. PRESS PLAN:

White House Photographer

V. SEQUENCE OF EVENTS:

You enter the Roosevelt Room.
You make informal remarks.
You participate in a photo-op.
You leave the Roosevelt Room.

VI. REMARKS:

Talking points provided by Intergovernmental Affairs.

Tribal Delegation

The Honorable Delbert Frank
President, Affiliated Tribes of Northwest Indians (OR)

The Honorable Edward K. Thomas
President, Central Council of Tlingit & Haida Tribes of Alaska
(AK)

The Honorable Jacob Viarrial
Governor, Pojoaque Pueblo (NM)

The Honorable Peterson Zah
President, Navajo Tribe (AZ, NM, CO, UT)

The Honorable Wilma Mankiller
Principal Chief, Cherokee Nation of Oklahoma (OK)

The Honorable Nora Garcia
Chairperson, Fort Mohave Indian Reservation (AZ)

The Honorable Russell Hawkins
Chairman, Sisseton-Wahpeton Sioux Tribal Council (SD)

The Honorable Lionel Bordeaux
President, Sinte Gleska College (SD)

The Honorable Eddie L. Tullis
Chairman, Poarch Creek Indian Reservation (AL)

The Honorable Wayne Ducheneaux
President, National Congress of American Indians (SD)

The Honorable Phillip Martin
Chief, Choctaw Band of Mississippi (MS)

The Honorable Earl Old Person
Chief & Chairman, Blackfeet Indian Reservation (MT)

The Honorable Larry Nuckolls
Governor, Absentee Shawnee Tribe (OK)

The Honorable Glen Miller
Chairman, Menominee Indian Reservation (WI)

The Honorable Elbridge Coochise
President, National American Indian Court (WA)

The Honorable Oren Lyons
Chief, Onondaga Nation, Iroquois Confederacy (NY)

The Honorable Jerry G. Haney
Chief, Seminole Nation of Oklahoma (OK)

- GOOD MORNING. I UNDERSTAND YOU'RE ALL PARTICIPATING IN AN EXCELLENT FORUM IN THE HART BUILDING THIS WEEK. I KNOW THAT SECRETARY LUJAN AND SOME OF OUR CABINET ARE MEETING WITH YOU UP THERE THIS MORNING.
- SENATOR INOUE TELLS ME YOU'RE UNDERTAKING A JOINT EFFORT TO BUILD A NATIONAL CONSENSUS ON INDIAN ISSUES. YOU ARE TO BE COMMENDED IN THIS EFFORT, AND I WISH YOU EVERY SUCCESS.

- AS YOU KNOW, I WAS VICE PRESIDENT WHEN PRESIDENT REAGAN ANNOUNCED THE POLICY OF WORKING WITH TRIBES ON A GOVERNMENT-TO-GOVERNMENT BASIS. I WANT YOU TO KNOW THAT POLICY STILL STANDS IN THIS ADMINISTRATION.
- I'M GLAD YOU COULD COME OVER FOR THIS BRIEF MEETING TODAY--AND NOW I GUESS WE'RE GOING TO GET A CHANCE TO TAKE SOME PICTURES.