

NLWJC - KAGAN

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[06/20/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	06/20/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[06/20/1997]

2009-1006-F

bm19

RESTRICTION CODES

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

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

- 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.

- 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]

Q&A on Tobacco Settlement
June 20, 1997

Q. Did the Administration help close the deal?

A. No. My staff monitored the talks closely so that we would be in a position to evaluate and respond to any possible settlement.

Q. But didn't Bruce Lindsey close this deal yesterday by suggesting a compromise on punitive damages?

A. No. We have consistently told all the parties that they would have to close any agreement on their own. They were able to do so without any help from the Administration.

Q. The final deal limits punitive damages -- a key concession to the tobacco industry. Won't you oppose that given your previous opposition to caps on punitive awards?

A. The limitation on punitive damages for past misconduct is not a deal-breaker for us. We understand that the attorneys general extracted substantial concessions from the tobacco companies for this limitation, and we will evaluate whether the agreement as a whole advances the public health.

Q. How will you proceed?

A. I have asked my Domestic Policy Advisor, along with the Secretary of Health and Human Services, to undertake a thorough public health review of this agreement. They will consult with all interested agencies, members of Congress, and the public health community.

Q. How long will the review take?

A. The review will take as long as necessary to conduct a careful analysis, but we will seek to work promptly and expeditiously. We estimate the review will take about four weeks.

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 the settlement, and my staff was in contact with members of the community during the whole course of the 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 it is premature to commit to any particular timetable.

Q. Are you taking a political risk in considering approval of this settlement?

A. We may be, but we are determined to protect the public health and children's health -- and we will do whatever is necessary to advance those interests. If an agreement with tobacco companies will protect the public health, then we'll support that agreement, even if some people criticize us for doing so.

Q. What will you look at in evaluating this agreement?

- A. We will evaluate whether this agreement protects the public health -- and particularly the health of our children. We will pay special attention to the piece in the agreement dealing with FDA jurisdiction. The actions the FDA has taken under this Administration forced the industry to the bargaining table, and we will insist that the FDA has all the necessary authority to regulate nicotine and tobacco products. We also will carefully review the financial terms of the settlement and the use of the money for children's health purposes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 10:05:48.00

SUBJECT: Scheduling

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: Jennifer L. Klein (CN=Jennifer L. Klein/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:

This a.m., we agreed on an Eli event, probably in St Louis, in the 10-day window before the Aug 22 anniversary. Couldn't get a firm POTUS commitment to DLC conference; I'll talk to Will Marshall to see if they'd take Gore.

There is great interest in releasing the caseload numbers. Cynthia or Diana, can you find out when that will be?

The WH Conf on Child Care is now on the schedule for Oct. 23rd (tentative). The Clintons will be on vacation from around Aug 20 to Sept 19, and in S.America from Oct 10-19.

Upcoming Action on Needle Exchange. Current law requires that the Administration not authorize the use of Federal funds for needle exchange programs unless there is conclusive evidence that they do not encourage drug use. Although there is strong evidence that indicates that needle exchange programs help reduce the spread of AIDS, HHS is currently concluding its review on whether these programs increase the use of drugs. Local communities remain free to use non-Federal funds to support such programs.

We are facing increasing pressure from the AIDS community and from the Mayors' Conference in San Francisco for the Administration to conclude that there is no problem with increased drug use and therefore authorize cities to access the CDC-allocated prevention block grant for needle exchange programs. Because conservative Republicans are fearful that the Administration may move in this direction, they are planning to take away the Secretary's authority to grant local communities access to these dollars. We are pursuing legislative options through the appropriations process to assure that the Secretary's discretion is retained. We will be forwarding a memo to you in short order to review ways in which we might proceed. It will include not only options to retain the current Secretary's discretion but also suggestions for how to implement any decision that authorizes Federal dollars in this area.

Release of HHS Guidelines on HIV Treatment. Thursday, NIH released HHS guidelines on HIV treatment procedures. This announcement was well received by the medical community and the AIDS community as an important contribution which will help doctors provide appropriate treatment. We encouraged HHS to downplay this announcement since we were concerned that it would only provide AIDS activists with new reason to call for additional federal funding to cover the recommended treatment. Not surprisingly, the AIDS activists succeeded in turning this positive story into a rationale for why the Congress and the Administration should appropriate more dollars for coverage of protease inhibitors. We can expect the drumbeat in this area only to increase in the upcoming months, and we will have to determine whether it is appropriate to propose additional funding in this area and if so decide what the best legislative vehicle would be.

Congressional Action on Health Care. The Senate Finance Committee reported out its health care provisions on Medicare, Medicaid and children's coverage expansions this week. The Medicare provisions preserved many of the Administration's priorities including: new plan options, such as preferred provider organizations, provider sponsored organizations; preventive benefits (most of your mammography expansions excluding copayments, colorectal screening, etc.) and traditional provider and beneficiary savings, which combined with your home health care reallocation, will extend the life of the Medicare trust fund for at least a decade. It also reduced the size of the MSA demonstration to 100,000. The committee did include a number of reforms that exposed beneficiaries to additional costs, including a new income-related deductible, \$5 per visit home care copayment, and a proposal to phase in the Medicare retirement from age 65 to 67. We anticipate that all three of these provisions will be dropped either on the Senate floor next week or in the joint House/Senate conference.

The Medicaid provisions included a Disproportionate Share Hospital (DSH) proposal that cuts payments to high DSH states much more significantly than either your original budget proposal or the House Commerce Committee. It also did not include a number of the low-income Medicare beneficiary investments, and it did not provide for the entire allocation of savings for the DC and Puerto Rico Medicaid provisions. The Administration will insist that those investments are fulfilled, consistent with the Budget Agreement. The initial indication from the Republican leadership is that they will try to be helpful in this regard. Regarding the DSH cuts, we are attempting to find ways to moderate the impact on these states, but to date are having difficulty attracting much Congressional support.

June 20, 1997

KAISER PERMANENTE ANNOUNCEMENT

DATE: June 23, 1997
LOCATION: Mar Vista Elementary School Playground
EVENT TIME: 4:30 pm - 5:35 pm
FROM: Bruce Reed

I. PURPOSE

To launch "Kaiser Permanente Cares for Kids," a program to spend \$100 million over the next five years to cover uninsured children in California. This event will provide an important opportunity to highlight your commitment to secure children's health coverage as part of the balanced budget agreement and to outline your principles for any children's health legislation.

II. BACKGROUND

Kaiser Permanente Cares for Kids

Kaiser is launching "Kaiser Permanente Cares for Kids," a program to help ensure that all children in California from birth through age 18 have access to health coverage within five years.

1. \$100 Million Commitment

Kaiser will spend \$100 million over five years to provide coverage for uninsured children. Participants will receive the full range of benefits offered to other Kaiser enrollees, including preventive care and prescription drugs. Children will be enrolled in two ways. First, Kaiser will work with the California Managed Risk Medical Insurance Board to identify low-income families who work for small employers and whose children do not have insurance. Kaiser will provide subsidies to those families, averaging 50% of the cost of premiums. Kaiser expects that the rest of the premium will be shared by the employee and employer. Second, Kaiser will develop partnerships with schools throughout the state to provide subsidized coverage to low-income uninsured children in those schools. Kaiser will provide direct health services in a few schools in California. They will also reach out to some of the 630,000 children who are eligible from Medi-Cal (California's Medicaid Program) but who are not enrolled.

2. Other Components of the Program

Kaiser is supporting two pieces of legislation sponsored by Children Now to extend Medi-Cal coverage and to simplify the application and enrollment process. It is estimated that these two bills could reach 75% of uninsured children in the state.

Finally, Kaiser is developing a coalition of other health plans, providers, advocacy groups, employers and government to expand private sector in children's health issues and to increase public awareness about the importance of this issue.

Kaiser pledged to make this commitment at the Summit for America's Future.

Status of Children's Health Proposals in Congress

While the Chafee-Rockefeller children's health proposal did not pass, the debate around it improved the Chairman's mark notably. The final recommendation: (1) provides for a much more meaningful benefits package (an FEHBP-type model); (2) closes loopholes in which states would substitute new federal dollars for old state investments; and (3) ensures that the investment must be solely dedicated to coverage expansion and not services that will not decrease the number of uninsured children.

The Senate Finance Committee also included a provision to increase the tobacco tax by \$.20 and dedicate \$8 billion of the total revenue from this tax to children's health. It looks as though the committee plans to spend this money on grants to states.

These provisions will be debated on the Senate floor early next week. We are pursuing a strategy to improve the Senate Finance Committee package. First, we are working with the Republican leadership to ensure that the bill is consistent with the actual Budget Agreement. Second, we are working with the Democratic Leadership to design amendments that could pass in the Senate TO further improve the package. The House is expected to bring up the companion legislation to the floor next week.

To launch "Kaiser Permanente Cares for Kids," a program to spend \$100 million over the next five years to cover uninsured children in California. This event will provide an important opportunity to highlight your commitment to secure children's health coverage as part of the balanced budget agreement and to outline your principles for any children's health legislation.

III. PARTICIPANTS

Dave Lawrence, Chairman and CEO, Kaiser Permanente
Dolores Palacio, Principal, Mar Vista Elementary School
Mayor Richard Riordan
Senator Barbara Boxer
Dr. Sharon Levine, Pediatrician
Parent (to be determined)

Also on Stage:

SBA Administrator Aida Alvarez

Lois Salisbury, Executive Director, Children Now

(15-20 Parents, students, and teachers from the Mar Vista Elementary School will also be on stage behind you on bleachers.)

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- The President will be announced onto the stage accompanied by Dave Lawrence, Chairman and CEO of Kaiser Permanente, and Principal Dolores Palacio.
- Principal Dolores Palacio makes welcoming remarks.
- Mayor Richard Riordan makes remarks.
- Senator Barbara Boxer makes remarks.
- Dave Lawrence, Chairman and CEO of Kaiser Permanente, makes remarks.
- Dr. Sharon Levine, Pediatrician, makes remarks.
- Parent (tbd) makes remarks, and introduces you.
- You will make remarks and then depart.

VI. REMARKS

Remarks Provided by Speechwriting.

June 20, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

1. WELFARE -- Welfare Provisions of the Budget: The bill reported by the Senate Finance Committee this week varies from the House versions regarding benefits for legal immigrants, welfare to work, and privatization of welfare operations.

2. WELFARE -- Comparison of Legal Immigrant Benefit Restoration Proposals: The Senate Finance Committee this week passed legal immigrant legislation that is better than the House Ways and Means proposal, but still does not comport with the budget agreement. House Ways and Means restores SSI and Medicaid benefits only to immigrants (both the disabled and non-disabled elderly) already receiving benefits prior to August 23, 1996, when the welfare law was signed -- essentially grandfathering those already on the rolls. The budget agreement restores SSI and Medicaid benefits to any immigrant in the country as of that date who is or becomes disabled. The Senate Finance Committee proposal actually costs more than the budget agreement over the budget window. **Like the House proposal, the Senate would grandfather all those on the rolls when the welfare law was signed, and it would also allow disabled legal immigrants in the country when the law was signed to apply for SSI until September of this year.**

The Senate Finance policy would cost \$10.4 billion, as compared to the \$9.7 billion price tag of the budget agreement and the \$9.0 billion cost of the House proposal. Covering both groups would cost \$11.4 billion.

In 2002, the budget agreement preserves SSI coverage for 75,000 more people than the House proposal. However, the House proposal protects 50,000 more people initially because it grandfatheres everyone on the rolls, including the non-disabled elderly, who are not protected by the budget agreement. In spite of this apparent "elderly vs. disabled" split, aging groups have joined with disability groups in forcefully endorsing our approach over the House's.

Congress is now trying to find money to cover both groups at issue -- the elderly non-disabled on the rolls who are not covered under the budget agreement, and legal immigrants in the country when the law was signed who become disabled in the future. In a letter on the Senate Finance proposal this week, we signaled our willingness to cover the non-disabled elderly under the right circumstances by stating, "The Administration is sympathetic to the goal of covering the elderly non-disabled, and will work with you to address this issue. However, as is the case with all of the provisions in the agreement, any new policies that require additional resources must be mutually agreeable."

The Senate's version of the \$3 billion welfare to work program adapts the basic House Ways and Means model to the Committee's more rural membership. In the Senate, less of the \$3 billion is awarded on a competitive basis (25% vs. 50%) and none of these competitive funds are set-aside for the 100 cities with the most poor people (House Ways and Means set aside 65% of the competitive funds for this purpose), although the Senate not surprisingly retained a rural set-aside similar to the House's. In the Senate, nearly all of the 75% of funds distributed based on formula flow to local jurisdictions, like in the House, but the Senate sends the funds to local welfare office controlled by the governors instead of private industry councils controlled by the mayors. During mark-up, the Senate added language to strengthen the anti-displacement provisions of the program.

There was a major battle in the Finance Committee regarding the chairman's provision to deem the Texas privatization proposal approved and allow up to ten states to privatize Medicaid, Food Stamps, and other program operations. Senator Conrad offered a motion, opposed by Phil Gramm, to strike the provisions. Conrad's motion won, with votes from all Democrats and Senators D'Amato and Jeffords. Then, after some back-room wrangling, the chairman's proposal was limited only to Texas and D'Amato and Jeffords changed their votes. Thus, the Senate bill allows complete privatization of all health and human services programs in Texas. In the House, the bills reported out by the Agriculture and Commerce committees allow all 50 states to privatize food stamp and Medicaid operations.

3. WELFARE -- Employment Prospects of Welfare Recipients: Many economists are now turning their attention to the question of whether there will be enough jobs for welfare recipients who need to go to work. The latest is a draft, not-for-quotation study by former OMB Program Associate Director Isabelle Sawhill and co-author Daniel McMurrer. They conclude that if the economy continues to grow, it should produce a sufficient number of jobs to accommodate welfare recipients entering the labor force. This conclusion is based, however, on their estimate that only about 150,000 additional welfare recipients will need to go to work each year under the new law. Sawhill and McMurrer conclude that this year's 25% work participation requirement will be met by those already working and the credit states will get for caseload reductions from the past several years. Thus, they base the additional number required to work on the law's 5% per year increase in the participation rate from now until the year 2002. The authors note that even with continued job growth, some welfare recipients may be unable to find jobs because of their low skills and that states may need to retain some individuals on the rolls

indefinitely, at their own expense. Sawhill and McMurrer note that welfare recipients who do find full-time employment should stay above the poverty line with the help of the EITC, the higher minimum wage, and subsidized child care. A mother with two children who earned \$10,000 a year in 1996 (slightly less than what a full-time year-round worker would make at \$5.15 an hour) would also qualify for \$3,556 from the EITC, and about \$2,400 in Food Stamps. After paying \$765 in payroll taxes, the family would have a disposable income just over \$15,000. With child care subsidies, this family's disposable income would stay above the poverty line, but paying as much as \$3,000 a year per child in out-of-pocket child care expenses would push them back below poverty.

[Note to Bruce/Elena: Wall Street Journal reporter Michael Frisby's description slightly misconstrues Sawhill's findings (he spoke to her, never saw the study). He says "Her nearly completed analysis estimates that only 140,000 welfare recipients a year may be cut from the caseloads, far fewer than some have thought." Her study looks at those who leave welfare for work, but Frisby's use of the word "cut" makes it appear she's talking about those who reach the time limits. Frisby took 146,000 in 1998 and made it 140,000; I used 150,000 because the number rises, starting at 146,000 in 1998 and rising to 153,000 by 2002.]

4. Housing-- State of the Cities Report: On Monday, June 23, you will announce the issuance of HUD's report, "The State of American Cities." The report, in three sections, describes:

1. The "decades of decline" leading up to the early 1990's.
 - 2A. The significant improvements made by cities since 1993 as a result of the strong economy and this Administration's urban policies (including Empowerment Zones, CDFI, home ownership strategies, and) along with
 - 2B. The real challenges that remain, specifically: job growth disparity between cities and suburbs, increased poverty concentration in central cities, and continued middle-class migration from central cities to the suburbs.
3. The Administration's "Urban Agenda for the Future," a comprehensive plan based on the same empowerment principles (local control, flexibility) that undergird everything we have done so far.

Building on the report, you will announce three new policies to help America's cities:

1. The Officer Next Door program makes government owned homes available for sale at a fifty percent discount to police officers who agree to live in the communities they police.

2. You will announce an additional 25 basis points reduction in mortgage insurance premiums for first time buyers who purchase homes in central cities.

3. You will call for legislation transforming Section 8 certificates and vouchers into potential home ownership vouchers, enabling low-income families to use their Section 8 subsidies to support debt service on a mortgage.

You will also reiterate your call for a new round of Empowerment Zones and brownfields cleanup incentives, contrasting the inclusion of Empowerment Zones and brownfields funding in the budget deal, with the lack of such funding in Republican tax proposals.

Finally, you will announce HUD's top-to-bottom management reform plan, developed at your direction to incoming-Secretary Cuomo in January.

5. AIDS -- Upcoming Action on Needle Exchange: Current law requires that the Administration not authorize the use of Federal funds for needle exchange programs unless there is conclusive evidence that they do not encourage drug use. Although there is strong evidence that indicates that needle exchange programs help reduce the spread of AIDS, HHS is currently concluding its review on whether these programs increase the use of drugs. Local communities remain free to use non-Federal funds to support such programs.

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8. CRIME -- Juvenile Crime Update: Last week, the Senate Judiciary Committee released a new Chairman's mark of its juvenile crime legislation. This version contains improvements over the bill as introduced and is substantially better than the House-passed bill. The new Chairman's mark removed provisions that we considered objectionable (e.g., death penalty for minors, mandatory 6-level sentence enhancement for gang activity). However, it still falls short of our Anti-Gang and Youth Violence Act: no major gun provisions such as child safety locks, or Brady for violent juveniles; no dedicated prevention funding; insufficient funds for prosecutors and courts; and inadequate protections for juveniles incarcerated in state facilities. The Senate was originally scheduled to mark up the legislation last week; however, the process has been stalled and does yet not have a new markup date.

9. CIVIL RIGHTS -- Minority Enrollment: You asked why the Department of Education has taken 1 ½ years (after Hopwood) to investigate minority enrollment disparities. DoEd reports that it notified Governor Bush that it was reopening its Title VI case in February and its investigators will interview students and school officials over the summer. DoEd stresses that it has not been inactive: Prior to investigating Texas, DoEd initiated investigations in Florida, Ohio and Pennsylvania. They indicate that the Administration inherited a backlog of eight states to investigate and enforcement resources are a factor in these costly and lengthy

investigations. (Texas has some 106 campuses involved in the statewide investigations; the California investigation covers approximately 140.) DoEd Civil Rights said that they are moving as quickly as possible with their investigations, but they do not want to comment on the time frame of open investigations.

You also inquired about the Administration's enforcement of the other civil rights laws. The Administration has made progress in such areas as reducing the EEOC backlog and filing record numbers of criminal prosecutions of the civil rights laws. At the same time, the full range of civil rights law, including Title VI and the burgeoning American with Disabilities Act caseload, pose significant enforcement challenges. The DPC is reviewing these issues with the relevant agencies to provide you with additional specifics.

(Note: Sylvia asked Jose to include this section in the weekly.)

10. IMMIGRATION -- Smuggling: The Administration has initiated Operation Reach to strengthen international smuggling enforcement. Global Reach includes opening 13 new offices in Europe, Asia, Africa and Latin America with 45 officers dedicated to criminal smuggling investigations. It will also train foreign law enforcement and airline officials in identifying fraudulent documents and facilitating cooperative enforcement efforts.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 20-JUN-1997 19:34:36.00

SUBJECT: Weekly report

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:

1. Mike Cohen met with Bob Chase as a follow-up to your meeting several weeks ago, specifically to discuss NEA support for the national testing initiative. At its convention in early July, NEA will first vote to remove existing policy, adopted during the Bush Administration, which opposes federal government involvement in developing national tests. This already has the support of the NEA Board of Directors, and Bob believes will pass by vote of the delegates. Bob is prepared to move additional NEA policy that would be favorable to our testing initiative, if, at the convention, he thinks it will pass. (The convention will be dealing with a number of tough reform measures that Bob has been pushing in the past few months, including the responsibility of NEA members to assume responsibility for evaluating teachers and removing those who don't measure up.) Bob is also prepared to help us build support from state and local affiliates as we continue to sign up states and local school districts. Bob urged that as you and others in the Administration talk about the tests, we be sure to emphasize the ways in which they can be tools to help promote learning.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jerold R. Mande (CN=Jerold R. Mande/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME:20-JUN-1997 17:08:51.00

SUBJECT: Here's a summary of the settlement from the Campaign's WWW page

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

READ:UNKNOWN

TO: Elizabeth Drye (CN=Elizabeth Drye/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:

Friday, June 20, 1997

1:30 p.m.

Summary of provisions that have been agreed to as part of the settlement agreement with the Attorneys General, the tobacco industry and public health advocates.

1. Youth Access

The full substance of the August 28, 1996 FDA youth access provisions have been agreed upon.

The FDA rule:

Bans sales to kids under 18;
Requires proof of age;
Limits, but does not ban vending machines;
Limits self-service displays, but permits tobacco to be displayed on the counter;
Establishes the minimum pack size at 20 and prohibits the sale of single cigarettes;
Bans free sampling; and
Uses FDA's normal enforcement tools with enforcement funding subject to annual Congressional appropriations.

In addition the tobacco industry has agreed to:

A ban on all vending machines;
The placement of tobacco products behind the counter and out of reach of consumers;
Further restrictions of mail order sales, subject to conditions that demonstrate that an effective mechanism exists to restrict sales only to adults;
A nationwide licensing system for all sellers

of tobacco products with graduated penalties and license suspensions for violations of the youth access and marketing provisions to be established. The licensing system shall apply to all sellers of nicotine - containing tobacco products, including manufacturers, distributors, wholesalers, retailers and importers; Full funding from money paid by the tobacco industry for enforcement by FDA and state and local authorities; States and local governments would not be preempted from enacting stronger laws; Dual enforcement authority with both the FDA and state attorneys general, each being able to enforce these provisions. In addition, the FDA will have the power to contract with other state and local authorities to assist it to enforce the rules; and Enforcement to require unannounced, random stings.

2. Marketing and Advertising

The industry has agreed to the full substance of the August 28, 1996 FDA youth advertising and marketing provisions (which were struck down in Federal District court but which have been appealed):

The FDA rule before the court ruling:

Text-only ads in youth oriented magazines and newspapers;
 Ban brand name event sponsorship;
 Limit billboards near schools and limit billboards to text only with no color;
 Ban use of non-tobacco brand names on tobacco products;
 Ban advertising on non-tobacco products, like clothing and gear;
 Ban offers of non-tobacco items or gifts based on proof of purchase; and
 Require ads to carry FDA-mandated statement of intended use.

In addition to the FDA provisions above, the industry has agreed to:

The elimination of all billboards and outdoor signs, including all signs in stadia and arenas and signs that face outwards in enclosed areas, such as stores;
 The elimination of all human images and cartoon characters from all

advertising and from all cigarette packages; Additional restrictions on point of purchase advertising regarding the placement on point of purchase ads to limit their size and number, remove them from the line of sight of children and remove them from close proximity to candy and other goods likely to attract children;

the agreement on the use of whatever technology is available to make tobacco advertisements that are placed on the internet from foreign countries inaccessible in the US;

and on TV; The prohibition on product placement in movies celebrities to smoke in movies or on TV or to any other person or entity to glamorize tobacco use in movies or on TV, and the prohibition of any in-kind actions to accomplish any of these same purposes; Without limiting the FDA's normal authority, limits on the use of words, such as "light", that currently appear in some product names and that could be misinterpreted as health claims; Protection against First Amendment challenge: an agreement to consent to the placement of all of the advertising restrictions contained in the August 28, 1996 FDA rule plus the above noted restrictions in consent decrees to insulate the restrictions from First Amendment challenges by parties outside the tobacco industry; Dual enforcement authority with both the FDA and state attorneys general, each being able to enforce these provisions. In addition, the FDA will have the power to contract with other state and local authorities to assist it to enforce the rules; and Funding from the tobacco industry to pay the cost of enforcement for both FDA and the state authorities with enforcement power.

3. Public Education/Counter Advertising

The tentative agreement with the tobacco industry includes:

Funds for the largest, most-sustained nationwide public education/counter advertising program ever done for tobacco or for any other public health hazard. The campaign wou

ld be similar to those
The program would operate
would have no say over the
for the program would be
program would be insulated

campaigns in Massachusetts and California.
independent of the tobacco industry, which
content or placement of the program. Funding
guaranteed, and to the extent possible, the
from political pressure.

4. Health Warnings

warning label system. The
more specific, more detailed

There would be a dramatic revision of the
current system would be replaced with the far
eight Canadian warnings.

They include warnings, such as:

Addictive

"&WARNING: Cigarettes are

"&WARNING: Cigarettes Cause Cancer

and

"&WARNING: Smoking Can Kill You

Fatal Lung Disease In

"&WARNING: Tobacco Smoke Causes

front of the cigarette
smokeless tobacco product

Non- Smokers

The warnings on packages would be moved to the
package and the most prominent side of the
package.

format (the top of the front

The warnings would appear in the Canadian
with white lettering on a black background).

The warning would occupy
the package. All warnings

at least 25 percent of the top of the front of

packages and would be rotated

would appear simultaneously on tobacco
quarterly on ads by brand.

5. Full Disclosure

Under the agreement:

position regarding the

Each company will make specific changes in its
harm caused by its products.

documents will be made

At least as many, and very likely many more

would have been revealed

public through the settlement process than

industry has agreed to make

through the litigation process. Also, the

alth-related research. public its past, present and future he

6. Youth Smoking Targets

The industry would be subject to penalties if youth tobacco use fails to drop by 30percent in 5 years, 50 percent in 7 years and 60 percent in 10 years. The penalty would be based on the value of a teen tobacco user to the industry over the lifetime of the individual. It would be worth approximately \$80 million per percentage point each and every year in which the target is not met, up to a maximum of \$2 billion per year. The baseline for measurement of youth smoking will be an average of youth prevalence rates for the past ten years. This will require a much more substantial reduction in youth smoking than would be required if only the most recent data were used to establish the baseline.

7. Funding for State and Local Tobacco Control Activity

Active state and local tobacco control efforts have been proven successful in reducing tobacco use. Current programs are under funded and funding for these programs is in jeopardy.

Under the agreement:

State and local tobacco control activity modeled after the successful ASSIST program would be funded out of tobacco industry funds, permitting the ASSIST program to be funded in every state from these funds.

8. Tobacco Cessation

Under the agreement:

Out of funds to be provided by the industry, funding would be provided for tobacco cessation programs and devices for those who want to quit and for whom cost is an issue. These funds would be available to individuals nationwide.

9. Protection from Environmental Tobacco Smoke

Under the agreement:

would come from the originally introduced by in public places and separately ventilated to the outside avoid heavy opposition (excluding fast food would be exempted. local governments from requirements governing ETS.

Protection from environmental tobacco smoke enactment of the text of HR 3434 (the bill Congressman Waxman) that restricts tobacco use most workplaces to locations that are and through which non-smokers do not pass. To from the hospitality industry, restaurants restaurants), casinos, bingo parlors, and bars The federal law would not preempt state and retaining or enacting more restrictive

10. Monitoring Corporate Behavior

The tobacco industry has the most irresponsible corporate record of any industry in the United States. Currently, no mechanism exists to ensure that the industry complies with the letter or the spirit of existing law.

Under the agreement:

detailed compliance plans law and monitor their own incentive plans to encourage catch and report violations. corporate code of behavior and reports to shareholders

Manufacturers would be required to develop describing how they intend to comply with the employees behavior. Corporations would be required to set up compliance and internal compliance checks to Corporations would be required to establish a with outside monitors, a system of auditing, and the FDA.

11. General Authority of the FDA

FDA's authority over tobacco products as "drugs" and "devices" has been upheld by the trial court in North Carolina and is now on appeal. To date, the FDA has only sought to exercise its authority by establishing youth access and marketing rules, but it has far broader authority.

Under the agreement:

The judicial challenge by the tobacco industry would be dropped and

Therefore, tobacco will continue to be categorized as a "drug" and a "device" under the Food, Drug and Cosmetic Act and the agency's authority to regulate the products as "restricted medical devices" will be recognized.

FDA's authority to regulate nicotine, carcinogens and all other tobacco constituents will be recognized. The agency will create a Science Advisory Board immediately to begin to study and advise how best to regulate nicotine and the other components of tobacco products. FDA will be authorized to remove harmful ingredients and to reduce nicotine levels immediately if it finds that to do so will reduce harm, is technologically feasible, and will not lead to a significant black market in unregulated tobacco products. Administrative procedures consistent with the Food, Drug and Cosmetic Act would apply. After 12 years, the Agency will be authorized to eliminate nicotine entirely, but to do so in a manner that gives Congress time to review it, if it so desires.

For the first time, all non-tobacco ingredients in tobacco products would be required to meet safety standards established by the FDA, with the burden placed on the industry to demonstrate that they are not harmful when used as intended. The safety standard will apply to new ingredients immediately, and to existing ingredients after a five year grace period. Tobacco companies would be required to provide the FDA with complete information regarding tobacco additives, and would be required to disclose all additives publicly in a manner analogous to the disclosure of food ingredients. However, companies would be protected from disclosure of confidential and proprietary information to the public during the five year grace period. Provisions are included to require tobacco companies to use the best available technology to produce and market "reduced risk" products. Implicit health claims for tobacco products, including "low tar" and "low nicotine" products, will be strictly regulated by the FDA. Words such as "light" and that are part of currently

established brand names would be allowed to continue, but with the addition of statements to prevent them from being misinterpreted as health claims. FDA would exercise its normal authority to inspect, enter manufacturing plants, demand certain records and record keeping, and would have its normal enforcement authority. The tobacco industry would be required to provide FDA with all current and future research and all non-public information it receives that relates to health, toxicity, addiction and drug dependence. The FDA would be required to create a Scientific Advisory Committee to study issues relating to the regulation of nicotine and other health and safety issues.

12. Tobacco Industry Liability and Other Legal Issues

The tobacco industry has lost only one court challenge in its history and only Liggett has actually paid any money in damages. Nonetheless, the tobacco industry faces unprecedented court challenges today. Under the agreement:

The rights of individuals to sue for compensatory damages will not be abridged. There will be no limits on individual judgments. The tobacco industry would pay approximately \$368.5 billion over 25 years, including approximately \$60 billion in lieu of punitive damages for past conduct. Funding includes approximately \$1.5 billion per year and a \$25 billion trust fund, to be created over 8 years, to fund additional public health-related matters. The tobacco industry would be fully liable for punitive damages for any future behavior. Tobacco companies would be required to reserve \$4 billion per year to pay for compensatory damages arising from individual lawsuits. The total amount the industry would be required to pay through litigation in any one year would be capped at \$5 billion per year. It is highly unlikely that this fund would be exhausted in any one year. However, if this were to occur, payments to individuals winning cases

against the industry would be extended over more than one year. This would not result in restricting the overall award an individual could receive, but it could lead to a delay in the total payment. Any money from the annual fund not won through litigation would then be transferred to national public health, anti-tobacco programs and would not revert to the tobacco industry.

The Attorneys Generals, lawsuits would be legislatively settled in return for these public health concessions, with the payment of a substantial sum of money to the states to reimburse them for the tobacco-related costs they have incurred. Funding provided to the states would be sufficient to extend health insurance to uninsured children consistent with proposals recently debated in Congress by Senators Hatch and Kennedy.

Class action lawsuits also will be legislatively settled in return for these public health concessions, and future class action lawsuits based on past conduct of the tobacco companies will not be allowed.

The tobacco industry will drop all pending lawsuits against the FDA, EPA and FTC. The Tobacco Institute and the Council for Tobacco Research will be disbanded.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	06/20/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[06/20/1997]

2009-1006-F
bm19

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.

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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]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 19:29:53.00

SUBJECT: Monday Tobacco meetings

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

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

TEXT:

Chris's budget/children's health group meets Monday at noon.

Elena's liability/litigation/disclosure group meets Monday at 5:30 pm, 211
OEOB

Laura, can you please do the waves for:

Neal Wolin, Treasury;

George Phillips, DoJ;

HHS/FDA participants to be determined (Laura -- Andy Hyman will let you
know Monday who's coming -- please call him if you don't hear from him
Monday a.m.).

You can page me and Jerry all weekend at P6/(b)(6) We'll be back
Monday night.

[001]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-JUN-1997 10:41:44.00

SUBJECT: Message events for July/August

TO: Jim Kohlenberger (CN=Jim Kohlenberger/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Donald H. Gips (CN=Donald H. Gips/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TEXT:

Ann asked me to issue this call for message events/ideas/announcements for July and August, as we hope to take a closer look at these months early next week. Anything in the pipeline we should know about?

Thanks,

Eli

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 15:47:55.00

SUBJECT: welfare events

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

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:

The VP is attending the National Conference of State Legislators in Phila. so the President will not speak to them. This opens up greater possibilities for the DLC Conference. Also, Margie from the DLC said that Al From spoke to Erskine yesterday about the conference proposal and Erskine said that it would "have to happen."

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

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

CREATION DATE/TIME:20-JUN-1997 21:41:00.00

SUBJECT: OMB Legislative Report -- June 20, 1997

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

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

TO: HAAS_L (HAAS_L@A1@CD) (OMB)
READ:23-JUN-1997 11:25:54.99

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

TO: FOLEY_M (FOLEY_M@A1@CD) (WHO)
READ:23-JUN-1997 14:06:49.88

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:NOT READ

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: SMITH_P
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TO: Jacob J. Lew
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TO: John A. Koskinen
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TO: Robert G. Damus
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TO: Barry B. Anderson
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TO: Phillip Caplan (Phillip Caplan@EOP@LNGTWY@EOPMRX)

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TO: Anita Chellaraj
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(Anita Chellaraj@EOP@LN GTWY@EOPMRX)

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TO: Lucia A. Wyman
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TO: Alphonse J. Maldon
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(Alphonse J. Maldon@EOP@LN GTWY@EOPMRX)

TO: Robert J. Nassif
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(Robert J. Nassif@EOP@LN GTWY@EOPMRX)

TO: Melinda D. Haskins
READ:NOT READ

(Melinda D. Haskins@EOP@LN GTWY@EOPMRX)

TO: Robert S. Fairweather
READ:NOT READ

(Robert S. Fairweather@EOP@LN GTWY@EOPMRX)

TO: Janet E. Irwin
READ:NOT READ

(Janet E. Irwin@EOP@LN GTWY@EOPMRX)

TO: James B. Kazel
READ:NOT READ

(James B. Kazel@EOP@LN GTWY@EOPMRX)

TO: John A. Gribben
READ:NOT READ

(John A. Gribben@EOP@LN GTWY@EOPMRX)

TO: April K. Mellody
READ:NOT READ

(April K. Mellody@EOP@LN GTWY@EOPMRX)

TO: Mary E. Glynn
READ:NOT READ

(Mary E. Glynn@EOP@LN GTWY@EOPMRX)

TO: Mark A. Weatherly
READ:NOT READ

(Mark A. Weatherly@EOP@LN GTWY@EOPMRX)

TO: Ananias Blocker III
READ:NOT READ

(Ananias Blocker III@EOP@LN GTWY@EOPMRX)

TO: Richard A. Mertens
READ:NOT READ

(Richard A. Mertens@EOP@LN GTWY@EOPMRX)

TO: Ben A. Freeland
READ:NOT READ

(Ben A. Freeland@EOP@LN GTWY@EOPMRX)

TO: Peter G. Jacoby
READ:NOT READ

(Peter G. Jacoby@EOP@LN GTWY@EOPMRX)

TO: Kate P. Donovan
READ:NOT READ

(Kate P. Donovan@EOP@LN GTWY@EOPMRX)

TO: Angus S. King
READ:NOT READ

(Angus S. King@EOP@LN GTWY@EOPMRX)

TO: Linda Lance

(Linda Lance@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: Justine F. Rodriguez
READ:NOT READ

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

TO: Julie E. Mason
READ:NOT READ

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

TO: Mary Jo Siclari
READ:NOT READ

(Mary Jo Siclari@EOP@LNGTWY@EOPMRX)

TO: Barry J. Toiv
READ:NOT READ

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

TO: Toni S. Hustead
READ:NOT READ

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

TO: Christopher R. Ulrich
READ:NOT READ

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

TO: Russell W. Horwitz
READ:NOT READ

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

TO: Elena Kagan
READ:NOT READ

(Elena Kagan@EOP@LNGTWY@EOPMRX)

TO: Eugene M. Ebner
READ:NOT READ

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

TO: Steven D. Aitken
READ:NOT READ

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

TO: Robert S. Dotson
READ:NOT READ

(Robert S. Dotson@EOP@LNGTWY@EOPMRX)

TO: David H. Morrison
READ:NOT READ

(David H. Morrison@EOP@LNGTWY@EOPMRX)

TO: Rodney G. Bent
READ:NOT READ

(Rodney G. Bent@EOP@LNGTWY@EOPMRX)

TO: Bruce K. Sasser
READ:NOT READ

(Bruce K. Sasser@EOP@LNGTWY@EOPMRX)

TO: Jack D. Fellows
READ:NOT READ

(Jack D. Fellows@EOP@LNGTWY@EOPMRX)

TO: Gary L. Bennethum
READ:NOT READ

(Gary L. Bennethum@EOP@LNGTWY@EOPMRX)

TO: Keith J. Fontenot
READ:NOT READ

(Keith J. Fontenot@EOP@LNGTWY@EOPMRX)

TO: Larry R. Matlack
READ:NOT READ

(Larry R. Matlack@EOP@LNGTWY@EOPMRX)

TO: Robert M. Shireman
READ:NOT READ

(Robert M. Shireman@EOP@LNGTWY@EOPMRX)

TO: Richard J. Turman

(Richard J. Turman@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Louisa Koch
READ:NOT READ

(Louisa Koch@EOP@LNGTWY@EOPMRX)

TO: David E. Tornquist
READ:NOT READ

(David E. Tornquist@EOP@LNGTWY@EOPMRX)

TO: David J. Haun
READ:NOT READ

(David J. Haun@EOP@LNGTWY@EOPMRX)

TO: Francis S. Redburn
READ:NOT READ

(Francis S. Redburn@EOP@LNGTWY@EOPMRX)

TO: Harry G. Meyers
READ:NOT READ

(Harry G. Meyers@EOP@LNGTWY@EOPMRX)

TO: Edward A. Brigham
READ:NOT READ

(Edward A. Brigham@EOP@LNGTWY@EOPMRX)

TO: Edward M. Rea
READ:NOT READ

(Edward M. Rea@EOP@LNGTWY@EOPMRX)

TO: Andrew M. Schoenbach
READ:NOT READ

(Andrew M. Schoenbach@EOP@LNGTWY@EOPMRX)

TO: Alice E. Shuffield
READ:NOT READ

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

TO: Jill M. Pizzuto
READ:NOT READ

(Jill M. Pizzuto@EOP@LNGTWY@EOPMRX)

TO: Patricia E. Romani
READ:NOT READ

(Patricia E. Romani@EOP@LNGTWY@EOPMRX)

TO: Melissa Green
READ:NOT READ

(Melissa Green@EOP@LNGTWY@EOPMRX)

TO: Michael W. Williams
READ:NOT READ

(Michael W. Williams@EOP@LNGTWY@EOPMRX)

TO: Anne H. Lewis
READ:NOT READ

(Anne H. Lewis@EOP@LNGTWY@EOPMRX)

TO: Peter R. Orszag
READ:NOT READ

(Peter R. Orszag@EOP@LNGTWY@EOPMRX)

TO: Jake Siewert
READ:NOT READ

(Jake Siewert@EOP@LNGTWY@EOPMRX)

TO: Charles R. Marr
READ:NOT READ

(Charles R. Marr@EOP@LNGTWY@EOPMRX)

TO: Kathryn B. Stack
READ:NOT READ

(Kathryn B. Stack@EOP@LNGTWY@EOPMRX)

TO: Rhodia D. Ewell
READ:NOT READ

(Rhodia D. Ewell@EOP@LNGTWY@EOPMRX)

TO: Ricardo M. Gonzales

(Ricardo M. Gonzales@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Alecia Ward (Alecia Ward@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Laura S. Marcus (Laura S. Marcus@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Eric R. Anderson (Eric R. Anderson@OVP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Mathew C. Blum (Mathew C. Blum@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Steven L. Schooner (Steven L. Schooner@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Michael Deich (Michael Deich@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Collin Brown III (Collin Brown III@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Janie L. Jeffers (Janie L. Jeffers@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Joseph M. Wire (Joseph M. Wire@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Arecia A. Grayton (Arecia A. Grayton@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: James P. Christopoulos (James P. Christopoulos@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:

Message Creation Date was at 20-JUN-1997 21:37:00

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

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JUNE 20, 1997

SUBJECT: LEGISLATIVE REPORT

RECONCILIATION:

Both the House and Senate Budget Committee plan to met today to package the reconciliation provisions from the other committees, and to add the budget process provisions. The House Budget Committee reported the spending bill to the Rules Committee by a vote of 25 to 5, with 2 (Democratic) members passing. The Senate Committee reported their spending bill to the floor, with all but two Senators -- Hollings and Sarbanes -- voting in the affirmative.

The President today sent a letter to Chairman Kasich saying that he "will be

unable to sign legislation" that does not abide by the budget agreement with respect to disabled legal immigrants.

The Senate will consider the spending bill on the floor on Monday, followed by the tax bill on Thursday. The House aims to take up both bills in the Rules Committee on Tuesday, followed by floor action on the spending bill on Wednesday and the tax bill on Thursday.

CONGRESS TODAY (6/20):

SENATE

The Senate continued consideration of S. 936 - National Defense Authorization Act for Fiscal Year 1998, but did not hold any votes.

[SAP sent 6/19: Senior Advisors Recommend Veto]

The Senate today also passed H.R. 363, regarding Electro and Magnetic Field Research, by voice vote.

HOUSE

Passed (216-194) H.Res. 167 Government Reform Committee Depositions

Continued but did not complete consideration of H.R. 1119, the Defense Authorization Bill. While under consideration the House took the following action:

- o Rejected Luther amendment (145-253) to terminate production of the submarine launch ballistic missile
- o Adopted Hefley amendment (248-146) to transfer jurisdiction the Naval Oil Shale Reserves Numbers 1 and 3 from DOE to DOI
- o Adopted Weldon amendment (290-100) require the President to certify whether it is possible to verify that no Russian ICBMs are pointed at America
- o Adopted Traficant amendment (269-119, 1 present) to allow the Defense Secretary to assign up to 10,000 DOD personnel to assist the Immigration and Naturalization Service and the US Customs Service on border control activities.

CONGRESS TOMORROW, JUNE 21st

The House will convene at 9:00am on Saturday for a Pro Forma session
No legislative business

CONGRESS NEXT WEEK:

SENATE

Monday, June 23rd

Convene at 10:00am for morning business until noon. No votes.

Begin consideration of S. 947, the Budget Reconciliation Spending bill. Members may offer amendments, but no votes will occur. Any votes ordered will be stacked to take place on Tuesday, beginning at 9:30am

[OMB Director letter pending]

Tuesday, June 24th, and the remainder of the week:

On Tuesday, the Senate will continue consideration S. 947, the Budget Reconciliation Spending bill of hold votes beginning at 9:30am if ordered on Monday. The Senate expects to continue consideration of the bill through Wednesday, and on Thursday, they will take up the tax reconciliation bill.

Other possible items for consideration:

Consider H.R. 867 - Adoption Promotion Act of 1997 (possible)

[SAP under discussion]

Consider FY 1998 Foreign Operations Appropriations Bill

Items the Senate plans to consider after the July 4th Recess:

- o Complete action on S. 936 - National Defense Authorization Act for Fiscal Year 1998.

[SAP sent 6/19: Senior Advisors Recommend Veto]

- o Reconciliation bills (Spending & Tax Cut) - Conference Reports

HOUSE

Monday, June 23rd

Convene at 10:30am for morning hour and 12:00 noon for legislative business.

No recorded votes expected before 5:00pm.

Consider the following bills (2) under suspension of the rule:

- o H.R. 1532 - Veterans Cemetery Protection Act

- o H.Con.Res. - Resolution Regarding Cost of Government Day

On the Corrections calendar, the House will consider H.R. 1316 - Federal Beneficiary Clarification Act

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

[SAP sent 6/19: Senior Advisors Recommend Veto]

Tuesday, June 24th

Convene at 9:00am for morning hour and 10:00am for legislative business.

Consider H.J.Res. 79 - Disapprove Most Favored Nation Treatment to Products of the People's Republic of China (Subject to a Rule)

[POTUS letter sent 6/11]

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

[SAP sent 6/19: Senior Advisors Recommend Veto]

Wednesday, June 25th

Convene at 10:00am.

Consider H.Res. - The Rule for Budget Reconciliation

Consider H.R. - Budget Reconciliation Spending Component

Thursday, June 26th

Convene at 10:00am

Consider H.R. - Budget Reconciliation Tax Cut Component

Friday, June 27th - Monday, July 7th

July 4th Recess

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 20-JUN-1997 16:32:52.00

SUBJECT: WEEKEND TV: FINAL

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 20-JUN-1997 16:20:00

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

TEXT:
The following attachments were included with this message:

TYPE : FILE
NAME : 062097.WPD

=====
END ATTACHMENT 1

JUNE 20, 1997

MEMORANDUM TO MIKE MCCURRY, ANN LEWIS & DON BAER
FROM STUART SCHEAR
SUBJECT WEEKEND TV: FINAL REPORT

FRIDAY JUNE 20

WASHINGTON WEEK IN REVIEW

Topic Tobacco
Guest Steve Roberts, NY Daily News

Topic SCOTUS Round-Up
Guest Linda Greenhouse, NYT

Topic Taxes, Budget, POTUS Interview
Guest Alan Murray, Wall Street Journal

Topic Religious Persecution in China & MFN
Guest Robert Greenberger, Wall Street Journal

Topic Watergate
Guest Roundtable

SATURDAY JUNE 21

EVANS & NOVAK (CNN)

Topic Budget & Taxes
Guest Rep. Bill Archer

INSIDE POLITICS WEEKEND (CNN)

Topic Budget, Taxes & GOP Leadership Contretemps
Guest Rep. John Kasich

SUNDAY JUNE 22

FOX NEWS SUNDAY (FOX)

Topic Budget & Taxes
Guest OMB Dir. Franklin Raines

Topic Affirmative Action
Guest Sen. Orrin Hatch

Topic Congressional Politics
Guest Rep. John Boehner & Rep. Vic Fazio

Topic Tobacco
Guest Michael Moore, Mississippi Attorney General
Roundtable Brit Hume, Juan Williams & Robin Wright

FACE THE NATION (CBS)

Topic GOP Congressional Politics
Guest Sen. Trent Lott

Topic Summit, Budget, Taxes, Medicare & Tobacco
Guest Robert Rubin, Secy. of the Treasury

Comment Bob Schieffer & Gloria Borger

MEET (NBC)

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

Topic Republican Congressional Politics
Guest Rep. Dick Armey

Topic Tobacco
Guest Dr. David Kessler, Former FDA Commissioner

Topic Writers who are reexamining their harsh
journalistic treatment of POTUS/FLOTUS
Guests Stuart Taylor, American Lawyer & David Brock,

American Spectator

Comment Taylor's new article on legal issues is much more sympathetic to POTUS.

Comment Lisa Myers will join questioning

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 Budget, Taxes, Medicare, Tobacco, etc.
Guest Gene Sperling, Director NEC & Sen. Orrin Hatch

Topic C. Everett Koop M.D., Former U.S. Surgeon General
Michael Moore, Mississippi Attorney General

Roundtable Tony Blankley, Steve Roberts & Mara
Liasson

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barbara D. Woolley (CN=Barbara D. Woolley/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-JUN-1997 17:33:57.00

SUBJECT: Paper on Tobacco Settlement

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I assume we do not have anything on whats in the settlement. I am getting calls on it. I am also getting calls on folks voicing their opinion. Have we set up a comments line on tobacco??

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 13:16:19.00

SUBJECT: Re: statement

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

READ:UNKNOWN

TEXT:

I dunno. Friends in the right places?

I'm working on policy for child care and adoption to spend that money,
just in case. Keep it in mind.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

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

CREATION DATE/TIME: 20-JUN-1997 16:26:00.00

SUBJECT: WEEKEND TV: FINAL

TO: GOLDBERG_JS READ: NOT READ	(GOLDBERG_JS@A1@CD) (WHO)
TO: JOHNSON_DT READ: NOT READ	(JOHNSON_DT@A1@CD) (NSC)
TO: BURKE_D READ: NOT READ	(BURKE_D@A1@CD) (OPD)
TO: HAAS_L READ: 20-JUN-1997 19:51:06.88	(HAAS_L@A1@CD) (OMB)
TO: JENNINGS_C READ: NOT READ	(JENNINGS_C@A1@CD) (WHO)
TO: JOLIN_M READ: NOT READ	(JOLIN_M@A1@CD) (WHO)
TO: KAGAN_E READ: NOT READ	(KAGAN_E@A1@CD) (OPD)
TO: MAYS_C READ: NOT READ	(MAYS_C@A1@CD) (OPD)
TO: MCHUGH_L READ: NOT READ	(MCHUGH_L@A1@CD) (WHO)
TO: REED_B READ: NOT READ	(REED_B@A1@CD) (OPD)
TO: GREEN_MG READ: NOT READ	(GREEN_MG@A1@CD) (OPD)
TO: MAPLE_D READ: NOT READ	(MAPLE_D@A1@CD) (DON)
TO: FALK_D READ: NOT READ	(FALK_D@A1@CD) (WHO)
TO: SMITH_B2 READ: NOT READ	(SMITH_B2@A1@CD) (WHO)
TO: ECHAVESTE_M READ: NOT READ	(ECHAVESTE_M@A1@CD) (WHO)
TO: TARMEY_M READ: NOT READ	(TARMEY_M@A1@CD) (WHO)
TO: Michael D. McCurry READ: NOT READ	(Michael D. McCurry@EOP@LNKTWY@EOPMRX)
TO: Lori L. Anderson	(Lori L. Anderson@EOP@LNKTWY@EOPMRX)

READ:NOT READ

TO: Eli G. Attie (Eli G. Attie@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Donald A. Baer (Donald A. Baer@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: David S. Beaubaire (David S. Beaubaire@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Marsha E. Berry (Marsha E. Berry@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Sandra L. Bublick Max (Sandra L. Bublick Max@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Michelle Crisci (Michelle Crisci@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Lanny J. Davis (Lanny J. Davis@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Rahm I. Emanuel (Rahm I. Emanuel@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Paul K. Engskov (Paul K. Engskov@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Karen E. Finney (Karen E. Finney@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Jeremy M. Gaines (Jeremy M. Gaines@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Mary E. Glynn (Mary E. Glynn@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Adam W. Goldberg (Adam W. Goldberg@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Julia R. Green (Julia R. Green@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: John A. Gribben (John A. Gribben@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Lawrence J. Haas (Lawrence J. Haas@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Nancy V. Hernreich (Nancy V. Hernreich@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Kathryn O. Higgins (Kathryn O. Higgins@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: John L. Hilley (John L. Hilley@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Mary A. Dixon (Mary A. Dixon@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: Elena Kagan
READ:NOT READ

(Elena Kagan@EOP@LN GTWY@EOPMRX)

TO: Angus S. King
READ:NOT READ

(Angus S. King@EOP@LN GTWY@EOPMRX)

TO: Karin Kullman
READ:NOT READ

(Karin Kullman@EOP@LN GTWY@EOPMRX)

TO: G N. Lattimore
READ:NOT READ

(G N. Lattimore@EOP@LN GTWY@EOPMRX)

TO: Patricia F. Lewis
READ:NOT READ

(Patricia F. Lewis@EOP@LN GTWY@EOPMRX)

TO: Gordon Li
READ:NOT READ

(Gordon Li@EOP@LN GTWY@EOPMRX)

TO: Julie E. Mason
READ:NOT READ

(Julie E. Mason@EOP@LN GTWY@EOPMRX)

TO: Sylvia M. Mathews
READ:NOT READ

(Sylvia M. Mathews@EOP@LN GTWY@EOPMRX)

TO: April K. Mellody
READ:NOT READ

(April K. Mellody@EOP@LN GTWY@EOPMRX)

TO: Anne E. McGuire
READ:NOT READ

(Anne E. McGuire@EOP@LN GTWY@EOPMRX)

TO: Cheryl D. Mills
READ:NOT READ

(Cheryl D. Mills@EOP@LN GTWY@EOPMRX)

TO: Kevin S. Moran
READ:NOT READ

(Kevin S. Moran@EOP@LN GTWY@EOPMRX)

TO: John Podesta
READ:NOT READ

(John Podesta@EOP@LN GTWY@EOPMRX)

TO: Karen A. Popp
READ:NOT READ

(Karen A. Popp@EOP@LN GTWY@EOPMRX)

TO: Victoria Radd
READ:NOT READ

(Victoria Radd@EOP@LN GTWY@EOPMRX)

TO: Bruce N. Reed
READ:NOT READ

(Bruce N. Reed@EOP@LN GTWY@EOPMRX)

TO: Steven J. Ronnel
READ:NOT READ

(Steven J. Ronnel@EOP@LN GTWY@EOPMRX)

TO: Stuart M. Schear
READ:NOT READ

(Stuart M. Schear@EOP@LN GTWY@EOPMRX)

TO: Laura D. Schwartz
READ:NOT READ

(Laura D. Schwartz@EOP@LN GTWY@EOPMRX)

TO: Douglas B. Sosnik

(Douglas B. Sosnik@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: Darby E. Stott (Darby E. Stott@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

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

TO: June G. Turner (June G. Turner@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: Dag Vega (Dag Vega@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Sally J. Aman (Sally J. Aman@OVP@LNGTWY@EOPMRX)
READ:NOT READ

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

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

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

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

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

TO: Sara M. Latham (Sara M. Latham@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Brenda M. Anders (Brenda M. Anders@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Beverly J. Barnes (Beverly J. Barnes@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

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

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

TO: Cynthia M. Jasso-Rotunno (Cynthia M. Jasso-Rotunno@EOP@LNGTWY@EOPMR)
READ:NOT READ

TO: Odetta S. Walker (Odetta S. Walker@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Christopher J. Lavery
READ:NOT READ

(Christopher J. Lavery@EOP@LNKTWY@EOPMRX)

TO: Craig T. Smith
READ:NOT READ

(Craig T. Smith@EOP@LNKTWY@EOPMRX)

TO: Laura S. Marcus
READ:NOT READ

(Laura S. Marcus@EOP@LNKTWY@EOPMRX)

TO: Joseph P. Lockhart
READ:NOT READ

(Joseph P. Lockhart@EOP@LNKTWY@EOPMRX)

TO: Megan C. Moloney
READ:NOT READ

(Megan C. Moloney@EOP@LNKTWY@EOPMRX)

TO: Jonathan Murchinson
READ:NOT READ

(Jonathan Murchinson@EOP@LNKTWY@EOPMRX)

TO: Roger V. Salazar
READ:NOT READ

(Roger V. Salazar@OVP@LNKTWY@EOPMRX)

TO: Jessica B. Vogelsson
READ:NOT READ

(Jessica B. Vogelsson@EOP@LNKTWY@EOPMRX)

TO: Evan Ryan
READ:NOT READ

(Evan Ryan@EOP@LNKTWY@EOPMRX)

TO: Charles F. Ruff
READ:NOT READ

(Charles F. Ruff@EOP@LNKTWY@EOPMRX)

TO: Ora Theard
READ:NOT READ

(Ora Theard@EOP@LNKTWY@EOPMRX)

TO: Thomas D. Janenda
READ:NOT READ

(Thomas D. Janenda@EOP@LNKTWY@EOPMRX)

TO: Brian J. Johnson
READ:NOT READ

(Brian J. Johnson@EOP@LNKTWY@EOPMRX)

TO: Elizabeth R. Newman
READ:NOT READ

(Elizabeth R. Newman@EOP@LNKTWY@EOPMRX)

TO: Anne S. Walker
READ:NOT READ

(Anne S. Walker@EOP@LNKTWY@EOPMRX)

TO: Lynn G. Cutler
READ:NOT READ

(Lynn G. Cutler@EOP@LNKTWY@EOPMRX)

TEXT:

Message Creation Date was at 20-JUN-1997 16:20:00

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

ATT CREATION TIME/DATE:20-JUN-1997 16:26:00.00

ATT BODYPART TYPE:D

TEXT:

JUNE 20, 1997

MEMORANDUM TO MIKE MCCURRY, ANN LEWIS & DON BAER
FROM STUART SCHEAR
SUBJECT WEEKEND TV: FINAL REPORT

FRIDAY JUNE 20

WASHINGTON WEEK IN REVIEW

Topic	Tobacco
Guest	Steve Roberts, NY Daily News
Topic	SCOTUS Round-Up
Guest	Linda Greenhouse, NYT
Topic	Taxes, Budget, POTUS Interview
Guest	Alan Murray, Wall Street Journal
Topic	Religious Persecution in China & MFN
Guest	Robert Greenberger, Wall Street Journal
Topic	Watergate
Guest	Roundtable

SATURDAY JUNE 21

EVANS & NOVAK (CNN)

Topic	Budget & Taxes
Guest	Rep. Bill Archer

INSIDE POLITICS WEEKEND (CNN)

Topic	Budget, Taxes & GOP Leadership Contretemps
Guest	Rep. John Kasich

SUNDAY JUNE 22

FOX NEWS SUNDAY (FOX)

Topic Budget & Taxes
Guest OMB Dir. Franklin Raines

Topic Affirmative Action
Guest Sen. Orrin Hatch

Topic Congressional Politics
Guest Rep. John Boehner & Rep. Vic Fazio

Topic Tobacco
Guest Michael Moore, Mississippi Attorney General
Roundtable Brit Hume, Juan Williams & Robin Wright

FACE THE NATION (CBS)

Topic GOP Congressional Politics
Guest Sen. Trent Lott

Topic Summit, Budget, Taxes, Medicare & Tobacco
Guest Robert Rubin, Secy. of the Treasury

Comment Bob Schieffer & Gloria Borger

MEET (NBC)

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

Topic Republican Congressional Politics
Guest Rep. Dick Armev

Topic Tobacco
Guest Dr. David Kessler, Former FDA Commissioner

Topic Writers who are reexamining their harsh
 journalistic treatment of POTUS/FLOTUS
Guests Stuart Taylor, American Lawyer & David Brock,

American Spectator

Comment Taylor's new article on legal issues is much more sympathetic to POTUS.

Comment Lisa Myers will join questioning

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 Budget, Taxes, Medicare, Tobacco, etc.
Guest Gene Sperling, Director NEC & Sen. Orrin Hatch

Topic C. Everett Koop M.D., Former U.S. Surgeon General
Michael Moore, Mississippi Attorney General

Roundtable Tony Blankley, Steve Roberts & Mara
Liasson

Attendees of the June 18, 1997 Tobacco Meeting

<i>Name</i>	<i>Phone</i>	<i>Fax</i>	
<u>White House</u>			
Emily Bromberg	456-2896	456-2889	
Elizabeth Drye	456-5573	456-7431	
Rahm Emmanuel	456-2531	456-2530	(Michelle Crisci)
Elena Kagan	456-5584	456-2878	(Laura Emmett)
Bruce Lindsey	456-2668	456-2983	(Jennifer Dudley)
Anne McGuire	456-2572	456-6704	
Peter Orszag	456-5358	456-2223	
Bruce Reed	456-6515	456-2878	(Cathy Mays)
Dan Tate	456-6620	456-2604	
Tracey Thornton	456-6493	456-2604	
Michael Waldman	456-2777	456-5709	
Barbara Woolley	456-2930	456-6218	

OVP

Toby Donenfeld	456-6265	456-6231
Don Gips	456-6222	456-6231

CEA

Mark Mazur	395-5147	(395-6958)
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HHS

Bill Corr	690-7431	401-5783
Andy Hyman	690-6318	690-7998
Harriet Rabb	690-7741	690-7998
Rich Tarplin	690-7627	690-7380
Kevin Thurm	690-6133	690-7755
Mitch Zeller (FDA)	301-827-3355	301-594-6777

NEC

Ellen Seidman	456-2802	456-1605
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OMB

Josh Gotbaum	395-3060	395-3174
Nancy Ann Min	395-5178	395-7289

OSTP

Jerry Mande	456-6018	456-6207
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<i>Name</i>	<i>Phone</i>	<i>Fax</i>
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DOJ

George Phillips	514-5713	514-8071
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DOL

Jennifer O'Connor	219-6197	219-9216
Emily Sheketoff (OSHA)	219-6104	219-6064

Treasury

Jonathan Gruber	622-0090	622-2633
Neal Wolin	622-0283	622-2882
(Karl Sholz)	622-0120	622-
Larry Summers	622-1080	622-0081

USDA

Charles Rawls	720-3158	720-5437
(Greg Frasier)	720-3631	720-5437
(Carl Willick)	720-2406	

USTR

Nancy Leamond	395-6850	395-4549
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 10:36:53.00

SUBJECT: Race and Stats

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

READ:UNKNOWN

TEXT:

EK:

As follow-up to the last race meeting, we should pull together a meeting with Janet Yellin to discuss compiling stats and info for race. Edley and I weren't able to do so after the meeting, and he suggested this afternoon, but I forgot about it until now. I thought it would be most appropriate for you to talk to Janet first, but I'll put in the call if you want. Perhaps -- instead of having a separate meeting -- we should just do it before or after the next race meeting (?). Also, I'll talk to Justice about the most appropriate BJS person.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 20:21:22.00

SUBJECT: List of workgroups

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:

HHS is making more changes -- will get back to us Monday. We've agreed it's for internal use only. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D30]MAIL44463707B.116 to ASCII,
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--- DRAFT ---

Tobacco Working Groups
(Meetings will be convened by DPC)

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

White House: DPC
Agencies: HHS, DOJ, (Treasury?)

2. Public education (including grass roots programs)

White House: DPC
Agencies: HHS

3. Environmental tobacco smoke

White House: DPC
Agencies: DOL, HHS, EPA, GSA

4. Smoking cessation and research

White House: DPC
Agencies: HHS, DOL

5. Industry analysis (incentives, performance, farmers)

White House: DPC, NEC, CEA
Agencies: Treasury, USDA, HHS, DOL

6. Liability, litigation, disclosure

White House: DPC
Agencies: DOJ, HHS, Treasury

7. International

White House: DPC, NEC
Agencies: HHS, USTR, Treasury, USDA

8. Budget / children's health

White House: DPC, NEC, OMB
Agencies: HHS, Treasury, Labor, USDA

9. Codification / Implementation

Q&A on Tobacco Settlement

June 20, 1997

Q. Did the Administration help close the deal?

A. No. My staff monitored the talks closely so that we would be in a position to evaluate and respond to any possible settlement.

Q. But didn't Bruce Lindsey close this deal yesterday by suggesting a compromise on punitive damages?

A. No. We have consistently told all the parties that they would have to close any agreement on their own. They were able to do so without any help from the Administration.

Q. The final deal limits punitive damages -- a key concession to the tobacco industry. Won't you oppose that given your previous opposition to caps on punitive awards?

A. The limitation on punitive damages for past misconduct is not a deal-breaker for us. We understand that the attorneys general extracted substantial concessions from the tobacco companies for this limitation, and we will evaluate whether the agreement as a whole advances the public health.

Q. How will you proceed?

A. I have asked my Domestic Policy Advisor, along with the Secretary of Health and Human Services, to undertake a thorough public health review of this agreement. They will consult with all interested agencies, members of Congress, and the public health community.

Q. How long will the review take?

A. The review will take as long as necessary to conduct a careful analysis, but we will seek to work promptly and expeditiously. We estimate the review will take about four weeks.

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 the settlement, and my staff was in contact with members of the community during the whole course of the 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.

Q. Are you taking a political risk in considering approval of this settlement?

A. We may be, but we are determined to protect the public health and children's health -- and we will do whatever is necessary to advance those interests. If an agreement with tobacco companies will protect the public health, then we'll support that agreement, even if some people criticize us for doing so.

Q. What will you look at in evaluating this agreement?

- A. We will evaluate whether this agreement protects the public health -- and particularly the health of our children. We will pay special attention to the piece in the agreement dealing with FDA jurisdiction. The actions the FDA has taken under this Administration forced the industry to the bargaining table, and we will insist that the FDA has all the necessary authority to regulate nicotine and tobacco products. We also will carefully review the financial terms of the settlement and the use of the money for children's health purposes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 16:43:53.00

SUBJECT: Q&A on settlement

TO: April B. Abdulmalik (CN=April B. Abdulmalik/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Nancy A. Min (CN=Nancy A. Min/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: Mark J. Mazur (CN=Mark J. Mazur/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Jerold R. Mande (CN=Jerold R. Mande/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Anne E. McGuire (CN=Anne E. McGuire/OU=WHO/O=EOP @ EOP [WHO])

Q&A on Tobacco Settlement

June 20, 1997

Q. Did the Administration help close the deal?

A. No. My staff monitored the talks closely so that we would be in a position to evaluate and respond to any possible settlement. We consistently told the parties that they would have to close an agreement on their own, and they were able to do so without any help from the Administration.

Q. How will you proceed?

A. I have asked my Domestic Policy Advisor, along with the Secretary of Health and Human Services, to undertake a thorough public health review of this agreement. They will consult with all interested agencies, members of Congress, and the public health community.

Q. How long will the review take?

A. The review will take as long as necessary to conduct a careful analysis, but we will seek to work promptly and expeditiously. We expect this to be a matter of weeks, not months.

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 consider closely the views of the public health community, including Drs. Koop and Kessler, before rendering any judgment on the settlement. But it is premature to commit to any firm timetable for reaching my conclusion.

Q. What will you look at in evaluating this agreement?

A. We will evaluate whether this agreement protects the public health -- and particularly the health of our children. We will pay special attention to the part of the agreement dealing with FDA jurisdiction. The actions the FDA has taken under this Administration forced the industry to the bargaining table, and we will insist that the FDA has all necessary authority to regulate nicotine and tobacco products. We also will carefully review the financial terms of the settlement, including whether the money will go toward protecting the health of our children and the general public.

Q. The final deal limits punitive damages -- a key concession to the tobacco industry. Won't you oppose that given your previous opposition to caps on punitive awards?

A. The limitation on punitive damages for past misconduct is not a deal-breaker for us. We understand that the attorneys general extracted substantial concessions from the tobacco companies for this limitation, and we will evaluate whether the agreement as a whole advances the nation's public health interests.

Q. Are you taking a political risk in considering approval of this settlement?

A. This isn't about politics; it's about protecting the public health. We didn't think about politics when we took on the tobacco companies last year with our announcement of the FDA

rule. And we won't look to politics now in evaluating this agreement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1997 09:31:58.00

SUBJECT: first draft of post-settlement talking points/Q&A

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:

These are measured and purposefully stay away from praising the industry in any way. Elena -- thoughts on punitives Q? I'm in this MADD Board of Directors briefing from 10-11 but can be paged.

Talking Points and Q&A on Tobacco Settlement Talks
DRAFT -- POST SETTLEMENT

o The settlement talks among the state attorneys general, public health representatives, private lawyers, and the tobacco industry have produced a far-reaching agreement. The parties have worked hard, and I especially want to commend the attorneys general and public health representatives for their efforts.

o My Administration will now begin a careful and thorough review of the proposal, and will seek the advice of the public health community, members of Congress and others. Congress will need to write legislation to implement the agreement and provide a thorough public review.

o As I have said previously, our focus will stay squarely on protecting the public health and especially our children. My job is to make sure that the settlement is a good deal for the American people. 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. Did the Administration help close the deal?

A. No. My staff monitored the talks closely so that we would be in a position to evaluate and respond to any possible settlement.

Q. How will you proceed?

A. White House and Agency staff expect to spend the next couple of weeks analyzing the details of the agreement, 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 policy, 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 the settlement, and my staff was in contact with members of the community during the whole course of the 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 it is premature to commit to any particular timetable.

Q. This deal limits punitive damages -- a key concession to the tobacco industry. Won't you oppose that given your previous opposition to caps on punitive awards?

A. I am going to look at this proposal in its entirety before deciding whether any specific provision is acceptable. Giving this industry any protection against punitives is a step we should only take if the overall package is on balance a clear victory for the public health and the public interest.