

NLWJC - KAGAN

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[04/24/1998 - 04/27/1998]

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	04/24/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[04/24/1998-04/27/1998]

2009-1006-F

kc149

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

CREATION DATE/TIME: 24-APR-1998 14:46:34.00

SUBJECT: ondcg/needle exchange

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

READ: UNKNOWN

TEXT:

----- Forwarded by Todd A. Summers/OPD/EOP on 04/24/98
02:46 PM -----

Daniel C. Montoya

04/24/98 02:37:24 PM

Record Type: Record

To: Sandra Thurman/OPD/EOP, Todd A. Summers/OPD/EOP

cc:

Subject: ondcg/needle exchange

FYI -

i was told that mccauffrey is gearing up for op-eds on needle exchange to say that it exploits communities of color and that these areas do not/will not develop economically due to the encouragement of drug use.

they will probably start to appear next week.

dcm

--- D R A F T ---

Embargoed until April 26, 1994 at 4:30 pm

Statement by the President

The report on jail inmates released by the Justice Department today confirms the urgent need for government at all levels to pursue a policy of coerced abstinence for drug offenders. It shows that more than half the the criminals in jails are using more drugs, committing more crimes, and returning to the streets with dangerous drug habits. The time is now to install a tough system of testing, treatment and punishment for drug offenders. Congress can take the lead by adopting my Administration's proposals to promote coerced abstinence throughout the criminal justice system.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-APR-1998 18:18:52.00

SUBJECT: Sen. Frist will be the only Member speaking at Monday's Tobacco Event.

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

READ:UNKNOWN

TO: Karin Kullman (CN=Karin Kullman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Laura D. Schwartz (CN=Laura D. Schwartz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Sarah A. Bianchi (CN=Sarah A. Bianchi/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:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-APR-1998 16:47:49.00

SUBJECT: And more bad news..

TO: Elena Kagan (CN=Elena Kagan/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:

We're going to run over copies of Maxine Water's statement today--woosh!
I also heard that McAffrey is going to be meeting with the Washigton Times
editorial board Tuesday. Now do you think that's a coincidence with the
vote scheduled Wednesday on the Solomon needle exchange bill???? This is
getting a little tedious.

Withdrawal/Redaction Marker

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[001]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-APR-1998 13:33:13.00

SUBJECT: Tobacco Event Paper

TO: Christa Robinson (CN=Christa Robinson/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: 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:

Jason wants to make sure Erskine gets tobacco paper over the weekend.
Please fax the briefing to Erskine at home when it is done.

home #

home fax

**PRESIDENT SAYS NEW SURGEON GENERAL'S REPORT UNDERSCORES THE NEED
FOR COMPREHENSIVE BIPARTISAN TOBACCO LEGISLATION**

April 27, 1998 -- 4/24 draft

Today, the President said a new Surgeon General's report on minority tobacco use underscores the urgent need for comprehensive legislation to reduce youth smoking. The report shows that smoking has increased dramatically among minority youth, rising 80 percent among African American and 34 percent among Hispanic youth from 1991-1997. Tobacco use is also increasing among Asian American and American Indian/Alaska Native youth, according to the most recent data available. This report -- the first to be released by newly appointed Surgeon General David Satcher -- is the first comprehensive source of data on the use and health impacts of tobacco among minority/ethnic groups.

The Surgeon General's Report Documents Disturbing Trends in Tobacco Use. African Americans, Hispanics, Asian Americans and American Indians/Alaska Natives make up nearly one-fourth of the United States population and will account for one-half of the population by the year 2050. The report provides a comprehensive analysis on the effect of tobacco on these groups, including that:

- **Teen smoking rates are rising in many ethnic and minority groups, and adult smoking rates are strikingly high among certain populations.**
 - Teen smoking rates rose among African-Americans and Hispanics from 1991-1997. Smoking rates among African-American high school students were up by a startling 80 percent -- more than twice the increase among Hispanics (34 percent) and whites (28 percent).
 - The most recent data also shows disturbing trends among Asian American and American Indian/Alaska Native youth. From 1990 to 1995, cigarette smoking increased by 17 percent among Asian American 12th graders and by 26 percent among their American Indian and Alaska Native counterparts.
 - The report also documents that American Indians have the highest adult smoking rates of any U.S. subgroup -- nearly 40 percent, compared to 25 percent of all adults.
- **Cigarette smoking is a major cause of death and disease among all minority and ethnic groups.** The report documents that:
 - Lung cancer is the leading cancer death for all four minority/ethnic groups. The increase in youth smoking threatens to reverse recent progress that has been made against lung cancer among minority and ethnic groups.
 - African-American men bear the greatest health burdens from lung cancer, with death rates about 50 percent higher than whites. Lung cancer incidence has increased substantially among Alaska Natives (93 percent increase for men and 241 percent increase for women) since the 1970s.
 - Smoking increases infant mortality and low birth weight, and the rate of sudden infant

death syndrome is high among Hispanics, African Americans, and Asians who smoke.

- **The tobacco industry has targeted advertising and promotion campaigns in ethnic and minority communities that pose serious challenges to reducing smoking among this population.** The report found that:
 - Tobacco products are intensively advertised in racial/ethnic communities and economic contributions heavily fund minority and ethnic community organizations, businesses, and publications. For example, in one city, 62 percent of billboards in predominantly African American neighborhoods advertised cigarettes, compared with 36 percent of billboards citywide.
- **More research and prevention are needed to better understand of racial and ethnic smoking patterns and reduce tobacco rates among racial and ethnic minorities.**
 - The Surgeon General's report highlighted existing models of successful community-based tobacco prevention and cessation programs as well as successful Federal programs that are tailored to the needs of specific minority and ethnic communities.
 - However, the report clearly states that there is **need for research to develop more effective culturally-appropriate prevention and cessation programs.**

The President Renewed His Call for Comprehensive Bipartisan Tobacco Legislation. The President emphasized that this report once again demonstrated the need for comprehensive tobacco legislation to reduce youth smoking, and renewed his call to Congress to send him comprehensive bipartisan legislation this year which:

- **Raises the price of cigarettes by up to \$1.50 a pack over the next ten years and imposes tough penalties on companies that continue to sell to kids;**
- **Confirms the FDA's authority to regulate tobacco products;**
- **Gets tobacco companies out of the business of marketing to children;**
- **Furthers public health research and goals;**
- **Protects tobacco farmers and their communities.**

The President noted that Senator McCain's legislation is a strong step in that direction and that Congress should not delay, given that every day 3,000 children become regular smokers and 1,000 of them will will die prematurely as a result.

April 24, 1998

SURGEON GENERAL'S REPORT ON TOBACCO

DATE: April 27, 1998
LOCATION: South Lawn (Tent)
BRIEFING TIME: 12:45 pm - 1:15 pm
EVENT TIME: 1:20 pm - 1:30 pm Meet and Greet
1:30 pm - 2:00 pm Event
FROM: Bruce Reed

I. PURPOSE

To release the Surgeon General's report on tobacco use among minorities which underscores the urgent need for comprehensive legislation to reduce youth smoking.

II. BACKGROUND

The Surgeon General's report shows that smoking has increased dramatically among minority youth, rising 80 percent among African American and 34 percent among Hispanic youth from 1991-1997. Tobacco use is also increasing among Asian American and American Indian/Alaska Native youth, according to the most recent data available. This report -- the first to be released General Satcher -- is the first comprehensive source of data on the use and health impacts of tobacco among minority/ethnic groups.

The Surgeon General's Report Documents Disturbing Trends in Tobacco Use. African Americans, Hispanics, Asian Americans and American Indians/Alaska Natives make up nearly one-fourth of the United States population and will account for one-half of the population by the year 2050. The report provides a comprehensive analysis on the effect of tobacco on these groups, including that:

- **Teen smoking rates are rising in many ethnic and minority groups, and adult smoking rates are strikingly high among certain populations.**

-- Teen smoking rates rose among African-Americans and Hispanics from 1991-1997. Smoking rates among African-American high school students were up by a startling 80 percent -- more than twice the increase among Hispanics (34 percent) and whites (28 percent).

Automated Records Management System
Hex-Dump Conversion

- The most recent data also shows disturbing trends among Asian American and American Indian/Alaska Native youth. From 1990 to 1995, cigarette smoking increased by 17 percent among Asian American 12th graders and by 26 percent among their American Indian and Alaska Native counterparts.
- The report also documents that American Indians have the highest adult smoking rates of any U.S. subgroup -- nearly 40 percent, compared to 25 percent of all adults.
- **Cigarette smoking is a major cause of death and disease among all minority and ethnic groups.** The report documents that:
 - Lung cancer is the leading cancer death for all four minority/ethnic groups. The increase in youth smoking threatens to reverse recent progress that has been made against lung cancer among minority and ethnic groups.
 - African-American men bear the greatest health burdens from lung cancer, with death rates about 50 percent higher than whites. Lung cancer incidence has increased substantially among Alaska Natives (93 percent increase for men and 241 percent increase for women) since the 1970s.
 - Smoking increases infant mortality and low birth weight, and the rate of sudden infant death syndrome is high among Hispanics, African Americans, and Asians who smoke.
- **The tobacco industry has targeted advertising and promotion campaigns in ethnic and minority communities that pose serious challenges to reducing smoking among this population.** The report found that:
 - Tobacco products are intensively advertised in racial/ethnic communities and economic contributions heavily fund minority and ethnic community organizations, businesses, and publications. For example, in one city, 62 percent of billboards in predominantly African American neighborhoods advertised cigarettes, compared with 36 percent of billboards citywide.
- **More research and prevention are needed to better understand of racial and ethnic smoking patterns and reduce tobacco rates among racial and ethnic minorities.**
 - The Surgeon General's report highlighted existing models of successful community-based tobacco prevention and cessation programs as well as successful Federal programs that are tailored to the needs of specific minority and ethnic communities.

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Hex-Dump Conversion

- However, the report clearly states that there is **need for research to develop more effective culturally-appropriate prevention and cessation programs.**

III. PARTICIPANTS

Briefing Participants:

The Vice President
Secretary Shalala
Surgeon General David Satcher
Erskine Bowles
Bruce Reed
Larry Stein
Elena Kagan
Ron Klain

Event Participants:

The Vice President
Secretary Shalala
Surgeon General David Satcher
Senator Bill Frist (R-TN)

Also on Stage:

32 students from Hine Junior High School, Hardy Elementary School, Bannekar High, and Wilson High School in D.C., who are involved in anti-tobacco activities at their schools. The students work to expose tobacco marketing towards them and their peers by tracking tobacco images in their neighborhoods and by holding anti-tobacco poster and essay contests.

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU** will walk to the Tent on the South Lawn accompanied by the Vice President, Secretary Shalala, Surgeon General David Satcher, Senator Bill Frist, and 32 students.
- The Vice President will make remarks and introduce Secretary Shalala.
- Secretary Shalala will make remarks and introduce Senator Bill Frist.
- Senator Bill Frist will make remarks and introduce Surgeon General David Satcher.
- Surgeon General David Satcher will make remarks and introduce **YOU**.
- **YOU** will make remarks.
- **YOU** will work a ropeline and then depart.

VI. REMARKS

Remarks Provided by Speechwriting.

Q&As

Surgeon General Report on Minority Tobacco Use

April 27, 1998 -- 4/24 Draft

Q. What did the Surgeon General's Report say?

- A.** The Surgeon General's Report being released today is the first comprehensive report on minorities and tobacco use. Specifically, the report finds that from 1991 to 1997, smoking increased by 80 percent for African-American youths and by 34 percent for Hispanic youth. The report finds that cigarette smoking is a major cause of disease and death among minority populations, and says that this problem will only get worse if tobacco use is not reduced among these populations. The report also documents that efforts to reduce and prevent smoking among minority and ethnic populations are clearly undermined by the tobacco industry's heavily targeted advertising and promotion of tobacco products within minority and ethnic communities.

This report clearly demonstrates, once again, why Congress needs to pass comprehensive tobacco legislation designed to reduce youth smoking this year.

Q. Does the President have a specific proposal to address the particular problem of tobacco use within minority communities?

- A.** Passing comprehensive tobacco legislation designed to reduce youth smoking will help all Americans -- regardless of their background or ethnicity. The Surgeon General's report clearly illustrates that this is an extremely important issue in minority and ethnic communities. It also demonstrates that we need to better understand tobacco use among and the impact on minority and ethnic groups. For example, we clearly want to look carefully at why smoking rates increased by 80 percent for African-American youth and by 34 percent among Hispanics from 1991 to 1997 and better understand how prevention and cessation efforts can target these problems more effectively. We will continue to work closely with the minority health community to determine how best to address these issues.

Q. Aren't the minority health organizations and the Congressional Minority Caucuses drafting legislation to address the specific problems of tobacco use among and impact on minorities? What is your reaction to these proposals?

- A.** The principles that the President has outlined for comprehensive tobacco legislation would certainly address many of these problems. The President shares the concerns of the minority community, and the Surgeon General's report clearly underscores that we need to better understand tobacco use among and impact on minorities. We look forward to reviewing closely any proposals that address our shared concerns.

Q: Does the President support setting aside a certain funding level for public health programs designed to address minorities and tobacco use?

A: We think that all children should be targeted in the most effective ways to prevent or stop them from smoking. The Surgeon General's report recognizes that minority communities have been targeted by the tobacco industry and underscores the need to better understand tobacco use among and the impact on minority/ethnic populations. Certainly varied approaches that reflect some of the differences in these populations are necessary to achieve this success.

Q: Aren't the fees imposed by the Administration's plan and the McCain bill regressive and therefore hit minority communities hardest?

A: The tobacco industry has spent billions of dollars marketing to low-income and minorities, and made billions of dollars at their expense. Big Tobacco doesn't care about poor people -- it just wants to keep hooking future smokers. As a result, low-income people have suffered a disproportionate level of tobacco-related harm. The Administration is committed to making sure cessation programs are available to help smokers quit -- and just as important, that we change the way the tobacco industry does business so it no longer preys on poor kids in the first place.

Q: Are you concerned about the information reported in last week's New York Times that young African Americans are smoking more to enhance the high from marijuana?

A: This Administration has long recognized that cigarettes, alcohol, and illegal drugs all pose a serious threat to our youth. Studies have shown that kids who make it to their 21st birthday without having smoked a cigarette, taken a drink or turned to drugs are almost certain to avoid chemical dependency throughout their lives. That is why our goal must be to keep teenagers from having that first drink, trying a cigarette, or experimenting with illegal drugs before they are old enough to know better and to realize the consequences of their decisions.

We are greatly concerned by new data released earlier this month showing that smoking among African American youth has increased by 80 percent over the last six years. New information relating this trend to marijuana use is very disturbing, and provides still further reason to take strong action against illegal drugs. Of course, as the New York Times points out, the increase in tobacco use is even more heavily associated with advertising and other media messages that have a great impact on young people. That's why minority youth tend to smoke Kool and Newport, brands advertised with minority images, while white youth smoke Marlboro and Camel, whose ads feature white characters.

These facts underscore why we need comprehensive legislation to reduce youth smoking by raising the price of cigarettes, putting into place tough restrictions on advertising and access, imposing penalties on the industry if it continues to sell cigarettes to children, and

ensuring that the FDA has authority to regulate tobacco products.

Q. What do you think of the House Republican proposal to link drugs and tobacco in a single bill?

A. Nobody disagrees about the need to be tough on drug use, but that is no excuse to be less than tough on youth smoking. We need to pass strong, comprehensive tobacco legislation this year that dramatically reduces youth smoking by raising the pack of cigarettes, imposing tough penalties on companies that continue to sell to kids, granting the FDA authority over tobacco products, and restricting advertising and marketing to children. The McCain bill, which passed the Senate Commerce Committee by a 19-1 vote three weeks ago, is a strong step in that direction. If Republicans want to add good anti-drug provisions to a comprehensive tobacco bill of this kind, we have no objections. But the bill must address the problem of youth smoking comprehensively; anti-drug provisions can't serve as an excuse for watered-down tobacco legislation.

Q: What exactly is the President's strategy on drugs?

A. This past February President Clinton released the 1998 National Drug Control Strategy, a comprehensive ten-year plan to reduce drug use and availability by 50% -- to a historic new low. The strategy is backed by a \$17 billion anti-drug budget in FY 1999 -- the largest ever presented to Congress, with a \$1.1 billion increase over last year's budget.

While the strategy incorporates specific goals and objectives in the areas of drug treatment and prevention, domestic law enforcement, interdiction, and international programs, its number one goal is to educate and enable our youth to reject illegal drugs. That is why the largest budget increases (15% over last year's funding levels) are targeted for this purpose. In contrast, Speaker Gingrich and the House Republicans tried to cut the Safe and Drug-Free Schools program -- the program that funds anti-drug efforts in 97% of the nation's school districts -- by a full 50% just a few years ago.

Key initiatives in the drug strategy include:

Protecting Kids:

- **\$195 Million National Youth Anti-Drug Media Campaign to make sure that when kids turn on the television or surf the "net," they learn about the dangers of drugs.**
- **\$50 Million for School Drug Prevention Coordinators to improve and expand the Safe and Drug-Free Schools program by hiring more than 1,000 new prevention professionals to work with thousands of schools in preventing drug use.**

Strengthening Our Borders:

- **\$163 Million for Border Patrol to hire 1,000 new Border Patrol officers and for "force multiplying" technology.**

- **\$54 Million for Advanced Technology for the Customs Service to deploy advanced technologies, such as X-ray systems and remote video surveillance.**
- **\$75.4 Million to Support Interdiction Efforts in the Andean region and Caribbean, and to train Mexican counterdrug forces.**

Strengthening Law Enforcement:

- **\$38 Million to Crack Down on Methamphetamine and Heroin by hiring 100 new DEA agents, expanding the Administration's anti-methamphetamine initiative, and targeting heroin traffickers.**

Breaking the Cycle of Drugs and Crime:

- **\$85 Million to Promote Coerced Abstinence to help state and local governments implement drug testing, treatment, and graduated sanctions for drug offenders.**

Closing the Treatment Gap:

- **\$200 Million Increase for Substance Abuse Block Grants to help states close the treatment gap.**

Q. What is wrong with passing a "skinny" tobacco bill? Why do you need a comprehensive bill?

A. Every day, 3000 children and adolescents begin smoking, and 1,000 will die prematurely as a result. Experts agree that in order to dramatically reduce youth smoking we need to take a comprehensive approach that will attack the problem from a variety of angles.

- **Price:** All experts agree that the single most important step we can take to reduce youth smoking is to raise the price of a pack of cigarettes significantly. That is why the President has proposed raising the price of cigarettes by \$1.10 over five years -- an increase that both the Treasury Department and the Congressional Budget Office agree should cut youth smoking by about a third.
- **Advertising:** Studies show that industry advertising significantly contributes to youth smoking rates. The Treasury Department has estimated that the advertising and marketing restrictions in the McCain bill should cut youth smoking by about 15 percent. This is a conservative estimate: an American Medical Association study recently found that a full 34% of teen smoking is attributable to promotional activities.
- **FDA Jurisdiction:** Reaffirming the FDA authority over tobacco products is necessary to help stop young people from smoking before they start. Currently, nearly 90 percent of people begin smoking before age 18, despite the laws that make it illegal to sell cigarettes to minors. FDA Authority will ensure that young people do not have access to these products.
- **Penalties:** Strong lookback penalties will act as an insurance policy to ensure that the tobacco industry takes meaningful steps to reduce youth smoking. If the bill's

provisions on price, advertising, and FDA jurisdiction do not bring youth smoking down as much as expected, penalties will kick in to ensure that the industry has every incentive to take further action to reduce youth smoking.

All of these measures support and reinforce each other; all are necessary to ensure that legislation dramatically reduces youth smoking.

Q: Isn't the President's plan a big government, big tax proposal?

A: No. What the President's approach does is to attack the problem of youth smoking comprehensively, as all experts say we need to do, by combining strong provisions on price, penalties, advertising and access, and FDA jurisdiction. Although we have some differences with Senator McCain, he also recognizes the need to move forward on all these fronts to reduce youth smoking. That's not about big government. It's about sensible, bipartisan steps to dramatically reduce youth smoking.

Q. But won't the McCain bill create 17 new federal bureaucracies?

A. No -- this isn't about big government. That's just another Big Lie from Big Tobacco. What the bill does is to ensure that the federal government has the authority to regulate tobacco products in order to reduce youth smoking, as well as the ability to target tobacco revenues to strong public health and research efforts. The so-called "bureaucracies" that the industry is now complaining about are nothing more than what's necessary to protect the public health in this way -- to ensure that cigarettes are not sold to minors, to promote effective education, and to encourage smoking cessation. The proof that this is an industry con job is clear: almost all these provisions were in the June 1997 proposed settlement put forward by 41 state attorneys general, which the industry agreed to. The industry is criticizing these provisions now only because the political tide has turned against it, and certain other aspects of the legislation have gotten stronger.

Q: Hasn't the Administration proposed proposed a big government scheme that would extend the reach of the federal government to every mom-and-pop grocery store?

A: No. The Administration has offered proposals designed to reduce smuggling that would require wholesalers, distributors, and retailers to identify themselves as such. That's no more than what any business has to do now to sell liquor -- and no more than what most states already require sellers of tobacco to do. The important thing is to work with Congress to devise a scheme that will facilitate the effort to prevent smuggling, while not burdening retailers. The Administration will work with Congress, and the retailers themselves, on this issue.

Q: Aren't you just trying to bankrupt the companies?

A: We don't want to put the tobacco companies out of business. We just want to put them out of the business of selling cigarettes to kids. A central feature of comprehensive tobacco legislation is to ensure that most of the payments made by the tobacco companies are passed on to price, in order to reduce youth smoking. As a result, there will be at most a modest impact on the profitability of the tobacco companies. This is also an

industry with significant cash flow and net assets that will allow it to easily absorb this modest profit decline. The operating earnings of RJR, Philip Morris, and Loews last year were *\$18 billion*. Even RJR, the most highly leveraged firm in this industry, had a \$1.5 billion operating profit for its domestic tobacco business, and has over \$4 billion in net assets from its Nabisco stock holdings. The only real risk of bankruptcy comes from losing a rash of lawsuits in court.

April 24, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Tobacco -- Surgeon General's Report on Minority Smoking: On Monday, Dr. Satcher will present you with a new Surgeon General's report on tobacco use and the impact of smoking on four minority groups (African Americans, Hispanics, Asian Americans, and American Indians/Alaska Natives). We are planning a South Lawn event (near the sculpture garden) with you, the Vice President, Secretary Shalala, and the Surgeon General. The report is the first comprehensive compilation of all of research on tobacco and minorities, and it is Satcher's first report as Surgeon General.

The report finds that between 1991 and 1997, the prevalence of smoking increased by 80 percent for African-American youths and by 34 percent for Hispanic youths after years of significant decline. Additionally, Native Americans have the highest rate of smoking among any US subgroup. The report finds that cigarette smoking is a major cause of disease and death among minority populations, and says that if tobacco use is not reduced, they will experience increased mortality and morbidity from tobacco. The report also suggests that the tobacco industry's targeted advertising and promotion of tobacco products within minority communities may undermine prevention and cessation efforts and lead to serious health consequences for these populations. Finally, the report calls for more research into effective and culturally appropriate prevention and cessation programs.

We will use this event to demonstrate why Congress needs to pass comprehensive tobacco legislation this year, and to get the minority health groups and Members of Congress invested in the legislation. At the same time, we will carefully craft our message so that it does not appear that we are making new demands for legislation.

Tobacco -- Legislative Update: As you know, we are engaging in discussions in hopes of producing an agreed-upon bill to go to the Senate floor. We had cordial meetings with Senators Daschle and McCain early in the week. On Thursday, we met with Senator Mack, who gave us some insight into the GOP leadership's thinking. He indicated that they need some cover on liability and _____. Also on Thursday, the Vice President, Erskine, Larry and I met with Senators Kennedy and Conrad to discuss changes to the McCain bill.

[Note to Elena -- I've tried, but I don't know enough to really write this, unfortunately]

Health Care -- Republicans Likely to Join on the Democratic Patients' Bill of Rights Legislation: Congressman Ganske met with Congressman Dingell this week to inform him that at least five Republicans, and hopefully more, are willing to sign onto the Dingell/Gephardt patients' bill of rights legislation. We view this as extremely positive news, as it will no doubt create additional pressure on the Republicans to produce patients' rights legislation. We are hearing that the Republican House task force is drafting legislation in this area, but that it will likely include "poison pill" provisions that are designed to slow this legislation down, including medical malpractice and expansions of multi-employer welfare associations (MEWAs) that could undermine the insurance market. However, we believe that if Republicans sign onto the Democratic bill it would provide additional leverage to eliminate some of the objectionable provisions the task force will likely propose. We are reaching out to Dr. Ganske and Mr. Dingell to determine if we could set up a high profile meeting with the Republican co-sponsors in the White House next week. Such an event would receive great attention and would enhance the likelihood of Congressional passage this year.

Health Care -- Update on Assisted Suicide Issue: A recent study for the New England Journal of Medicine on assisted suicide found that five percent or less of physicians have ever administered injections or prescribed medications to hasten the death of terminally ill patients. However, the study also found that 36 percent of physicians would write lethal prescriptions if they were legal. This broadly reported study might increase Republicans' interest in seeking Federal legislation to overturn Oregon's assisted suicide law. Their interest in this issue will further intensify when the Justice Department offers its legal interpretation concluding that the Drug Enforcement Agency has no statutory authority to regulate the practice of doctors prescribing medication that hasten death. We believe that we will have to release this interpretation within the next two weeks. We will be sending you a memo next week that outlines options that position us best to respond to the likely Republican initiative.

Food Safety -- Administration Announced New Rules To Improve Safety of Juice: On Sunday, we leaked the announcement of two proposed regulations by the Food and Drug Administration (FDA) to improve the safety of fruit and vegetable juices. The first regulation would require that all fruit and vegetable juice processors implement a Hazard Analysis and Critical Control Point (HACCP) system which will ensure that processors take extra steps to reduce the numbers of microorganisms that may be in their products. Retailers of packaged juice, as well as processors who sell less than 40,000 gallons of fresh juice per year, would be exempt from this requirement. The second proposed rule would require any packaged untreated juice to be labeled with a warning statement advising consumers of the potential risks of juice that has not been processed to eliminate dangerous bacteria. This requirement will apply to retail and other processors who package untreated juice for consumption off-site -- such as grocery stores that squeeze and bottle juice for home use. But retail sellers of juice for consumption on-site -- such as restaurants and children's lemonade stands -- will be exempt from this labeling requirement. Although 98 percent of juice sold in the United States is pasteurized,

the FDA estimates that there are up to 48,000 juice-related illnesses per year. In 1996, one sixteen-month-old girl died, and at least 66 others were sickened in the western United States and Canada from drinking untreated Odwalla brand apple juice. The Administration received three days of positive press on this announcement, including coverage on ABC News, CNN, every major newspaper, and a lead story on CBS News on Tuesday.

AIDS -- Needle Exchange: Following the needle exchange decision, AIDS advocates and the Presidential Advisory Council on HIV/AIDS expressed sharp criticism. The Office of National AIDS Policy and other members of the Administration continue to talk and meet with them. We are coordinating a response plan, including phone calls to key individuals and mitigating initiatives. We are assessing the possibility of augmenting HIV prevention and drug treatment funding, along with a radio address and/or statement marking the one year anniversary of your announcing the HIV vaccine initiative (May 18). Legislation imposing a permanent restriction on federal funding has been introduced in both the House and the Senate. We will work with Legislative Affairs and OMB to respond.

Welfare Reform -- Campaign to Prevent Teen Pregnancy: On April 30th, Secretary Shalala will host a reception in the Indian Treaty Room for the 1998 Campaign to Prevent Teen Pregnancy honorees. Honorees include: Governor Carper; NBC; the Teen Outreach Program; Students Against Destructive Decisions (SADD); The Children's Network, a conflict-resolution program in San Bernadino; Dayton-Hudson (Target Stores); and Jerry Tello and Geoffrey Canada for their work on male involvement. The Secretary will announce the honorees, read a Presidential Message for Teen Pregnancy Prevention Month, and release a "chart book" of teen birth data. This previously-released data, presented in a comprehensive new user-friendly format, shows that the number of teen births has declined from 1991 to 1996, but remains unacceptably high. This is one of a series of events to mark the Campaign's anniversary and to kick off Teen Pregnancy Prevention Month in May. The theme for this year is "adults matter". Following the reception, the Campaign will hold a press briefing on the Hill with their Congressional Task Force to release new research, focus group results, and tips for parents all highlighting the critical role that parents and adults play in reducing teen pregnancy.

Welfare -- L.A. County Child Support Enforcement System Penalty: Both the House and Senate are moving forward on bills to ensure that states face tough but reasonable penalties if they fail to establish child support enforcement computer systems on time. We will probably favor the tougher House bill. California faces penalties because it has traditionally relied on county-based systems and its state-wide system has failed to function. The Senate bill was specifically crafted to satisfy members from California, but L.A. County remains very unhappy with it and is pushing both Congress and the Administration to give L.A. County a special exemption from any penalty.

Officials from the D.A.'s office argue that L.A. County has an excellent county system that has long functioned well and was designed with federal involvement under a waiver several years ago. DPC, HHS, and OMB believe that offering any such exemption would set a bad

precedent for numerous other counties, and that the federal government must hold states accountable for their actions (states are not required to pass along penalties to counties). So far Hill leaders have not supported L.A. County's exemption, and California members like Matsui and Stark oppose such an exemption. **Elena -- Please note: This item is very probably not ready for him to review, because we haven't gotten our White House position together yet, but we thought we should let you see it and make the call.**

Crime -- Chicago Gang Ordinance: On Monday, the Supreme Court agreed to hear the City of Chicago's defense of an anti-loitering statute that it passed in 1992, and which the Illinois Supreme Court had ruled was impermissibly vague and violating due process (*Chicago v. Morales*). The ordinance authorizes police officers to order individuals loitering in public places to disperse if the officer "reasonably believes" any of the individuals belongs to a street gang. Individuals who refuse to abide by the officers order could be arrested and, if convicted, sentenced up to 6 months in prisons, a \$500 fine or 120 hours of community service. The Chicago ordinance was challenged by the Illinois chapter of the ACLU. . Amicus briefs were filed by : (1) a coalition of community organizations in Chicago; (2) the major national associations representing local government officials including, the U.S. Conference of Mayors, National League of Cities, National Association of Counties, and International Association of Chiefs of Police; and (3) 13 of the states.

The Chicago ordinance is similar to other efforts that cities and law enforcement have used to crack down on gangs (e.g., Los Angeles' use of individual restraining orders to disrupt gang presence on city streets), and in which we have taken an interest. We are schedule to meet with Rahm and Chuck Ruff next week to discuss this issue further.

Crime -- Survey of Jail Inmates: On Sunday, the Justice Department's Bureau of Justice Statistics will release a study on jail inmates. By mid-year 1997, the nation's jails held 567,079 inmates -- up 40 percent from the 405,320 at mid-year 1990. The survey of men and women in local jails between October 1995 and March 1996 found:

- **Inmate Demographics:** 90 percent of the inmates were male and 10 percent were female. Whites made up 37 percent of all inmates; 41 percent were black; 19 percent were Hispanics and 4 percent were Asian, Pacific Islanders, American Indians or Alaska natives.
- **Drug use up:** More than half of all convicted jail inmates used drugs in the month before their offense, compared to 44 percent in 1989, the last year the survey was conducted. In addition, there were increases across the board with respect to reported drug use: 82 percent reported having used drugs at least once in their lives (78 percent in 1989); 78 percent reported having used marijuana (71 percent in 1989); 34 percent reported stimulant use (22 percent in 1989); 32 percent used hallucinogens (24 percent in 1989); and 24 percent used heroin (from 19 percent in 1989). In both 1996 and 1989, half of the inmates reported using cocaine.

- **Violent crime charges slightly up.** The percentage of inmates charged with violent crimes increased from 23 percent in 1989 to 26 percent in 1996, with drug offenses largely unchanged 22 percent.
- **Majority already under criminal justice supervision:** Approximately 54 percent of jail inmates were already under the jurisdiction of the criminal justice system at the time of their arrest -- usually probation.
- **Many on welfare or unemployed.** Nearly 39 percent of all inmates were raised in families that had received welfare or public housing assistance. At the time of their arrest, 20 percent were receiving some form of government assistance, such as welfare, SSI, or unemployment compensation. Over one-third (36 percent) were unemployed.
- **History of sexual or physical abuse common.** Almost 48 percent of female and 13 percent of male inmates reported having been sexually or physically abused at least once in their lives. About 27 percent of women and 3 percent of men reported having been raped.

Drugs -- Republican Task Force on Drugs: On Thursday, April 30th, Speaker Gingrich, Representatives Hastert and Portman, and other House Republicans will unveil a national drug strategy and call for the passage of about 12 different pieces of anti-drug legislation throughout the remainder of the Congressional calendar. We do not have any specific details on these bills, but the tentative list includes: (1) the Drug-Free Parents and Youth Empowerment Act; (2) Marijuana Abuse Initiatives (medical marijuana opposition); (3) Drug-Free Workplace Act; (4) Drug-Free America Commission Act; (5) Drug-Free Prisons and Jails Act; (6) Drug-Free Schools Performance Act; (7) Drug-Free Professional and Olympic Athlete Responsibility Resolution; (8) Drug-Free Teenage Drives Act; (9) Drug-Free Congressional Leadership Resolution; (10) Drug Czar Reauthorization Act; (11) Drug-Free Borders and Hemisphere Act; and (12) Drug-Free Communities and National Clearinghouse Act.

Drunk Driving -- .08 BAC: Conferees for the omnibus highway bill convened their first meeting on Thursday. House Transportation Committee Chairman Shuster indicated that he would be willing to make concessions on a variety of provisions, including Senator Lautenberg's amendment to create a national impaired driving standard of .08 BAC, in return for a commitment to use future gas tax revenues exclusively for highway construction. While this particular counteroffer would be unacceptable, WH Leg Affairs is hopeful that the Lautenberg drunk driving provision may be resolved favorably during negotiations. Conferees are attempting to complete work on the bill prior to the Memorial Day recess.

Immigration -- H1B visas: H1B visas are temporary work visas that allow "highly skilled" immigrants (with a BA or equivalent) to work in this country for up to six years. Under current law, the number of H1B visas is capped at 65,000 per year. Last year, this cap was reached for the first time. The information technology industry strongly supports raising the annual cap to address what they maintain is a shortage of U.S. workers with IT skills. Others, including the Department of Labor, challenge the industry's conclusions about a shortage and are concerned that the current H1B program does nothing to target its use to employers who are experiencing skills shortages.

Though the Administration has never before squarely addressed the issue of the cap, we have consistently emphasized training and re-training U.S. workers to enable them to move into jobs within the high-tech industry. Also, since 1993 we have sought reforms to the H1B program that would target their use to industries with genuine short-term skill shortages. In response to the prospect of reaching the annual cap sometime in May or June, the DPC and NEC engaged an inter-agency process (including Labor, Commerce, Treasury, State, Justice and INS) to determine the best course to address both the concerns of the high-tech industry and U.S. labor interests.

On April 2, 1998, the Administration (Secretaries Daley and Herman and Attorney General Reno) sent a letter to Congress that advocated increased training for U.S. workers and reform of the H1B program to target its use to employers who are experiencing skill shortages. We are working with members of the House and Senate to develop legislative language that is consistent with the Administration's objectives.

Education -- D.C. Vouchers: Mr. Arney announced earlier this week his plan to bring a D.C. voucher bill to the House floor next week. DPC, Legislative Affairs and the Education Department are working with Ms. Norton and Mr. Gephardt's staff to fashion a message and legislative strategy that builds on the ideas in your Education Opportunity Zones proposal (e.g., ending social promotions and fixing failing schools) and your budget proposals for D.C. already worked out with the D.C. schools (e.g., funding for summer school to support the District's new effort to end social promotions, for efforts to implement proven practices in low performing schools, and to provide reading specialists and teacher training in reading. *Elena--we have a meeting at 4:30 Friday with Norton/Gephardt staff to finalize our plan; that's why this is a bit short on detail now.*

Education -- Ending Social Promotions: NYC Chancellor Rudy Crew unveiled a proposal this week to end social promotions, by requiring students to pass tests in the 4th and 7th grade in order to be promoted. The proposal has received favorable reactions from a number of quarters, including the press--which has routinely noted your call to end social promotions. The proposal has also focused public attention on the need to strengthen teaching in all grades, to provide extra help early on to students who need it, and to provide students in danger of failing with summer school.

Education -- D.C. Charter Schools: 19 applicants for charter schools have received preliminary approval to begin operations in the District of Columbia, bringing the total of charter schools in DC to 23. Nine of these schools were approved by the DC Board of Education -- the elected board that was stripped of all powers except to charter schools. Ten schools were approved by the Independent Public Charter School Board -- a board appointed by Mayor Barry from a pool of names given by Secretary Riley. Among the new schools: a residential charter school for at-risk middle school students, an adult education center for immigrants, and a "hospitality" high school organized by the area hotel industry.

Education -- California charter schools: Negotiations are underway between Silicon Valley high-tech executives and the California Teachers' Association (CTA) over a possible legislative alternative to a charter school ballot initiative backed by the executives and opposed by the CTA. The Silicon Valley executives have been prepared to submit and campaign for a ballot initiative making it easier to start charter schools in California, and the CTA -- while expressing support for the concept of charter schools -- has indicated they would strongly oppose the initiative. The CTA has been concerned about specific provisions in the initiative that would eliminate the cap on how many charter schools can be created, as well as the impact of the ballot on teacher certification and due process in charter schools.

The negotiations are aimed at reaching a legislative compromise as a substitute for the ballot initiative. A bill needs to pass the California legislature by May 1 in order for the high-tech executives to drop the ballot initiative, and it appears possible (though not probable) that an agreement will be reached in time. We will provide you a status report before your trip to California next week.

Education -- National Board for Professional Teaching Standards: Earlier this week a bipartisan group of eight governors (Hunt, Locke, Chiles, Carper, Voinovich, Racicot, Branstad and Thompson) wrote to Bill Goodling and to the other chairs and ranking members of the appropriate authorizing and appropriations committee chairs, expressing their support for the National Board and for your funding request for the Board's work.

Service -- One-Year Anniversary of Philadelphia Service Summit: On Monday, April 27, General Colin Powell will present a report on what his group America's Promise has accomplished in the year since the service summit. He is expected to focus on corporations that have made new commitments or followed through on prior ones, and on communities that have continued the summit's work. His report will also include an update on federal agency commitments. He will present his report in Chicago to a special meeting of the U.S. Conference of Mayors.

Disability Issues -- First Disability Task Force Meeting: The task force you created last month by executive order on employment of people with disabilities got off to a strong start this week at its first meeting. Secretary Herman chaired an all-day meeting before an audience of 200 disability activists, including panels on health care, education and training, and civil rights. The task force hopes to issue a few recommendations in July, with a fuller report in November. While the health care panel was quite successful, we face particular challenges crafting policies in that area. Specifically, Congress is considering legislation to move forward on the disability community's two highest priorities, but we are still sorting out whether the Administration will be able to support these initiatives, in full or in part.

First, legislation is moving in both houses to encourage people with disabilities on the SSDI or SSI rolls to return to work. Sens. Jeffords and Kennedy have introduced a bill in the Senate, while Reps. Bunning and Kennelly's bill is being marked up in the House. These

proposals would allow people to retain Medicare or Medicaid after they return to work, raising concerns about costs we have not planned for in our budget. While we look at alternatives, we are also stressing the value of a little-known provision we won in the Balanced Budget Act that lets states offer a Medicaid buy-in for this population.

Second, the House held a hearing last month on how to allow more people with disabilities to live in their communities instead of nursing homes. Disability advocates, led by the group ADAPT, are pushing legislation known as CASA. They do not expect CASA to become law because of its cost (\$10-20 billion per year), but hope it will start a dialogue on the subject. Last September, you met with disability advocates, including ADAPT, and stated that the Administration would move forward on this issue. At the hearing, HHS witnesses testified that we have concerns about CASA's cost, but said we are pushing to achieve the goals of the legislation through more modest steps, such as an HHS workgroup that is developing demonstrations and research. Speaker Gingrich testified in favor of this concept, although without endorsing CASA itself. The disability community is disappointed that we have not been more supportive. **Elena -- I heard from Chris Jennings that you wanted an update on the disability task force meeting, and that I should include the update I previously wrote on this topic, since it was not included in past weeklies. Hope this makes sense.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 24-APR-1998 12:00:52.00

SUBJECT: LCCR Prep Meeting

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

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

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

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

TO: Dawn L. Smalls (CN=Dawn L. Smalls/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])
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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

Records Management (Records Management @ EOP [UNKNOWN])
READ:UNKNOWN

TEXT:
9:00 a.m. Monday morning in Erskine's office.

Thanks.

Jason

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa N. Benton (CN=Melissa N. Benton/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:24-APR-1998 15:13:11.00

SUBJECT: LABOR Testimony on HR2871 A bill to amend the Occupational Safety and Health

TO: lrm (lrm @ ostp.eop.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: US@2=TELEMAIL@3=GOV+GSA2@7=GSALEGISLATION@6=GSA2@mrx@lngtwy (1=US@2=TELEMAIL@3=
READ:UNKNOWN

TO: clrm (clrm @ doc.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: cla (cla @ sba.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TO: John Kamensky (CN=John Kamensky/OU=OMB/O=EOP@EOP [OMB])
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TO: David J. Haun (CN=David J. Haun/OU=OMB/O=EOP@EOP [OMB])
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TO: Richard J. Turman (CN=Richard J. Turman/OU=OMB/O=EOP@EOP [OMB])
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TO: Kevin P. Cichetti (CN=Kevin P. Cichetti/OU=OMB/O=EOP@EOP [OMB])
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TO: Daniel J. Chenok (CN=Daniel J. Chenok/OU=OMB/O=EOP@EOP [OMB])
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TO: Derek A. Chapin (CN=Derek A. Chapin/OU=OMB/O=EOP@EOP [OMB])
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TO: Larry R. Matlack (CN=Larry R. Matlack/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TO: ola (ola @ opm.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: jwedekind (jwedekind @ nlr.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: US@2=TELEMAIL@5=JMD@7=Deborah@6=Clifton@mr@lngtwy (1=US@2=TELEMAIL@5=JMD@7=Deb
READ:UNKNOWN

TO: lrm (lrm @ os.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Sanders D. Korenman (CN=Sanders D. Korenman/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

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

TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP@EOP [OPD])
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TO: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP@EOP [OMB])
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TO: John E. Thompson (CN=John E. Thompson/OU=OMB/O=EOP@EOP [OMB])
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TO: Emil E. Parker (CN=Emil E. Parker/OU=OPD/O=EOP@EOP [OPD])
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TO: Barry T. Clendenin (CN=Barry T. Clendenin/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TO: Patricia S. Haney (CN=Patricia S. Haney/OU=OMB/O=EOP@EOP [OMB])
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TO: John F. Morrall III (CN=John F. Morrall III/OU=OMB/O=EOP@EOP [OMB])
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TO: Lori Schack (CN=Lori Schack/OU=OMB/O=EOP@EOP [OMB])
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TO: Barry White (CN=Barry White/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

TEXT:

----- Forwarded by Melissa N. Benton/OMB/EOP on 04/24/98

03:06 PM -----

Total Pages: _____

LRM ID: MNB151
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, April 24, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Melissa N. Benton
PHONE: (202)395-7887 FAX: (202)395-6148

SUBJECT: LABOR Testimony on HR2871 A bill to amend the Occupational Safety and Health Act of 1970 to provide for the establishment of advisory panels for the Secretary of Labor.

DEADLINE: 2 p.m. Monday, April 27, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: To follow is draft Labor testimony to be delivered the morning of Wednesday, April 29th before the Workforce Protections Subcommittee of House Education and the Workforce. The testimony addresses H.R. 2871, as well as five other OSHA reform bills pending before the Committee (H.R. 2869, H.R. 2661, H.R. 2873, H.R. 2879, and H.R. 3519).

The deadline is firm.

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James C. Murr

LRM ID: MNB151 SUBJECT: LABOR Testimony on HR2871 A bill to amend the Occupational Safety and Health Act of 1970 to provide for the establishment of advisory panels for the Secretary of Labor.

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

- (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
- (2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Melissa N. Benton Phone: 395-7887 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

- _____ Concur
- _____ No Objection
- _____ No Comment
- _____ See proposed edits on pages _____
- _____ Other: _____
- _____ FAX RETURN of _____ pages, attached to this response sheet

STATEMENT OF ASSISTANT SECRETARY CHARLES JEFFRESS
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
BEFORE THE
COMMITTEE ON EDUCATION AND THE WORKFORCE
SUBCOMMITTEE ON WORKFORCE PROTECTIONS

UNITED STATES HOUSE OF REPRESENTATIVES

APRIL 29, 1998

Mr. Chairman and Members of the Subcommittee:

Thank you for inviting me to testify about several proposals to amend the Occupational Safety and Health Act of 1970. I appreciate the opportunity to express the views of the Occupational Safety and Health Administration on H.R. 2869, 2661, 2871, 2873, 2879 and 3519. Mr. Chairman, although we have known each other for many years and I previously testified before you as head of North Carolina OSHA, this is my first appearance before your subcommittee since my confirmation as OSHA's Assistant Secretary. I have appreciated your overtures to me and your willingness to discuss OSHA's concerns about various OSHA reform proposals. I was glad to return those overtures and to join you in supporting the passage of two earlier bills, H.R. 2864 and 2877.

OSHA's core mission is to ensure a safe and healthy workplace for every working man and woman in the Nation. We are making progress; the Bureau of Labor Statistics announced last December that the rate of worker injuries and illnesses was at 7.4 per 100 workers, the lowest point in the history of the BLS occupational injury and illness survey. But more must be done to protect our Nation's workers. The Nation still suffers approximately 7,000 fatalities per year from safety hazards and 50-60,000 fatalities from occupational disease. At the same time, we seek methods that avoid placing unnecessary burdens on employers. Through reinvention, OSHA is developing new strategies that leverage the agency's limited resources and, in many cases, re-shape how OSHA interacts with employers and workers to promote safe and healthy work environments.

The New OSHA

OSHA is changing the way it does business. It has been three years since President Clinton announced the "New OSHA" initiative. Since then, we have developed a broad range of partnership programs that promote cooperative efforts between employers, workers and government. We are making enforcement programs smarter and fairer by spending more time at the most hazardous workplaces and less time at safer ones. We are treating responsible employers differently than neglectful ones. OSHA is simplifying standards by rewriting them in plain language, using performance-based approaches wherever possible. We're focusing less on individual, technical violations, and more on systematic approaches that allow workers and employers to find and fix hazards on an ongoing basis. And finally, we're measuring results, where possible, not by numbers of citations or penalties, but by real improvements in the lives of working people, such as reduced injury and illness rates.

I would like to express my appreciation to you, Mr. Chairman, and to the rest of the Committee for your cooperative spirit during my short tenure with OSHA. I was pleased that we could reach compromises on H.R. 2864 and 2877, OSHA reform bills that you recently passed in the House. However, while I appreciate your interest in working together on OSHA-related legislation, I regret that we are unlikely to find common

ground on the proposals on the subcommittee's agenda today. In OSHA's view, the bills to be discussed today are either unnecessary or would undermine OSHA's ability to protect workers.

H.R. 2869 -- Excluding Employer Audits from Discovery

H.R. 2869 would create an evidentiary privilege for employer self-audit documents. This extremely broad privilege would vastly complicate OSHA enforcement. It would force the agency to arrive at conclusions about workplace hazards and accidents without critical information from safety professionals and consultants with firsthand knowledge. In many cases, particularly in fatality and catastrophe investigations, self-audit records and reports are the most reliable, and often the only means of establishing the facts. Under such circumstances, OSHA needs the ability to gather all the information it can to explain why these accidents happened and to help prevent them from happening again.

The fact that the bill contains an exception for "safety and health assessments prescribed under section 6(b)(7)" of the OSH Act does little to ameliorate the bill's harmful effects on enforcement of OSHA requirements. That section of the Act specifically addresses only a limited class of requirements dealing with medical surveillance and exposure monitoring, so the bill would leave the vast majority of workplace health and safety assessments required by OSHA rules off-limits to scrutiny by OSHA, the Review Commission and the courts. Furthermore, many of OSHA's audit requirements are expressed in general, performance-oriented terms, making it difficult if not impossible to discern the line between mandatory and voluntary audit activity, especially in workplaces administered by conscientious employers. Finally, OSHA is required to demonstrate employer knowledge of a cited hazard, and is required, in proposing penalties, to ascertain the extent of an employer's good faith, inquiries which cannot fairly be resolved without access to the very records which document knowledge and good faith.

Contrary to the belief of many businesses, disclosure of self audit documents generally benefits good faith employers. OSHA provides penalty reductions where employers who receive citations have acted in good faith to try and correct deficiencies identified in an audit. For example, in a hypothetical small muffler shop the owner keeps his mufflers in a storage loft, but the loft does not have a railing. While conducting a self audit, the employer discovers that the loft poses a serious fall hazard to his employees. As a result, he moves the mufflers as far away from the ledge as possible and puts cones along the ledge. When an OSHA compliance officer comes to inspect this muffler shop, he immediately spots the fall hazard. Under ordinary circumstances, failure to install a guardrail would result in a \$5,000 fine. In this case, however, the employer would receive a credit worth \$3,875. This is because, through the self-audit documents, the employer can show that he acted in good faith and that he did do something to try to reduce the likelihood of injury to his employees. If this small business has no history of serious violations, the \$5,000 penalty would ultimately be reduced to \$75.

The proposed evidentiary privilege would protect only bad actors -- employers who have identified hazards, have failed to make good faith efforts to correct them, and wish to hide the evidence.

H.R. 2661 and H.R. 2781 -- Additional Scientific and Economic Peer Review

H.R. 2661 and 2871 would both require the Secretary to create an advisory panel to review scientific and economic data every time OSHA proposes a new standard. H.R. 2871 provides an exception where the standard has been promulgated through negotiated rulemaking. This additional committee is unnecessary, duplicative and would create serious delays in our rulemaking process -- a process that many already criticize

as taking too long.

Today, major rules typically take as many as eight years to publish. In the meantime, workers are exposed to hazards every day. During that time, OSHA has a variety of obligations: engage in notice and comment rulemaking; conduct economic and risk analyses; assess impact on small businesses and, depending upon that impact, convene a small business panel under the Small Business Regulatory Enforcement Fairness Act; survey industries; and do extensive review of research on selected topics. When OSHA issues a proposal, the agency also engages in a rigorous public hearing process. On standards where peer review of a part of the supporting material is necessary, a peer review has been done. For example, the risk assessment for tuberculosis was peer reviewed. Once the proposed standard is published in the Federal Register, any interested party can comment upon the standard itself as well as the underlying scientific and economic data.

OSHA's public hearings allow for the fullest, most thorough discourse on every subject relevant to a rule. They provide the greatest possible public access to the process -- scientists, economists, safety and health professionals, representatives of potentially affected industries and any other interested parties may and do participate. At public hearings, interested parties can submit testimony and evidence, cross examine OSHA experts and engage in debate with other participants. For example, OSHA just completed nine days of hearings last week on the agency's proposed standard on occupational exposure to Tuberculosis. Scientists and economists always present new data and test each other's theories through questioning and comment, a process from which OSHA has gained valuable information. The entire discussion is conducted in full public view, and enables participants to challenge one another's positions. Public hearings are often held around the country to make it easier for interested parties to attend. I invite members of this committee to come attend one of our hearings and observe this critical process in action.

A new committee, like the ones proposed in H.R. 2661 and 2871, would provide selected persons an additional closed-door opportunity to influence rulemaking after the public process is complete. This would give the committee members an unfair advantage. In addition, the closed nature of the committee proceedings would prevent the public from a full and fair discussion on their rationale and decisions. The bill's failure to require disclosure from this committee makes its already unnecessary contribution suspect as well.

The President, consistent with Executive Order 12838 and the National Performance Review, has asked Congress to show restraint in the creation of new statutory committees. In the interest of promulgating rules that will best protect workers, this is an appropriate time to exercise that restraint.

H.R. 2873 -- Risk Assessment and Cost-Benefit Analyses for Every Industry

H.R. 2873 would require OSHA to conduct an individual risk assessment and cost-benefit analysis for each industry affected by a proposed standard. OSHA cannot base its health standards on cost-benefit analyses and is required by law to reduce significant risk to the extent feasible. However, OSHA agrees that comprehensive and accurate risk assessments and economic analyses are valuable informational tools, and devotes considerable effort to making these documents clear and methodologically sound. For each rule, the Agency already conducts detailed risk assessments, develops extensive significance-of-risk analyses, demonstrates technological and economic feasibility, evaluates benefits, and assesses impacts (including small business impacts). Cost estimates and feasibility analyses are commonly conducted at the industry level, because data on the technological and financial status of each industry

that reflect real conditions in that industry are usually publicly available. However, it is rarely the case that industry-specific data on risk are available; even where such data are available, they generally cannot be used to produce statistically meaningful results. Because industry-specific risk data are not available, it is not possible to develop industry-specific benefits analyses.

H.R. 2879 -- Limiting Liability at Multi-Employer Worksites

H.R. 2879 would limit the liability of certain employers, particularly general contractors in the construction industry, at multi-employer worksites. This bill would prohibit OSHA from citing an employer for a violation if the employer has no employees exposed to the hazard and has neither created the hazard nor assumed responsibility for ensuring that the other employers at the worksite comply. This would create an incentive for general contractors to give up their authority to ensure that subcontractors comply with safety standards. If we encourage the employers in the best position to enhance workplace safety to reduce their authority, workers will pay the price.

First, let me clear up some misunderstandings about liability under the OSH Act. The OSH Act holds all employers responsible for hazards under their control regardless of which employees are exposed. Some employers have misconstrued our policy as limiting the liability of the subcontractor by holding the general contractor liable instead. This is not the case. We do hold the subcontractor liable. Where a general contractor has failed to exercise due diligence in meeting its responsibility, we then hold the general contractor liable as well. That way, we can ensure that both the subcontractor and the general contractor have the incentive to coordinate their efforts in keeping the workers on the site safe.

OSHA's multi-employer worksite policy reflects court decisions that involved very serious accidents; workers were getting killed because general contractors and subcontractors failed to coordinate their responsibilities for ensuring worker safety and health. The tragedy that occurred at L□, Ambiance Plaza in Connecticut is a prime example of the origins of our rule. In that case, 28 workers were killed when a high rise under construction collapsed through the error of one subcontractor. Workers from several subcontractors were killed.

Where one subcontractor creates a hazard for the employees of another subcontractor, only the general contractor may be in the best position to get the problem corrected. Just as general contractors have the ultimate supervisory power of all other aspects of the work, the best way to protect all of the workers at a particular site is for the general contractor to have overall responsibility for coordinating efforts for worker safety and health as well.

Under the case law, the liability of general contractors is not absolute, but depends on the circumstances of the case. Further limiting the liability of the general contractor would be a step backward. None of us wants to revisit the tragedies of the past. In our experience, this has proven the most effective method in reducing injuries and fatalities at multi-employer worksites. The bottom line is that we need all of the contractors to work together to make multi-employer worksites safe. In order to ensure the safety and health of the employees of both the general contractor and the subcontractors we cannot limit the responsibility of either.

H.R. 3519 -- Standard and Electronic MSDS□,s

H.R. 3519 proposes to amend the OSH Act to require electronic access to Material Safety Data Sheets (MSDS□,s). The bill would also require OSHA to modify its Hazard Communication Standard (29 CFR 1910.1200) to require a standard format for MSDS□,s. These proposals are well intentioned, and

OSHA is working along parallel lines. However, we believe that legislation is unnecessary and unwise at this time.

OSHA supports allowing employers to provide their workers with electronic access to MSDS's. In fact, OSHA has allowed such electronic access for some time. However, there has been confusion in some quarters about OSHA's policy regarding electronic access. Consequently, OSHA issued a new compliance directive clarifying the agency's policy at approximately the same time this bill was introduced. Since the bill and the modified compliance directive presumably were being drafted simultaneously, it is entirely possible that the bill's authors were unaware of the impending clarification. OSHA assumes that the clarification should address the authors' concerns. In the event the subcommittee feels that additional action by OSHA is necessary to get the word out, we are prepared to work with you to increase awareness.

The standardization of MSDS's is appealing. In fact, OSHA is participating in international discussions on how MSDS's might be standardized. However, standardization is premature. It is also more difficult than it sounds.

MSDS's have a variety of users, with varying backgrounds and needs. While workers have access to them and have a right to know the information they contain, MSDS's are also used by physicians, nurses, industrial hygienists, safety engineers, toxicologists, firefighters, emergency responders, and others. Because MSDS's serve such a broad function, the American National Standards Institute (ANSI) developed a consensus standard that recognizes the diversity of the MSDS audience by requiring certain information that is of most use to workers to be placed in the beginning of the document, and stated in simple language. ANSI developed this "order of information" after extensive discussions with experts revealed that there is no real consensus on how an MSDS should be presented.

There is an ongoing and extensive international effort to harmonize hazard communication requirements for hazard classification, labeling, and material safety data sheets. OSHA has participated in this effort for many years. The ANSI "order of information" may be part of a globally harmonized system by the year 2000. Therefore, OSHA believes the wisest course is to wait until that system is complete before modifying our hazard communication standard. It is far better to standardize consistent with an internationally accepted approach, both from a worker protection standpoint and trade perspective. If Congress were to mandate a change at this point, U.S. manufacturers would be required to change their MSDS's in the short term, and then again in a few years. This would be costly for business and would have little benefit for workers.

Protecting Workers Better

Mr. Chairman, there are a variety of ways to strengthen the protection provided to workers under the OSH Act. We would, for example, support legislation that strengthens the whistleblower protections of the OSH Act. It is fundamental that workers must feel free to inform their employer or the government when dangerous working conditions threaten their life or safety. There is a good deal of evidence, however, that many employees do not feel free to complain about unsafe conditions and that too many employers feel they can retaliate against whistleblowers with impunity. The provisions in place today in section 11(c) of the Act are too weak and too cumbersome to discourage employer retaliation or to provide an effective remedy for the victims of retaliation. A recent report of the Inspector General of the Department of Labor found that whistleblowers frequently face retaliation for exposing unsafe or unhealthy working conditions. A nurse at Skyline Terrace Nursing Home, for example, complained about the home's lack of gloves, which are required to protect employees from bloodborne pathogens. Four days after

an inspection, she was fired in retaliation for the complaint. Another company, Hahner, Foreman & Harness, Inc., fired an employee for refusing to go up in a gondola three or four stories above the ground. The gondola had been malfunctioning and the employee believed it to be unsafe. When the employee refused to risk his safety, his superintendent instructed him that if he did not go back up into the malfunctioning gondola, somebody else would. He was fired for his refusal. If you wish to strengthen the safety and health protection available to workers, I suggest this as a place to begin.

In North Carolina in 1993, the state legislature took several steps that greatly strengthened whistleblower protections after the Hamlet fire revealed the flaws in our State Plan. The changes included a longer statute of limitations, a private right of action and a provision for treble damages. I believe these changes have played an important part in the progress North Carolina has made in reducing injury, illness and fatality rates over the last five years.

In addition, the OSH Act does not effectively protect federal, state and local employees (maintenance workers, construction workers, firefighters, etc.). Consequently, with the exception of the few states that actively provide public sector coverage, OSHA has little ability to require positive change on the part of public employers. As a consequence, this limited authority hinders OSHA's success in reducing illness, injuries and fatalities on the job.

There are numerous examples of on-the-job tragedies that occurred primarily because safety and health protections do not apply to public employees. These tragedies could have been prevented by compliance with OSHA rules. In addition, studies have shown that the overall cost of providing OSH Act coverage for these employees is small, especially compared with the amount of money which would be saved by reducing the cost of worker injuries.

A third option for deterring action that places workers at risk is increasing the criminal penalty for an employer whose willful conduct causes the death of an employee. We would urge that these violations not be classified as misdemeanors, but felonies. We believe that the possibility of incarceration for periods in excess of one year would serve as a more effective deterrent to employers who would risk the safety and health of their employees. The current classification for willful workplace safety and health violations that lead to an employee's death are woefully inadequate to address the harm caused. Classifying such crimes as felonies would more justly reflect the severity of the offense.

Conclusion

In conclusion, the bills before us today would take us in the wrong direction. Prohibiting OSHA from gathering necessary information, adding redundant and burdensome layers to our rulemaking process and limiting employer liability is not the way to protect the working men and women of this country. Again, let me reiterate my appreciation for this opportunity to testify before you today. I look forward to continuing our dialogue in our effort to improve OSHA's contribution to the safety and health of American workers.

Republicans Likely to Join on the Democratic Patients' Bill of Rights Legislation.

Congressman Ganske met with Congressman Dingell this week to inform him that at least five Republicans, and hopefully more, are willing to sign onto the Dingell/Gephardt patients' bill of rights legislation. We view this as extremely positive news, as it will no doubt create additional pressure on the Republicans to produce patients' rights legislation. We are hearing that the Republican House task force is drafting legislation in this area, but that it will likely include "poison pill" provisions that are designed to slow this legislation down, including medical malpractice and expansions of multi-employer welfare associations (MEWAs) that could undermine the insurance market. However, we believe that if Republicans sign onto the Democratic bill it would provide additional leverage to eliminate some of the objectionable provisions the task force will likely propose. We are reaching out to Dr. Ganske and Mr. Dingell to determine if we could set up a high profile meeting with the Republican co-sponsors in the White House next week. Such an event would receive great attention and would enhance the likelihood of Congressional passage this year.

Update on Assisted Suicide Issue. A recent study for the New England Journal of Medicine on assisted suicide found that five percent or less of physicians have ever administered injections or prescribed medications to hasten the death of terminally ill patients. However, the study also found that 36 percent of physicians would write lethal prescriptions if they were legal. This broadly reported study might increase Republicans' interest in seeking Federal legislation to overturn Oregon's assisted suicide law. Their interest in this issue will further intensify when the Justice Department offers its legal interpretation concluding that the Drug Enforcement Agency has no statutory authority to regulate the practice of doctors prescribing medication that hasten death. We believe that we will have to release this interpretation within the next two weeks. We will be sending you a memo next week that outlines options that position us best to respond to the likely Republican initiative.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-APR-1998 17:14:01.00

SUBJECT: Unz

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Below are talking points for Riley. Based on all my experience with Riley, I am convinced we should not try to overscript him on this--we should lay out the key points, signal if there are any key phrases we want him to use--and then assume he will stay on basic message, using his own unique style.

Draft Unz Talking Points

1. It is essential to educate all of our students, including particularly the growing proportion of our school children who are immigrants or American born children of immigrants. A well educated population is key to a growing economy and a health society. We must help all of our students reach the high standards and acquire the knowledge and skills needed for the 21st Century.

2. We must help every child, especially children whose native language is not English, become proficient in English.

3. The Unz Initiative is the wrong way to do this. It will result in fewer LEP students learning English, lower academic achievement in other subjects, and greater frustration for students and parents.

Kids learn at different rates; The one year time limit in Unz is an extreme, one-size-fits-all approach that will harm kids rather than help them.

Unz limits the discretion of teachers to choose the approach that is best suited for the children they teach

Unz would subject teachers, school board members and administrators to personal liability if they fail to comply with its requirements. This is not the way to build cooperation between parents and teachers.

Unz would fly in the face of local control and strip from local school boards the ability to make educationally sound decisions about how to meet the needs of the children.

Unz will in all likelihood result in problems under federal civil rights laws.

4. The right way is to strengthen our public schools overall and improve how our schools help LEP students learn English.

We can help LEP kids learn English and do well in academic subjects if we give them the same tools that other students need in order to succeed: higher standards, safe schools, smaller classes, well prepared teachers, and a challenging curriculum, and schools that are accountable for success. This is what the Administration is already trying to help schools in every state and community accomplish.

No one approach to educating LEP students works best all the time; we

must give local schools the flexibility to fashion an approach that will work the best for their students.

We must provide LEP students with fully qualified bilingual and English-as-second-language teachers. LEP students will succeed if they are given well-prepared teachers who know how to teach reading and who are knowledgeable about second-language acquisition.

Local school districts must be accountable for performance and results. School districts should be accountable for helping students become proficient in English as rapidly as possible. They should measure progress regularly, report publicly on how well they are doing, and take corrective action if students are not making adequate progress.

If we do these things, we can expect students to meet a goal of becoming proficient in English within 3 years. This is a reasonable goal--many students can learn English faster than they do at present if we set clear expectations and give them the help they need. Some will learn faster, and some students may need more time. A goal is not a mandate or a one-year straight-jacket; if a student needs additional time, he or she should get it, along with the help they need.

Q. Is the Administration planning on proposing changes to the federal bilingual education program now?

A. No, we are opposed to Unz, and we have discussed the principles we think should be used to strengthen efforts to help LEP students learn English. Congress is scheduled to reauthorize the bilingual education program along with other elementary and secondary education program. We will send Congress our reauthorization proposal at that time.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Morley A. Winograd (CN=Morley A. Winograd/O=OVP [UNKNOWN])

CREATION DATE/TIME:26-APR-1998 13:16:27.00

SUBJECT: Kiddie Mac

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

READ:UNKNOWN

CC: Sally Katzen (CN=Sally Katzen/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

G. E. DeSeve (CN=G. E. DeSeve/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

susan.valoscovic (susan.valoscovic @ npr.gov [UNKNOWN])

READ:UNKNOWN

TEXT:

Elena:

I met with Cong. Maloney and a staff person from Cong. Baker (R-LA) on Thursday to discuss HR 3637, which as Cong. Maloney wrote the President in March would create a secondary mortgage marketing for child care facilities and offer guaranty insurance for those who lend to child care facilities. In addition it contains a section with micro loans for child care facility improvements as well as offer liability insurance to child care providers. The bill with its broad ideological spectrum of support and its market focused approach to expanding child care availability would seem to have some appeal. Can you tell me if we are looking at it and how we think it might fit within the President's child care initiatives? It also carries a \$10M price tag which would require some budget tradeoffs as well.

Morley

**PRESIDENT WILLIAM J. CLINTON
REMARKS FOR SURGEON GENERAL'S REPORT
THE WHITE HOUSE
APRIL 27, 1998**

Anyone who has ever been a parent knows the absolute joy -- and the awesome responsibility -- that comes with raising a child. We will do everything we can to keep our children safe from harm -- from strapping on their seat belts in the car, to bundling them up against the winter cold, to teaching them to say no to drugs.

We accept that we cannot always predict all the challenges that may come our children's way. But the dangers and consequences of tobacco are plain to all. The temptation to try tobacco is one of the greatest threats our children face.

That is why today's disturbing news -- that more and more minority teens are falling to the temptation of cigarettes -- must galvanize our efforts to protect all our children from tobacco. We all know that today's statistics are part of a larger trend: Every day, 3,000 young people light up their first cigarettes and become smokers for life. One thousand of them will die as a result.

The cold hard facts are adding up. The call to action is getting louder. And time is running out. Congress has just four weeks to pass a comprehensive bipartisan tobacco bill that can help save the lives of millions of our children -- that will cut teen smoking by raising the price of cigarettes, imposing strong penalties on tobacco companies who continue advertising to children, and giving the FDA full authority to regulate children's access to tobacco products.

Senator McCain's bill is a strong step in this direction. Make no mistake about it: The legislation explicitly changes the rules of the game so that the tobacco industry can no longer do what it has done for years -- profit at the expense of our children's health.

It is time to end the delay. It seems as if we're in a situation where we know what the illness is -- too many children lured to smoking by unscrupulous, multi-million dollar advertising campaigns that have targeted our youth for decades. We know that the cure is -- tough, comprehensive bipartisan legislation to end these practices and cut teen smoking. And yet we're hesitating. No parent who knows how to cure a sick child would stand by and do nothing. For our children's sake, we must not walk away from this session of Congress without a comprehensive tobacco bill.

I don't want to turn this tobacco settlement into a political issue for the fall. I want an achievement for this spring -- a bipartisan tobacco law that will open a new chapter in America's efforts to protect the health of our children. Let us all work together to build a brighter future for our children.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 27-APR-1998 19:44:33.00

SUBJECT: Re: Needle exchange talking points

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

READ: UNKNOWN

TEXT:

A few things:

In Answer #1 (to the Satcher question), I would say "without encouraging drug use" instead of "increasing" - it may be a fine line, but "encouraging" is used in the law and there's reason for using it and not increasing.

In Answer #2 (to the Solomon Amendment): I am not sure I would argue that what the Solomon bill seeks to do is politicizing the issue - I'm not sure it would pass the snicker test. Rather, can't we say that we agree with what Congress had done in leaving the decisions on the scientific questions around needle exchange to the Secretary, and the decisions on which prevention strategies to use in the hands of state and local folks. I'd suggest something like:

"We believe that the purpose of this legislation is an attempt by a few members of Congress to grandstand on a very difficult but important issue. We think Congress did the right thing when it gave the Secretary of HHS the authority to answer the scientific questions around these programs. And we think that State and local officials now need to decide whether these programs are right for their communities."

This is also consistent with the SAP on which we've been working. By the way, you should see the letter McAffrey sent to Sandy on Friday. I'll show it to you tomorrow.

Todd

Elena Kagan
04/27/98 07:29:02 PM
Record Type: Record

To: Todd A. Summers/OPD/EOP
cc:
Subject: Re: Needle exchange talking points

Yes, you should. This is only a problem if we just don't have any time (as we didn't today). Do you have any suggested changes?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Patricia E. Romani (CN=Patricia E. Romani/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:27-APR-1998 09:08:45.00

SUBJECT: ALERT: ISTEА Deputies Meeting Time Change

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

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

TO: 1199595@SKYTEL (1199595@SKYTEL [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Henry C. Kelly (CN=Henry C. Kelly/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

The ISTEAs Deputies Meeting originally scheduled for 6:15pm today will now be held today from 1:30pm - 2:30pm in OEB Conference Room 248. Apologies in advance for any inconvenience this scheduling change may cause.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Peter G. Jacoby (CN=Peter G. Jacoby/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:27-APR-1998 20:13:14.00

SUBJECT: H-1B Legislation

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

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

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

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

TEXT:

I dropped off our draft legislative language earlier this evening to George Fishman (Smith) and Tina Hone (Watt) and faxed the language to Zoe Lofgren's staff. George just called back informing me that they would have a final bill tomorrow (it was drafted over the weekend) which he would share with us tomorrow evening after Lamar Smith meets with his fellow Republicans on the Subcommittee. While declining to give details, he said that although we would not like the bill's increase in the caps, we would like all of the other provisions. He did indicate that we would not like the bill's failure to contain other provisions (my read of this comment is that they left the training piece out). Watt's staff and Lofgren's staff indicate that they did not have any input in the bill over the weekend. Finally, I have to confess that I gave George a draft of our language on Friday (anticipating that he would draft over the weekend) and he indicated that some of our language has been included. We shall see.

After they introduce the measure tomorrow they plan to markup in Subcommittee on Thursday, in full Committee next week and on the House floor the week after that. Stay tuned.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elisa Millsap (CN=Elisa Millsap/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 27-APR-1998 08:18:52.00

SUBJECT: Update of Members of Congress Attending Tobacco Event

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

TO: Elena Kagan (CN=Elena Kagan/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

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

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

TEXT:

A final list will be sent out again before the event. Many Members are still pending.

EVENT: Tobacco Event

DATE: Monday, April 23, 1998

TIME: 1:30pm-2:00pm

LOCATION: The South Lawn

CONFIRMED TO ATTEND(19):

Sen. John Chafee (R-RI)

Sen. William Frist (R-TN)

Sen. Orrin Hatch (R-UT)

Rep. Neil Abercrombie (D-HI)

Rep. Xavier Becerra (D-CA)

Rep. Julia Carson (D-IN)

Rep. Donna Christian-Green (D-VI)

Rep. Elijah Cummings (D-MD)

Rep. Eni Faleomavaega (D-AS)

Rep. Alcee Hastings (D-FL)

Rep. Ruben Hinojosa (D-TX)

Rep. Eddie Bernice Johnson (D-TX)

Rep. Donald Payne (D-NJ)

Rep. Nancy Pelosi (D-CA)

Rep. Lucille Roybal-Allard (D-CA)

Rep. Bobby Rush (D-IL)

Rep. Louis Stokes (D-OH)

Rep. Bennie Thompson (D-MS)

Rep. Bob Underwood (D-GU)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa N. Benton (CN=Melissa N. Benton/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:27-APR-1998 13:54:42.00

SUBJECT: LRM MNB 151--Labor testimony on OSHA Reform legislation

TO: Sanders D. Korenman (CN=Sanders D. Korenman/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

TO: John F. Morrall III (CN=John F. Morrall III/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: Karen Tramontano (CN=Karen Tramontano/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

This is a reminder that your comments on the subject LRM are due at 2 p.m. TODAY.

Please provide any comments to me by that time. If I do not hear from you, I will assume no comment and will proceed with clearing the testimony.

Please call (5-7887) or e-mail if you have any questions. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sean P. Maloney (CN=Sean P. Maloney/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:27-APR-1998 12:09:43.00

SUBJECT: The President's Trip to NY

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

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

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

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

TO: Dorian V. Weaver (CN=Dorian V. Weaver/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TO: Mary Morrison (CN=Mary Morrison/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

TO: Cynthia M. Jasso-Rotunno (CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Nancy V. Hernreich (CN=Nancy V. Hernreich/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Cecily C. Williams (CN=Cecily C. Williams/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Christopher Wayne (CN=Christopher Wayne/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael V. Terrell (CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [CEQ])

READ:UNKNOWN

TO: Jordan Tamagni (CN=Jordan Tamagni/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Aviva Steinberg (CN=Aviva Steinberg/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Laura D. Schwartz (CN=Laura D. Schwartz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Linda L. Moore (CN=Linda L. Moore/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TO: Daniel K. Chang (CN=Daniel K. Chang/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

Tomorrow, Tuesday, April 28, 1998, the President will travel to New York City to attend a DSCC dinner. Deadlines for the President's trip book are as follows:

Background Memos:

DUE TODAY AT 6:00 P.M.

- Political Memo
- CEQ Hot Issues
- Cabinet Affairs Hot Issues
- Economic One-Pager
- Accomplishments

Event Memos:

DUE TODAY AT 6:00 P.M.

- DSCC Dinner

Please call or e-mail me if you have any questions. Thanks.

59