

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 003 - FOLDER -008

[02/07/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Lyn A. Hogan to Elena Kagan and Bruce Reed. Subject: Travel. (1 page)	02/07/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
 Automated Records Management System [Email]
 OPD ([Kagan])
 OA/Box Number: 250000

FOLDER TITLE:

[02/07/1997]

2009-1006-F

wr24

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Cohen (CN=Michael Cohen/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 7-FEB-1997 11:10:34.00

SUBJECT: disappointment with lack of process

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Do you know anything about this? I don't.

----- Forwarded by Michael Cohen/OPD/EOP on 02/07/97
10:50 AM -----

Jon Weintraub @ ed.gov

02/06/97 06:36:00 PM

Record Type: Record

To: Michael Cohen

cc:

Subject: disappointment with lack of process

Mike Smith asked me to forward this to you..I would be happy to talk further

jon

Forward Header

Subject: disappointment with lack of process

Author: Jon Weintraub at WDCC01

Date: 2/6/97 8:26 AM

i HAVE ATTACHED A MEMORANDUM THAT I SENT TO DIANA FORTUNA AT DPC LAST NIGHT WHO HAS BEEN CHAIRING THE INTERAGENCY WELFARE GROUP FOR YOUR INFORMATION.

IT IS CLEAR THAT OUR INTERESTS ARE BEING LEFT BEHIND DESPITE OUR BEST EFFORTS TO PARTICIPATE AND HAVE AN IMPACT. [THE HHS MTG WAS ATTENDED BY

JACK KRISTY, RANDY HANSEN, TED SKY, LYNETTE CHARBONNEAU AND MYSELF] CLEARLY, WE NEED TO SHAKE SOME MORE TREES ON THIS IF WE WANT IMPACT.

I AM ALSO ATTACHING SOME OF JACK KRISTY'S COMMENTS ON THE HHS GUIDANCE BELOW:

Two items in the January 31 HHS document are probably worth noting:

(1) P.4, last paragraph above "Child Support." The second sentence indicates that HHS will seek a legislative change to clarify that the "calculation of whether a State has met the applicable participation rate shall take into account the State's success in placing participants in both TANF and MOE [i.e., non-federally funded welfare]

programs in work activities." This suggests that if Congress narrows the law on the 20% issue there will be collateral effects with respect to welfare assistance provided by States with their own resources. Bad and double bad.

(2)P.6, second paragraph ("Interim Penalty Policies"), second and third sentences. Note particularly: "States will not be subject to penalties under the new law so long as they implement programs which are related to the intent of the statute and operate within a reasonable interpretation of the statutory language." We should make sure that "our" interest groups are aware of this language as they try to sell their recommendations to State welfare planners.

Forward Header

Subject: disappointment with lack of process
Author: Jon Weintraub at WDCC01
Date: 2/5/97 6:01 PM

Today, after much waiting, we met with hhs regarding joint issuance of a guidance letter on the 20% voc ed issue and other items[a copy of which they have had for weeks]. We learned at that meeting that HHS/acf issued guidance on 1/31/97 regarding a number of issues and were told that this was likely to be the only guidance they were going to issue. Clearly, we would have liked to have been involved in what should have been included in that guidance memo and told them so at the meeting.

We have briefed HHS on our issues several months ago [at several different meetings]. We also briefed the inter-agency work group and provided our issue papers to HHS and the work group very early on in the process. Olivia Golden and Livonia Limon met with the education groups on these issues at our invitation early in the process.

Clearly, when this guidance went out, the Department of ED's interests were not on anyone's radar screen or dismissed as not important enough or too sensitive to be considered as part of this issuance. This guidance was not raised at one of our now bi-weekly meetings that Ted Sky, Jessica Levin or myself have attended in behalf of the department.

We remain disappointed that we were not included in a process that we, in good faith, made every attempt to be a part of. We are not sure what the best way is to participate in the future to represent the interest of the Department and the Education groups who have pushed us for answers on these issues.

We are concerned with the Administration's position on the technical amendments and have particular interest in any attempt by the Congress

to narrow the interpretation of the 20%.

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ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IF3RFEOECG002E62@PMDF.EOP.GOV> for
COHEN_M@a1.eop.gov; Thu, 06 Feb 1997 17:43:56 -0400 (EDT)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879)
id <01IF3RF8PG8G007IO2@STORM.EOP.GOV> for COHEN_M@A1.EOP.GOV; Thu,
06 Feb 1997 17:43:54 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])
by oeri.ed.gov (8.7.5/8.7.3) with SMTP id RAA23428 for <COHEN_M@A1.EOP.GOV>;
Thu, 06 Feb 1997 17:45:38 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)
id 2fa5e280; Thu, 06 Feb 1997 17:41:44 -0500

Content-description: cc:Mail note part

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END ATTACHMENT 1

Weekly Report
Diana Fortuna
February 7, 1997

Caseworker Discretion in Welfare Reform -- You asked about a recent New York Times Op Ed asserting that welfare reform's work requirements will be undercut because of the liberal attitudes of welfare caseworkers. You asked "how much caseworker discretion is left?"

As you know, the welfare law allows only 20% of the caseload to be exempt from the five-year time limit, has a strict definition of work, and sets work participation requirements for the states. As the article notes, however, state waivers with features that vary from the Federal standards are grandfathered for the life of the waiver, and some of them last for 10 years. Although the law does not allow us to override waivers, we have made it clear to the states that they should not use waivers to evade the work requirements of the bill, and that we will seek legislation to amend the law if we learn that states are doing so. This is an area we must continue to watch closely, since HHS would be inclined to give states more leeway in this area than we would.

[Elena: Not sure Bruce would concede the following sentence is true, i.e., that we would allow states to operate weaker versions of the time limits or work requirements.] Even given all of the above, caseworkers will have far less discretion than they have in the past, since every state will now have some type of time limit and work requirement, whether under Federal rules or state waivers.

State Devolution to Local Government in Welfare Reform -- In response to a Washington Post report that many states will give counties or other local governments responsibility for implementing welfare reform, you asked how much devolution the law allows.

The law allows states tremendous latitude to devolve responsibility. Although states are ultimately responsible for ensuring that the Federal law's requirements are carried out, they can require or permit local governments to design benefit systems, and even to share in or bear the total burden of any Federal penalties if they fail. As the article notes, local variations in benefit packages could be a positive development, as counties use their funds to meet needs unique to their area.

A greater concern is whether states will distribute funds equitably across regions. Since AFDC required standard state-wide per capita grants, the states did not have to deal with this question in the past. Presumably this question will be subject to the usual political debates in state capitals. It is an important issue in all states, but states that give counties responsibility for outcomes have a special responsibility to ensure that the money goes where the need is. In addition, certain regions will argue that distributing aid on a per capita basis is unfair to them because their needs are greater and it is more expensive to return their welfare population to work than in other regions.

Of course, state formulas will be subject to court challenges, but the outcomes will undoubtedly vary by state.

February 7, 1996
DRAFT

MEMORANDUM FOR THE SECRETARY OF HEALTH AND HUMAN SERVICES
THE SECRETARY OF

FROM: BRUCE REED
Assistant to the President for Domestic Policy

SUBJECT: Formation of Interagency Working Group on Early Childhood Development

As the President announced in his State of the Union Address, he and the First Lady will hold a White House Conference on Early Learning and the Brain this Spring, and the Administration will be accelerating its efforts focusing on the earliest years of a child's life before she or he starts school. Recent brain research, funded in large part by the National Institutes of Health, indicating the importance of these early years has potential policy implications in areas such as education, health, nutrition, work, and transportation.

Before, during, and after the White House conference, the Administration will be highlighting ongoing and new initiatives to support families and children during these critical, early years. To this end, the President will be issuing an executive memorandum to identify the Administration's accomplishments and current and potential plans to support further healthy early childhood development. This memorandum will also call for the formation of a senior level interagency working group to share, examine, and develop plans and proposals. Attached is a draft of this memorandum.

We will hold the first meeting of this working group next Thursday, February 13, from 1:30-2:30 p.m. in Room 180 of the Old Executive Office Building. Please designate a Presidential appointee to join this working group and to attend this meeting. Because the President will formally issue the executive memorandum within days after this meeting, your designee should provide comments on the memorandum before or at the meeting. In addition, designees should bring with them a list of the top five programs or initiatives the agency would like to highlight. Given the Administration's firm commitment to balancing the budget and fiscal discipline, please indicate what, if any, additional funds would be required by these initiatives.

Feel free to contact me directly with any questions or have your staff contact Jeanine Smartt at the Domestic Policy Council (202) 456-5228.

Attachment

MEMORANDUM TO SYLVIA MATHEWS

FROM: Elena Kagan

SUBJECT: *Wall Street Journal* article on Ethics at FDA

The accusations made in the attached *Wall Street Journal* (WSJ) article you forwarded to me should not affect PDUFA reauthorization or the process of confirming a new FDA Commissioner. Robert Goldberg's assertion that Kessler has let politics and political contributions influence his decisions is simply not credible. In the attached letter to the Journal, FDA refutes the facts and events Goldberg uses to support his conclusions.

Kessler's integrity has previously been attacked by conservatives. The Washington Times' and the WSJ's editorial pages have criticized the Commissioner's policy decisions and occasionally attacked him personally. But reporters at the WSJ, the Washington Post and the New York Times have not echoed these attacks. Press on FDA's actions (e.g. those to speed drug approvals and regulate kids' access to tobacco) and recent editorials on Kessler's tenure at the FDA have been overwhelmingly favorable.

Regardless of their views on Kessler, Members of Congress are not likely to support our nominee for FDA Commissioner unless they are very confident he or she has integrity and can be trusted to act independent of politics. Nothing in the WSJ article changes that. Finally, FDA reports that its negotiations with industry on PDUFA reauthorization are progressing well.

Attachment

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nicole R. Rabner (CN=Nicole R. Rabner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-FEB-1997 14:03:23.00

SUBJECT: HHS adoption report

TO: Lyn A. Hogan (CN=Lyn A. Hogan/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TO: Pauline M. Abernathy (CN=Pauline M. Abernathy/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TO: Bruce N. Reed (CN=Bruce N. Reed/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

I talked to Carol Williams and then to Olivia's office about our "where the hell is the draft report" concern, and here's their story: they are finishing the writing of the report as we speak, and want to incorporate comments from their internal clearance process (which they will initiate as soon as the drafting concludes) before sharing it with us so that what we work off of is a consensus HHS document. They want to defer sharing a draft with us until Monday, suggesting that we meet on Tuesday, at which point all WH comments could be taken, discussed and incorporated as appropriate.

I asked about the likelihood that the promise of Monday becomes a promise of Tuesday, and so on, and was assured that Monday was a firm date. I suggested that we may want something by COB today, and Carol said that Bruce/Elena would have to take that up with Olivia. I then raised with Carol my concern that, above all, OMB (Lester Cash) must be in the loop on the development of the bonus proposal, and Carol said that Lester and Matthew in OMB have been engaged. I have since spoken with Lester directly, who said that, having seen some preliminary paper and having been a part of discussions with HHS OMB, they feel okay about the direction of bonus proposal and that if what they have heard is reflected in the draft we receive, Monday would give them enough time to turn things around in OMB. He and I talked through his understanding of the bonus proposal, and I think that we at the WH will have to have a serious discussion about the structure of the bonus, focusing on how much we should enhance the bonus for the adoptions of hard-to-place kids (HHS, as they mentioned when they briefed us, were cautioned during their consultation process not to promote "creaming" of easy-to-place kids with the bonus, i.e. to pay particular attention to special needs kids). This is one of a number of issues we will need to discuss.

My recommendation is for Elena to call Olivia to express our concern that the White House has enough time to consider/analyze their report and comment appropriately before the report is due and transmitted. Perhaps Elena could ask for 2 things:

1. a firm time on Monday when we can expect the draft report
2. excerpts from the draft paper or a memo from Carol or Olivia to her by COB today that outlines what HHS is going to propose on the four areas on

which there was no specific policy direction given at our last meeting. Those four areas are: 1) the bonus proposal; 2) the setting of the target -- is it going to be time-specific; 3) the strategy for MEPA "aggressive implementation -- is HHS going to issue guidelines or exact penalties for lack of adhering to statute; and 4) the structure of the grants for TA for "removing barriers."

Please advise.

Withdrawal/Redaction Marker

Clinton Library

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001. email	Lyn A. Hogan to Elena Kagan and Bruce Reed. Subject: Travel. (1 page)	02/07/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([Kagan])
OA/Box Number: 250000

FOLDER TITLE:

[02/07/1997]

2009-1006-F

wr24

RESTRICTION CODES

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lyn A. Hogan (CN=Lyn A. Hogan/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 7-FEB-1997 14:37:52.00

SUBJECT: Ohio Child Welfare Waiver

TO: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

CC: Bruce N. Reed (CN=Bruce N. Reed/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

FYI, originally this was going to be announced with the adoption report. However, since there is now no scheduled event around the adoption directive/report, do we still want to do something with the Ohio child welfare waiver? HHS is working out final details with the state and can be ready to go with it anytime.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Leanne A. Shimabukuro (CN=Leanne A. Shimabukuro/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 7-FEB-1997 14:58:14.00

SUBJECT: Native Americans

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

An issue has come up regarding the Navajo-Hopi Settlement Act of 1996 which needs some attention. I think you might be generally aware of this legislation. Please come by and see me. Thanks.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: JOConnor@dol.gov@INET@EOPMRX

CREATION DATE/TIME: 7-FEB-1997 15:10:00.00

SUBJECT: Comp time decision memo

TO: blocker Andy (blocker_a@A1@CD) (WHO)
 READ:NOT READ

TO: Kagan Elena (Kagan_E@A1@CD) (OPD)
 READ:NOT READ

TO: Kaplan Jon (Kaplan_J@A1@CD) (WHO)
 READ:NOT READ

TO: Thornton Tracey (thornton_tracey@A1@CD)
 READ:NOT READ

TO: Wallman Kathy (wallman_k@A1@CD) (OMB)
 READ:10-FEB-1997 11:55:15.14

TEXT:

Date

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN HILLEY & GENE SPERLING

SUBJECT: COMP TIME/ FAMILY MEDICAL LEAVE ACT LEGISLATION

I. BACKGROUND/ANALYSIS

This memorandum offers options for how to achieve the optimal outcome from the current legislative debate on comp time and expansion of the Family and Medical Leave Act (FMLA).

This week and next week, the House and Senate labor committees are holding hearings regarding comp time legislation: the Ballenger bill in the House and the Ashcroft bill in the Senate. Both bills address only comp time and not FMLA expansion, and they provide fewer guarantees of employee choice and fewer protections against potential abuse than your bill, which was sent to Congress last September. For example, the Republican bills:

- 1) Do not exclude vulnerable workers;
- 2) Do not include special protections for workers whose employers go bankrupt or shut down unexpectedly;
- 3) Do not guarantee real choice for employees because they allow employers to refuse employees+ use of comp time if it would unduly disrupt operations. (Your bill, on the other hand, allowed employees to

take comp time for FMLA purposes at any time, and to take it for other purposes with two weeks notice unless it would cause the employer substantial and grievous injury.);

4) Allow employers to cash out employees+ comp time over 80 hours, thereby denying them the use of comp time;

5) Provide weaker remedies for violations. Your bill has solutions to all of these problems.

In addition, the Ashcroft bill has additional provisions that would effectively eliminate the 40 hour week by allowing employers to establish 80 hour biweekly schedules and, in certain circumstances, to pay employees straight time, not time and a half, for hours worked over 40 in a week or 80 in two weeks. Sen. Jeffords plans to mark up the Ashcroft bill on February 26, and Rep. Ballenger plans to mark up his bill in early March.

Senator Dodd, Sen. Murray, Rep. Clay, and Rep. Maloney have instead introduced bills to expand the FMLA. The bills introduced by Maloney and Murray would expand FMLA for an additional twenty-four hours for the purposes of routine medical care for children and elderly parents or school related activities, similar to your bill. The bills introduced by Dodd and Clay would lower the threshold of FMLA applicability from 50 employees to 25 employees, which would cover an additional 10 million employees in small businesses.

The FMLA bills have support from women+s groups and the labor movement, both of which are more enthusiastic about dropping the threshold than providing an additional 24 hours of leave. The labor movement strongly opposes the Republican comp time bills, and finds the provisions in the Ashcroft bill that eliminate the 40-hour work week to be particularly offensive. Most Republicans oppose any expansion of FMLA.

The current legislative strategy among congressional Democratic leaders is to criticize the comp time bills and try to add the various FMLA expansions to the Republican bills. Your bill has not been introduced, nor is there any Democratic version of a comp time bill. The labor movement has requested that the Administration threaten to veto any bill that doesn't 1) improve the comp time provisions to provide real choice and real protections for employees, and 2) link FMLA and comp time.

II. ACTION-FORCING EVENT

The Vice President will be addressing the AFL-CIO at an annual meeting on

February 18 and will be forced to address these issues either in remarks or in questions and answers. Thus, a decision must be made now regarding whether to adopt a strategy of insisting on linkage between FMLA and comp time, and whether to issue any veto threats. The options are laid out below. In each case, the Vice President would articulate the Administration position on February 18 at the AFL-CIO meeting.

III. OPTIONS

1. Threaten to veto the bill if your principles are not addressed. The Administration would lay out a set of principles needed for a bill to be truly family friendly. We would say that the bill should include FMLA expansion, and that any bill that doesn't meet certain principles will be vetoed, but we would not link a veto to FMLA expansion. These principles are embodied in your bill from last year:

A) Real Choice for Employees, including the right to take comp time when needed for FMLA purposes, the right to choose to use comp time for any purpose with two weeks notice to their employer unless use of comp time will cause substantial and grievous injury to the employer, the right to cash out comp time for overtime pay on 15 days notice and employers can't choose to cash out comp time; and

B) Real Protection Against Employer Abuse, including the various protective provisions in your bill that are not present in the Republican bills, such as exclusions for vulnerable workers, special protections in case employers go bankrupt or close down unexpectedly, a prohibition against employers' substituting comp time for paid vacation or sick leave benefits, a prohibition against employers penalizing employees who choose overtime pay instead of comp time, and strong provisions for enforcement.

C) Preservation of Basic Worker Rights. The Administration would threaten a veto of any bill that eliminates the 40 hour work week, as the Ashcroft bill does.

Pros: A. Would strengthen the position of congressional Democrats arguing to improve the Republican bills. Would encourage congressional Republicans to negotiate in an effort to produce a bill that would become law.

B. If the strategy resulted in changes to the bills, it would significantly improve upon bills that presently do not carry gu

===== ATTACHMENT 1 =====

ATT CREATION TIME/DATE: 7-FEB-1997 15:10:00.00

ATT BODYPART TYPE:D

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IF50DDM3XC00WMCG@PMDF.EOP.GOV>; Fri,
07 Feb 1997 15:10:24 -0400 (EDT)

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id <01IF50D3NKOI007IO2@STORM.EOP.GOV>; Fri, 07 Feb 1997 15:10:19 -0700 (MST)

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Received: from smtpgw(166.96.2.20) by gatekeeper via smap (V1.3)

id sma0111154; Fri Feb 7 15:07:03 1997

Received: by gatekeeper with Microsoft Mail id <32FB45B3@gatekeeper>; Fri,

07 Feb 1997 15:09:39 -0500 (EST)

===== END ATTACHMENT 1 =====

February, 7, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN HILLEY & GENE SPERLING

SUBJECT: COMP TIME/ FAMILY MEDICAL LEAVE ACT LEGISLATION

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This memorandum offers options for how to achieve the optimal outcome from the current legislative debate on comp time and expansion of the Family and Medical Leave Act (FMLA).

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- 1) Do not exclude vulnerable workers;
- 2) Do not include special protections for workers whose employers go bankrupt or shut down unexpectedly;
- 3) Do not guarantee real choice for employees because they allow employers to refuse employees' use of comp time if it would "unduly disrupt" operations. (Your bill, on the other hand, allowed employees to take comp time for FMLA purposes at any time, and to take it for other purposes with two weeks notice unless it would cause the employer "substantial and grievous injury.");
- 4) Allow employers to cash out employees' comp time over 80 hours, thereby denying them the use of comp time;
- 5) Provide weaker remedies for violations. Your bill has solutions to all of these problems.

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III. OPTIONS

1. **Threaten to veto the bill if your principles are not addressed.** The Administration would lay out a set of principles needed for a bill to be truly family friendly. We would say that the bill should include FMLA expansion, and that any bill that doesn't meet certain principles will be vetoed, but we would not link a veto to FMLA expansion. These principles are embodied in your bill from last year:

- A) **Real Choice for Employees**, including the right to take comp time when needed for FMLA purposes, the right to choose to use comp time for any purpose with two weeks notice to their employer unless use of comp time will cause substantial and grievous injury to the employer, the right to cash out comp time for overtime pay on 15 days notice and employers can't choose to cash out comp time; and
- B) **Real Protection Against Employer Abuse**, including the various protective provisions in your bill that are not present in the Republican bills, such as exclusions for vulnerable workers, special protections in case employers go bankrupt or close down unexpectedly, a prohibition against employers' substituting comp time for paid vacation or sick leave benefits, a prohibition against employers penalizing employees who choose

overtime pay instead of comp time, and strong provisions for enforcement.

- C) **Preservation of Basic Worker Rights.** The Administration would threaten a veto of any bill that eliminates the 40 hour work week, as the Ashcroft bill does.

Pros: A. Would strengthen the position of congressional Democrats arguing to improve the Republican bills. Would encourage congressional Republicans to negotiate in an effort to produce a bill that would become law.

B. If the strategy resulted in changes to the bills, it would significantly improve upon bills that presently do not carry guarantees of employee choice or adequate protection against employer abuse.

C. Would be welcomed by constituency groups that view the Republican bills as a weakening of employee protection laws, and would strengthen the leadership position of Democrats on women's issues.

D. Since this strategy doesn't threaten a veto if the FMLA expansion is not in a final bill, it has the effect of assisting the Democrats who are trying to add FMLA expansion to the bills without locking you in to a veto on that specific issue.

Con: You might have to veto a comp time bill, although it would be one that would fall far short of the family friendly principles you have laid out.

2. **Threaten to veto a bill if your principles are not addressed AND FMLA expansion is not included.** This strategy is the same as #1 above except that a fourth veto principle would be the expansion of FMLA. The rationale is that FMLA and comp time are linked family friendly policies. Since comp time is not mandatory, the only guarantee that covered workers will have any additional leave is through FMLA expansion amendments. FMLA is one of your signature programs and this is one way to ensure its passage in a Republican Congress.

Pros: Same as A, B & C above. In addition, the AFL-CIO has requested this particular strategy and veto threat. Sen. Kennedy also prefers this strategy and veto threat.

Cons: A. Sen. Daschle is skeptical that his colleagues will support a strategy that insists on FMLA expansion as the price for any comp time bill, however strong. It is difficult to defend the logic of refusing to accept one positive change in the law merely because a second positive change has not also been made.

B. If the strategy fails to produce a bill that includes FMLA expansion, you might have to veto a very strong comp time bill just because it doesn't include FMLA expansion.

3. **Introduce principles for a family-friendly bill.** We would lay out the principles listed

in #1 above and would insist that they are all vital to a family friendly bill, but would not explicitly threaten a veto.

Pros: A. Would lay out principles for a bill without locking you in to a veto.

B. Would leave open the option of vetoing a weak comp time bill or a bill that fails to expand FMLA.

Cons: Not likely to produce changes to the Republican bills, thus could make it more likely that you face signing a bill that doesn't include sufficient employee choice and protections. Signing such a bill would have the dual results of significantly altering the Fair Labor Standards Act without sufficient safeguards and also seriously angering the labor movement and disappointing women's groups.

IV. DECISION:

Option 1 ____

Option 2 ____ Option 3 ____

Let's Discuss ____

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Stuart M. Schear (CN=Stuart M. Schear/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-FEB-1997 17:33:33.00

SUBJECT: WEEKEND TV: FINAL

TO: Jake Siewert (CN=Jake Siewert/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Todd Stern (CN=Todd Stern/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Beverly J. Barnes (CN=Beverly J. Barnes/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Jessica R. Arons (CN=Jessica R. Arons/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Kathleen M. McKiernan (CN=Kathleen M. McKiernan/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: GREEN_MG (GREEN_MG @ A1 @ CD @ LNGTWY [EOP]) (OPD)
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READ:UNKNOWN

TEXT:

FEBRUARY 7, 1997

MEMORANDUM TO MIKE MCCURRY AND DON BAER
FROM STUART SCHEAR
SUBJECT WEEKEND TELEVISION: FINAL REPORT

FRIDAY FEBRUARY 7

WASHINGTON WEEK IN REVIEW

Topic	SOTU Address/Clinton Agenda
Guest	Mara Liasson, NPR
Topic	Clinton's Budget
Guest	Alan Murray, Wall Street Journal
Topic	Balanced Budget Amendment
Guest	Steve Roberts, NY Daily News
Topic	ABA & Capital Punishment
Guest	Sondra Tory, Washington Post
Topic	Belgrade Update
Guest	Sylvia Poggioli, NPR

SATURDAY FEBRUARY 8

EVANS & NOVAK (CNN)

Topic	Budget, Medicare, etc.
Guest	Secy. Shalala

INSIDE POLITICS WEEKEND (CNN)

Topic	Congressional Democrats
Guest	Rep. JC Watts & Rep. Nancy Pelosi

The McLaughlin Group(NBC)

Topic	SOU, Budget, OJ, Gore's Trip to South Africa
Guest	Clift, Kondracke, Barnes, Gergen

Comment Taped on Friday afternoon. Replayed Sunday AM.

SUNDAY FEBRUARY 9

FOX NEWS SUNDAY (FOX)@ 9 AM

Topic Budget & Taxes
Guest Gene Sperling, NEC
Guest Rep. Martin Frost & Rep. John Boehner
Guest Sen. Connie Mack

Roundtable Brit Hume, Juan Williams & Mara Liasson

C-SPAN @ 9:30 AM

Topic Profile Interview
Guest Gene Sperling, NEC

FACE THE NATION (CBS)

Topic Budget & Taxes
Guest Franklin Raines, OMB
Guest Rep. Bill Archer

Topic Budget, National Priorities & The Bennett-
Gingrich Contretemps
Guest Rev. Jesse Jackson

Comment Bob Schieffer & Ron Brownstein Interview

THIS WEEK (ABC)

Topic OJ Verdict
Guest TBD

Topic Sexual Harassment in the Armed Forces
Guest Sgt. Major Brenda Hoster
Guest Sen. Olympia Snowe
Guest Togo West, Secy. Of The Army

Roundtable Cokie, Sam, Will, Kristol, Page

MEET (NBC)

Topic Budget, Taxes, Politics
Guest Jack Kemp

Topic Sports, Race & American Society
Guest Michael Jordan, Chicago Bulls
Grant Hill, Detroit Pistons
Charles Barkley, Houston Rockets
NBA Commissioner, David Stern

Roundtable Russert & Bob Costas, NBC Sports

LATE EDITION (CNN)

Topic Budget & Taxes
Guest Franklin Raines, OMB

Topic Budget & Taxes
Guest Sen. Domenici & Sen. Dodd

Roundtable Michael Duffy, EJ Dionne, Kate O'Beirne

McLaughlin One-On-One (NBC)@ 11:30 AM

Topic Campaign Finance Reform
Guest Sen. McCain & Sen. Feingold

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Stuart M. Schear@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 7-FEB-1997 17:38:00.00

SUBJECT: WEEKEND TV: FINAL

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TO: Lori L. Anderson READ:NOT READ	(Lori L. Anderson@EOP@LNGTWY@EOPMRX)
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TO: Virginia M. Terzano (Virginia M. Terzano@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Terri J. Tingen (Terri J. Tingen@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Barry J. Toiv (Barry J. Toiv@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: June G. Turner (June G. Turner@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Peter G. Umhofer (Peter G. Umhofer@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Molly Varney (Molly Varney@EOP@LNGTWY@EOPMRX)
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TO: Dag Vega (Dag Vega@EOP@LNGTWY@EOPMRX)
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TO: Sally J. Aman (Sally J. Aman@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Joseph W. Cerrell (Joseph W. Cerrell@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Ron Klain (Ron Klain@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Heidi Kukis (Heidi Kukis@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Julia M. Payne (Julia M. Payne@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Virginia M. Terzano (Virginia M. Terzano@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Lorraine A. Voles (Lorraine A. Voles@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: JOHNSON_DT (JOHNSON_DT@A1@CD@LNGTWY@LNGTWY@EOPMRX) (
READ:NOT READ

TO: Kathleen M. McKiernan (Kathleen M. McKiernan@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Sara M. Latham (Sara M. Latham@EOP@LNGTWY@EOPMRX)
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TO: Jessica R. Arons (Jessica R. Arons@EOP@LNGTWY@EOPMRX)
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TO: Brenda M. Anders (Brenda M. Anders@EOP@LNGTWY@EOPMRX)
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TO: Beverly J. Barnes (Beverly J. Barnes@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Ann F. Lewis (Ann F. Lewis@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Todd Stern (Todd Stern@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Jake Siewert (Jake Siewert@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Kathleen M. Wallman (Kathleen M. Wallman@EOP@LNGTWY@EOPMRX)

FEBRUARY 7, 1997

MEMORANDUM TO MIKE MCCURRY AND DON BAER
FROM STUART SCHEAR
SUBJECT WEEKEND TELEVISION: FINAL REPORT

FRIDAY FEBRUARY 7

WASHINGTON WEEK IN REVIEW

Topic	SOTU Address/Clinton Agenda
Guest	Mara Liasson, NPR
Topic	Clinton's Budget
Guest	Alan Murray, Wall Street Journal
Topic	Balanced Budget Amendment
Guest	Steve Roberts, NY Daily News
Topic	ABA & Capital Punishment
Guest	Sondra Tory, Washington Post
Topic	Belgrade Update
Guest	Sylvia Poggioli, NPR

SATURDAY FEBRUARY 8

EVANS & NOVAK (CNN)

Topic	Budget, Medicare, etc.
Guest	Secy. Shalala

INSIDE POLITICS WEEKEND (CNN)

Topic	Congressional Democrats
Guest	Rep. JC Watts & Rep. Nancy Pelosi

The McLaughlin Group(NBC)

Topic	SOU, Budget, OJ, Gore's Trip to South Africa
Guest	Clift, Kondracke, Barnes, Gergen

Comment Taped on Friday afternoon. Replayed Sunday AM.

SUNDAY FEBRUARY 9

FOX NEWS SUNDAY (FOX)@ 9 AM

Topic Budget & Taxes
Guest Gene Sperling, NEC
Guest Rep. Martin Frost & Rep. John Boehner
Guest Sen. Connie Mack

Roundtable Brit Hume, Juan Williams & Mara Liasson

C-SPAN @ 9:30 AM

Topic Profile Interview
Guest Gene Sperling, NEC

FACE THE NATION (CBS)

Topic Budget & Taxes
Guest Franklin Raines, OMB
Guest Rep. Bill Archer

Topic Budget, National Priorities & The Bennett-
Gingrich Contretemps
Guest Rev. Jesse Jackson

Comment Bob Schieffer & Ron Brownstein Interview

THIS WEEK (ABC)

Topic OJ Verdict
Guest TBD

Topic Sexual Harassment in the Armed Forces
Guest Sgt. Major Brenda Hoster
Guest Sen. Olympia Snowe
Guest Togo West, Secy. Of The Army

Roundtable Cokie, Sam, Will, Kristol, Page

MEET (NBC)

Topic Budget, Taxes, Politics
Guest Jack Kemp

Topic Sports, Race & American Society
Guest Michael Jordan, Chicago Bulls
Grant Hill, Detroit Pistons
Charles Barkley, Houston Rockets
NBA Commissioner, David Stern

Roundtable Russert & Bob Costas, NBC Sports

LATE EDITION (CNN)

Topic Budget & Taxes
Guest Franklin Raines, OMB

Topic Budget & Taxes
Guest Sen. Domenici & Sen. Dodd

Roundtable Michael Duffy, EJ Dionne, Kate O'Beirne

McLaughlin One-On-One (NBC)@ 11:30 AM

Topic Campaign Finance Reform
Guest Sen. McCain & Sen. Feingold

Welfare Privatization & Minimum Wage
Monday, February 10
5:30 p.m.
Bruce's office

Bruce Reed
Gene Sperling
Elena Kagan
Wendy White
Ken Apfel
Diana Fortuna
Barry White
Larry Matlack
Stacy Dean

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kenneth S. Apfel (CN=Kenneth S. Apfel/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 7-FEB-1997 18:02:39.00

SUBJECT: Shalala testimony

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Lyn A. Hogan (CN=Lyn A. Hogan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: FORTUNA_D (FORTUNA_D @ A1 @ CD @ LNGTWY [EOP]) (OPD)
READ:UNKNOWN

TEXT:

Diana - - great minds think alike. I asked my staff for the same earlier
----- Forwarded by Kenneth S. Apfel/OMB/EOP on 02/07/97
06:00 PM -----

From: Kenneth S. Apfel on 02/07/97 12:44:04 PM
Record Type: Record

To: Barry White/OMB/EOP, Keith J. Fontenot/OMB/EOP, Cynthia M.
Smith/OMB/EOP
cc:
Subject: Shalala testimony

I read it last night. We need to beef up 3 points: medicaid for ssi
kids, welfare to work, and most importantly immigrants. We should do the
beefing up because HHS I don't think will do it on their own. Let's
quote from POTUS on the immigrant issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 7-FEB-1997 18:06:01.00

SUBJECT: Next steps on welfare reform fix package

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: REED_B (REED_B @ A1 @ CD @ LNGTWY [EOP]) (OPD)
READ:UNKNOWN

CC: Stephen C. Warnath (CN=Stephen C. Warnath/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

CC: Lyn A. Hogan (CN=Lyn A. Hogan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

Agencies are asking me to pull together HHS, DOJ, SSA, etc. to formulate strategy on how to keep pushing our legal immigrant package. Presumably we could also focus on food stamps. I am assuming you would want me to spend time on this, but if not let me know. If I don't move aggressively, I imagine Ken will.

FYI on one upcoming date: On February 22, theoretically the first food stamp recipients should be losing eligibility because of the new requirement that you only get 3 months of benefits if you don't work.

February 7, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed

SUBJECT: Domestic Policy Council Weekly Report

1. Reaction to Education Plan: The education agenda you laid out in the State of the Union is getting high praise from across the political spectrum. In the latest USA Today poll, 83% supported your proposal for national tests in 4th-grade reading and 8th-grade math. All the major education groups have been supportive; the NEA said your overall plan was "extraordinary". Checker Finn, Diane Ravitch, and Chris Cross have spoken out publicly in favor of the tests, and Engler will as well. The only grumbling has come from some conservatives who don't understand the proposal or think it's a stalking horse for something else. Ralph Reed said he opposes "mandatory national standards"; Tommy Thompson complained about federal involvement in education. Mike Cohen is briefing the NGA staff next week, and expects most of the governors to come around once they hear the details.

2. NEA and Teacher Standards: In a National Press Club speech on Wednesday, Bob Chase pledged to transform the NEA into a force for school reform instead of an obstacle. For the first time, he endorsed the policy you spelled out at last year's NGA Education summit on getting teachers who don't measure up out of the classroom. "The fact is that in some instances, we have used our power to block uncomfortable changes -- to protect the narrow interest of our members, and not to advance the interests of students and schools. There are indeed some bad teachers in America's schools, and it is our job as a union to improve those teachers or -- that failing -- to get them out of the classroom." Al Shanker has supported our policy on this all along.

3. Service Summit: We're keeping close tabs on the summit. We meet regularly with Wofford, and check in weekly with Cisneros. They continue to line up impressive commitments; this week, Newsweek began a weekly feature called Commitment Watch, patterned after the Conventional Wisdom box. To make sure that the summit remains identified as your deal, we would like to plan one more White House event between now and April 28 in which you would announce another round of commitments, and perhaps launch AmeriCorps' high school scholarship matching program, which you called for at Penn State last year. We'll have some other proposals ready for your speech to the summit as well.

BRUCE REED

**Daily Schedule for
Monday
February 10, 1997**

**9:00 Staff Meeting
(Room 211)**

**10:00 Departure
(Tentative)**

**12:45 Arrival at WH
(Tentative)**

**2:00 Scheduling Meeting
(Erskine's office)**

**4:30 Education Strategy
Meeting
(Your office)**

**5:30 WR Privatization
& Minimum Wage
(Your office)**

draft 2/7

WH CONFERENCE ON EARLY LEARNING AND THE BRAIN PROPOSED FORMAT

The Conference is divided thematically and logistically into two parts. Consecutive panel discussions address the following themes:

PANEL #1

A) An exploration of current scientific research, presented by leading scientists -- what do we now know about children's cognitive and emotional development during the earliest years of life?

Participants: Leading Neuroscientists, Developmental Specialists, NIH Scientists, Leading Academic Scholars

B) An examination of the practical applications of this research for parents -- what can parents do to enhance the development of their children in their earliest years of life, given the current research?

Participants: parents (some on panel and others in front row) asking questions of the panel of experts and scientists as to how the research should inform their parenting. Questions by parents might include:

- *What does this research mean I should be doing with my child?*
- *How much time should I spend reading to my child each day or week? Are some children's books better than others?*
- *What are a few things I can do with my child to ensure that my child begins school ready to learn?*

PANEL #2

A discussion with the various sectors of society -- with the POTUS underscoring government's role and his Administration's initiatives and announcements -- exploring what the sectors are doing, what they can do, and announcements of what they pledge to do to support families and enhance early childhood development -- what can society do equip parents with current research and how can all sectors of society apply current research?

Participants: Pediatricians, Grassroots Practitioners, Early Child Care Providers, Religious Leaders, Policy Makers, Business Leaders

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nicole R. Rabner (CN=Nicole R. Rabner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-FEB-1997 18:31:52.00

SUBJECT: outrage

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

It just occurred to me, at 6:30pm, that I had left a message for Carol Williams not long after we spoke today -- a detailed message on her voicemail -- for her to call me, that you and Olivia had spoken and agreed that a conference call would be useful to the White House to answer questions not addressed at our last meeting. She never called me back. And, needless to say, no one is there now.

What I'll do this weekend, absent a call from her, is to do a memo that outlines what I believe will be the major policy questions we will have to address if and when we receive the report from HHS. I'll leave it on your chair over the weekend.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Alice E. Shuffield@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 7-FEB-1997 18:49:00.00

SUBJECT: OMB Legislative Report -- February 7, 1997

TO: RAINES_F (RAINES_F@A1@CD) (OMB)
READ:NOT READ

TO: ADAMS_G (ADAMS_G@A1@CD) (OMB)
READ:NOT READ

TO: HAAS_L (HAAS_L@A1@CD) (OMB)
READ:10-FEB-1997 09:13:48.23

TO: SMITH_CM (SMITH_CM@A1@CD) (OMB)
READ:NOT READ

TO: SCHWARTZ_K (SCHWARTZ_K@A1@CD) (OMB)
READ:NOT READ

TO: FOLEY_M (FOLEY_M@A1@CD) (WHO)
READ: 8-FEB-1997 14:15:39.72

TO: PETERSON_RK (PETERSON_RK@A1@CD) (OMB)
READ:NOT READ

TO: PANERALI_K (PANERALI_K@A1@CD) (OPD)
READ:NOT READ

TO: HOLSTEIN_E (HOLSTEIN_E@A1@CD) (OPD)
READ:NOT READ

TO: GIBBONS_M (GIBBONS_M@A1@CD) (OMB)
READ:NOT READ

TO: JONES_RE (JONES_RE@A1@CD) (OMB)
READ:NOT READ

TO: BROWN_JA (BROWN_JA@A1@CD) (OMB)
READ:NOT READ

TO: COOK_MY (COOK_MY@A1@CD) (OMB)
READ:NOT READ

TO: WEINSTEIN_D (WEINSTEIN_D@A1@CD) (OPD)
READ:NOT READ

TO: WEINSTEIN_P (WEINSTEIN_P@A1@CD) (OPD)
READ:NOT READ

TO: PALMIERI_J (PALMIERI_J@A1@CD) (WHO)
READ:10-FEB-1997 10:22:55.45

TO: WHITE_B (WHITE_B@A1@CD) (OMB)
READ:NOT READ

TO: MORAN_K (MORAN_K@A1@CD) (WHO)

READ:NOT READ

TO: WALKER_C (WALKER_C@A1@CD) (WHO)
READ:NOT READ

TO: WALKER_A (WALKER_A@A1@CD) (WHO)
READ:NOT READ

TO: GREEN_M (GREEN_M@A1@CD) (OMB)
READ:NOT READ

TO: SILVERMAN_S (SILVERMAN_S@A1@CD) (WHO)
READ:NOT READ

TO: REED_B (REED_B@A1@CD) (OPD)
READ:NOT READ

TO: ANGELL_J (ANGELL_J@A1@CD) (WHO)
READ:NOT READ

TO: DONNELLY_RE (DONNELLY_RE@A1@CD) (WHO)
READ:NOT READ

TO: SCHAEFER_V (SCHAEFER_V@A1@CD) (OMB)
READ:10-FEB-1997 14:39:23.55

TO: MCKIERNAN_K (MCKIERNAN_K@A1@CD) (WHO)
READ:NOT READ

TO: SCHWARTZ_N (SCHWARTZ_N@A1@CD) (OMB)
READ:10-FEB-1997 09:32:42.83

TO: SPERLING_G (SPERLING_G@A1@CD) (OPD)
READ:NOT READ

TO: LEVIN_P (LEVIN_P@A1@CD) (WHO)
READ:NOT READ

TO: ABERNATHY_P (ABERNATHY_P@A1@CD) (OPD)
READ:NOT READ

TO: OLIVER_A (OLIVER_A@A1@CD) (OMB)
READ:NOT READ

TO: WARREN_M (WARREN_M@A1@CD) (OPD)
READ:NOT READ

TO: ABRAMSON_K (ABRAMSON_K@A1@CD) (WHO)
READ:NOT READ

TO: DENTON_M (DENTON_M@A1@CD) (CEQ)
READ:10-FEB-1997 12:05:07.81

TO: WARREN_W (WARREN_W@A1@CD) (CEQ)
READ:NOT READ

TO: GOLDBERG_JS (GOLDBERG_JS@A1@CD) (WHO)
READ:NOT READ

TO: VELLENGA_T (VELLENGA_T@A1@CD) (WHO)

READ:NOT READ

TO: WILLIAMS_MA
READ:NOT READ

(WILLIAMS_MA@A1@CD) (WHO)

TO: HOGAN_L
READ:NOT READ

(HOGAN_L@A1@CD) (OPD)

TO: SMITH_BD
READ:NOT READ

(SMITH_BD@A1@CD) (OMB)

TO: SMITH_P
READ:10-FEB-1997 09:01:59.89

(SMITH_P@A1@CD) (OMB)

TO: Jacob J. Lew
READ:NOT READ

(Jacob J. Lew@EOP@LNGTWY@EOPMRX)

TO: John A. Koskinen
READ:NOT READ

(John A. Koskinen@EOP@LNGTWY@EOPMRX)

TO: Charles E. Kieffer
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(Charles E. Kieffer@EOP@LNGTWY@EOPMRX)

TO: Rebecca R. Culberson
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(Rebecca R. Culberson@EOP@LNGTWY@EOPMRX)

TO: Robert G. Damus
READ:NOT READ

(Robert G. Damus@EOP@LNGTWY@EOPMRX)

TO: Barry B. Anderson
READ:NOT READ

(Barry B. Anderson@EOP@LNGTWY@EOPMRX)

TO: T J. Glauthier
READ:NOT READ

(T J. Glauthier@EOP@LNGTWY@EOPMRX)

TO: Kenneth S. Apfel
READ:NOT READ

(Kenneth S. Apfel@EOP@LNGTWY@EOPMRX)

TO: Nancy A. Min
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(Nancy A. Min@EOP@LNGTWY@EOPMRX)

TO: Sally Katzen
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(Sally Katzen@EOP@LNGTWY@EOPMRX)

TO: Joseph J. Minarik
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(Joseph J. Minarik@EOP@LNGTWY@EOPMRX)

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TO: Jill M. Blickstein
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(Jill M. Blickstein@EOP@LNGTWY@EOPMRX)

TO: Sarah A. Bianchi
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(Sarah A. Bianchi@EOP@LNGTWY@EOPMRX)

TO: Deborah F. Kramer
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(Deborah F. Kramer@EOP@LNGTWY@EOPMRX)

TO: Janet L. Graves

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TO: Alan B. Rhinesmith
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(Alan B. Rhinesmith@EOP@LNGTWY@EOPMRX)

TO: Kathleen Peroff
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TO: Ronald M. Cogswell
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(Ronald M. Cogswell@EOP@LNGTWY@EOPMRX)

TO: Barry T. Clendenin
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TO: Robert B. Rideout
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(Robert B. Rideout@EOP@LNGTWY@EOPMRX)

TO: Philip A. DuSault
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(Philip A. DuSault@EOP@LNGTWY@EOPMRX)

TO: Richard P. Emery Jr.
READ:NOT READ

(Richard P. Emery Jr.@EOP@LNGTWY@EOPMRX)

TO: Robert E. Barker
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(Robert E. Barker@EOP@LNGTWY@EOPMRX)

TO: Deborah L. Shaw
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(Deborah L. Shaw@EOP@LNGTWY@EOPMRX)

TO: Susanne D. Lind
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(Susanne D. Lind@EOP@LNGTWY@EOPMRX)

TO: Ellen J. Balis
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(Ellen J. Balis@EOP@LNGTWY@EOPMRX)

TO: Alicia K. Kolaian
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(Alicia K. Kolaian@EOP@LNGTWY@EOPMRX)

TO: Bruce D. Long
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(Bruce D. Long@EOP@LNGTWY@EOPMRX)

TO: Lisa M. Kountoupes
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(Lisa M. Kountoupes@EOP@LNGTWY@EOPMRX)

TO: Charles Konigsberg
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(Charles Konigsberg@EOP@LNGTWY@EOPMRX)

TO: Bruce W. McConnell
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(Bruce W. McConnell@EOP@LNGTWY@EOPMRX)

TO: Bernard H. Martin
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TO: Michael A. Fitzpatrick
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(Michael A. Fitzpatrick@EOP@LNGTWY@EOPMRX)

TO: Scott Quehl
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(Scott Quehl@EOP@LNGTWY@EOPMRX)

TO: Daniel M. Tangherlini

(Daniel M. Tangherlini@EOP@LNGTWY@EOPMRX)

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TO: Lara L. Roholt (Lara L. Roholt@EOP@LN GTWY@EOPMRX)
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TO: Elisa Millsap (Elisa Millsap@EOP@LN GTWY@EOPMRX)
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TO: Ann M. Cattalini (Ann M. Cattalini@EOP@LN GTWY@EOPMRX)
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TO: James T. Heimbach (James T. Heimbach@EOP@LN GTWY@EOPMRX)
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TO: James C. Murr (James C. Murr@EOP@LN GTWY@EOPMRX)
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TO: James J. Jukes (James J. Jukes@EOP@LN GTWY@EOPMRX)
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TO: Janet R. Forsgren (Janet R. Forsgren@EOP@LN GTWY@EOPMRX)
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TO: Steven J. Kelman (Steven J. Kelman@EOP@LN GTWY@EOPMRX)
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TO: Ingrid M. Schroeder (Ingrid M. Schroeder@EOP@LN GTWY@EOPMRX)
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TO: Jeffrey A. Weinberg (Jeffrey A. Weinberg@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Constance J. Bowers (Constance J. Bowers@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Anna M. Briatico (Anna M. Briatico@EOP@LN GTWY@EOPMRX)
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TO: Robert J. Pellicci (Robert J. Pellicci@EOP@LN GTWY@EOPMRX)
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TO: Alison C. Perkins (Alison C. Perkins@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Elyse H. Fitter (Elyse H. Fitter@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Annette E. Rooney (Annette E. Rooney@EOP@LN GTWY@EOPMRX)
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TO: Stacey L. Rubin (Stacey L. Rubin@EOP@LN GTWY@EOPMRX)
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TO: Philip R. Dame (Philip R. Dame@EOP@LN GTWY@EOPMRX)
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TO: Phebe N. Vickers (Phebe N. Vickers@EOP@LN GTWY@EOPMRX)
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TO: Barbara Chow (Barbara Chow@EOP@LN GTWY@EOPMRX)

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TO: Todd Stern (Todd Stern@EOP@LNGTWY@EOPMRX)
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TO: Nancy L. Brandel (Nancy L. Brandel@EOP@LNGTWY@EOPMRX)
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TO: Elizabeth M. Toohy (Elizabeth M. Toohy@EOP@LNGTWY@EOPMRX)
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TO: Douglas B. Sosnik (Douglas B. Sosnik@EOP@LNGTWY@EOPMRX)
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TO: Karen L. Hancox (Karen L. Hancox@EOP@LNGTWY@EOPMRX)
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TO: Shelley N. Fidler (Shelley N. Fidler@EOP@LNGTWY@EOPMRX)
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TO: Janet Himler (Janet Himler@EOP@LNGTWY@EOPMRX)
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TO: Dainel C. Tate (Dainel C. Tate@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Anita Chellaraj (Anita Chellaraj@EOP@LNGTWY@EOPMRX)
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TO: Nicholas B. Kirkhorn (Nicholas B. Kirkhorn@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Lucia A. Wyman (Lucia A. Wyman@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Alphonse J. Maldon (Alphonse J. Maldon@EOP@LNGTWY@EOPMRX)
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TO: Robert J. Nassif (Robert J. Nassif@EOP@LNGTWY@EOPMRX)
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TO: Melinda D. Haskins (Melinda D. Haskins@EOP@LNGTWY@EOPMRX)
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TO: Robert S. Fairweather (Robert S. Fairweather@EOP@LNGTWY@EOPMRX)
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TO: Janet E. Irwin (Janet E. Irwin@EOP@LNGTWY@EOPMRX)
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TO: James B. Kazel (James B. Kazel@EOP@LNGTWY@EOPMRX)
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TO: John A. Gribben (John A. Gribben@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: April K. Mellody (April K. Mellody@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Mary E. Glynn (Mary E. Glynn@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Mark A. Weatherly
READ:NOT READ

(Mark A. Weatherly@EOP@LNGTWY@EOPMRX)

TO: Ananias Blocker III
READ:NOT READ

(Ananias Blocker III@EOP@LNGTWY@EOPMRX)

TO: Richard A. Mertens
READ:NOT READ

(Richard A. Mertens@EOP@LNGTWY@EOPMRX)

TO: Ben A. Freeland
READ:NOT READ

(Ben A. Freeland@EOP@LNGTWY@EOPMRX)

TO: Peter G. Jacoby
READ:NOT READ

(Peter G. Jacoby@EOP@LNGTWY@EOPMRX)

TO: Kate P. Donovan
READ:NOT READ

(Kate P. Donovan@EOP@LNGTWY@EOPMRX)

TO: Angus S. King
READ:NOT READ

(Angus S. King@EOP@LNGTWY@EOPMRX)

TO: Thomas C. Jensen
READ:NOT READ

(Thomas C. Jensen@EOP@LNGTWY@EOPMRX)

TO: Justine F. Rodriguez
READ:NOT READ

(Justine F. Rodriguez@EOP@LNGTWY@EOPMRX)

TO: Julie E. Mason
READ:NOT READ

(Julie E. Mason@EOP@LNGTWY@EOPMRX)

TO: Mary Jo Siclari
READ:NOT READ

(Mary Jo Siclari@EOP@LNGTWY@EOPMRX)

TO: Barry J. Toiv
READ:NOT READ

(Barry J. Toiv@EOP@LNGTWY@EOPMRX)

TO: Alice E. Shuffield
READ:NOT READ

(Alice E. Shuffield@EOP@LNGTWY@EOPMRX)

TO: Toni S. Hustead
READ:NOT READ

(Toni S. Hustead@EOP@LNGTWY@EOPMRX)

TO: Christopher R. Ulrich
READ:NOT READ

(Christopher R. Ulrich@OVP@LNGTWY@EOPMRX)

TO: Roger L. McClung
READ:NOT READ

(Roger L. McClung@EOP@LNGTWY@EOPMRX)

TO: Russell W. Horwitz
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(Russell W. Horwitz@EOP@LNGTWY@EOPMRX)

TO: Elena Kagan
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(Elena Kagan@EOP@LNGTWY@EOPMRX)

TO: Eugene M. Ebner
READ:NOT READ

(Eugene M. Ebner@EOP@LNGTWY@EOPMRX)

TO: Steven D. Aitken

(Steven D. Aitken@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Robert S. Dotson (Robert S. Dotson@EOP@LNGETWY@EOPMRX)
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TO: David H. Morrison (David H. Morrison@EOP@LNGETWY@EOPMRX)
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TO: Rodney G. Bent (Rodney G. Bent@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Bruce K. Sasser (Bruce K. Sasser@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jack D. Fellows (Jack D. Fellows@EOP@LNGETWY@EOPMRX)
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TO: Gary L. Bennethum (Gary L. Bennethum@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Keith J. Fontenot (Keith J. Fontenot@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Larry R. Matlack (Larry R. Matlack@EOP@LNGETWY@EOPMRX)
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TO: Robert M. Shireman (Robert M. Shireman@EOP@LNGETWY@EOPMRX)
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TO: Richard J. Turman (Richard J. Turman@EOP@LNGETWY@EOPMRX)
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TO: Louisa Koch (Louisa Koch@EOP@LNGETWY@EOPMRX)
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TO: David E. Tornquist (David E. Tornquist@EOP@LNGETWY@EOPMRX)
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TO: David J. Haun (David J. Haun@EOP@LNGETWY@EOPMRX)
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TO: Francis S. Redburn (Francis S. Redburn@EOP@LNGETWY@EOPMRX)
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TO: Harry G. Meyers (Harry G. Meyers@EOP@LNGETWY@EOPMRX)
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TO: Edward A. Brigham (Edward A. Brigham@EOP@LNGETWY@EOPMRX)
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TO: Edward M. Rea (Edward M. Rea@EOP@LNGETWY@EOPMRX)
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TO: Andrew M. Schoenbach (Andrew M. Schoenbach@EOP@LNGETWY@EOPMRX)
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TO: Jill M. Pizzuto (Jill M. Pizzuto@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TEXT:

Message Creation Date was at 7-FEB-1997 18:40:00

TO: DIRECTOR FRANK RAINES
DEPUTY DIRECTOR JACK LEW
DEPUTY DIRECTOR JOHN KOSKINEN

FROM: OMB LEGISLATIVE AFFAIRS

DATE: FEBRUARY 7, 1997

SUBJECT: LEGISLATIVE REPORT

Director Raines testified this morning before the Senate Budget Committee. Following is a schedule of other hearings on the President's Budget:

Monday, 2/10 at 2pm Secretary Rubin/Jack Lew before the Senate Budget Committee
Tuesday, 2/11 at 10am Director Raines before the House Budget Committee
Tuesday, 2/11 at 10am Secretary Rubin/Jack Lew before the House Ways and Means
Wednesday, 2/12 at 10am Secretary Rubin/Jack Lew before the Senate Finance Committee
Thursday, 2/13 at 10am June O'Neill testifies before the House Budget
Thursday, 2/20 at 9:30am Director Raines before the House Government Affairs DC Subcommittee on DC Revitalization Plan
Wednesday, 2/26 Director Raines before the Joint Economic Committee

CONGRESS TODAY, February 7:
Senate -- No Votes; House -- Pro Forma session

CONGRESS NEXT WEEK, February 10-14:

SENATE

On Monday, at 1:00pm, the Senate will resume consideration of the Balanced Budget Amendment to the Constitution: Under a previous order, Senator Wellstone will offer an amendment. Also under an order, at 3:30pm, the Senate will resume consideration of a Durbin amendment, which allows for a waiver of the article I and for any fiscal year in which there is an economic recession or serious emergency as declared by a joint resolution, with a majority in both Houses. The Senate will hold 2 hours of debate, and then hold a vote on (or in relation to) the Durbin amendment at 5:30pm. Votes ordered on or in relation to the Wellstone amendment will occur on Tuesday, at a time to be determined.

HOUSE:

Monday, 2/10
No legislative business

Tuesday, 2/11
Convene at 12:30 pm; begin legislative business at 2:00 pm. -- No legislative business.

On Tuesday, the House Rules Committee plans to consider H.J.Res. 2, the term limits constitutional amendment, and H.R. 581, Providing the President may make funds appropriated for population planning programs available on March 1, 1997, subject to restrictions on foreign organizations that perform or actively promote abortions.

Wednesday, 2/12 and Thursday 2/13:
H.J. Res. 2, Proposing a term limits amendment to the Constitution (Subject to

a Rule)

H.J.Res 36, Approving the Presidential finding regarding the Population Planning Program

[SAP pending: Administration strongly supports]

H.R. 581, Providing the President may make funds appropriated for population planning programs available on March 1, 1997, subject to restrictions on foreign organizations that perform or actively promote abortions. (Subject to a Rule)

[SAP pending: Administration strongly supports]

Friday, 2/14:
Out of session

Friday, 2/14 - Monday, 2/24
President's Day Recess

CONGRESS -- LONG TERM SCHEDULE:

SENATE:

February 14-23

President's Day Recess

March 22 - April 6

Easter Recess

HOUSE:

Week of February 24

A vote on the Balanced Budget Amendment (BBA) is currently scheduled for February 26th.

March 22 - April 7

Easter Recess