

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 027 - FOLDER -009

[04/22/1998 - 04/23/1998]

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	from Mona Mohib to Sandra Thurman et al subject Girl's Night (1 page)	04/23/1998	P6/b(6)

COLLECTION:

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

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[04/22/1998-04/23/1998]

2009-1006-F

kc148

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]

April 22, 1998

CHILD CARE EVENT

DATE: April 23, 1998
LOCATION: Rose Garden
EVENT TIME: 10:00 am - 11:00 am
FROM: Bruce Reed

I. PURPOSE

To urge congressional action on child care, and release two reports which document business efforts on child care: (1) the Treasury Working Group on Child Care report, *Investing in Child Care*; and (2) the Department of Labor report, *Meeting the Needs of Today's Workforce: Child Care Best Practices*. You will also announce a new commitment by the Department of Labor to reach out to 1,000 new companies within the next year, to serve as a clearinghouse for businesses interested in child care, and to set up a business-to-business mentoring program on child care.

II. BACKGROUND

Legislative Update on Child Care

While the event will spotlight best practices in the corporate community and urge greater private sector commitment to child care, the purpose of this event is to emphasize the importance of a federal commitment to child care and to urge Congress to act on child care legislation this year. Numerous child care bills have been introduced by Democrats and by Republicans since you announced your child care initiative earlier this year. Many of the bills incorporate the Administration's key child care priorities -- substantial new subsidies and tax credits to help low- and middle-income families pay for child care; investments to help states and communities improve the quality of early childhood programs; a new tax credit for businesses that provide child care services; and an expansion of before- and after-school programs. Further, several of the tobacco proposals (McCain, Conrad, Fazio, and Kennedy) would direct a portion of tobacco revenue to child care and early childhood programs.

Some key Members of Congress are committed to Congressional action on child care this year, including Senators Dodd, Kennedy, Kerry, Chafee and Snowe, and Representatives Kennelly, Tauscher, and DeLauro. Importantly, the bipartisan Congressional Women's Caucus, lead by Representatives Norton and Johnson, recently released a letter to Speaker

Gingrich urging that Congress pass child care legislation.

Despite the interest in child care, there are serious obstacles to enacting the Administration's proposals. First, as you know, the Senate Budget Resolution targets all tobacco funds to Medicare. While the Resolution allows for up to \$9 billion for expanded child care tax credits and \$5 billion to increase discretionary spending for the Child Care and Development Block Grant, cuts in other essential programs would be required to offset the discretionary spending increase. Second, both Houses have passed some of the Congressional resolutions emphasizing that any child care proposal must include significant new funding for stay-at-home parents, thereby pitting child care investments against programs and tax cuts that would help parents who stay home care for their children. Finally, the Republican leadership is stalling child care legislation for political reasons. The House Ways and Means Committee has not scheduled any hearings on child care, and Senator Chafee was only recently able to schedule a child care hearing before his Finance Subcommittee (which was held today).

Release of Final Report of Treasury Working Group on Child Care

Investing in Child Care is the final report of the Treasury Working Group on Child Care, which you had asked Secretary Rubin to lead at the White House Conference on Child Care. This initiative has garnered significant enthusiasm from the children's advocacy community, as it represents the first time a Treasury Secretary has focused on child care issues. The report discusses what businesses can do to promote access to affordable, high quality child care for their employees, highlights a wide range of best practices, and presents evidence that investing in child care makes good business sense. Child care problems can reduce productivity and profits -- recognizing this, businesses support child care programs. The Working Group report finds that businesses benefit from providing child care assistance in a variety of ways -- through improved productivity, lower turnover, better recruitment, reduced absenteeism, and improved morale. The report also notes that while business sector commitment is important, it cannot solve the existing child care problem alone. A recent study found that *only one percent* of revenues for child care and early education came from the private sector. [Stoney and Greenberg, 1996]

The Treasury Working Group will meet with the First Lady and Erskine Bowles before this event. The Working Group consists of business and labor leaders, and includes Sandy Weill, CEO, The Travelers Group; Randy Tobias, President, Eli Lilly; John Sweeney, President, AFL-CIO; Doug Price, CEO, First Bank of Colorado; George Stinson, President and CEO, General Converters and Assemblers; and Marcy Whitebook, National Co-Director, Center for the Child Care Workforce. (Please note that the group was not subject to the Federal Advisory Committee Act and therefore *will not* make recommendations.)

Release of Labor Department Report and Announcement of New Commitment

The Labor Department report that will be released at the event, *Meeting the Needs of Today's Workforce: Child Care Best Practices*, highlights best practices of the corporate sector to offer child care assistance to their workers. The examples are primarily gleaned from the Labor Department's Honor Roll of companies with model family-friendly workplace practices. You will also announce a new commitment by the Department of Labor to reach out to 1,000 new companies by this time next year, to serve as a clearinghouse for businesses interested in child care, and to set up a business-to-business

mentoring program on child care.

Take Our Daughters to Work Day

April 23rd is the sixth annual Take Our Daughters to Work Day. The Ms. Foundation for Women began the program in 1993 to address issues facing adolescent girls aged nine to fifteen. The program gives girls the opportunity to visit a work setting with a parent or friend so they can see all of the different jobs women do. Many guests at this event will have their daughters with them.

III. PARTICIPANTS

- The First Lady
- Secretary Herman
- Secretary Shalala
- Randy Tobias, CEO, Eli Lilly and Co.

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU will briefly meet the members of the Treasury Working Group and advisory committee in the Oval Office.**
- **YOU will be announced into the Rose Garden accompanied by the First Lady, Secretary Shalala, Secretary Herman, and Randy Tobias.**
- **The First Lady will make welcoming remarks and introduce Secretary Herman.**
- **Secretary Shalala will make remarks and introduce Secretary Herman.**
- **Secretary Herman will make remarks and introduce Randy Tobias.**
- **Randy Tobias will make remarks and introduce YOU.**
- **YOU will make remarks and then depart.**

VI. REMARKS

Remarks provided by Speechwriting.

TREASURY CHILD CARE WORKING GROUP MEETING PARTICIPANTS

Erskine Bowles

Michael Froman, Department of Treasury Acting Chief of Staff (Secretary Rubin is unable to attend due to his wife's surgery.)

Working Group

Doug Price, CEO, FirstBank of Colorado, Denver, CO

FirstBank of Colorado is the lead bank of the 24 subsidiary banks of FirstBank Holding Company of Colorado, the state's largest locally owned bank. Mr. Price is chairman of the Colorado Business Commission on Child Care Financing, a group appointed by Governor Roy Romer to examine the needs of working parents and their children. FirstBank of Colorado established a reduced hours program in 1989 to provide workers the flexibility to both maintain a career and raise a family.

George Stinson, President & CEO, General Converters & Assemblers, Racine, Wisconsin

For the past 24 years, Mr. Stinson has been the Chairman and President of General Converters and Assemblers, Inc., a 200-person manufacturing company that makes disinfectant tablets and pallets. Mr. Stinson is presently the president of the Racine branch of the NAACP, the CEO of the Southeastern Wisconsin Private Industry Council and Chairman of the Racine County Economic Corporation. Mr. Stinson is an example of a small business leader who is working with other local companies to investigate ways to address child care issues.

AFL-CIO Executive Vice President Linda Chavez-Thompson (Substituting for John J. Sweeney, President, AFL-CIO)

Ms. Thompson was elected Executive Vice-President in 1995. Ms. Chavez-Thompson has thirty years experience in the labor movement. She rose from the organizing ranks of her union, the American Federation of State, County and Municipal Employees, to become the first person of color elected to an executive office of the AFL-CIO. She is the highest ranking woman in the labor movement.

Randall Tobias, Chairman & CEO, Eli Lilly and Co., Indianapolis, IN

Mr. Tobias is Chairman of the Board and Chief Executive Officer of Eli Lilly and Company which develops, manufactures and markets pharmaceuticals and animal products. Mr. Tobias is also on the board of the Phillips Petroleum Company, Kimberly-Clark Corporation, and Knight-Ridder, Inc. In 1996 he was named 1996 CEO Family Champion of the Year by Working Mother Magazine. Eli Lilly is working with state government, other Indiana companies, and the Purdue University Center for Families in a public-private partnership to address the need for sick child care throughout the state.

Sanford Weill, CEO, Travelers Insurance, New York, N.Y.

Mr. Weill is Chairman and Chief Executive Office of Travelers Group, the diversified financial services company. Mr. Weill has a long history of involvement in many aspects of child care which he has acted on in each of his assignments as CEO of American Express, Commercial Credit, Primerica and at his current position at Travelers. Salomon Smith Barney, a Travelers Group subsidiary, offers employees a choice of alternate work arrangements, including flextime,

job sharing, and telecommuting. The purpose is to retain employees by helping them balance work and personal life.

Marcy Whitebook, National Co-Director, National Center for Early Childhood Work Force, San Francisco, CA

The National Center for Early Childhood Work Force works to improve the quality of child care by upgrading the training and compensation of child care teachers and family child care providers. Dr. Whitebook, founding Executive Director of the Center, serves as the organization's Co-Director. She was the Project Director for the *National Child Care Staffing Study*, *NAEYC Accreditation as a Strategy for Improving Child Care Quality and Salary Improvements in Head Start: Lessons for the Early Care and Education Field*.

Advisors

Ellen Galinsky, President, Families & Work Institute, New York, N.Y.

The Families and Work Institute is a non-profit research and planning organization committed to developing new approaches for balancing the changing needs of America's families with the continuing need for workplace productivity. Before founding the Institute, Ms. Galinsky has been an advisor to the U.S. Department of Education on business and family involvement in education and to the U.S. Department of Labor. The Institute conducted the new survey that is highlighted in the report.

J.T. (Ted) Childs, Jr., Vice President of Global Diversity, IBM Corporation, North Tarrytown, NY

Mr. Childs has worldwide responsibility for IBM Corporation's workforce diversity programs and policies. In 1989, he was appointed by New York Governor Mario Cuomo to the Governor's Advisory Council on Child Care. He is a member of the American Business Collaboration (ABC) of Quality Dependent Care Board of Champions. The ABC is the largest and most comprehensive private sector initiative specifically designed to improve the quality and expand the supply of dependent care. IBM joined with PepsiCo to develop one of the first child care centers in northern Westchester County to serve infants, toddlers, and preschoolers in the same setting.

Dee Topol, Former President, Travelers Foundation

Ms. Topol was the President of the Travelers Foundation and directed the company's philanthropic program and foundation activity. She is chair of the Board of the Families and Work Institute; a member of New York State Permanent Interagency Council on Families and Children Advisory Board and a member of the Child Care Action Campaign.

Chris Kjeldsen, Vice President, Community and Workplace Programs, Johnson and Johnson, New Brunswick, New Jersey

In August of 1992, you took a tour of J&J's New Brunswick, N.J. headquarters J&J child development center. Mr. Kjeldsen oversees policies and programs which help Johnson & Johnson employees balance their work and family responsibilities. J&J offers child care consultation and referral through its LifeWorks program. LifeWorks helps J&J employees find and recognize quality child care, locate appropriate care for school-age children after school, plan for maternity/paternity leave and return, and prepare for adoption. J&J is opening its fifth and sixth child care centers within the next 60 days.

Faith Wohl, President, Child Care Action Campaign, New York, N.Y.

The Child Care Action Campaign (CCAC) is a national advocacy organization that works to stimulate and support the development of policies and programs that increase the availability of quality affordable child care. Prior to her joining CCAC she worked on Vice President Gore's National Performance Review. She has been Director of the U.S. General Services Administration's Office of Workplace Initiatives and worked for the DuPont, Co. for 20 years. She has been named one of America's "10 Most Admired Women Managers" by Working Woman magazine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 11:39:59.00

SUBJECT: Title IX

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

READ:UNKNOWN

TEXT:

In case we wind up playing phone tag, here's the basic story as I understand it now:

1. ED/OCR will be sending a letter to Bowling Green U., articulating a compliance standard for "substantial proportionality" in the awarding of athletic scholarships to male and female athletes. OCR's standard is that it won't seek remedial ation in cases where the \$ discrepancy (unexplained by appropriate factors) is less than 1 full scholarship.
2. OCR contends (1) that this is really no change from it past practices; (2) this might be criticized by women's groups as too soft and inconsistent with past practices, because it is less stringent than an "exact proportionality".
3. However, Eddie Correia and I, after review ED's material, believe they are actually tightening the enforcement standard. In the past, ED would accept as much as a 3% variation from exact proportionality, depending upon the circumstances. Eddie thinks ED is right on the law on this m ove, but has little doubt that this is a tightening of the standard.
4. ED is planning on applying this standard to the current school year. ED claims it notified the 25 schools of this standard verbally in November. It will ask schools found out of compliance for this current school year to award additional scholarships, retrospectively, for this school year. ED has not completed its investigations, so we do not know how many or which particular schools would be affected.
5. Eddie is trying to reach the appropriate people at Justice to get their view of the situation. We don't have their input yet.
6. At a minimum, I suspect that if ED/OCR releases these letters tomorrow as planned, the Administration will be criticized in some quarters, including in part but clearly not limited to the higher ed community, for its heavy handed approach, at least for applying the standard to this year rather than next.

This will also no doubt fuel additonal critiques, like the one in yesterday Wall Street Journal, from Jessica Gavora (a Lamar Alexander aide) about pending Title IX regulations from the Justice Department. Gavora argues that the proposed regs would now require equal participation in academic programs as well as athletic programs, thereby screwing up academic programs as well as scientific and medical research programs.

I haven't yet had a chance to get on top of the Justice regs. According to Eddie, they are a separate issue--though clearly easily linked in the press.

7. Other constituencies will presumably be pleased with OCR's action, and

concerned about any effort to weaken it.

That's why we need to talk.

**STATEMENT BY PRESIDENT WILLIAM J. CLINTON
ON THE NEW KAISER FOUNDATION REPORT
ON THE PATIENTS' BILL OF RIGHTS
April 22, 1998**

Today, the Kaiser Family Foundation released a new report that confirms our longstanding belief that the cost of the Quality Commission's patients' bill of rights I have endorsed is modest and well worth the protections it would provide. The Kaiser Report reaffirms recent estimates by the Congressional Budget Office that these protections would cost less than 1 percent (less than \$3 per family per month).

The vast majority of Americans believe that they have inadequate protections to assure high quality care in the nation's rapidly changing health care system. They worry they will not be able to see the specialists they need or get emergency care wherever and whenever a medical emergency arises. They fear they cannot talk freely with doctors and nurses about all the medical options available, not only the cheapest and that have nowhere to turn to address their concerns and grievances with their health plans. The Quality Commission's patients' bill of rights responds to these concerns by assuring these and other common sense protections. The modest premium increases projected by both Kaiser and CBO are more than worth the protections needed to renew American's confidence in their health care system.

By affirming the CBO estimates, this report closes the door on the scare tactic rhetoric opponents have used to undermine bipartisan efforts in the Congress to pass a patients' bill of rights this year. Opponents charge that these basic, common sense protections will increase premiums substantially. Today, we have new information that yet again confirms that such claims are baseless and serve only special interests rather than the real needs of Americans.

With this new information, there are no excuses left not to pass a strong bipartisan patients' bill of rights this year. I am therefore reissuing my call on the Congress to move rapidly to send me legislation that gives Americans the protections they need and deserve. I look forward to working with members on both sides of the aisle committed to this end and remain confident that we can place the needs of all Americans above the narrow interests of those who oppose a long-overdue patients' bill of rights.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 11:42:02.00

SUBJECT: 2:30pm Meeting with Commerce and Labor

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,

The following are the two issues to be resolved at this afternoon's meeting with Labor and Commerce.

1. Recruit and retain

Commerce would prefer a scheme that lists acceptable recruitment/retention practices, and requires the employer to attest to having complied with a subset of these. Thus, as long as the employer recruits (regardless of whether the employer eventually hires a qualified U.S. worker found through this recruitment), they are o.k. Labor prefers a "performance" based attestation -- one that requires that the employer's recruitment fails to turn up U.S. workers that are qualified to do the job.

2. No lay-off

Labor wants this provision to protect against an employer firing a U.S. worker in order to hire an H1B worker, but wants the burden to be on the employer to demonstrate that the U.S. worker and the H1B worker did not have substantially equivalent education and experience. Commerce's suggested language only requires that if an employer lays-off a U.S. worker, they must recruit within their company to fill the position -- something that would already be required by the recruit and retain provision. It seems that Commerce's biggest concern is not wanting the Labor Department to have too much discretion to decide whether a laid-off employee is "substantially equivalent" to an H1B employee.

We have suggested to Labor, and will suggest to Commerce, that we could leave the lay-off language as is, and limit enforcement/investigation to cases where (1) there is a complaint filed ; (2) a certain number or percentage of employees have been laid off; or (3) where the employers workforce is more than x% H1B. This would allow investigation of the bigger cases, while mostly limiting the Department's enforcement of the more routine employment decisions.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 12:09:56.00

SUBJECT: ginny apuzzo

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

TEXT:

offered to help us reach out to AIDS and gay community on needles. We should give her stuff to do. She says she's kind of a grandmother to the movement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 13:14:54.00

SUBJECT: Republicans blast Clinton on AIDS needle exchange

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

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

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

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

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

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 04/22/98
01:13 PM -----

Doug.Case @ sdsu.edu
04/22/98 01:40:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides
cc:
Subject: Republicans blast Clinton on AIDS needle exchange

07:11 PM ET 04/21/98

Republicans blast Clinton on AIDS needle exchange

WASHINGTON (Reuters) - House Speaker Newt Gingrich and other top Republicans Tuesday blasted President Clinton for endorsing needle exchange programs to prevent AIDS among drug users, even though Clinton will not allow federal funds for such programs.

``What's a little heroin or cocaine among friends,''
Gingrich said sarcastically at a news conference in which he lambasted Clinton on drugs and teen smoking. ``There's no such thing as a healthy heroin addict,''' he said.

``I am personally appalled,''' said Tom Delay of Texas, the

third-ranking Republican in the House, saying that Clinton was talking about teen smoking but basically ``throwing in the towel'' in fighting drug abuse.

``He's trying to take away cigarettes and give them needles to stick in their arms,'' said Delay.

The Republicans said that if Clinton did not reverse himself, they would push through legislation against needle exchange programs.

They cited several studies which said needle exchanges do not prevent AIDS.

Proponents of exchange programs, however, cite other studies that show they do work, and the American Medical Association and many AIDS groups favor trying the needle swap programs. AIDS activists were angry that Clinton kept the ban on federal funding while endorsing the concept at the community level.

Gingrich called for an ``omnibus'' anti-drug bill, which could include a section on teenage smoking. Leading public health advocates generally favor dealing with the two issues separately.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131) id <01IW654NSFUO002CH3@PMDF.EOP.GOV>; Wed, 22 Apr 1998 12:42:32 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131) with ESMTTP id <01IW654LZVDS001PDV@PMDF.EOP.GOV>; Wed, 22 Apr 1998 12:42:29 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.1])

by STORM.EOP.GOV (PMDF V5.1-10 #22921)

with ESMTTP id <01IW654DJDHW0024ZD@STORM.EOP.GOV>; Wed, 22 Apr 1998 12:42:18 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])

by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id JAA05579; Wed, 22 Apr 1998 09:40:46 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 13:29:01.00

SUBJECT: Bliley release of 39K documents

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

TO: Ron Klain (CN=Ron Klain/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])
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:

Here is what the grass roots types are saying about Bliley's release of the tobacco documents. As I mentioned yesterday MN is helping guide reporters through the documents.

To: Interested Parties
Re: Bliley Release of Minnesota Documents

With the release of most, though not all, of the 39,000 documents today in a fashion designed to be least accessible and least usable to the reader, including members of the media and the public, Congressman Thomas Bliley appears to have sought to water down the impact that these documents will have on the tobacco industry. He appears deliberately to have denied anti-tobacco members of the House Commerce Committee an opportunity to first review the documents and develop a guide to the most important ones prior to releasing them en masse on the Internet. It was purely in Bliley's discretion to release the documents in this manner; he could have waited a few days and permitted them to be processed more effectively.

He did not wait. The result is that today reporters must struggle with the impossible, which is to -- in the space of a few hours -- process 200,000 pages of material downloaded from the Internet and report accurately and completely on them for the evening news and the morning papers. Tom Bliley and the tobacco industry know that the greatest focus on the documents will be upon their initial release. Less influential will be the incremental reporting on important documents in the coming days and weeks as they gradually are identified by members of the press.

The result is that while the documents will certainly have their effect, the damage to the tobacco industry is mitigated to the extent possible, and this can only help the tobacco lobby as it seeks to weaken tobacco control legislation now moving on Capitol Hill. At the same time, the Congressman from Philip Morris presents himself as "the new Tom Bliley" - tobacco industry antagonist, protector of children, paragon of full disclosure.

- Cliff Douglas

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Barry Toiv (TOIV_B) (WHO)

CREATION DATE/TIME:22-APR-1998 14:09:36.96

SUBJECT: GOP LEADERS DEAL PERHAPS MORTAL BLOW TO MCCAIN TOBACCO BILL

TO: Michelle Crisci (Michelle Crisci@eop@LNGTWY@EOPMRX)
READ:NOT READ

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TO: Laura Emmett (EMMETT_L) Autoforward to: Remote Address
READ:NOT READ

TO: Cathy R. Mays (MAYS_C) (OPD)
READ:22-APR-1998 17:01:19.06

TO: Cynthia A. Rice (RICE_C) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

Date: 04/22/98 Time: 11:39

TGOP leaders deal perhaps mortal blow to McCain tobacco bill

WASHINGTON (AP) Senate GOP leaders are throwing their support behind a narrowly focused bill aimed at reducing teen smoking and drug use, dimming prospects for a comprehensive national tobacco policy being offered by Sen. John McCain.

McCain's proposed \$516 billion package of taxes and tighter controls on tobacco has created major rifts among his Republican colleagues, and Assistant Majority Leader Don Nickles of Oklahoma said Tuesday he preferred putting teen smoking and anti-drug legislation together in order to get something passed this election year.

"I'm going to try to link it," Nickles said. "You don't have to have hundreds of billions of dollars switch hands to try to combat youth tobacco and drug use."

Asked by reporters whether he agreed, Senate Majority Leader Trent Lott, R-Miss., nodded.

"I put a lot of credence in the direction that Senator Nickles points," he said. "We don't have to have a great big monstrous bill to do that."

Their comments came two weeks after the tobacco industry fiercely rejected McCain's bill, which would have significantly toughened the \$368 billion settlement the industry reached in June with 40 states suing it. McCain has acknowledged that without the industry's participation, the bill was meaningless.

The White House reacted skeptically to Nickles' idea. "We already have a comprehensive drug strategy on the Hill," press secretary Mike McCurry said today. "We wish they would pass it."

GOP leaders refused to declare McCain's bill dead. But neither would they voice optimism for its chances, even though it passed the Senate Commerce Committee on a bipartisan 19-1 vote. Lott has said vast areas of dispute between and among members of both parties must be bridged and the bill passed by Memorial Day if it

has any chance this year.

McCain nonetheless arrived at the White House to push his bill during a meeting with President Clinton's chief of staff, Erskine Bowles. "He wants to see if they're really serious" about signing on to a proposal for a sweeping national tobacco policy, Lott said. McCain reported "progress" when he emerged.

"If it doesn't work out, it doesn't. But I know I have given it my best shot," McCain said earlier in the day.

McCain has said he was frustrated because Clinton has urged that the bill be made tougher but hasn't said how that could be done.

Participants at a morning meeting of senior congressional Republicans reported that several leaders said they liked the idea forwarded by House Speaker Newt Gingrich to focus on teen drug and tobacco use, rather than tackle McCain's broader bill.

That measure has drawn bitter criticism from some Republicans on several fronts, chiefly because it would raise taxes on cigarettes by \$1.10 a pack by 2003 and give the Food and Drug Administration new regulatory power over tobacco.

But McCain and other proponents of a broad national tobacco policy said a bipartisan bill was the only way to accomplish that goal and change the behavior of tobacco companies.

Gingrich, R-Ga., has said tax increases and regulatory powers any tougher than those proposed in McCain's bill would be too liberal to have much chance of House passage. Clinton said Monday he hoped Gingrich would change his mind and support the legislation.

The debate left the GOP torn over disputes on virtually every issue.

"There are a lot of egos involved in this thing," said Senate Judiciary Committee Chairman Orrin G. Hatch, R-Utah, whose own bill was shelved in favor of McCain's. "Right now, it's bad."

Already, Clinton and congressional Democrats have accused Gingrich of retreating from their tough talk of tobacco policy. They say it's no coincidence that Gingrich denounced the McCain measure only days after the tobacco industry, which has poured millions of dollars into GOP campaign coffers, walked away from it.

"They have been provided with tremendous financial support by the tobacco companies, and I don't blame them, if they want to protect them, that is what they have historically done," Senate Minority Leader Tom Daschle said on Monday.

But Republican leaders say they have given the tobacco industry the cold shoulder since documents surfaced that they believe indicate companies lied for years about hooking kids on smoking.

"The documents that they finally released strip them of any pretense of any claim of respectability," Gingrich said Tuesday of the tobacco companies. "They clearly were trying to addict 14-year-olds, and they were clearly lying to the United States Congress and the American people about their behavior."

Gingrich added that he would agree to raise cigarette prices on two conditions: that they stay below the threshold that would spur a black market on tobacco and that any money raised be offset by tax cuts on such things as health care costs.

APNP-04-22-98 1139EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 14:37:30.00

SUBJECT: Education Strategy Meeting

TO: Vicky_Stroud (Vicky_Stroud @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TEXT:

We will be having the weekly Education Strategy Meeting tomorrow, April 23, at 5:15 p.m. in Bruce Reed's office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason M. Dunn (CN=Jason M. Dunn/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 22-APR-1998 15:32:57.00

SUBJECT: RE: Privatization Follow-up Mtg.

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

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

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

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

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

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

TO: Janet Murguia (CN=Janet Murguia/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

CC: Dario J. Gomez (CN=Dario J. Gomez/OU=WHO/O=EOP @ EOP [WHO])
READ: UNKNOWN

CC: Mindy E. Myers (CN=Mindy E. Myers/OU=WHO/O=EOP @ EOP [WHO])
READ: UNKNOWN

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

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

CC: Sandra Yamin (CN=Sandra Yamin/OU=OMB/O=EOP @ EOP [OMB])
READ: UNKNOWN

CC: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
READ: UNKNOWN

CC: Phyllis Kaiser-Dark (CN=Phyllis Kaiser-Dark/OU=WHO/O=EOP @ EOP [WHO])
READ: UNKNOWN

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

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

READ:UNKNOWN

TEXT:

The folks at the AFL-CIO have narrowed down two time slots to do this meeting on Tuesday, April 28th. The meeting will last between 45 minutes to an hour. What time work best with you given the following time slots?

1-2:30 (i.e. 1-2. 1:30-2:30)
5-6, or 5:30-6:30.

Please respond as soon as you can so we can get this thing rolling.
Thanks for your patience.

Jason

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 14:49:56.00

SUBJECT: Shocked Just Shocked Dept.

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

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

TEXT:

Tuesday April 21, 4:31 pm Eastern Time

Company Press Release

SOURCE: R.J. Reynolds Tobacco Co.

RJR Does Not Market Its Products To Minors

WINSTON-SALEM, N.C., April 21 /PRNewswire/ -- In response to news stories published today, R.J. Reynolds Tobacco Co. issued the following:

The 9,700 employees of R.J. Reynolds Tobacco Company are parents, grandparents, aunts, uncles and family members who take strong exception to the claims that we market cigarettes to children.

The continued accusations by the President that we market cigarettes to children are wrong and irresponsible. As adults, we gladly accept the responsibility, in our personal and professional lives, to ensure that our children know the difference between right and wrong and do not engage in adult behavior.

We do not want children to smoke, nor do we market this adult product to minors. Our concern for the well being, care and health of children is strongly held by each of us, and we refuse to have our beliefs and actions impugned for the sake of a headline or political posturing.

We do not leave our responsibilities as parents and citizens at home when we go to work at R.J. Reynolds. We invite the President to Winston-Salem to learn for himself how we conduct our business.

SOURCE: R.J. Reynolds Tobacco Co.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 15:00:23.00

SUBJECT: Re: Meeting w/ Kennedy and Conrad

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:

Are we writing a memo for the VP?

----- Forwarded by Bruce N. Reed/OPD/EOP on 04/22/98
03:00 PM -----

Toby Donenfeld @ OVP
04/22/98 02:57:03 PM
Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc:
Subject: Re: Meeting w/ Kennedy and Conrad

Thank you for the info. Jason Goldberg just sent me an e-mail saying that he thought you and Elena were working on a briefing memo for the VP. Is that right? If it is, obviously we'd defer to your memo, if not, I'll write a very brief briefing (so to speak) and you can brief the VP in person tomorrow on any more of the details. Thanks again.

Bruce N. Reed @ EOP
04/22/98 02:51 PM
To: Toby Donenfeld/OVP
cc:
Subject: Re: Meeting w/ Kennedy and Conrad

The main point is that we want to persuade them that 1) bipartisan negotiation is better than chaos on the floor, and 2) we need to move quickly and be reasonable or we're going to blow the chance to get this done.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 16:14:20.00

SUBJECT: asap... 5pm Conrad/McCain mtg.

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:

Conrad's staff has called for help before a 5pm meeting today between McCain's and Conrad's staff. Conrad's staff would like to coordinate with us. Specifically they were asking for feedback from the our meeting with McCain yesterday, and advice on which issue they should push with McCain's staff in their meeting today.

Conrad's staff also asked for help with talking points on the following issues: bankruptcy, black markets, regressivity, constitutional concerns about ad restrictions and look-backs. They were looking for a one-pager on each of those five issues. Finally they made a more general plea for better coordination -- they are smarting from Monday when we stepped on the news they were trying to make with their hearing.

Could one of you please call Tom Mahr before 5pm (224-5473) or provide me with answer and I will pass it on. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 22-APR-1998 16:27:24.00

SUBJECT: Re: asap... 5pm Conrad/McCain mtg.

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:

I just called Tom (left voice mail). We have drafted the two pagers that he's looking for.. you two have hard copies, and need to review them to see if they're ready to go public.

Jerold R. Mande

04/22/98 04:14:46 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP
cc:
Subject: asap... 5pm Conrad/McCain mtg.

Conrad's staff has called for help before a 5pm meeting today between McCain's and Conrad's staff. Conrad's staff would like to coordinate with us. Specifically they were asking for feedback from the our meeting with McCain yesterday, and advice on which issue they should push with McCain's staff in their meeting today.

Conrad's staff also asked for help with talking points on the following issues: bankruptcy, black markets, regressivity, constitutional concerns about ad restrictions and look-backs. They were looking for a one-pager on each of those five issues. Finally they made a more general plea for better coordination -- they are smarting from Monday when we stepped on the news they were trying to make with their hearing.

Could one of you please call Tom Mahr before 5pm (224-5473) or provide me with answer and I will pass it on. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 17:21:44.00

SUBJECT: Press Plans for Monday's Tobacco Event and NYC on Tuesday

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Cynthia Dailard (CN=Cynthia Dailard/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

TOBACCO EVENT

The press office recommended giving the report to one of the morning shows so that Satcher could be on a show Monday morning. It would help w/ making the nightly news and it won't hurt print stories for Tuesday. What do you think?

(Also, we will have POTUS walk out w/ Satcher and kids to ensure a good photo of POTUS and kids at this event).

NYC EVENT UPDATE

Gene thinks the SSC numbers coming out on Tuesday will make news, but he still wants to do High Hopes as our message event in NY. So, the "decision" out of an Ann Lewis' meeting seems to be to brief education reporters on Monday for Tuesday's papers about the High Hopes news and have POTUS talk about both high hopes and SSC at a college in NYC on Tuesday.

The High Hopes news is announcing a \$50 million commitment by the Ford Foundation to High Hopes type programs throughout the country. The Ford Foundation will be funding partnerships between middle schools and colleges to mentor kids towards college. They have already given \$15 million to projects in the Newark/NYC area and the President will visit one of these model programs in Queens or Newark.

I'm not sure of the specifics of the SSC news, but b/c it is independently released Tuesday afternoon, it makes sense for POTUS to talk about it during his speech b/c it will get covered for Wednesday's papers.

So, Bruce, do you want to participate in a briefing of education reporters about High Hopes on Monday? They talked about having Ford Executives come to the White House and do a Roosevelt Room briefing? What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 17:56:19.00

SUBJECT: EEOC Federal Sector Rules

TO: Julie A. Fernandes (CN=Julie A. Fernandes/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: 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:

FYI -- Today Ellen Vargyas called to say that DOJ sent them a letter stating that they are sending to OLC the issue of whether EEOC has the authority to permit administrative judges, rather than the agencies themselves, to issue final decisions in federal sector discrimination cases. Sally Katzen had specifically brokered a deal with the agencies not to send this issue to OLC. However, DOJ was not at the meeting where the deal was brokered. This is unusual because DOJ merely sent the letter in and did not call first to discuss their concerns. Sally has put in a call to Don Arbuckle to get him to call DOJ to find out what's going on. I will keep you updated. Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ruby Shamir (CN=Ruby Shamir/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-APR-1998 18:08:34.00

SUBJECT: Women's Mtg

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

TO: Rebecca M. Blank (CN=Rebecca M. Blank/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

TO: Lucia F. Gilliland (CN=Lucia F. Gilliland/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Ellen M. Lovell (CN=Ellen M. Lovell/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: Francine P. Obermiller (CN=Francine P. Obermiller/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

CC: Noa A. Meyer (CN=Noa A. Meyer/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

CC: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Katharine Button (CN=Katharine Button/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

There will be a Women's Mtg on Thursday at 9:00am in room 100. Thanks.

April 22, 1998

Administration Position Regarding H-1B Legislation

The Administration has committed to pursuing both reforms to the H-1B visa program and increased training opportunities for U.S. workers as part of any legislation that would temporarily raise the annual cap on H-1B visas. The following represents the Administration's position on major reforms and training initiatives (with the Department of Commerce dissenting on Sections I and II).

I. Recruitment and Non-displacement of United States Workers Prior to Seeking Nonimmigrant Workers

(a) IN GENERAL -- Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended by inserting at the end the following new subparagraph:

(E)(I) The employer, prior to filing the application, has taken good faith, timely and significant steps to recruit and retain sufficient U.S. workers in the specialty occupation in which the non-immigrant whose services are being sought will be employed. Good faith recruitment shall be defined as:

- (a) That the employer took at least two of the following actions in a manner reasonably designed to attract U.S. workers:
 - (i) widespread advertising of all job openings (e.g., through America's Job Bank, the Internet, general circulation publications, professional journals and magazines);
 - (ii) participation in job fairs;
 - (iii) provided meaningful monetary incentives (such as paying above the prevailing wage or paying bonuses and training subsidies not included in the base compensation package).
- (b) That the employer has taken good faith steps designed to retain U.S. workers, such as operating an employer-financed training program at the employer's facility or financing (or otherwise providing for) a training program elsewhere which provides the means for its employees to enhance their skills to meet the needs of the employer.
- (c) The employer did not receive applications from any qualified U.S. worker or failed to offer employment to any U.S. worker who is comparably qualified to the temporary foreign worker offered employment.

(E)(II) The recruitment requirements of this subparagraph shall not apply to aliens with extraordinary ability, aliens who are outstanding professors and researchers, and certain multinational executives and managers described in section 203(b)(1).

Automated Records Management System
Hex-Dump Conversion

The recruitment requirements of this subparagraph shall also not apply to a scientist, mathematician, or engineer who has attained at least a master's degree or its equivalent in a scientific discipline, and who is coming temporarily to the United States to participate in a cooperative joint scientific activity carried out under an Agreement between the Federal Government and the alien's Government.

(F)(I) The employer --

- (a) has not, within the 90-day period prior to the filing of the application, laid off or otherwise displaced any United States worker (as defined in subparagraph (B)), including a worker obtained by contract, employee leasing, temporary help agreement, or other similar basis, who has substantially equivalent qualifications and experience in the specialty occupation in which the nonimmigrant is intended to be (or is) employed; and
- (b) will not lay off or otherwise knowingly displace, during the 90-day period following the filing of the application, or during the 90-day period immediately preceding and following the filing of any visa petition supported by the application, any United States worker, including any worker obtained by contract, employee leasing, temporary help agreement, or other similar basis who has substantially equivalent qualifications and experience in the specialty occupation in which the nonimmigrant is intended to be (or is) employed.

(F)(II) For purposes of this subparagraph, the term "laid off," with respect to an employee, means the employee's loss of employment, other than a discharge for cause or a voluntary departure or voluntary retirement. The term "laid off" does not apply to any case in which employment is relocated to a different geographic area and the affected employee is offered a chance to move to the new location with the same wages and benefits, but elects not to move to the new location.

(G) The employer offered compensation as required by subparagraph (A).

(b) For purposes of this subsection, the term "United States worker" means --

- (I) a citizen or national of the United States
- (II) an alien lawfully admitted to the United States for permanent residence; or
- (III) an alien authorized to be employed by this Act or by the Attorney General.

II. Wage Comparability

Section 212(n)(1)(A)(I) of such Act is amended by inserting "(including the value of benefits and additional compensation)" after "wages." Section 212(n)(1)(A)(I)(I) is amended by inserting

“(including the value of benefits and additional compensation)” after “actual wage level.”

III. Job Contractors

In the case of an employer that is a job contractor (within the meaning of regulations promulgated by the Secretary of Labor to carry out this subsection), the contractor will not place any H-1B employee with another employer unless such other employer has executed an attestation that the employer is complying and will continue to comply with the requirements of this paragraph in the same manner as they apply to the job contractor.

IV. Enforcement

(a) Independent Authority to Investigate

Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended

--

(I) in paragraph (2)(A), by striking the first sentence and inserting the following:

“The Secretary shall conduct investigations pursuant to a complaint or, where there is no complaint, where the Secretary has reasonable cause to believe that:

- (a) there is a pattern or practice of complaints by U.S. workers against the employer;
- (b) an employer has filed H-1B applications for more than 50 temporary foreign workers;
- (c) an employer is seeking to employ H-1B workers as more than 10% of its U.S. workforce; or
- (d) an employer has laid off or otherwise displaced more than 50 workers in any one year period (or has announced the intent to make such a lay-off).

The Secretary shall establish a process for the receipt, investigation, and disposition of complaints or other cases of noncompliance with this section.”

(II) in paragraph (2)(C), by inserting “, or that the employer failed to cooperate in the conduct of the Secretary’s investigation or has intimidated, discharged, or otherwise discriminated against any person because that person has asserted a right or has cooperated in an investigation under this paragraph” after “a material fact in an application.”

(III) in paragraph (2), by adding at the end the following new subparagraph:

“(E) The Secretary may issue subpoenas requiring the attendance and testimony of witnesses or the production of any records, books, papers, or documents in connection with any investigation or hearing, conducted under this paragraph. In conducting a hearing, the Secretary may administer oaths, examine witnesses, and receive evidence. For the purpose of any hearing or investigation provided for in this paragraph, the authority contained in sections 9 and 10 of the Federal Trade Commission Act (15 U.S.C. 49 and 50), relating to the attendance of witnesses and the production of books, papers, and documents, shall apply.”

V. Sanctions

Section 212(n)(2)(C) is amended to read:

“If the Secretary finds, after notice and opportunity for a hearing, a failure to meet a condition of paragraph (1)(B); or substantial failure to meet a condition of paragraphs (1)(C) or (1)(D); a willful failure to meet a condition of paragraph (1)(A); or a violation(s) of paragraphs (1)(E) or (1)(F) that is willful, or reflects a pattern or practice of violations, or is a violation that affects multiple applicants, employees, or former employees; or a mis-representation of a material fact in an application —

- (i) the Secretary shall notify the Attorney General of such finding and may, in addition, impose such other administrative remedies (including civil monetary penalties in an amount not to exceed \$5,000 per violation) as the Secretary determines to be appropriate,”

VI. Application Fee

(3)(A) The Secretary of Labor shall require payment of a fee by the employer for each position for which an application is filed under this subsection. The fee shall be in an amount prescribed by the Secretary of Labor, and shall be paid to the Department of Labor. . . .

- (ii) **During the period ending September 30, 2001, such a fee shall not exceed \$250 for each position.**

...

- (v) **It shall be unlawful for an employer to require, as a condition of employment by such employer, that the fee prescribed under this paragraph or any part of the fee, be paid directly or indirectly by the alien whose services are being sought.**
- (vi) **Any person or entity that is determined, after notice and opportunity for an administrative hearing, to have violated clause (v) shall be subject to a civil**

penalty of \$5,000 for each violation, to an administrative order requiring the payment of any fee described in this paragraph, and the disqualification for 1 year from petitioning for foreign skilled temporary workers under this subsection.

- (vii) Any amount determined to have been paid, directly or indirectly, toward the filing fee described in paragraph (3)(A) by the alien whose services were sought, shall be repaid from the fund to such alien.**

VII. Training

The Administration strongly supports the creation of Regional Skills Alliances and expansion of the National Science Foundation (NSF)'s advanced technical education programs. The Administration does not support providing scholarships or loans to individuals, including the expansion of the State Student Incentive Grant (SSIG) program.

VIII. New Visa Category Proposal

A new program (H-1C) that creates temporary visas for use only by non-immigrants with very high skill levels. In particular:

- **The program would be authorized for four years beginning in FY1998.**
- **There would be a maximum of 25,000 visas for FY1998, FY1999, and FY2000, and a maximum of 15,000 visas for FY2001.**
- **Only employers whose number of H-1B and "H-1C" employees in the prior year constitutes no greater than one-half of their U.S. based workforce are eligible to apply.**
- **Only individuals with a minimum of a master's degree (or equivalent) in math, science, or engineering are eligible for an "H-1C" visa.**
- **Requires a \$500 fee for each position for which an application is filed for training, enforcement, and administration of the program.**
- **The "H-1C" visas would be issued for a 3-year period, and renewable for an additional 3 years.**
- **All of the requirements of the "H-1C" visa program would be the same as would exist under the reformed H-1B program.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Minyon Moore (CN=Minyon Moore/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-APR-1998 19:52:43.00

SUBJECT: Feedback from the Caucuses on Needle Exchange

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

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

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

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

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

TEXT:

There appears to be a press conference in the works for Friday by the CBC on this issue.

I will provide more details as they come in. As anyone other than myself been in touch with them to help articulate our position?

----- Forwarded by Minyon Moore/WHO/EOP on 04/22/98 07:51 PM -----

Maria Echaveste

04/21/98 06:16:28 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Richard Socarides/WHO/EOP
cc: Janet Murguia/WHO/EOP, Minyon Moore/WHO/EOP, Sylvia M. Mathews/WHO/EOP, Sandra Thurman/OPD/EOP
Subject: Feedback from the Caucuses on Needle Exchange

I spoke with Becerra on this issue--he said he spoke with Shalala yesterday and indicated to her that he was glad that the science had been affirmed but where was the money? He did say that while he hadn't really heard from members, he didn't anticipate a Caucus statement or press conference saying that some of the members were conservative and not in favor of the needle exchange program. He did suggest that matching localities with private sources of funding would be a good thing. Below is Minyon's note re her conversation with Waters.

----- Forwarded by Maria Echaveste/WHO/EOP on 04/21/98 06:13 PM -----

Minyon Moore
04/21/98 05:41:37 PM
Record Type: Record

To: Maria Echaveste/WHO/EOP
cc: Janet Murguia/WHO/EOP, Richard Socarides/WHO/EOP, Sylvia M. Mathews/WHO/EOP, Robert B. Johnson/WHO/EOP
Subject: Needle Exchange Q&A's- note correction!

As a follow-up to your call, I spoke with Maxine. They haven't taken an official position on the Administrations announcement, but anticipate meeting late tonight or tomorrow to discuss their response. She indicated that she has rec'd pressure from many members re: federal funding and the impact on minority communities. She further stated she wanted to have a longer discussion with Charles Rangel. She indicated that more than likely they will issue a press statement or do a press conference once consensus has been met. Asked if I wanted a heads up (response why course).

Maria she and Becerra will be talking.

----- Forwarded by Minyon Moore/WHO/EOP on 04/21/98 05:23 PM -----

Maria Echaveste
04/21/98 04:00:31 PM
Record Type: Record

To: Minyon Moore/WHO/EOP
cc:
Subject: Needle Exchange Q&A's- note correction!

fyi

----- Forwarded by Maria Echaveste/WHO/EOP on 04/21/98 04:05 PM -----

Laura Emmett
04/21/98 01:22:02 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Sarah A. Bianchi/OPD/EOP
Subject: Needle Exchange Q&A's- note correction!

Note the correction is the answer to the first question:

Because the science is now there to make these findings. We already knew that needle exchange programs can help reduce the rate of HIV transmissions, and yesterday, the Secretary made clear that the scientists, including all the respected leadership within the National Institutes of Health, have concluded that these programs do not increase drug use.

Needle Exchange Q&As
April 21, 1998

Q: Why did the Administration choose to issue the findings that needle exchange programs reduce HIV transmission and does not increase drug use yesterday?

A: Because the science is now there to make these findings. We already knew that needle exchange programs can help reduce the rate of HIV transmissions, and yesterday, the Secretary made clear that the scientists, including all the respected leadership within the National Institutes of Health, have concluded that these programs do not increase drug use. Communities around the country, who are making their own decisions on this issue, should know that appropriately designed needle exchange programs reduce HIV transmission and do not encourage illegal drug use.

Q: If the science concludes that needle exchange programs reduce the transmission of HIV and do not increase drug use, why aren't you releasing federal funds for needle exchange programs?

A: We have always said that communities should make their own decisions on this issue, based on their own circumstances and using the best available scientific information. Releasing federal funding for needle exchange would have inappropriately shifted the focus away from communities -- where these decisions should be made -- to the national level. That could have severely undermined or threatened local programs that are currently in place, and hindered additional communities from deciding to put these programs into place. At the same time, such federal action could send an inappropriate message about the acceptability of drug use -- a message that is not sent when an individual community decides, on the basis of its unique circumstances, that a particular, carefully designed needle exchange program advances public health interests. For these reasons, the Administration concluded that it should simply give the scientific guidance that is necessary for communities to make their own decisions, rather than federalize the needle exchange issue.

Background:

Congress gave the Secretary of Health and Human Services the responsibility to make two determinations: whether the scientific research findings conclude that needle exchange programs reduce HIV transmission and whether they increase drug use. In 1997, the Secretary made a determination that needle exchange

programs do reduce the transmission of HIV. Yesterday, the Secretary held a meeting with her senior scientific advisors, including Nobel Laureate and head of the National Institutes of Health, Dr. Harold Varmus. These scientists agreed that the science-based standards have been met with regard to drug use as well.

Q: Isn't it hypocritical to say that needle exchange saves lives, but that the federal government will not pay for needle exchange programs?

A: No. In making her announcement yesterday, the Secretary informed local communities that under certain conditions, needle exchange programs can reduce HIV transmission and not encourage drug use. The decision as to whether to adopt such programs is up to these communities, based on their own unique circumstances. The Administration did not want to imperil local decision making by bringing needle exchange up to the national level. Neither did the Administration want to take the risk that federalizing needle exchange would send a mixed message about drug use.

Q: Won't this send a message to young people that drugs -- especially injectable drugs like heroin -- are ok?

A: Absolutely not. Injectable drug use is illegal, unhealthy and wrong. It is clearly a major health problem as well as a significant law enforcement concern. That is why this Administration has consistently sent a unified message to all Americans, particularly young people: Drugs put your future at risk; they can kill you; and they can infect you with HIV. And that is part of the reason why the Administration will not release federal funding for needle exchange. National action could send a mixed message on drug use that individual local actions, based on and responding to particular circumstances, will not.

Of course, this Administration has an extremely strong record on fighting drugs. We have increased the availability of drug treatment. We have worked in partnership with communities to fight drugs in and around schools. We have worked with state and local governments to put 100,000 more police officers on the streets, and we have doubled the number of border guards. We will continue to fight drug use in this country and to offer drug treatment to those who are addicted so that they stop using drugs.

Q: Wasn't the decision not to federally fund needle exchange programs based on political considerations?

A: The decision was based on a belief that communities should decide for themselves whether to adopt needle exchange programs, based on their own local

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circumstances and the best scientific evidence possible. We did fear that federalizing needle exchange would imperil such local decision making, by igniting a congressional battle on the subject. To that extent, the Administration's decision took into account political realities. But first and foremost, the decision resulted from a commitment to real, locally-based decision making on this subject.

Q: Isn't the Administration decision essentially an attempt to reach a compromise that both Secretary Shalala and General McCaffrey can sign on to?

A: No. Of course both the General and the Secretary support the Administration's decision. But that decision was a result of (1) scientific evidence about needle exchange and (2) a belief that needle exchange should be a local, community-based decision.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 20:21:15.00

SUBJECT: A Few Decisions re: Surgeon General's Event

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])

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

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

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CC: Cynthia Dailard (CN=Cynthia Dailard/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here are a few things I'd like your feedback on:

1. Invitees: We have room for lots of guests. We're currently planning to have about half minority health folks and about half general tobacco/public types. Should we invite Koop and Kessler? Also, fyi, by the time I got back to DuVal, he's already invited AGs -- not sure if any are coming.
2. Kids: We plan to have kids walk out with the President, and sit on stage and/or in cutaway. The suggestion is half white, and half minority (of all four types) -- does that sound right?
3. Speeches: Planned program is VP, Shalala, Satcher, POTUS. Thus, we need to coordinate messages. How about --
 - VP: Highlight Administration's track record and/or individual heroes in audience that have worked to reduce minority tobacco use
 - Shalala: Key role of Surgeon General's reports on tobacco, starting with 1964 report
 - Satcher: Why tobacco is a public health problem
 - POTUS: Highlight stats showing minority youth smoking on the rise, push for comprehensive legislation
4. Leak: Shall we leak to the Today show and get Satcher on? Not sure there's much to leak (maybe the chart -- see below)
5. Chart: I've got HHS working on a chart we could use, showing the increase in minority youth smoking by group -- Ann Lewis had the idea of having a colorful, camera-friendly chart.
6. Brief: Do you, Satcher and Shalala want to meet with the Press afterwards?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-APR-1998 20:46:50.00

SUBJECT: OMB Legislative Report -- April 22, 1998

TO: Dianne M. Wells (CN=Dianne M. Wells/OU=OMB/O=EOP@EOP [OMB])
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TO: Francis S. Redburn (CN=Francis S. Redburn/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: OLIVER_A@A1 (OLIVER_A@A1 @ CD @ LNGTWY [UNKNOWN]) (OMB)
READ:UNKNOWN

TO: LEVIN_P@A1 (LEVIN_P@A1 @ CD @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

TO: MCKIERNAN_K@A1 (MCKIERNAN_K@A1 @ CD @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

TO: Annette E. Rooney (CN=Annette E. Rooney/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: BROWN_JA@A1 (BROWN_JA@A1 @ CD @ LNGTWY [UNKNOWN]) (OMB)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TEXT:

TO: DIRECTOR FRANK RAINES
DEPUTY DIRECTOR JACK LEW
DEP. DIRECTOR FOR MANAGEMENT ED DESEVE
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: APRIL 22, 1998

SUBJECT: LEGISLATIVE REPORT

Tomorrow, Gingrich, Lott, Stevens and Livingston are meeting at 10am to discuss how to proceed on the Bosnia/Iraq/Disaster Supplemental. Today's House Republican Conference meeting was postponed until Thursday.

The ISTEPA conference had its opening meeting today. Shuster, who is chairing the conference, said he was encouraged that the President did not mention "veto" during his statement yesterday. Domenici spoke for several minutes reminding everyone of the statutory spending caps, and emphasizing that the levels of spending in this legislation will require offsetting reductions in other appropriated accounts, or will trigger a sequester. Stevens said he takes Domenici's budget concerns very seriously and noted that although he is on the conference representing Commerce, there are nine Senate appropriators on the conference committee. Stevens also said he hopes the conference can complete its work by May 1 so it won't be necessary to add a short-term extension to the Supplemental; although Phil Gramm responded to Stevens that he would not support a temporary extension and believes that Byrd would also not support such an extension. The conference will reconvene on Friday, 4/24, at 10am at Senate EPW.

The Senate Government Affairs Committee held a hearing on the nominations of Ed DeSeve to be Deputy Director for Management and for Dee Lee to be the Administrator for the Office of Federal Procurement Policy. The hearing was very brief, just over an hour. No contentious issues were raised. Chairman Thompson announced his intent to move quickly on the nominations.

Also today, the House Ways and Means Committee approved a bill to establish a commission to study social security financing with a report in February, 1999.

Tomorrow, CBO will be providing revised revenue projections to the Budget Committee.

CONGRESS -- TODAY:

SENATE:

Continued consideration of HR 2646, the Coverdell Education Savings Account Bill. [POTUS Letter sent, 4/20: Support Moseley-Braun amendment, veto threat on expanded education IRAs; Riley & Rubin/Riley letter 4/21: Secretary veto threat on block grants and IDEA amendments] During

today's action on the bill, the Senate:

- Adopted (50-49) the Gorton amendment on block grants;
- Adopted (99-0) the Hutchinson amendment on classroom money;
- Failed (49-50) the Murray amendment on class size; and
- Adopted (52-47) the Ashcroft 2nd degree amendment on National testing, to the Levin 1st degree amendment on lifetime learning credit (which is still pending).

HOUSE:

Rejected (238-186, 2/3rds not having voted in the affirmative) H.J.Res 111
 -- Tax Limitation Constitutional Amendment
 [SAP sent, 4/21: Administration strongly opposes]

Approved (voice) H.R. 3164 -- Hydrographic Services Improvement Act of 1998
 [SAP sent, 4/22; Commerce letter sent, 3/10: Support and seek amendments]

The House pulled from consideration H.R. 512 -- New Wildlife Refuge Authorization Act
 [Rules SAP sent, 4/21: Interior Secretary recommends veto]

CONGRESS TOMORROW (4/23) & FRIDAY (4/24)

SENATE:

Convene at 9:30am to resume consideration of HR 2646, the Coverdell Education Savings Account Bill. [POTUS Letter sent, 4/20: Support Moseley-Braun amendment, veto threat on expanded education IRAs; Riley & Rubin/Riley letter 4/21: Secretary veto threat on block grants and IDEA amendments]

Rollcall votes expected on the following amendments:

- Coats--Increase charitable deductions
- Kempthorne (2nd degree)--Student improvement incentive grant
- Landrieu--Blue ribbon schools

Under the unanimous consent agreement, the following additional first degree amendments to Coverdell could still be taken up:

- Bingaman--Drop out prevention
- Boxer--After school program
- Bumpers--Increase funds for IDEA
- Conrad--Education IRA income limits
- Dodd--Special education
- Gregg--IDEA flexibility
- Wellstone--Education as work for TANF

On Thursday, the Senate plans to turn to the consideration of the State Department Authorization Conference Report; followed by the NATO expansion bill, which will carryover into next week.

HOUSE:

Convene at 10:00am on Thursday and Friday for legislative business.

Consider H.R. 1252 -- Judicial Reform Act
 [Rules SAP sent, 4/22 : Attorney General recommends veto]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Janet Murguia (CN=Janet Murguia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-APR-1998 23:18:02.00

SUBJECT: Feedback from the Caucuses on Needle Exchange

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

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

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

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

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

CC: Broderick Johnson (CN=Broderick Johnson/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: Charles M. Brain (CN=Charles M. Brain/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

Mindy E. Myers (CN=Mindy E. Myers/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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

TEXT:

White House Legislative Affairs and HHS Legislative Affairs will do a conf. call tomorrow to discuss both the needle-exchange outreach efforts and the tobacco minority health statistics roll out plan. Mindy my assistant is setting this up for early afternoon. If you are interested in joining let me or Mindy know. Thanks.

----- Forwarded by Janet Murguia/WHO/EOP on 04/22/98
10:01 PM -----

Minyon Moore
04/22/98 07:50:37 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Feedback from the Caucuses on Needle Exchange

There appears to be a press conference in the works for Friday by the CBC on this issue.

I will provide more details as they come in. As anyone other than myself been in touch with them to help articulate our position?

----- Forwarded by Minyon Moore/WHO/EOP on 04/22/98 07:51 PM -----

Maria Echaveste
04/21/98 06:16:28 PM
Record Type: Record

To: Elena Kagan/OPD/EOP, Richard Socarides/WHO/EOP
cc: Janet Murguia/WHO/EOP, Minyon Moore/WHO/EOP, Sylvia M. Mathews/WHO/EOP, Sandra Thurman/OPD/EOP
Subject: Feedback from the Caucuses on Needle Exchange

I spoke with Becerra on this issue--he said he spoke with Shalala yesterday and indicated to her that he was glad that the science had been affirmed but where was the money? He did say that while he hadn't really heard from members, he didn't anticipate a Caucus statement or press conference saying that some of the members were conservative and not in favor of the needle exchange program. He did suggest that matching localities with private sources of funding would be a good thing. Below is Minyon's note re her conversation with Waters.

----- Forwarded by Maria Echaveste/WHO/EOP on 04/21/98 06:13 PM -----

Minyon Moore
04/21/98 05:41:37 PM
Record Type: Record

To: Maria Echaveste/WHO/EOP
cc: Janet Murguia/WHO/EOP, Richard Socarides/WHO/EOP, Sylvia M. Mathews/WHO/EOP, Robert B. Johnson/WHO/EOP
Subject: Needle Exchange Q&A's- note correction!

As a follow-up to your call, I spoke with Maxine. They haven't taken an official position on the Administrations announcement, but anticipate meeting late tonight or tomorrow to discuss their response. She indicated that she has rec'd pressure from many members re: federal funding and the impact on minority communities. She further stated she wanted to have a longer discussion with Charles Rangel. She indicated that more than likely they will issue a press statement or do a press conference once consensus has been met. Asked if I wanted a heads up (response why course).

Maria she and Becerra will be talking.

----- Forwarded by Minyon Moore/WHO/EOP on 04/21/98 05:23
PM -----

Maria Echaveste
04/21/98 04:00:31 PM
Record Type: Record

To: Minyon Moore/WHO/EOP
cc:
Subject: Needle Exchange Q&A's- note correction!

fyi

----- Forwarded by Maria Echaveste/WHO/EOP on 04/21/98
04:05 PM -----

Laura Emmett
04/21/98 01:22:02 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Sarah A. Bianchi/OPD/EOP
Subject: Needle Exchange Q&A's- note correction!

Note the correction is the answer to the first question:

Because the science is now there to make these findings. We already knew that needle exchange programs can help reduce the rate of HIV transmissions, and yesterday, the Secretary made clear that the scientists, including all the respected leadership within the National Institutes of Health, have concluded that these programs do not increase drug use.

Message Sent

To: _____
Barry J. Toiv/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Amy W. Tobe/WHO/EOP
Darby E. Stott/WHO/EOP
Lori L. Anderson/WHO/EOP
Joshua Silverman/WHO/EOP
Nanda Chitre/WHO/EOP
Elizabeth R. Newman/WHO/EOP
Maria Echaveste/WHO/EOP
Mickey Ibarra/WHO/EOP
Richard Socarides/WHO/EOP
Sara M. Latham/WHO/EOP
Marjorie Tarmey/WHO/EOP
June G. Turner/WHO/EOP
Andrew J. Mayock/WHO/EOP
Dawn L. Smalls/WHO/EOP
Michelle Crisci/WHO/EOP

Needle Exchange Q&As
April 21, 1998

Q: Why did the Administration choose to issue the findings that needle exchange programs reduce HIV transmission and does not increase drug use yesterday?

A: Because the science is now there to make these findings. We already knew that needle exchange programs can help reduce the rate of HIV transmissions, and yesterday, the Secretary made clear that the scientists, including all the respected leadership within the National Institutes of Health, have concluded that these programs do not increase drug use. Communities around the country, who are making their own decisions on this issue, should know that appropriately designed needle exchange programs reduce HIV transmission and do not encourage illegal drug use.

Q: If the science concludes that needle exchange programs reduce the transmission of HIV and do not increase drug use, why aren't you releasing federal funds for needle exchange programs?

A: We have always said that communities should make their own decisions on this issue, based on their own circumstances and using the best available scientific information. Releasing federal funding for needle exchange would have inappropriately shifted the focus away from communities -- where these decisions should be made -- to the national level. That could have severely undermined or threatened local programs that are currently in place, and hindered additional communities from deciding to put these programs into place. At the same time, such federal action could send an inappropriate message about the acceptability of drug use -- a message that is not sent when an individual community decides, on the basis of its unique circumstances, that a particular, carefully designed needle exchange program advances public health interests. For these reasons, the Administration concluded that it should simply give the scientific guidance that is necessary for communities to make their own decisions, rather than federalize the needle exchange issue.

Background:

Congress gave the Secretary of Health and Human Services the responsibility to make two determinations: whether the scientific research findings conclude that needle exchange programs reduce HIV transmission and whether they increase drug use. In 1997, the Secretary made a determination that needle exchange

Automated Records Management System
Hex-Dump Conversion

programs do reduce the transmission of HIV. Yesterday, the Secretary held a meeting with her senior scientific advisors, including Nobel Laureate and head of the National Institutes of Health, Dr. Harold Varmus. These scientists agreed that the science-based standards have been met with regard to drug use as well.

Q: Isn't it hypocritical to say that needle exchange saves lives, but that the federal government will not pay for needle exchange programs?

A: No. In making her announcement yesterday, the Secretary informed local communities that under certain conditions, needle exchange programs can reduce HIV transmission and not encourage drug use. The decision as to whether to adopt such programs is up to these communities, based on their own unique circumstances. The Administration did not want to imperil local decision making by bringing needle exchange up to the national level. Neither did the Administration want to take the risk that federalizing needle exchange would send a mixed message about drug use.

Q: Won't this send a message to young people that drugs -- especially injectable drugs like heroin -- are ok?

A: Absolutely not. Injectable drug use is illegal, unhealthy and wrong. It is clearly a major health problem as well as a significant law enforcement concern. That is why this Administration has consistently sent a unified message to all Americans, particularly young people: Drugs put your future at risk; they can kill you; and they can infect you with HIV. And that is part of the reason why the Administration will not release federal funding for needle exchange. National action could send a mixed message on drug use that individual local actions, based on and responding to particular circumstances, will not.

Of course, this Administration has an extremely strong record on fighting drugs. We have increased the availability of drug treatment. We have worked in partnership with communities to fight drugs in and around schools. We have worked with state and local governments to put 100,000 more police officers on the streets, and we have doubled the number of border guards. We will continue to fight drug use in this country and to offer drug treatment to those who are addicted so that they stop using drugs.

Q: Wasn't the decision not to federally fund needle exchange programs based on political considerations?

A: The decision was based on a belief that communities should decide for themselves whether to adopt needle exchange programs, based on their own local

circumstances and the best scientific evidence possible. We did fear that federalizing needle exchange would imperil such local decision making, by igniting a congressional battle on the subject. To that extent, the Administration's decision took into account political realities. But first and foremost, the decision resulted from a commitment to real, locally-based decision making on this subject.

Q: Isn't the Administration decision essentially an attempt to reach a compromise that both Secretary Shalala and General McCaffrey can sign on to?

A: No. Of course both the General and the Secretary support the Administration's decision. But that decision was a result of (1) scientific evidence about needle exchange and (2) a belief that needle exchange should be a local, community-based decision.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Todd A. Summers (CN=Todd A. Summers/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:23-APR-1998 10:44:35.00

SUBJECT: Coverdell bill on needle exchange

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

READ:UNKNOWN

TO: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

105th CONGRESS

2d Session

S. 1959

To prohibit the expenditure of Federal funds to provide or support programs to provide individuals with hypodermic needles or syringes for the use of illegal drugs.

IN THE SENATE OF THE UNITED STATES

April 21, 1998

Mr. COVERDELL (for himself, Mr. ASHCROFT, and Mr. BROWNBACK) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To prohibit the expenditure of Federal funds to provide or support programs to provide individuals with hypodermic needles or syringes for the use of illegal drugs.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. PROHIBITION ON USE OF FUNDS FOR HYPODERMIC NEEDLES.

Notwithstanding any other provision of law, no Federal funds shall be made available or used to carry out or support, directly or indirectly, any program of distributing sterile hypodermic needles or syringes to individuals for the hypodermic injection of any illegal drug.

END

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-APR-1998 11:33:06.00

SUBJECT: Pre-LCCR mtg

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

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

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

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

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

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

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

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

TO: Broderick Johnson (CN=Broderick Johnson/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

TO: Edward W. Correia (CN=Edward W. Correia/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: Karen Tramontano (CN=Karen Tramontano/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

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

CC: Dawn L. Smalls (CN=Dawn L. Smalls/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TEXT:

Tomorrow, Friday, April 24, at 9:30 AM there will be a pre-LCCR meeting in the COS's office. ,

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	from Mona Mohib to Sandra Thurman et al subject Girl's Night (1 page)	04/23/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[04/22/1998-04/23/1998]

2009-1006-F

kc148

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

CREATION DATE/TIME:23-APR-1998 18:06:28.00

SUBJECT: Black Caucus Tobacco press conference

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

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

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

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

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

TO: Christopher C. Jennings (CN=Christopher C. Jennings/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:

Lacy Johnson from the law firm in Indianapolis just called to say the Caucus is planning a press conference Wednesday and planning to drop its tobacco language in as a bill late next week. He also sent the draft language which I'm circulating and put him in touch with Sarah/Chris.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-APR-1998 19:28:49.00

SUBJECT: Fred DuVal sent attached email on FICA/workfare to Bruce, Podesta, etc. fy

TO: Laura Emmett (CN=Laura Emmett/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:

----- Forwarded by Diana Fortuna/OPD/EOP on 04/23/98
07:28 PM -----

William H. White Jr.

04/23/98 07:25:30 PM

Record Type: Record

To: Diana Fortuna/OPD/EOP

cc:

Subject: FYI

----- Forwarded by William H. White Jr./WHO/EOP on
04/23/98 07:27 PM -----

Fred Duval 04/23/98 06:32:22 PM

Record Type: Record

To: Mickey Ibarra/WHO/EOP, John Podesta/WHO/EOP, Bruce N. Reed/OPD/EOP

cc: William H. White Jr./WHO/EOP, Emory L. Mayfield/WHO/EOP, Suzanne Dale/WHO/EOP

Subject:

Governor Carper's office just indicated that the issue of FLSA - and the Treasury ruling on whether TANF payments will be treated as income for federal income and employment purposes - may be brought up at tomorrow's Governors meeting. You will recall that the Governor's have been pressing Treasury for this ruling since last summers NGA meeting in Las Vegas, and the ruling was poised for announcement before the Governors Winter meeting here in Washington but was postponed at Governor Carper's request because he wanted to avoid that controversy with the Governors here. Two months later, they are eager for it to come out and will ask about its status.

Q. What did USDA announce today with regard to bovine spongiform encephalopathy (BSE)?

A. The United States Department of Agriculture announced it has entered into a cooperative agreement with Harvard University's School of Public Health to begin an analysis and evaluation of the Department's current measures to prevent bovine spongiform encephalopathy (BSE). The two-year study will review current scientific information, assess the ways that BSE could potentially enter the United States, and identify any additional measures that could be taken to protect human and animal health.

Initiating this study is the latest step in a ten-year record of aggressive measures USDA has taken to prevent the entry of BSE into the United States. In coordination with other government agencies, the USDA BSE Working Group has been regularly reviewing the available science and implementing appropriate regulatory measures to prevent BSE. These measures include the 1989 ban of cattle and cattle products from countries where BSE has been reported, as well as an active inspection, testing, and education program.

No cases of BSE have been diagnosed in the United States.