

NLWJC - Kagan

DPC - Box 046 - Folder 005

**Tobacco-Settlement: Legislative
Outreach [1]**

Tob - sec - legis sub each
and
health patients bill of rights

July 13, 1998

LUNCHEON WITH SENATOR DASCHLE AND REPRESENTATIVE GEPHARDT

DATE: Monday, July 13
LOCATION: Oval Office
TIME: 12:45 p.m.
FROM: Larry Stein
Gene Sperling
Jack Lew
Bruce Reed

I. PURPOSE

To discuss the upcoming legislative activity in the remaining weeks of the 105th Congress.

II. BACKGROUND

Given the 25-35 days remaining before adjournment, a significant block of large bills will be compressed into a short, highly partisan, pre-election time frame. The major issues -- Patients' Bill of Rights, what is left of tobacco, appropriations and taxes -- will all ripen in September. Daschle and Gephardt will therefore come to the meeting with elections on their minds. Given the pre-determined outcome in the Senate, the governing question is who will control the House. Gephardt's refrain will be "keep the bar high." Following are topics that will definitely come up.

Patients' Bill of Rights

Senator Lott and Senator Daschle are apparently about to reach an agreement to bring up the Patients' Bill of Rights for a Senate floor vote immediately after the Senate completes activity on the Agriculture Appropriations bill. To start this debate, Lott will offer the legislation that is currently being drafted by the Senate Republican Health Task Force headed by Senator Nickles. This legislative approach apparently largely reflects the House Republican proposal, but could have less patient protections and may not include medical malpractice provisions. The fact that Senator Nickles has shifted from a 'no bill' strategy to a relatively substantive quality standards bill underscores how much the political ground has shifted. However, as you know, we have consistently stated that the Republican proposal has inadequate patient protections and contains many poison pills

(malpractice caps, multiple employer welfare associations, medical savings accounts).

Later this week, probably Thursday, the Congressional Budget Office will likely release the cost estimates on the Dingell-Kennedy-Ganske legislation. They will estimate increases of about 4 percent, or approximately \$7 per month in premiums, although the Democrats will point out that employers pay the majority of these costs and therefore individuals would only pay about \$2 per month. As you know, we are planning roll out strategy to say that the benefits of any such legislation are more than worth the modest costs. To that end, we are planning an event with the Democrats next Thursday. You are also tentatively scheduled to lead a round table with the American Medical Association on the Patients' Bill of Rights on Wednesday to increase your visibility on this issue.

The Democratic Leadership will be seeking assurances that we will send a consistent clear message that we insist on a strong, enforceable Patients' Bill of Rights. We recommend that you address their concerns and explicitly outline your position that the current Republican protections are totally inadequate and their enforcement mechanism appears to be too weak. We would recommend that you not specifically address an alternative enforcement or remedies option. You should, however, highlight that you agree it will be extremely difficult to envision passing state-enforced remedies because of the opposition by labor, business, and insurers.

Taxes

The Republicans, under pressure from their conservative base, are determined to pass a big election year tax cut. The likely base tax cut would be marriage penalty relief. The difficulty they face is how to pay for such a tax cut. To the extent that gimmicks, such as dynamic scoring of capital gains taxes, fall short, they are likely to go after the surplus. Less likely, but possible, would be significant cuts in Medicaid and other entitlements. The Republicans will probably pass a bare bones budget resolution for the sole purpose of producing a reconciliation tax cut bill in September. The value of reconciliation is that it cannot be filibustered in the Senate.

We have indications that the Democratic Hill leadership would like our help putting together a possible Democratic alternative, which would be fully paid for. In your conversation, it would be good to recognize the political pressure they face, especially on the marriage penalty, and to express your willingness to help them come up with an alternative tax cut that they could support, while strengthening their resolve to continue to advance "Saving Social Security First."

We would envision marriage penalty relief being a key component of any alternative, along with other priorities, such as your school construction tax cuts and the extension of the research and experimentation tax credit. Additionally, such an alternative could provide an opportunity to advance a long-term care tax cut, which would be a big positive for us and for them.

The big issue, as it is for Republicans, is how an alternative would be paid for. Our budget includes a series of corporate tax changes that would raise about \$23 billion over five years. Reinstating a couple of Superfund taxes would bring this total up to about \$30 billion. The problem one inevitably runs into in using our offsets to pay for a Democratic alternative tax cut is that each individual revenue raiser ends up having a group of Members who oppose it. If the past is any guide, a quick vetting would likely shrink the potential list of offsets dramatically -- though there are some foreign tax raisers, which we oppose, that Democrats could include in an alternative. Yet you should recognize that even if the \$30 billion proves acceptable, it is unlikely to be enough for Democrats to feel they have a politically viable alternative.

For all of these reasons, the major issue that we and Congressional Democrats face is whether or not to use a tobacco tax increase to pay for new targeted tax cuts. Given the shifting dynamics, and with a possible state tobacco settlement moving forward, tobacco receipts are a promising option. It could provide the resources to support a significant Democratic alternative tax cut. For example, a 50 cent per pack increase would raise \$35-40 billion over five years to support a marriage penalty tax cut, while still including a new long-term care tax cut, your school construction tax cut and other priorities. Both parties would be for marriage penalty relief and other tax cuts. We would be raising tobacco prices to discourage smoking and they instead would be draining the surplus that should be reserved for Social Security -- a strong hand for us.

Agriculture:

Senator Daschle may raise in the meeting his concerns with the state of the agricultural economy, especially in the Upper Midwest. In particular, he is concerned about the combination of repeated natural disasters and lower crop prices that is now affecting the region. Wheat prices are down 25 percent from last year and declined 10 percent over the last two months, due largely to greater domestic supplies on top of high beginning stocks and lower exports of wheat than in 1997. The Dakotas have endured several consecutive years of bad weather as well as wheat scab disease that has reduced wheat yields. Senator Daschle has cited the sharply lower net farm income of Northern Plains farmers and the higher number of farmers leaving farming.

To address this situation, Senator Daschle is promoting a revision to the 1996 Farm Bill to lift the cap on commodity loan rates. Farmers take out nine-month commodity loans from USDA generally around harvest time, to allow them to avoid selling their crops when prices typically are lowest (at harvest time). The "loan rate" is a price per bushel of commodity farmers put up as collateral for the loan. If market prices are above the loan rate, farmers repay the loans at face value when they sell their commodities; if market prices are below the loan rate, farmers repay the loans at the lower market prices and the Federal government pays the difference.

An Administration team of White House offices and USDA is working through a number of options, including reviewing Senator Daschle's loan rate proposal. The team has serious concerns with lifting the cap on loan rates because of both its cost and policy implications. The proposal would increase the cost of commodity loans from an estimated \$150 million under current law to \$1.9 billion in FY 1999. On policy grounds, it would represent intervention in the free market's operations by directly affecting market prices and by ultimately inviting Federal production controls in order to temper budget costs. The proposal has the strong support of Democrats from the Upper Midwest, but many other Democrats and most Republicans would oppose it as too far-reaching a change to the 1996 Farm Bill for this localized a problem.

The Administration team is considering targeted solutions to address Senator Daschle's concerns. These options would build on existing farm risk mitigation and disaster programs, be responsive to the parts of the country experiencing the most difficulty, and would have a "disaster" orientation that could be designated as "emergency" actions not subject to the budget spending caps.

You will be meeting again with Senator Daschle and other Senators and House Members on agricultural issues on Wednesday. At that time, you will have the opportunity to explore these issues and proposals in more depth.

Appropriations:

We have raised serious objections to a number of House and Senate appropriations bills based on inadequate aggregate funding levels, specific cuts in important priority programs, and numerous legislative riders. The Interior, Labor/HHS/Education, and Commerce/Justice/State Appropriations bills are the most contentious -- both in terms of funding levels and riders. We anticipate that there will be substantial conflict over at least these bills until September or October. In addition, the House and Senate allocations for the Foreign Operations bill are \$300 million below 1998 and \$1 billion below your request

for these activities. While the public fight is likely to focus on domestic issues like education and the environment, we will also need to include Foreign Operations in a year-end negotiation.

Our appropriations strategy has been to defend the budget request fully, emphasizing education and environmental initiatives, while resisting offensive policy changes such as the effort to prohibit the use of sampling in the decennial census. We need support from the Democratic leadership for the strategy of hanging tough until the end of the session to apply maximum leverage for negotiations in September. To make these negotiations successful, we will need Congress to approve the emergency designations for the year 2000 computer conversion fund and Bosnia, and adopt a package of offsets to finance your priorities.

Tobacco:

Next week, the state attorneys general will meet to consider a possible new agreement between the states and the tobacco industry. The industry is interested in a new "state-only" deal that would give the states the \$200 billion over 25 years they negotiated last year in return for settling the state cases. No federal or state legislation would be required. The deal would produce a price increase of 30-35 cents per pack, but would not say anything about FDA authority, farmers, lookback surcharges, or federal investments in research, counteradvertising, cessation and so on (although states would have substantial funds to invest in counteradvertising, tobacco education and prevention, etc.). The industry would agree to the advertising restrictions from the Minnesota settlement (no billboards, no promotional products, no film placements). Apart from settling the state cases, the industry would receive none of the liability protections of the June 20th agreement.

If such a deal materializes, we believe we should 1) embrace it, and try to bring the attorneys general to the White House to announce it; and 2) challenge Congress to finish the job by passing a streamlined bill that includes a smaller (e.g. 50-cent) tax increase to pay for targeted tax cuts (marriage penalty, long-term care), along with FDA authority, counteradvertising, and lookback surcharges. We'll still need to figure out what to do about farmers (paid for by the industry) and whether we can persuade the states to use a portion of their settlement for tobacco control, children's health, and/or child care. The state-only deal may take some pressure off Hill Republicans on tobacco (although it's not clear they were feeling much pressure anyway). But they remain under intense pressure to find revenue for a tax cut, and they can hardly sustain the argument that it's better to use Social Security and the surplus than tax tobacco.

In the Senate, Senators Conrad and Kerry have developed a streamlined bill that would settle the state cases in return for a 75-cent price increase (with another 50-cent increase in five years if teen smoking is not cut in half), FDA authority, warning labels, and other public health provisions, but no new federal programs. Three-quarters of the money would go to the states, which would have to spend one-third on tobacco control and one-third on our menu, with one-third unrestricted. The rest of the money would go for a marriage penalty tax cut. The industry would be required to pay for Ford's tobacco farmer program over the next ten years. Conrad and Kerry have approached Domenici and Gorton: Domenici does not seem very interested in a comprehensive bill, even at 75 cents, and Gorton raised concerns about the FDA authority and the proposal's lack of attorneys' fees limitation (a state-only settlement would diminish Gorton's interest as well). On Monday, when the Agriculture Appropriations bill is brought to the Senate floor, Daschle will have the opportunity to modify the tobacco amendment he already has on the bill to embody either the Kerry/Conrad approach or else a stripped down McCain that doesn't spend money and therefore has no point of order against it.

In the House, we can expect Representative Pryce to unveil the Republican Leadership's tobacco legislation any time after the House returns from recess. Although we have not yet seen the legislative language, we are preparing to say that it will not save lives because it lacks a significant price increase and contains weak advertising restrictions (OMB and Treasury are preparing draft estimates based on likely scenarios). You have, of course, stated you would sign the Hansen-Meehan-Waxman bill if provisions were added to protect farmers, and have called upon the House Leadership to take up that bill.

III. PARTICIPANTS

Pre-Brief
President
Vice President
Erskine Bowles
John Podesta
Larry Stein
Rahm Emanuel
Gene Sperling
Jack Lew
Bruce Reed
Ron Klain

Luncheon

President

Vice President

Erskine Bowles

Senator Thomas A. Daschle (D-SD)

Representative Richard A. Gephardt (D-MO)

IV. PRESS PLAN

Closed Press.

V. SEQUENCE OF EVENTS

As usual.

VI. REMARKS

None.

VII. ATTACHMENTS

Political Affairs will provide an additional memo on the Unity Events.

Selected Tobacco Votes, S 1415

	1	2	3	4	5	6	7	8	9	Comments
Description	Table Kennedy	Table Gregg	Table Durbin	Coverdell	Table Gramm	Table Kerry	Table Reed	Cloture	Waive Budget Act	
Senator										
Abraham	Y	N	N	Y	N	N	Y	Y	N	
Bennett	Y	Y	N	Y	N	N	Y	Y	Y	
Bond	Y	N	N	Y	N	N	Y	N	N	
Brownback	Y	N	N	Y	N	Y	Y	N	N	
Campbell	Y	N	Y	Y	N	N	Y	N	N	
Chafee	N	Y	N	N	Y	N	N	Y	Y	
Collins	Y	N	N	Y	Y	N	N	Y	Y	
D'Amato	N	N	N	Y	N	N	N	Y	Y	
DeWine	Y	Y	N	Y	N	Y	N	Y	Y	
Domenici	Y	N	N	Y	N	N	Y	N	N	
Frist	Y	Y	Y	Y	N	Y	Y	Y	N	
Gorton	Y	Y	Y	Y	N	Y	Y	N	N	
Grassley	N	N	N	Y	N	N	Y	Y	Y	
Hagel	Y	N	Y	Y	N	Y	Y	N	N	
Hatch	Y	Y	+	Y	N	N	Y	N	N	
Jeffords	N	Y	N	N	Y	N	N	Y	Y	
Lugar	N	N	Y	Y	N	Y	Y	N	N	
Mack	Y	Y	Y	Y	Y	Y	Y	N	N	
McCain	Y	Y	Y	Y	N	N	Y	Y	Y	

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Tob - rec - left/Make outreach

TO

FROM DHS-OFFICE OF THE SECRET

14:16

JUL-01-1998

	1	2	3	4	5	6	7	8	9	Comments
Description	Table Kennedy	Table Gregg	Table Durbin	Coverdell	Table Gramm	Table Kerry	Table Reec	Closure	Waive Budget Act	
Senator										
Roberts	Y	N	N	Y	N	Y	Y	N	N	
Roth	Y	N	Y	Y	N	Y	N	Y	Y	
Smith, G.	N	N	N	Y	N	N	Y	Y	Y	
Snowe	N	N	N	Y	Y	N	N	Y	Y	
Specter	N	N	-	-	-	-	-	-	-	
Stevens	Y	Y	Y	Y	N	Y	Y	N	N	

Key:
 Y Yea
 N Nay
 + Annourced For
 - Did No: Vote

1 ** 1998 CQ SENATE VOTE 144 ** S1415. Tobacco Restrictions - Cigarette Taxes. McCain, R-Ariz., motion to table (kill) the Kennedy, D-Mass., amendment to the modified Senate Commerce Committee substitute amendment. The Kennedy amendment would replace language in the bill that would raise the federal cigarette fees by \$1.10 per pack with language to raise the fees by \$1.50 per pack. Motion agreed to 58-40: R 45-8; D 13-32 (ND 8-29, SD 5-3). May 20, 1998.
Item Key: 13347

2 ** 1998 CQ SENATE VOTE 145 ** S1415. Tobacco Restrictions - Tobacco Industry Liability. McCain, R-Ariz., motion to table (kill) the Gregg, R-N.H., amendment that would eliminate the bill's \$8 billion annual cap on legal damages that tobacco companies could be forced to pay. Motion rejected 37-61: R 17-37; D 20-24 (ND 14-22, SD 6-2). May 21, 1998. A "yea" was a vote in support of the president's position.
Item Key: 13356

3 ** 1998 CQ SENATE VOTE 149 ** S1415. Tobacco Restrictions - Look-Back Provisions. Lott, R-Miss., motion to table (kill) the Durbin, D-Ill., amendment to the Durbin amendment to the Gramm, R-Texas, motion to recommit the bill with instructions. The second-degree Durbin amendment, which is virtually identical to the underlying Durbin amendment, would toughen the bill's so-called look-back provisions, which would penalize the tobacco industry for failure to achieve targeted reductions in youth smoking. The amendment raises the underlying bill's 10-year reduction target from 60 percent to 67 percent and lifts the maximum annual penalties from \$4 billion to \$7 billion. Motion rejected 29-66: R 24-28; D 5-38 (ND 0-35, SD 5-3). June 04, 1998. (Subsequently, the second-degree Durbin amendment was adopted by voice vote.)
Item Key: 13383

4 ** 1998 CQ SENATE VOTE 151 ** S1415. Tobacco Restrictions - Drug Prevention. Coverdell, R-Ga., amendment to the Durbin, D-Ill., amendment to the Gramm, R-Texas, motion to recommit the bill with instructions. The Coverdell amendment would authorize \$16 billion over five years from the bill's tobacco revenues for drug prevention efforts. It would increase funding for border patrol, as well as anti-drug trafficking efforts of the FBI and the Drug Enforcement Administration, allow federal funds to be spent on school vouchers for public school children who have been victims of violent crimes on school property, ban federal funding for needle-exchange programs and encourage states to establish voluntary drug testing programs for all first-time individuals seeking a driver's license. Adopted 52-46: R 52-2; D 0-44 (ND 0-36, SD 0-8). June 09, 1998.

Item Key: 13394

5 ** 1998 CQ SENATE VOTE 154 ** S1415. Tobacco Restrictions - Marriage Penalty. Kerry, D-Mass., motion to table (kill) the Gramm, R-Texas, amendment to the Durbin, D-Ill., amendment to the Gramm motion to recommit the bill with instructions. The Gramm amendment would allow couples with combined incomes under \$50,000 a year to claim an additional \$3,300 income tax deduction, thus eliminating the so-called marriage penalty for those in that income bracket, at a cost of \$46 billion over 10 years. The amendment also would allow self-employed individuals to deduct the full cost of their health insurance on their income taxes. Motion rejected 48-50: R 5-49; D 43-1 (ND 36-0, SD 7-1). June 10, 1998. (Subsequently, the Gramm amendment was adopted by voice vote.)

Item Key: 13405

6 ** 1998 CQ SENATE VOTE 157 ** S1415. Tobacco Restrictions - Child Care Block Grants. McCain, R-Ariz., motion to table (kill) the Kerry, D-Mass., amendment to the Durbin, D-Ill., amendment to the Gramm, R-Texas, motion to recommit the bill with instructions. The Kerry amendment would require states to spend at least 50 percent of the restricted-use tobacco revenue, which is 50 percent of the money states would receive, on the child care and development block grant programs. Motion rejected 33-66: R 33-21; D 0-45 (ND 0-37, SD 0-8). June 11, 1998. (Subsequently, the Kerry amendment, after being modified, was adopted by voice vote.)

Item Key: 13418

7 ** 1998 CQ SENATE VOTE 159 ** S1415. Tobacco Restrictions - Advertising Tax Deductions. Gorton, R-Wash., motion to table (kill) the Reed, D-R.I., amendment to the Durbin, D-Ill., amendment to the Gramm, R-Texas, motion to recommit the bill with instructions. The Reed amendment would eliminate advertising tax deductions for those tobacco companies that the Food and Drug Administration determines are directing their advertisements at children. Motion rejected 47-47: R 43-9; D 4-38 (ND 2-32, SD 2-6). June 15, 1998.

Item Key: 13423

8 ** 1998 CQ SENATE VOTE 161 ** S1415. Tobacco Restrictions - Cloture. Motion to invoke cloture (thus limiting debate) on the modified Senate Commerce, Science and Transportation Committee substitute amendment to the bill to increase tobacco restrictions. The substitute would require the tobacco industry to pay \$516 billion over 25 years for anti-smoking, education and research programs, raise taxes on cigarettes by \$1.10 per pack over five years, grant authority to the Food and Drug Administration to regulate nicotine and impose penalties on the tobacco industry if youth smoking does not decrease by 60 percent over 10 years.

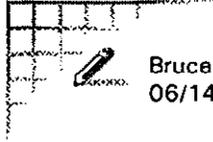
Motion rejected 57-42: R 14-40; D 43-2 (ND 37-0, SD 6-2). June 17, 1998. Three-fifths of the total Senate (60) is required to invoke cloture. A "yea" was a vote in support of the president's position.

Item Key: 13434

9 ** 1998 CQ SENATE VOTE 162 ** S1415. Tobacco Restrictions - Budget Act Waiver. Daschle, D-S.D., motion to waive the Budget Act with respect to the Stevens, R-Alaska, point of order against the bill to increase tobacco restrictions. The bill, as amended, would require the tobacco industry to pay \$516 billion over 25 years for anti-smoking, education and research programs, raise taxes on cigarettes by \$1.10 per pack over five years, grant authority to the Food and Drug Administration to regulate nicotine and impose penalties on the tobacco industry if youth smoking does not decrease by 60 percent over 10 years. Motion rejected 53-46: R 11-43; D 42 3 (ND 37-0, SD 5-3). June 17, 1998. A three-fifths majority vote (60) of the total Senate is required to waive the Budget Act. (Subsequently, the chair upheld the point of order, and the bill was returned to the Senate Commerce Committee.) A "yea" was a vote in support of the president's position.

Item Key: 13435

Tob-ssr-legis. outreach



Bruce N. Reed
06/14/98 05:05:00 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc: Elena Kagan/OPD/EOP
Subject: votes

(Rollcall Vote No. 158 Leg.)

June 11, 1998, 5:45 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2701

TITLE: Motion to Table Faircloth Amdt. No. 2701

REQUIRED FOR MAJORITY: 1/2

RESULT: Motion to Table Agreed to

YEAS---50

Akaka	Glenn	Mikulski
Baucus	Gorton	Moseley-Braun
Bennett	Graham	Moynihan
Biden	Harkin	Murray
Breaux	Hatch	Reed
Bryan	Hollings	Reid
Campbell	Inouye	Robb
Cleland	Jeffords	Rockefeller
Cochran	Johnson	Roth
Conrad	Kennedy	Sarbanes
D'Amato	Kerrey	Shelby
Daschle	Kerry	Smith (OR)
DeWine	Kohl	Thompson
Durbin	Landrieu	Torricelli
Feingold	Lautenberg	Wellstone
Feinstein	Leahy	Wyden
Ford	Levin	

NAYS---45

Abraham	Enzi	Lugar
Allard	Faircloth	Mack
Ashcroft	Frist	McCain
Bond	Gramm	McConnell

Brownback	Grams	Murkowski
Burns	Grassley	Nickles
Byrd	Gregg	Roberts
Chafee	Hagel	Santorum
Coats	Helms	Sessions
Collins	Hutchinson	Smith (NH)
Coverdell	Hutchison	Snowe
Craig	Inhofe	Stevens
Dodd	Kempthorne	Thomas
Domenici	Kyl	Thurmond
Dorgan	Lieberman	Warner

ANSWERED 'PRESENT'---2

Boxer	Lott
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NOT VOTING---3

Bingaman	Bumpers	Specter
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(Rollcall Vote No. 157 Leg.)

June 11, 1998, 2:10 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2689

TITLE: Motion to Table Kerry Amdt. No. 2689

REQUIRED FOR MAJORITY: 1/2

RESULT: Motion to Table Failed

YEAS---33

Allard	Grams	McConnell
Ashcroft	Gregg	Nickles
Brownback	Hagel	Roberts
Coats	Helms	Roth
Cochran	Hutchinson	Santorum
Craig	Inhofe	Sessions
DeWine	Kempthorne	Smith (NH)
Enzi	Kyl	Stevens
Frist	Lott	Thomas
Gorton	Lugar	Thompson
Gramm	Mack	Thurmond

NAYS---66

Abraham	Domenici	Lautenberg
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Akaka	Dorgan	Leahy
Baucus	Durbin	Levin
Bennett	Faircloth	Lieberman
Biden	Feingold	McCain
Bingaman	Feinstein	Mikulski
Bond	Ford	Moseley-Braun
Boxer	Glenn	Moynihan
Breaux	Graham	Murkowski
Bryan	Grassley	Murray
Bumpers	Harkin	Reed
Burns	Hatch	Reid
Byrd	Hollings	Robb
Campbell	Hutchison	Rockefeller
Chafee	Inouye	Sarbanes
Cleland	Jeffords	Shelby
Collins	Johnson	Smith (OR)
Conrad	Kennedy	Snowe
Coverdell	Kerrey	Torricelli
D'Amato	Kerry	Warner
Daschle	Kohl	Wellstone
Dodd	Landrieu	Wyden

NOT VOTING---1

Specter

(Rollcall Vote No. 156 Leg.)

June 11, 1998, 12:01 PM

BILL NO.: S.1415

TITLE: Motion to invoke cloture on modified Committee substitute

REQUIRED FOR MAJORITY: 3/5

RESULT: Cloture Motion Rejected

YEAS---43

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Johnson	Reid
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Torricelli
Daschle	Kohl	Wellstone

Dodd
Dorgan
Durbin

Landrieu
Lautenberg
Leahy

Wyden

NAYS---56

Abraham
Allard
Ashcroft
Bennett
Bond
Brownback
Burns
Campbell
Chafee
Coats
Cochran
Collins
Coverdell
Craig
D'Amato
DeWine
Domenici
Enzi
Faircloth

Ford
Frist
Gorton
Gramm
Grams
Grassley
Gregg
Hagel
Hatch
Helms
Hutchinson
Hutchison
Inhofe
Jeffords
Kempthorne
Kyl
Lott
Lugar
Mack

McCain
McConnell
Murkowski
Nickles
Robb
Roberts
Roth
Santorum
Sessions
Shelby
Smith (NH)
Smith (OR)
Snowe
Stevens
Thomas
Thompson
Thurmond
Warner

NOT VOTING---1

Specter

(Rollcall Vote No. 155 Leg.)

June 10, 1998, 7:12 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2688

TITLE: Motion to Table Daschle Amdt. No. 2688

REQUIRED FOR MAJORITY: 1/2

RESULT: Motion to Table Agreed to

YEAS---55

Abraham
Allard
Ashcroft
Bennett
Bond
Brownback

Feingold
Frist
Gorton
Gramm
Grams
Grassley

McCain
McConnell
Murkowski
Nickles
Roberts
Roth

Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Enzi	Lugar	
Faircloth	Mack	

NAYS---43

Akaka	Ford	Lieberman
Baucus	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Johnson	Reid
Byrd	Kennedy	Robb
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden
Durbin	Leahy	
Feinstein	Levin	

NOT VOTING---2

Biden	Specter
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(Rollcall Vote No. 154 Leg.)

June 10, 1998, 6:44 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2686

TITLE: Motion to Table Gramm Amdt. No. 2686 as Modified

REQUIRED FOR MAJORITY: 1/2

RESULT: Motion to Table Failed

YEAS---48

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Bingaman	Ford	Mack
Boxer	Glenn	Mikulski
Breaux	Graham	Moseley-Braun
Bryan	Harkin	Moynihan
Bumpers	Inouye	Murray
Byrd	Jeffords	Reed
Chafee	Johnson	Reid
Cleland	Kennedy	Robb
Collins	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Snowe
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS---50

Abraham	Frist	McCain
Allard	Gorton	McConnell
Ashcroft	Gramm	Murkowski
Bennett	Grams	Nickles
Bond	Grassley	Roberts
Brownback	Gregg	Roth
Burns	Hagel	Santorum
Campbell	Hatch	Sessions
Coats	Helms	Shelby
Cochran	Hollings	Smith (NH)
Coverdell	Hutchinson	Smith (OR)
Craig	Hutchison	Stevens
D'Amato	Inhofe	Thomas
DeWine	Kempthorne	Thompson
Domenici	Kyl	Thurmond
Enzi	Lott	Warner
Faircloth	Lugar	

NOT VOTING---2

Biden	Specter
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(Rollcall Vote No. 153 Leg.)

June 10, 1998, 11:04 AM

BILL NO.: S.1415

TITLE: Motion to Invoke Cloture on Modified Committee Substitute on S.1415

REQUIRED FOR MAJORITY: 3/5

RESULT: Cloture Motion Rejected

YEAS---43

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Glenn	Mikulski
Bingaman	Graham	Moseley-Braun
Boxer	Harkin	Moynihan
Breaux	Hollings	Murray
Bryan	Inouye	Reed
Bumpers	Johnson	Reid
Byrd	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Torricelli
Daschle	Kohl	Wellstone
Dodd	Landrieu	Wyden
Dorgan	Lautenberg	
Durbin	Leahy	

NAYS---55

Abraham	Ford	McConnell
Allard	Frist	Murkowski
Ashcroft	Gorton	Nickles
Bennett	Gramm	Robb
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Hagel	Santorum
Campbell	Hatch	Sessions
Chafee	Helms	Shelby
Coats	Hutchinson	Smith (NH)
Cochran	Hutchison	Smith (OR)
Collins	Inhofe	Snowe
Coverdell	Jeffords	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Warner
Enzi	Mack	
Faircloth	McCain	

NOT VOTING---2

Gregg	Specter
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(Rollcall Vote No. 152 Leg.)

June 9, 1998, 6:40 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2634

TITLE: Daschle Amdt. No. 2634

REQUIRED FOR MAJORITY: 1/2

RESULT: Amendment Rejected

YEAS---45

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	McCain
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Johnson	Reed
Byrd	Kennedy	Reid
Cleland	Kerrey	Robb
Conrad	Kerry	Rockefeller
Daschle	Kohl	Sarbanes
Dodd	Landrieu	Torricelli
Dorgan	Lautenberg	Wellstone
Durbin	Leahy	Wyden

NAYS---53

Abraham	Faircloth	Mack
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Roberts
Brownback	Grassley	Roth
Burns	Gregg	Santorum
Campbell	Hagel	Sessions
Chafee	Hatch	Shelby
Coats	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Stevens
Craig	Jeffords	Thomas
D'Amato	Kempthorne	Thompson
DeWine	Kyl	Thurmond
Domenici	Lott	Warner
Enzi	Lugar	

NOT VOTING---2

Inouye	Specter
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(Rollcall Vote No. 151 Leg.)

June 9, 1998, 6:14 PM

BILL NO.: S.1415

AMENDMENT NO.: S.AMDT.NO. 2451

TITLE: Coverdell Amdt. No. 2451, as modified

REQUIRED FOR MAJORITY: 1/2

RESULT: Amendment Agreed to

YEAS---52

Abraham	Frist	McConnell
Allard	Gorton	Murkowski
Ashcroft	Gramm	Nickles
Bennett	Grams	Roberts
Bond	Grassley	Roth
Brownback	Gregg	Santorum
Burns	Hagel	Sessions
Campbell	Hatch	Shelby
Coats	Helms	Smith (NH)
Cochran	Hutchinson	Smith (OR)
Collins	Hutchison	Snowe
Coverdell	Inhofe	Stevens
Craig	Kempthorne	Thomas
D'Amato	Kyl	Thompson
DeWine	Lott	Thurmond
Domenici	Lugar	Warner
Enzi	Mack	
Faircloth	McCain	

NAYS---46

Akaka	Feingold	Levin
Baucus	Feinstein	Lieberman
Biden	Ford	Mikulski
Bingaman	Glenn	Moseley-Braun
Boxer	Graham	Moynihan
Breaux	Harkin	Murray
Bryan	Hollings	Reed
Bumpers	Jeffords	Reid
Byrd	Johnson	Robb
Chafee	Kennedy	Rockefeller
Cleland	Kerrey	Sarbanes
Conrad	Kerry	Torricelli
Daschle	Kohl	Wellstone
Dodd	Landrieu	Wyden
Dorgan	Lautenberg	
Durbin	Leahy	

NOT VOTING---2

Inouye

Specter

(Rollcall Vote No. 150 Leg.)

June 9, 1998, 2:15 PM

BILL NO.: S.1415

TITLE: Motion to Invoke Cloture on Modified Committee Substitute to S.1415

REQUIRED FOR MAJORITY: 3/5

RESULT: Cloture Motion Rejected

YEAS---42

Akaka	Durbin	Leahy
Baucus	Feingold	Levin
Biden	Feinstein	Lieberman
Bingaman	Glenn	Mikulski
Boxer	Graham	Moseley-Braun
Breaux	Harkin	Moynihan
Bryan	Hollings	Murray
Bumpers	Johnson	Reed
Byrd	Kennedy	Reid
Cleland	Kerrey	Rockefeller
Conrad	Kerry	Sarbanes
Daschle	Kohl	Torricelli
Dodd	Landrieu	Wellstone
Dorgan	Lautenberg	Wyden

NAYS---56

Abraham	Ford	McCain
Allard	Frist	McConnell
Ashcroft	Gorton	Murkowski
Bennett	Gramm	Nickles
Bond	Grams	Robb
Brownback	Grassley	Roberts
Burns	Gregg	Roth
Campbell	Hagel	Santorum
Chafee	Hatch	Sessions
Coats	Helms	Shelby
Cochran	Hutchinson	Smith (NH)
Collins	Hutchison	Smith (OR)
Coverdell	Inhofe	Snowe
Craig	Jeffords	Stevens
D'Amato	Kempthorne	Thomas
DeWine	Kyl	Thompson
Domenici	Lott	Thurmond
Enzi	Lugar	Warner
Faircloth	Mack	

NOT VOTING---2

Inouye

Specter

THE WHITE HOUSE
WASHINGTON

89-17-98
JUN 17 1998

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Judd Gregg (R-NH)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Gregg successfully argued to strip
the liability provisions from the bill.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Judd Gregg (R-NH)
202-224-3324 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

THE WHITE HOUSE
WASHINGTON

June 17, 1998

RECOMMENDED TELEPHONE CALL

1998 JUN 17 PM 3:04

6-17-98

TO: Senator Frank H. Murkowski (R-AK)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Murkowski appears to be undecided,
and is up for reelection this year. You
may want to convey the danger of being
associated with a Do Nothing Congress.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Frank H. Murkowski (R-AK)
202-224-6665 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

THE WHITE HOUSE
WASHINGTON

98 JUN 17 PM 3:04

June 17, 1998

6-17-98

RECOMMENDED TELEPHONE CALL

TO: Senator Orrin G. Hatch (R-UT)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for cloture on the tobacco bill.

BACKGROUND: Senator Hatch's ego was bruised early in this debate, when Lott designated McCain as the lead committee chairman on this issue. You may want to appeal to his ego and his desire to get something done. Hatch is the lead proponent of a stripped down bill, which gives the industry liability limits and charges them lower fees. You should try to continue to convince him that he should vote for this bill so that we can get to a conference on this issue, where some of his views might well prevail.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND TELEPHONE NUMBER(S): Senator Orrin G. Hatch (R-UT)
202-224-5251 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

THE WHITE HOUSE
WASHINGTON

1998 JUN 17 PM 3:04

June 17, 1998

6-17-98

6-17-98

RECOMMENDED TELEPHONE CALL

TO: Senator Gordon H. Smith (R-OR)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Smith voted for every toughening
amendment offered, and was the swing vote
on the Gorton amendment regarding
attorney's fees. He has received
everything he wanted in the bill, and
therefore there is no reason why he should
not support cloture and move the bill
forward to final passage.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Gordon H. Smith (R-OR)
202-224-3753 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:



THE WHITE HOUSE
WASHINGTON

98 JUN 17 PM 3:04

June 17, 1998

6-17-98

RECOMMENDED TELEPHONE CALL

TO: Senator Ted Stevens (R-AK)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Stevens appears to support the
bill. As Chairman of the Appropriations
Committee, he has an interest in getting
off the bill to allow other business to
proceed.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Ted Stevens (R-AK)
202-224-3004 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

*Bill too complex
for LOR proposal*

THE WHITE HOUSE
WASHINGTON

6-17-98

'98 JUN 17 PM3:04

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Charles E. Grassley (R-IA)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Grassley voted for \$1.50 per pack
price increase in the Finance Committee,
and attended a tobacco forum the Vice
President held in Iowa several months ago.
He is a strong opponent of the industry.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Charles E. Grassley (R-IA)
202-224-3744 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

*Y of GOP motion
N of Dem motion
He wants a bill—*

THE WHITE HOUSE
WASHINGTON

6-17-98
1998 JUN 17 PM 3:04

PROV A
6-17-98
Wahl cap

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Samuel Dale Brownback (R-KS)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for cloture on the tobacco bill.

BACKGROUND: Senator Brownback voted for the McCain bill in committee, but has indicated recently that he will vote against the bill. Brownback is a particular advocate of limiting attorneys' fees, and should be pleased that some limitations were included.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND TELEPHONE NUMBER(S): Senator Samuel Dale Brownback (R-KS)
202-224-6521 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

THE WHITE HOUSE
WASHINGTON

6-17-98

June 17, 1998

98 JUN 17 13:04

RECOMMENDED TELEPHONE CALL

Senator Slade Gorton (R-WA)

Call should be made as soon as possible.

Bruce Reed
Larry Stein

To persuade the Senator to vote for
cloture on the tobacco bill.

The Senate yesterday adopted Senator Gorton's attorneys' fee proposal, after rejecting two earlier, more stringent proposals made by others. Under this provision, the courts would set attorneys' fees, which could not exceed \$4000 per hour for actions filed before 12/31/94, \$2000 per hour for actions filed between 12/31/94 and 4/1/97, \$1000 per hour for actions filed between 4/1/97 and 6/15/98, and \$500 for actions filed after 6/15/98. Gorton wants the companies to come back to the table, and is close to the state attorneys general, in particular Washington state AG Christine Gregoire.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Slade Gorton (R-WA)
202-224-3441 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

NO

Must call to Gorton
Should have discussion
Presumptive
4R-4D - Substantive

TO: Gorton
DATE: 6/17/98
RECOMMENDED BY: Gorton

PURPOSE: to have Gorton on 7-16
BACKGROUND: AG's offer of 7-16

Legal copy must be
sent to Gorton
and Gorton

Leaves yes

THE WHITE HOUSE
WASHINGTON

6-17-98

98 JUN 17 PM 3:04

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Ben Nighthorse Campbell (R-CO)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Campbell has said that he does not
like this bill. You should try to
convince him that the bill is important to
his reelection this year. You should
convey that he does not want to be
associated with a Do Nothing Congress that
failed to act to reduce youth smoking, or
create the appearance that he is in the
pocket of the tobacco industry.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Ben Nighthorse Campbell (R-CO)
202-224-5852 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

Presumptive

*McCain cover
reference*

THE WHITE HOUSE
WASHINGTON

6-17-98

98 JUN 17 PM 3:04

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Spencer Abraham (R-MI)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Abraham voted for the McCain bill
in committee. Abraham advocated using
public health funds to fight teen drug as
well as tobacco use, so he should be
pleased that the Coverdell amendment was
adopted. While he's not up for reelection
this year, his poll numbers are apparently
low, and you may want to remind him about
the possible electoral consequences of a
no vote on this issue.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Spencer Abraham (R-MI)
202-224-4822 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

NO
back to C&K
back to hi
memorandum
Look back too tough



THE WHITE HOUSE
WASHINGTON

6-17-98

98 JUN 17 PM 3:04

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Christopher S. Bond (R-MO)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: The child care proposal that Senators
Kerry and Bond proposed -- earmarking half
of the state restricted funds for child
care -- is now in the bill. Bond is in a
close election fight, but does not like to
stray too far from home state colleague
Ashcroft, who is a vigorous opponent of
this bill.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Christopher S. Bond (R-MO)
202-224-5721 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

~~g/e~~

THE WHITE HOUSE
WASHINGTON

6-17-98

June 17, 1998

98 JUN 17 09:04

RECOMMENDED TELEPHONE CALL

TO: Senator Robert F. Bennett (R-UT)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Bennett joined you at the White
House last September when you unveiled
your five principles for tobacco
legislation and as a strong Mormon opposes
tobacco. He is, however, swayed by
Senator Hatch, and is leaning toward
supporting Hatch's settlement-like
substitute.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Robert F. Bennett (R-UT)
202-224-5444 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

6-17-98

98 JUN 17 PM 3:04

THE WHITE HOUSE
WASHINGTON

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator William V. Roth, Jr. (R-DE)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Roth should be pleased that a
provision he offered in the Finance
Committee -- providing full deductibility
for health insurance for the self-employed
-- is now in the bill (as the result of
the Gramm amendment). Roth also has other
changes he would like to make to the bill,
which we have so far opposed. (These
include striking the funds for Medicaid
outreach for children.)

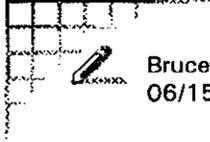
TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator William V. Roth, Jr. (R-DE)
202-224-2441 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

Tob-reT - legislative
outreach



Bruce N. Reed
06/15/98 07:05:25 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP

cc:

Subject: Target List

Here's a working list for cloture and the point of order. What do you think?

SOLID REPUBLICANS (11)

Bond
Chafee
Collins
D'Amato
DeWine
Frist
Jeffords
Lugar
McCain
Gordon Smith
Snowe

LEAN YES (2-3)

Campbell
Grassley
Specter (if he recovers)

COULD GO EITHER WAY (8)

Abraham
Bennett
Gorton
Gregg
Mack
Stevens
Murkowski
Roth

LONG SHOTS (5)

Brownback
Burns

Cochran
Domenici
Hatch

DEMOCRATS SURE TO OPPOSE CLOTURE (2)

Ford
Robb

DEMOCRATS WHO PROBABLY VOTE FOR CLOTURE BUT AGAINST THE BILL (4)

Cleland
Feinstein
Hollings
Torricelli

JUN 17 1998

(Date)

Roll Call Vote

Legislative
Committee

NO. 162

SUBJECT

MOTION TO WAIVE CBA
RE: S. 1415

5:55p

YEAS		NAYS
	Abraham	1
1	Akaka	
	Allard	2
	Ashcroft	3
2	Baucus	
	Bennett	
3	Biden	
4	Bingaman	
	Bond	4
5	Boxer	
	Breaux	
	Brownback	
6	Bryan	
7	Bumpers	
	Burns	5
8	Byrd	
	Campbell	
	Chafee	
9	Cleland	
	Coats	
	Cochran	6
10	Collins	
11	Conrad	
	Coverdell	
	Craig	7
	D'Amato	
	Daschle	
	DeWine	
	Dodd	
	Domenici	
12	Dorgan	
13	Durbin	
	Enzi	8
	Faircloth	
	Feingold	
	Feinstein	
	Ford	
	Frist	
14	Glenn	
	Gorton	9
15	Graham, Florida	
	Gramm, Texas	
	Grassley	
	Gregg	
	Hagel	10
16	Harkin	
	Hatch	

	Grassley	
	Gregg	
	Hugel	10
16	Harkin	
	Hatch	
	Helms	
	Hollings	
	Hutchinson, Arkansas	
	Hutchinson, Texas ^{CLASS}	11
	Inhofe	
	Inouye	
	Jeffords	
	Johnson	
	Kempthorne	
17	Kennedy	
18	Kerrey, Nebraska	
	Kerry, Massachusetts	
	Kohl	
	Kyl	
	Landrieu MS	
19	Lautenberg	
	Leahy	
	Levin	
	Lieberman	
	Lott	12
	Lugar	
	Mack	13
	McCain	
	McConnell	
	Mikulski MS	
	Mosley-Braun MS	
	Moynihan	
	Murkowski	
	Murray MS	
	Nickles	14
	Reed, Rhode Island	
	Reid, Nevada	
	Robb	
	Roberts	15
	Rockefeller	
	Roth	
	Santorum	
	Sarbanes	
	Sessions	
	Shelby	
	Smith, New Hampshire	
	Smith, Oregon	
	Snowe MS	
	Specter	
	Stevens	
	Thomas	
	Thompson	
	Thurmond	
	Torricelli	
	Warner	
	Wellstone	
	Wyden	

GPO : 1990 17-013 (mar)

53

46

JUN 17 1998

(Date)

Roll Call Vote

Legislative
~~Process~~

NO. 161

SUBJECT MOTION TO INVOKE CLOTURE
ON THE MODIFIED COMMITTEE
SUBSTITUTE TO S. 1415

5:19p

YEAS		NAYS
	Abraham.....	
	Akaka.....	
	Allard.....	
	Ashcroft.....	
	Baucus.....	
	Bennett.....	
	Biden.....	
1	Bingaman.....	
	Bond.....	
2	Boxer <i>RES.</i>	
3	Breaux.....	
	Brownback.....	
	Brynn.....	
	Bumpers.....	
	Burns.....	1
	Byrd.....	
	Campbell.....	
4	Chafee.....	
5	Cleland.....	
	Coats.....	
	Cochran.....	
	Collins <i>RES.</i>	
6	Conrad.....	
	Coverdell.....	
	Craig.....	2
	D'Amato.....	
7	Daschle.....	
	DeWine.....	
8	Dodd.....	
	Domenici.....	3
9	Dorgan.....	
10	Durbin.....	
	Enzi.....	
	Fairecloth.....	
	Feingold.....	
11	Feinstein <i>RES.</i>	
	Ford.....	
	Frist.....	
	Glenn.....	
	Gorton.....	4
12	Graham, Florida.....	
	Gramm, Texas.....	
	Grassley.....	
	Gregg.....	
	Hagel.....	
	Harkin.....	
	Hatch.....	5

		Grams, Minnesota	
		Grassley	
		Gregg	
		Hagel	
		Harkin	
		Hatch	5
		Helms	6
		Hollings	
		Hutchinson, Arkansas	
		Hutchinson, Texas	
		Inhofe	
	13	Inouye	
		Jeffords	
		Johnson	
	14	Kempthorne	
	15	Kennedy	
	16	Kerrey, Nebraska	
		Kerry, Massachusetts	
		Kohl	
		Kyl	
	17	Landrieu <i>R.S.</i>	
	18	Lautenberg	
		Leahy	
	19	Levin	
		Lieberman	
		Lott	7
		Lugar	
	20	Mack	
		McCain	
		McConnell	8
	21	Mikulski <i>R.S.</i>	
		Moseley-Braun <i>R.S.</i>	
	22	Moynihan	
		Murkowski	
	23	Murray <i>R.S.</i>	
		Nickles	9
		Reed, Rhode Island	
		Reid, Nevada	
		Robb	10
	24	Roberts	
		Rockefeller	
		Roth	
		Santorum	
		Sarbanes	
		Sessions	
		Shelby	
		Smith, New Hampshire	
		Smith, Oregon	
	25	Snowe <i>R.S.</i>	
		Specter	
		Stevens	
		Thomas	
		Thompson	
		Thurmond	
	26	Torricelli	
		Warner	
		Wellstone	
		Wyden	

CPH, 1998 37-011 (mar)

57 42

ToB-RET-
Lg. outreach

Bill _____

Amendment _____

Date _____

57

42

YEAS		NAYS
✓	Abraham _____	
✓ ✓	Akaka _____	✓
	Allard _____	✓
	Ashcroft _____	✓
✓	Baucus _____	
✓	Bennett _____	
✓	Biden _____	
✓	Bingaman _____	
	Bond _____	✓
✓	Boxer _____	
✓	Breaux _____	
	Brownback _____	✓
✓	Bryan _____	

	Burns	✓
✓	Byrd	
	Campbell	Ⓟ
✓	Chafee	
✓	Cleland	
	Coats	✓
	Cochran	✓
✓	Collins	
✓	Conrad	
	Coverdell	Ⓟ
	Craig	✓
✓	D'Amato	
✓	Daschle	
✓	DeWine	
✓	Dodd	
	Domenici	✓
✓	Dorgan	
✓	Durbin	
	Enzi	Ⓢ
	Faircloth	
✓	Feingold	
✓	Feinstein	
	Ford	✓
✓	Frist	
✓	Glenn	
	Gorton	✓
✓	Graham, Fla	
	Gramm, Tex	✓
	Grams, Minn	✓
✓	Grassley	
✓	Gregg	

CLINTON LIBRARY PHOTOCOPY

	Hagel	✓
✓	Harkin	
	Hatch	✓
	Helms	✓
✓	Hollings	
	Hutchinson, Ark	✓
	Hutchison, Tex	✓
	Inhofe	✓
✓	Inouye	
✓	Jeffords	
✓	Johnson	
	Kempthorne	✓
✓	Kennedy	
✓	Kerrey, Nebr	
✓	Kerry	
✓	Kohl	
	Kyl	✓
✓	Landrieu	
✓	Lautenberg	
✓	Leahy	
✓	Levin	
✓	Lieberman	
	Lott	✓
	Lugar	✓
	Mack	✓
✓	McCain	
	McConnell	✓
✓	Mikulski	
✓	Moseley-Braun	
✓	Moynihan	
	Murkowski	Ⓢ
✓	Murray	

	Nickles	✓
✓	Reed, R.I	
✓	Reid, Nev	
	Robb	✓
	Roberts	✓
✓	Rockefeller	
✓	Roth	
	Santorum	✓
✓	Sarbanes	
	Sessions	✓
	Shelby	✓
	Smith, N.H	✓
✓	Smith, Ore	
✓	Snowe	
	Specter	
	Stevens	✓
	Thomas	✓
	Thompson	✓
	Thurmond	✓
✓	Torricelli	
	Warner	✓
✓	Wellstone	
✓	Wyden	

January 1997

GPO: 1997 36-770 (mac)

CLINTON LIBRARY PHOTOCOPY

Return to Bruce

File copy at

to6-ser-leg. outreach

1

2

3

4

HATCH' 6.19.98

House

House
Medicare
units

OH: Skimm bill will pass.

Pub health groups + govs. starting to get concerned

Nothing works w/o cos. on board

- Ad restrictions > unconstitutional.
- Labels

[talking to Mack]

(study
price)
(currency)
(units)
(FDA rule
in bet
lands)

Can't do this except in Senate

McCain bill a disaster

Can't pass unless POTUS leads (w/ Daschle + Lott)

Polls 47-46. Not a cutting-edge issue.

Can't resurrect that bill. Your side will make worse.

- Isolate Kennedy. Can Daschle do it?
- Can get Lott

7 GOP cosps., 4-5 looking at it. 4 Dems.

75-80 \$. They have to make the payments.

\$1.50 w/ other factors.

How do we get from here to there?

- Lott knows has to be a bill. He says has to be size of Hatch bill.
- Get more cosps. next week. Sit for while?
- \$100B NIH, \$92B pub health
- All of Lugar plus econ deal from LEAF. Willing to appease Ford
- -18.6B. Extend Lugar to 15 yrs.
- Lott could get excited if POTUS says yes. Go for 70-80 votes.
- Get Down off high horse
- House would have to take it, not budget in conf.
- Get cosps. File cloture, eliminate tax cut + non-germane
- Make a deal to vote against all audits, incl. attys fees
- Beef up arbitration.

HATCH, p. 2

What BC's doing is helpful if he wants a deal.

- If you don't do this, you'll get Gingrich polit. special.
- I think they'll win on it - had to vote against it.

Cap of \$5.5B.

Consolidation, but not class actions.

FDA separate chapter. Your ad restrictions are unconstit.

- Don't need it if cos. are on board.

- Perf. std. language - we require them.

- We say they can be today, but only w/ consent of Cong.

No co-specific lookback - only PM. Abatement procedure.

Feinstein has worked us over every day. Likely VP candidate

Tarricelli, Breaux, Biden

Hatch, G Smith, Jeffords, Gorton, Bennett, Kenneth K. Walker

We kept out of it to keep it open to give to McCain if he saw the light

speculate
CBO cost estimate and
3-4% of premium
higher than expected

how watered-down?

- doesn't have ext. mech. (or very weak)
- " " body part mandates
mandatory coverage.

_____ sentence?

Health-Markets might be ok
we support vol. purchasing COOPs
But
MEWAs

allows small businesses to self-insure
exemption from all state reg.

~~businesses~~
businesses that would do this -
of healthy populations

Tobacco - legislative outreach

THE WHITE HOUSE
WASHINGTON

June 17, 1998

RECOMMENDED TELEPHONE CALL FOR ERSKINE BOWLES

TO: Senator Connie Mack (R-FL)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for cloture on the tobacco bill.

BACKGROUND: Senator Mack's primary concern has been ensuring that the bill contains adequate funding for medical research. Apparently, he is upset that other amendments have reduced the funding available under the bill for NIH. This morning, Dr. Harold Varmus, Director of NIH, called him to urge him to support cloture, saying that the bill still provides one of the largest funding increases ever for NIH.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND TELEPHONE NUMBER(S): Senator Connie Mack (R-FL)
202-224-5274 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

THE WHITE HOUSE

WASHINGTON

June 17, 1998

RECOMMENDED TELEPHONE CALL FOR ERSKINE BOWLES

TO: Senator Dirk Kempthorne (R-ID)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Kempthorne is a longshot
possibility to support the bill. The
large Mormon population in his state, of
course, is hostile to tobacco.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Dirk Kempthorne (R-ID)
202-224-6142 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Spencer Abraham (R-MI)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Abraham voted for the McCain bill
in committee. Abraham advocated using
public health funds to fight teen drug as
well as tobacco use, so he should be
pleased that the Coverdell amendment was
adopted. While he's not up for reelection
this year, his poll numbers are apparently
low, and you may want to remind him about
the possible electoral consequences of a
no vote on this issue.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Spencer Abraham (R-MI)
202-224-4822 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Robert F. Bennett (R-UT)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Bennett joined you at the White
House last September when you unveiled
your five principles for tobacco
legislation and as a strong Mormon opposes
tobacco. He is, however, swayed by
Senator Hatch, and is leaning toward
supporting Hatch's settlement-like
substitute.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Robert F. Bennett (R-UT)
202-224-5444 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Christopher S. Bond (R-MO)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: The child care proposal that Senators
Kerry and Bond proposed -- earmarking half
of the state restricted funds for child
care -- is now in the bill. Bond is in a
close election fight, but does not like to
stray too far from home state colleague
Ashcroft, who is a vigorous opponent of
this bill.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Christopher S. Bond (R-MO)
202-224-5721 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Samuel Dale Brownback (R-KS)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for cloture on the tobacco bill.

BACKGROUND: Senator Brownback voted for the McCain bill in committee, but has indicated recently that he will vote against the bill. Brownback is a particular advocate of limiting attorneys' fees, and should be pleased that some limitations were included.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND TELEPHONE NUMBER(S): Senator Samuel Dale Brownback (R-KS)
202-224-6521 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Ben Nighthorse Campbell (R-CO)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Campbell has said that he does not
like this bill. You should try to
convince him that the bill is important to
his reelection this year. You should
convey that he does not want to be
associated with a Do Nothing Congress that
failed to act to reduce youth smoking, or
create the appearance that he is in the
pocket of the tobacco industry.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Ben Nighthorse Campbell (R-CO)
202-224-5852 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Slade Gorton (R-WA)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: The Senate yesterday adopted Senator
Gorton's attorneys' fee proposal, after
rejecting two earlier, more stringent
proposals made by others. Under this
provision, the courts would set attorneys'
fees, which could not exceed \$4000 per
hour for actions filed before 12/31/94,
\$2000 per hour for actions filed between
12/31/94 and 4/1/97, \$1000 per hour for
actions filed between 4/1/97 and 6/15/98,
and \$500 for actions filed after 6/15/98.
Gorton wants the companies to come back to
the table, and is close to the state
attorneys general, in particular
Washington state AG Christine Gregoire.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Slade Gorton (R-WA)
202-224-3441 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Charles E. Grassley (R-IA)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Grassley voted for \$1.50 per pack
price increase in the Finance Committee,
and attended a tobacco forum the Vice
President held in Iowa several months ago.
He is a strong opponent of the industry.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Charles E. Grassley (R-IA)
202-224-3744 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Judd Gregg (R-NH)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Gregg successfully argued to strip
the liability provisions from the bill.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Judd Gregg (R-NH)
202-224-3324 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Orrin G. Hatch (R-UT)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Hatch's ego was bruised early in
this debate, when Lott designated McCain
as the lead committee chairman on this
issue. You may want to appeal to his ego
and his desire to get something done.
Hatch is the lead proponent of a stripped
down bill, which gives the industry
liability limits and charges them lower
fees. You should try to continue to
convince him that he should vote for this
bill so that we can get to a conference on
this issue, where some of his views might
well prevail.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Orrin G. Hatch (R-UT)
202-224-5251 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator William V. Roth, Jr. (R-DE)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Roth should be pleased that a
provision he offered in the Finance
Committee -- providing full deductibility
for health insurance for the self-employed
-- is now in the bill (as the result of
the Gramm amendment). Roth also has other
changes he would like to make to the bill,
which we have so far opposed. (These
include striking the funds for Medicaid
outreach for children.)

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator William V. Roth, Jr. (R-DE)
202-224-2441 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Frank H. Murkowski (R-AK)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Murkowski appears to be undecided,
and is up for reelection this year. You
may want to convey the danger of being
associated with a Do Nothing Congress.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Frank H. Murkowski (R-AK)
202-224-6665 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Wendell H. Ford (D-KY)
Senator Charles S. Robb (D-VA)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: We need to make an outright plea to these
Senators to support cloture. We should
convey that we really need their votes,
and that it is critically important to our
effort to reduce youth smoking in this
country. We stood strong on providing
assistance to farmers and supporting the
LEAF Act, and we have consistently tried
to address all of their concerns with the
bill.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Wendell H. Ford (D-KY)
202-224-4343 (Washington Office)
Senator Charles S. Robb (D-VA) -
202-224-4024 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Gordon H. Smith (R-OR)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Smith voted for every toughening
amendment offered, and was the swing vote
on the Gorton amendment regarding
attorney's fees. He has received
everything he wanted in the bill, and
therefore there is no reason why he should
not support cloture and move the bill
forward to final passage.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Gordon H. Smith (R-OR)
202-224-3753 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

June 17, 1998

RECOMMENDED TELEPHONE CALL

TO: Senator Ted Stevens (R-AK)

DATE: Call should be made as soon as possible.

RECOMMENDED BY: Bruce Reed
Larry Stein

PURPOSE: To persuade the Senator to vote for
cloture on the tobacco bill.

BACKGROUND: Senator Stevens appears to support the
bill. As Chairman of the Appropriations
Committee, he has an interest in getting
off the bill to allow other business to
proceed.

TOPICS OF DISCUSSION: See attached talking points.

CONTACT PERSON AND
TELEPHONE NUMBER(S): Senator Ted Stevens (R-AK)
202-224-3004 (Washington Office)

DATE OF SUBMISSION: June 17, 1998

ACTION:

To b-ser-legislative outreach

Republican Senators who voted for tabling the Ashcroft amendment-

- *1. Spencer Abraham (MI)
- *2. Robert Bennett (UT)
- *3. Kit Bond (MO)
- 4. Sam Brownback (KS)
- *5. Ben Nighthorse Campbell (CO)
- *6. John Chafee (RI)
- *7. Susan Collins (ME)
- *8. Alfonse D'Amato (NY)
- *9. Mike DeWine (OH)
- *10. Bill Frist (TN)
- *11. Slade Gorton (WA)
- *12. Charles Grassley (IA)
- 13. Judd Gregg (NH)
- 14. Orrin Hatch (UT)
- *15. James Jeffords (VT)
- *16. Richard Lugar (IN)
- *17. Connie Mack (FL)
- *18. John McCain (AZ)
- 19. Frank Murkowski (AK)
- 20. Pat Roberts (KS)
- *21. William Roth (DE)
- 22. Rick Santorum (PA)
- *23. Gordon Smith (OR)
- *24. Olympia Snowe (ME)
- *25. Arlen Specter (PA)
- 26. Ted Stevens (AK)
- 27. Strom Thurmond (SC)

Rev. June 1, 1998 (6:09pm)

Senator	Staff	Phone/fax	Comments
Sen. Abraham (MI)	Elizabeth Kessler	4-6098	He supports Gramm amend., but thinks that Durbin 2nd degree amend. guts Gramm. If there is a cloture vote, he'll go w/ the leadership. His interest is small business and thinks they are taken care of in McCain bill. (5/26)
Sen. Bennett (UT)	Lisa Norton Chip Yost (LD)	4-5444/4-4908	left numerous messages for both
Sen. Bond (MO)	Joe Pierle	4-5721	Sen. favors the Dubin amend. and is leaning against Gramm amend. Cloture is not an option yet, and he doesn't see a need for FDA changes. (6/1)
Sen. Campbell (CO)	Raissa Quintal	4-5852	left several messages
Sen. Chafee (RI)	Lisa Layman	4-6183/8-2853	Sen. believes it will be difficult to stave off tax cuts and illegal drug measures. He opposes Gramm; undecided on cloture at this time; not committed to FDA (5/28)
Sen. Cochran (MS)	Brad Prewitt	4-3063/4-9450	Sen. has not determined his position on Gramm amend. but is concerned that a motion to recommit is merely a delaying tactic that will prevent both a tax cut and tobacco legislation. As a member of the Approps. Committee, he is interested in getting a bill, but he has not said anything about cloture yet. He might consider supporting amendments to lessen FDA's authority. (6/1)

Sen. Collins (ME)	Priscilla Hanley	4-2523	Sen. opposes Gramm because she believes funds should be used for tobacco/health related purposes; does support the Roth amend. for self employed. Too soon for cloture; not interested in changing FDA provisions. (6/1)
Sen. D'Amato (NY)	Adam Chrisney	4-6542	Sen. probably does not support the Gramm amend. on this bill. It is too soon for cloture and he is not in favor of significant changes to FDA (5/28)
Sen. DeWine (OH)	Robert Hoffman	4-2315/4-6519	He prefers money from S. 1415 for tobacco & public health activities, esp. for kids. He's leaning against Gramm, has no position on cloture or FDA. (6/1)
Sen. Frist (TN)	Sue Ramthun, Anne Phelps, Katie	4-7139/8-5044	Katie and Sue are out this week; Anne believes that the bill will not be taken up before Wednesday; Sen. supports FDA provisions, but she is not sure about Gramm amend. or cloture. Will check. (5/28)
Sen. Gorton (WA)	Jeanne Bumpus	4-3271	His position on Gramm amend. is unknown; will probably support cloture eventually. Main concerns are Constitution & having Indians collect tax. Takes his cue from A.G.s (5/26)

Sen. Grassley (IA)	Jennifer Shaw Jim Yokum	4-3744	He supports devoting some of the revenue to tax cuts, but he prefers the Roth amends. He would not support cloture and his position on FDA amendments is unknown. (6/1)
Sen. Jeffords (VT)	Sharon Winn Mark Powden	4-3191/8-0411 4-6770	Sen. would probably oppose the Gramm amend. and support cloture (5/29)
Sen. Lugar (IN)	Michael Knipe Daniel Diller (LD)	4-5928/8-4575 4-4814	Sen.'s position on Gramm is not clear. He is a cosponsor of a bill to eliminate marriage penalty, but he might not support adding it to S. 1415, esp. if it threatens passage. But he does want the bill to include tax break. May support cloture later (esp. if his price support buy-out is included). Has no position on FDA, but is interested because of the Ag. Com. (6/1)
Sen. Mack (FL)	Wendy Gramm Mark Smith	4-4953 4-5274/4-1907	He might not support Gramm amend. on this bill. Mark does not know if Sen. would support cloture. W/out liability caps, he'll have trouble supporting the bill, even with its spending for public health and farmers. (5/26)
Sen. Roth (DE)	Mark Eichler	4-2441	Would probably support the Gramm amend. It's far too soon for cloture. The bill will be brought up intermittently between now & August. (5/26)

4

Sen. G. Smith (OR)	Annie Brown	4-3753	Sen. opposes the Gramm amend. on this bill. He supports the Durbin look back and the Lugar farmers provisions. He also supports what McCain has for FDA, although it is much more than he had in his bill. He would probably support cloture. (5/28)
Sen. Snowe (ME)	Tom Geier	4-5344	Sen. probably opposes the Gramm amend. It is too soon for cloture and does not want to diminish FDA authority, but is not wedded to current language. She is most interested in the advertising & marketing parts and is opposed to both approaches to farmers. (5/29)
Sen. Specter (PA)	Kevin Mathis	4-4254/8-1229	Sen.'s health precludes his participation for awhile (6/1)
Sen. Stevens (AK)	Ms. Chris Schabacker	4-3004	Sen. has spoken directly to the Secretary about his positions on S. 1415. He is mostly interested in getting the bill to conference. (6/1)
Sen. Thompson (TN)	Kelvin Moxley	4-4944	He will support anything that will kill the bill because it is big gov't, huge taxes, ineffective, and completely unconstitutional. (5/29)
Sen. Warner (VA)	Chas Phillips	4-6674	Sen.'s position on Gramm is not determined; does not support cloture. (6/1)

McCas

Post:

- running #s on OPI/390

- smokeless (vot adj)

- survey - 825m

McCas
Hollings
Kerry
Staff:

- Vets: give to Hejel?

Tab - ser - notes + memos
and
Tab - ser - legislative outreach

(Lott)

- Work us
- McE
 - Clinger
 - 1 Guter - (it D)
 - Gettys
 - Snow
 - Collins
 - Lujan -
 - 1 Dewine
 - DiAmato
 - ~~_____~~
 - Mach - (it D)
 - 1 • Kiss - (it D)
 - 1 • Stevens
 - 1 • Specter
 - Crasley
 - G. Smith

- Maybe
- ← ? Bond •
 - Bonnett
 - ← ? Campbell •
 - Drugs - Abraham •
 - (Vets) - Murkowski
 - ~~_____~~
 - Brennback
 - Cochran

- Unlikely
- Auer
 - Kyl - (Vets)
 - Coverdale
 - ~~_____~~
 - Roberts
 - Gregg (??)
 - Warner
 - Thompson
 - Hejel - (Vets)
 - Huber
 - Huber
 - Smith, Bob
 - Thurmond

- Out
- ~~_____~~ Huber
 - Nichols
 - Ashcroft
 - Roth
 - Crane
 - Dennis
 - Shelby
 - Frank
 - Bonus
 - Coates
 - Craig
 - Euzi
 - Fainholt
 - Holmes
 - Crans
 - LuLiffe
 - Keough
 - ~~_____~~
 - McConnell
 - Sussex
 - Thomas

15

Hollings •
Ford •
Robb •
McCas •

Feinstein •
T. Amelli •
Poreaux - OK

Tues:

8:30. McCain meets w/ parliamentarian

Ask for yeas + nays → hv. after come in: file closure w/ vote on Thurs.
McC modifies his bill
~~cut time on tab. specific of McC~~

All time spent talking on amendment (Durbin)
etc.

It move to table from Gramm, vote - then
McCain amends

File closure

1. Ask for yeas + nays
- 1.5. Modification of Main Amend.
2. Durbin withdraws

3. Sub in vets for Gramm

4. If win, we ~~celebrate~~ + 4 corner strategy

.. If lose, 2nd degree w/ ? ;
stall; do budget point
~~Budget point of order.~~

no votes until closure

FILE closure

Ask for yeas + nays
Modification

OR NOT

Talk
?? Budget point of order -
(postpones Durbin)

TO DO'S

1. Check w/ maybes
2. Get modification together for Monday
3. Get PT & Tax or AGI to do better -
price impact of settlements
4. Draft 2nd degrees
- e.g. ditch timing + scope of
marriage tax (2)
- e.g. veterans (2)
→ e.g. dms (1)

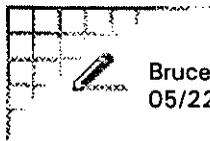
See Josh stuff

- a. Smokeless adjustment
- b. Survey - #s + timing
- c. #s on CPI - why not do.

[us]

1.: summary line

Tob - sur - legislative outreach



Bruce N. Reed
05/22/98 03:59:21 PM

Record Type: Record

To: Lawrence J. Stein/WHO/EOP, Elena Kagan/OPD/EOP

cc:

Subject: Cloture Target List

26 GOPs voted with Ashcroft to eliminate any tax increase from McCain.

Of the 27 GOPs who opposed Ashcroft, about a dozen should be solid for cloture. Another half dozen are well within reach. The rest are a struggle.

SOLID (13)

Bond
Chafee
Collins
D'Amato
DeWine
Frist
Grassley
Jeffords
Lugar
McCain
Gordon Smith
Snowe
Specter

WITHIN REACH (6)

Abraham
Bennett
Campbell
Gorton
Mack
Stevens

HARDER (9)

Brownback
Hatch
Gregg
Murkowski
Roberts
Roth
Santorum
Bob Smith (didn't vote on Ashcroft)

Murphy

Tob-sec - legislative
contract

Rev. May 29, 1998 (3:11 pm)

Senator	Staff	Phone/fax	Comments
Sen. Abraham (MI)	Elizabeth Kessler	4-6098	He supports Gramm amend., but thinks that Durbin 2nd degree amend. guts Gramm. If there is a cloture vote, he'll go w/ the leadership. His interest is small business and thinks they are taken care of in McCain bill. (5/26)
Sen. Bennett (UT)	Lisa Norton	4-5444/4-4908	AA & LD are out this week
Sen. Bond (MO)	Joe Pierle	4-5721	out this week - no one else can speak about the issue
Sen. Campbell (CO)	Raissa Quintal	4-5852	out this week; her 2 assistants also are out (vacation & sick leave)
Sen. Chafee (RI)	Lisa Layman	4-6183/8-2853	Sen. believes it will be difficult to stave off tax cuts and illegal drug measures. He opposes Gramm; undecided on cloture at this time; not committed to FDA
Sen. Cochran	Brad Prewitt	4-3063/4-9450	out this week
Sen. Collins (ME)	Priscilla Hanley	4-2523	left voice message - fire drill until 2:30
Sen. D'Amato (NY)	Adam Chrisney	4-6542	Sen. probably does not support the Gramm amend. on this bill. It is too soon for cloture and he is not in favor of significant changes to FDA
Sen. DeWine (OH)	Robert Hoffman	4-2315/4-6519	left voice message (2)

Sen. Frist (TN)	Sue Ramthun, Anne Phelps, Katie	4-7139/8-5044	Katie and Sue are out this week; Anne believes that the bill will not be taken up before Wednesday; Sen. supports FDA provisions, but she is not sure about Gramm amend. or cloture. Will check.
Sen. Gorton (WA)	Jeanne Bumpus	4-3271	His position on Gramm amend. is unknown; will probably support cloture eventually. Main concerns are Constitution & having Indians collect tax. Takes his cue from A.G.s (5/26)
Sen. Grassley (IA)	Jennifer Shaw Jim Yokum	4-3744	left voice message (2)
Sen. Jeffords (VT)	Sharon Winn Mark Powden	4-3191/8-0411 4-6770	Sen. would probably oppose the Gramm amend. and support cloture (5/29)
Sen. Lugar (IN)	Michael Knipe	4-5928/8-4575	left voice message (2)
Sen. Mack (FL)	Wendy Gramm Mark Smith	4-4953 4-5274/4-1907	He might not support Gramm amend. on this bill. Mark does not know if Sen. would support cloture. W/out liability caps, he'll have trouble supporting the bill, even with its spending for public health and farmers. (5/26)
Sen. Roth (DE)	Mark Eichler	4-2441	Would probably support the Gramm amend. It's far too soon for cloture. The bill will be brought up intermittently between now & August. (5/26)

Sen. G. Smith (OR)	Annie Brown	4-3753	Sen. opposes the Gramm amend. on this bill. He supports the Durbin look back and the Lugar farmers provisions. He also supports what McCain has for FDA, although it is much more than he had in his bill. He would probably support cloture. (5/28)
Sen. Snowe (ME)	Tom Geier	4-5344	Sen. probably opposes the Gramm amend. It is too soon for cloture and does not want to diminish FDA authority, but is not wedded to current language. She is most interested in the advertising & marketing parts and is opposed to both approaches to farmers. (5/29)
Sen. Specter (PA)	Kevin Mathis	4-4254/8-1229	left voice message
Sen. Thompson (TN)	Kelvin Moxley	4-4944	Will support anything that will kill the bill. Sen. believes the bill is big gov't, huge taxes, ineffective, and completely unconstitutional. (5/29)
Sen. Warner (VA)	Chas Phillips	4-2023	left voice message
Sen. Stevens (AK)	Ms. Chris Schabacker	4-3004	left voice message

THE WHITE HOUSE
WASHINGTON

May 6, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed

SUBJECT: Meeting with Senator John Kerry

You are meeting with key Senators to address their concerns about Senator McCain's legislation and to enlist their support in moving forward. Senator Kerry, with whom you will meet on Thursday, voted in favor of the McCain bill; he is also a cosponsor of the Conrad bill. During the negotiations on McCain, he fought to reduce the liability protections for the industry; we are uncertain whether he wants to make further changes in this area. He supports strong industry- and company-specific look back penalties, and would like to make these provisions tougher. He also supports using tobacco revenues to fund the President's budgetary priorities in the areas of public health, education and child care; in particular, he successfully offered a sense of the Senate amendment in the Commerce Committee to devote some tobacco revenues to child care.

We want Senator Kerry to understand that we will press for some key changes to the McCain bill, but that we need to be reasonable in our demands, lest the entire legislative effort fall apart. We expect him to be sympathetic to this point of view. You may want to say:

- Just as the Conrad bill helped to jump-start this process, the McCain bill represents dramatic progress. The 19-1 vote in the Senate Commerce Committee makes the McCain bill the vehicle to use to pass comprehensive tobacco legislation this year. We appreciate your efforts in the Commerce Committee to strengthen this bill and help it become a good vehicle.
- We do want to strengthen the bill -- but we need to be reasonable in our demands. Our #1 enemy is a skinny bill -- one that raises the price of cigarettes without restricting advertising or including public health efforts.
- We will seek the following improvements:
 1. Strengthen the penalties, by including a company-specific component and increasing the industry-wide surcharge cap above \$3.5 billion.
 2. Eliminate the "opt-out" provision that allows states to adopt weaker environmental tobacco smoke ("second-hand smoke") laws.
 3. Eliminate or narrow the antitrust exemption.

4. Ensure spending on research, public health, and farmers, and press for spending on child care and education (or at least a menu including these programs).