

NLWJC - KAGAN

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[05/09/1998 - 05/12/1998]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. email	from Jacinta Ma to Jose Cerda et al subject Mtg on Race Advisory Bd Panel on Administration of Justice [partial] (1 page)	05/11/1998	P6/b(6)
001b. email attachment	Phone No. (Partial) (2 pages)	05/11/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[05/09/1998-05/12/1998]

2009-1006-F

kc156

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
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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: Bruce N. Reed (CN=Bruce N. Reed/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-MAY-1998 14:41:55.00

SUBJECT: Note juror's reaction

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:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ingrid M. Schroeder (CN=Ingrid M. Schroeder/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:11-MAY-1998 15:42:01.00

SUBJECT: LRM#IMS321 - LABOR and JUSTICE Report on HR3736 Workforce Improvement and

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Charles W. Fox (CN=Charles W. Fox/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: Ronald L. Silberman (CN=Ronald L. Silberman/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

TO: Sandra Yamin (CN=Sandra Yamin/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: lrm (lrm @ nsf.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: dodlrs (dodlrs @ osdgc.osd.mil [UNKNOWN])
READ:UNKNOWN

TO: dol-sol-leg (dol-sol-leg @ dol.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Darlene O. Gaymon (CN=Darlene O. Gaymon/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TEXT:

Total Pages: _____

LRM ID: IMS321
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Monday, May 11, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: James J. Jukes (for) Assistant Director for Legislative Reference
OMB CONTACT: Ingrid M. Schroeder
PHONE: (202)395-3883 FAX: (202)395-3109

SUBJECT: LABOR and JUSTICE Report on HR3736 Workforce Improvement
and Protection Act of 1998

DEADLINE: 10am Tuesday, May 12, 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: HR3736 is scheduled for markup in the House Judiciary Committee on May 13th.

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128-US Trade Representative - Fred Montgomery - (202) 395-3475
30-EDUCATION - Jack Kristy - (202) 401-8313
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29-DEFENSE - Samuel T. Brick Jr. - (703) 697-1305
84-National Science Foundation - Lawrence Rudolph - (703) 306-1060
95-Office of Science and Technology Policy - Jeff Smith - (202) 456-6047
76-National Economic Council - Sonyia Matthews - (202) 456-6630
Council of Economic Advisers - Liaison Officer - (202) 395-5084

EOP:

Debra J. Bond
Larry R. Matlack
Barry White
Sandra Yamin
Barbara Chow
Steven M. Mertens
Daniel J. Chenok
Evan T. Farley
Joseph G. Pipan
Ronald L. Silberman
Louisa Koch
Richard J. Turman
Mary Jo Siclari
Charles W. Fox
Gregory G. Henry
Katherine M. Tyer
S. A. Noe
Jack A. Smalligan
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 Kate P. Donovan
 Lisa M. Kountoupes
 Charles Konigsberg
 Ellen J. Balis
 James C. Murr

LRM ID: IMS321 SUBJECT: LABOR and JUSTICE Report on HR3736 Workforce Improvement and Protection Act of 1998

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: Ingrid M. Schroeder Phone: 395-3883 Fax: 395-3109
 Office of Management and Budget
 Branch-Wide Line (to reach legislative assistant): 395-3454

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

The Honorable Henry J. Hyde
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Hyde:

Today, your Committee will mark-up H.R. 3736, the Workforce Improvement and Protection Act of 1998 which is intended to address the growing demand for skilled workers in the information technology (IT) industry by enacting a temporary increase in the annual cap on the number of visas for temporary foreign specialty workers under the H-1B program, while also effecting reforms to the H-1B program that would help target their usage to industries and employers that are actually experiencing skill shortages.

The Administration believes that the first step in increasing the availability of skilled workers must be raising the skills of U.S. workers and helping the labor market work better to match employers with U.S. workers. Therefore, substantial additional efforts to increase the skill level of U.S. workers and needed improvements in the H-1B visa program are necessary prerequisites for the Administration to support any short-term increase in the number of visas for temporary foreign workers.

We are pleased that H.R. 3736 as reported from the Immigration and Claims Subcommittee is consistent with one of our primary objectives, insofar as it links a temporary increase in the H-1B cap to the enactment of meaningful reforms to the H-1B visa program. H.R. 3736 would help ensure that U.S. workers do not lose their jobs to temporary foreign workers and that qualified U.S. workers have the opportunity to fill a job before a temporary foreign worker is hired. Moreover, H.R. 3736 modestly expands enforcement authority to help prevent employer abuses of the H-1B program. These reforms will effectively target H-1B visas to industries experiencing skill shortages. The Administration strongly opposes amendments that would weaken these reforms.

Unfortunately, H.R. 3736 does not contain any provision to encourage additional training of U.S. workers. Training is a vital component of our strategy to address the long-term demand for highly skilled U.S. workers and to enhance the international competitiveness of important U.S. industries. An effective training strategy would also work to reduce the demand for H-1B visas. The Administration strongly supports amending H.R. 3736 to provide for additional training opportunities for U.S. workers and believes that this training should be funded, in part, through a modest H-1B application fee paid by employers. The Administration is also concerned that the increase in the annual number of H-1B visas reflected in this bill is too large, although we agree that the increase should last for only three years.

The Administration believes that H.R. 3736 would substantially improve the current H-1B program and, with the addition of a meaningful training provision and a modest reduction in the level of increase in the annual H-1B visa cap, would garner the Administration's support. We look forward to working with the Congress on these and other specific provisions in the bill.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

Labor

Justice

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 20:36:24.00

SUBJECT: Single Food Agency Issues

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

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

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

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

TEXT:

1. Issue: the prestigious National Academy of Science will likely release a first phase of its report on the single food agency in August. It is likely to list problems with the current food safety system.
2. Problem: We should try to be in a position so we don't have to just take the punch in August, but to agree with the findings and be on the side of reform when the report comes out. However, the cabinet secretaries have told the VP/Morely they would disagree strongly with a single food agency (unless it is in their department.)
3. What we've done so far: We've started a process with NPR, and joined by USDA, FDA, EPA, Commerce, OSTP and OMB to complete the following: list the areas we are likely to be criticized in, find what steps we have taken or could take to better coordinate federal policy, list the areas where we have on-going efforts at coordination, and complete a policy planning strategy statement that was promised in the May report of last year. The goal is to have at least a "virtual" food safety agency plan in place for each important area -- research, surveillance, emergency outbreaks, education, and by products where there is joint jurisdiction (eggs). The idea would be to have joint/coordinated plans made in every important area. We already do this for some problems (budget for example). I also thought we might formally designate a group to consider the NAS findings and recommendations and discuss how they could be implemented.
It is the best plan we could come up with. Thoughts?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 20:16:58.00

SUBJECT: Imported food

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The network coverage if you missed it, ranged from ok (CBS mentioned the legislation, showed a clip of Clinton, and its Friedman interview) to bad, ABC (edited Friedman in mid-sentence so he doesn't say anything about the legislation) to ugh, NBC (alarmist, just says Congress and the Administration blame each other.)

The next test on this issue is Collins' hearing Thursday. The topic is the GAO report and she'll have GAO and a former FDA investigator who may describe how the safety system can be cheated. So far, Collins has not invited FDA to testify, though they made clear they would be available.

Without FDA, it becomes more likely the story stays on the problem, and Collins avoids stories saying that a bill is pending and Congress should act. I wonder if we shouldn't more formerly press to testify and put her in the position of refusing to have administration testimony. Any ideas?

FDA has sent me some material on further legislation they would like on in this area on civil penalties which I will pass along. They suggested they could ask for this additional tool this week prior to the hearings, but it seems a little small. We need a way to focus on the languishing legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 17:39:37.00

SUBJECT: Mtg on Race Advisory Bd Panel on Administration of Justice

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

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

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

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

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

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

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

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

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

TEXT:

Attached is the latest draft of the proposal, agenda, and potential list
 of roundtable participants for your review before tomorrow's meeting.
 ----- Forwarded by Jacinta Ma/PIR/EOP on 05/11/98 05:35 PM

Richard Socarides 05/11/98 03:10:09 PM

Record Type: Record

To: Jacinta Ma/PIR/EOP, Scott R. Palmer/PIR/EOP

cc:

Subject: Mtg on Race Advisory Bd Panel on Administration of Justice

It might be helpfull if everyone had the latest paper tonight before the
 meeting so they could read it prior thereto.

----- Forwarded by Richard Socarides/WHO/EOP on 05/11/98
 03:11 PM -----

Richard Socarides 05/11/98 02:58:21 PM

Record Type: Record

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. email	from Jacinta Ma to Jose Cerda et al subject Mtg on Race Advisory Bd Panel on Administration of Justice [partial] (1 page)	05/11/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[05/09/1998-05/12/1998]

2009-1006-F

kc156

RESTRICTION CODES

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

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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)]

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- 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]

[001a]

To: See the distribution list at the bottom of this message
cc: See the distribution list at the bottom of this message
Subject: Mtg on Race Advisory Bd Panel on Administration of Justice

We are going to get together tomorrow, Tuesday at 11, to discuss the upcoming Race Board Meeting on the Administration of Justice. Room tbd.

Message Sent

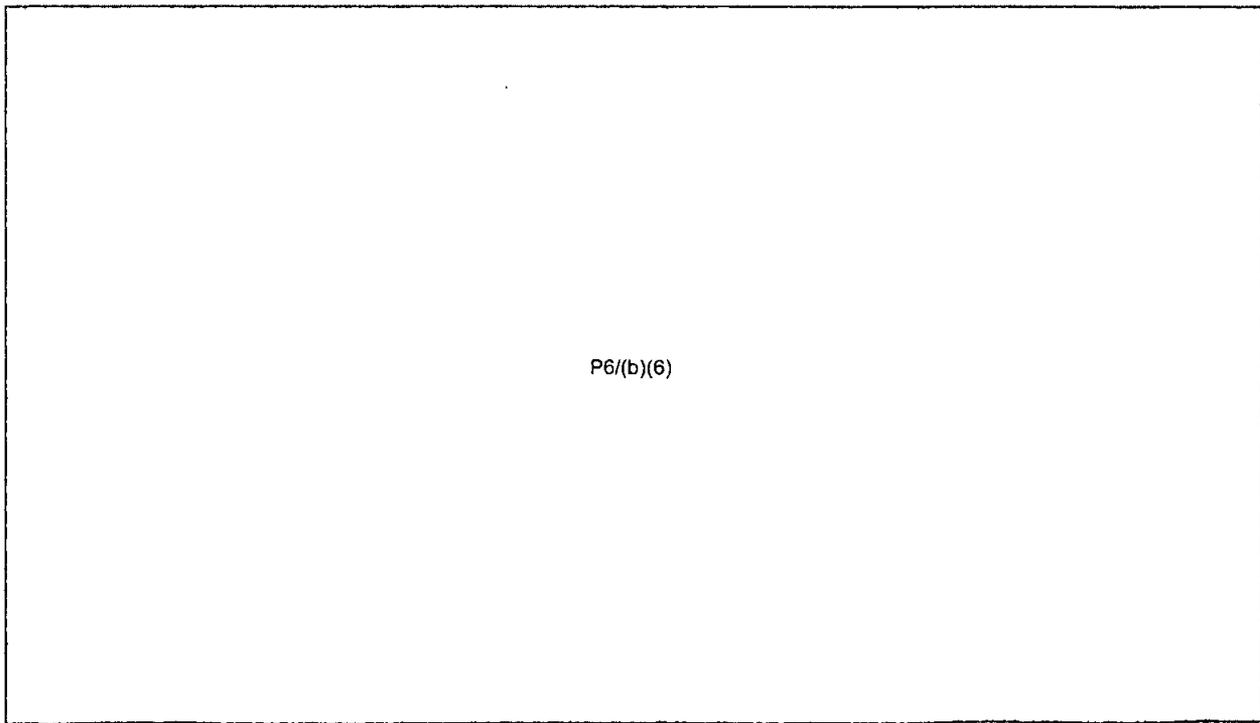
To: _____
Elena Kagan/OPD/EOP
Jacinta Ma/PIR/EOP
Scott R. Palmer/PIR/EOP
Jose Cerda III/OPD/EOP
Julie A. Fernandes/OPD/EOP

Message Copied

To: _____
Sylvia M. Mathews/WHO/EOP
Minyon Moore/WHO/EOP
Judith A. Winston/PIR/EOP
Andrew J. Mayock/WHO/EOP
Michelle Crisci/WHO/EOP
Rahm I. Emanuel/WHO/EOP

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

TEXT:
Unable to convert ARMS_EXT: [ATTACH.D83]MAIL497648036.126 to ASCII,
The following is a HEX DUMP:



P6/(b)(6)

Draft/SRP/April 30, 1998

Proposal

Advisory Board Meeting on Race, Crime, and the Administration of Justice (May 1998): Realities, Perceptions, and Strategies

- I. Purpose: The May Advisory Board meeting provides an opportunity to explore several questions related to race, crime, and the administration of justice: What are the facts? How do different perceptions of crime and the administration of justice affect efforts to build One America? What strategies can help promote a criminal justice system that serves and treats Americans of all races fully and equally? The meeting should include an overview of the facts and a moderated discussion in the "PBS roundtable" format with experts and leaders from various sectors.

- II. Substance of the Meeting:¹
 - A. Realities of Race, Crime, and the Administration of Justice: Data on race, crime, and the administration of justice are complex and are limited for some racial groups. Nonetheless, the May Advisory Board meeting provides an important opportunity to educate people about the available facts: Who is committing crime? Who are the victims of crime? Who is being arrested, charged, convicted, incarcerated? The facts will show a number of disparities in crime and the administration of justice that are caused by complex social, economic, and legal factors.

 - B. Perceptions of Race, Crime, and the Administration of Justice: The facts concerning race, crime, and the administration of justice fuel different perceptions of the criminal justice system and place substantial pressure on our efforts to build One America. Data show that some minority communities often absorb a disproportionate amount of the social, economic, and personal costs of crime. These communities want strong law enforcement. However, there often exist different perceptions between persons of color and larger society about the fairness of the criminal justice system, which hinder law enforcement. Two factors influencing these different perceptions of the criminal justice system are negative interactions between persons of color and law enforcement personnel and racial disparities in the administration of justice. The May Advisory Board meeting provides an opportunity to explore the realities and perceptions of race, crime, and the administration of justice by examining more discrete topics under this heading, including the following:

¹ In order to facilitate discussion, we will provide the Advisory Board with background materials on race, crime, and the administration of justice.

Draft/SRP/April 30, 1998

1. Racial Profiling and Confrontations with Law Enforcement.
 2. Incarceration Rates and Sentencing.
 3. Challenges to Full Service and Equal Treatment.
- C. Strategies to Promote a Criminal Justice System that Serves and Treats Americans of All Races Fully and Equally: The May Advisory Board meeting provides an opportunity to explore strategies that can strengthen relations between persons of color and the criminal justice system while reducing crime by examining more discrete topics under this heading, including the following:
1. Community Policing and Other Strategies: Strategies that fall under the rubric of community policing have, most would agree, dramatically reduced crime rates and have the potential to improve relations between law enforcement personnel and the communities they serve. But there are civil rights issues as well that must be addressed as we empower law enforcement officers to proactively enforce social norms. How can we balance these interests and strengthen interactions between communities and law enforcement to both improve relations and decrease crime? What other strategies can also help reduce racial divides and improve law enforcement (e.g., diversity training, community prosecution)?
- D. Focus on Youth: In discussing the realities, perceptions, and strategies related to race, crime, and the administration of justice, we should focus specifically on youth, because racial divides in the administration of justice that impact youth are likely to be especially destructive of our efforts to build One America and because the juvenile justice system differs from the adult system in important ways (e.g., the juvenile system allows for more discretion, the juvenile system is more concerned with rehabilitation). We should also discuss strategies to reduce youth interaction with the criminal justice system.
- III. Format of the Meeting
- A. Factual Overview: The meeting will begin with an overview of the facts concerning race, crime, and the administration of justice presented by an expert on these issues.
 - B. Roundtable Discussion: The meeting will consist primarily of a roundtable discussion on the realities, perceptions, and strategies related to race, crime, and the administration of justice. The discussion should follow the "PBS format," which brings together experts and leaders to participate in a Socratic discussion.

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Draft/SRP/April 30, 1998

Professor Charles Ogletree of Harvard Law School has agreed to moderate the discussion. The panel should include a diverse group of 6-10 experts and leaders.

Withdrawal/Redaction Marker

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. email attachment	Phone No. (Partial) (2 pages)	05/11/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[05/09/1998-05/12/1998]

2009-1006-F
kc156

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Possible Participants

Advisory Board Meeting on Race, Crime, and the Administration of Justice (May 1998): Realities, Perceptions, and Strategies

I. Opening Address: *U. S. Attorney General Janet Reno*¹

II. Factual Overview:

Christopher Stone, President and Director, Vera Institute of Justice (founding director of the Center for Alternative Sentencing and Employment Services and the Neighborhood Defender Service of Harlem. Member of the Board of Directors of the New York State's Capital Defender Office. Has authored a number of articles on this topic.)

III. Roundtable Discussion

A. Moderator: *Professor Charles Ogletree, Harvard Law School (renowned expert on this issue.)*

B. Panelists

Possible Panelists	
1.	<i>Randall Kennedy, Professor, Harvard Law School (well-known on these issues, particularly for his views on racial profiling)</i>
2.	John DiIulio, Professor, Princeton University -- Woodrow Wilson School, has written a number of books on government institutions and suggestions for reform (suggested by Ogletree, Kennedy, Sonia)
3.	Professor Jeffrey Rosen, George Washington University, prolific writer on race and crime, often in publications such as The New Republic. (Suggested by Sonia)
4.	Roy Innis, Executive Director, Congress for Racial Equality (suggested by Mike W.)
5.	Professor Joan Petersilia, U.C. Irvine, written with James Q. Wilson, focused primarily on policing, sentencing, career criminality, corrections, and racial discrimination.
6.	Professor Sandra Guerra, University of Houston, 713-743-2134 (suggested by Maria E.)
7.	Professor Miguel Mendez, Stanford, expert on criminal justice, 650-723-0613 (suggested by Maria E.)
8.	Alfredo Garcia, author, wrote a book on the 6th Amend., P6/(b)(6) (suggested by Maria E.)

¹ Italics indicate that participant is confirmed.

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9. Charles Ramsey, District of Columbia Chief of Police, formerly with the Chicago Police Department (suggested by Jose)
10. Beverly Harvard, Atlanta Chief of Police, COP since 1994 and patrol office since 1973, involved in community policing, first African American woman to run a major police department, named "CBS Morning Show woman of the Year." (Suggested by Ogletree)
11. William Bratton, former NYC Chief of Police (suggested by Richard)
12. Reuben Greenberg, Charleston Chief of Police (suggested by Jose)
13. Kim Taylor-Thompson, Professor, NYU School of Law, specializing in race and crime, formerly the Director of the Public Defender Service for D.C. (Suggested by Ogletree, Sonia)
14. Michael Judge, Public Defender, Los Angeles, CA (suggested by Angela Oh)
15. Michael Yamamoto, Board of California Attorneys for Criminal Justice (suggested by Angela Oh)
16. Vibiana Andrade, National Immigration Law Center, Los Angeles, CA formerly with MALDEF (suggested by NCLR, Angela Oh)
17. Maria Jimenez, Director, Immigration Law Enforcement Monitoring Project, Houston, TX, project of the American Friends Service Committee, established to engage local communities along the U.S.-Mexico border to strengthen the capacity of border communities to participate in decisions relating to border control policies and practices and seek changes in key policies that foster abuse, human suffering and a militarized border (suggested by NCLR)
18. Mary Kenney or Cynthia Cano, Lawyer's Committee on Civil Rights Under Law, San Antonio, TX (suggested by NCLR)
19. Professor Deborah Martinez, Northeastern, former U.S. Attorney (suggested by Ogletree)
20. Michael Yamaguchi, U.S. Attorney for the Northern District of California
21. Betsy Watson, former Houston Chief of Police, consultant to the Department of Justice COPS office (suggested by Tom Perez)
22. Jimmy Gurule, former Bush appointee at DOJ, P6(b)(6) (suggested by Maria E.)
23. Professor Larry Echohawk, Brigham Young University, former Attorney General for Idaho (suggested by Lynn)
24. Robert Yazzie, Chief Justice of the Navajo Nation, Window Rock, AZ
25. Cheryl Dmeert Fairbanks, (Tlingit/Timpshian) attorney and tribal Court Justice, Sante Fe, NM

26. James Zogby, President, Arab American Institute (suggested by Richard)

DRAFT ^[AUTO DATE FEATURE]
(as of April 1, 2010 (9:13AM))

**The President's Initiative on Race
Advisory Board Meeting**

**George Washington University
Dorothy Betts Marvin Theater
Washington, D.C.**

**May 19, 1998
10:00 a.m. - 1:00 p.m.**

AGENDA

"Race, Crime and the Administration of Justice"

- | | | |
|------|---|--|
| I. | Opening/Review of Agenda
10:00 am - 10:05 am | Dr. John Hope Franklin |
| II. | Welcoming Remarks
10:05 am - 10:08 am | Dr. Stephen Trachtenberg,
President of GW [invited] |
| III. | Introductory Remarks
10:08 am - 10:23 am | Attorney General Janet Reno
[confirmed] |
| III. | Factual Overview
10:23 am - 10:43 am | Christopher Stone, President/Director
Vera Institute of Justice [confirmed] |
| IV. | Roundtable Discussion
10:43 am - 12:43 pm | |
| | Moderator: Professor Charles Ogletree [confirmed] | |
| | Panelists: | |
| | Professor Randall Kennedy, Harvard University [confirmed] | |
| | [See attached potential participants list] | |
| V. | Questions and Answers
12:43 pm - 12:58 pm | Members of the Audience |
| VI. | Closing Remarks/Adjournment
12:58 pm - 1:00 pm | Dr. John Hope Franklin |

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 19:06:12.00

SUBJECT: Revised Hitt Letter

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

READ:UNKNOWN

TEXT:

Can you give me a quick pass on this? I revised the sentence you noted - see bold.

Dan Burkhardt wants to get the letter out.

Todd

=====

Dear Dr. Hitt:

Thank you for your letter regarding needle exchange programs and prevention in the fight to end the AIDS epidemic.

I am taking the concerns you have raised very seriously. We all know that the rising incidence of HIV infection among those who use injected drugs, and among their partners and children, is a major factor in the continued growth of this epidemic. Therefore, I will continue to support retention of the HHS Secretary's authority to decide whether to allow local communities to use federal funds for needle exchange programs.

Recently, the Secretary released a report indicating that needle exchange programs can help reduce HIV transmissions without encouraging the use of illegal drugs. This scientific analysis should be of great use to those local and state officials that are considering the implementation of needle exchange as part of their comprehensive HIV prevention strategies.

At the same time, the Administration tried to prevent the politicization of the needle exchange by keeping decision making at the local level. Therefore, we are not at this time allowing for Federal funds to be used for such programs. More must be done to help the general public and those in Congress understand the role of needle exchange programs in our efforts to fight both HIV and illegal drug use.

In the interim, the Office of National AIDS Policy, the Office of Drug Control Policy, and the Department of Health and Human Services will work together to improve our efforts to stop the spread of HIV among injection drug users, their partners, and their children.

I appreciate the passion that you and other members of the Presidential Advisory Council on HIV/AIDS bring to the debate. Be assured that my commitment to ending this epidemic -- and to

responding to the needs of those already living with HIV and AIDS -- remains firm. We must all work together to stop this deadly disease, and I will take all measures within my authority to achieve that end.

Thank you again for sharing your concerns, and for your commitment to bringing an end to this terrible epidemic.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 18:41:52.00

SUBJECT: Help needed with TANF caseload numbers for May 27th event

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

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

TEXT:

ACF is waffling about whether they will collect these caseload numbers or not. I have made it very clear--both to Michael Kharfen and Joan Lombardi-- for several weeks that we expected numbers through March for POTUS to announce at May 27th event. Apparently Olivia has not signed off on this and therefore the request for data has not gone out to states (these numbers have been obtained by regional offices calling states, and Kharfen compiling data). She is concerned about using caseload as the only measure of success. On the other hand, they have not presented any viable alternatives, and have not even been able to tell us when we can expect participation rate data to be complete. While I understand all the caveats about caseloads, and we can certainly try to frame caseloads as only one indicator of success, I'm assuming we absolutely want to announce them. I think Bruce or Elena needs to call Olivia and make this point. The event is now two weeks away, and if ACF doesn't get moving, we won't have the data in time.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 16:18:52.00

SUBJECT: Re: ETS Opt-out fallback

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

READ:UNKNOWN

TEXT:

Sounds like good policy -- we should look at it. I assume it would work for the public health crowd, but somebody should check.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 15:01:02.00

SUBJECT: Mtg on Race Advisory Bd Panel on Administration of Justice

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

We are going to get together tomorrow, Tuesday at 11, to discuss the upcoming Race Board Meeting on the Administration of Justice. Room tbd.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 17:42:38.00

SUBJECT: Re: HR 3534

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

READ:UNKNOWN

TEXT:

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 13:01:51.00

SUBJECT: Info from Haskins on LA County child support exemption

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:

I just spoke to Haskins. He said Shaw doesn't want to take the lead on such an exemption but that, if someone else took a strong position on it, he would probably go along and not cause trouble. This is even though they think it's a bad precedent. I raised the possibility of our taking "not opposed" position, and he said this thing is dead if we don't do something on it. So our support would appear to boost an exemption's prospects more than we thought, but not a "not opposed" position. What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 18:31:18.00

SUBJECT: REMINDER - Child Care mtg 2pm

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

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

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

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

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

TEXT:

The Dem. Caucus staff level child care mtg is set for Tuesday, 5/12 at 2:00pm in 1416 LHOB.

Janet's car (#6) will be leaving the WB at 1:45pm and is set to return at 3:00pm. Pls let me know if you would like to ride along.

Thanks-
Mindy

**Q&A for GAO Report on Imported Foods
May 11, 1998**

- Q: What are the GAO's major findings regarding imported foods?**
- A:** The GAO affirmed the Clinton Administration's conclusions that greater attention should be paid to the safety of imported foods. In particular, the report states that "[i]n order to strengthen FDA's ability to ensure the safety of imported foods, GAO recommends that the Congress require food eligible for import to the United States, not just meat and poultry, be produced under equivalent food safety systems." The Administration submitted legislation to Congress earlier this year which addresses this concern. The major conclusion that FDA needs additional authority is consistent with the Administration's position about how to strengthen protection against unsafe foods imported into the United States.
- Q: Are there some findings and recommendations in the GAO report that FDA disagrees with?**
- A:** Only relatively minor points. For example, the report notes that each year FDA plans to conduct a certain number of import inspections yet falls short of those plans. The "workplan" is merely a way of targeting resources, not a mandatory exercise whose failure to carry out to the letter will result in a threat to the public health. FDA does not expect to carry out 100 percent of the plan, as emergencies arise that pull staff off of routine duties.
- Q: The report also notes that some importers illegally distribute imported foods into U.S. commerce and that FDA does not have adequate deterrent power to prevent those imports. Does the Administration agree with GAO's recommendation that Congress give FDA civil money penalty authority for these violations?**
- A:** Yes, FDA agrees with the recommendation that civil monetary penalties would be an effective tool.
- Q: What does the Administration's legislation do?**
- A:** This legislation gives FDA the authority to refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country.
- Q: Is Congress moving to enact the legislation that the Administration has submitted to**

give FDA greater authority over food imports?

A: No hearings have been scheduled, and this issue does not appear to be on the Congressional agenda for this year.

Q: Why did your Administration propose new legislation?

A: There have been dramatic changes in the produce department of the grocery store. Thirty years ago, most produce sections only had around a dozen items year round, increasing to as many as 50 in the summer. Today, the chances are that there are 400 or more items in the produce section and they are there all year round. Last year, 38 percent of the fruit and 12 percent of the vegetables Americans ate were imported.

We have changed as well. Americans are eating more fresh fruits and vegetables than ever before, and our nation's health experts tell us we will live longer, better quality lives as a result. Our environment is also changing. We are finding "new" exotic bugs such as cyclospora and *E. coli O157:H7* on our food that once were not there.

We must ensure that these changes do not increase the risk to American consumers of foodborne illnesses. Although raw produce -- including that imported from foreign countries -- is now safe, experts have suggested ways to make further improvements, and my actions accord with their recommendations.

Q: Are you saying that imported produce is unsafe?

A: There is no data indicating that imported fruits and vegetables are more unsafe than domestic products. But some recent outbreaks of foodborne illness have been traced back to imports, and it is important to ensure that foreign fruits and vegetables meet U.S. food safety requirements or otherwise achieve the level of protection required. The steps we are taking today are adding additional layers of protection. We are making sure that there are no gaps in our food safety system -- that high safety standards apply to imported as well as domestic food, and to fruits and vegetables as well as to meat, poultry, and seafood.

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

A: Last year we launched a new Presidential food safety initiative, and added more than \$40 million to the FY '98 budget. With that money we started putting in place new science-based preventive systems to improve the safety of seafood, meat and poultry and began work on a new early warning system to help detect and respond to outbreaks of foodborne illness. This year, our budget seeks an even more substantial increase in resources, \$101 million, to improve food safety. The resources will go to a variety of initiatives, including: giving FDA authority to prevent the import of produce from

countries without safety precautions equivalent to our own; hiring FDA inspectors to improve the safety of our nation's fruits and vegetables, both domestic and imported; developing new ways for federal inspectors to detect food-borne illnesses in meat and poultry and determine the source of contamination; improving educational outreach on proper food handling; and further expanding our early warning system and strengthening state surveillance activities for foodborne illnesses.

Questions on Food Safety Legislation

Q: What does the legislation do?

A: This legislation helps ensure that the FDA will refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country.

Q: How is this different from current authority?

A: This legislation increases the FDA's authority to refuse imports for foods from countries or facilities that do not meet U.S. food safety requirements or otherwise achieve the level of protection required. Currently, the FDA can only refuse imports after inspection or testing at the border when the FDA determines that the food appears to be unsafe or otherwise violates U.S. law. This new legislation will enable the FDA to ensure that food products entering this country were grown and processed in conditions that meet U.S. food safety requirements or otherwise achieve the level of protection required. This authority is necessary because experience has shown that inspection and testing of products at the border may not be sufficient in all cases to ensure the safety of food products. It may be necessary to identify and address the source of potential contamination to ensure that products offered for sale in the United States meet domestic food safety requirements or otherwise achieve the level of protection required. FDA currently has such authority with respect to domestic production.

Q: Does this legislation give FDA additional authority to inspect in other countries?

A: No. Foreign inspections will continue to be done by consent. In making the determination that a food offered for import into the U.S. is adulterated, the legislation does permit the Secretary to consider whether FDA has been refused access to conduct inspection of the places where such food has been prepared, packed or held. The Secretary may deny importation to foods from such location or establishment on the basis of such refusal and other relevant factors. Because denying reasonable access is one factor in making that determination, the exporting country and the food establishment

both have a strong incentive to allow such access.

Q: There is concern that this legislation is the first step in providing FDA with the authority to inspect farms in the U.S. Is that next?

A: Under current law, FDA already has authority to inspect establishments where food is prepared, packed, or held, which would include places where food is grown, such as domestic farms. While such inspections are infrequent, FDA has taken action against a U.S. farmer when a violation occurs. When FDA is involved in a food safety problem that is found to originate on a farm, the agency's focus generally is on identifying the source of the problem and removing the unsafe food from commerce.

Q. Doesn't this legislation impose trade barriers to food imports at a time when you are saying you want to lower them? Is this legislation consistent with free trade?

A. This legislation is consistent with free trade and all our treaty obligations. We have no obligation to open our borders to imports that pose a greater risk than domestic products to American consumers. As long as we are not imposing any greater requirements on foreign countries -- as long as we are only holding them to our standards -- we are acting consistently with our trade policy and international obligations.

Q: What makes you think this new legislation can be effective? Do you seriously think you are going to be able to put FDA inspectors in every country abroad?

A: The new legislation would give the FDA the same kind of responsibility that the USDA already has for meat and poultry. The USDA system has worked well to ensure that unsafe meat and poultry, produced in foreign facilities which do not provide the same level of protection that is required in domestic facilities, will not be imported. The FDA should be able to run a similarly effective system that ensures food safety and prevents imports from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 12:52:09.00

SUBJECT: Imports letter

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This is now signed off on by Larry Stein. They are formatting and will get to everyone -- Rahm, us, McCurry. (Only change, they've added Gore's name to the last paragraph as jointly announcing the food safety initiative last year).===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D89]MAIL44264503M.126 to ASCII, The following is a HEX DUMP:

FF57504370040000010A02010000000205000000A6100000000200000CE49817A7F686AC611A66A C67F898A0EF1D7A2E64BABD8736BC6A64E2FA1D2463F9934AA37DCA23B53578EEE2D28B8732F6E AFB2686786D14ADB72C5E4B528759F4E5C1F5719126F1A1FA554FA69860162D0A61806573BEB54 75D161139AFB14FCA97D147A981CD72E27E8EB602DCB6069EC7C937AA9D2CBCE6327B1A87D003A 4C48E28E61840379C304F069D2FDD26EE051079167B4F92A9A5D48B8A8A56F28DBFFE6349F727C 1D3E95D39C7387CFC595F9E51154190D16901175EB9C6AEE8FBD3EA6335CCEEF58FF33928F7E08 DE3C1EB269D04FE55E1CAFEF16417EF43F29E10DF84EDF683E74910C2057F852F6518C432BD9DD 0DE40C46B4FD4B3B1948F04DED30CB6858F7A7517143DB46A5D10B7A741D26FC2F51C89B23F9AA 8AFD6733D23F0EFBACF0F3BF673D82A412CD8AAB798B5F8874A1D4A276DE199144746D2A4AF202 FFD9A54F6C0D66E5BFB96F5EAA6E1E6BA64D6818E6DA6CF1E2A6DC5D4D3D1135926796084D8F29 60A8CBB7CCEC5DF4483E2F38DAC10A3ABD12C377B2F92BC9C69C856F4D8C845DC6DCE572E47501 F9F2F8197CC445CD34263290E85DE97F2774FD7264FBA1A87470989B040DAC3303CD0E8217D7BB 73E9E3A435229994BB0AA04C8CF92E62F4BA2C6CD915575E50468A139D98ED2D87D4FE43F05477 7C0C7AE4ED02000900 4E0000008903000009250100000006000000D70300000B300200000028000000DD030000087701 000000400000000504000008340100000014000000450400000802010000000F00000059040000 08050100000008000000680400000984C006F00630061006C0020005000720069006E00740065 007200 0000000000000000000000000057494E53504F4F4C0000000000C800C8002C012C012C012C01C800 C8003000 00 00 00 000000000B0100002800D61EC30F390800011090000005A000B01008B143600540069006D0065 00730020004E0065007700200052006F006D0061006E00200052006500670075006C0061007200 0000000000000000010002005802010000000400280000000000000000000000000000000000 00011202002400A1000000A1000000A0000004001040055004101010045004201020054004301 02007B0344010100020045010100440046010100020047010100020048012D0065814901010044 0009A76D2300 0002000000DD0A10008301040003000200211000DDDD0B0B00030000040B00DDF1024801F19BF1 034801F1F1004801F19B9CF1014801F1F1024001F1CCCCCCCCF1034001F1F1004101F1F1024001 F1E0110C0000000008070C00E0E0110C0000000060090C00E0E0110C00000000B80B0C00E0E011

May 10, 1998

Dear Majority Leader Lott and Speaker Gingrich,

The report to be released today by the General Accounting Office calls on Congress to give the Food and Drug Administration the authority to ensure that food eligible for import to the United States is produced under food safety systems that will provide the same level of protection as the safety systems in place in the United States. This report is further confirmation of the need for Congress to pass the Safety of Imported Food Act, which I called for in October 1997, and Senators Mikulski and Kennedy, and Representatives Eshoo and Pallone have introduced.

This important legislation will do what the GAO says is necessary: it will ensure that the FDA denies the entry of imports of fruits, vegetables, or other food from a foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required in the United States. It will give FDA the authority it urgently needs, comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry, to protect the safety of the food Americans eat.

I have taken several further steps to begin implementing standards to ensure the safety of imported food. My FY '99 budget committed approximately \$25 million to enabling the FDA to dramatically expand its international food inspection force in order to implement the pending legislation. In March of this year I released a report on how the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture, and in cooperation with the agricultural community, will develop guidance on good agricultural and manufacturing practices that will apply to both domestic and foreign producers.

There is no more important task our government faces than ensuring the safety of the American food supply. That is why last year I announced my comprehensive new initiative, "Food Safety from Farm to Table" -- which detailed a comprehensive program including surveillance, outbreak response, education and research. The Safety of Imported Food Act is another vital step in working to protect the safety of all the food Americans eat, and I urge you to pass it promptly.

Sincerely,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Essence P. Washington (CN=Essence P. Washington/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:11-MAY-1998 16:44:47.00

SUBJECT: Weekly Crime Meeting

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

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

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

TO: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

TO: Jennifer Brown (CN=Jennifer Brown/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

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

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

TO: Mary L. Smith (CN=Mary L. Smith/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: Anne E. McGuire (CN=Anne E. McGuire/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TEXT:
MEMORANDUM TO DISTRIBUTION LIST

FROM: Bruce Reed
Assistant to the President for Domestic Policy

SUBJECT: May 13 1998 CRIME MEETING

On Wednesday, May 13, at 10:00 a.m. in Room 211 of the Old
Executive Office Building, we will hold the weekly crime meeting.

Thank You.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 10:28:38.00

SUBJECT: Unz again

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

READ:UNKNOWN

TEXT:

Just got your red dot on my earlier e-mail regarding a potential Riley visit to CA re: Unz. I talked to Riley about it last week, and we both felt that it wasn't worth doing. Consequently, I didn't run it by everyone here. You, he and I constitute an unbeatable force.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 20:20:05.00

SUBJECT: OMB Legislative Report -- May 11, 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: 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: Michael W. Williams (CN=Michael W. Williams/OU=WHO/O=EOP@EOP [WHO])

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

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

FROM: OMB LEGISLATIVE AFFAIRS

DATE: MAY 11, 1998

SUBJECT: LEGISLATIVE REPORT

Budget Resolution: Chairman Kasich has not yet decided whether he will proceed with a budget resolution markup this Thursday.

CONGRESS -- TODAY (5/11):

SENATE:

Began consideration of S. 1150 - Agriculture Research Conference Report [Glickman letter pending: Secretary veto recommendation on Gramm motion to recommit with instructions to reduce the level of food stamp benefits to refugees and asylees who entered post welfare reform]

Began consideration of S. 1873 - American Missile Protection Act of 1998 (cloture vote on the motion to proceed expected Wednesday, 5/13) [SAP sent, 5/11: Senior Advisers veto recommendation]

Began consideration of S. 1618 - To Improve the Protection of Consumers against "Slamming" by the Telecommunications Carriers [SAP sent, 5/11: Administration supports Senate passage]

HOUSE:

Pro forma session

CONGRESS - TOMORROW (5/12)

Convene at 9:30am for morning business. At 10am, the Senate will turn to S. 249 - D., Amato's Women's Health and Cancer Rights Act

At 11:00am, resume consideration of S. 1150 - Agriculture Research Conference Report

[Glickman letter pending: Secretary veto recommendation on Gramm motion to recommit with instructions to reduce the level of food stamp benefits to refugees and asylees who entered post welfare reform]

At 12:10pm, turn to the consideration of S. 1046 - National Science Foundation Authorization for FY 1999 with a vote expected on final passage at 12:20pm. [No SAP] The Senate plans to recess after the vote until 2:15pm for the weekly policy caucuses.

At 2:15pm, resume consideration of S. 1150 - Agriculture Research Conference Report with debate and vote on the Gramm motion to recommit with instructions to reduce the level of food stamp benefits to legal immigrants. [Glickman letter pending: Secretary veto recommendation on Gramm motion to recommit with instructions to reduce the level of food stamp benefits to refugees and asylees who entered post welfare reform]

Continue consideration of the "high tech" bills if UC agreements can be reached:

- o S. 1618 - To Improve the Protection of Consumers against "Slamming" by the Telecommunications Carriers [SAP sent, 5/11: Administration supports Senate passage]
- o S. 1723 - American Competitiveness Act

[SAP sent, 5/11: Sect. of Labor veto recommendation]

- o S. 1260 - Securities Litigation Uniform Standards Act
[No SAP]

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 13 bills on the Suspensions Calendar:

- o H.R. 2886 - Granite Watershed Enhancement and Protection Act of 1997
[No SAP: no objection]
- o H.R. 1021 - Miles Land Exchange Act of 1997
[No SAP: no objection]
- o H.R. 2217 - To Extend the Deadline for the Construction of a Hydroelectric Project in Colorado
[No SAP: no objection]
- o H.R. 2841 - To Extend the Deadline for the Construction of a Hydroelectric Project
[No SAP: no objection]
- o H.Res. 423 - Expressing the Sense of the House with Respect to Winning the War on Drugs to Protect our Children
[No SAP]
- o H.R. 2652 - Collections of Information Antipiracy Act
[No SAP]
- o H.R. 3723 - U.S. Patent and Trademark Office Reauthorization Act, FY 1999
[SAP pending: No objection to House passage but will seek to conform it to the Administration's legislative proposal]
- o H.R. 3811 - Establishing Felony Violations for Failure to Pay Legal Child Support Obligations [SAP pending: Administration strongly supports]
- o H.R. 2829 - Bulletproof Vest Partnership Grant Act of 1997
[SAP pending: Administration supports]
- o H.Res. 422 - Expressing the Sense of the House that Law Enforcement Officers who have Died in the Line of Duty should be Honored, Recognized, and Remembered for their Great Sacrifice [No SAP]
- o H.Con.Res. 262 - Authorizing the 1998 District of Columbia Special Olympics Law Enforcement Torch Run to be run through the Capital Grounds
[No SAP]
- o H.Con.Res. 263 - Authorizing the use of the Capitol Grounds for the Seventeenth Annual National Peace Officers' Memorial Service
[No SAP]
- o H.Con.Res. 255 - Authorizing the use of the Capitol Grounds for the Greater Washington Soap Box Derby
[No SAP]

CONGRESS - THIS WEEK

SENATE:

Wednesday, May 13 & the Balance of the Week:

Continue consideration of S. 1873 - American Missile Protection Act of 1998 (cloture vote on the motion to proceed expected Wednesday, 5/13)
[SAP sent, 5/11: Administration opposes]

S. 1812 - Department of Defense Authorization for FY 1999 (possible Wednesday)
[SAP under discussion]

Continue consideration of S. 1150 - Agriculture Research Conference Report
[Glickman letter pending: Secretary veto recommendation on Gramm motion to

recommit with instructions to reduce the level of food stamp benefits to refugees and asylees who entered post welfare reform]

S. 1244 - Religious Liberty and Charitable Donation Protection Act of 1997

[No SAP]

S. 1882 - Higher Education Amendments of 1998 (possible)

[SAP pending: possible □&Senior advisers□8 or □&Secretary□8 veto threat]

HOUSE:

Wednesday, May 13:

Convene at 10:00am for legislative business.

H.R. 3534 - Mandates Information Act of 1998 (Subject to a rule)

[SAP under discussion]

H.R. 10 - Financial Services Competition Act of 1997 (Subject to a rule)

[Treasury letter sent 5/7; Treasury letter & SAP pending: Sect. of Treasury veto recommendation]

Thursday, May 14:

Convene at 10:00am for legislative business.

H.R. 2431 - Freedom from Religious Persecution Act of 1998 (Subject to a rule)

[SAP pending: Senior advisers veto recommendation]

H.R. 512 - New Wildlife Refuge Authorization Act (Subject to a rule)

[SAP sent 4/21: Sect. of Interior veto recommendation]

Also on Thursday, the House Rules Committee is expected to mark up H.R.

3616 - National Defense Authorization Act for FY99

[SAP under discussion]

Friday, May 15:

No votes

CONGRESS - LONG-RANGE SCHEDULE

SENATE:

Tobacco and DOD authorization will likely be considered the week of the 18th. Also possible prior to the recess is an ISTEAs conference report (Raines letter sent 4/30; Slater letter sent 5/1).

HOUSE:

On the tentative House schedule is an ISTEAs conference report (Raines letter sent 4/30; Slater letter sent 5/1), Internet taxation, Internet gambling, and the FY99 budget resolution. Campaign finance is also possible May 15.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 17:35:48.00

SUBJECT: Imports press status

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Laurie McHugh, press at FDA, reports the following on what the different papers and networks are planning: Wall Street Journal won't be doing a story, the Post is planning on using a wire story, USA TODAY talked to FDA and they will probably do a story highlighting the dangers and secondarily noting the need for legislation. CNN's supposedly running a mixed story -- which I haven't seen yet. CBS and ABC are planning stories and have talked to Friedman/FDA. Needless to say, FDA has been trying to downplay the alarmist part and emphasize the need for legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-MAY-1998 15:48:21.00

SUBJECT: Re: HR 3534

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This bill would amend the Unfunded Mandates Reform Act to do two things: 1) would require CBO to do an analysis on any legislation that would impose a private sector mandate of over \$100 million annually; 2) would require that any tax increase included in legislation be offset by a tax decrease (including tobacco). If either of these provisions were not met, the legislation would be subject to a point of order in the House of Representatives.

OMB is not sure they want to do a SAP because of concern that the Administration would be taking a position on a bill that is centered around a change in House floor rules. However, I believe that is shortsighted. We have taken positions on bill like this before, including the original Unfunded Mandates Reform Act which Sally Katzen and I helped write. Another example is the Congressional Accountability Act. Secondly, this bill is about more than a change in House rules, it also impacts national policy (taxes).

I recommend you discuss with Sally Katzen. Apparently EPA is interested in doing a SAP because of the impact on Superfund taxes. The bill will be on the House floor Wednesday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Tanya L. Miller (CN=Tanya L. Miller/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:11-MAY-1998 17:39:42.00

SUBJECT: Reminder: SF 278 Filing Due Date

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

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

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

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

TO: Alan P. Sullivan (CN=Alan P. Sullivan/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: Karen E. Skelton (CN=Karen E. Skelton/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Janet Murguia (CN=Janet Murguia/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: Michael D. McCurry (CN=Michael D. McCurry/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: Ellen M. Lovell (CN=Ellen M. Lovell/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: Robert D. Kyle (CN=Robert D. Kyle/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael X. Imbroscio (CN=Michael X. Imbroscio/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lael Brainard (CN=Lael Brainard/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

TO: Beverly J. Barnes (CN=Beverly J. Barnes/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: MCLARTY_T (MCLARTY_T @ A1 @ CD @ VAXGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Michael D. Malone (CN=Michael D. Malone/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: Malcolm R. Lee (CN=Malcolm R. Lee/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

TO: Peter G. Jacoby (CN=Peter G. Jacoby/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: Roberta W. Greene (CN=Roberta W. Greene/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: Rahm I. Emanuel (CN=Rahm I. Emanuel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

CC: Brian D. Smith (CN=Brian D. Smith/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

CC: Carole A. Parmelee (CN=Carole A. Parmelee/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

CC: Brigham C. Smith (CN=Brigham C. Smith/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

CC: Gay L. Joshlyn (CN=Gay L. Joshlyn/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

READ:UNKNOWN

TEXT:

This is a reminder that your 1998 annual Public Financial Disclosure Report (SF 278) is due to Virginia Canter in OEOB 136 on or before the close of business this Friday, May 15. Extensions of time to file will be granted only in extreme circumstances and only in advance. Forms filed late may be subject to a statutorily imposed \$200 late fee. Thank you.

The Honorable Henry J. Hyde
Chairman
Committee on the Judiciary
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Hyde:

Today, your Committee will mark-up H.R. 3736, the "Workforce Improvement and Protection Act of 1998" which is intended to address the growing demand for skilled workers in the information technology (IT) industry by enacting a temporary increase in the annual cap on the number of visas for temporary foreign "specialty" workers under the H-1B program, while also effecting reforms to the H-1B program that would help target their usage to industries and employers that are actually experiencing skill shortages.

The Administration believes that the first step in increasing the availability of skilled workers must be raising the skills of U.S. workers and helping the labor market work better to match employers with U.S. workers. Therefore, substantial additional efforts to increase the skill level of U.S. workers and needed improvements in the H-1B visa program are necessary prerequisites for the Administration to support any short-term increase in the number of visas for temporary foreign workers.

We are pleased that H.R. 3736 as reported from the Immigration and Claims Subcommittee is consistent with one of our primary objectives, insofar as it links a temporary increase in the H-1B cap to the enactment of meaningful reforms to the H-1B visa program. H.R. 3736 would help ensure that U.S. workers do not lose their jobs to temporary foreign workers and that qualified U.S. workers have the opportunity to fill a job before a temporary foreign worker is hired. Moreover, H.R. 3736 modestly expands enforcement authority to help prevent employer abuses of the H-1B program. These reforms will effectively target H-1B visas to industries experiencing skill shortages. The Administration strongly opposes amendments that would weaken these reforms.

Unfortunately, H.R. 3736 does not contain any provision to encourage additional training of U.S. workers. Training is a vital component of our strategy to address the long-term demand for highly skilled U.S. workers and to enhance the international competitiveness of important U.S. industries. An effective training strategy would also work to reduce the demand for H-1B visas. The Administration strongly supports amending H.R. 3736 to provide for additional training opportunities for U.S. workers and believes that this training should be funded, in part, through a modest H-1B application fee paid by employers. The Administration is also concerned that the increase in the annual number of H-1B visas reflected in this bill is too large, although we agree that the increase should last for only three years.

The Administration believes that H.R. 3736 would substantially improve the current H-1B program and, with the addition of a meaningful training provision and a modest reduction

Automated Records Management System
Hex-Dump Conversion

in the level of increase in the annual H-1B visa cap, would garner the Administration's support. We look forward to working with the Congress on these and other specific provisions in the bill.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program.

Sincerely,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: M. Jill Gibbons (CN=M. Jill Gibbons/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:12-MAY-1998 12:01:47.00

SUBJECT: LRM MJG238 - Draft SAP on HR3534 - Mandates Information Act

TO: karen.dorsey (karen.dorsey @ treas.sprint.com @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

TO: Sherman G. Boone (CN=Sherman G. Boone/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

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

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

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

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

TO: Bradley M. Campbell (CN=Bradley M. Campbell/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: US@2=TELEMAIL@5=JMD@7=Deborah@6=CLIFTON@mxr@lngtwy (1=US@2=TELEMAIL@5=JMD@7=Deb

READ:UNKNOWN

TO: Kathleen M. Turco (CN=Kathleen M. Turco/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: Peter G. Jacoby (CN=Peter G. Jacoby/OU=WHO/O=EOP@EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

TO: Ronald M. Cogswell (CN=Ronald M. Cogswell/OU=OMB/O=EOP@EOP [OMB])
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TO: James C. Murr (CN=James C. Murr/OU=OMB/O=EOP@EOP [OMB])
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TO: Lisa M. Kountoupes (CN=Lisa M. Kountoupes/OU=OMB/O=EOP@EOP [OMB])
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TO: Charles E. Kieffer (CN=Charles E. Kieffer/OU=OMB/O=EOP@EOP [OMB])
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TO: Edward M. Rea (CN=Edward M. Rea/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

TEXT:

A hard copy will also be delivered.

Total Pages: _____

LRM ID: MJG238
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Tuesday, May 12, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: James J. Jukes (for) Assistant Director for Legislative Reference
OMB CONTACT: M. Jill Gibbons
PHONE: (202)395-7593 FAX: (202)395-3109
SUBJECT: Statement of Administration Policy on HR3534 Mandates
Information Act of 1998

DEADLINE: 3:30 Tuesday, May 12, 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:
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LRM ID: MJG238 SUBJECT: Statement of Administration Policy on HR3534
 Mandates Information Act of 1998

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: M. Jill Gibbons Phone: 395-7593 Fax: 395-3109
 Office of Management and Budget
 Branch-Wide Line (to reach legislative assistant): 395-3454

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

DRAFT -- NOT FOR RELEASE

May 12, 1998
(House)

H.R. 3534 - Mandates Information Act of 1998
(Condit (D) CA and 91 cosponsors)

The Administration strongly opposes H.R. 3534. Although the Administration welcomes the introduction of additional analytical information into the legislative process, there are concerns that the bill creates an inappropriate procedural obstacle to the enactment of legislation in the public interest, in particular that which is designed to protect human health, safety, or the environment.

Further, the amendment added to the bill which would establish a point of order on the use of revenues could delay or undermine funding for a number of well-established and important programs and laws which have traditionally received bipartisan support, including airline air traffic and ground safety, the Superfund program, the Senate-passed version of the IRS reform bill, and legislation under consideration that provides relief to tobacco farmers and additional resources for public health programs.

H.R. 3534 also fails to consider the benefits of legislation that protects the public health, the environment, and the American consumer.

* * * * *

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1998 17:10:11.00

SUBJECT: Erskine Meeting

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

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

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

TEXT:

At this morning's 7:30 meeting Erskine asked me to raise with you both the race meeting next week on the administration of justice. He stated that "he wanted DPC to get its arms around this."