

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 032 - FOLDER -002

[06/10/1998-06/11/1998]

SESSIONS (AND OTHERS) AMENDMENT NO. 2459

(Ordered to lie on the table.)

Mr. SESSIONS (for himself, Mr. Jeffords, Mr. Enzi, and Mr. Faircloth) submitted an amendment intended to be proposed by them to the bill, S. 1415, supra; as follows:

Beginning on page 435, strike line 12 and all that follows through line 4 on page 442, and insert the following:

SEC. 1413. NATIONAL TOBACCO COMPENSATION PROGRAM.

(a) Administration by Secretary.--The Secretary of Health and Human Services (referred to in this section as the "Secretary") shall administer the Voluntary National Tobacco Compensation Program (referred to in this section as the "Program") established under this section.

(b) Voluntary Payments by Industry.--

(1) Certain tobacco product manufacturers.--The amount of the voluntary contributions described in this subsection for each year during which the Program is in existence shall equal, in the aggregate, \$8,000,000,000, to be apportioned as follows:

(A) Phillip Morris Incorporated--65.8 percent.

(B) Brown and Williamson Tobacco Corporation--17.3 percent.

(C) Lorillard Tobacco Company--7.1 percent.

(D) R.J. Reynolds Tobacco Company--6.6 percent.

(E) United States Tobacco Company--3.2 percent.

(2) Contributions in future years.--If contributions under paragraph (1) result in amounts in the fund exceeding \$25,000,000,000 in any fiscal year, any such excess amount shall be made available to the States as provided for in section 452.

(3) No contribution from other tobacco product manufacturers.--No other tobacco product manufacturer may make contributions under this subsection unless such manufacturer is the successor or assign of one or more of the manufacturers described in paragraph (1).

(4) Commencement of program.--The Program shall commence

operations on the date on which at least 1 manufacturer has paid the full share of its contribution under this subsection. The Program shall only be available to those manufacturers that have contributed their full shares under this subsection.

(c) Responsibility of Secretary.--The Secretary shall administer the Program pursuant to the guidelines established by the National Tobacco Compensation Commission established under subsection (d).

(d) National Tobacco Compensation Commission.--

(1) Establishment.--There is hereby established a commission to be known as the "National Tobacco Compensation Commission" (referred to in this subsection as the "Commission").

(2) Composition.--The Commission shall be composed of 7 members, of which--

(A) 1 member shall be appointed by the President;

(B) 2 members shall be appointed by the Majority Leader of the Senate;

(C) 1 member shall be appointed by the Minority Leader of the Senate;

(D) 2 members shall be appointed by the Speaker of the House of Representatives; and

(E) 1 member shall be appointed by the Minority Leader of the House of Representatives.

(3) Time for appointment, terms and vacancies.--The members of the Commission shall be appointed not later than 90 days after the date of enactment of this Act. A vacancy in the Commission shall not affect the powers of the Commission and shall be filled in the same manner in which the original appointment was made.

(4) Compensation and expenses.--Members of the Commission may not receive compensation for service on the Commission. Such members may, in accordance with chapter 57 of title 5, United States Code, be reimbursed for reasonable travel, subsistence, and other necessary expenses incurred in

carrying out the duties of the Commission, notwithstanding the limitations contained in sections 5701 through 5733 of such title 5.

(5) Establishment of program.--Not later than 90 days after the expiration of the period described in paragraph (3), the Commission, in consultation with the Secretary and the Congress, shall establish a Voluntary National Tobacco Compensation Program to provide compensation to claimants who have a total disability or terminal disease, as classified under the list developed under subsection (e)(2), that is directly attributable to the use of a tobacco product in accordance with subsection (e)(3). Such program shall, subject to the payment of contributions under subsection (b), continue in operation for the 25-year period beginning on the date of enactment of this Act, or until the provisions of this title are repealed, whichever occurs first. Congress may at any time act to reauthorize and extend the Program established under this section.

(6) Duties.--The Commission shall--

(A) annually meet and review the most recent scientific developments and research relating to tobacco use and update the comprehensive list described in subsection (e)(2);

(B) develop rules and procedures for the administration of the program established under this section;

(C) develop procedures for paying compensation to claimants under this section, including procedures to provide for the payment of such claims over more than 1 year if sufficient funds are not available under subsection (b) for the year in which the claim is made;

(D) develop procedures for the submission of conflicts to binding arbitration;

(E) procedures for waiving the compensation limitations described in subsection (e) in cases of extraordinary circumstances;

(F) procedures for the conduct of internal reviews under subsection (e)(8)(A);

(G) carry out any other activities determined appropriate

by the Commission; and

(H) at its discretion based on the remaining funds make a determination as to the availability of the Program for individuals with a partial disability that is directly attributable to the use of a tobacco product in accordance with subsection (e)(3), while assuring that claimants suffering from a total disability or terminal disease that is directly attributable to the use of a tobacco product have a priority when applying for compensation under the Program.

(7) Report.--

(A) In general.--Not later than 180 days after the expiration of the period described in paragraph (3), the Commission shall prepare a report that describes the establishment, guidelines and operations of the Program, that recommends adjustments in the contribution levels under subsection (b), that provides the list of illnesses described in subsection (e)(3), and that provides the procedures described in subsection (e)(5).

(B) Submission.--The report described in subparagraph (A) shall be submitted to the--

- (i) President and the Secretary;
- (ii) Majority and Minority Leaders of the Senate;
- (iii) Committees on Commerce, Labor and Human Resources, Finance, and Judiciary of the Senate;
- (iv) Speaker and Minority Leader of the House of Representatives; and
- (v) Committees on Commerce, Judiciary, and Ways and Means of the House of Representatives.

[*S5703]

(8) Information.--Each department, agency, and instrumentality of the executive branch of the Federal Government, including independent agencies, shall furnish to the Commission, upon request by the Commission, such information as the Commission determines to be necessary to carry out its functions under this section.

(9) Use of services and facilities.--The Commission may utilize the services and facilities of any Federal agency without reimbursement, may accept voluntary services notwithstanding section 1342 of title 31, United States Code, and may enter into contracts with any public or private person or entity for reports or research in furtherance of the work of the Commission.

(10) Termination.--The Commission shall terminate on the date that is 5 years after the date on which the final report of the Commission is submitted under paragraph (7). Congress may at any time act to reauthorize and extend the Commission established under this subsection.

(11) Authorization of Appropriations.--Subject to the limitation described in subsection (e), there is authorized to be appropriated not to exceed \$1,000,000 for each of the fiscal years during which the Commission is in operation, from the National Tobacco Settlement Trust Fund to carry out this section.

(e) Procedure.--The Commission, in developing the National Tobacco Compensation Program under subsection (d), shall establish--

(1) procedures under which an individual with a disease described in subsection (d)(5) may file a one-time administrative claim per separate and distinct disease with the Secretary seeking compensation for any and all diseases and conditions appearing on the comprehensive list described in paragraph (2);

(2) procedures to ensure that such claims are submitted on a form to be developed by the Commission that shall contain--

(A) the name and address of the individual;
(B) a description of the disease or condition for which the individual is seeking compensation; and

(C) any other supporting documentation that is determined appropriate by the Commission or the Secretary;

(3) in consultation with the Centers for Disease Control and Prevention, the Department of Health and Human Services, and appropriate committees of Congress, a comprehensive list

of diseases and conditions which constitute total disability or are terminal for purposes of paying claims brought under this section on an equitable basis, taking into consideration age and tobacco product use history, including tobacco use in conjunction with exposure to asbestos and black lung disease;

(4) procedures to require that a claimant provide supporting documentation that such claimant has a compensable disease that is directly attributable to the use of tobacco, including documentation pertaining to the claimants tobacco use history and exposure to asbestos or black lung disease;

(5) procedures, in order to make a determination with respect to a claim under paragraph (2), or to make a determination with respect to the amount of compensation for which a claimant is eligible, for the requesting from a claimant of additional information relating to the disease or condition involved;

(6) procedures for the implementation of a schedule to pay claims in a manner that ensure the full payment of claims;

(7) streamlined procedures so as to ensure that a claimant is not required to be represented by an attorney;

(8) procedures to provide for the resolution of disputes regarding determinations of the Secretary concerning the eligibility of the claimant for compensation, or the amount of compensation to be paid, under which the claimant may--

(A) obtain an internal review of the determination of the Secretary;

(B) after a review under subparagraph (A), submit the dispute to arbitration as described in subsection (d)(6)(D) under procedures to be established by the Commission; and

(C) after an arbitration hearing under subparagraph (B), file a civil action against the manufacturer involved;

(9) procedures to provide for the collection of voluntary contributions under subsection (b); and

(10) procedures to ensure that the liability of manufacturers for claims under this section are separate

based on the illnesses involved and the nature of the tobacco product involved.

Automated Records Management System
Hex-Dump Conversion

(f) No Judicial Action.--Except as provided in subsection (e)(8)(C), upon the contribution of funds as provided for under subsection (b), an individual may not commence a tobacco claim in any Federal or State court against a tobacco product manufacturer who makes such a contribution.

(g) Administration and Attorneys Fees.--

(1) In general.--The procedures developed under subsection (e) shall ensure that amounts paid from the Program in connection with administrative costs do not exceed an amount equal to 10 percent of the amounts available under the program in each fiscal year.

(2) Attorneys fees.--

(A) In general.--Procedures developed under subsection (e) shall provide that, whenever the Secretary renders a determination favorable to a claimant under the Program and that claimant was represented by an attorney, the Secretary may determine and allow as part of its determination a reasonable fee for such representation, not in excess of 10 percent of the total of the benefits to which the claimant is entitled by reason of such determination. In case of any such determination, no fee may be payable or certified for payment for such representation except as provided in this paragraph.

(B) Limitation.--Any attorney who charges, demands, receives, or collects for services rendered in connection with proceedings to which subparagraph (A) applies, any amount in excess of that permitted under such subparagraph (A) shall be guilty of a misdemeanor and upon conviction thereof shall be subject to a fine of not more than \$500, or imprisonment for not more than 1 year, or both.

(h) Time for Payment.--The Secretary shall take steps to ensure that, to the maximum extent practicable, claimants receive compensation in accordance with this section not later than 90 days after the date on which the claim involved is filed.

(i) Limitation With Respect to Prisoners.--No individual incarcerated in a Federal, State or local prison or jail may file a claim with the Program under this section.

(j) **Applicability.**--This section shall apply as provided for under subsection (b)(4). The provisions of section 1412 shall apply only if the voluntary contributions are not made in any year or are less than the amount described in subsection (b) in any year.

(k) **Effective Date.**--The Secretary shall implement the compensation program under this section not later than 90 days after the date on which the report of the Commission is submitted under subsection (d)(7).

NATIONAL TOBACCO POLICY AND YOUTH SMOKING REDUCTION ACT (Senate
- June 09, 1998)

Mr. JEFFORDS addressed the Chair.

The PRESIDING OFFICER. The Senator from Vermont is recognized.

Mr. JEFFORDS. Mr. President, Senator McCain has said I may yield myself such time as I may consume.

The PRESIDING OFFICER. The Senator is recognized.

Mr. JEFFORDS. Mr. President, I am here today to talk about the tobacco bill. As we all know, under the present circumstances, we don't seem to be making much progress. On the other hand, I have been here long enough to know that sometimes we go through these phases where we come to situations where we have sort of a partisan battle on how we should proceed, and then finally, after we do that for a while, we recognize that we both ought to sit down and try to reconcile our differences and join together to make sure we do not let this opportunity pass that we have before us, where we could do so much to help, on the one hand, stop teenagers from starting to smoke and, on the other hand, help those who are addicted to tobacco and do what we can to ensure that they are taken care of.

One of the most sticky problems we have is what to do as far as how to compensate the victims of tobacco. We tried initially to have a system set up where the amount of money that would be subject to lawsuits and claims would be capped. That was killed with the Gregg-Leahy amendment. I have been involved in a number of issues over the years involving these kinds of matters, not the least of which was examining the situation with respect to asbestos, black lung disease, and other matters.

And it seemed to me and to others that we ought to look at it as an opportunity to find a solution other than through the court system.

I am here today to talk about an amendment that Senator Sessions, Senator Enzi, and I plan to offer in the Senate--in fact, it has already been placed on file--to see what we can do to try to find a more humane system to solve this very difficult situation. Hours, days, and weeks have been spent arguing about liability, per-pack tax levels, States rights, and other issues.

But why are we really here?

No. 1, to reduce teen smoking; and, most importantly, to assure that teens don't start smoking, because we know if they don't start smoking, the odds are they never will smoke. Also, to strengthen the public health program and to ensure that victims of smoking are compensated fairly. That is what I would like to concentrate on today. The amendment that we have will bring logic to the system of compensating individuals.

As I mentioned earlier, throughout my time in Congress I have authored legislation to prevent smoking, supported increasing cigarette prices and requiring manufacturers to disclose the ingredients in cigarettes, and worked to reverse the impact of tobacco on the health of Americans. In fact, the present bill contains a substantial amount of the language that came from our committee in these areas. It has been adopted by the McCain bill. We have some very good provisions in the basic bill. We have a foundation to build upon. I have done all of these things hoping that together we could end the blight that cigarettes have brought to the lives of millions in this Nation.

Any legislation that Congress approves must ensure that families and individuals harmed by tobacco receive compensation in a timely and equitable manner. I fear, though, that this legislation we are finally considering will not achieve that goal. I am sure it won't. That is why I am here today.

With this bill, States are granted funds to begin to pay the health costs associated with smoking. Individuals, however, are left on their own to seek justice through the court system. You can only imagine the consequence of 50 million people bringing lawsuits. That is the number of potential claimants that you have. I know many lawyers out there are only all too ready to participate in this action. With up to 40 percent of the compensation going directly into their pockets, on the average, the lawyers in this Nation are happy to see this situation occur. But I am not sure that is the most equitable and fair way of doing it. Billions of dollars are at stake, and millions of people's lives are at stake.

But if the legal profession benefits, who loses? Those truly deserving of compensation--smokers and their families facing serious health consequences from smoking--will be left counting pennies. Our amendment attempts to hand these funds to those Americans who must recover from the tragedy of their addiction, and their families.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 12:51:35.00

SUBJECT: Urgent--Q&A for today

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

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

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

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

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

TEXT:

I just learned that the Wisconsin Supreme Court ruled that Milwaukee's private school voucher program is constitutional. In light of the voucher plan attached to the Senate bill last night, as well as the President's support for the privately funded voucher plan announced yesterday by Ted Forstmann and John Walton, Mike might get a question on it today. therefore, here is a quick Q&A:

Q. The Wisconsin Supreme Court ruled today that the private school voucher program in Milwaukee is constitutional. In light of the President's opposition to school vouchers, what is his view of this decision?

A. The President has not had a chance to review the Court decision. However, the President is opposed to school vouchers because he believes that we must use public funds to strengthen our public schools. We must raise standards, increase accountability, expand public school choice, and invest taxpayer resources in the steps that will make a difference, such as reducing class size, improving teaching, and modernizing our school buildings. He is opposed to diverting taxpayer funds away from the public schools, which serve 90% of the students, when the needs there are so great. The Wisconsin Supreme Court decision does not change these views, nor the President's opposition to private school vouchers.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Donna L. Geisbert (CN=Donna L. Geisbert/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:10-JUN-1998 17:03:22.00

SUBJECT: Weekly Tobacco Meeting

TO: Daniel N. Mendelson (CN=Daniel N. Mendelson/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: MARR_C (MARR_C @ A1 @ CD @ VAXGTWY [UNKNOWN]) (OPD)
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: haverkamp_jennifer (haverkamp_jennifer @ ustr.gov @ INET @ VAXGTWY [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: MURRAY_MM (MURRAY_MM @ A1 @ CD @ VAXGTWY [UNKNOWN]) (WHO)

READ:UNKNOWN

CC: Satish Narayanan (CN=Satish Narayanan/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

CC: Dan J. Taylor (CN=Dan J. Taylor/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

The Weekly Tobacco Strategy Meeting is scheduled for Thursday, 6/11 at 2:45 in Room 211.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 11:23:48.00

SUBJECT: Comprehensive PIR Accomplishments List

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Julie A. Fernandes/OPD/EOP on 06/10/98
11:31 AM -----

Beverly J. Barnes
06/10/98 10:38:05 AM

Record Type: Record

To: See the distribution list at the bottom of this message

cc:

Subject: Comprehensive PIR Accomplishments List

(sent to Cabinet, board members, press. other white house staff have short list.)

Message Sent

To:

-
- Sylvia M. Mathews/WHO/EOP
 - Maria Echaveste/WHO/EOP
 - Judith A. Winston/PIR/EOP
 - Minyon Moore/WHO/EOP
 - Richard Socarides/WHO/EOP
 - Laura K. Demeo/WHO/EOP
 - Marsha Scott/WHO/EOP
 - Audrey M. Hutchinson/PIR/EOP
 - Michele Cavataio/PIR/EOP
 - Andrew J. Mayock/WHO/EOP
 - Barbara Semedo/PIR/EOP
 - Lydia Sermons/PIR/EOP
 - David K. Chai/PIR/EOP
 - Allison J. King/PIR/EOP
 - Julie A. Fernandes/OPD/EOP

===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D20]MAIL43908706H.126 to ASCII,
The following is a HEX DUMP:

**ONE AMERICA IN THE 21ST CENTURY:
THE PRESIDENT'S INITIATIVE ON RACE**

"Today, I ask the American people to join me in a great national effort to perfect the promise of America for this new time as we seek to build our more perfect union....That is the unfinished work of our time, to lift the burden of race and redeem the promise of America."

-- President Clinton, June 14, 1997

The President's Plan. The President is leading the nation in an effort to become One America in the 21st Century: a place where we respect others' differences and, at the same time, embrace the values that unite us. To achieve this goal, President Clinton has developed the following plan:

- 1) **Develop Policy That Offers Opportunity To All Those Who Work For It.** Taking the recommendation of the President's Advisory Board, the primary focus of our policy actions will be to enhance educational and economic opportunity. A number of policy actions have been announced, including creating education empowerment zones, increasing quality teaching in undeserved areas and stepping up enforcement to stop discrimination in housing.
- 2) **Engage Americans In A Broad And Constructive Dialogue.** The President is encouraging communities across the country to engage in constructive dialogues on race. He is calling on them, not only to stand against discrimination, but also to build greater understanding across racial line and to find resolutions to honest differences. From constructive dialogue, positive actions take root, like the Akron Coming Together Project.
- 3) **Highlight Promising Practices That Are Working.** Community efforts are crucial to the success of the President's Initiative on Race. In communities throughout the country, people are working to bridge racial divides and to create equal opportunity for all. The Race Initiative staff is identifying and creating a compilation of these efforts, named "promising practices," so that others may participate in them or replicate them in their own communities, schools, businesses and religious organizations. These promising practices have been highlighted on the One America web site, in remarks by the President and at Advisory Board meetings.
- 4) **Recruit Leaders.** The President is reaching out to leaders in several areas of American life with a special emphasis on recruiting youth, education, religious and business leaders. "One America" leaders are those people who take up the President's call by organizing efforts in their communities or professions. Through their leadership, the President's Initiative on Race will reach communities throughout the nation.
- 5) **Advisory Board.** The President appointed a small, diverse group that will advise and assist him in outreach efforts and consultations with experts. They were chosen based on their outstanding leadership on this issue and their contributions to America's ongoing dialogue about race and reconciliation.
- 6) **Deliver A Report from the President.** This winter the President will issue a report in which he will: 1) present his vision of One America, including an assessment of the growing diversity of our nation; 2) reflect the work that has occurred during the initiative; and 3) provide recommendations and solutions that enable individuals, communities, businesses, public and private organizations and government at all levels to address difficult issues and build on our best possibilities.

THE PRESIDENT'S INITIATIVE ON RACE:
Taking Action To Help Build One America

SUMMARY OF MAJOR EVENTS / ANNOUNCEMENTS
AS OF APRIL 2, 2010

DEVELOPING POLICY THAT OFFERS OPPORTUNITY TO ALL THOSE WHO WORK FOR IT

Civil Rights

Increased Civil Rights Enforcement: On Martin Luther King Jr. Day, January 19, 1998, Vice President Gore announced the Administration's proposal for the largest single increase in funding to enforce existing civil rights laws in nearly two decades. Through new reforms and heightened commitment to enforcement, the Administration will seek to prevent discrimination before it occurs and to punish those who do discriminate in employment, education, housing and health care, and against those with disabilities. The Clinton Administration's FY 1999 budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million over last year's funding.

Equal Employment Opportunity Commission (EEOC): The cornerstone of the improved civil rights enforcement effort is a \$37 million increase (15 percent) for the EEOC. Through increased use of mediation, improved information technology and an expanded investigative staff, the EEOC will reduce the average time for resolving private-sector complaints from over 9.4 months to 6 months and cut the backlog of cases from 64,000 to 28,000, by the year 2000.

Housing & Urban Development (HUD) -- Fair Housing: To respond to the increase in reported cases of serious fair housing violations, HUD will double the number of its civil rights enforcement actions by the year 2000. HUD also has committed \$15 million to 67 fair housing centers around the country to assist in fighting housing discrimination this year. In addition, the President's budget proposes \$10 million for a targeted enforcement initiative that will use paired testing -- identical applicants of different races or genders approaching Realtors or landlords -- to detect and eliminate housing discrimination. Also, Secretary Cuomo now focuses on one race-based housing discrimination case each week and conducts a community forum around each case to turn the negative experience into a positive one that helps bring the community together.

Coordination of Civil Rights: An additional \$1 million will allow the Department of Justice's Civil Rights Division to enhance coordination of federal civil rights enforcement policy among agencies. Improved coordination will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices and improved data collection.

Education

Hispanic Education Action Plan. Nearly one in three Hispanics between 25 and 29 years old left school without a diploma or GED. To correct this situation, President Clinton announced an unprecedented \$600 million in the FY 99 budget to help Latino youngsters master the basics of reading and math. The funding will also pay for programs to help them learn English, stay in school, prepare for college and, ultimately, succeed in college.

Reducing Class Size In Early Grades. The President proposed a \$12.4 billion, seven-year initiative to help local schools reduce class size in grades 1-3 from a national average of 22 to 18 students. Through this program, local

schools will be able to hire an additional 100,000 well-prepared teachers. Funding also will be provided to states for teacher training and to require new teachers to pass state competency tests.

Education Opportunity Zones. The President proposed \$1.5 billion, over five years, to bolster reform efforts by high-poverty urban and rural school districts that demonstrate both a commitment to and a track record in improving educational achievement. Funds will be used to improve accountability, turn around failing schools, recognize outstanding teachers, deal with ineffective ones and expand public school choice. Added investments in these communities will accelerate progress and provide successful models of system-wide, standards-based reform.

Getting Good Teachers to Underserved Areas. Responding to the need for a diverse and excellent teaching force, President Clinton proposed a \$350 million program to attract talented people of all backgrounds to teach at low-income schools across the nation. The funding also will be used to dramatically improve the quality of training given to future teachers. This new program will help bring nearly 35,000 new teachers into high-poverty schools in urban and rural areas over the next five years. In addition, it will upgrade the quality of teacher preparation at institutions of higher education that work in partnership with inner-city and poor rural area schools.

High Hopes for America's Youth. The High Hopes initiative would provide \$140 million in FY 1999 to encourage degree-granting colleges to establish partnerships with middle and junior high schools with large numbers of low-income children. Working with parents, community members, religious groups, and businesses, these partnerships provide information about what it means and takes to go to college as well as about available support services -- such as mentoring, tutoring, college visits, summer programs, after-school activities, and counseling -- to help young people stay in school, study hard and go on to college.

School Construction and Modernization. To address the crucial issue of school construction, the President proposed federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools -- largely in the 100 - 120 school districts with the greatest number of low-income children. This more than doubles the assistance proposed last year. In addition, the President's FY 1999 budget proposes a 59 percent increase in funding for construction, facilities improvement, and repair of Native American schools.

Economic Opportunity

Increasing Capital to Minority Businesses. Vice President Gore announced an unprecedented agreement between SBA and the "Big Three" U.S. automakers to increase subcontracting awards to minority businesses by nearly \$3 billion over the next three years -- a 50 percent increase over current levels.

Tapping the Potential of America's Urban and Rural Communities. The President's FY 99 budget includes \$400 million -- nearly triple the FY 98 appropriation -- for a new Community Empowerment Fund (CEF) that is expected to leverage an estimated \$2 billion in private-sector loans to help communities invest in businesses and create jobs.

Supporting Minority Business Communities. Vice President Gore unveiled aggressive plans to increase lending and business services to the African-American and Hispanic business community, nationwide. The SBA has set a goal of providing an estimated total of \$1.86 billion in loans to African-American small businesses over a three-year period and \$2.5 billion worth of loans to Hispanic-owned businesses by the year 2000.

Empowerment Zones (Round II). The President's FY 99 budget provides \$150 million a year for 10 years to fund 15 new urban Empowerment Zones (EZS) and \$20 million a year for 10 years to fund five new rural EZS. The funds will be used for economic and social development activities in distressed communities.

Hex-Dump Conversion

Access to Jobs. The Access to Jobs initiative, proposed by President Clinton, will provide resources to assist states and communities that develop solutions -- such as vanpools and late-night and weekend service -- to help individuals with job-related transportation needs. Access to Jobs will leverage other transportation resources by requiring a dollar-for-dollar match. The transportation bill passed by Congress provides up to \$150 million a year for this initiative.

Welfare-to-Work Housing Vouchers. The President's FY 99 budget includes \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work. Local agencies would have flexibility to design and operate the welfare-to-work voucher program within broad national guidelines, encouraging maximum local creativity and innovation. Families could use the housing vouchers to move closer to a new job or secure more stable housing.

Community Development Financial Institutions (CDFI). The Administration has requested a \$45 million increase in CDFI funding (from \$80 million to \$125 million) to allow the Fund to provide additional financial assistance and expand its training and technical assistance initiative.

Opportunity Areas for Out of School Youth. Proposed in the President's FY 1998 budget, the Youth Opportunity Areas Initiative will provide \$250 million in seed-capital grants to Empowerment Zones, Enterprise Communities and other high-poverty areas to boost the employment rate among out-of-school youth. The Administration is working with Congress to ensure enactment of job training reform legislation that will secure funding for this important initiative.

Expanded Youthbuild. This program provides high school dropouts between the ages of 16 and 24 with academic and job-skills training, as well as apprenticeships building and rehabilitating affordable housing. The President's FY 99 budget requests \$45 million for Youthbuild.

Housing

Expand Low Income Housing Tax Credit by 40 Percent. The Internal Revenue Service (IRS) annually allocates to each state low-income housing tax credits equal to \$1.25 per resident. This limit has not been adjusted since the credit was created in 1986. As a result, the purchasing power of the credit has declined by 40 percent. To adjust for that, the President's FY 99 budget calls for increasing the limit by 40 percent to \$1.75 per capita, at a cost of \$1.6 billion over five years. This expansion of credit will help to develop as many as 180,000 additional affordable rental units over the next five years.

"Play-by-the-Rules" Homeownership Initiative. The FY 99 budget for the Neighborhood Reinvestment Corporation includes \$25 million for a new initiative that would make homeownership more accessible to families who have a good rental history but have difficulty purchasing a home. Under this initiative, 10,000 lower-income and minority families who are currently renting would be provided with homeownership counseling and training, assistance with down payments or closing costs, or second mortgage loans for debt reduction.

Homeownership Zones. The President's FY 99 budget includes \$25 million for Homeownership Zones, abandoned housing and distressed neighborhoods that communities could use the funding to reclaim. Funds could be used for property acquisition, demolition, site preparation, housing construction or rehabilitation, homeownership counseling, relocation, and activities to further fair housing and homeownership.

Regional Opportunity Counseling. Under this program, public housing authorities partner with nonprofit organizations to provide counseling to Section 8 certificate and voucher holders to ensure that they are aware of the full range of housing options. This program recruits landlords to accept Section 8 families. HUD allocated \$36.7 million for 16 regional opportunity counseling sites in FY 96. Last year, the President unsuccessfully requested an additional \$20 million to expand the program to new sites. The Administration has again requested a \$20 million increase in funding for FY 99.

Incentive to Reduce Concentrations of Housing Certificate and Voucher Families. The President's FY 99 budget provides HUD the option to offer bonuses to Public Housing Authorities (PHAs) for increasing the number of Section 8 voucher and certificate holders who move to less-distressed areas. These bonuses would encourage PHAs to identify more housing options for voucher and certificate holders.

Crime

Community Oriented Policing Services (COPS) Grants to Underserved Areas. The President announced a COPS program to increase police presence and community policing in neighborhoods where the need is greatest. Under this initiative, 18 cities will share \$106 million to hire 620 new community policing officers. The pilot cities were selected following an analysis of crime, demographic and economic data. The 18 cities chosen face some of the highest per population levels of crime and/or economic distress in the United States.

Community Prosecutors: The President's FY 99 budget includes \$50 million for grants to promote community prosecution, which builds on effective community policing strategies. The funds will enable local prosecutors across the country to play a more active role in crime fighting by spending more time in their neighborhoods, both helping to solve crimes and preventing them before they happen.

Fighting Hate Crimes. On November 10, 1997, the President and Attorney General Janet Reno hosted the first White House Conference on Hate Crimes, which featured experts and law enforcement officers from around the country. The President announced significant law enforcement and prevention initiatives to get tough on hate crimes, including: support for legislation to expand the federal hate crimes law to cover crimes based on sexual orientation, gender, or disability; the creation of a network of local hate crime working groups; the addition of approximately 50 FBI agents and federal prosecutors to enforce hate crimes laws; improved collection of data on hate crimes; and the production of materials to educate the public -- especially youth -- about hate crimes.

Indian Country Law Enforcement. The President's FY 99 budget proposes a \$182 million initiative, led by the Justice and Interior departments, to address the public safety crisis in Indian country. The initiative will strengthen Indian country law enforcement, primarily, by providing anti-crime grants to Indian jurisdictions, increasing the number of officers per capita and improving the quality of detention facilities.

Health

Eliminating Ethnic Health Disparities. President Clinton announced a \$400 million effort initiative that sets a national goal of eliminating, by the year 2010, longstanding disparities in the health status of racial and ethnic minority groups in six key health areas: infant mortality; diabetes; cancer screening and management; heart disease; AIDS; and immunizations. Currently, for example, African Americans suffer from diabetes at 70 percent higher rates than white Americans, while Native Americans suffer from diabetes at nearly three times the average rate. Vietnamese women suffer from cervical cancer at nearly five times the rate of white women, and Latinos have two to three times the rate

of stomach cancer as white Americans. The President announced a five-step plan -- led by Surgeon General and Assistant Secretary for Health Dr. David Satcher -- to mobilize the resources and expertise of the Federal government, the private sector, and local communities.

Children's Health Outreach. Minority children make up a disproportionate number of the over 10 million uninsured children. African-American children make up 25 percent and Hispanic children make up 30 percent of all uninsured children -- more than twice their percentage of the overall population. The President's budget proposes options for states to access higher Federal matching funds for outreach activities and to temporarily enroll children at sites like schools.

Child Care

Child Care and Development Block Grant. The President's budget provides \$7.5 billion in block grants to help working families afford safe, high-quality child care. These new funds will double the number of children in low and moderate-income families receiving child care subsidies to two million by the year 2002.

After-School Programs. The President has proposed expanding the 21st Century Learning Fund by \$800 million over five years. These start-up funds would generate additional school-community partnerships to establish before- and after-schools programs, allowing 4,000 schools across the country to implement programs for up to 500,000 children each year.

Early Learning Fund. The President's FY 99 budget would establish a five-year, \$3 billion fund for community grants to promote early childhood development and improve child care quality for young children.

ENGAGING AMERICANS IN A BROAD AND CONSTRUCTIVE DIALOGUE

Presidential Dialogues. On April 14, 1998, the President held his second national conversation on Race in Houston, Texas. The town hall session, focusing on race and sports, was broadcast by ESPN. President Clinton's first national dialogue on race relations took place on December 3, 1997 in Akron, Ohio, and was broadcast nationally by C-Span. Advisory Board members, Cabinet members and senior Administration officials hosted more than ninety "watch parties," which were organized around the nation to observe the Akron Town Meeting. On Capitol Hill, Congresswoman Eleanor Holmes Norton (D-DC) and Congressman Tom Davis (R-VA) sponsored a mini-Town-Hall for the D.C. area. On July 8, the President will join Jim Lehrer for a nationally televised conversation on race on PBS.

Advisory Board. The Advisory Board to the President's Initiative on Race is actively involved in public outreach efforts to engage Americans across the nation in this historic effort. To date, the Advisory Board has held eight public meetings in five states and the District of Columbia. The meetings have covered topics ranging from education and housing to employment and the administration of justice. Board members also have individually participated in several hundred meetings with a wide cross-section of communities and constituencies.

Studying Race. In May, the President's Initiative on Race announced that the National Research Council (NRC), the research arm of the National Academy of Sciences, will coordinate studies by prominent researchers on a range of topics related to race, including demographic trends. The work will include findings on whites, blacks, American Indians, Hispanics and Asian Pacific Americans. The project will culminate with a major research conference in October in Washington D.C.

American Indians/Alaska Natives. American Indians and Alaska Natives have been integrated into the work of the Initiative as panelists at Advisory Board meetings and in special Tribal leaders meetings hosted by the Initiative. Advisory Board members and Initiative staff have participated in regional and national conferences hosted by American Indians and Alaska Natives to hear directly from Indian country. In addition, the Administration successfully fought back proposed legislation that would have ended sovereign immunity for tribes and, in May, the

President issued an executive order strengthening government-to-government relationships between the tribes and the US.

Presidential Meeting With Conservative Writers and Academics. When President Clinton launched his Race Initiative, he called for a national dialogue that includes views from a wide array of people. On December 19, President Clinton brought together a group of conservatives -- including Ward Connerly, Abigail and Stephen Thernstrom, Linda Chavez and Elaine Chao -- to continue the dialogue and listen to their opinions on race relations in America.

Sparkling Dialogue. The Race Initiative has prompted innumerable conversations about race around the country, highlighted by an April "Month of Dialogue." During April, 600 colleges and universities were engaged in a campus week of dialogue, organizing hundreds of race-related events across the nation. On April 30, 41 governors, 22 mayors and more than 100 local YWCAs engaged in dialogues on race during a statewide day of dialogue.

Conversations That Bring Us Together. As part of the Initiative, the Administration launched a program that enlists Administration appointees, Advisory Board members, Cabinet members and Race Initiative staff to host conversations in cities throughout the nation. Thousands have taken part in these conversations in cities across the country.

Super Bowl XXXII PSA. In a unique partnership, the White House and the National Football League teamed up to create a public service announcement for President Clinton's Initiative on Race. The PSA aired before an estimated audience of 140 million people prior to the 1998 Superbowl kick-off. The spot highlighted examples of players from different racial and ethnic backgrounds coming together for a common goal. President Clinton reminded all Americans that we are on the same team and that, through working together, we can build one America.

Informing The Nation. For the first time in history, the President's Economic Report to Congress included an entire chapter devoted to reviewing trends in racial and ethnic economic inequality.

HIGHLIGHTING PROMISING PRACTICES THAT ARE WORKING TO BUILD ONE AMERICA

Highlighting Promising Practices. One of the critical elements of the Race Initiative is identifying and highlighting local and national efforts to promote racial reconciliation. The Race Initiative is compiling an extensive listing of "promising practices," which are working to bring people together as one America. To date, 150 such promising practices have been identified, and the list continues to grow.

Making Martin Luther King, Jr.'s Birthday A "Day On" Instead of A "Day Off." In 1994, President Clinton signed into law the King Holiday and Service Act making the national holiday a day of service that would bring people together, promote racial cooperation and help to solve problems through citizen action. This year the Corporation for National Service provided \$225,000 in grants to 73 sites across the nation to help spur service projects on MLK Day. On January 19, in honor of Martin Luther King Day, President Clinton helped paint classrooms at Cardozo High School in Washington, D.C. Vice President Gore addressed the congregation at Ebenezer Baptist Church in Atlanta, Georgia. The First Lady read to children in Washington, D.C. Also, 12 Cabinet Secretaries, agency administrators, members of the Race Initiative's Advisory Board, and other White House and Administration staff joined in celebrating Dr. King's birthday by participating in community service events.

First Lady Highlights Boston "Team Harmony" Promising Practice. To highlight successful community efforts, Mrs. Clinton joined forces with the Boston-based Team Harmony Foundation to talk with high school students in Boston and Washington, D.C., about ways to prevent prejudice. More than 8000 Boston youth participated in Mrs. Clinton's visit, and over 2,000 young people attended the Washington, D.C. event. As a result of the First Lady's events, Team Harmony has had requests to expand its program to New York, Chicago, Atlanta and Los Angeles.

RECRUITING LEADERS TO HELP BUILD ONE AMERICA

Calling On Wall Street To Invest In Untapped Potential Of Our Diversity. On January 15, 1998, President Clinton joined Reverend Jesse L. Jackson for the "Wall Street Project" conference at the World Trade Center in New York City. The President told business executives that Wall Street must "draw on the talent and diversity of all our people in communities long bypassed by capital but full of potential." Treasury Secretary Robert E. Rubin, Federal Reserve Chairman Alan Greenspan, and Securities and Exchange Commission Chairman Arthur Levitt Jr. also participated in the event.

Mobilizing Business Leaders. On April 2, 1998, Vice President Gore announced a series of business roundtable discussions, during an appearance on *Black Entertainment Television (BET)*. This series will be chaired by the Vice President and will consist of four meetings with business leaders to discuss issues involving minorities and the business world.

Holding Corporate Forums Across the Country. Hundreds of corporate leaders have participated in corporate forums organized by the Initiative, in conjunction with members of the President's Cabinet. These forums have taken place across the country -- from Florida to Arizona to California.

Partnering With Universities. The American Council on Education (ACE) and the Association of American Colleges and Universities (AACU) have teamed up with the Race Initiative to encourage colleges and universities to conduct special programs focusing on race and diversity in American society. The combined membership of ACE and AACU includes approximately 2000 colleges and universities, more than half of the accredited, degree-granting institutions in America.

Reaching Out To Religious Leaders. The Advisory Board has joined with the religious community to organize the national faith community, which has so often been at the forefront of this issue. The Initiative has sponsored forums in New Orleans and Louisville, Kentucky, for hundreds of religious leaders.

Outreach to the American Indians. In meetings in Washington, D.C., and around the country, Tribal leaders have offered their advice and recommendations about the unique challenges American Indians face in building one America. The Initiative is identifying Tribal leaders who are working in their own communities to respond to these challenges.

Public Service Announcement Released. On December 2, 1997, the President's Initiative on Race released a public service announcement developed in conjunction with the Leadership Conference on Education Fund and the Ad Council. The PSA challenges youth to become more active in fighting racism and prejudice. It also encourages them to tell President Clinton what they are doing to improve race relations in America.

Call To Action To Young Leaders. On November 28, 1997, the President sent a letter to 25,000 high school senior class presidents, college and university class presidents, and other young leaders from national and local organizations. In the letter, President Clinton issued a call to action by requesting young people commit to participate in at least one project aimed at moving our country closer together. Hundreds of youth leaders from across the country have responded to the President's call. Many of these youth activities are being highlighted as promising practices on the One America Website at <http://www.whitehouse.gov/initiatives/oneamerica>.

Vice President Briefing With Youth Media. On December 1, 1997, the Vice President hosted a briefing at the White House for youth-oriented and specialty media, such as *Vibe Magazine*, *MTV* and *Univision*. At the briefing, the Vice President spoke about the Race Initiative's emphasis on youth, and he called on the media representatives to find ways to use their creative energies to reach young people on the subject of race.

(Accomplishments Document as of April 2, 2010)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 10:02:32.00

SUBJECT: Child custody again -- Pls review ASAP

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

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

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

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

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

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

TO: Sheri A. Thornton (CN=Sheri A. Thornton/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

TEXT:

Some have raised the concern that the memorandum to the President does not discuss the downside to our proposed action. I have therefore added the following paragraph to the end of the memorandum. (The full memo is attached for your reference.) Please send me comments by 2:30 today.

..... This strategy is not without its difficulties. First, anything short of complete opposition to the bill is likely to raise objections from our allies. Second, the bill's sponsors might accept our objections and submit a bill that you would be obligated to sign. Third,

June 10, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Charles F. C. Ruff, Counsel to the President
William Marshall, Associate Counsel to the President

SUBJECT: The Child Custody Protection Act

I. THE CHILD CUSTODY PROTECTION ACT

Congress is currently considering S. 1645, the Child Custody Protection Act -- a bill which would impose civil and criminal liability on any person who knowingly transports a minor across a state line to obtain an abortion in cases in which the minor has not satisfied her home state's laws regarding "parental involvement" (i.e. laws requiring parental consent or parental notification).

The bill constitutes a novel form of federal legislation in that it prohibits persons from traveling across state lines to engage in conduct that is legal in the second state.¹ It also uniquely conditions liability upon the law of the state where the person comes from rather than the law of the state in which the conduct occurs.

¹ The only possible exception to this is the Mann Act which may arguably be read as prohibiting transporting women across state lines for prostitution to a state where prostitution is legal.

As described by its sponsors, the bill is designed to protect the rights of parents to participate in their minor child's abortion decision against those who would encourage her to have a "secret" abortion -- a category which, according to the sponsors, includes out-of-state abortion clinics who advertise the availability of abortions without parental involvement² and adult males who impregnate minors and then attempt to erase the consequences of their actions by transporting the minors out of state for the abortion procedures.

Politically, however, the bill is more easily characterized as an attempt to provoke controversy on a sensitive and divisive issue than as an effort to address a legitimate area of federal interest. Substantively, the bill raises troublesome policy, constitutional, and practical law enforcement concerns and is counterproductive to its asserted goals.

II. BACKGROUND -- PARENTAL INVOLVEMENT REQUIREMENTS

Currently twenty-two states require parental consent for a minor to terminate her pregnancy while seventeen states have opted for the lesser requirement of parental notification. Six of these states require notice to or consent from both parents, while four states would allow the notification or consent requirements to be satisfied by persons other than the minor's parents (such as a grandparent or an adult sibling.) Eleven states have no parental involvement requirements.

The constitutionality of parental involvement requirements has generally been upheld by the Supreme Court. Although holding that pregnant minors have a constitutional right to choose whether to terminate a pregnancy, the Court has determined that a state may require parental notice or consent in the interest of ensuring that the minor's decision to terminate her pregnancy is "knowing, intelligent, and deliberate." The parental involvement requirements, however, may not impose an "undue burden" upon a minor who is capable of giving an informed consent to the abortion procedure. States must also provide a judicial "bypass" mechanism which allows the minor to avoid the parental involvement requirements if she establishes either 1) that she is sufficiently mature and well-informed to make the abortion decision independently or 2) that an abortion without parental involvement would be in her best interests.³

III. ANALYSIS

² The law does not explicitly prohibit advertising. The sponsors might, however, envision extending liability to advertisers through some application of accomplice liability. See Part III, below.

³ The Supreme Court has ruled that bypass procedures are constitutionally mandated in states that require the consent or notification of both parents; but the Court has not had occasion to rule on whether bypass procedures are required in a one parent state.

S. 1645 represents a dramatic incursion into the traditional understanding of federalism. Federalism presumes that a citizen is free to take advantage of favorable laws in other states and that states have the right to regulate matters within their own boundaries (unless the matter is directly regulated by the federal government.) S. 1645, however, is unique in that it attempts, by force of federal law, to enforce one state's laws in the territory of another. As such, it sets a dangerous precedent for federal interference with such matters as gaming, alcohol, tobacco, guns and other items whose regulation varies significantly from state to state.

Despite the seriousness of the federalism concerns, however, S. 1645 is not clearly unconstitutional on those grounds. Because the approach taken by the sponsors is so novel, there is virtually no Supreme Court precedent, on either side, from which to take direction. Accordingly, while constitutional arguments against the legislation can be made based upon general federalism principles (or upon right to travel or privilege and immunities grounds), a definitive constitutional assessment cannot be offered with any degree of certainty. The federalism objection, therefore, is best characterized as a policy, and not as a constitutional, concern.

There is also no constitutional abortion rights argument that would support invalidating the bill as whole. DOJ has indicated that the bill would be unconstitutional as applied in certain circumstances (for example when the law would require the minor to satisfy the parental involvement laws of two separate states) but the constitutional concerns noted by DOJ, although serious, can be remedied by re-drafting the legislation.

The strongest objections to the legislation are based on policy, rather than on constitutional, grounds. The bill's first and most glaring weakness is that it subjects family members to criminal and civil liability. Under the terms of the legislation, grandmothers, aunts, and adult siblings may be prosecuted for coming to the aid of a minor relative in distress. Even a mother or father may be criminally sanctioned if she or he resides in a state that requires the involvement of both parents. Obviously, subjecting family members to criminal and civil sanctions for helping their relatives does not further the interest of healthy family communication. Exposing family members to the possibility of criminal or civil sanction is also counterproductive in that it would further isolate the minor by discouraging her from seeking advice and counsel from those closest to her. Finally, creating a civil action which allows family members to sue each other when a minor within that family has an abortion does not serve the goal of fostering strong families.

Second, the bill could inappropriately impose liability on persons who merely provide information, advertising, counseling, referrals, or medical services to the minor. Through rules of accomplice liability, the bill could subject a telephone receptionist to criminal liability, for example, merely for informing an unnamed caller about the availability of abortion services. The bill's creation of a private cause of action is, from this perspective, even more problematic.

A civil action would be a ready tool for those who wish to harass, intimidate, or bankrupt service providers.

Third, the bill imposes criminal liability on persons who may not realize they are violating the law (as when the minor falsely informs the transporter that she has parental consent.) This is because the bill predicates liability on the intent to help the minor obtain an abortion rather than on the intent to help the minor avoid the application of a state's parental notification requirements.

Finally, the bill raises numerous practical law enforcement concerns. These include the use of scarce FBI resources to prosecute violations, the need for federal law enforcement authorities to interrogate family members and close teenage friends in order to pursue violations, and the fact that the defendants in some cases are likely to be minors.

IV. RECOMMENDATION

There would be little advantage in opposing this bill in its entirety. The sponsors' example of the adult male impregnating the female minor and taking her across state lines for an abortion without parental involvement is likely to be politically compelling and, as noted above, there is no definitive case to be made that imposing federal civil and criminal sanctions for this activity is unconstitutional. At the same time, the bill, as written, significantly overreaches and affirmatively harms important policy and constitutional interests.

At this point, it is unclear whether the sponsors are interested in fixing the legislation to meet legitimate objections or whether they are merely interested in provoking confrontation. In either case, we believe that our best action is to announce that the Administration would support narrowly tailored legislation but, for policy and constitutional reasons, is opposed to the bill as currently drafted. The first step in this process would be to submit a letter from the EOP highlighting two specific issues -- the need to exempt family members and the need to exclude from potential liability those persons whose only connection to the abortion is the provision of information, advertising, or a medical, referral, or counseling service. This letter would also indicate that a letter containing constitutional issues would be subsequently forwarded by DOJ and that you have instructed the Department to work with the sponsors in crafting final legislation that meets Administration concerns.

This strategy is not without its difficulties. First, anything short of complete opposition to the bill is likely to raise objections from our allies. Second, the bill's sponsors might accept our objections and submit a bill that you would be obligated to sign. Third, and most troublesome, the sponsors might accept some of our objections and refuse others. This would place you in the position of either signing a bill with seriously objectionable provisions or continuing to oppose a bill that has had some of its more egregious provisions excised, an action that would engender the likely criticism that you are being overly rigid and that would weaken the possibility of sustaining a veto. We believe, however, that unless you would be willing to take the position that you oppose legislation that would make it illegal for adult males to

transport minors they impregnate across state lines for abortions without parental consent, the best available course is that outlined in this memorandum.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 14:40:06.00

SUBJECT: You're invited.....

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

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

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

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

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

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

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

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

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

TO: Jeanne Lambrew (CN=Jeanne Lambrew/OU=OPD/O=EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Leanne A. Shimabukuro (Leanne A. Shimabukuro @ EOP @ LNGTWY [OPD])

READ:UNKNOWN

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

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

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

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

TO: Christa Robinson (Christa Robinson @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

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

TO: Cathy R. Mays (Cathy R. Mays @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

TEXT:

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
06/10/98 02:39 PM -----

Todd A. Summers
06/10/98 02:34:54 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: You're invited.....

OPEN HOUSE

White House Office of National AIDS Policy

Please join us for an open house with members of the
President's Advisory Council on HIV/AIDS at our new office.

June 15, 1998
6:30 to 8:00 pm

736 Jackson Place
Washington, DC 20503

For information, call (202) 456-2437

Message Sent

To: _____
Gordon P. Agress/OMB/EOP
Virginia Apuzzo/WHO/EOP

David W. Beier/OVP @ OVP
BAustin @ samhsa.gov @ inet
Sarah A. Bianchi/OPD/EOP
Miguel M. Bustos/OVP @ OVP
Virginia R. Canter/WHO/EOP
Chris.Collins @ mail.house.gov @ inet
kmd2 @ cdc.gov @ inet
Toby Donenfeld/OVP @ OVP
Philip G Dufour/OVP @ OVP
Maria Echaveste/WHO/EOP
hdg1 @ cdc.gov @ inet
egoosby @ osophs.dhhs.gov @ inet
Joshua Gotbaum/OMB/EOP
Audrey T. Haynes/WHO/EOP
dyn6 @ cdc.gov @ inet
echndc @ aol.com @ inet
Chin-Chin Ip/OMB/EOP
meiskowitz @ aol.com @ inet
Christopher C. Jennings/OPD/EOP
Elena Kagan/OPD/EOP
pkawata @ nmac.org @ inet
Cathy R. Mays/OPD/EOP
Michael D. McCurry/WHO/EOP
Daniel C. Montoya/OPD/EOP
nosanchu @ justice.doj.gov @ inet
Ashley L. Raines/OA/EOP
Bruce N. Reed/OPD/EOP
Ursula J. Sanville/ONDCP/EOP
Marsha Scott/WHO/EOP
Richard Socarides/WHO/EOP
Robert Soliz/OPD/EOP
Jeff.Trandahl @ clerk.house.gov @ inet
Richard J. Turman/OMB/EOP
dvonzinkernagel @ osophs.dhhs.gov @ inet
Paul J. Weinstein Jr./OPD/EOP
Jonathan T. Weber/OPD/EOP
Wendyw @ nih.gov @ inet
Wm G. White/OMB/EOP
Paul J. Yandura/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 16:27:34.00

SUBJECT: CRIME EVENTS UPDATE

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

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

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

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

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

TEXT:

An update on our events following today's crime meeting:

1. 6/13 Radio address: I think Christa let you know that this weekend's radio address will be school violence. Originally, Rahm wanted to release a Safe and Drug-Free Schools report that is overdue to Congress. I have just been told that it won't be ready until August. The good news is that we floated another option by Rahm, which would be for the President to instruct Secretary Riley to develop guidelines on crisis management/early warning systems on student threats. Rahm seemed to like this idea, and I will talk to Mike Cohen about this. Riley briefly remarked about such guidance in a statement on school crime earlier this week, but for the President's address we could flesh out the proposal a little more and perhaps accelerate the timeframe for when they should get this done. Thoughts?

2. 6/16 Police Bills Signing Event: In addition to the bill signings, Rahm very much wants to make an announcement on kids and guns. He really wants the President to be able to issue a challenge on "childproof guns" (smart guns). The challenge would be to industry to have a childproof gun marketed by the year 2000. If this doesn't work, he would like to announce support for legislation on parental liability for child access to firearms. I am working with the Justice Department on both pieces. The parental liability piece should be easier to clear with them than the smart gun challenge. We could also continue to push for the Degan expansion which has been held up in the House.

Please let me know if your thoughts or reactions to any of this-- in particular, the childproof gun challenge. Two things to keep in the back of your mind are that both Leahy (who pushed for the vest bill signing) and the police groups probably won't be too thrilled with gun announcements at the signing event.

I spoke to Jose' about both items this afternoon and got his feedback. I'm sure he will be pondering all of it at game 3.

Thanks,

Leanne

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUN-1998 10:16:56.00

SUBJECT: Benchmarking Summary

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

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

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

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

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

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

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

TO: Nancy.E.McFadden (Nancy.E.McFadden @ ost.dot.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

TEXT:

Here is a revised version of the benchmarking summary, which reflects many helpful comments. Please let me know if additional revisions are needed.

THE PRICE EVALUATION ADJUSTMENT PROGRAM

A key component of the Clinton administration's reform of the federal government's procurement programs is its new price evaluation adjustment program. Congress authorized all federal agencies to use this program in 1994 as part of the Federal Acquisition Streamlining Act. The first phase of the program, which is being implemented through a revision of the Federal Acquisition Regulation, goes into effect on _____.

Under this new program, small disadvantaged businesses ("SDB's") bidding on competitively awarded federal contracts may qualify for a price evaluation credit of up to 10%. Credits will be available only to businesses that have been certified as SDB's by the Small Business Administration. These credits help level the playing field for minority groups who have encountered discrimination in their efforts to compete. Although they may receive these credits, SDB's must compete with all other businesses to win federal contracts. Price evaluation credits are not set-asides. They do not assure that any firm, or group of firms, will win a contract. Only if price credits fail to remedy discrimination can agencies consider the use of set-asides in awarding contracts to SDB's.

In order to ensure that the use of these credits is fair and meets legal requirements, they will be available only in industries in which minority-owned firms continue to suffer the effects of discrimination. "Benchmarking" provides a methodology for identifying these industries by comparing the actual federal procurement market share of minority-owned businesses with the federal procurement market share that would be expected in the absence of discrimination. Credits will be available only in industries where the actual federal procurement market share ("utilization") falls short of the expected federal procurement market share ("capacity").

Constitutional Requirements

The administration developed this benchmarking methodology to ensure that federal procurement complies with the Supreme Court's decision in Adarand Constructors, Inc. v. Peña. In Adarand, the Court held that it is constitutional to provide targeted assistance to minority-owned businesses as long as two requirements are met. The first is that the assistance must serve a "compelling interest." This requirement is satisfied if there has been discrimination that has harmed minority business owners in the particular industry where assistance is to be provided. The second requirement is that the remedy is "narrowly tailored," that is, any assistance targeted to members of a certain race or ethnic group must be necessary to remedy discrimination and must be carefully designed to address its effects.

A. Compelling Interest

Based on an extensive review of evidence, the Department of Justice has established that discrimination has harmed minority businesses. In addition to commissioning an analysis of dozens of studies of industries throughout the country, DOJ also reviewed a long history of

Congressional findings of discrimination. Congress relied on these findings in enacting affirmative action and other remedial legislation. For example, there is substantial evidence that minority-owned businesses have been prevented from obtaining access to capital, from participating in trade associations, and from gaining enough experience to become bonded. Most of the present effects of discrimination stem from discrimination in the private sector, not in the public sector. These limitations have erected substantial barriers to minority-owned firms and have hampered their ability to win contracts. Consistent with Congress's long-standing determinations, the government has a compelling interest in providing targeted assistance to minority-owned businesses.

B. Narrow Tailoring

The use of benchmarks helps satisfy the Supreme Court's "narrow tailoring" requirement by providing a means for determining whether the effects of discrimination still burden small minority-owned businesses in a particular market. Credits will be available only in those markets where it is still necessary to offset the effects of discrimination. Based on FY 1996 data, the Department of Commerce estimates that industries representing about 74% of federal contract dollars awarded to SDB's will be eligible for price credits. The capacity and utilization of minority-owned businesses in 70 two digit SIC code groups and nine Census divisions for each of the three construction two digit SIC code groups were determined by analyzing data representing the firms in the United States that bid on federal contracts or participated in the 8(a) programs administered by the Small Business Administration. This group of firms represents those that were prepared to perform federal contracts in FY 1996.

The "utilization" of SDB's is simply a measure of the total dollar value of the federal contracts awarded to them in FY 1996. Calculating the "capacity" of these firms is more complex. In order to estimate capacity, the benchmarks take into account various characteristics of firms that bear directly on the value of contracts that they receive, including the age and size of the firm. This approach allows Commerce Department statisticians to estimate the value of contracts an SDB would be expected to receive if its success in winning federal contracts equaled that of all other firms in the industry of equal age and size. An outside panel of statisticians and economists reviewed this methodology and concluded that it was the best approach possible.

The Scope of the Program

Three agencies, the Department of Defense, NASA, and the Coast Guard have had authorization to offer credits since FY 1994. Under the rule announced today, all agencies will be required to implement the price evaluation credit program. Currently, data are available to allow application of the program to SDB prime contractors. The availability of credits will be extended to SDB subcontractors on November 1, 1998. Sometime during the next year, the Small Business Administration will also use benchmarks in administering the 8(a) program. Benchmarks will provide guidance to program administrators, for example, in determining the number and type of firms that will participate in the program and in deciding what contracts will be authorized under

the program. The federal benchmarks will not apply to the Department of Transportation's program for Disadvantaged Business Enterprises, which is administered by grantees, such as state and local governments.

The Advantages of Benchmarking

The benchmarking/price evaluation adjustment program offers several advantages in designing government affirmative action programs to assist SDB's.

Constitutionality -- The program responds to the core concerns about procurement-related affirmative action programs expressed by the Supreme Court. The Court has made clear that government may remedy discrimination by the government itself or by the private sector. However, the Court has also indicated that any affirmative action program should be designed to address the actual effects of past discrimination. Benchmarking provides a means for carefully targeting our efforts to remedy those effects.

Flexibility -- Benchmarks are not quotas. The price evaluation adjustment program includes a series of provisions designed to target assistance carefully, to ensure flexibility and to maintain vigorous competition. Price credits will not be available in all industries, only those where there is evidence of remaining effects of discrimination. Price credits will be available only when the government has concluded that race-neutral efforts are inadequate to address past discrimination. Even in cases when utilization falls short of capacity in a major industry grouping, the relevant agencies retain discretion to adjust or eliminate the credit under some circumstances.

Preserving Competition -- Price and evaluation adjustments are not set-asides. No firm or group of firms is guaranteed any contract. These credits provide a small boost for minority-owned firms when there has been a record of past discrimination. However, these firms must compete with all other firms for contracts. Only if the use of these credits fail to remedy discrimination are set-asides an option. As a result, government can make good faith efforts to remedy prior discrimination, while preserving the incentives for firms to compete vigorously for taxpayer dollars.

Periodic Review -- Federal procurement data will be reviewed periodically to ensure that price credits are available only in those industries where the effects of discrimination persist.

Industries Where Credits are Available

Benchmarking estimates are based on two digit SIC code groups. With the exception of construction, for which regional benchmarks have been developed, the estimates are for the nation as a whole. Based on these benchmarks, the Department of Commerce has identified the industries in which credits will be available. A table showing these industries appears in the Federal Register of June __, 1998.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 12:30:09.00

SUBJECT: Edley Book Party

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

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

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

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

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

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

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

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

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

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

CC: mbyrne (mbyrne @ law.harvard.edu @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

CC: Arkadi M. Gerney (CN=Arkadi M. Gerney/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

Helen P. Robinson (CN=Helen P. Robinson/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

THIS MEETING IS CANCELLED FOR TODAY. THERE WILL BE A MEETING TOMORROW
WITH CHRIS AT SOME POINT - I'LL BE BACK IN TOUCH.

There will be a meeting on Thursday at 4pm in the Roosevelt Room to
discuss the Outline for the President's book that Chris E. is doing?
Thanks.

Invited:

Sylvia Mathews
Chris Edley
Minyon Moore
Maria Echaveste
Judy Winston
Andrew Mayock
Paul Begala
Ann Lewis
Michael Waldman
Sid Blumenthal
Elena Kagan
Lin Liu

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 13:04:53.00

SUBJECT: Revision on Edley Book Party

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

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

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

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

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

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

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

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

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

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

CC: mbyrne (mbyrne @ law.harvard.edu @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

CC: Arkadi M. Gerney (CN=Arkadi M. Gerney/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

Helen P. Robinson (CN=Helen P. Robinson/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

OOPS - there will be a meeting TODAY. It will be at 6pm in the Roosevelt Room. I'm sorry for the change.

There will be a meeting on Thursday at 4pm in the Roosevelt Room to discuss the Outline for the President's book that Chris E. is doing?
Thanks.

Invited:

Sylvia Mathews
Chris Edley
Minyon Moore
Maria Echaveste
Judy Winston
Andrew Mayock
Paul Begala
Ann Lewis
Michael Waldman
Sid Blumenthal
Elena Kagan
Lin Liu

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 12:28:53.00

SUBJECT: Third Tobacco Cloture Vote Failed, 43-56

TO: marti.thomas (marti.thomas @ ms01.do.treas.sprint.com @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TO: guzy.gary (guzy.gary @ epamail.epa.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./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: kburkel (kburkel @ os.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

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

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

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

TO: Jeanne Lambrew (CN=Jeanne Lambrew/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: sheketoff-emily (sheketoff-emily @ dol.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: JONATHAN.GRUBER (JONATHAN.GRUBER @ MS01.DO.treas.sprint.com @ inet [UNKNOWN])
READ:UNKNOWN

TO: johara (johara @ osophs.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TO: Mary L. Smith (CN=Mary L. Smith/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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 14:43:01.00

SUBJECT: RE: Democratic Child Care Bill

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

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

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

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

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

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

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

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

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

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

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

TEXT:

FYI - This was emailed from the Dem. Caucus

----- Forwarded by Mindy E. Myers/WHO/EOP on 06/11/98

02:32 PM -----

"Marcus, Sean" <Sean.Marcus @ mail.house.gov>

06/11/98 12:09:31 PM

Record Type: Record

To: See the distribution list at the bottom of this message

cc: Mindy E. Myers/WHO/EOP

Subject: RE: Democratic Child Care Bill

H.R.4030

SPONSOR: Rep Kennelly (introduced 06/10/98)

A bill to make child care more affordable for working families and for stay-at-home parents with children under the age of 4, to double the number of children receiving child care assistance, to provide for after-school care, and to improve child care safety and quality and enhance early childhood development.

124 COSPONSORS

Message Sent

To:

"Asselbayer, Amy" <Amy.Asselbayer @ mail.house.gov>
"McCormick, Ann" <ann.mccormick @ mail.house.gov>
"Salay, Becky" <Becky.Salay @ mail.house.gov>
"MacDonald, Cat" <Cat.MacDonald @ mail.house.gov>
"Atkin, Catherine" <Catherine.Atkin @ mail.house.gov>
"Barone, Charles" <Charles.Barone @ mail.house.gov>
"Johnson, Cheryl" <Cheryl.Johnson @ mail.house.gov>
"Labonte, Chris" <Chris.Labonte @ mail.house.gov>
"Dwyre, Diana" <Diana.Dwyre @ mail.house.gov>
"Mahony, Gina" <Gina.Mahony @ mail.house.gov>
"Luray, Jenny" <Jenny.Luray @ mail.house.gov>
"Kashen, Julie" <Julie.Kashen @ mail.house.gov>
"Tippens, Julie" <Julie.Tippens @ mail.house.gov>
"Kero, Ken" <Ken.Kero @ mail.house.gov>
"Efurd, Laura" <Laura.Efurd @ housemail.house.gov>
"Coco, Leo" <Leo.Coco @ mail.house.gov>
"Bennett, Lesley" <Lesley.Bennett @ mail.house.gov>
"Levine, Lisa" <Lisa.Levine @ mail.house.gov>
"Theil, Lynda" <Lynda.Theil @ mail.house.gov>
"Nathanson, Melanie" <melanie.nathanson @ mail.house.gov>
"Worrell, Mildeen" <Mildeen.Worrell @ mail.house.gov>
"Gwyn, Nick" <Nick.Gwyn @ mail.house.gov>
"Patel, Rita" <Rita.Patel @ mail.house.gov>
"Clark, Sandra" <Sandra.Clark @ mail.house.gov>
"Rudisill, Shannon" <Shannon.Rudisill @ mail.house.gov>
"King, Andrea" <Andrea.King @ mail.house.gov>
"Fried, Ian" <Ian.Fried @ mail.house.gov>
"Levine, Lisa" <Lisa.Levine @ mail.house.gov>
"Klein, Elli" <Elli.Klein @ mail.house.gov>
'Amy Lockhart' <alockhar @ os.dhhs.gov>
"Surfas, Adriana" <Adriana.Surfas @ mail.house.gov>
"Kery, Pat" <Pat.Kery @ mail.house.gov>
"Beausang, Beth" <Beth.Beausang @ mail.house.gov>
"Brand, Anstice" <Anstice.Brand @ mail.house.gov>
"Marcus, Sean" <Sean.Marcus @ mail.house.gov>
"Davison, Lisa" <Lisa.Davison @ mail.house.gov>
"Greller, Matt" <Matt.Greller @ mail.house.gov>
"Jones, Candice" <Candice.Jones @ mail.house.gov>
"Maviglio, Steven" <Steven.Maviglio @ mail.house.gov>
"Phillips, Marci"
<"IMCEAEX-_O=U+2ES+2E+20HOUSE+20OF+20REPRESENTATIVES_OU=U+2ES+2E+20HOUSE_CN=RECIPIEN @ mail.house.gov">
"Lewis, Tina"
<"IMCEAEX-_O=U+2ES+2E+20HOUSE+20OF+20REPRESENTATIVES_OU=U+2ES+2E+20HOUSE_CN=RECIPIEN @ mail.house.gov">
"Lamar, Veda" <"IMCEAEX-_O=U+2ES+2E+20HOUSE+20OF+20REPRES

ENTATIVES_OU=U+2ES+2E+20HOUSE_CN=RECIPIENTS_CN=MEMBERS_cn=Cong+2E+20Clayton+20+28NC0
@ mail.house.gov>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 14:02:25.00

SUBJECT: Can we do two quick tobacco meetings Fri am?

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

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

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

TEXT:

1) Monday Speech: Lowell Weiss wants to sit down to discuss what you'd like to see in the President's remarks. I've already brought him up to speed on where we are, and have given him our latest paper, so it shouldn't take too long.

2) Amendment Comments for JR: We should discuss the comments we've gotten on the amendments JR asked us to examine. Josh would like to participate in this discussion.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:11-JUN-1998 11:11:55.00

SUBJECT:

TO: ELENA (Pager) #KAGAN (ELENA (Pager) #KAGAN [UNKNOWN])

READ:UNKNOWN

TEXT:

pls call sperling's office re: surplus and tobacco tax cut q&a for rubin.
call asap. thanks 6-2807

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 11:47:42.00

SUBJECT: Dave Beyer

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

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

TEXT:

Dave Beyer of the Vice President's office asked me if he could get a copy of the DPC weekly report to the President. I told him it was our policy not to distribute the DPC weekly to the President, because it is in theory confidential. I also advised him that we left the decision of distribution of the weekly to the discretion of the Office of the Staff Secretary.

Beyer does get our weekly from Klain, but not until two weeks later. He argues it helps them keep organized and informed, especially when they only have four policy staffers. I told him I would ask you if we could give him a copy but that he should also ask Staff Secretary to go on the distribution list.

Please Advise.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 20:37:54.00

SUBJECT: Southern Baptists continue anti-gay tirade

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

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

TO: Amy W. Tobe (CN=Amy W. Tobe/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: Maria Echaveste (CN=Maria Echaveste/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: Joseph P. Lockhart (CN=Joseph P. Lockhart/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 06/11/98
08:37 PM -----

Doug.Case @ sdsu.edu
06/11/98 09:10:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides
cc:
Subject: Southern Baptists continue anti-gay tirade

NEWS from the
Human Rights Campaign

1101 14th Street NW
Washington, DC 20005
email: communications@hrcusa.org
WWW: http://www.hrc.org

FOR IMMEDIATE RELEASE
Thursday, June 11, 1998

SOUTHERN BAPTIST CONVENTION CONTINUES
ISSUING BIZARRE ANTI-GAY RESOLUTIONS

Latest Tirade Attacks President Clinton's Executive Order Banning
Discrimination Based on Sexual Orientation in the Federal Work
Force

Washington, D.C. -- The Human Rights Campaign condemned yet another
anti-gay resolution passed today by the Southern Baptist Convention,
meeting in
Salt Lake City. The resolution called on Congress to rescind President
Clinton's
executive order banning workplace discrimination against lesbian and gay
federal employees.

"This group seems to be obsessed with attacking lesbian and gay
Americans
by resolution," said David M. Smith, HRC's communications director and
senior
strategist. "While differences of opinion on religious matters is to be
expected, religious disagreements never justify discrimination."

Earlier this week, the group passed resolutions opposing same-gender
marriage and urging wives to submit to their husbands. Last year, the group
called for a boycott of the Walt Disney Company because of its policies
extending health insurance to the domestic partners of gay and lesbian
employees
and allowing Ellen DeGeneres' character to come out as a lesbian on ABC's
Ellen.
The boycott failed as Disney's stock and earnings soared.

The Southern Baptists' resolutions come the same week that religious
political broadcaster and Christian Coalition founder Pat Robertson warned
Orlando, Fla., of hurricanes, terrorist bombing, tornadoes and meteors for
allowing gay pride flags to be flown along city streets in recognition of
that
city's gay pride festival.

The Human Rights Campaign is the largest national lesbian and gay
political organization, with members throughout the country. It effectively
lobbies Congress, provides campaign support, and educates the public to
ensure
that lesbian and gay Americans can be open, honest, and safe at home, at
work,
and in the community.

- 30 -

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131) id <01IY4FEKR18W00GCDO@PMDF.EOP.GOV>; Thu, 11 Jun 1998 20:12:18 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131) with ESMTTP id <01IY4FEJFVPS00HWN2@PMDF.EOP.GOV>; Thu, 11 Jun 1998 20:12:16 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.1]) by STORM.EOP.GOV (PMDF V5.1-10 #29131) with ESMTTP id <01IY4FDV5AX4000KIC@STORM.EOP.GOV>; Thu, 11 Jun 1998 20:11:44 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121]) by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id RAA26565; Thu, 11 Jun 1998 17:10:51 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 18:10:29.00

SUBJECT: Tobacco Update on Attorneys Fees Vote

TO: marti.thomas (marti.thomas @ ms01.do.treas.sprint.com @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TO: guzy.gary (guzy.gary @ epamail.epa.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./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: kburkel (kburkel @ os.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

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

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

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

TO: Jeanne Lambrew (CN=Jeanne Lambrew/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: sheketoff-emily (sheketoff-emily @ dol.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: JONATHAN.GRUBER (JONATHAN.GRUBER @ MS01.DO.treas.sprint.com @ inet [UNKNOWN])
READ:UNKNOWN

TO: johara (johara @ osophs.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TO: Mary L. Smith (CN=Mary L. Smith/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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 10:49:30.00

SUBJECT: Re: HHS Family Cap memo

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

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

TEXT:

FYI. I assume I should go ahead and do a short summary for weekly.
----- Forwarded by Andrea Kane/OPD/EOP on 06/11/98 10:52
AM -----

Phillip Caplan

06/11/98 10:32:51 AM

Record Type: Record

To: Andrea Kane/OPD/EOP
cc:
Subject: Re: HHS Family Cap memo

no...i think the president only needs to read about it once...he can read about it from hhs...thanks

Andrea Kane
06/11/98 10:27:24 AM
Record Type: Record

To: Phillip Caplan/WHO/EOP
cc:
Subject: HHS Family Cap memo

I spoke with Bruce and Elena and we agreed we don't need a DPC cover memo on this. I am working on a short summary for the weekly report, which I can forward to you this afternoon if that would be helpful.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Donna L. Geisbert (CN=Donna L. Geisbert/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:11-JUN-1998 11:31:38.00

SUBJECT: Kids Health Outreach Policy Ideas

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

TO: MELANNE (Pager) #VERVEER (MELANNE (Pager) #VERVEER [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

Chris Jennings and Jeanne Lambrew would like to meet some time between 11:00 and 2:00 or after 5:30 to discuss policies for 6/22 with Nancy-Ann Min DeParle, Gary Claxton and Kevin Thurm. Please let me know ASAP to let me know your availability. Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUN-1998 08:35:59.00

SUBJECT: assaults -- approps update

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Approps update: We are expecting that an amendment could come up on the Treasury-Postal approps markup this afternoon to undermine the Administration's decision on the importation of modified assault weapons. The amendment expected would be something similar to what came up on the supplemental approps bill -- which was subsequently withdrawn -- to exempt from the ban those firearms that were in transit prior to the directive or in already in bonded warehouses. Yesterday, Rahm asked Treasury to quietly look into drafting an amendment to reimburse importers for their loss for a limited number of these; for example, only those firearms which are sitting in bonded warehouses (about 2,000 guns). Treasury/ATF is still working it up and will vet it with Justice this morning. Peter Jacoby was going to float the idea with Lautenberg.

I will send over a draft when I get one.