

NLWJC - KAGAN

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[02/02/1998 - 02/06/1998]

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	William Kincaid to Elena Kagan re: Belated Greetings (1 page)	02/02/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[02/02/1998 - 02/06/1998]

2009-1006-F
eh205

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]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-FEB-1998 16:51:34.00

SUBJECT: EEOC rulemaking -- update

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:

Elena,

I spoke with Danny Werfel at OMB. Two agencies (Treasury and Commerce) have raised concerns to Sally re: the proposed rule. Commerce is still concerned about (1) the provision that allows pre-complaint attorneys' fees and (2) that the offer of resolution does not go as far as the old offer of full relief. They were told that the only thing that would hold up the rule would be a call from the Secretary by COB today. Treasury said they wanted more time for higher level people to consider the changes, and Sally gave them until COB tomorrow. Danny thinks that the rule should be ready to go by the end of this week.

If we wanted to do some sort of roll-out event (highlighting the reforms to the federal sector program at the EEOC as a companion effort to the new money and expanded adr in the budget), that could give Sally an opening to push the agencies faster and, according to Danny, could get the rule published more quickly.

Julie

Withdrawal/Redaction Sheet

Clinton Library

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

FOLDER TITLE:

[02/02/1998 - 02/06/1998]

2009-1006-F
eh205

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-FEB-1998 15:35:00.00

SUBJECT: Civil Rights Enforcement

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:

Elena,

FYI. Ben Johnson has asked that we fax talking points on budget increases (including dollar amounts) for civil rights enforcement to Mary Frances Berry (Chair of the U.S. Commission on Civil Rights) to assist her in writing an Op-Ed piece for Black newspapers. I thought I would send the one-pager + the chart that outlines the budget numbers (FY97 actual; FY 98 enacted and FY 99 proposed) for each of the agencies. O.k?

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1998 18:00:22.00

SUBJECT: FEC Petition

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

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

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

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

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

TO: Morley A. Winograd (CN=Morley A. Winograd/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TEXT:

I have talked with Bobby Rozen who agrees with me that we need to make a strong statement this week in support of the General Counsel's recommendation that the Commission approve a draft notice of a proposed rulemaking to virtually eliminate "soft money" fundraising by the national party committees. While the odds of the Commission taking any action are slim, they are almost non-existent without some pressure from the Administration. In addition, a statement from us, before this draft notice of a proposed rulemaking becomes public, insures that the President continues to get credit for his efforts on banning soft money.

Below is a proposed statement and my earlier e-mail describing the recommendations of the FEC General Counsel:

"I want to applaud the General Counsel of the Federal Elections Commission (FEC) for proposing a ban of "soft money" fundraising by national party committees. While this proposed rulemaking does not fully meet my request for a complete ban of "soft money", it would significantly decrease the impact of soft money on our political system and I call on the Commission to adopt the General Counsel's recommendation at their February 12 meeting.

I am pleased that the General Counsel has concluded, as I stated in my petition of June 7, 1997, that banning "soft money" fundraising is within the FEC's existing statutory authority. I believe this authority should be fully exercised by the Commission. Banning "soft money" fundraising by national party committees will enable our election laws to catch up with the reality of the way elections are financed today, and along with new campaign finance reform legislation, will take significant strides toward restoring public confidence in the campaign finance process.

But the proposed rulemaking of the General Counsel is not the total solution. It remains imperative that Congress pass legislation that deals with other soft money issues such as state party spending and issue advocacy. I challenge Congress to pass the McCain-Feingold and Shays-Meehan bills this Spring. The American people deserve nothing less."

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
02/02/98 03:34 PM -----

Paul J. Weinstein Jr.

01/28/98 02:53:41 PM

Record Type: Record

To: Rahm I. Emanuel/WHO/EOP, Michael Waldman/WHO/EOP, Bruce N. Reed/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: FEC Petition

In response to the President's petition to ban "soft money" and the petitions of Members of Congress, the FEC's General Counsel is recommending that the Commission approve a draft notice of a proposed rulemaking to virtually eliminate "soft money" fundraising by the national party committees, and require them to defray nearly all of their expenses, including their mixed activity expenses, with hard dollars. The proposal also recommends the following:

1. Seeks comments to on ways to ensure that transfers of both hard and soft money from national to state and local party committees and to non-profit organizations do not circumvent the 1991 allocation rules;
2. Seeks comments on an alternative approach that would allow national party committees to raise and spend soft money for nonfederal candidates;
3. Describes a number of approaches for ensuring that state and local committees do not use soft dollars to influence federal elections, including requiring state and local party committees to pay for their mixed activities entirely with hard dollars (this is not clear whether the Commission has the jurisdiction to implement such a rule). Another approach would involve earmarking;
4. Seeks comments on the possibility of requiring additional reporting by state and local party committees in order to enable the Commission to monitor compliance with these proposals, should they be implemented;
5. Requires state and local committees to allocate the costs of generic voter drives whether they are conducted directly by the party committee or are financed by the party committee and conducted by another entity;
6. Establishes new rules to make it clear that all contributions that result from a solicitation made by a federal candidate or officeholder are subject to FECA, unless the donor expressly designates the contribution for an otherwise permissible nonfederal account, such as a building fund account.

The Commission will consider this draft notice of proposed rulemaking for publication in the Federal Register on February 12, 1998. I would recommend we strongly support the Commission taking that action. While this rulemaking does not completely ban soft money, it would establish new limits on the fundraising and use of soft money.

Please advise.

Message Copied

To:

Elena Kagan/OPD/EOP

William P. Marshall/WHO/EOP

Morley A. Winograd/OVP @ OVP

Peter G. Jacoby/WHO/EOP

Thomas L. Freedman/OPD/EOP

Paul E. Begala/WHO/EOP

Michelle Crisci/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1998 18:55:18.00

SUBJECT: John Engler & NAGB

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:

ED tells me that Engler's paperwork will clear tomorrow, so we can announce his appointment to NAGB. It seems we ought to figure out how to use this in our response to Goodling somehow, though I'm not sure exactly how. Any ideas?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME: 3-FEB-1998 15:53:47.00

SUBJECT: Bond bill

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

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: gips_d (gips_d @ al.eop.gov @ inet [UNKNOWN]) (VPO)
READ:UNKNOWN

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TEXT:

I have copies of the Bond bill available in Room 436. It is unclear in intent but appears to prohibit a much broader range of activities than our June draft. It has internal inconsistencies that would appear to make it difficult to determine if any research involving the use of human cells in somatic cell nuclear transfer might be carried out. The bulk of the language is devoted to establishing a Commission to promote a national dialogue on bioethics.

I hope to get a draft letter on Kennedy-Feinstein around shortly. That bill will be dropped "shortly" but probably not today.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 14:50:13.00

SUBJECT: REVISED statement on soft \$\$\$ - rahm hasn't commented, but he won't care .

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

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

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

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

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

TEXT:

Waldman decided we needed to release this today since AP had a blurb on the proposed FEC rule this morning. He has sent it over Lockhart. It is a revision of the one I did yesterday. Somewhat shorter but still to the point.

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
02/03/98 02:48 PM -----

Michael Waldman
02/03/98 02:46:20 PM
Record Type: Record

To: Joseph P. Lockhart/WHO/EOP, Elizabeth R. Newman/WHO/EOP
cc: Michelle Crisci/WHO/EOP, Paul J. Weinstein Jr./OPD/EOP
Subject: REVISED statement on soft \$\$\$ - rahm hasn't commented, but he won't care .. go for it

I strongly support action to end the soft money system raised by both political parties. That is why last year I asked the Federal Election Commission to ban soft money, under its current legal authority. I am very pleased that the agency's general counsel has proposed a new rule prohibiting national parties from raising soft money. Now I ask the members of the Commission to step up to their responsibility and act, within their legal authority, to end soft money.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 18:29:18.00

SUBJECT: Superfund/DAILY

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

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

TEXT:

fyi

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
02/03/98 06:29 PM -----

Bradley M. Campbell
02/03/98 06:22:33 PM
Record Type: Record

To: Robert S. Kapla/CEQ/EOP
cc: See the distribution list at the bottom of this message
Subject: Superfund/DAILY

Lott and DeLay both declared this afternoon that Superfund is dead. According to Lott, "We won't get superfund reform done this year because we don't have the support that we need to get it done." DeLay agreed, admitting "We don't have the votes." Curiously, neither blamed the Administration for the failiure.

Message Copied

To: _____
Janet Murguia/WHO/EOP
Kathleen A. McGinty/CEQ/EOP
Sally Katzen/OMB/EOP
Paul J. Weinstein Jr./OPD/EOP
T J. Glauthier/OMB/EOP

Welfare Reform Announcements

1. Welfare reform bonuses to promote work and reduce illegitimacy: We are now nearly ready to announce two new nationwide competitions to promote work and personal responsibility. The first competition will award \$1 billion in bonuses to states that do the best job of placing people into jobs and helping them succeed in the work place. The second will distribute \$100 million a year to states that reduce their "illegitimacy ratio" i.e., the percentage of children born out of wedlock.
2. FICA tax and workfare: Announce before or at the meeting with the National Governors Association a new Treasury ruling that exempts workfare positions from payroll taxes, while maintaining worker protections. States have long sought this ruling to reduce the cost of requiring workfare, and doing so should undermine Republican attempts to eliminate worker protections for these positions.
3. Child support enforcement: Revoke all federal licenses (i.e., pilots, maritime, other) to parents who owe child support and call upon the House to enact the Deadbeat Parents Punishment Act, proposed by the President and passed by the Senate in November, to make it a felony offense to cross states lines to willfully avoid paying child support.
4. New welfare to work grants: Throughout the spring, welfare to work grants -- from the Balanced Budget Act's \$3 billion welfare to work fund -- will be available to announce.
5. Earned income tax credit: Announce a new 1-800 number for employers to get help with the Earned Income Tax Credit, so to help companies retain employees and give them a raise in every pay check.
6. Federal welfare hiring: Announce in April -- one year after the initiative was launched -- new numbers showing that the federal government is on track to hiring 10,000 welfare recipients by the year 2000.
7. Disability executive order: Sign executive order on increasing employment of people with disabilities.
8. Service: Have an event to highlight the expansion of high school service scholars program from 1,700 to 10,000 high schools.
9. Service: Have a bipartisan event to transmit the AmeriCorps reauthorization language.
10. Food Stamps for legal immigrants: Event to promote budget proposal.

Ideas Under Development

11. Policies to promote fatherhood: Propose, or endorse a possible House proposal, for a block grant to states to encourage fathers to become more actively involved in their children's lives.
12. Policies to assist grandparents: Develop ideas of how to support and assist grandparents who are their grandchildren's primary caregiver.
13. College attendance: Ensure that welfare recipients can attend college while still fulfilling their work requirements.
14. Assets/Savings: Work with agencies to develop proposals to promote savings and IDAs among former welfare recipients.
15. Teen Pregnancy Prevention: Announcements for May.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 14:50:26.00

SUBJECT: tobacco

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

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

TEXT:

States would like to talk tobacco next week--specificallly, they'd like to understand our policy (how is tis the same/different from AG agreement, etc) and to talk about what they feel they will need to do at NGA and how we can survive that. Seems to me its in our best interest to have this conversation. Elena--are you up for this? I'd like to set it up for early next week. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Angelique Pirozzi (CN=Angelique Pirozzi/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 11:43:31.00

SUBJECT: California Initiatives Briefing

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: Karen Tramontano (CN=Karen Tramontano/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Mickey Ibarra (CN=Mickey Ibarra/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Karen E. Skelton (CN=Karen E. Skelton/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

CC: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Kevin Gordon, Marty Tokunaga, and, Vernon Billy from the California School Board asked to come to the White House while they were in town on business to brief interested parties on some June ballot initiatives in California such as the Ron Untz Initiative, and the 95-5 Initiative sponsored by the United Teachers of Los Angeles.

Right now we have scheduled this meeting for Wednesday the 4th at 9:30 am in Room 113. Please let me know if this is not a good time as we may be able to change the time for tomorrow.

Tobacco/Budget Q&A
February 3, 1998

Q: Are you concerned by comments by some members of Congress that tobacco legislation may be getting stalled -- that you may not be serious about getting a bill -- and suggesting that you should take a more active role in pushing legislation?

A: I am committed to enacting comprehensive bipartisan tobacco legislation. So any comments to the contrary are just wrong. We are making very solid progress towards enacting comprehensive tobacco legislation that will reduce teen smoking. I've proposed a very clear set of principles about what should be in the bill -- the first issue being that this is about protecting kids, not money or political advantage. I've met personally with senior members involved in this issue -- I've assured them that we want to get this done, that we will. Our staff has met with members of both parties and will continue to do so. And my budget contains a great deal of details on how I think we should get this done -- on how much money the tobacco companies should pay and where it should go. This has been a long battle we have been fighting and we will stay with it, and it will make a difference to the health of millions of children over the next few years. We have to get it done.

Q: In September, you said the focus of tobacco legislation should not be about money. In the budget you unveiled this week, more than 60 percent of the proposed increase in discretionary spending is paid for by tobacco legislation. Why have you changed course?

A: My course has not changed -- Congress should send me legislation that will dramatically reduce youth smoking. Experts all agree the single most important step we can take to reduce youth smoking is to raise the price of a pack of cigarettes significantly. That is why last September, and again in the State of the Union speech, I called for Congress to pass legislation that raises cigarette prices by up to \$1.50 per pack over the next ten years as necessary to reduce youth smoking. Our budget simply scores that part of the plan, and allocates the revenues to programs that promote public health and assist children.

Q: How can you assume revenues from tobacco legislation when it's not at all certain whether this legislation will pass?

A: It is a normal part of the budget process to account for any revenues that will be raised from proposed legislation. And we believe strongly that Congress will pass comprehensive tobacco legislation this year. If everyone who says they are committed to protecting children from tobacco rolls up their sleeves and gets to work, we will pass a significant piece of legislation.

Q: Why is it that some of the programs funded with tobacco revenues have no relation to tobacco?

A: Most of the spending is directly related to tobacco, such as health-related research and smoking cessation programs. The rest goes to programs that will assist our children. I wanted to ensure that states get a substantial share of the resources, because of the states' contribution in negotiating the original proposed settlement. It is money that goes to children's programs -- to improve child care and reduce class size -- in recognition that these are shared federal and state goals.

Q: Doesn't attaching tobacco legislation to particular spending initiatives hurt the chance of passing this legislation?

A: No. It is a normal part of the budget process to propose how to spend any revenues raised from proposed legislation. And we will work on a bipartisan basis with Congress if it has other ideas on the best way to allocate these revenues. There is no reason why allocation issues should hold up the process of comprehensive legislation.

Q: Doesn't using tobacco legislation as a funding source for important policy proposals -- such as improving child care and reducing class size -- hurt the chances of achieving those proposals?

A: No. I believe Congress will pass tobacco legislation that imposes significant financial burdens on tobacco companies. Of course, no offset proposed in a budget is guaranteed; Congress can reject any proposed way of financing a program. If Congress does not pass comprehensive tobacco legislation, we will work with Congress to find other offsets. These are high priorities, and we will find effective funding mechanisms.

Q: How much money do you expect to raise from tobacco legislation next year? What about over five years? How did you come to this figure?

A: This budget is designed to reduce youth smoking by 30% in five years and 50% in seven years, which are the goals I've set out. We calculate that the necessary increase in the price per pack will result in about \$10 billion in revenue next year and \$65 billion over five years.

Q: How much does your plan increase the cost of cigarettes?

Automated Records Management System
Hex-Dump Conversion

A: In order to reach the goal of reducing youth smoking by 30% in five years, and 50% in seven years, my budget projects about a \$1.10 increase in the price of cigarettes over five years.

Q: What programs is tobacco money used for in the budget?

A: In general, tobacco revenues go toward protecting public health and assisting children. First, the budget provides for funds for anti-smoking activities that will help us meet the goals of reducing youth smoking rates. In addition, there are funds in the budget to support the commitment I made when I announced my plan for tobacco legislation in September to fund a dramatic expansion of health-related research in America. Finally, in recognition of the states' role in bringing suit against tobacco companies, the budget provides for a substantial amount of money to revert to the states. Some of this money can be used for any purpose. Other funds must be used on state-administered programs to assist children (specifically, for child care, Medicaid child outreach, and class size reduction).

Q: How much money is there for states in the budget?

A: The states will receive as much money over five years as they would have received under the original settlement agreement. A large part of this money will be unrestricted; states can use it for whatever purposes they choose. The rest of the money will go to states for state-administered programs to provide child care subsidies and reduce class size. This money represents the usual federal share of Medicaid recoveries, which I believe should go back to the states in recognition of the important role the states played in bringing about this legislation.

Q: Does your budget assume that the revenues from tobacco legislation will come from increased excise taxes, or from industry payments pursuant to a settlement?

A: The budget assumes that the money will come from annual industry payments pursuant to a settlement.

Q: Last week, several Republicans came out against tobacco legislation that would grant the industry limits on liability. Many public health leaders are also saying that tobacco legislation must not include limits on liability. Do you still favor a settlement that would include limits on industry liability?

A: I will evaluate tobacco legislation as a whole to determine whether it protects the public health. Liability limits are not necessarily a deal-breaker for us. What's important is achieving comprehensive legislation that includes, for example, a large per-pack price

increase, penalties for marketing to children, and broad restrictions on children's access to tobacco.

I hope that these kinds of statements (statements by Republican senators on liability) don't mean that some members are seeking to walk away from their responsibility to protect children by enacting comprehensive tobacco legislation.

Piecemeal legislation won't accomplish our goal. It's not enough just to say we did something if we don't pass comprehensive legislation that really accomplishes our goals.

Q: Do recent events, the tobacco settlement in Texas or the release of documents showing some companies were marketing to children, diminish the need for legislation or the chance that it would get passed?

A: No. It is a good sign that industry is being held accountable for the harms it has caused, and that we are getting information out about how the industry has hurt children. But that should serve as further impetus for comprehensive legislation. We need a comprehensive system of penalties to make sure companies reduce teen smoking, we need the FDA to have authority over tobacco products to protect our health, to make sure advertising doesn't go after our kids. So we need legislation, and it should be bi-partisan. I think all the attention from these events makes it clear why we need a national solution, and that we should try and get it done soon.

Q: Lawyers in both Texas and Florida have asked for obscene amounts of money for their role in bringing about settlements with the tobacco industry. Will you support a provision in national legislation to limit fees for lawyers?

A: I'm primarily concerned with ensuring that tobacco legislation reduces youth smoking and protects the public health -- not with collecting and distributing money from a settlement. The lawyers who brought these suits have expended lots of time and effort, and deserve to be well recompensed for their work. But everyone agrees that fees shouldn't be wildly out of proportion to the work that was done.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-FEB-1998 19:22:45.00

SUBJECT: Farm Summit

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

TEXT:

OPL suggests Glickman meet with Patton/KY delegation. I say its fine.
----- Forwarded by Thomas L. Freedman/OPD/EOP on 02/03/98
07:20 PM -----

Barbara D. Woolley
02/03/98 07:18:56 PM
Record Type: Record

To: Thomas L. Freedman/OPD/EOP
cc:
Subject: Farm Summit

Sec Glickman went to North Caroline to meet with the Gov and state delegation on tobacco. Glickman should do the same think with the Kentucky gov and congressional delegation. Karen Armstrong Cummins who originially requested the meeting and summit should be a part of this meeting. Would you and Bruce agree with this?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Audrey T. Haynes (CN=Audrey T. Haynes/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 20:41:12.00

SUBJECT: FMLA

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

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

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

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

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

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

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

TEXT:

Regarding Thurs.'s FMLA anniversary, the following events seem to be planned:

1. Women's Legal Defense Fund reported that Senator Dodd was having a press conference to celebrate the anniversary and announce more about the expansion.....(I have not confirmed with Dodd's office, however, Labor told me the same thing)

2. Carolyn Moloney is having a press conference at noon in conjunction with the Congressional Women's Caucus.....(I did not confirm, but this sounded more vague than the Dodd event)

**I can call folks Wed. a.m. to get the information on these 2 events.

As of late this afternoon, it was not clear as to what Labor would do, if anything. After our discussions this morning, they were possibly going to wait and just do the POTUS event.

Regarding states with lower thresholds as possible sites, for an event outside DC, Women's Legal Defense Fund reported the following:

DC.....threshold is 20

Maine.....threshold is 25

Minn.....threshold is 21, but law is not as broad as FMLA

Oregon.....threshold is 25

Vermont.....threshold is 10 for new born and newly adopted; and 15 for others, also allows 24 hours for dental care, etc.

Clearly, Vermont is the best state with alot of small business, but it doesn't appear the POTUS is headed anywhere near there over the next couple of weeks.

Please advise.....we'd love to see this come together in the District or out!

Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 10:20:37.00

SUBJECT: Meeting with Wade Henderson and the Leadership Conference on Civil Rights

TO: Minyon Moore (CN=Minyon Moore/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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TEXT:

Pls note that you are invited to attend as indicated below

----- Forwarded by Richard Socarides/WHO/EOP on 02/03/98
10:17 AM -----

Judith A. Winston
02/03/98 08:49:05 AM
Record Type: Record

To: Sylvia M. Mathews/WHO/EOP
cc: Audrey M. Hutchinson/PIR/EOP, Richard Socarides/WHO/EOP, June G.
Turner/WHO/EOP, Andrew J. Mayock/WHO/EOP
Subject: Meeting with Wade Henderson and the Leadership Conference on
Civil Rights Executive Committee

Sylvia, several weeks ago Wade Henderson asked for a meeting with John Hope Franklin, other members of the Advisory Board and me. After several unsuccessful attempts to find a time when a good portion of the executive committee and John Hope could be present, we settled on February 9 from 11:00 a.m. to 1:00 p.m. The meeting will take place in the Roosevelt Room.

I would like to invite you to attend the meeting and I urge you to attend if at all possible. I have asked Richard to extend an invitation to Maria E., Elena Kagan and Eddie Corriea (Wade asked specifically that he be included).

Wade has indicated that he would like to pursue the following agenda:

1. What is the Advisory Board's mandate?
2. How will the Board report its work and its findings to the

President

3. What are the tangibles that will come out of the Initiative and the work of the Board?

He has also indicated his interest in sharing with us the findings of reports recently completed by the Leadership Conference Education Foundation -- findings relevant to the work of the Initiative.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Audrey T. Haynes (CN=Audrey T. Haynes/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 11:41:01.00

SUBJECT: FMLA

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

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

TO: Ann F. Lewis (CN=Ann F. Lewis/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: Gene B. Sperling (CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

Tania I. Lopez (CN=Tania I. Lopez/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:
Update:

Following my conversation with Gene and Elena this morning, I have called Lisa Ross in the Secretary's Office at Labor and told her that a stand alone event was now being considered for POTUS to announce the expansion of FMLA. Per Gene, I told them if they wanted to go forth with a 5th anniversary event, they could, but would be asked not announce the expansion information. They are getting together and will call me with their resolution.

Meanwhile we will work with Labor and Women's Legal Defense Fund in thinking of small business that would be willing to stand with us or, as suggested by NEC, going to a state where there is already a lower threshold.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 20:09:44.00

SUBJECT: CEA welfare ideas-- see note below

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: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

I will relay to CEA our long standing position not to re-open the definition of work, and I'll find out what they mean by #2, but the first issue -- issues related to recessions -- does raise a question:

The adoption law requires HHS by March 1st to "make recommendations to the Congress for improving the operations of the contingency fund for state welfare programs." Diana is checking into what they've done so far.

I think we may be wise to make changes while the economy is good and states are flush (we would need a legislative change, but CBO probably wouldn't score changes that would make it easier for states to draw down the funds, since I think they assume no one will meet the triggers).

Given CEA's interest in this issue, we will probably need to involve them in reviewing HHS' recommendations. What do you think?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 02/03/98
07:53 PM -----

Sanders D. Korenman
02/03/98 05:30:41 PM
Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Diana Fortuna/OPD/EOP
cc: Rebecca M. Blank/CEA/EOP
Subject: brainstorming etc.

Cynthia and Diana,

I spoke with Rebecca Blank before today's meeting. There are three general areas of interest for possible initiatives that I did not get a chance to bring up at today's meeting.

1. Issues related to recessions
2. Issues related to links between TANF and other programs for the TANF

population

3. Allowable work-related activities

We are interested in finding out whether DPC finds these to be important areas for discussion or policy development. At this point, the first two would mainly involve thinking and discussion. The third is narrower. Here the question is whether we would like to revisit the restrictions on states' ability to count education as a work-related activity in order to promote self-sufficiency. I think we understand the arguments for and against this exclusion. (I apologize that I do not know the administration's previous positions on this issue.)

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-FEB-1998 18:06:39.00

SUBJECT: Gov. Patton and Farmer summit

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

READ:UNKNOWN

TEXT:

As the attached indicates, Governor Patton is planning on asking the President to come do a tobacco farmer summit in Kentucky when he sees him on 2/21 but OPL/Intergovernmental will head him off in a different direction if we'd like. I think we should steer him in a different direction, yes?

----- Forwarded by Thomas L. Freedman/OPD/EOP on 02/03/98
05:42 PM -----

Barbara D. Woolley

02/03/98 04:40:46 PM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP

cc:

Subject: Farming Summitt, Gov Patton

Can you reconfirm with Bruce??

----- Forwarded by Barbara D. Woolley/WHO/EOP on 02/03/98
04:36 PM -----

Maria Echaveste

02/03/98 04:00:41 PM

Record Type: Record

To: Barbara D. Woolley/WHO/EOP

cc: Fred Duval/WHO/EOP, Mickey Ibarra/WHO/EOP

Subject: Gov Patton

Barbara--fyi, do we have a view, should we have view, perhaps you should talk to Fred. Thanks.

----- Forwarded by Maria Echaveste/WHO/EOP on 02/03/98
03:58 PM -----

Fred Duval 02/02/98 03:24:11 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP
cc: Mickey Ibarra/WHO/EOP
Subject: Gov Patton

As you know, the Governorts arrive for their annual meeting Feb 21. Each Gov will have a minute or two with the President . Gov Patton (D-Kty) will bring up a proposal he made in writing a few months ago to the President. He wants the President to call and host a Farming Summit in Kentucky (to include small and family farmers from around the region.). I passed along his materials but if you need them let me know. He is pressing me to know what we think of the issue - and he plans to promte it with the Pr esident. I would like to get to a yes and for the President to tell him when he sees him, or get to a no and me tell him beforehand.

What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-FEB-1998 13:14:19.00

SUBJECT: Conrad's Bill Update

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Mary L. Smith (CN=Mary L. Smith/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

1. The task force met and urged Conrad to change his spending to look more like the WH, (a good sign) so Conrad says they are-- the main difference becoming research-- they say they have about the same for NIH research as we do but not for other research purposes and put more into farmers and anti-tobacco. They are also putting some into save social security first. They say the

2. Mike Moore's lobbyist told Conrad's staff that the WH had agreed to a big tobacco summit -- anything I should transmit back?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 18:34:46.00

SUBJECT: Guidance on civil rights and welfare reform

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

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

TEXT:

HHS is pressuring me a bit on this. Could you take a look at this and let me know if you think bringing Rob Weiner in is the next appropriate step?

----- Forwarded by Diana Fortuna/OPD/EOP on 02/03/98
06:33 PM -----

Diana Fortuna
01/23/98 11:52:09 AM
Record Type: Record

To: Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP
cc: Andrea Kane/OPD/EOP, Laura Emmett/WHO/EOP
Subject: Guidance on civil rights and welfare reform

HHS's civil rights person (Dennis Hayashi) just told me that HHS has prepared guidance for states on civil rights laws and welfare reform, in consultation with EEOC, Labor, Education, USDA, and DOJ. (Who knew?) Anyway, they have a 20 page draft they just sent me that I will forward to you. There is a letter with an overview of the laws and a "technical assistance for caseworkers" document in the form of Q&A's and examples. I don't think the timing is urgent in any way.

It doesn't seem like a terrible idea to remind states and their agents of laws against discrimination on the basis of race, ethnicity, disability, age, etc., just as states are making this major change in their welfare programs. Most of the examples given are common sense but, of course, there are some issues. Three or four examples seemed odd to me, but since I don't know civil rights laws that well, perhaps they are natural extensions of the law. By far the most glaring one to me is as follows:

"The Act imposes a 5-year time limit on receipt of TANF benefits. However, a state may allow hardship exemptions from the time limit for up to 20% of its caseload. States and counties may not use a neutral criterion that has a disproportionate impact on minorities to determine who will be granted this exemption, unless it can be shown that this is necessary, and no less discriminatory alternative is available."

I assume we would like Rob Weiner (or whoever is the appropriate person in counsel's office) to review this. Let me know if you want to take a

different approach.

Questions and Answers on Food Safety
February 3, 1998

Q: What steps is the Administration taking to improve food safety?

A: Last year we launched a new Presidential food safety initiative, and added more than \$40 million to the FY '98 budget. With that money we started putting in place new science-based preventive systems to improve the safety of seafood, meat and poultry and began work on a new early warning system to help detect and respond to outbreaks of foodborne illness. This year, our budget seeks an even more substantial increase in resources, \$101 million, to improve food safety. The resources will go to a variety of initiatives, including: giving FDA authority to prevent the import of produce from countries without safety precautions equivalent to our own; hiring FDA inspectors to improve the safety of our nation's fruits and vegetables, both domestic and imported; developing new ways for federal inspectors to detect food-borne illnesses in meat and poultry and determine the source of contamination; improving educational outreach on proper food handling; and further expanding our early warning system and strengthening state surveillance activities for foodborne illnesses.

Q. A recent story revealed that USDA did not close down a plant despite 1,700 violations. What are you doing to make sure our meat and poultry are safe to eat?

A. We have to keep improving our food safety systems. And I am committing more resources than ever to the problem, and modernizing food safety for meat and fruits and vegetables and the water we drink. There are several important facts to remember in regard to this specific story. First, although the inspectors did not close the plant -- and in my view that was a wrong decision -- they did take actions to correct the plant's bad practices and to prevent all unsafe food they found from reaching the public. Second, those events occurred in 1996 -- before my Administration began implementing the Hazard Analysis and Critical Control Point (HACCP) system for meat. Under this system, inspectors will document food safety violations; they will shut down the plant where there are repeat failures; and they will insist that the plant take a wide range of measures to prevent any future contamination before the plant can reopen. Finally, the Administration has asked Congress for additional enforcement authority to fine companies for violations of food safety standards. Currently, USDA can't fine companies that violate food safety standards.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 18:41:07.00

SUBJECT: Update on Michigan privatization

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

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

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

TEXT:

Engler has taken DOL to court over the privatization issue. He asked for a TRO on DOL's plans to shut off the flow of money, but he lost. But there is a hearing of some sort on Friday. The money has been shut off.

DOL continues not to be very proactive, to say the least, about keeping us in the loop about developments like this. Uhalde told me that they keep Podesta informed, and that Geri Palast talks to WH intergovernmental (although according to Emily, she doesn't hear much either). I told him that they should keep us informed as things happen.

He gave me a page of talking points that I will forward to Emily and Cynthia.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-FEB-1998 11:50:00.00

SUBJECT: Heads up on a couple of education issues

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:

A couple of things are developing that you need to know about.

1. Class Size/tobacco: Barbara Chow has some state-by-state runs comparing various medicaid formula to our class size formula and to the child care formula. She's going to try to put together a meeting tomorrow, with the three of us, Jen Klein and whoever from OMB tobacco world is appropriate, to try and figure out how to deal with different needs and expectations re: formula. I'm going to try and get a copy of the runs later today; I'll share with you whatever I get.

On a related note, ED staff are desperate for some kind of briefing on tobacco that will give them a big picture, and help them deal with questions from ed.groups and the hill. I think this would be useful, even if it only enables them to give more sophisticated nonanswers than they can give now. I think there are 3-4 people at ED who need this (Mike, Scott Fleming, Susan Frost) and me. Could one of you do this, or is there someone better? Are there talking points or Q's and A's we could use instead?

2. Coverdell Tax Free Savings Accounts: Apparantly this is going to be marked up in Senate Finance sometime in the next few weeks, and we are trying to put an Administration position together. Here is the lay of the land as best as I can tell; Riley is still adamantly opposed, and wants an Administration alternative--tax free saavings accounts that are not targeted to education, but which could be used for any purpose Treasury is likely to be adamantly opposed to ED's proposal on the grounds that it is bad tax policy Senate Dem's on Finance Committee are apparantly ok with Coverdell, will probably vote for it, and believe that POTUS will sign it. Do you have an insight on this? POTUS signed the letter last year saying he would veto balanced budget deal if it included Coverdell, but I was never sure that his opposition was particularly strong or long-lilved. There is some interest among Senate Dem's in a modified version of Coverdell that would not allow the savings account \$ to pay for private school tuition, but would allow it for related education expenses--tutors, books, transportation to and from school, etc. Last year we thought this was bad tax policy too-- undesirable disributional impact, and too easily subject to abuse (like using the \$ to buy your kid a car which he happens to use to drive to school). There is also an idea beginning to take shape to trade Coverdell for School Construction, with everybody walking away with something. Barbara Chow reports that Podesta is very concerned with the constituency group politics in this, and is therefore likely to side with Riley in oppostion to Coverdell.

I'm going to a DPC/NEC/OMB/ED/Treasury meeting this afternoon. Any guidance for me? My sense is to see if we can come up with an option that ED and Treasury will both like (not likely) and to see if the Coverdell-for-Modernization deal could work. While I never thought Coverdell is a particularly good idea--its benefits are skewed to upper income families, are small overall (a few bucks for most middle class families), I also have had a hard time seeing this as a voucher quite the way Riley does.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Alice E. Shuffield (CN=Alice E. Shuffield/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 3-FEB-1998 10:21:36.00

SUBJECT: Cloning Bill -- SAP outlook

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:

Elena -- I understand that a letter is being drafted to state our position on the pending Cloning legislation. As you know, the bill may come up in the Senate this week. If the letter is a Presidential letter, we would normally just send the letter to our SAP distribution.

Please advise on how you think we should proceed in terms of a SAP.

Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-FEB-1998 18:58:15.00

SUBJECT: Illegitimacy/Out-of-Wedlock Bonus

TO: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=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

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

TEXT:

Thought you'd be interested to know that in the FY 99 Budget Appendix (p. 420), the bonus is called "Bonus to reward decrease in illegitimacy". So much for consistency within OMB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jessica L. Gibson (CN=Jessica L. Gibson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-FEB-1998 17:48:37.00

SUBJECT: Criminal background and compact agreement info

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

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

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

TO: lgriffil (lgriffil @ os.dhhs.gov @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

TEXT:

One of our Senate offices is desperately looking for information on the criminal background checks and compact agreement information. Does anyone have anything on this or know where I can find it? Please let me know as soon as possible.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mary L. Smith (CN=Mary L. Smith/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 4-FEB-1998 11:51:59.00

SUBJECT: Constitutionality of Liquor Advertising Targeted at Children

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

READ:UNKNOWN

TO: Thomas L. Freedman (CN=Thomas L. Freedman/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:

You asked about whether we could impose restrictions on liquor advertising targeted at children. With respect to the constitutionality of laws which restrict liquor advertising vis-a-vis minors, the latest federal appellate case that addressed this issue involved the City of Baltimore. In November 1996, in Anheuser-Busch, Inc. and Penn Advertising of Baltimore, Inc. v. Mayor and City Council of Baltimore City, the Fourth Circuit upheld the constitutionality of restrictions on cigarette billboard advertising in areas frequented by children. The Fourth Circuit held that the Baltimore ordinance was constitutional because "Baltimore's ordinance attempts to protect its children in a manner and with a motive distinct [from the broader Rhode Island prohibition held unconstitutional by the Supreme Court] and in accord with an unbroken chain of Supreme Court cases which indicate its desire to ensure that children do not become lost in the marketplace of ideas."

From the Baltimore case, we can glean three principles that must be present to uphold any restriction on liquor advertising:

1. It must advance a legitimate government interest, and reducing the demand for alcohol and cigarettes by minors has been held to be a legitimate government interest.
2. It must be a narrowly tailored, and be no more restrictive than necessary. It cannot be a sweeping ban on advertising. Baltimore's cigarette advertising ordinance -- and a similar one restricting advertisements for alcohol -- targeted billboards, sides of buildings and freestanding signs in "publicly visible" locations. For instance, the court stated: "More significantly, Baltimore does not ban outdoor advertising of alcoholic beverages outright but merely restricts the time, place, and manner of such advertisements. And Baltimore's ordinance does not foreclose the plethora of newspaper, magazine, radio, television, direct mail, Internet, and other media available" to liquor advertisements.
3. There must be some demonstration of empirical evidence that the ban will advance the state's interest in promoting temperance. In Baltimore, the city acted only after holding public hearings and receiving evidence.

However, no one appears confident that this case law will remain static. Cases have recently been filed in Chicago, Oakland, and New York that involve liquor advertisements. Let me know if you need anything else. Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1998 10:23:17.00

SUBJECT: Short Term Scheduling

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 Short Term Scheduling meeting is today at 1:00 pm -- and the COS Scheduling Mtg. agenda will be set at this time. Is there anything in particular you would like me to get on the agenda? Anything we need to keep pushing based on your meeting this morning? If so, I should be at my desk 6-5165.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME: 4-FEB-1998 17:20:30.00

SUBJECT: amendments

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

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: Wendy A. Taylor (CN=Wendy A. Taylor/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: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: gips_d (gips_d @ al.eop.gov @ inet [UNKNOWN]) (VPO)
READ:UNKNOWN

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TEXT:

Possible amendments include:

Adding sunset (preferably 5 years as in Administration bill)

Adding a list of exceptions like the following:

[" () Subsection [()] and [()] shall not apply where the creation of the embryo is for the purpose of producing or generating stem cells to treat or diagnose deadly or disabling diseases and other medical conditions including the following: cardiac muscle cells to treat heart attack victims and degenerative heart disease; skin cells to treat burn victims; spinal cord neuron cells for treatment of spinal cord trauma and

paralysis; neural cells for treating those suffering from neurodegenerative diseases; pancreas cells to treat diabetes; blood cells to treat anemia, immunodeficiencies, and cancer; neural cells to treat Parkinson's, Huntington's and amyotrophic lateral sclerosis (ALS); cells for use in genetic therapy to treat 5,000 genetic diseases, including cystic fibrosis, Tay-Sachs disease, schizophrenia, depression, and other diseases; blood cells for use in treating patients with cancer, anemia, or immunodeficiency diseases; blood vessel endothelial cells for treating atherosclerosis; liver cells for liver diseases including hepatitis and cirrhosis; cartilage cells for treatment of osteoarthritis; bone cells for treatment of osteoporosis; myoblast cells for the treatment of Muscular Dystrophy; respiratory epithelial cells for the treatment of cystic fibrosis and lung cancer; adrenal cortex cells for the treatment of Addison's disease; retinal pigment epithelial cells for age-related macular degeneration; modified cells for treatment of various genetic diseases; and other cells for use in the diagnosis, treatment and prevention of other deadly or disabling diseases or other medical conditions; or for the purpose of conducting scientific research into the mechanisms of interaction between the genes and their intracellular and extracellular environments in order to control and redirect the specialization of somatic cells into novel treatments or diagnostic products for deadly or disabling diseases and other medical conditions.]

Penalties--delete criminal and insert the following:

(c) Any property, real or personal, derived from or used to commit a violation or attempted violation of Section 5, or any property traceable to such property, is subject to forfeiture to the United States in accordance with the procedure set forth in Chapter 46 of Title 18 of the United States Code.

Delete reference to establishment of Commission

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME: 4-FEB-1998 13:23:04.00

SUBJECT: draft cloning letter for discussion at 4 today

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

READ:UNKNOWN

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

TO: gips_d (gips_d @ al.eop.gov @ inet [UNKNOWN]) (VPO)

READ:UNKNOWN

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

I commend you on your introduction of S. 1602 the Prohibition on Cloning of Human Beings Act of 1998. If enacted, this bill would prohibit any attempt to create a human being using somatic cell nuclear transfer, provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer, and protect important biomedical research. The bill, which closely parallels the bill I submitted last June, also follows the findings and recommendations presented to me by my National Bioethics Advisory Commission. I said then and reaffirmed this belief in my January 10 radio address that using somatic cell nuclear transfer cloning techniques to clone a human being is untested, unsafe, and morally unacceptable. I called on Congress to enact legislation making it illegal for anyone to clone a human being at this time. I am pleased to see your response to my challenge.

Trying to draft a bill that walks the fine line between defining the

unacceptable act of producing a child that is the genetic replica of another person, while protecting biomedical and agricultural research is a formidable task. My bill offered one way to achieve those dual goals; your bill clearly reaches for the same result. In this case, imprecise wording carries the threat of impeding research that might one day offer hope to those suffering from spinal cord injury, Parkinson's disease, diabetes or AIDS. We must not make such a mistake in our haste to close the doors to those who would subvert this promising new technology by using it for unethical purposes.

I am also pleased that you have heeded my proposal to put a time limit on this prohibition. The sunset provision ensures a continuing examination of the risks and benefits of this technology, while we are free from worry that someone will use it prematurely.

Society shouldn't make decisions about the application of a specific technology without first understanding its full potential, both good and bad. Asking the National Bioethics Advisory Commission to return to this complex issue in four and one-half years will promote a deeper awareness of the power we hold to alleviate the burden of human illness and a broader debate on the ethical and moral limits we ought to impose on exercising that power. We are not ready to answer these enormously challenging questions today.

That is why we must act now to reassure the public that this government will not tolerate anyone using somatic cell nuclear transfer to create a child. I thank you for your efforts on behalf of the American people and look forward to signing this bill.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-FEB-1998 15:02:50.00

SUBJECT: tobacco update

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:

As you know, NGA is working on tobacco policy that Govs will vote on at the Winter meeting. Currently, the fight between R's and D's is over how to spend the money that is rightfully theirs, not ours (they oppose all negotiations on recoupment). R's want to say spend the money generally on health and wellbeing. D's want to say spend the money on health and welfare related programs, and are willing to add education to that as a fallback.

Last night R Govs had a conference call with Lott and Gingrich to talk about tobacco. Govs noticed a real shift in the way they were talking--from don't worry a deal won't happen to something will happen, but not sure about scope. Lott and Gingrich did say that they wanted to bring all Govs in to talk about their views (not helpful for us at all).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1998 13:24:39.00

SUBJECT: Speechwriting asked for welfare info for tomorrow's prayer breakfast

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: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

Here's what I'm planning to send them. Any thoughts?

What the President could say at the prayer breakfast re: welfare reform

We have begun to put an end to the culture of dependency, and to elevate our values of family, work and responsibility. After decades of finger-pointing and failure, we ended the old welfare system, and now we're replacing welfare checks with paychecks. I am proud that there are 4.3 million fewer people on welfare now than the day I took office.

To help people leave welfare for work, we've created more than 14 million jobs since I took office. I fought for, and won, a \$3 billion welfare-to-work fund in the Balanced Budget Act targeted specifically to areas of the country where jobs may be scarce. I also challenged companies all across the nation to hire welfare recipients -- nearly 3,000 have agreed so far -- and have committed the federal government to hire its fair share of workers from the welfare rolls.

We must make sure that those on welfare not only get jobs but have the support they need to succeed in the work place. Throughout history, the faith community has played a critical role in helping families in need. Today, I urge every congregation in every community to mentor families making the transition from welfare to work. To support these efforts, the Vice President has launched the Coalition to Sustain Success. Some of you are already members of this coalition, but I urge each and every one of you to join.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-FEB-1998 14:26:10.00

SUBJECT: tobacco-asap

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:

bruce and i have agreed on three meetings on tobacco: one with govs staff ; one with ray who is testifying next week); and call with dem govs prior to nga.

please lety me know a day and time next week when you are able to do the staff meeting--since that's just us. i'll let y ou know when bruce can do the other meetings thanks.

**Domestic Policy Council
Policy and Planning Team
Long-Term Planning Memo
February 4, 1998**

I. Budget Proposals

A. Food Safety

- Pass legislation that implements President's \$101 million food safety initiative.

B. Civil Rights Enforcement Initiative

- Push for resources for President's announced plan on enforcement and to implement hate crimes measures.

II. Legislative Priorities

A. Pass Comprehensive Tobacco Legislation (through May)

Administration is seeking legislation that fulfills five goals described in President's September 17, 1997 announcement.

- Reach final Administration positions on issues including: antitrust, FDA, international tobacco control; legal fees; liscensing; Medicare/VA/DOD; and minorities.
- Execute press strategy for maintaining Administration visibility.
- Negotiate bipartisan legislation with Congressional leaders

B. Pass Responsible Cloning Legislation

C. Workplace Religious Freedom Bill

- Work with coalition for legislation the President can support to make it easier for employees to take time off for religious observance.

III. Additional DPC Processes

A. Child Nutrition

- DPC is working with OMB and USDA to reformulate the Children's Hunger Initiative originally proposed by Secretary Glickman.

B. America's Rural Communities

- DPC leading interagency group to research and promote high-profile issues of interest to farmers and their communities.

C. Domestic Violence

- DPC will work with DOJ on the domestic violence issues including the possible reauthorization of the Violence Against Women Act.

D. Equal Pay for Women

- Working with OPL, DOL to find new initiatives to provide fair pay for women.

IV. New Processes and Old Processes to Consider Renewing

A. Children's Safety Issues

- DPC investigating issues for the protection of children including alcohol advertising, and controls on pedophiles.

B. Food Safety

- Work with USDA and HHS to continue developing new initiatives to improve food safety.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1998 12:45:25.00

SUBJECT: tobacco out years

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

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

TEXT:

Question: OMB told me that they are assuming that the tobacco tax assumed in the budget stops at \$1.10 real in 2003 (it only increases for inflation afterward). We did not assume that it continues to rise to \$1.50?

Also, do you have the 10 and 25 year revenue (analogous to the \$65 billion over 5 years)?

Chris and Bruce are trying to figure out ways to make the governors happier with their cut.

Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME: 4-FEB-1998 09:55:15.00

SUBJECT: Telegram on Proposed Cloning Legislation

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

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: gips_d (gips_d @ a1.eop.gov @ inet [UNKNOWN]) (VPO)
READ:UNKNOWN

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TEXT:
fyi

----- Forwarded by Rachel E. Levinson/OSTP/EOP on
02/04/98 09:54 AM -----

hgarrison @ faseb.org
02/04/98 09:16:50 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: See the distribution list at the bottom of this message
Subject: Telegram on Proposed Cloning Legislation

During yesterday's Public Affairs Executive Committee (PAEC) conference call, the PAEC instructed us to send the following telegram to all members of the U.S. Senate:

"The Federation of American Societies for Experimental Biology (FASEB) urges the Senate to proceed extremely cautiously as it considers legislation regarding human cloning. While the Federation considers the cloning of a human being to be reprehensible, dangerous, and unethical, we are concerned that overly restrictive legislation could unintentionally preclude critical research of great benefit to the American people. We believe that S. 1599, currently pending consideration by the Senate, would be damaging to worthwhile research. By flatly banning all use of human somatic cell nuclear technology for any purpose, this legislation would close off key areas of research which do not involve the creation of humans. We urge that the Senate not approve this legislation in its current form as it does not balance appropriate ethical considerations with the health needs of the American people."

The message was sent yesterday evening for delivery today.

Howard H. Garrison, Ph.D.
Director, Office of Public Affairs
Federation of American Societies for Experimental Biology
9650 Rockville Pike
Bethesda, MD 20814
voice: (301) 571-0657
fax: (301) 571-0686

Message Sent

To: _____
baintond @ chanoff.ucsf.edu
rablab @ uci.edu
db8g @ virginia.edu
brinkley @ bcm.tmc.edu
brd @ virginia.edu
fisch @ med.cornell.edu
gierasch @ chem.umass.edu
joel.g.hardman @ mcmail.vanderbilt.edu
mjackson @ execofc.FASEB.org
JOLLIE @ Gems.vcu.edu
uncdgk @ med.unc.edu
kknight @ luc.edu
brian @ uoxray.uoregon.edu
mcmanus @ uthscsa.edu
newburgh @ faseb.org
ongde @ ctrvax.vanderbilt.edu
rmp @ nucleus.immunol.washington.edu
pedersen @ cgl.ucsf.edu
suttie @ biochem.wisc.edu
jim_schafer @ vesta.cmc.uab.edu
mike_sheetz @ cellbio.duke.edu
priley @ ucsd.edu
petevh @ morel.uoregon.edu

yount @ wsu.edu
chicago @ itsa.ucsf.edu
teitelbaum_s @ medicine.wustl.edu
tandersen @ ccgateway.amc.edu
csenecal @ urmc.rochester.edu
beckerle @ bioscience.biology.utah.edu
brinkley @ bcm.tmc.edu
haywood @ uthscsa.edu
ichow @ faseb.org
hugli @ scripps.edu
mjackson @ execofc.FASEB.org
rokelley @ medusa.unm.edu
richard-lynch @ uiowa.edu
schach @ socrates.Berkeley.EDU
mlokhandwala @ uh.edu
mstephens @ vsadc.com
shwhite @ uci.edu
yount @ wsu.edu
naider @ postbox.csi.cuny.edu
speicher @ wista.wistar.upenn.edu
partrinc @ wpogate.slu.edu

Message Copied

To:

ahellers @ aps.faseb.org
litch @ faseb.org
pfarnham @ asbmb.faseb.org
fpwhite @ faseb.org
tleshan @ ascb.org
tlawless @ faseb.org
kwalsh @ aps.faseb.org
jwood @ faseb.org
mfrank @ aps.faseb.org
chancock @ asbmb.faseb.org
fpitlick @ pathol.faseb.org
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olds @ faseb.org
newburgh @ faseb.org
ichow @ faseb.org
julia_janko @ sba.com
rkampman @ BIOPHYSICS.faseb.org
mstephens @ vsadc.com

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1998 12:20:38.00

SUBJECT: FEC Petition Letter

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

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

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

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

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

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

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

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

CC: Morley A. Winograd (CN=Morley A. Winograd/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TEXT:

Yesterday the President issued a statement on his petition to the FEC on "Soft Money". Attached is a letter that we would like to release along with the letter to the FCC on Free TV time. The purpose of the letter is to place additional pressure on the FEC commissioners prior to their February 12 meeting to discuss the proposed rule. The letter is a little more detailed than yesterday's statement.

Please let me know by 4:00 pm today if you are ok with this draft and releasing the letter tomorrow.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D34]MAIL45436443V.026 to ASCII,
The following is a HEX DUMP:

FF57504306060000010A020100000002050000007C14000000020000A03849A15663F39D5D257C
314FF7721E1DE927555085D5D59B658CC0EAB35A6FFC28E2B27BFB71442D7210AE62BB00E60397
A70696E4BBC6F9B5002F3F9FD63E6FB140B5E39641CE420758462140D0574664CFC47D38106C4C
57CF679C3C2A4FA243B720F026171B13A9B41E66024044FC109FE2B006228A56D4DAE6A80E3BF6
1BA6855A3833D2C934242951AFD07F16F4550ABF8F609477E82A30A28BAB6DDEEEFB58C6F9F45C
6E263B10278A2E748D0777670C75D0E382A17118D61972B8B5429B62987ADFF485D262924BE550
8AD7D8E71D584B1D39DB18A3082419BA532AA1B14329D4393DA51BC81215FB96A420592F2E4AA1

February 4, 1998

Members of The Federal Election Commission
c/o Office of the General Council
999 E Street , NW
Washington, DC 20463

To the Members of the Federal Election Commission:

I strongly support action to end the soft money system raised by both political parties. That is why last year I asked the Federal Election Commission to ban soft money, under its current legal authority. I am very pleased that the agency's general counsel has proposed a new rule prohibiting national parties from raising soft money. Banning soft money fundraising by national party committees will enable our election laws to catch up with the reality of the way elections are financed today, and along with new campaign finance reform legislation, will take significant strides toward restoring public confidence in the campaign finance process. Now I ask the members of the Commission to step up to their responsibility and act, within their legal authority, to end soft money. The American people deserve nothing less.

Sincerely,

William Jefferson Clinton

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME: 4-FEB-1998 18:46:33.00

SUBJECT: Adhoc: Cloning Legislation

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

READ:UNKNOWN

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

TO: gips_d (gips_d @ al.eop.gov @ inet [UNKNOWN]) (VPO)

READ:UNKNOWN

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

here's an example of mobilizing the forces

----- Forwarded by Rachel E. Levinson/OSTP/EOP on
02/04/98 06:45 PM -----

owner-adhoc @ aamcinfo.aamc.org

02/04/98 04:20:00 PM

Record Type: Record

To: Rachel E. Levinson

cc:

Subject: Adhoc: Cloning Legislation

Colleagues:

I am writing to bring everyone up to speed on the status of the anti-cloning legislative proposals, and to ask for help. Please note that while I am borrowing the Ad Hoc Group's List Serve capacity, I am not speaking for the Ad Hoc Group.

Senators Feinstein and Kennedy have introduced a bill (S 1602) as has Senator Bond (S 1599). Bonds has been re-introduced with Sen. Lott as main sponsor (S. 1601) in order to make it a leadership bill.

The Bond bill prohibits the use of somatic cell nuclear transfer technology. It prohibits the use of this technology to produce an embryo from the earliest stages, but it does not define the term somatic cell anywhere.

The Kennedy/Feinstein Bill contains clear definitions, has a federal preemption, has a sunset in 10 years, and it makes illegal any attempt to implant an embryo produced from cloning into a woman's uterus.

We think the Bond bill is very dangerous for the medical research community. It makes the use of a specific technology in medical research a federal crime, punishable by 10 years in prison.

Its broad prohibition and imprecise wording endanger many areas of medical research including gene therapy and stem cell research. It also poses risks for several promising infertility treatments.

We expect an attempt to bring the Bond (now the Lott) bill to the floor of the Senate as early as Thursday, and certainly by early next week.

I hope that regardless of where you or your organization stand on cloning or cloning legislation, you will at least object to the bringing this measure to the floor in such a hurry. I would urge you to contact members of the Senate and ask them to avoid acting on this with such haste and instead deal with this matter in the serious deliberative manner it deserves.

Please feel free to contact me with questions or comments.

Sean Tipton
American Society for Reproductive Medicine
202-863-2494

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

TEXT:

RFC-822-headers:

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id <01IT6SZP7II0017SXO@PMDF.EOP.GOV> for "Rachel E. Levinson"@oa.eop.gov; Wed,

04 Feb 1998 16:40:10 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IT6SZNL3WG00B5M2@PMDF.EOP.GOV> for
Rachel_E_Levinson@oa.eop.gov; Wed, 04 Feb 1998 16:40:08 -0500 (EST)

Received: from aamcinfo.aamc.org ([143.220.1.4])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTTP id <01IT6SYZ06JI001EEI@STORM.EOP.GOV> for

Rachel_E_Levinson@oa.eop.gov; Wed, 04 Feb 1998 16:39:37 -0500 (EST)
Received: (from daemon@localhost) by aamcinfo.aamc.org (8.7.6/8.7.3)
id QAA06991 for adhoc-outgoing; Wed, 04 Feb 1998 16:20:03 -0500 (EST)
Received: from aamc.org (wpo.aamc.org [143.220.26.49])
by aamcinfo.aamc.org with SMTP (8.7.6/8.7.3)
id QAA06979 for <adhoc@aamcinfo.aamc.org>; Wed,
04 Feb 1998 16:19:59 -0500 (EST)
Received: from AAMC-Message_Server by aamc.org with Novell_GroupWise; Wed,
04 Feb 1998 16:22:06 -0500
X-Mailer: Novell GroupWise 4.1
Content-disposition: inline
Precedence: bulk
===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP [ONDCP])

CREATION DATE/TIME: 5-FEB-1998 17:31:35.00

SUBJECT: Crack Cocaine

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Karen A. Popp (CN=Karen A. Popp/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As you ponder how to respond to the Lott/Hatch/Abraham letter to the President, I thought you should be aware of the following (some of which you probably already know):

Sen. Abraham's bill (S. 260) reduces the threshold for the 5 year mandatory for powder cocaine from 500 grams to 100 grams. The ten year mandatory threshold for powder is reduced from 5 kilograms to 1 kilogram. The bill has 14 co-sponsors, including Senators Feinstein and Robb. Mary Harkenrader from DoJ told me that Torricelli also sign-on, but I could not confirm this fact.

The DoJ is updating its prison impact assessment of this bill. The most recent assessment is that this bill would increase prison costs by \$200 million in the first year, and impose cumulative costs of \$1.5 billion in the first ten years. Whether the cost will have any political impact in light of our present budgetary environment, of course, is doubtful at best. Senator Lott's chief counsel Steve Seale told us that the Republicans intend to move the Abraham bill, and suggested that they may want to link the ONDCP reauthorization bill to the bill.

Director McCaffrey believes that the letter to the President means that there is absolutely no hope of moving the Administration's crack cocaine initiative. Instead, while we should not retreat from that initiative, the Administration's energies should be focused on defeating the Abraham proposal instead of pushing the Administration's proposal. He has asked me to come up with a strategy to do so.

Any thoughts? Once you have had a chance to think about this, I propose that we get together the key players from DoJ, ONDCP and the WH.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William R. Kincaid (CN=William R. Kincaid/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 5-FEB-1998 10:29:21.00

SUBJECT: guidance vetting

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

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

READ:UNKNOWN

TEXT:

Elena --

FYI.-- Later today Dawn and I expect to circulate the revised Affirmative Action self-assessment guidance for internal vetting here. For the ACE conference this weekend, ED and DOJ are simply going to work with a set of questions, and will not be distributing the narrative text that discusses Bakke, etc.

Thanks.

-- Bill

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Alice E. Shuffield (CN=Alice E. Shuffield/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 5-FEB-1998 09:53:41.00

SUBJECT: Senate consideration of the Lott Cloning Bill

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

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

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

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

TO: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

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

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

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

TEXT:

The Senate cloakroom this morning reports that Lott may still bring the Cloning bill up today around 11:00am, despite clear objections from the Democrats. If the bill does come to the floor today, Members will debate the motion to proceed, and likely file cloture, with a vote to occur on Tuesday. (The Senate is not in tomorrow.) We'll aim to have our SAP in place by Monday, in case we should need it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Steven M. Mertens (CN=Steven M. Mertens/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 5-FEB-1998 15:31:11.00

SUBJECT: Citizenship USA Audit to be Released Monday

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

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

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

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

Donna M. Rivelli (CN=Donna M. Rivelli/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TEXT:

FYI: On Monday, DOJ will release the final Peat Marwick report and brief the Hill on its findings concerning INS management of the problem plagued Citizenship USA initiative (which inadvertently naturalized unqualified aliens). The final results are not particularly good and will likely add ammunition to Hill calls for immigration benefit/services to be stripped from the INS.

In brief, the report repeats the December findings that of the 1.1 million aliens naturalized in 1996, 6,000 criminal aliens were inappropriately granted citizenship benefits. These individuals are currently in revocation proceedings. Few actual revocations have been effected to date. The report will also state that 38 aliens who were under deportation or final orders of exclusion were also naturalized (INS did not check the Executive Office of Immigration Review's data base which documents immigrant court actions prior to granting citizenship).

The most serious problems relate to the results of Peat's sampling of the entire 1996 naturalization universe which the Hill agreed would be acceptable in lieu of investigating all 1.1 million new citizens. The results of this sampling (6,018 applications by population strata and geographic location) identified an error rate of 3.9 percent equating to approximately 38,000 ineligible aliens being granted citizenship. The majority of these (25.5K) were found to have applied for citizenship prior to being eligible and INS should not have accepted the application. INS had permitted immigrants to apply if they were 90 days from the 5-year residency/permanent legal resident requirement. Peat found applications INS had accepted which were 6 months to a year prior to eligibility. Most, however, were eligible (time in residency) by the time they actually reached the citizenship ceremony and became citizens.

The remaining (11.5K) were found not to have meet the "good moral" certitude requirement of the law (DWI, etc).

The review also found that 90 percent of the cases lack sufficient file documentation to justify granting citizenship and that in 70 percent of the sample cases audited, the reviewer was unable to determine whether fingerprints had been sent to the FBI. Overall, based on the sample set, Peat Marwick documented a 95 percent error rate -- a strong indictment of INS' management of the naturalization process.

DOJ is planning to package the results of the Coopers and Lybrand redesign of the naturalization process to temper the negative press associated with the Peat audit findings.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-FEB-1998 09:08:12.00

SUBJECT: Out-of-Wedlock

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

READ:UNKNOWN

TEXT:

another tid bit. have you talked with him yet??

----- Forwarded by Sally Katzen/OMB/EOP on 02/05/98 09:08
AM -----

Laura Oliven Silberfarb
02/05/98 09:04:38 AM

Record Type: Record

To: Sally Katzen/OMB/EOP@EOP, Wendy A. Taylor/OMB/EOP@EOP, Phyllis
Kaiser-Dark/OMB/EOP@EOP

CC:

Subject: Out-of-Wedlock

One more piece of information - HHS published their Regulatory Agenda
using the name "Out-of-Wedlock" Bonus rule and released it publicly months
ago with absolutely no reaction.

Please let me know how your conversation goes. THANKS, THANKS, THANKS.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jacinta Ma (CN=Jacinta Ma/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME: 6-FEB-1998 19:15:21.00

SUBJECT: President's Initiative on Race Weekly Report

TO: Grace A. Garcia (CN=Grace A. Garcia/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Patrick Aylward (CN=Patrick Aylward/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: John M. Goering (CN=John M. Goering/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: David K. Chai (CN=David K. Chai/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

TO: Maria E. Soto (CN=Maria E. Soto/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Evelina Mosby (CN=Evelina Mosby/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Ana Lopez (CN=Ana Lopez/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Allison J. King (CN=Allison J. King/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Linda C. Gray (CN=Linda C. Gray/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Marjorie A. Black (CN=Marjorie A. Black/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Michael J. Sorrell (CN=Michael J. Sorrell/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Cedra D. Eaton (CN=Cedra D. Eaton/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Lydia Sermons (CN=Lydia Sermons/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Katherine D. Sheckells (CN=Katherine D. Sheckells/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Trooper Sanders (CN=Trooper Sanders/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: edley (edley @ law.harvard.edu @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

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

TO: Brenda Toineeta (CN=Brenda Toineeta/OU=PIR/O=EOP @ EOP [UNKNOWN])
READ:UNKNOWN

TO: Alexander L. Boyle (CN=Alexander L. Boyle/OU=PIR/O=EOP @ EOP [PIR])
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TO: David Campt (CN=David Campt/OU=PIR/O=EOP @ EOP [PIR])

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TO: Diana Kappner (CN=Diana Kappner/OU=PIR/O=EOP @ EOP [PIR])
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TO: Robert Wexler (CN=Robert Wexler/OU=PIR/O=EOP @ EOP [PIR])
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TO: Chandler G. Spaulding (CN=Chandler G. Spaulding/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Scott R. Palmer (CN=Scott R. Palmer/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Tamara Monosoff (CN=Tamara Monosoff/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Lin Liu (CN=Lin Liu/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Claire Gonzales (CN=Claire Gonzales/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Randy D. Ayers (CN=Randy D. Ayers/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Michele Cavataio (CN=Michele Cavataio/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Elizabeth A. Castle (CN=Elizabeth A. Castle/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Jennifer A. Dolan (CN=Jennifer A. Dolan/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Danielle B. Glosser (CN=Danielle B. Glosser/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

TO: Laura K. Capps (CN=Laura K. Capps/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: Laura K. Demeo (CN=Laura K. Demeo/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: Robert B. Johnson (CN=Robert B. Johnson/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: Sidney Blumenthal (CN=Sidney Blumenthal/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: Peter Rundlet (CN=Peter Rundlet/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Thurgood Marshall Jr (CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [WHO])
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TO: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TEXT:

----- Forwarded by Jacinta Ma/PIR/EOP on 02/06/98 07:14 PM

Robert Wexler
02/06/98 06:54:28 PM
Record Type: Record

To: Jacinta Ma/PIR/EOP
cc:
Subject: Weekly

Attached is the final for forwarding to the e-mail distribution list.

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

TEXT:

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MEMORANDUM FOR THE PRESIDENT

FROM: JUDITH A. WINSTON

THROUGH : ERSKINE BOWLES
SYLVIA MATHEWS

SUBJECT : PRESIDENT'S INITIATIVE ON RACE WEEKLY REPORT
JANUARY 31 - FEBRUARY 6

ADVISORY BOARD ACTIVITIES

February Advisory Board Meeting. The Advisory Board will be in Northern California on February 10-11. On February 10, Advisory Board members will visit Promising Practices sites in San Francisco, Oakland, and East Palo Alto. DOEd Secretary Riley will participate by visiting a San Francisco Promising Practice site, Glide Memorial Baptist Church, that focuses on job training. The Advisory Board will host a 90-minute community forum in San Jose on the evening of the 10th. Members of the public will have the opportunity to raise views and concerns on issues surrounding race. On February 11, Advisory Board members will convene in San Jose to conduct their sixth monthly meeting. The topic of the meeting is "Race and Poverty." SBA Administrator Alvarez will deliver a keynote speech and participate in a panel discussion. The panel discussions will focus on the relationship between racial segregation, poverty, and the persistent lack of opportunities for those who live in poor, concentrated neighborhoods. The morning panel will focus on national issues and includes William Julius Wilson from Harvard University and Douglas Massey from the University of Pennsylvania. The afternoon panel will focus on local issues and solutions and will include local, state and area program experts who can address welfare and community development issues.

March Advisory Board Meeting. We have begun planning for the Advisory Board's March 24-25 meeting in Denver, Colorado. The focus for this meeting will be "Race and Stereotypes."

OFFICE OF THE EXECUTIVE DIRECTOR

Campus/Community Week of Dialogue. The Campus/Community Week of Dialogue is scheduled for the week of April 6. The goal is to focus on race in higher education institutions and communities as a catalyst to establishing long-term institutional and organizational commitments and partnerships on this issue. We are developing options for this week, which may include national events, nationwide campus events, and other campus events. We are coordinating this effort with the Association of American Colleges & Universities, the National Urban League, the American Council on Education (ACE), and the U.S. Department of Education. Secretary Riley may mention this effort in his speech at the ACE conference next week.

Statewide Days of Dialogue. On February 4, we met with the YWCA to discuss *Statewide Days of Dialogue*. Governors will be invited to designate a Statewide Day of Dialogue for their states and the YWCA will work in partnership with other organizations to convene dialogues throughout the states on the day designated by participating Governors. We hope to announce this effort at the National Governors Association meeting later this month. This event may be launched in conjunction with the events sponsored by the YWCA, USA cable television network, and the Anti-Defamation League surrounding the *National Day of Commitment to Eliminate Racism* which will occur on April 30.

Women's Outreach Meeting. On February 6, over 100 women leaders attended a briefing hosted by the White House Women's Office and the PIR to enlist their support for the Race Initiative and to participate in a One America Conversation. Maria Echaveste and SBA Administrator Aida Alvarez also participated in the briefing.

Corporate Forum. We held a Corporate Forum in Los Angeles on January 30 that attracted approximately 170 participants. Secretary Daley moderated the discussion and was joined on the panel by Maria Echaveste, Angela Oh, Bob Thomas, representatives from Rockwell International, Levi Strauss, Wells Fargo Bank, and three women small business owners. National Public Radio did a favorable report of this meeting in its Weekend Edition on Saturday.

District of Columbia Latino Civil Rights Task Force Community Dialogue. On January 31, PIR staff participated in the first of a series of dialogues sponsored by the District of Columbia Latino Civil Rights Task Force. The dialogue focused on race relations within the Latino community. Approximately 30 community leaders took part in the discussion.

FEDERAL AGENCY ACTIVITIES

Department of Justice

- **Hate Crimes Indictment:** A defendant was indicted for conspiring with others to injure, threaten, and intimidate a minority member to prevent her from occupying a dwelling in Portage, Indiana, because of her race. The defendant and co-conspirators used clubs, baseball bats, rocks and/or bricks to break the windows of the victim's home. The defendant is also charged with using force and threats of force to interfere with the victim's right to occupy a dwelling.

Department of Interior

- *African American History Conference:* On March 22-27, NPS will hold a conference and training session on "African Americans From Slavery to Contemporary Times" at Jean Lafitte National Historical Park in New Orleans. This combined public conference and NPS training provides an overview of the American experience, starting with slavery and concluding with diverse African American cultures now associated with national parks. NPS Director Stanton will address the conference March 24.

Department of Agriculture

- *Rural Life Conference:* During his January 30 roundtable on credit in rural America, held in conjunction with the Rural Life Conference in Pine Bluff, AR, Secretary Glickman announced a new pilot program, developed with the Rural Development Corporation, a consortium of minority banks, and USDA, to implement more effective methods of providing credit to socially disadvantaged applicants in Alabama, Arkansas, Mississippi, Missouri, North Carolina, and Virginia.
- *MOA with Tribal Universities:* On February 3, Secretary Glickman signed a Memorandum of Agreement establishing programs to ensure that tribal colleges and universities equitably participate in USDA programs.
- **Outreach Specialists:** In early March, USDA begins training for the new outreach specialists hired through USDA's Outreach Technical Assistance program at the University of Puerto Rico at Mayaguez, a program to help small and limited resource farmers obtain credit.
- *Civil Rights Training:* Secretary Glickman and his top staff have completed the first half of the new civil rights training at USDA, one of the recommendations of the Secretary's

civil rights initiative.

Department of Labor

- **NAACP Award:** On February 14, Secretary Herman will receive the NAACP President's Award in Los Angeles.

Department of Education

- **Boston Affirmative Action Case:** A federal trial began during the week of January 25 in the controversial case over the admissions policies of the prestigious Boston Latin public school. A white student who claims she was not admitted because of the school's current racial preference system challenged its constitutionality. Under the settlement in a case earlier this year, the Boston school board abandoned its previous racial targets for student admissions and instituted a new policy under which it admits half of the student body solely on the basis of test scores and grade point averages, and takes the racial composition of the applicant pool into account in admitting the other half of the student body. The school district argues that the current system is a permissible effort to maintain diversity in the school's student body.
- **Hispanic Education Initiative:** Secretary Riley and Delia Pompa, Director of the Office of Bilingual Education, participated in a White House event with the Vice President to announce the Administration's investment package to assist Hispanic students and reduce the dropout rate.

Small Business Administration

- **African American Initiative Rollout:** The Administrator has been invited to join the Vice President at an event sponsored by Metropolitan Access on February 10, during Black History Month.
- **MOU with the Big 3 Automakers:** Administrator Alvarez and the Vice President will announce a Memorandum of Understanding with the "Big 3" Automakers at an event tentatively scheduled for February 17 or 18 during Black History Month. The MOU will commit the automakers to provide an additional \$3 billion in subcontracting opportunities to small disadvantaged businesses.
- **Hispanic Education Initiative:** Administrator Alvarez participated in the Vice President's White House announcement of the Hispanic Education Initiative on February 2. She planned to meet with Secretary Riley on February 6 to discuss ways in which SBA and the DOEd can work together on this initiative.

TOBACCO HEARING SCHEDULE

March 30, 2010 (3:02PM)

Tuesday, February 10

Tobacco Control and Public Health

The Senate Labor and Human Resources Committee (Chairman **Jeffords (R-VT)**) will hold the first of two hearings on the public health aspects of pending tobacco regulation legislation, including the roles of the Food and Drug Administration, Centers for Disease Control and Prevention, Agency for Health Care Policy and Research, and the National Institutes of Health. HHS witnesses from FDA, CDC, the ASSIST program, the Health Care Policy Group, and NIH have been invited to testify.

Tobacco Control and Civil Liability

The Senate Judiciary Committee (Chairman **Hatch (R-UT)**) will hold a hearing on tobacco control legislation and civil liability. No HHS witnesses have been invited to testify.

Thursday, February 12

Indian Provisions of Tobacco Legislation

The Senate Indian Affairs Committee (Chairman **Campbell (R-CO)**) will hold a hearing on the provisions of comprehensive tobacco-control legislation that affect Native American populations.

W. Craig Vanderwagen, Associate Director, Office of Health Programs, Indian Health Service, HHS will testify.

Agenda:

- S1414 A bill to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.
- S1415 A bill to reform and restructure the processes by which tobacco products are manufactured, marketed, and distributed, to prevent the use of tobacco products by minors, to redress the adverse health effects of tobacco use, and for other purposes.
- S1530 A bill to resolve ongoing tobacco litigation, to reform the civil justice system responsible for adjudicating tort claims against companies that manufacture tobacco products, and establish a national tobacco policy for the United States that will decrease youth tobacco use and reduce the marketing of tobacco products to young Americans.

Tuesday, February 24

Tobacco Control and Public Health

The Senate Labor and Human Resources Committee (Chairman **Jeffords (R-VT)**) is scheduled to hold the second of two hearings on the public health aspects of pending tobacco regulation legislation, including the roles of the Food and Drug Administration, Centers for Disease Control and Prevention, Agency for Health Care Policy and Research, and the National Institutes of Health.

Comprehensive Tobacco Legislation

The Senate Commerce, Science and Transportation Committee (Chairman **McCain (R-AZ)**) will begin a series of hearings on proposed comprehensive tobacco-control legislation. No HHS witnesses have been invited to testify.

Witnesses:

- Geoffrey C. Bible - chairman and CEO, Philip Morris Companies, Inc.
- Nicholas G. Brooks - chairman and CEO, Brown and Williamson Tobacco Corp.
- Steven F. Goldstone - chairman and CEO, RJR Nabisco, Inc.
- Laurence A. Tisch - co-chairman of the board and co-CEO, Loews Corp.
- Vincent A. Gierer Jr. - chairman and CEO, UST. Inc.

Tuesday, March 3

Comprehensive Tobacco Legislation

The Senate Commerce, Science and Transportation Committee (Chairman **McCain (R-AZ)**) will begin a series of hearings on proposed comprehensive tobacco-control legislation.

Tuesday, March 17

Comprehensive Tobacco Legislation

The Senate Commerce, Science and Transportation Committee (Chairman **McCain (R-AZ)**) will begin a series of hearings on proposed comprehensive tobacco-control legislation.

Tuesday, March 31

Comprehensive Tobacco Legislation

The Senate Commerce, Science and Transportation Committee (Chairman **McCain (R-AZ)**) will begin a series of hearings on proposed comprehensive tobacco-control legislation.

Tuesday, April 21

Comprehensive Tobacco Legislation

The Senate Commerce, Science and Transportation Committee (Chairman **McCain (R-AZ)**) will begin a series of hearings on proposed comprehensive tobacco-control legislation.

