

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 028 - FOLDER -013

[05/03/1998 - 05/04/1998]

Issues

Automated Records Management System Hex-Dump Conversion

1. Penalties
2. Environmental Tobacco Smoke
3. Antitrust
4. Price/volume adjustment
5. Law enforcement, incl retail licensing
6. International
7. Retailer concerns, incl FDA authority and adult-only/tobacco shops
8. Spending
9. Liability fund budget issues
10. Severability
11. Attorneys fees
12. Preemption of local lawsuits
13. Smokeless
14. Tax treatment of native american tribes (Gorton amendment)
15. Asbestos
16. Internet
17. CBO scoring report -- issues raised by Dem govrs
18. Police organizations

Congressional Meetings to Set Up

19. Feinstein -- mtg re: FDA
20. Erskine mtgs -- Kerry, Graham & Harkin, Robb, Ford, Wyden, Hatch, Jeffords, Roth, Lugar, Bennett, Dewine, Abraham?
21. Shalala mtgs -- Conrad, Reid, Leahy, Rockefeller, Bryan, Dorgan, Moynihan?
22. Staff team mtgs -- Proposed teams:
 - Team 1: Kagan, Burke, Zeller, Thomas, Gruber, Perrelli (DOJ only some mtgs)
 - Team 2: Rice, Tarplin, Schultz, Wolin, Perrelli (DOJ only some mtgs)

Congressional Requests

23. Hatch -- assumptions regarding \$1.10
24. McCain -- letter re: Nickles analysis
25. McCain -- restructuring bill so it works w or w/o consent
26. McCain -- retailer issues
27. McCain -- smuggling language
28. McCain -- managers amendment/staff level policy issues
29. McCain/Ford -- smokeless
30. Wyden, Hollings -- international issues
31. Daschle -- constitutional briefing of caucus
32. Daschle -- lookback rationale; \$/pk vs assessment; preemption; liability (addiction/parent company) \$500 per child foregone profit.

Automated Records Management System
Hex-Dump Conversion

33. Daschle, Conrad, Durbin -- talking points on key issues
34. Conrad -- witness on bankruptcy, Tues May 12th -- Gary G w/ Gruber at table?
35. Leahy -- law enforcement briefing
36. Hansen -- Admin views of his bill
37. Burton -- Request to Customs for info on Chinese cigarettes
38. Lautenberg -- help on bipartisan ETS proposal
39. Mack -- antitrust exemption (Wendy Grubbs 224-4953)
40. Moynihan -- Gorton amendment
41. Faircloth -- Q&A on Synar and access restrictions
42. Judiciary Cmte (Hse&Sen) -- Q&A from Ogden testimony

Other Requests

43. IGA -- talking points on local preemption
44. EBB -- Response to Jim Hunt
45. Anne Wexler correspondence re: asbestos trust fund
46. Mike Coulson, Coulson Oil Co correspondence re: retailer concerns
47. Center for Tobacco Free Kids correspondence re: international issues
48. Ted Danson -- WH ceremony for Gleitsman Fdn Citizen Activist Award for "unswerving determination to confront, challenge, and correct social injustice" to 10 anti-tobacco activists, including the VP, Alan Blum, Stan Glantz, Christine Gregoire, Koop, Janet Carol Mangini, Waxman, Jeffrey Wigand, Merrell Williams, and Patricia Young.

Assignments Outstanding

49. DOJ, preemption of local lawsuits
50. DOJ, summary of liability provisions of bill
51. DOJ, parent company liability
52. Treas, updated adult market share
53. Treas, \$500 per child foregone profit
54. Treas, side by side of Wall Street analysts views for EBB
55. HHS, investigate possible Finance markup
56. All agencies, review of new Commerce bill

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 19:05:02.00

SUBJECT: Tough negotiator at work

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Did you see this from the Al Hunt interview last week?

Q Next to the last question, on tobacco, would you be willing to give up some of the initiatives that you have proposed as part of the tobacco deal in order to get legislation that limits any revenue strictly to tobacco and health related areas?

THE PRESIDENT: Well, let me say, first of all, most of the initiatives that I proposed to fund -- in education, for example -- were not coming out of tobacco revenues, except those that were being collected to be sent back to the states.

Now, I wanted to say that those should be spent for the benefit of children and smaller class sizes in the earlier grades and in child care, and not children's health, for the simple reason that in the Balanced Budget Act we had the biggest increase in children's health in 35 years.

If Congress wanted to give the states some more flexibility in spending that money, we could argue about that, but that wouldn't be a deal breaker for me. We can also have a debate about that in the election, whether I was right or they were right and what we should do with the priorities in the future.

My sole concern, in terms of what bill I would sign or not, is the question of whether it will substantially reduce teenage smoking and thereby lift the health fortunes of all these children that are otherwise going to be imperiled.

Q Do you think the McCain bill does that, is that correct?

THE PRESIDENT: I do. I do. There are a couple things that if I were writing the McCain bill I'd change and maybe we can even get a few changes in it. And I'm sure there are people on the other side who would like to change a couple things about it. But I think that the McCain bill is -- I think Senator McCain and the Democrats and Republicans who worked with him -- keep in mind, 19 people voted for that bill -- made an honest effort to, first of all, protect our children from the dangers of tobacco; secondly, raise enough money that we can invest it in an advertising campaign and medical research and to do the things that ought to be done from a health point of view; took decent care of the tobacco farmers, gave them an opportunity to buy their way out of what they are doing now

in ways that seem to find favor among the farmers; and basically did the kinds of things that ought to be done. It's certainly a good vehicle through which we can work to try to get a bill out of the Senate and then hopefully get one out of the House.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nelson Reyneri (CN=Nelson Reyneri/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAY-1998 14:41:23.00

SUBJECT: Tobacco talking points

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

READ:UNKNOWN

TEXT:

Could you please assist me with the following:

Sylvia Mathews called me from the road asking if I could get talking points on tobacco, specifically how to refute the arguments that the proposed legislation would result in increased smuggling and increased crime.

If you have anything related to this, I'd appreciate it if you would email me the info.

I appreciate your help.

Nelson

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 16:34:09.00

SUBJECT: LOTT RAISES NEW DOUBTS ABOUT CHANCES FOR TOBACCO POLICY ...

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

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

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

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

TEXT:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 05/04/98
 04:33 PM -----

WHITE_WI @ A1

05/04/98 03:08:00 PM

Record Type: Record

To: Cynthia A. Rice, Barbara D. Woolley, Richard J. Turman

cc:

Subject: LOTT RAISES NEW DOUBTS ABOUT CHANCES FOR TOBACCO POLICY ...

Date: 05/04/98 Time: 12:16

TLott raises new doubts about chances for tobacco policy this year

WASHINGTON (AP) - Senate Majority Leader Trent Lott today wavered on whether Congress' leading tobacco bill will be considered by his chamber, once again casting doubt on the chances of a national tobacco policy becoming law this election year.

Scheduling, Lott said, could prevent any tobacco legislation from coming up at all. This week's sticky debate over IRS reform could delay ``a lot of other bills that are in the line here, including the possibility of tobacco legislation,'' Lott said.

He had set aside the last days before the Memorial Day recess to take up tobacco legislation because the appropriations process would kick in thereafter and leave no time to debate other bills for the rest of the year.

``I never was committed to that,'' Lott said today of the May 18 date he had set for tobacco debate. ``I have said that I thought that was a window of opportunity and it had been my intent to see if we could get it ready by then.''

But, he acknowledged, the chances of passing a sweeping tobacco bill this year sink considerably after that week.

``If we don't get it done then, then we don't have many more opportunities,'' he said.

But even if the schedule allows time to consider a tobacco bill, Lott raised new doubts about which one he would bring to the floor. A sweeping measure sponsored by Senate Commerce Committee Chairman John McCain far tougher on the tobacco industry than the \$368 billion settlement reached in June passed his committee last month 19-1.

"It could be McCain, it could be a version of McCain, it could be something else, it could be, you know, any number of things at this point," Lott said.

Senate Minority Leader Tom Daschle said minutes later that he was "surprised to hear that."

"I would be chagrined and disappointed" if Lott chose another bill, he said.

But Daschle agreed that tobacco policy is dead in the Senate if not voted on before Memorial Day.

"If we don't get it done by May, chances are we won't get it done," he told reporters.

The McCain bill has been bewitched by criticism from virtually every lawmaker and interest group, and the tobacco industry itself has refused to participate in its voluntary advertising restrictions. House Speaker Newt Gingrich has savaged it and refused to consider it in his chamber.

Lott has said the McCain bill may be too complex to consider this year. Senate Judiciary Committee Orrin Hatch has called it "pitiful," and GOP sources said Assistant Majority Leader Don Nickles is informally gauging support for a narrower bill.

But McCain continues to seek a consensus among the interest groups, the White House and other Senators, and Daschle noted that his bill continues to be the only one that has passed a committee.
APNP-05-04-98 1217EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 21:11:26.00

SUBJECT: Spending in Certain Areas of McCain

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

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

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

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

TEXT:

I don't think we are going to be able to get any guidance from the Committee, do you?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 05/04/98
09:10 PM -----

Frank J. Seidl III
05/04/98 06:57:58 PM
Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc: Richard J. Turman/OMB/EOP
Subject: Spending in Certain Areas of McCain

As mentioned, we're trying to develop spending estimates on the following six areas of the bill, where admittedly, it is difficult to know what levels McCain is contemplating. If you can give us any sense of the dollar magnitudes that the Committee may have in mind in these areas, it would be a real help to us.

Cessation -- p. 131, line 15-16, includes language "such sums as may be necessary".

Public Education Program -- p. 137, line 9, includes "such sums as may be necessary".

Community Action Program -- p. 138, line 9, includes "such sums as may be necessary".

Block Grant for State Retail Licensing -- p. 138, lines 14 & 22, any indication on the size of these grants?

Indians -- a) Public Health Payments p.186, line 20 and p. 187, line 10, provides grants to eligible indian tribes; b) Trust Fund Payments to IHS, p. 188, lines 15-17, would fund programs to reduce consumption and promote cessation activities.

Minorities Counter-Advertising -- p. 394, lines 16-17, includes "such sums as may be necessary".

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 19:06:43.00

SUBJECT: Re: Speechwriter

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As the attached indicates, there is some question as to whether POTUS' reference in his DNC remarks on Saturday to "intellectual purgatory" refers to bilingual education or to Unz if it passes. As I read the transcript, I think he means bilingual education--though I'm not sure its a good idea to offer that clarification.

Any thoughts?

----- Forwarded by Michael Cohen/OPD/EOP on 05/04/98
06:59 PM -----

Jordan Tamagni

05/04/98 04:22:47 PM

Record Type: Record

To: Estela Mendoza/WHO/EOP, Jonathan Murchinson/WHO/EOP, Janet Murguia/WHO/EOP, Michael Cohen/OPD/EOP

cc: Laura K. Capps/WHO/EOP, Michael Waldman/WHO/EOP

bcc:

Subject: Re: Speechwriter

He came up with intellectual purgatory all by himself.

But for the record [consulting the record], I think he was talking about children.

"I hope that all of you in California, particularly here, will debate this, because we need to do right by these kids. And doing right means giving them what they need, but not keeping them trapped in some sort of intellectual purgatory where they'll get bored and drop out of school and won't go forward. So I'm very sympathetic with the impulse that put this initiative on the ballot, but I think it's the wrong answer.

Estela Mendoza

05/04/98 02:57:30 PM

Record Type: Record

To: Jonathan Murchinson/WHO/EOP

cc: Janet Murguia/WHO/EOP, Michael Cohen/OPD/EOP

Subject: Speechwriter

Do you know who drafted remarks for POTUS for Saturday's DNC event?

POTUS uttered words "intellectual prugatory" but there is a question as to what he is referring to. Kids in bilingual education or the Unz initiative?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 11:22:23.00

SUBJECT: Re: Kiddie Mac

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

READ:UNKNOWN

TEXT:

I'll get with Morley as they say in Arkansas.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 17:29:10.00

SUBJECT: Welfare to Work Partnership event in Seattle, June 12

TO: Lee Ann Brackett (CN=Lee Ann Brackett/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

The Partnership is doing an event with Boeing, other businesses, and state/local officials in Seattle on June 12th. They are going to invite Secretary Shalala to do the keynote speech, with Secretary Slater as an alternative. They wanted to extend the invitation to see if either POTUS or VP were interested in doing this. Looks like POTUS will be in CA. Lee Anne, any chance VP might want to do this?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 20:00:26.00

SUBJECT: OMB Legislative Report - May 4, 1998

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

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

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

TO: RUDMAN_M@A1@CD@VAXGTWY (RUDMAN_M@A1@CD@VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

TO: Lawrence J. Haas (CN=Lawrence J. Haas/O=OVP@OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

TO: Kevin S. Moran (CN=Kevin S. Moran/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: M. Jill Gibbons (CN=M. Jill Gibbons/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TO: Jennifer Ferguson (CN=Jennifer Ferguson/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: Melissa N. Benton (CN=Melissa N. Benton/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Phillip Caplan (CN=Phillip Caplan/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: Mickey Ibarra (CN=Mickey Ibarra/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: WALKER_A@A1 (WALKER_A@A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Gina C. Mooers (CN=Gina C. Mooers/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Victoria Wassmer (CN=Victoria Wassmer/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Michael L. Goad (CN=Michael L. Goad/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Martha Foley (CN=Martha Foley/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

TO: Linda Ricci (CN=Linda Ricci/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lisa B. Fairhall (CN=Lisa B. Fairhall/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Donald R. Arbuckle (CN=Donald R. Arbuckle/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: BENDICK_G@A1@CD@LNGTWY (BENDICK_G@A1@CD@LNGTWY [UNKNOWN]) (NSC)

READ:UNKNOWN

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

READ:UNKNOWN

TO: Stephen G. Elmore (CN=Stephen G. Elmore/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Sandra Yamin (CN=Sandra Yamin/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Sean E. O'Connor (CN=Sean E. O'Connor/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TO: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

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

TO: Carol Thompson-Cole (CN=Carol Thompson-Cole/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

TO: BROWN_JA@A1 (BROWN_JA@A1 @ CD @ LNWTWY [UNKNOWN]) (OMB)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ: UNKNOWN

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

TEXT:

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

FROM: OMB LEGISLATIVE AFFAIRS

DATE: MAY 4, 1998

SUBJECT: LEGISLATIVE REPORT

CONGRESS -- TODAY (5/4):

SENATE:

Began consideration of H.R. 2676 - IRS Reform Bill
[SAP pending: Administration supports passage, with modifications
and has serious concerns about costs]

HOUSE:

Pro forma session

CONGRESS - TOMORROW (5/5):

SENATE:

Convene at 9:30am for morning business. The Senate will recess from
12:30pm - 2:15pm for the weekly policy conferences.

Continue consideration of H.R. 2676 - IRS Reform Bill (Managers□,
amendment expected to be offered)

[SAP pending: Administration supports passage, with modifications
and has serious concerns about costs]

At 4:30pm, resume consideration of S. 1186 - the Workforce Investment
Partnership Act of 1998 (vote on final passage expected Tuesday at 5:30pm).
[SAP sent, 4/30: Administration supports passage but has concerns;
strongly opposes School-to-Work Opportunities Act amendment]

HOUSE:

Convene at 12:30pm for morning hour and 2:00pm for legislative business.
No recorded votes are expected before 5:00pm.

Consider the following items on the Suspensions calendar:

- o H.R. 567 - Madrid Protocol Implementation Act
[SAP sent, 5/4: Admin. supports]
- o H.Res. 372 - Expressing the Sense of the House of Representatives that
Marijuana is a Dangerous and Addictive Drug and Should not be Legalized
for Medicinal Use. [No SAP]
- o H.Res. 267 - Expressing the Senate of the House of Representatives that
the Citizens of the United States must Remain Committed to Combat the
Distribution, Sale, and Use of Illegal Drugs by the Nation's Youth [No SAP]
- o H.Con.Res. 220 - Regarding American Victims of Terrorism
[No SAP]

Continue consideration of H.R. 6 - Higher Education Amendments of 1998

(vote on the revised Riggs amendment likely Wednesday; Riley letter on revised Riggs amendment pending)

[SAP sent, 4/28 & Riley letter sent, 4/28: Senior advisers veto threat]

CONGRESS - THIS WEEK

SENATE:

Wednesday, May 6 and the Balance of the Week

Continue consideration of H.R. 2676 - IRS Reform Bill

[SAP pending: Administration supports passage, with modifications]

HOUSE:

Wednesday, May 6 and the Balance of the Week:

Convene at 10:00am for legislative business.

Complete action on H.R. 6 - Higher Education Amendments of 1998 (vote on the revised Riggs amendment likely Wednesday; Riley letter on revised Riggs amendment pending)

[SAP sent, 4/28 & Riley letter sent, 4/28: Senior advisers veto threat]

H.R. 1872 - Communications Satellite Competition and Privatization Act of 1997 (Subject to a rule) [No SAP]

H.R. 10 - Financial Services Competition Act of 1997 (Subject to a rule) [SAP under discussion]

H.R. 3694 - Intelligence Authorization Act for FY 1999 (Subject to a rule) (may drop off of the calendar if Banking falls apart)

[SAP under discussion: Administration supports]

CONGRESS - LONG-RANGE SCHEDULE

SENATE:

On the tentative May schedule is nuclear waste storage legislation; the DOD authorization bill; tobacco legislation; a series of high-tech bills including slamming, Internet pornography, Internet gambling, & Internet tax bill (likely the week of May 11); and the Caribbean Basin Initiative enhancements.

HOUSE:

On the tentative House schedule is an ISTEAs conference report (Raines letter sent 4/30), legislation on religious persecution, Internet taxation, Internet gambling, securities litigation reform, bankruptcy reform, preventing crimes against children, and the FY99 budget resolution. Campaign finance is also possible May 15.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 11:14:17.00

SUBJECT: Cardin amendment to child support incentives bill

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

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

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

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

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

TEXT:

We have voiced general support for the Cardin amendment to the House child support incentives bill, but we do have some concerns about it. It would exclude aliens who owe child support from admission to the U.S. and make them ineligible for visas. The INS is very concerned about the administrative burden this would create, since a check could be required every time an alien leaves the country, even if only for a day. The Center on Budget is working on an alternative that it hopes to sell Cardin on. (Cardin is motivated by one particular child support scofflaw -- a wealthy foreign businessman who isn't detected by other enforcement tools like wage withholding.) The Center's compromise is that a state can create a list of people for whom the usual enforcement techniques don't work, and the INS denies admission to those people based on that limited list it maintains at the border. If Cardin OK's this compromise, I am told others on the Hill will be satisfied with it, too. I am assuming we would go along with this, but let me know if you disagree.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 4-MAY-1998 12:20:12.00

SUBJECT: 1-pager to review (My recommended additions are in bold, my recommended de

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

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

TEXT:
EDUCATION

□&Every American who is willing to work and study hard can now afford college... We□,ve thrown open the doors to higher learning. Now, we must continue working to make sure all our children can walk through them and seize the opportunities of the future. That is why in my balanced budget, I am proposing the largest commitment to K-12 education in history --a comprehensive plan to raise standards, raise expectations and raise accountability in our schools.□8

President Bill

Clinton

February 20, 1998

Building On The Largest Education Investment In 30 Years. President Clinton has made K-12 education a top priority --by taking steps to reduce class size, modernize and build new schools, set[pass] voluntary national standards through testing in 4th grade reading and 8th grade math, end the practice of social promotion, and continue education reform. His plan builds on last year□,s [1998's] budget allocations in higher education --the largest education investment in 30 years and the largest investment in higher education since the G.I. Bill in 1945. The President□,s plan:

□□ Reduces Class Size. The President□,s budget includes a \$12.4 billion initiative over 7 years to help local schools provide small classes with well-prepared [qualified] teachers in the early grades. The initiative will reduce class size in grades 1-3 to a nationwide average of 18, and will help local school districts hire an additional 100,000 well-prepared teachers, in order to help all children read well and independently by the end of the third grade.

□□ Modernizes and Build Schools to Improve Student Learning. In order for students to learn and compete in the global economy, schools must be well-equipped and able to accommodate smaller class sizes. The President is proposing federal tax credits to modernize and build more than 5,000 new schools --half of this support will be allocated to the 100 school districts with the largest number of low-income students.

□□ Achieves High Standards and Helps Ends Social Promotion. The President□,s plan includes proposals to ensure that all students attend schools where high standards are taken seriously and kids are given the help they need to succeed. [No child should be allowed to pass to the next grade unless he or she has mastered the material.] [The President□,s plan includes proposals to ensure that all students attend schools where

high standards are taken seriously and kids are given the help they need to succeed.] It supports the continued development and implementation of high national standards and national tests, and establishes educational opportunity zones in poor urban and rural communities to give students the tools and opportunities needed for success. It also provides schools with guidelines on how to end social promotion, ensure that more students learn what they need the first time round, and help those who don't with extra tutoring and summer school. No child should be allowed to pass to the next grade unless he or she has mastered the material.

□□ Expands Access to Safe After-School Care. To help create safe, positive learning environments for American school-age children who lack adult supervision during a typical week, the President is proposing \$1 billion over five years for [to increase] the 21st Century Learning Center Program [by \$800 million over five years] to support school-community partnerships that expand or establish quality programs providing after-school care for up to half a million children a year.

□□ Bring Our Students and Schools into the Information Age [Optimizes Educational Technology] . The President's plan provides new or expanded initiatives to ensure that all children have access to the information superhighway, high-quality educational content on-line, and teachers with the training needed to make effective use of technology. The plan also will broaden access to high quality learning opportunities for adults using the Internet and other new technologies.

□□ Inspires Young People. The President's plan includes a new High Hopes initiative to inspire young people to have high expectations of themselves, to study hard, and to go to college. The initiative promotes partnerships between colleges and middle or junior high schools in low-income communities to help teach students how they can go to college by informing them about college options, academic requirements, costs, and financial aid, and by providing support services --including tutoring, counseling, and mentoring.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAY-1998 17:27:37.00

SUBJECT: OCR

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

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

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

TEXT:

Chuck Ruff is hosting a meeting concern the process for OCR in the Dept. of Education to notify and consult with other offices, including ED General Counsel and Office of the Secretary, White House Counsel, and others. The meeting will be held Tuesday, May 5th, in Room 474, OEOB. You are invited. Sorry for the late notice.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 08:36:28.00

SUBJECT: Re: organic standards

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I agree with you. USDA probably shouldn't have leaked it however without clarifying things a bit more with OMB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 14:53:12.00

SUBJECT: Administration position on Gorton amendment

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

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

TO: 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

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

TEXT:

Interior called me again so that they could follow up with Monyihan's office on our position on the Gorton amendment. The agencies had prepared a q&a on the Gorton amendment, which answers most of the questions. Attached is a copy. The Administration has most recently taken a position against this type of legislation in DOJ hearing testimony on March 11, 1998. Please let me know if Interior can get back to Monyihan's office. Thanks, Mary

----- Forwarded by Mary L. Smith/OPD/EOP on 05/04/98
02:51 PM -----

Mary L. Smith
04/29/98 09:08:01 AM
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Cynthia A. Rice/OPD/EOP
Subject: Administration position on Gorton amendment

Senator Monyihan's office has called the Department of Interior asking what the Administration's position is with respect to the Gorton amendment, which requires Indian tribes to collect state taxes on the sale of tobacco products to non Indians. There doesn't seem to be any debate over our position-- the Department of Justice recently testified in March of this year that we don't favor this type of legislation because it interferes with tribal sovereignty. Let me know if it is alright if Interior calls Monyihan's office back.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D80]MAIL40635632N.126 to ASCII,
The following is a HEX DUMP:

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THE GORTON AMENDMENT

Q: What does the Gorton Amendment do?

A: The Gorton Amendment modifies Section 604 of the McCain bill to require Indian tribes and tribal corporations to collect state taxes on sales of tobacco products to non-members of the tribe or corporation and then remit those taxes to the federal government, which then must return those funds to the states.

Q: Can the states tax sales of tobacco products on Indian lands?

A: Since the formation of the Union, the United State has recognized Indian tribes as "domestic dependent nations" that exercise governmental authority over their members and their territory. The Constitution vests the federal government with authority over relations with Indian tribes. Because Indian tribes and Indians are governed by tribal and federal law, states have no authority to tax Indian tribes, Indians, or Indian property on Indian lands in the absence of express congressional authorization. States may tax non-Indians who buy pre-packaged goods that have been brought onto Indian lands for resale, but may not tax sales to non-Indians when the value of the goods are generated on the reservation.

Q: How does the Gorton Amendment interfere with tribal sovereignty?

A: Where Indians manufacture tobacco products on their own lands, state taxes on reservation-generated tobacco products would normally be pre-empted under the tribal self-determination doctrine; the Gorton Amendment interferes with this fundamental principle. Even with respect to state taxes collected on sales of pre-packaged goods to non-Indians, the Gorton Amendment violates traditional principles of comity and federalism, which demand that state-tribal relations be developed based on dialogue and cooperation between states and tribes. The Gorton Amendment, by imposing a federally mandated tax collection scheme to replace the cooperative agreements currently used by states and Indian tribes, violates these principles. Some of these state-tribal agreements are authorized pursuant to state statute.

Q: Why is the Gorton Amendment burdensome?

A: The Gorton amendment establishes a complex scheme to address a problem that states and Indian tribes have already resolved. Dual tribal and state taxation of prepackaged goods sold to non-Indians is possible, but many states have agreed that it is not preferable. To that end, eighteen states have entered into state-tribal tax agreement with numerous Indian tribes. These agreements ensure that a single tax is imposed, provide a stable tax framework, and ease tax administration significantly. There appear to be over 200 existing state-tribal tax agreements in these 18 states.

By unilaterally requiring Indian tribes to collect the state taxes and also adding the federal government as an intermediary, the Gorton Amendment enormously increases the burden of collecting taxes, without any benefit to the states or the Indian tribes. Federal accounting, oversight, and administrative costs will increase to implement this new legislative scheme. However, nothing more than anecdotal evidence has been presented to support this overreaching legislative mandate.

Q: Has the administration taken this position previously?

A: Yes, most recently before the Senate Committee on Indian Affairs in a hearing on tribal sovereign immunity on March 11, 1998. In the administration's view, agreements are the best mechanisms for mutually satisfactory resolution of tax collection issues between states and tribes. Even if states and tribes are unable to reach agreement, however, states may impose their taxes at the wholesale level to collect taxes on goods that are destined for sale to non-Indians. Moreover, reliance on agreements preserves tribal governmental authority and sovereignty.

Q: What should the McCain bill do about Indian tribes and state taxes?

A: As originally drafted, the McCain bill did not disturb the current system, which has worked for both the tribes and the states. It permitted the states and the tribes to work together to collect the state's revenues and to share revenues if they so desire. Moreover, it vindicated the federal government's trust responsibility to Indian tribes and recognized their status as domestic dependent nations.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 19:07:05.00

SUBJECT: Wednesday Judiciary Hearing.

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

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

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

TO: Cynthia Dailard (CN=Cynthia Dailard/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:

Treasury got the OK from Larry Summers to testify, and called Leahy back....but now Kennedy is the ranking member for the hearing (I guess Leahy is unavailable) and Kennedy wants Jeff Harris. Thus, we're not invited.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAY-1998 20:46:05.00

SUBJECT: McCaffrey Memo

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

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

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

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

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

TEXT:
BR/EK/Rahm:

I spoke to Staff Sec. about the McCaffrey scheduling memo. All they need is a reaction from us -- e-mail would be fine -- so they can incorporate it in a quick cover note. They'd like to send it in to the President during his office time tomorrow. If the following is okay w/you, I'll cc staff sec. and tell them to work from this...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 05/04/98
08:41 PM -----

Jose Cerda III
05/04/98 07:27:24 PM
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Michelle Crisci/WHO/EOP, Leanne A. Shimabukuro/OPD/EOP
bcc:
Subject: McCaffrey Memo

BR/EK:

Here are my comment/recs on McCaffrey's scheduling memo to the President:

1. National Rollout of the Youth Media Campaign. We should support a roll-out of this signature anti-drug initiative. However, for the President not to be disappointed, we need to make sure Rahm takes the lead in getting ONDCP to come up with some specific announcements -- i.e., new anti-drug ads, additional private sector partners and commitments, results from the 6-month/12-city pilot, etc.

2. U.N. Special Session on Drugs. I understand scheduling has already committed to do this, and that NSC is taking the lead. There is very little of our stuff here.

3. Drug-Free Communities Rollout. The President just signed off on the proposed candidates for the Drug-Free Communities board, and Personnel says that it will take another 4 to 6 weeks to fully vet these folks. I would not, however, recommend this as a stand-alone event. The board does not include any really big names, and the grants are so small (\$10 million). Moreover, the Hill Dems were not happy when we did a signing ceremony with the R's on this. They hate that the R's vote against funding for virtually every other community-based drug program -- to the tune of hundreds of millions of dollars -- and then turn around and support these tiny grants for community organizations. If anything, we should roll this into the media campaign announcement. It will allow us to say we're linking our national ant-drug message with action at the grass roots.

4. President's Drug Advisory Council. This is a bit of a problem. As I've mentioned, OMB -- for themselves and on behalf of various agencies -- has expressed serious concerns about ONDCP wanting to discuss its performance measurement system at this meeting. I would defer to them on when it's appropriate to do this.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Darby E. Stott (CN=Darby E. Stott/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAY-1998 09:23:48.00

SUBJECT: REMINDER: Press Conference

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

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

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

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

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

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

TO: CROWLEY_P (CROWLEY_P @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

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

TO: RUBIN_E (RUBIN_E @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

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

READ:UNKNOWN

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

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

TEXT:

The Prodi press conference is on Wednesday. We will need all Q&A by 2:00 pm tomorrow. Please let me know today if this poses any problems.