

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 012 - FOLDER -007**

**[06/17/1997 - 06/18/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cynthia Rice to Elena Kagan et al. re: Today's Welfare Strategy Meeting [partial] (2 pages)	06/17/1997	P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[06/17/1997-06/18/1997]

2009-1006-F

bm18

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

# Withdrawal/Redaction Marker

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001. email	Cynthia Rice to Elena Kagan et al. re: Today's Welfare Strategy Meeting [partial] (2 pages)	06/17/1997	P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[06/17/1997-06/18/1997]

2009-1006-F

bm18

### RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 18:54:23.00

SUBJECT: Today's Welfare Strategy Meeting

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

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

CC: Elisabeth Stock ( CN=Elisabeth Stock/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

TEXT:

A few important issues were discussed:

1) Strategy on Minimum Wage: Dept. of Labor wants to know what are the plans for the high profile White House media strategy on minimum wage. Elena -- were you going to talk to Podesta about this? Seth said Podesta told a large group of labor leaders 10 days ago that the White House would have a public and high profile message strategy. Geri says that the House Democratic leadership is gearing up and that they will define a message if we don't. Gephardt may do an event tomorrow and build up for a floor fight next week. In the House they want to tie minimum wage exemptions with other policies which hurt low wage workers, such as a tax provision on independent contractors which apparently makes it easier for employers to label someone an independent contractor instead of an employee.

Also, Labor wants to know how they can be better plugged into the conference negotiation strategy, which they expect to be a budget negotiators-driven process. I made a major mistake by mentioning we were writing a memo to the President on minimum wage and Labor wants to be plugged into that too but I did not give them hope.

2) Welfare to Work Funds: We brainstormed a bit on how to highlight our success in not only getting \$3 billion but targetting it to cities and other high need areas. I'll send a note to Jonathan reminding him that it should be in the U.S. Conference of Mayors speech. Also, welfare to work will be the focus of Secretary Herman's speech to the mayors on Tuesday, and Slater will talk about NEXTEA welfare to work on Saturday.

3) Welfare to Work Regs: Olivia says they are meeting with the Secretary next week to discuss their proposed regs and will soon be ready to discuss them with us. She wants very much to establish a process and a timetable to work through these regs as quickly as possible this summer.

4) Child Care Regs. Melissa says HHS is okay with using the child care regs for an immunization event in early July.

5) HHS Reports. [Redacted] P6/(b)(6)  
[Redacted] P6/(b)(6)

It simply summarizes the waivers granted before the signing of the new welfare law, but they should have shared it with us sooner. [Redacted] P6/(b)(6)

[001]

P6/(b)(6) (Melissa had seen it but saw no news so didn't mention it) and we agreed that they would alert us to things coming down the pipeline from ASPE and elsewhere at HHS. I also asked them to organize themselves to come give us a briefing on the whole research and evaluation plan, which this rogue report is part of.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William H. White Jr. ( CN=William H. White Jr./OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 11:56:47.00

SUBJECT: ADAPT Protesting at Depart of Labor

TO: Christopher C. Jennings ( CN=Christopher C. Jennings/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Craig T. Smith ( CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

CC: Jeanne Lambrew ( CN=Jeanne Lambrew/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

CC: Cheryl M. Carter ( CN=Cheryl M. Carter/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

CC: Sarah A. Bianchi ( CN=Sarah A. Bianchi/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

CC: Marjorie Tarmey ( CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

We sent a letter to ADAPT last night inviting them to participate in a meeting with the President on September 10, 1997. They said only one page came through the fax. Instead of calling to ask to resend, they instead are at the Department of Labor demanding to meet with Alexis. I've talked with Lee Satterfield, sent her Maria's letter to ADAPT, and am working to get Maria to call them.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sally Katzen ( CN=Sally Katzen/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:17-JUN-1997 16:01:35.00

SUBJECT: Race & Ethnicity

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

READ:UNKNOWN

TEXT:

I'm sorry that there was no one from your office at our briefing on the revision of the OMB Directive on Standards for Race and Ethnicity. I have a copy of the briefing papers, if you can come by to pick them up. There are a few caveats you need to know before you read the paper.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUN-1997 10:15:35.00

SUBJECT: Wade Henderson meeting

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

READ:UNKNOWN

TEXT:

I talked to Rob about Friday's meeting with Wade, and reminded him that Wade had contacted you to set up the meeting, and that you would be running the meeting. He understood, and indicated that "Chuck is generally not proprietary about these things" but also suggested that you and Chuck talk directly. I agree; with you setting up the Friday meeting and Chuck arranging yesterday's as well as one later today or tomorrow with ED and EEOC, the potential for confusion about your roles is high, and it would be helpful if the two of you directly made sure you were on the same page throughout.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Marjorie Tarmey ( CN=Marjorie Tarmey/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 14:55:42.00

SUBJECT: Procurement

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

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

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

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

TEXT:

You should have received, through interoffice, a paper prepared by Amy Millman re procurement. Maria wanted you to have it for the mtg on Friday. I meant to attach a memo so you would know why you were receiving it and from whom. We have very efficient interns.



**Privatization of Health and Human Services Programs**  
**6/17/97**

- The Administration believes that allowing states to privatize health and human services programs would not be in the best interests of program beneficiaries. Discretionary judgments about eligibility for federal benefits such as Medicaid, foster care, Food Stamps, and WIC should be made by impartial, merit-based public employees.
- Therefore, the Administration opposes the provisions in the Chairman's mark and any amendments which would allow complete or partial privatization.
- The Chairman's mark would allow the eligibility and enrollment determination functions of Federal and State health and human services benefit programs to be privatized in ten states and deems approved such a proposal for the State of Texas. Under this proposal, 58% of the nation's Medicaid beneficiaries could be placed in a private system.
- While certain program functions, such as computer systems, can currently be contracted out to private entities, the certification of eligibility for benefits and related operations (such as obtaining and verifying information about income and other eligibility factors) should remain public functions.
- Without a change in law, states can already privatize all aspects of the Temporary Assistance for Needy Families program. They can also hire private firms to design and operate information systems, develop and recommend revised eligibility processes, and provide management training and assistance.

Allows Private Contractors to:	Finance Committee Proposal	Possible Amendment	Administration Position
Obtain and Verify Information used to Determine Eligibility	Yes	Yes	No
Determine Eligibility	Yes	No	No

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer M. Palmieri ( CN=Jennifer M. Palmieri/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 17:13:09.00

SUBJECT: Welfare To Work Event

TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Kevin S. Moran ( CN=Kevin S. Moran/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Eli Segal just called me. He cannot meet tomorrow and instead gave me his ideas of what he has in mind for a POTUS out of town event.

Later in the week Stephanie and I will be calling a meeting to discuss upcoming conferences (welfare to work, child care, hate crimes and race town halls).

I am happy to proceed with the 1:00 pm meeting in Ann's office tomorrow. Otherwise, we could wait and discuss welfare to work in the larger meeting on conferences.

Please let me know how you would like to proceed.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 20:39:02.00

SUBJECT: Reminder: this Friday I will be in California

TO: Cathy R. Mays ( CN=Cathy R. Mays/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Elisabeth Stock ( CN=Elisabeth Stock/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Paul J. Weinstein Jr. ( CN=Paul J. Weinstein Jr./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've accepted an invitation originally extended to Bruce to appear on a panel organized by the California Leadership Forum on "From Welfare Dependency to the Work Ethic" with two members of the California legislature and some think tank types.

I leave Thursday afternoon -- by then I'll give you info on how to reach me (I'll take a Skypager this time). Be back first thing Monday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Waldman ( CN=Michael Waldman/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 11:40:45.00

SUBJECT: FYI - from "SALON" magazine on the internet

TO: Thomas L. Freedman ( CN=Thomas L. Freedman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

Jordan Tamagni ( CN=Jordan Tamagni/OU=WHO/O=EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

How to be a great POTUS

Bulldog Washington reporter David Corn  
unearths the White House's latest thoughts on  
getting President Clinton into the history books.

To: Erskine Bowles, White House Chief of Staff  
From: Domestic Policy Council  
Re:The Great Things Project

in January, POTUS said: "Great presidents don't do great things. Great presidents get a lot of other people to do great things." As you know, we have adopted that as our working motto. (We still stand by our suggestion that the phrase "Getting you to do great things" be added to the presidential stationery.) The volunteerism conference in Philadelphia was a success -- despite the almost instant reappearance of graffiti on inner city walls -- but we believe we must push forward. Consequently, we have come up with several "great things" initiatives that we propose POTUS act on immediately.

Apart from the public approbation we feel sure POTUS will receive, the strategy minimizes any potential political downside: The initiatives cost the Treasury nothing. They require no legislation. They do not offend any political constituency. Nor do they threaten any special interests.

Build Your Own School It is estimated that \$500 billion is needed to repair the nation's schools. POTUS should call on schoolchildren across the

country to rebuild their own schools. After all, don't they still teach shop? Principals could even provide class credit for time spent repairing schools. (Suggested supplementary reading: "Self Reliance," by Henry Thoreau.)

Clothes Do Make the Man At the volunteer conference, we noticed that many corporations that support volunteerism provide employees with T-shirts that bear such slogans as "AT&T Cares." That gave us an idea. When corporations fire workers, they should provide them with a new suit of clothes. This will help those who are dismissed go on job interviews. Labor Department studies show that when someone wears new clothes, he or she has an enhanced sense of confidence. So, by providing downsized employees with a new suit, corporations can help them find a new job. Mandatory clothing retrofitting is unlikely to pass Congress. Instead, the president should use the bully pulpit to persuade corporate America to provide job-interview-friendly clothing to the downsized.

Pro Bono Life Saving While it may not have been apparent during the debates over health-care reform, many doctors are civic-minded. POTUS should call on them to offer one free medical treatment a week to an individual who could not afford it. A psychiatrist would provide a free hour of counseling to a suicidal patient. A kidney transplant specialist would perform one free operation -- on a child of course -- who has been waiting for a new organ. In a related move, POTUS should press drug companies to donate recently expired drugs to financially troubled hospitals and moderate-income citizens. According to FDA records, when most drugs expire, their potency is still above 95 percent. Our thinking: Isn't it better to give someone a drug working at 95 percent than nothing at all?

We Can All Get Along POTUS wants to "heal the breach." Part of the racial problem in this country (according to Vernon Jordan) is that white people and black people rarely socialize together. They do not know one another. To address this, POTUS should propose a tax credit for inter-racial socializing. If you go out for dinner, go to the movies or go bowling with someone of a different race, you can deduct 50 percent of the money spent on the activity. We see this as a social policy equivalent of High Occupancy Vehicle "diamond" lanes. OMB estimates the cost, assuming we exclude spectator sports like basketball, will be less than a \$1.5 billion over five years.

Sharing the Shelter Roughly 10 million Americans are on welfare. Another 10 million Americans have more than one home. The math is undeniable. POTUS should call on multiple-home owners to open up their vacation houses to the less well-off on a sort of time-share basis. This can be promoted as a

cultural exchange between income-variatiated Americans. (One proposed name: the "Movin' On Up" program.)

End Campaign Contribution Dependency As We Know It We think we have found a way to address the widespread impression that big companies have a "special relationship" with candidates based purely on dollars. POTUS should call for a voluntary system in which funders can only contribute if they also volunteer to do mundane campaign work. Give a \$1,000, and you have to stuff 1,000 envelopes. Or have your employees make 5,000 calls for a \$5,000 donation. (We are still developing an appropriate formula of activity-per-dollar.) Imagine, for example, Dwayne Andreas going door-to-door with campaign leaflets! That would lessen the gap between the "little people" who canvas neighborhoods at all hours of the day and night and the elite group that achieves influence only through money. (Suggested slogan: "Donating to democracy is a privilege. You have to work for it.")  
June 17, 1997

David Corn is Washington editor of the Nation and a frequent contributor to Salon.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 17:56:56.00

SUBJECT: Re: FINANCE COMM. MARK-UP

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

TO: Diana Fortuna ( CN=Diana Fortuna/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:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 06/17/97  
05:56 PM -----

Charles Konigsberg  
06/17/97 04:33:54 PM  
Record Type: Record

To: Charles Konigsberg/OMB/EOP  
cc: See the distribution list at the bottom of this message  
Subject: Re: FINANCE COMM. MARK-UP

4:20pm -- Finance staff just completed walk-through of the Chairman's mark. Members are now meeting in executive session to determine how to proceed with amendments. Roth will likely reconvene mark-up within an hour and announce an agreement limiting the list of amendments and, perhaps, establishing some order to the amendments. I'll keep you posted.  
Message Copied

To:

---

Franklin D. Raines/OMB/EOP  
Jacob J. Lew/OMB/EOP  
Rebecca R. Culberson/OMB/EOP  
Jill M. Blickstein/OMB/EOP  
Nancy A. Min/OMB/EOP  
Jennifer Ferguson/OMB/EOP  
Kenneth S. Apfel/OMB/EOP  
Jill M. Pizzuto/OMB/EOP  
Charles E. Kieffer/OMB/EOP  
Lisa M. Kountoupes/OMB/EOP  
Alice E. Shuffield/OMB/EOP  
Kate P. Donovan/OMB/EOP  
Nancy L. Brandel/OMB/EOP  
Cynthia A. Costello/OMB/EOP  
Barry T. Clendenin/OMB/EOP  
Mark E. Miller/OMB/EOP  
Christopher C. Jennings/OPD/EOP  
Cynthia A. Rice/OPD/EOP  
James C. Murr/OMB/EOP  
Barbara Chow/WHO/EOP  
foley\_m @ a1 @ cd @ lngtwy

Joseph J. Minarik/OMB/EOP  
Barry B. Anderson/OMB/EOP  
Lawrence J. Haas/OMB/EOP  
Sandra L. Via/OMB/EOP  
Joshua Gotbaum/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 22:39:42.00

SUBJECT: Re: FINANCE COMM. MARK-UP

TO: Elena Kagan ( CN=Elena Kagan/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:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 06/17/97  
10:39 PM -----

Charles Konigsberg

06/17/97 10:29:04 PM

Record Type: Record

To: Charles Konigsberg/OMB/EOP

cc: See the distribution list at the bottom of this message

Subject: Re: FINANCE COMM. MARK-UP

Chafee-Rockefeller kids' health amend. failed 9-11

Message Copied

To:

---

Franklin D. Raines/OMB/EOP  
Jacob J. Lew/OMB/EOP  
Rebecca R. Culberson/OMB/EOP  
Jill M. Blickstein/OMB/EOP  
Nancy A. Min/OMB/EOP  
Jennifer Ferguson/OMB/EOP  
Kenneth S. Apfel/OMB/EOP  
Jill M. Pizzuto/OMB/EOP  
Charles E. Kieffer/OMB/EOP  
Lisa M. Kountoupes/OMB/EOP  
Alice E. Shuffield/OMB/EOP  
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Nancy L. Brandel/OMB/EOP  
Cynthia A. Costello/OMB/EOP  
Barry T. Clendenin/OMB/EOP  
Mark E. Miller/OMB/EOP  
Christopher C. Jennings/OPD/EOP  
Cynthia A. Rice/OPD/EOP  
James C. Murr/OMB/EOP  
Barbara Chow/WHO/EOP  
foley\_m @ al @ cd @ lngtwy  
Joseph J. Minarik/OMB/EOP  
Barry B. Anderson/OMB/EOP  
Lawrence J. Haas/OMB/EOP  
Sandra L. Via/OMB/EOP  
Joshua Gotbaum/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cheryl M. Carter ( CN=Cheryl M. Carter/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 11:19:00.00

SUBJECT: Distilled Spirits Council

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

READ:UNKNOWN

CC: Peter O'Keefe ( CN=Peter O'Keefe/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

I just got an urgent message from Tim Dudgeon with Distilled Spirits regarding a letter that went to Reed Hundt from Attorney General Reno asking him to act. Dudgeon's call has a very urgent tone and he is concerned that the AG's letter to Hundt is the WH's answer to their letter to POTUS. We need to talk about this asap...please call me at 62682.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUN-1997 12:42:05.00

SUBJECT: ADAPT

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

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

TO: Sarah A. Bianchi ( CN=Sarah A. Bianchi/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Nancy A. Min ( CN=Nancy A. Min/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( CN=Christopher C. Jennings/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

CC: William H. White Jr. ( CN=William H. White Jr./OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

Looks like Maria will tell ADAPT we will meet with them next Wednesday. Hence I am trying to schedule a premeeting. ADAPT says they want Bruce and Gene there, but obviously we'll discuss.

----- Forwarded by Diana Fortuna/OPD/EOP on 06/17/97  
12:40 PM -----

William H. White Jr.  
06/17/97 11:56:29 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Marjorie Tarmey/WHO/EOP, Cheryl M. Carter/WHO/EOP, Sarah A. Bianchi/OMB/EOP, Jeanne Lambrew/OPD/EOP  
Subject: ADAPT Protesting at Depart of Labor

We sent a letter to ADAPT last night inviting them to participate in a meeting with the President on September 10, 1997. They said only one page came through the fax. Instead of calling to ask to resend, they instead are at the Department of Labor demanding to meet with Alexis. I've talked with Lee Satterfield, sent her Maria's letter to ADAPT, and am working to get Maria to call them.

Message Sent

To: \_\_\_\_\_  
Maria Echaveste/WHO/EOP  
Diana Fortuna/OPD/EOP  
Craig T. Smith/WHO/EOP  
Christopher C. Jennings/OPD/EOP

Elena Kagan/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock ( CN=Andrew J. Mayock/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 16:28:57.00

SUBJECT: Perpetual Outreach

TO: David S. Beaubaire ( CN=David S. Beaubaire/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Emil E. Parker ( CN=Emil E. Parker/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: James T. Edmonds ( CN=James T. Edmonds/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Lynn G. Cutler ( CN=Lynn G. Cutler/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TO: Ann F. Walker ( CN=Ann F. Walker/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TO: Thurgood Marshall Jr. ( CN=Thurgood Marshall Jr./O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Robert N. Weiner ( CN=Robert N. Weiner/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Richard L. Hayes ( CN=Richard L. Hayes/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TO: Ananias Blocker III ( CN=Ananias Blocker III/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Joseph P. Lockhart ( CN=Joseph P. Lockhart/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Carolyn Curiel ( CN=Carolyn Curiel/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: Doris O. Matsui ( CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Cheryl D. Mills ( CN=Cheryl D. Mills/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Tracey E. Thornton ( CN=Tracey E. Thornton/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

TO: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Robert B. Johnson ( CN=Robert B. Johnson/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

Public Liaison is looking for responses you have received regarding the President's speech. Please jot down any feedback you have received and send a quick reply to Ben Johnson for collection and dissemination.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUN-1997 11:44:33.00

SUBJECT: Re: ADAPT

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

READ:UNKNOWN

CC: Christopher C. Jennings ( CN=Christopher C. Jennings/OU=OPD/O=EOP @ EOP [ OPD ]

READ:UNKNOWN

TEXT:

HCFA is working on an options list, and I hope we'll get it today or tomorrow. Then we'll need a meeting right after that. I assume that I am no longer covering this issue as I would have under Carol, and that the bulk of the policy analysis on this would be done by Chris's team.

Elena Kagan

06/16/97 12:44:56 PM

Record Type: Record

To: Diana Fortuna/OPD/EOP, Christopher C. Jennings/OPD/EOP

cc:

Subject: Re: ADAPT

We shouldn't let ourselves get embarrassed on this. Is HCFA working on this now? When will we get their options? Chris -- can you press this a bit?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eric P. Goosby ( CN=Eric P. Goosby/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 07:36:15.00

SUBJECT: Combination Therapy Guidelines

TO: Elena Kagan ( CN=Elena Kagan/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:

The Antiretroviral Guidelines for HIV Care are being sent to the federal Register on Thursday. There will be a press briefing Thursday, at 10:30a at NIH Natcher Building that should take 30-40 min. The co-chairs of both the guidelines and principles documents will present with me. Do you have any problems with this? If so let me know today. Sandy is ok with this, she may do some activity with some community groups.  
690-5560

eric

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Robert N. Weiner ( CN=Robert N. Weiner/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 16:00:50.00

SUBJECT: Immigration briefs

TO: MALLEY\_R ( MALLEY\_R @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (NSC)

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I have about 2 inches of court filings related to NJB and Barhona-Gomez, the cases presenting the retroactivity and cap issues under IIRIRA. I intend to read them. If anyone else has a burning desire to do so, please let me know, and I will have a copy made.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Brown ( CN=James A. Brown/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:17-JUN-1997 14:17:28.00

SUBJECT: "Tort" Paragraph in Amtrak letter.

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Paul J. Weinstein Jr. ( CN=Paul J. Weinstein Jr./OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Jim Jukes thought that you might be interested in a paragraph touching on "Tort Reform" in draft Transportation letter we are circulating on Senator Hutchison's Amtrak reform bill (due to be marked up on Thursday). I have faxed you a copy with the the passage marked (it is on the second page). Please let us know if DOT's proposed language is acceptable. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUN-1997 19:16:34.00

SUBJECT: Re: ADAPT

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

READ:UNKNOWN

TEXT:

My preference is to be involved and make sure it's working, but have the health team very involved and engaged in terms of substance -- treating it as their problem, too. What I haven't liked, and what I don't think has worked very well in the past, is when I cover a disability issue in isolation from the folks normally doing the issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kate P. Donovan ( CN=Kate P. Donovan/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:17-JUN-1997 23:36:43.00

SUBJECT: OMB Legislative Report - June 17, 1997

TO: Arecia A. Grayton ( CN=Arecia A. Grayton/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Janie L. Jeffers ( CN=Janie L. Jeffers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Michael Deich ( CN=Michael Deich/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Mathew C. Blum ( CN=Mathew C. Blum/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Laura S. Marcus ( CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TO: Kathryn B. Stack ( CN=Kathryn B. Stack/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Anne H. Lewis ( CN=Anne H. Lewis/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Jill M. Pizzuto ( CN=Jill M. Pizzuto/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Andrew M. Schoenbach ( CN=Andrew M. Schoenbach/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Edward A. Brigham ( CN=Edward A. Brigham/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: David E. Tornquist ( CN=David E. Tornquist/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Richard J. Turman ( CN=Richard J. Turman/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: SMITH\_P ( SMITH\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Keith J. Fontenot ( CN=Keith J. Fontenot/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: Jack D. Fellows ( CN=Jack D. Fellows/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Rodney G. Bent ( CN=Rodney G. Bent/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: David H. Morrison ( CN=David H. Morrison/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Steven D. Aitken ( CN=Steven D. Aitken/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Christopher R. Ulrich ( CN=Christopher R. Ulrich/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: HOGAN\_L ( HOGAN\_L @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

TO: Mary Jo Siclari ( CN=Mary Jo Siclari/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: WILLIAMS\_MA ( WILLIAMS\_MA @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: GOLDBERG\_JS ( GOLDBERG\_JS @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: DENTON\_M ( DENTON\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (CEQ)  
READ:UNKNOWN

TO: ABRAMSON\_K ( ABRAMSON\_K @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: OLIVER\_A ( OLIVER\_A @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Kate P. Donovan ( CN=Kate P. Donovan/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: SPERLING\_G ( SPERLING\_G @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

TO: Ben A. Freeland ( CN=Ben A. Freeland/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Ananias Blocker III ( CN=Ananias Blocker III/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Mark A. Weatherly ( CN=Mark A. Weatherly/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: April K. Mellody ( CN=April K. Mellody/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: John A. Gribben ( CN=John A. Gribben/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: Janet E. Irwin ( CN=Janet E. Irwin/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Melinda D. Haskins ( CN=Melinda D. Haskins/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: DONNELLY\_RE ( DONNELLY\_RE @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: Anita Chellaraj ( CN=Anita Chellaraj/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Daniel C. Tate ( CN=Daniel C. Tate/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Shelley N. Fidler ( CN=Shelley N. Fidler/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: REED\_B ( REED\_B @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

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

TO: Nancy L. Brandel ( CN=Nancy L. Brandel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: WALKER\_A ( WALKER\_A @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: MORAN\_K ( MORAN\_K @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: WHITE\_B ( WHITE\_B @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Philip R. Dame ( CN=Philip R. Dame/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Stacey L. Rubin ( CN=Stacey L. Rubin/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: WEINSTEIN\_D ( WEINSTEIN\_D @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: E. Holly Fitter ( CN=E. Holly Fitter/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert J. Pellicci ( CN=Robert J. Pellicci/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: COOK\_MY ( COOK\_MY @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)

READ:UNKNOWN

TO: BROWN\_JA ( BROWN\_JA @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Ingrid M. Schroeder ( CN=Ingrid M. Schroeder/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: GIBBONS\_M ( GIBBONS\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: PANERALI\_K ( PANERALI\_K @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

TO: PETERSON\_RK ( PETERSON\_RK @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: James J. Jukes ( CN=James J. Jukes/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

TO: Michael A. Fitzpatrick ( CN=Michael A. Fitzpatrick/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Bruce W. McConnell ( CN=Bruce W. McConnell/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Alicia K. Kolaian ( CN=Alicia K. Kolaian/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Susanne D. Lind ( CN=Susanne D. Lind/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Richard P. Emery Jr. ( CN=Richard P. Emery Jr./OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert B. Rideout ( CN=Robert B. Rideout/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: SCHWARTZ\_K ( SCHWARTZ\_K @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Kathleen Peroff ( CN=Kathleen Peroff/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Janet L. Graves ( CN=Janet L. Graves/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: William A. Halter ( CN=William A. Halter/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: HAAS\_L ( HAAS\_L @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)

READ:UNKNOWN

TO: Nancy A. Min ( CN=Nancy A. Min/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Joshua Gotbaum ( CN=Joshua Gotbaum/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: ADAMS\_G ( ADAMS\_G @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Robert G. Damus ( CN=Robert G. Damus/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Charles E. Kieffer ( CN=Charles E. Kieffer/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jacob J. Lew ( CN=Jacob J. Lew/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Joseph M. Wire ( CN=Joseph M. Wire/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Collin Brown III ( CN=Collin Brown III/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Steven L. Schooner ( CN=Steven L. Schooner/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Eric R. Anderson ( CN=Eric R. Anderson/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Alecia Ward ( CN=Alecia Ward/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Rhodia D. Ewell ( CN=Rhodia D. Ewell/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Charles R. Marr ( CN=Charles R. Marr/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Peter R. Orszag ( CN=Peter R. Orszag/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Michael W. Williams ( CN=Michael W. Williams/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Patricia E. Romani ( CN=Patricia E. Romani/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Alice E. Shuffield ( CN=Alice E. Shuffield/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Edward M. Rea ( CN=Edward M. Rea/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Harry G. Meyers ( CN=Harry G. Meyers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: David J. Haun ( CN=David J. Haun/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: Louisa Koch ( CN=Louisa Koch/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert M. Shireman ( CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Larry R. Matlack ( CN=Larry R. Matlack/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Gary L. Bennethum ( CN=Gary L. Bennethum/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Bruce K. Sasser ( CN=Bruce K. Sasser/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: SMITH\_BD ( SMITH\_BD @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Robert S. Dotson ( CN=Robert S. Dotson/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Eugene M. Ebner ( CN=Eugene M. Ebner/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Russell W. Horwitz ( CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Toni S. Hustead ( CN=Toni S. Hustead/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Julie E. Mason ( CN=Julie E. Mason/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Justine F. Rodriguez ( CN=Justine F. Rodriguez/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: WARREN\_W ( WARREN\_W @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (CEQ)  
READ:UNKNOWN

TO: Linda Lance ( CN=Linda Lance/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: WARREN\_M ( WARREN\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Angus S. King ( CN=Angus S. King/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: LEVIN\_P ( LEVIN\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Peter G. Jacoby ( CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Richard A. Mertens ( CN=Richard A. Mertens/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: SCHWARTZ\_N ( SCHWARTZ\_N @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: Mary E. Glynn ( CN=Mary E. Glynn/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: MCKIERNAN\_K ( MCKIERNAN\_K @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: James B. Kazel ( CN=James B. Kazel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert S. Fairweather ( CN=Robert S. Fairweather/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert J. Nassif ( CN=Robert J. Nassif/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Lucia A. Wyman ( CN=Lucia A. Wyman/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Nicholas B. Kirkhorn ( CN=Nicholas B. Kirkhorn/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TO: Janet Himler ( CN=Janet Himler/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Douglas B. Sosnik ( CN=Douglas B. Sosnik/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: SILVERMAN\_S ( SILVERMAN\_S @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: GREEN\_M ( GREEN\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

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

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

TO: WALKER\_C ( WALKER\_C @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

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

TO: Phebe N. Vickers ( CN=Phebe N. Vickers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: PALMIERI\_J ( PALMIERI\_J @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: WEINSTEIN\_P ( WEINSTEIN\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)

READ:UNKNOWN

TO: Annette E. Rooney ( CN=Annette E. Rooney/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Alison C. Perkins ( CN=Alison C. Perkins/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Anna M. Briatico ( CN=Anna M. Briatico/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jeffrey A. Weinberg ( CN=Jeffrey A. Weinberg/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: JONES\_RE ( JONES\_RE @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TO: HOLSTEIN\_E ( HOLSTEIN\_E @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Steven J. Kelman ( CN=Steven J. Kelman/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Janet R. Forsgren ( CN=Janet R. Forsgren/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: James C. Murr ( CN=James C. Murr/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: FOLEY\_M ( FOLEY\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

TO: Daniel M. Tangherlini ( CN=Daniel M. Tangherlini/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Bernard H. Martin ( CN=Bernard H. Martin/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Charles Konigsberg ( CN=Charles Konigsberg/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Bruce D. Long ( CN=Bruce D. Long/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Ellen J. Balis ( CN=Ellen J. Balis/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Robert E. Barker ( CN=Robert E. Barker/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Philip A. DuSault ( CN=Philip A. DuSault/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Barry T. Clendenin ( CN=Barry T. Clendenin/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Ronald M. Cogswell ( CN=Ronald M. Cogswell/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: Alan B. Rhinesmith ( CN=Alan B. Rhinesmith/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jill M. Blickstein ( CN=Jill M. Blickstein/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Joseph J. Minarik ( CN=Joseph J. Minarik/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Sally Katzen ( CN=Sally Katzen/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Kenneth S. Apfel ( CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: T J. Glauthier ( CN=T J. Glauthier/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Barry B. Anderson ( CN=Barry B. Anderson/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Rebecca R. Culberson ( CN=Rebecca R. Culberson/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: John A. Koskinen ( CN=John A. Koskinen/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: RAINES\_F ( RAINES\_F @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OMB)  
READ:UNKNOWN

TEXT:

TO: DIRECTOR FRANK RAINES  
DEPUTY DIRECTOR JACK LEW  
DEPUTY DIRECTOR JOHN KOSKINEN  
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JUNE 17, 1997

SUBJECT: LEGISLATIVE REPORT

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John A. Koskinen, Deputy Director for Management, testifies tomorrow before the Senate Subcommittee on Oversight of Government Management, Restructuring, and the District of Columbia of the Governmental Affairs Committee regarding S. 314, "The Freedom from Government Competition Act" and competitive contracting within the Federal government.

Jacob J. Lew, Deputy Director, will testify Thursday, June 19, before the House Subcommittee on Public Buildings and Economic Development of the Committee on Transportation and Infrastructure regarding budget scoring rules as they apply to real estate transactions.

RECONCILIATION:

The Senate Finance Committee continues to meet late into the night on Tuesday to markup the spending provisions in the bill. They plan to finish the spending provisions on Wednesday, and go to the tax provisions

on Thursday.

The House Budget Committee plans to convene late this week or even possibly early next week. Chairman Kasich hopes to resolve outstanding issues before the bill goes to the House floor. The Senate Budget Committee aims to meet on Friday, and to proceed to the floor on Monday.

The Senate Commerce Committee completed its markup of the spectrum provisions today and reported their bill out of the Committee by a vote of 16 to 5. We anticipate that CBO will score the bill at around \$18 billion. CBO released their official scoring of the House reported bill today: \$9.7 billion, or \$16 billion below the budget agreement.

The balance of the week's reconciliation markup schedule:

Thursday, June 19th

Senate Finance Committee	Spending
Provisions, continued	
House Budget Committee (possible)	Reconciliation
package	

Friday, June 20th

House Budget Committee (possible)	Reconciliation package
Senate Budget Committee (possible)	Reconciliation
package	

CONGRESS TODAY (6/17):

SENATE

Passed (90-5) H.R. 1757 (House-passed version of S.903) - State Authorization Bill

[SAP sent 6/16: The Administration supports, but will seek significant changes to the opposed provisions related to reorganization of the foreign affairs agencies.]

While under consideration, the Senate took the following action on S. 903:

- o Adopted (98-0) DeWine amendment which denies entry into U.S. for anyone carrying out extra judicial killings in Haiti.
- o Rejected (25-73) Lugar amendment which would strike Title 22 (re: payment to & reform of the UN) calls for payment to UN in 2 years & without conditions.
- o Adopted (96-0) Bennett amendment which urges the Administration to enforce the Gore-McCain Act regarding cruise missiles.
- o Rejected (21-74) Feingold amendment which would abolish the US Information Agency except for the Broadcasting Board of Governors & establish the board as a separate entity.

HOUSE

Suspended the Rules and passed the following:

- o H.J.Res 56 -- Celebrating the End of Slavery in the US (419-0)  
[No SAP]
- o H.R. 1057 - Designating the Andrew Jacobs, Jr. Post Office Building (413-0)  
[No SAP]
- o H.R. 1058 - Designating the John T. Myers Post Office Building (416-0)  
[No SAP]
- o H.R. 985 - Eagles Nest Wilderness Expansion (412-4)  
[No SAP]
- o H.R. 1747 - Kennedy Center Parking legislation (voice vote)  
[No SAP]
- o S. 342 - Hong Kong Trade Agencies (voice vote)

## CONGRESS -- TOMORROW:

## SENATE

Convene at 10:00am for morning business and at noon for legislative business.

Consider the Defense Authorization bill, if available (unlikely)  
[SAP pending]

If the Defense Authorization bill is not available, the Senate will consider the Intelligence FY 1998 Authorization bill  
[SAP pending]

## HOUSE

Convene at 10:00am for legislative business.

Consider H.R. 1119 - National Defense Authorization Act for Fiscal Years 1998 and 1999  
[SAP pending]

Consider H.R. 437 - National Sea Grant College Program Reauthorization Act of 1997  
[SAP sent 6/11: Administration supports but will seek amendments]

## CONGRESS LONG-TERM SCHEDULE:

## SENATE

Thursday, June 19 and Friday, June 20

Continue consideration of the Intelligence FY 1998 Authorization bill, if necessary.

[SAP pending]

Consider the Defense Authorization bill, when available.  
[SAP pending]

Other items the Senate may consider prior to the July 4th Recess:

- o H.R. 867 - Adoption Promotion Act of 1997  
[SAP under discussion]
- o FY 1998 Foreign Operations Appropriations Bill
- o Budget Reconciliation Bills

## HOUSE

Thursday, June 19 and Friday, June 20

On Thursday, the House will meet at 10:00am, and on Friday the House will meet at 9:00am for legislative business.

Continue consideration of H.R. 1119 - National Defense Authorization Act for Fiscal Years 1998 and 1999, if necessary.  
[SAP pending]

Continue consideration of H.R. 437 - National Sea Grant College Program Reauthorization Act of 1997, if necessary  
[SAP sent 6/11: Administration supports but will seek amendments]

The House also expects to take up the following items prior to the July 4th Recess:

- o Partial-Birth Abortion Bill (the Senate-passed bill)  
[SAP under discussion]
- o Budget Reconciliation Bills
- o Legislation regarding China's MFN status (likely next week)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 14:42:49.00

SUBJECT: Draft Agenda for Weekly Welfare Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Draft Agenda

April 17, 1997

- I. Update: Finance Committee Markup
  - Possible Amendments:
    - Conrad: Strike Privatization
    - Kerrey: Limit Privatization
    - Jeffords: Welfare to Work to DOL and PICs
    - Jeffords: Training as allowable use for welfare to work funds
    - Moseley-Braun: Reserve 50% of Competitive Grant
    - Moseley-Braun: Strike Performance Bonus
    - Moseley-Braun: Remove Teen Parents in School from Voc Ed Limit
    - Rockefeller: Stronger anti-displacement language
- II. Legal Immigrants: Thursday Vice President Event
- III. Child Support Enforcement - Next Week
  - POTUS letter to Hill with HHS report, Treasury Stats
  - Urge Passage of DOJ/Kohl/Dewine amendment in Juvenile Justice markup
  - ?Leak to USA Today (Information, not Letter to Congress)
- IV. Welfare to Work: How to Highlight our Success in \$3 Billion US Conference of Mayors Speech
  - ?Other Event/Media?
- V. Minimum Wage for Workfare
  - Reed/Sperling Letter to Hill?
  - Reed/Sperling Op-Ed (Response to Offner)
  - Memo to POTUS on end game
  - Events?
- VI. DLC Welfare to Work Conference
  - Before August 22
  - Piggy-Back National Conference of State Legislators Aug.

6-10?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUN-1997 11:00:05.00

SUBJECT: FYI, here is the language in the Senate Finance SAP on this extra money CB

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

The SAP still hasn't gone out, but it probably will momentarily. Also fyi, NEC is pushing to slightly alter our language on legal immigrants by adding the phrase, "While the administration is sympathetic to the goal of covering the elderly non-disabled," the Chairman's mark doesn't reflect the budget agreement.

Here's the language on the attempt to recover the CBO money.

Cost Allocation Language -- The Administration understands that amendments may be offered during Committee consideration, the purpose of which is to prevent costs from increasing in Food Stamps and Medicaid due to cost-shifting for common functions from the TANF block grant, which places a cap on TANF administrative costs. We understand the CBO baseline includes costs of over \$5 billion in FYs 98-02 because CBO assumes administrative costs shifting from TANF to Food Stamps and Medicaid. This proposal seeks to reduce the extent of the cost-shift to the Food Stamp and Medicaid Programs, which could yield substantial savings against CBO's baseline. While the Administration is generally supportive of this effort -- to prevent States from changing cost allocation plans in order to shift greater administrative costs from the capped TANF block grant to the open-ended Food Stamp and Medicaid administrative costs that are matched by the Federal government -- we would need to carefully review the specific mechanism proposed. In addition, we would have very serious reservations about proposals that would cap Food stamps and Medicaid administrative costs.

The budget negotiators discussed changes to the Food Stamp and Medicaid Programs at considerable length. An amendment reducing these programs and directing

savings to other programs was neither raised nor included in the Budget Agreement.  
The Administration has strong reservations about such an approach.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer M. Palmieri ( CN=Jennifer M. Palmieri/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUN-1997 16:39:51.00

SUBJECT: Segal's Welfare to Work Conference

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

READ:UNKNOWN

TEXT:

I spoke to our friends at Welfare to Work yesterday about their hopes/plans for an "on the road" welfare to work event in August. Eli would like to do a meeting tomorrow at 1:00 pm to talk about options.

Can you do a meeting at 1:00 pm tomorrow on this?

It's going to be in Ann Lewis' office.

Please let me know.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 14:57:09.00

SUBJECT: Re: Final Briefing Memo?

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

READ:UNKNOWN

TEXT:

I have no idea who this is. Do you want me to respond?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUN-1997 12:42:48.00

SUBJECT: DLC Welfare to Work Conference

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

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

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

TEXT:

The DLC Welfare to Work Conference is still pending with scheduling for sometime before August 22. Margie at the DLC today suggested that they could piggy back the conference onto the National Conference of State Legislators in Philadelphia on Aug. 6-10. Do you think that's a more attractive option than doing something in D.C.?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa Y. Cook ( CN=Melissa Y. Cook/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:17-JUN-1997 11:49:09.00

SUBJECT: LRM #MYC110 -- OPM Report on Federal Employee Family Friendly Leave Act

TO: Robert W. Schroeder ( CN=Robert W. Schroeder/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Janet R. Forsgren ( CN=Janet R. Forsgren/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Raymond P. Kogut ( CN=Raymond P. Kogut/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

You should have already received (or you will shortly receive) OPM's report to Congress on the Federal Employee Family Friendly Leave Act. I want to draw to your attention two things about this LRM. First, the report discusses in a few places the definition of "family member" (especially pages 4 and 13), and I want to make sure the discussions are acceptable to you. Second, the report mentions in a number of places Executive Orders that have been issued, and I want to make sure that they were factually correct.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUN-1997 11:40:36.00

SUBJECT: House WR language

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

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

READ:UNKNOWN

TEXT:

Have you studied the House WR language on displacement, prevailing wage, etc? It got blasted by Thompson in yesterday's Wash Times, and by Walter Shapiro (a liberal) in today's USA Today. We should look it over.



## Talking Points and Q&A on Tobacco Settlement Talks

June 18, 1997

--DRAFT--

- o My staff are closely monitoring the settlement talks among the tobacco industry, state attorneys general, public health groups, and private lawyers. Any agreement would have to be passed by the Congress.
- o My Administration will carefully review any settlement that emerges from the discussions, and we will seek the advice of the public health community. As I have said previously, in reviewing any settlement proposal, our focus will stay squarely on protecting kids and the public health. The hard, investigative work of the Food and Drug Administration and the tough regulations we've begun to put in place have helped bring the industry to the table. We're going to proceed with the same intense focus on the public health.

**Q. Is the Administration trying to help close the deal?**

- A. Absolutely not. As I said, my staff are monitoring the talks closely so that we will be in a position to evaluate and respond to any possible settlement. But we have not yet reached a judgment on the kind of settlement the parties appear to be discussing and are not trying to encourage or close the deal.

**Q. Have you started to review the deal?**

- A. We have begun a process for reviewing the issues that have been under discussion. White House and Agency staff expect to spend the next couple of weeks analyzing the details of a possible settlement as they emerge, and consulting with the public health community and others.

**Q. How will the review work and how long will it take?**

- A. A number of the Federal agencies have a role in tobacco, so the review will be coordinated out of the White House. The review will take as long as necessary to conduct a careful analysis, but we will seek to work promptly and expeditiously.

**Q. Dr. Kessler and Dr. Koop have asked in a letter to you that you give them 30 days to complete their own review before signing off on anything. Are you going to wait?**

- A. I intend to very closely consider the views of the public health community prior to rendering any judgment on a settlement, and my staff have been in contact with members of the community during the whole course of these discussions. I am not going to judge a deal before I know the views of the public health community, including Dr. Koop and Dr. Kessler, but I have not decided on any particular timetable.

\\qaset3.tob



**A. Welfare Reform -- US Conference of Mayors Resolution**

**Overall:**

The resolution agrees with our goal of reforming welfare with an emphasis on work, and supports many of our specific policies, such as creating a \$3 billion welfare to work program, enacting a targeted welfare-to-work tax credit, and restoring benefits to legal immigrants. It also voices concerns about the end of the entitlement to assistance, the level of budget cuts in the welfare law, and whether there will be enough jobs for welfare recipients in many cities. It goes beyond the policy in the President's budget by supporting restoration of food stamp benefits for legal immigrants (we restored SSI and Medicaid, but not food stamps) and including SSI for non-disabled elderly legal immigrants, as well as the disabled.

**Possible suggestions for improvements:**

1. Drop Item 2, which is an unnecessarily negative description of the welfare law. They will probably resist.
2. We could ask them to drop references to improvements we were not able to secure in the budget agreement -- but it is not critical, and they will rightfully protest, so I would not recommend asking. These items are: restore food stamps to legal immigrants; restore SSI to elderly non-disabled legal immigrants; restore food stamps to childless adults who can't find work; repeal other food stamp cuts (i.e., shelter deduction, standard deduction, vehicle asset limit).

**B. Education Resolution --U.S. Conference of Mayors Resolution**

**Overall:**

1. This poses no problems for us and is basically fine as is. The primary focus of the policy is on the role of Mayors in education partnerships. It essentially provides encouragement for mayors to carve out a role for themselves in education, working in partnership with local superintendents, regardless of whether the mayor has a formal governing role in K-12 education. In this context, it calls for Mayors to promote: the adoption of academic standards, business partnerships, school -to -work efforts, technology, and school safety initiatives. It also supports specific efforts with regard to reading programs, technology, school construction, and community schools/after schools programs. These are all consistent with the President's Call to Action.
2. The resolution also focuses on a handful of federal programs: Title 1, School-to-Work, school construction, technology, and after-school programs. This is an important but limited set. It would be helpful if the resolution also

supported:

- The President's Call to Action for American Education overall, or, specifically,
  - America Reads
  - The President's call for national standards and tests in 4th grade reading and 8th grade math. These tests can be very powerful tools for raising expectations for urban students, and for promoting accountability.
3. I understand the Education Department's Office of Intergovernmental Affairs has been working with Mayor Menino's office, and may have already secured his support for adding America Reads (which is patterned after Read Boston) and, possibly, the Call to Action.

**C. Health Care -- U.S Conference of Mayors Resolution**

Overall:

We do not have any major problems with the mayors list. However, we should note that while the mayors office is endorsing Hatch-Kennedy in response to the problem of uninsured children, the President has not supported this legislation in the context of the balanced budget negotiations. We believe it is important for the mayors and others to emphasize the \$16 billion already in the budget agreement and to help ensure that these dollars are invested to cover as many children as possible. Supporting additional funding for children's health care at this time, we believe could possibly undermine the budget agreement, and in particular the \$16 billion for children's health care.

Finally, we want to note that the resolution calls for the Administration to support legislation to provide reimbursement for annual mammography screening. The President's budget already proposes to wave copays and deductibles for annual mammography screening.

**D. Crime -- U.S. Conference of Mayors Resolutions**

Overall:

Generally, the resolution praises the COPS program and how it has been administered by the Department of Justice. The resolution also calls for two changes: (1) for Congress to restore appropriations for the 15 percent of the COPS funds that can be used for non-hiring purposes; and (2) for the Administration and Congress to extend COPS grants to cities beyond their 3 years of funding in cases of fiscal hardship. The Administration is generally supportive of this resolution. We have supported the flexible use of COPS monies and are about to waive the \$75,000 per-cop cap for cities that seek funding this year. However, we have not yet embraced extending COPS grants into future years.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUN-1997 09:44:26.00

SUBJECT: Nickles amendment on minimum wage and sanctions

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Nickles has an amendment to let states impose sanctions on people and not have it affect their proposed minimum wage calculation -- i.e., they wouldn't have to raise the hourly wage to compensate for a sanction. We assume we'd support, as would HHS, and DOL might want to oppose (we haven't asked them yet). Don't know if it's going anywhere.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Stuart M. Schear@EOP@LNGTWY@LNGTWY ( Stuart M. Schear@EOP@LNGTWY@LNGTWY [ W

CREATION DATE/TIME:18-JUN-1997 17:16:03.00

SUBJECT: WEEKEND TV OUTLOOK

TO: Maria Echaveste@eop ( Maria Echaveste@eop [ WHO ] )  
READ:UNKNOWN

TO: Deborah Falk@eop ( Deborah Falk@eop [ WHO ] )  
READ:UNKNOWN

TO: Bruce N. Reed@EOP ( Bruce N. Reed@EOP [ OPD ] )  
READ:UNKNOWN

TO: Cathy R. Mays@EOP ( Cathy R. Mays@EOP [ OPD ] )  
READ:UNKNOWN

TO: Michele Jolin@EOP ( Michele Jolin@EOP [ CEA ] )  
READ:UNKNOWN

TO: david t. johnson@eop (. david t. johnson@eop [ NSC ] )  
READ:UNKNOWN

TO: Marjorie Tarmey@eop ( Marjorie Tarmey@eop [ WHO ] )  
READ:UNKNOWN

TO: Brian D. Smith@eop ( Brian D. Smith@eop [ WHO ] )  
READ:UNKNOWN

TO: Melissa Green@eop ( Melissa Green@eop [ OPD ] )  
READ:UNKNOWN

TO: Lorraine L. Wytkind@eop ( Lorraine L. Wytkind@eop [ WHO ] )  
READ:UNKNOWN

TO: Elena Kagan@eop ( Elena Kagan@eop [ OPD ] )  
READ:UNKNOWN

TO: Christopher C. Jennings@eop ( Christopher C. Jennings@eop [ OPD ] )  
READ:UNKNOWN

TO: Jason S. Goldberg@EOP ( Jason S. Goldberg@EOP [ WHO ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 18-JUN-1997 17:09:00

===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
The following attachments were included with this message:

-----  
TYPE : FILE  
NAME : 061897.WPD

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



JUNE 18, 1997

MEMORANDUM TO MIKE MCCURRY, ANN LEWIS & DON BAER  
FROM STUART SCHEAR  
SUBJECT WEEKEND TELEVISION OUTLOOK  
COMMENT ALBRIGHT, RUBIN, BLAIR & LOTT ON TV

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FRIDAY JUNE 20

WASHINGTON WEEK IN REVIEW

Topic TBD  
Guest TBD

SATURDAY JUNE 21

EVANS & NOVAK (CNN)

Topic Taxes & Budget  
Guest Request for Sen. Moynihan

INSIDE POLITICS WEEKEND (CNN)

Topic GOP Congressional Politics  
Guest TBD

SUNDAY JUNE 22

FOX NEWS SUNDAY (FOX)

Topic Budget & Taxes  
Guest 1st Choice: Request for OMB Dir. Franklin Raines  
Guest 2nd Choice: Requests for Sen. Moynihan & Sen.  
Kerry  
Guest Request for Sen. Nickles

Topic GOP Congressional Politics  
Guest Request for Rep. John Boehner

Roundtable Brit Hume, Juan Williams & Robin Wright

FACE THE NATION (CBS)

Topic GOP Congressional Politics

Automated Records Management System  
Hex-Dump Conversion

Guest Sen. Trent Lott  
Topic Summit of the Eight, Budget & Taxes  
Guest Robert Rubin, Secy. of the Treasury  
Comment Bob Schieffer & Gloria Borger

MEET (NBC)

Topic Summit of the Eight & NATO  
Guest Request for Antoly Chubais, Yeltsin's Chief of Staff

Topic Republican Congressional Politics  
Guest Rep. Dick Armev

Topic TBD (Tobacco is possible)  
Guest TBD

Roundtable TBD

THIS WEEK (ABC)

Topic Summit of the Eight, Hong Kong & other issues  
Guest Madeleine Albright, Secy. of State

Topic Summit of the Eight, NATO, Hong Kong  
Guest Tony Blair, British Prime Minister

Roundtable Cokie, Sam, Will & Clarence Page

Comment **THIS WEEK to broadcast live from Denver**

LATE EDITION (CNN)

Topic Summit of the Eight & Hong Kong  
Guest Request for Sandy Berger (Not a firm request)

Topic GOP Congressional Politics  
Guest TBD

Topic Tobacco Settlement  
Guest TBD

Roundtable Blankley, Roberts, Carlson



## Summary of Tobacco Settlement Proposal

-- DRAFT --

### Industry Financial Commitment

Total commitment of about \$370 billion over 10 years, including up-front commitment of \$10 billion in "punitive damages" to HHS and annual payments as outlined below.

Annual Payment for 25 Years	Funds Transferred To	Use of Funds
\$8 billion	All States and HHS (Fed gov't share is 57%)	Reimburse Medicaid costs. Specifically provides \$20 billion over 5 years to fund children's health coverage at level of Hatch-Kennedy
\$4 billion	Individual plaintiffs (any annual excess will go to HHS)	Liability awards
\$ 1.0-1.5 billion	HHS, USDA	Counter advertising; smoking research; farmer transition program
\$ 1.0-1.5 billion	HHS,	Smoking cessation and state and local tobacco control programs (ASSIST expansion)

### Public Health Provisions

**FDA Authority.** This is a critical issue still under discussion. While preserving FDA regulation of tobacco as a "drug-delivery device" under the Food, Drug, and Cosmetic Act, the negotiators have considered placing some limits on FDA's ability to regulate nicotine and other cigarette ingredients in the next 12 years, and modifying the regulatory criteria and process somewhat.

**Youth Access Restrictions.** Codifies FDA rule. In addition, among other things: bans all vending machines, requires tobacco products to be behind the counter; and establishes a nationwide licensing system for tobacco retailers with graduated penalties and supervision. FDA and state attorneys general would have joint enforcement authority over these provisions, and industry would fund enforcement effort. May prohibit FDA from modifying agreed-to provisions for up to 7 years.

**Marketing and Advertising** Codifies FDA rule. In addition, among other things: eliminates all billboards and outdoor signs; eliminates all human images and cartoon characters from all advertising and from all cigarette packages; places further restrictions on store placement of ads; prohibits product placement in movies and on TV. FDA and state attorneys general would have joint enforcement authority over these provisions, and industry would fund enforcement effort. May prohibit FDA from modifying agreed-to provisions for up to 7 years.

**Counter advertising** Funds a national, sustained counter-advertising campaign, similar to previous campaigns in California and Massachusetts.

**Health Warnings.** Revises the warning label system. Requires new black and white Canadian-style warnings occupying at least 25 percent of the front of the package. New possible warnings include: "WARNING: Cigarettes are Addictive;" and "WARNING: Smoking Can Kill you."

**Smoking Cessation.** Industry would provide funds to the Federal government to subsidize smoking cessation programs for those who want to quit.

**State and Local Tobacco Control.** Industry would fund state and local tobacco control activity modeled on HHS's ASSIST program. The grant program currently covers a limited number of states, and would be expanded to all states.

**Environmental Tobacco Smoke.** Embraces Congressman Waxman's proposal to restrict tobacco use in public places and most workplaces to locations separately ventilated to the outside that non-smokers don't pass through. Exempts bars and certain restaurants.

## **Industry Accountability and Disclosure**

**Youth Smoking Targets.** The industry would be subject to penalties if youth tobacco use fails to drop by 30 percent in 5 years, 50 percent in 7 years and 60 percent in ten years. The penalty is \$80 million per percentage point under target.

**Document Disclosure.** All documents which would have been revealed through the litigation process would be made public and the industry would make public its health-related research in the future.

**Monitoring of Corporate Behavior.** To ensure industry complies with the law, manufacturers would be required to develop detailed compliance plans; corporations would be required to set up incentive plans to encourage compliance; and industry would be required to use auditors and report on behavior to shareholders.

## **Liability**

**Right to Sue/ Limitation on Damage Awards.** Does not abridge rights of individuals to sue, but limits individual damage awards to no more than \$1 million in one year. Prohibits class action suits. Sets up \$4 billion annual fund for liability payments. Prohibits punitive damages for past actions. Industry would make one-time \$10 billion "punitive" payment to the Federal government for past behavior.

**Settles all state Medicaid suits.** Includes states that have not filed suits. Money distributed as outlined below.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 10:29:14.00

SUBJECT: Re: I did a bunch of Congressional letters -- yahoo!

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

READ:UNKNOWN

CC: Cathy R. Mays ( CN=Cathy R. Mays/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Regarding the privatization letters:

I drafted a response from Bowles to Gramm as you requested, which references their meeting. At the same time, we had letters to the President from the other members of the Texas delegation that Bowles et. al. also met with. I would propose that the same letter from Bowles go to them as well, rather than one from Bruce. The letter from Bruce would go to those who wrote the President but we had no meetings with. What do you think?

Elena Kagan

06/18/97 10:24:03 AM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: Re: I did a bunch of Congressional letters -- yahoo!

MANY THANKS.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cheryl M. Carter ( CN=Cheryl M. Carter/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:18-JUN-1997 13:31:10.00

SUBJECT: Distilled Spirits Council

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

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

TO: Rahm I. Emanuel ( CN=Rahm I. Emanuel/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

CC: Peter O'Keefe ( CN=Peter O'Keefe/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

Things continue to heat up on this issue...I'm sending over copies of letters and press releases of interest from FCC Commissioners for your information. Please take the time to review because you will see that Distilled Spirits thinks the letter from Reno to Hundt is the President's response to them. They are waiting on a response from POTUS to their letter asking him to convene a meeting.

Open Agenda meeting at FCC is tomorrow. And so far two of the Commissioners have come out opposed to consideration of this issue.

----- Forwarded by Cheryl M. Carter/WHO/EOP on 06/18/97  
01:18 PM -----

Cheryl M. Carter  
06/17/97 11:18:41 AM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Peter O'Keefe/WHO/EOP  
Subject: Distilled Spirits Council

I just got an urgent message from Tim Dudgeon with Distilled Spirits regarding a letter that went to Reed Hundt from Attorney General Reno asking him to act. Dudgeon's call has a very urgent tone and he is concerned that the AG's letter to Hundt is the WH's answer to their letter to POTUS. We need to talk about this asap...please call me at 62682.



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 10:55:45.00

SUBJECT: Hand out for 12:00, for your review

TO: Elena Kagan ( CN=Elena Kagan/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:

Outline of Working Group Analyses

I. Brief description of issue area(s)

II. Public health/public interest goals (e.g., effect on children's smoking, adult smokers, addictiveness/safety of product, recovery of Medicaid costs, etc.)

III. Long-term analysis without a settlement

A. Current and planned activities (expected benefits; timing; litigation risk)

B. Additional possible actions (expected benefits; pros and cons)

IV. Long-term analysis with a settlement

ELENA/BRUCE -- Do you want to hand out the following?

Tobacco working groups (draft)

1. FDA regulation of product, access, and labeling

2. Advertising restrictions / public education

3. Environmental tobacco smoke

4. Smoking cessation

5. Industry analysis (incentives, performance)

6. Liability, litigation, disclosure

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 11:07:00.00

SUBJECT: Child Care

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I spoke (off the record) with Joan Lombardi. (Nicole, I called her when I learned that HHS is coming to our meeting tomorrow with no specific ideas, just priorities, and that they can't put anything on paper yet.)

Joan says that they met with the Secretary who agreed with their priorities, which led Joan to believe that Mary would start developing options. She hasn't for two reasons. First, she is completely overwhelmed by reconciliation. Second, the Department is worried about getting out in front of the budget process. However, they have to come up with options for the budget by around July 9. Anyway, Joan says that we just need to yell at HHS tomorrow and tell them we need specific options within two weeks. Otherwise, they'll continue to drag their feet. She does think that we need to have tomorrow's meeting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 12:58:37.00

SUBJECT: Senate Finance Committee on Privatization

TO: Barry White ( CN=Barry White/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Emil E. Parker ( CN=Emil E. Parker/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Keith J. Fontenot ( CN=Keith J. Fontenot/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Kenneth S. Apfel ( CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

TEXT:

This morning, Sen. Conrad moved to strike the privatization provisions of the Senate Finance Committee mark, which would deem Texas approved and allow up to 10 more states to privatize.

Conrad's motion to strike won.

Then, clearly there was some back room dealing as other subjects were debated.

Then, D'Amato who had voted w/Conrad before, asked for a vote to reconsider Conrad. The chairman offered to change his mark to take out the other states. The vote to reconsider won on a party line vote.

End result: the Finance Committee deems Texas approved but does not allow other states to privatize.

We worked hard to provide official and unofficial documents to help Conrad's efforts. John -- I'll send a package over to you for your information.

On other matters, Moseley-Braun's effort to not count teens in the 20% of caseload in vocational education cap passed, but Nickles insisted he wanted to work with her in drafting to ensure it doesn't weaken the work requirements. Moseley-Braun apparently told him it didn't, which isn't really true (The law requires teen parents to be in school to get assistance. This wouldn't change that. This would not count those teens as being in "vocational education" -- which would allow more adults in vocational education to be counted as "working.")



## **Crime Meeting Agenda June 18, 1997**

### **Juvenile Justice Bill Update**

- \* Update on Senate markup? What is our position on new Chairman's mark?
- \* Justice/WH Leg: update on negotiations/ amendments.
- \* Kohl-DeWine child support amendment.

### **Events/ Announcements**

#### **Brady Case**

- \* President's statement: WH/Justice/Treasury team will meet on day of decision to quickly review decision and clear statement.
- \* Day of decision: statement should reflect updated Brady #s (250,000 sales blocked)
- \* Schumer bill: Are we comfortable with his approach? (Schumer bill requires FFLs to submit forms to CLEOs who are still doing background checks.)
- \* List of chiefs supporting continued checks-- where are we?

#### **Youth Crime Gun Interdiction Report/Expansion Announcement**

- \* When should we do this event?
- \* Treasury: report has gone to print-- when will it be ready?
- \* Expansion to more cities: Treasury briefed OMB last week with estimate that expansion to 15 more cities in FY 1998 will cost approx. \$40 million.  
Treasury and OMB currently working to find several million \$ in-house to start up expansion. We will still need to ask for appropriation.
- \* Senate Treasury-Postal Approps set to mark up next Thursday.

#### **Gang Tracking Network**

- \* DOJ: What is the status of this project?

#### **Crack Cocaine**

- \* Deadline for report back to President is June 29 (Sunday). Should we target release for Friday, June 27 (last day before Congress goes into one-week recess)?
- \* ONDCP and Justice still have not reached consensus.

#### **Federal Law Enforcement Commission**

- \* Contained in final version of the Disaster Relief bill. Strategies for how to address this?

#### **Cop Killer Bullets/Taggants Reports**

- \* Treasury: Where are these reports?

#### **Victims Legislation**

- \* Justice: Is this being sent to Hill next week?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 20:08:26.00

SUBJECT: Other stuff

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

READ:UNKNOWN

CC: Laura Emmett ( CN=Laura Emmett/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

We're all set for MADD Board of Directors briefing Friday. Any interest in dropping by to kick it off at 10:00 am? Draft agenda below.

Re. Cloning -- Leg Affairs, OSTP and I have started to meet with key Hill staff. Given the likely course the debate would take if the bill moves, we will need to think hard about whether to push for the bill's consideration. House Science majority doesn't expect to be able to move the bill through committee without dropping sunset and expanding it to cover some, if not all, embryo research. Morella's staff has asked us to talk to Ehler's and try to work out an acceptable bill. But House Commerce will have joint jurisdiction, and the expectation is that that committee would tackle the embryo debate head on, and that the Republican leadership would have the same agenda. Bottom line, any bill coming out of the House will have broad ban on embryo research -- something we don't want to confront (as you know, Bond would push for the same result in the Senate).

Instead of pushing for passage, we may want to simply have Ehlers and/or others (ideally a moderate dem) introduce a bill we can live with to put down a marker, but not push for full consideration in House or Senate. Hilley's up to speed; we'll keep you posted as we do a couple more meetings this week.

MADD mtg. agenda (draft)  
White House Briefing  
for  
Board of Directors  
Mothers Against Drunk Driving

June 20, 1997  
10:30 - 11:30 a.m.  
Indian Treaty Room

10:00 a.m. Welcome and Introductions  
(Domestic Policy Council staff)

10:05 a.m. Dr. Ricardo Martinez  
Administrator  
National Highway Traffic Safety Administration

10:30 a.m. Ms. Aileen Adams  
Director, Victims of Crime program

Department of Justice

11:00 a.m.

Mr. (?) Hoover Adger  
Deputy Director  
Office of National Drug Control Policy



Draft Draft

Right to Die

---

Vacco v. Quill

I am very pleased with today's Supreme Court decision against physician-assisted suicide. The decision is a victory for all Americans--it prevents us from going down a very dangerous and troubling path in this difficult and often agonizing issue.

With today's decision, the Court voices its concern that there is a significant distinction between assisting in death and allowing death to occur. Not only is this an important legal distinction, it is also a distinction of deep moral and ethical implications.

I have a great deal of sympathy and a profound respect for those who suffer from incurable illnesses, and for their families. I have had a number of family members die from painful and protracted illnesses. Even so, I have always expressed my strong opposition to physician-assisted suicide. I believe that it is wrong, and have always believed it to be wrong. It is not right to force patients who might already have impaired judgment into a position where they might have to make serious and irreversible judgments about their own health care needs.

Today's decision indicates that the dangers and consequences of allowing physician-assisted suicide far outweigh the good that it might do in some cases. The issue is unavoidably heartrending, and we must never ignore the agony of terminally ill patients, but the Supreme Court made the right decision today. The risks and consequences of physician-assisted suicide are simply too great.

Draft      Draft      Draft

Right to Die -- lose

Vacco v. Quill

I am deeply disappointed with today's Supreme Court decision in favor of physician-assisted suicide. The decision is a defeat for all Americans--it allows America to go down a very dangerous and troubling path in this difficult and often agonizing issue.

There is a critical distinction, one of deep legal, moral, and ethical implications, between assisting in death and allowing death to occur. Unfortunately, the Court failed to view this distinction as a deciding factor.

I have a great deal of sympathy and a profound respect for those who suffer from incurable illnesses, and for their families. I have had a number of family members die from painful and protracted illnesses. Even so, I have always expressed my strong opposition to physician-assisted suicide. I believe that it is wrong, and have always believed it to be wrong. With today's decision, patients who might already have impaired judgment might be placed in a position where they have to make serious and irreversible judgments about their own health care needs.

The dangers and consequences of allowing physician-assisted suicide far outweigh the good that it might do in some cases. The issue is unavoidably heartrending, and we must never ignore the agony of terminally ill patients, but the Supreme Court made the wrong decision today. The risks and consequences of physician-assisted suicide are simply too great.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 00:01:17.00

SUBJECT: I did a bunch of Congressional letters -- yahoo!

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

READ:UNKNOWN

TEXT:

including ones on privatization. Cathy has them all. Ones that you all met with I assume will come from Bowles.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock ( CN=Andrew J. Mayock/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:18-JUN-1997 16:16:17.00

SUBJECT: Additional notes from POTUS comments

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

In considering research (and involvement of CEA, BLS, BEA, BJS, etc.) for the race initiative, please consider the comments noted in the second paragraph of the attached e-mail.

Thanks.

----- Forwarded by Andrew J. Mayock/WHO/EOP on 06/18/97  
04:13 PM -----

Beverly J. Barnes  
06/17/97 02:59:18 PM

Record Type: Record

To: Ann F. Lewis/WHO/EOP, Andrew J. Mayock/WHO/EOP

cc:

Subject: Additional notes from POTUS comments

In a conversation with the advisory board members on the return trip, the President said he wanted staff to start right away collecting a compendium of "best practices" (not his phrase), and that he wanted that list to be made available on the web site. He also wanted the web site to be configured so individuals who have ideas to submit could add them to the web site.

He also said we need to determine quickly what scientific research need to be conducted and get it underway. He said the media responded positively when he broached this topic and the university officials (including representatives of the National Science Foundation) already had offered their services. The President posed one possible topic for study: How the lack of diversity affects white Americans.

I don't know what is possible or what is already in the works, but I thought you should know about his ideas.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: John G. Stiver ( CN=John G. Stiver/OU=OA/O=EOP [ OA ] )

CREATION DATE/TIME:18-JUN-1997 13:18:18.00

SUBJECT: Request for Notes Mail Connectivity

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

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

CC: Charles B. Dietzel ( CN=Charles B. Dietzel/OU=OA/O=EOP @ EOP [ OA ] )  
READ:UNKNOWN

CC: Michael A. Saunders ( CN=Michael A. Saunders/OU=OA/O=EOP @ EOP [ OA ] )  
READ:UNKNOWN

TEXT:

Kent Markus of DOJ has requested Lotus Notes email connectivity with you (see message below). Before I set this up, I need your authorization to add your name to the Notes WHO address book, which will allow him to easily address you. The WHO address book is available to many agencies who participate in the Notes Xchange network which is used for reporting information from agencies to the White House. If you have any questions about this, please give me a call at X56584.

----- Forwarded by John G. Stiver/OA/EOP on 06/18/97  
10:22 AM -----

William Helton @ DOJ  
06/11/97 03:37:16 PM  
Record Type: Record

To: John G. Stiver/OA/EOP, Lisa D. Jimney/OA/EOP  
cc:  
Subject: Special Request

Hello

Kent Markus, who is with the Attorney General's office, has made a request through me to have the following persons at the White House given access to Lotus Notes for the purposes of exchanging email and documents with him here at the Department of Justice. Mr. Markus is the Counselor to the Attorney General for Youth Violence and may be reached at (202) 514-3008. He has requested that this be accomplished as soon as possible.

Thank you in advance. Please feel free to call me if you have any questions.

Bill Helton  
(202) 514-1238

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUN-1997 17:37:36.00

SUBJECT: pending Supreme Court decisions

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Laura Emmett ( CN=Laura Emmett/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Please read the notes below. I've asked Bill Marshall to coordinate with Kent Markus with respect to the Brady decision. The latest rumor is that decisions will all come down by June 26. That leaves three decision dates left: tomorrow, June 23 and June 26.

Elena-- Bill asked that you either stop by the "war room" or be available to clear statements on the days that decisions come down on religious freedom, Brady, and right to die.

Thanks.

----- Forwarded by Leanne A. Shimabukuro/OPD/EOP on 06/18/97 05:31 PM -----

Michelle Crisci

06/18/97 01:44:34 PM

Record Type: Record

To: Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: Time and Room

Chuck Ruff and Rahm would like to set up a "war room" for the next few days in order to organize the statements. -Bill Marshall set up this time and place- who should be there? I was thinking about you, Jose, Elena, Barry Toiv and someone in Waldman's office. Who else? Let me know when you get a chance. Thanks

----- Forwarded by Michelle Crisci/WHO/EOP on 06/18/97 01:35 PM -----

William P. Marshall

06/18/97 12:06:46 PM

Record Type: Record

To: Michelle Crisci/WHO/EOP

cc:

Subject: Time and Room

Please ask everybody meet in my office (486) at 10:30 tomorrow (June 18), next Monday (June 23), and next Thursday (June 26). Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ellen S. Seidman ( CN=Ellen S. Seidman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 08:23:39.00

SUBJECT: Principals meeting

TO: Cristian J. Santesteban ( CN=Cristian J. Santesteban/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

TO: Ingrid M. Schroeder ( CN=Ingrid M. Schroeder/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: William P. Marshall ( CN=William P. Marshall/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Timothy J. Brennan ( CN=Timothy J. Brennan/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

TO: Peter G. Jacoby ( CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Charles W. Burson ( CN=Charles W. Burson/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeff Bromme ( Jeff Bromme @ 301-504-0121 @ fax [ UNKNOWN ] )  
READ:UNKNOWN

TO: John Dwyer ( John Dwyer @ 514-0238 @ fax [ UNKNOWN ] )  
READ:UNKNOWN

TO: Fran Allegra ( Fran Allegra @ 514-1724 @ fax [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tom McGivern ( Tom McGivern @ 622-1188 @ fax [ UNKNOWN ] )  
READ:UNKNOWN

TO: Donald Remy ( Donald Remy @ 514-8071 @ fax [ UNKNOWN ] )  
READ:UNKNOWN

TO: John E. Thompson ( CN=John E. Thompson/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Ellen S. Seidman ( CN=Ellen S. Seidman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Steven D. Aitken ( CN=Steven D. Aitken/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Tracey E. Thornton ( CN=Tracey E. Thornton/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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TO: John Spotila ( John Spotila @ 205-6096 @ fax [ UNKNOWN ] )  
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TO: Jeffrey Hunker ( Jeffrey Hunker @ 482-4636 @ fax [ UNKNOWN ] )  
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TO: Pam Gilbert ( Pam Gilbert @ 301-504-0121 @ fax [ UNKNOWN ] )  
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TO: Ed Murphy ( Ed Murphy @ 622-1294 @ fax [ UNKNOWN ] )  
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CC: Melissa Green ( CN=Melissa Green/OU=OPD/O=EOP @ EOP [ OPD ] )  
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CC: Jennifer D. Dudley ( CN=Jennifer D. Dudley/OU=WHO/O=EOP @ EOP [ WHO ] )  
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TEXT:

As you've all probably figured out, it won't be today. Probably next Tuesday aft or Wednesday. Melissa will be calling around to your principals' schedulers.

What follows should be a revised version of the options. ellen

Joint and several

Proposal 1 - Reallocation

Joint and several if the plaintiff is fault-free

If the plaintiff is at all at fault, liability is

several, but if the plaintiff cannot collect from one or more defendant after a specified period of time In Missouri it is 30 days, which may be too short to actually encourage the plaintiff to try to collect; in Connecticut it is one year, which may be too long., the plaintiff can petition the court for reallocation of damages not attributable to the plaintiff among the remaining defendants, but no defendant less at fault than the plaintiff may be charged with more than twice his proportionate share of damages

This would be two-way preemptive

Proposal 2A - Guaranteed recovery, two-way preemption

Joint and several liability of any defendant is than 30% at fault (taking into account the fault of the plaintiff and settling defendants)

If any defendant is less than 30% at fault, that defendant's responsibility would be limited to a maximum of twice the defendant's proportionate share of non-economic damages except where a greater multiplier was needed to ensure the plaintiff recovery of at least 50% of the assessed non-economic damages.

Proposal 2B - Guaranteed recovery, one-way preemption

Joint and several liability of any defendant is than 10%

at fault (taking into account the fault of the plaintiff and settling defendants)

If any defendant is less than 10% at fault, that defendant's responsibility would be limited to a maximum of twice the defendant's proportionate share of non-economic damages except where a greater multiplier was needed to ensure the plaintiff recovery of at least 60% of the assessed non-economic damages.

Punitives

Proposal 1 - Procedural changes, coupled with a breachable cap for small businesses

Support the provisions in S.648 providing for uniform federal standards of clear and convincing evidence and the right to request bifurcation.

Support a uniform federal liability standard for punitive damages that would not include recklessness, but (i) would not require that the conduct that is the subject of the punitive damages is the proximate cause of the plaintiff's harm and (ii) would explicitly permit circumstantial evidence of intent or malice.

Cap punitive damages at the lesser of twice compensatories or \$250,000 for firms that have 10 or fewer employees and annual revenues of \$1 million or less. The jury would not be told of the cap, and the judge could award damages in excess of the cap (but only up to the amount awarded by the jury) upon a finding that the capped amount was insufficient to punish or deter.

This would be two-way preemption, except that it would not require states that currently do not allow punitive damages in products cases to allow such awards

Proposal 2 - Allocation of punitive damages between plaintiff and state

Authorize the jury to impose punitive damages without any cap on large businesses; small business punitives would be capped as in Proposal 1

Vest the plaintiff in a 25% share of the total punitive damages, which amount will be assumed to include attorney's fees (i.e., no additional attorney's fees will be payable out of the punitive award)

The remainder of the award would be payable to the state whose substantive law applies to the determination of punitive damages.

States would be forbidden to intervene in the proceedings at any stage.

Combine this with the procedural reforms outlined in Proposal 1

This would be two-way preemptive except (i) it would not require states that do not allow punitive damages in products cases to allow such awards and (ii) states would explicitly be allowed to opt out of the allocation to the state, in which case prior state law with respect to caps and allocation would apply

Proposal 3 - Advisory jury opinion with judicial determination

The jury would render a solely advisory opinion on punitive damages

The actual determination of punitive damages would be made by the judge

The judge would be required to consider the factors in S.648, and would be required to explain why the judge's award differs (either higher or lower) from the jury's advice

Combine with procedural changes from proposal 1

Proposal 4 - Cap with easier breakthrough

Cap punitive damages at the greater of \$250,000 or twice

compensatories (the lesser of the two for small businesses)

Do not tell the jury of the cap

Allow the judge to award punitive damages above the cap (for both small and large businesses) without an additional proceeding and on a simple finding that the capped amount is insufficient to punish or deter, the standard in S.648, with no consideration of specified factors

Insist that there be no legislative history suggesting this authority is to be used any more sparingly than implied by the statutory standard

Couple this with the procedural changes described in proposal 1

This would be two-way preemptive, except with respect to states that do not allow punitives in products cases at all

Statute of repose

Two-way preemption of state law (as in S.648)

18 year statute of repose (as in S.648)

Which a plaintiff may overcome by clear and convincing evidence that the product had a longer useful safe life (not included in S.648, and responsive to the victim of the hay-baler accident cited in the veto message and to accidents involving products clearly intended to be longer-lived, such as elevators and most firearms)

Covering only durable goods in the workplace (narrower than S.648, retaining plaintiff rights concerning consumer goods in states without any statute of repose and responding to your concern about handguns)

With further exceptions for toxic substances, vehicles used in transportation for hire, and express warranties (as in S.648)

And with a provision that extends the statute to allow full benefit of the two-year statute of limitations after injury or discovery of harm in, for example, year 17 (not in S.648, but not expected to be a problem)

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

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CREATION DATE/TIME:18-JUN-1997 20:27:00.00

SUBJECT: OMB Legislative Report - June 18, 1997

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TEXT:  
Message Creation Date was at 18-JUN-1997 20:21:00

TO: DIRECTOR FRANK RAINES  
DEPUTY DIRECTOR JACK LEW  
DEPUTY DIRECTOR JOHN KOSKINEN  
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JUNE 18, 1997

SUBJECT: LEGISLATIVE REPORT

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Jacob J. Lew, Deputy Director, testifies tomorrow before the House Subcommittee on Public Buildings and Economic Development of the Committee on Transportation and Infrastructure regarding budget scoring rules as they apply to real estate transactions.

RECONCILIATION:

Both House and Senate Budget Committees still aim to take up the reconciliation bill on Friday, June 20th to package the provisions from the other committee, and to add the budget process provisions. The Senate hopes to the consider the

bill on the floor on Monday, while the House will take up their bill in the Rules Committee as early as possible next week.

The balance of the week's reconciliation markup schedule:

Friday, June 20th

House Budget Committee (likely) Reconciliation package  
Senate Budget Committee (likely) Reconciliation package

CONGRESS TODAY (6/18):

SENATE

Passed (98-0) S. 903 - Veterans Benefits Limitation for Capital Convictions  
[No SAP]

HOUSE

Passed (422-3) H.R. 437 - National Sea Grant College Program Reauthorization Act of 1997

[SAP sent 6/11: Administration supports but will seek amendments]

CONGRESS -- TOMORROW:

SENATE

Convene at 10:00am for morning business and 1:00pm for legislative business.

Consider S. 924 - National Defense Authorization Act for Fiscal Year 1998 (possible)

[SAP pending: Senior Advisors Recommend Veto]

Consider S. 858 - Intelligence Authorization Act for Fiscal Year 1998 (likely)

[SAP sent 6/18: Senior Advisors Recommend Veto]

HOUSE

Convene at 10:00am for legislative business.

Consider H.R. 1119 - National Defense Authorization Act for Fiscal Years 1998 and 1999

[SAP pending: Senior Advisors Recommend Veto]

CONGRESS LONG-TERM SCHEDULE:

SENATE

Friday, June 20

Continue consideration of S. 924 - National Defense Authorization Act for Fiscal Year 1998 (possible)

[SAP pending: Senior Advisors Recommend Veto]

Continue consideration of S. 858 - Intelligence Authorization Act for Fiscal Year 1998 (possible)

[SAP sent 6/18: Senior Advisors Recommend Veto]

Other items the Senate may consider next week, prior to the July 4th Recess:

- o Budget Reconciliation Bills (likely Monday)
- o H.R. 867 - Adoption Promotion Act of 1997  
[SAP under discussion]
- o FY 1998 Foreign Operations Appropriations Bill

HOUSE

Friday, June 20

Convene at 9:00am for legislative business.

Continue consideration of H.R. 1119 - National Defense Authorization Act for Fiscal Years 1998 and 1999, if necessary.

[SAP pending: Senior Advisors Recommend Veto]

Other items the House may consider next week, prior to the July 4th Recess:

- o Partial-Birth Abortion Bill (the Senate-passed bill)  
[SAP under discussion]
- o Budget Reconciliation Bills
- o Legislation regarding China's MFN status

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kathleen M. Wallman ( CN=Kathleen M. Wallman/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:18-JUN-1997 16:48:12.00

SUBJECT: securities litigation

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

TO: Jeffrey A. Frankel ( CN=Jeffrey A. Frankel/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

TO: KAGAN\_E ( KAGAN\_E @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

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

TO: Timothy L. Newell ( CN=Timothy L. Newell/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Ellen S. Seidman ( CN=Ellen S. Seidman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: William B. English ( CN=William B. English/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

TO: Daniel C. Tate ( CN=Daniel C. Tate/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Jennifer D. Dudley ( CN=Jennifer D. Dudley/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

Here is a version that reflects some input from Paul Carey. If you have comments, please tell me as soon as you can because I will be out on Thurs. and Fri.

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D1]MAIL44161686E.116 to ASCII,  
The following is a HEX DUMP:

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**TALKING POINT  
REGARDING SECURITIES LITIGATION LEGISLATION**

**Background**

At the urging of a number of Silicon Valley companies, Congresswoman Anna Eshoo has introduced legislation to preempt private securities fraud class actions brought under state law. Only “nationally marketed” securities would be covered by this preemption measure.

You likely will be asked whether you have decided whether the Administration will support the Eshoo bill. An interagency group has been meeting under the auspices of the NEC and Counsel’s Office to develop a recommendation to you. The group is reviewing the evidence and studies on national uniform standards; there is weight on both sides. Among the recent studies is a report from the SEC, which you requested, that concludes that it is premature to consider further federal legislation on securities litigation.

The interagency group is considering not only the option of taking a position for or against the bill, but also intermediate options, short of supporting the bill, that could stake out a position in favor of some preemption to achieve some measure of uniformity among the states in litigation standards. But the bill is not moving at the moment; no hearings have been scheduled in the House yet and no bill has been introduced in the Senate. Thus, there is no urgency in the sense of legislative scheduling to your announcing a position now.

**Suggested Talking Point:**

- The issue of national uniform standards for securities fraud class actions is an important issue and we are continuing to look at it carefully as I said we would do in my letter responding to Congresswoman Eshoo. We have benefited from your thoughtful input in that process. We are not on a specific timetable to complete the review. We will watch the legislation carefully as the process unfolds.

Prepared by Wallman 3/21/97, updated 6/17/97

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 17:45:39.00

SUBJECT: Work Groups on Tobacco

TO: Elena Kagan ( CN=Elena Kagan/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:

Here is skeleton for workgroups for your consideration/edit. USDA, Treasury, DOL all told me after meeting which groups they want to participate on. Once we assign chairs, I'll do list of contact people/agencies for each so they can convene meeting. One of us should call each chair with that info. Let me know when you're ready to discuss.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUN-1997 17:17:46.00

SUBJECT: Grandfathering Medicaid for children losing SSI

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

READ:UNKNOWN

TO: Jeanne Lambrew ( CN=Jeanne Lambrew/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: William H. White Jr. ( CN=William H. White Jr./OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Barry White ( CN=Barry White/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Richard E. Green ( CN=Richard E. Green/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Nicolette Highsmith ( CN=Nicolette Highsmith/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

I just heard that Senate Finance didn't do the Medicaid grandfathering of kids losing SSI under the new definition -- which was part of the budget agreement. And it got struck in the House. Bad news -- disability community is very concerned. I assume our next best hope is to get Chafee and/or Conrad to do something on the floor (I don't know why they didn't in committee; they are supposedly champions of this group). In the meantime, we need to keep talking about this in our communications.

Cynthia, I think we need to talk to Chafee and Conrad about this.



## Education/Private School Vouchers

Q: Recently columnist William Raspberry, long a public schools loyalist, has said the time has come to try out vouchers where the public schools are failing. Earlier this year, one of your former advisors, Bill Galston, called for a national experiment on the effectiveness of private school vouchers. Given the numerous horror stories of how public schools are failing students in our cities today, do you remain opposed to private school vouchers?

A: **We can and should work to provide our students with the safe and disciplined public schools and the world class education they deserve. I was so proud last week when we released the results of the international math and science tests for the 4th grade. Our students tied for the 2nd in the world in science, and scored above the international average in math. If we keep working at it, we can create a generation of students who are among the best educated in the world.**

Many of our urban public schools are doing a fine job, and they deserve our support. However, where schools are failing, we need to take tough action and fix them, by getting rid of watered-down curriculum and retraining the teaching staff. If the school still doesn't respond, then it should be closed down and reopened with a new staff that will get the job done.

Moreover, every family should have the right to choose which public school their child will attend. I have challenged every state to pass a charter school law that allows parents and teachers to start new public charter schools that stay open only as long they do a good job. In fact, I have proposed nearly doubling the charter school start-up program (to \$100 million next year) to help start 3,000 charter schools over the next several years.

While I support public school choice, I continue to oppose federally funded tuition vouchers for private elementary and secondary schools. I also oppose state funded and locally funded vouchers. Vouchers take money away from public schools, and controversy over vouchers distracts communities from the hard work of improving our schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 15:43:35.00

SUBJECT: Here's redraft

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I will fax to 6-2878 ===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D3]MAIL41367586S.116 to ASCII,  
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**Summary of Tobacco Settlement Proposal**  
-- DRAFT --

**Industry Financial Commitment**

Total commitment of about \$370 billion over 10 years, including up-front commitment of \$10 billion in "punitive damages" to HHS and annual payments as outlined below.

Annual Payment for 25 Years	Funds Transferred To	Use of Funds
\$8 billion	All States and HHS (Fed gov't share is 57%)	Reimburse Medicaid costs. Specifically provides \$20 billion over 5 years to fund children's health coverage at level of Hatch-Kennedy
\$4 billion	Individual plaintiffs (any annual excess will go to HHS)	Liability awards
\$ 1.0-1.5 billion	HHS, USDA	Counter advertising; smoking research; farmer transition program
\$ 1.0-1.5 billion	HHS,	Smoking cessation and state and local tobacco control programs (ASSIST expansion)

**Public Health Provisions**

**FDA Authority.** This is a critical issue still under discussion. While preserving FDA regulation of tobacco as a "drug-delivery device" under the Food, Drug, and Cosmetic Act, the negotiators have considered placing some limits on FDA's ability to regulate nicotine and other cigarette ingredients in the next 12 years, and modifying the regulatory criteria and process somewhat.

**Youth Access Restrictions.** Codifies FDA rule. In addition, among other things: bans all vending machines, requires tobacco products to be behind the counter; and establishes a nationwide licensing system for tobacco retailers with graduated penalties and supervision. FDA and state attorneys general would have joint enforcement authority over FDA provisions, and industry would fund enforcement effort. May prohibit FDA from modifying agreed-to provisions for up to 7 years.

**Marketing and Advertising** Codifies FDA rule. In addition, among other things: eliminates all billboards and outdoor signs; eliminates all human images and cartoon characters from all advertising and from all cigarette packages; places further restrictions on store placement of ads; prohibits product placement in movies and on TV. FDA and state attorneys general would have joint enforcement authority over these provisions, and industry would fund enforcement effort. May prohibit FDA from modifying agreed-to provisions for up to 7 years.

**Counter advertising** Funds a national, sustained counter-advertising campaign, similar to previous campaigns in California and Massachusetts.

**Health Warnings.** Revises the warning label system. Requires new black and white Canadian-style warnings occupying at least 25 percent of the front of the package. New possible warnings include: "WARNING: Cigarettes are Addictive;" and "WARNING: Smoking Can Kill you."

**Smoking Cessation.** Industry would provide funds to the Federal government to subsidize smoking cessation programs for those who want to quit.

**State and Local Tobacco Control.** Industry would fund state and local tobacco control activity modeled on HHS's ASSIST program. The grant program currently covers a limited number of states, and would be expanded to all states.

**Environmental Tobacco Smoke.** Embraces Congressman Waxman's proposal to restrict tobacco use in public places and most workplaces to locations separately ventilated to the outside that non-smokers don't pass through. Exempts bars and certain restaurants.

## **Industry Accountability and Disclosure**

**Youth Smoking Targets.** The industry would be subject to penalties if youth tobacco use fails to drop by 30 percent in 5 years, 50 percent in 7 years and 60 percent in ten years. The penalty is \$80 million per percentage point under target.

**Document Disclosure.** All documents which would have been revealed through the litigation process would be made public and the industry would make public its health-related research in the future.

**Monitoring of Corporate Behavior.** To ensure industry complies with the law, manufacturers would be required to develop detailed compliance plans; corporations would be required to set up incentive plans to encourage compliance; and industry would be required to use auditors and report on behavior to shareholders.

## **Liability**

**Right to Sue/ Limitation on Damage Awards.** Does not abridge rights of individuals to sue, but limits individual damage awards to no more than \$1 million in one year. Prohibits class action suits. Sets up \$4 billion annual fund for liability payments. Prohibits punitive damages for past actions. Industry would make one-time \$10 billion "punitive" payment to the Federal government for past behavior.

**Settles all state Medicaid suits.** Includes states that have not filed suits. Money distributed as outlined below.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 17:48:19.00

SUBJECT: sorry, here's the list

TO: Elena Kagan ( CN=Elena Kagan/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:

Tobacco working groups (draft)

1. FDA regulation of product, access, advertising and labeling

Lead Agency: HHS/FDA

Other Agencies: DOJ

White House: DPC

2. Public education (including grass roots programs)

Lead Agency: HHS (FDA/CDC/NIH/SAMSHA)

Other Agencies: None

White House: DPC, OMB?

3. Environmental tobacco smoke

Lead Agency: DOL

Other Agencies: HHS (CDC), EPA, GSA

White House: DPC

4. Smoking cessation

Lead Agency: HHS

Other Agencies: DOL

White House: DPC

5. Industry analysis (incentives, performance)

Lead Agency: CEA (Mark Mazur?)

Other Agencies: Treasury, USDA, HHS, DOL

White House: NEC, DPC

6. Liability, litigation, disclosure

Lead Agency: HHS?

Other Agencies: DOJ, Treasury

White House: DPC/Counsel

7. International

Lead Agency: HHS

Other Agencies: USTR, Treasury, USDA

White House: DPC, NEC

8. Budget / children's health

Lead Agency: DPC (Jennings)

Other Agencies HHS, Treasury, Labor; add USDA (for farmers)

White House: NEC, OMB

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia A. Rice ( CN=Cynthia A. Rice/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-JUN-1997 19:49:33.00

SUBJECT: Welfare Events

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Diana got a somewhat mysterious call from Ann Lewis' office last night inviting us to a meeting which I attended today. It turned out to be a small meeting (Ann, Eli Attie, Jen Palmieri) on the Welfare to Work Partnership proposal for a one-year anniversary event.

They like the idea Eli pitched in his memo to the President to have him go to a city with a significant number of companies pledging to hire welfare recipients. However, they expect the President to be on vacation and unavailable on August 22nd. Moreover, in order to frame the one year anniversary stories for the press, Ann thinks it's best to do an event 7-10 days before the anniversary anyway. Scheduling recommends either August 14 or 15th and Eli has recommended the following cities: St. Louis, Indianapolis, Columbus, and Baltimore. (Second tier choices would be Portland, Denver, Los Angeles, Chicago, New York, Atlanta). At first glance, Ann thought St. Louis would be the best.

If we do the Eli event on the 14th or 15th, perhaps we release a one-year report on the bill at the White House on the 22nd, as you suggested Bruce. I'll start looking into options ASAP.

I used the opportunity to pitch our other ideas as well. Ann suggested that Tuesday would be the best day next week to release the letter from the President to Congress on child support, since it's a down day with no other message currently scheduled. It's likely that timing will coincide well with the juvenile justice mark up. I'll work with DOJ, Treasury, and HHS to coordinate.

There was also a lot of support for having the President announce the new caseload numbers (which should show we're down 3 million since Jan. '93) which hopefully will be ready around the first week in July and perhaps combine it with the child care reg if we don't use that for an immunization event. There are a couple of non-message event days before he goes to Spain

(July 3, 4) where he could make a brief statement on the new numbers or at the top of another event July 2. Should we push for a Radio Address? (Since the President will be in Madrid that week, we're likely to be bumped by NSC.) If the numbers aren't ready by the 4th, we could them until he gets back on the July 21st and do something then.

There was less interest in the DLC conference. DLC had proposed holding a welfare to work conference either in D.C. sometime before Aug. 22nd or in Philadelphia during the National Conference of State Legislators gathering Aug. 6-10th. Communications/scheduling preferred the idea of having the President speak to the NCSL conference by satellite because the travel budget is too tight for him to attend, and because they thought it accomplished more than the DLC conference could. Scheduling has regretted the NCSL request already, but Intergovernmental and Scheduling are supportive of revisiting it as a satellite. DLC still wants the President to lead a roundtable discussion on welfare to work, which I think he would enjoy, so they proposed to Christa perhaps having that panel here at the White House and satellite the President's opening remarks to Philadelphia. What do you think? We could develop this idea further for the weekly to get some direction from POTUS.

Thus, this schedule could look something like:

June 24th - child support release

July 2-4th - release new caseload numbers

Aug 6-7th - welfare to work roundtable - DLC and/or NCSL

Aug. 14-15th - Welfare to Work Partnership event in city with companies

Aug. 22nd - release some kind of report on the actual anniversary