

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 033 - FOLDER -010

[06/25/1998-06/26/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Shannon Mason (CN=Shannon Mason/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:25-JUN-1998 17:40:23.00

SUBJECT: For the income and poverty group

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

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

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

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

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

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

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

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

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

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

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

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

CC: Francine P. Obermiller (CN=Francine P. Obermiller/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

TEXT:

Any and all comments are welcome. Please send to Ceci next week.
Thanks.

----- Forwarded by Shannon Mason/OPD/EOP on 06/25/98
06:51 PM -----

Cecilia E. Rouse
06/25/98 05:32:28 PM
Record Type: Record

To: Shannon Mason/OPD/EOP
cc:
Subject: For the income and poverty group

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D35]MAIL46095867U.126 to ASCII,
The following is a HEX DUMP:

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June 25, 1998

DRAFT MEMORANDUM FOR EOP PRINCIPALS MEETING

FROM: ???

SUBJECT: BENCHMARKING THE NRC-BASED INCOME AND POVERTY
MEASURES

As discussed at the last EOP Principals meeting, in early 1999 the Census Bureau will publish an analysis of alternative measures of poverty based on the proposals contained in the 1995 National Research Council (NRC) report, *Measuring Poverty: A New Approach*. Because OMB is the statutory arbiter of the "official" poverty measurement methodology, the Census Bureau has asked for advice on the proposed alternative measures to be highlighted (among many that will be published as part of the analysis). Currently, the Census Bureau plans to benchmark all of its highlighted poverty estimates to a recent (likely 1997) poverty rate. (Note, however, that non-benchmarked estimates will appear in the analysis portion of the report.)

The purpose of this meeting is to decide whether we want to advise Census to highlight a few series that are not benchmarked, to advise that only benchmarked estimates be highlighted, or simply to remain silent on the issue (which will likely result in only benchmarked estimates being highlighted). This decision does not settle the issue of whether we should not benchmark the official poverty measure, but it would make selecting a non-benchmarked alternative more difficult.

In order to develop fully the issues involved, this memo has two parts. The first part explains the concept and presents the pros and cons of benchmarking. Much of this information was contained in the background memo for the last Principals meeting, however we include it here for ease of access. The second part outlines the potential implications of advising the Census Bureau to highlight some series that are not benchmarked.

Part I: Background on Benchmarking

Poverty measurement involves two concepts: (1) a definition of family resources, and (2) a "threshold" against which resources are compared to determine if a family is poor. The NRC panel recommends basing the threshold on expenditures on "necessities" (food, shelter, and clothing) plus a little more. However, the NRC panel cautioned that setting the level below which a family is considered poor is more of an art than a science. The panel therefore suggested a range of alternatives and left it to policymakers to determine the most appropriate levels. Specifically, the NRC panel recommends selecting the 30th to 35th percentile in the distribution of annual expenditures on food, shelter, and clothing among families of four (two adults and two children), and then multiplying this expenditure level by between 1.15 and 1.25. Thresholds for other family sizes and types would be determined by an equivalency scale calculation.

Because there is some discretion in the setting of the poverty threshold, Table 1 shows poverty rates between 1991 and 1996 using the current methodology (column 1) and using three alternative ways to determine the threshold for the NRC experimental measure -- one benchmarked and two not benchmarked:

- The “Benchmarked” measure is the NRC measure benchmarked to the 1996 poverty rate; in this case the thresholds are “backed out” by first setting the new aggregate poverty rate to the current rate and then setting the thresholds at the level that achieves this rate given the new resource definitions. In this case, the threshold falls to approximately the 25th percentile in the distribution of expenditures.
- The “NRC Experimental (midpoint)” (column 3) is based on selecting approximately the 32.5 percentile in the distribution of annual expenditures and then multiplying this expenditure by approximately 1.2 -- the midpoints of the NRC recommendations;
- The “NRC Experimental (lower bound)” (column 4) is based on selecting the 30th percentile in the distribution of annual expenditures and then multiplying this expenditure by 1.15 -- the lower bound of the NRC recommendations;

Both the NRC Experimental “midpoint” and “lower bound” estimates would not match the current overall poverty rate and thus would be considered “not benchmarked.”

It is important to understand that benchmarking only assures that the aggregate poverty rate is identical for the official and the alternative measure in the benchmarked year. However, the distribution of poverty among subgroups will change whether or not the estimates are benchmarked (see Table 2). In general, working families and families with large out-of-pocket medical expenses would more likely be measured as poor, and nonworking families with substantial in-kind benefits would less likely be measured as poor with the NRC experimental series. This would have geographic as well as subgroup poverty rate implications. For example, even though the relative proportion of poor who are Black declines under both alternatives (not shown in Table 2), the estimated Black poverty rate falls with benchmarking but rises or stays constant with a non-benchmarked measure. Similarly, both historical and future trends would differ. For instance, the benchmarked measure would be identical to the current rate in 1996 but higher in 1991. (The faster fall using the alternative measure is largely due to the expansion in the EITC.)

Pros and Cons of Benchmarking and Not Benchmarking

Pros of benchmarking:

- May provide an easier transition to the new official measure of poverty because there will not be a change in the overall level of poverty. (Critics, of course, will still charge that this level is arbitrary.) In addition, with a benchmarked measure it may be easier to implement changes in the poverty guidelines issued by HHS for program purposes.
- Focuses the arguments on the relative distribution of who is poor rather than on how

many people are poor; experts would say that the results on the distribution of who is poor are more objective and scientific than those on the total number of poor.

Cons of benchmarking:

- Violates the NRC recommendation that the threshold should be based on the 30th-35th percentile in the expenditure distribution. In order to benchmark, the threshold falls to about the 25th percentile of expenditures on food, shelter, and clothing. This may cost us the political cover of following a nonpartisan expert panel, and may raise questions of motive.
- Will highlight the distributional consequences of moving to an NRC-based alternative more clearly than under the non-benchmarked alternatives (although they have the same distributional consequences); for instance the poverty rate for some groups would fall in absolute terms with benchmarking.
- There is a perceived illogic in using an overall poverty rate from a method we say is flawed to determine a key part of a methodology we say is better.

Pros of not benchmarking:

- Incorporates the recommendations of the NRC panel, based on their professional judgement from the best available evidence (though, as noted, this judgement is subjective), and therefore provides some limited political cover.

Cons of not benchmarking:

- Results in a higher poverty rate (although the trends over time are similar.)

Part II: Key Decision for this Meeting

There are basically three options: (1) Advise the Census Bureau to highlight some non-benchmarked estimates along with benchmarked estimates; (2) Actively advise the Census Bureau to highlight only benchmarked estimates; (3) Remain silent on the issue (with the likely result that Census will only highlight benchmarked estimates).

Pros of advising the Census Bureau to highlight some non-benchmarked estimates

- Keeps the option of non-benchmarked estimates in the public dialog, which may preserve the option of not benchmarking when and if we decide to move to a new official measure of poverty.
- Narrowing the range of options in any dimension may be perceived as moving us closer to a final decision, and might limit our flexibility.
- The Census report may appear more credible if it includes a non-benchmarked

alternative, given that the NRC's recommendation did not involve benchmarking.

- If we decide to change to an NRC-based measure as the official measure of poverty and if we decide to benchmark the official measure, it may make the change look small compared to selecting the non-benchmarked alternative. It gives us an ability to look "reasonable" by adopting a less extreme change.

Cons of advising the Census Bureau to highlight some non-benchmarked estimates

- Even if we're not certain that we want to change the official measure of poverty, we may be held accountable for estimates that poverty is really higher than the current rate.
- Even if the non-benchmarked estimates are simply among those highlighted, people could focus on them and create an "uproar." Alternatively, some of our traditional allies may like the non-benchmarked estimates and feel abandoned should we ultimately choose to benchmark.

Pros of advising the Census Bureau to highlight only benchmarked estimates

- It may raise less of a political "uproar." This would be particularly valuable if we believe we are likely to benchmark any new official measure anyway.

Cons of advising the Census Bureau to highlight only benchmarked estimates

- It may make it more difficult not to benchmark in the future.
- If Census does not closely follow the NRC recommendation, it may appear that they had been inappropriately influenced by political considerations, particularly since non-benchmarked estimates are already in the public domain.

Pros of remaining silent on the issue of benchmarking

- Given that, at this point, Census plans to only highlight benchmarked estimates this contains all of the advantages of advising Census to only present benchmarked estimates outlined above.
- In addition, it may give us political cover by allowing another, independent statistical, agency to make the judgement about how the level of poverty should be determined.

Cons of remaining silent on the issue of benchmarking

- Likely (because Census currently plans to only highlight benchmarked estimates) contains all of the cons of advising Census to present only benchmarked estimates.
- We may not want Census to make the decision that non-benchmarked estimates will not be highlighted without our input.

Table 1. Poverty Rates and Thresholds under Alternative Measures, 1991-96, CPS

	Official measure	Benchmarked to 1996	NRC Experimental (midpoint)	NRC Experimental (lower bound)
Poverty Rates				
1991	14.2	14.5	18.9	16.7
1992	14.8	15.3	19.6	17.4
1993	15.1	15.7	20.2	18.0
1994	14.6	14.7	19.0	16.8
1995	13.8	13.8	18.2	16.0
1996	13.7	13.7	18.0	15.8
Thresholds for 2 adults and 2 children (in dollars)				
1991	13,812	11,891	13,891	12,883
1992	14,228	12,249	14,309	13,270
1993	14,654	12,616	14,738	13,668
1994	15,029	12,938	15,115	14,018
1995	15,455	13,305	15,543	14,415
1996	15,911	13,698	16,002	14,840

Table 2. Poverty Rates under Alternative Measures, 1996, CPS

	Official measure	Benchmarked NRC to 1996	NRC Experimental (midpoint)	Experimental (lower bound)
All persons	13.7	13.7	18.0	15.8
Children	20.5	18.1	23.8	20.9
Nonelderly adults	11.4	11.5	15.0	13.2
Elderly	10.8	15.6	20.4	18.0
White	11.2	11.8	15.6	13.7
Black	28.4	25.2	32.0	28.5
Hispanic origin	29.4	28.5	37.7	33.1
One or more workers	9.5	10.0	13.6	11.8
Persons in family of type:				
Married couple	6.9	7.8	11.1	9.5
Female householder	35.8	32.3	40.4	36.3
Geographic regions:				
Northeast	12.7	14.3	18.8	16.5
Midwest	10.7	10.3	13.8	12.1
South	15.1	14.2	18.3	16.2
West	15.4	16.1	21.0	18.5
Metropolitan/Central City	19.6	19.2	24.7	21.8
Not Central City	9.4	10.6	14.1	12.4
Nonmetropolitan	15.9	13.5	17.5	15.5

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1998 14:29:54.00

SUBJECT: NYT & Food Safety

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

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

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

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

TEXT:

Marion Burros at the New York Times -- 862-0347 -- is doing a story on the food safety appropriations and whether the administration will fight for this money. She wants a defense of the Administration policy, including our request to impose user fees which has been a non-starter in Congress. She'd like to talk to someone by tomorrow. She's especially interested in talking to the VP -- I'll tell Morely.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Shannon Mason (CN=Shannon Mason/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:25-JUN-1998 12:36:52.00

SUBJECT: Income/poverty mtg

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

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

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

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

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

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

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

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

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

CC: Lisa D. Branch (CN=Lisa D. Branch/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

TEXT:

The next income/poverty meeting will be held Thursday July 9th at 11:00 am
in Sally's office, Room 231.

Please let me know of any conflicts.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1998 10:57:39.00

SUBJECT: stmnt by the president: pulse check

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

we got this to ONDCP for 11:00 briefing

----- Forwarded by Michelle Crisci/WHO/EOP on 06/25/98

10:56 AM -----

Elizabeth R. Newman

06/25/98 10:50:36 AM

Record Type: Record

To: Michelle Crisci/WHO/EOP, Charles A. Blanchard/ONDCP/EOP

cc:

Subject: stmnt by the president: pulse check

THE WHITE HOUSE

Office of the Press Secretary
(Xian, People's Republic of China)

For Immediate Release
25, 1998

June

STATEMENT BY THE PRESIDENT

Last week's PRIDE survey showed that we are beginning to change the attitudes and behavior of our children, and that is a step in the right direction. Today's Pulse Check shows that the work of America's parents, teachers, and public officials is far from done. America's young people need to hear a single, unambiguous message: drugs are wrong and dangerous, and they can kill you. This survey also indicates that we must continue our efforts to toughen drug enforcement and to get hardened drug users off the street and into mandatory testing and treatment.

-30-30-30-

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1998 10:44:34.00

SUBJECT: SENATE INTERIOR APPROPS LETTER - NEED CLEARANCE

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

READ:UNKNOWN

TO: Kerri A. Jones (CN=Kerri A. Jones/OU=OSTP/O=EOP@EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Rahm I. Emanuel (CN=Rahm I. Emanuel/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: Judy Jablow (CN=Judy Jablow/OU=CEQ/O=EOP@EOP [CEQ])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

CC: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

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

TEXT:

The Senate Full Committee is also marking up the Interior Appropriations bill today at 2pm; therefore, we need your comments/clearance no later than noon today. (Don't worry about spacing) Thanks.

The Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the Department of the Interior and Related Agencies Appropriations Bill, FY 1999, as reported by the Senate Subcommittee. As

the Committee develops its version of the bill, your consideration of the Administration's views would be appreciated. These views are based on incomplete information and are, therefore, necessarily preliminary. Based on preliminary information, due to inadequate funding levels for priority programs and unacceptable language riders, discussed below, the Secretaries of the Interior, Agriculture, and Energy would recommend that the President veto the bill if it were presented to him as approved by the Subcommittee.

The Administration appreciates efforts by the Subcommittee to accommodate certain of the President's priorities within the 302(b) allocation. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the recently enacted Transportation Equity Act, Congress -- on a broad, bipartisan basis -- took similar action in approving funding for surface transportation programs together with mandatory offsets. The Administration urges the Congress to consider such mandatory proposals for other priority discretionary programs.

Departments of the Interior and Agriculture

The Administration objects to inadequate funding provided by the Subcommittee for high priority programs, including:

- the Millennium program protecting artifacts of our National heritage;
- land acquisition providing protection for the Everglades;
- facilities maintenance providing safe visits to national parks and other Federal lands;
- the Clean Water Action Plan to clean up America's ground and surface waterways;
- the Disaster Information Network providing enhanced data to protect Americans;
- the Endangered Species Programs, including landowner incentive grants;
- and,
- BIA education operations and the Indian Country law enforcement initiative providing both opportunities and protection to tribal members, particularly children.

We stand ready to work with the Congress to achieve sufficient offsets to support these investments with proposed savings identified in the President's budget.

The Administration urges the Committee to report a clean bill that does not attempt to roll back environmental protections and circumvent the public hearing process by attaching riders to appropriation bills. Unfortunately, based on our preliminary review, the Subcommittee bill contains a number of problematic language riders. The Administration strongly objects to language of the Subcommittee bill that would:

unwisely terminate the Interior Columbia Basin Ecosystem Management

Project in six Northwest States;

require timber sales from national forests to be 3.8 billion board feet rather than the 3.4 billion board feet assumed in the FY 1999 Budget, thereby increasing timber sale administrative funding at the expense of other priority programs;

mandate a high timber sale level on the Tongass National Forest in Alaska, which would supersede environmental laws;

establish an easement across the Izembek National Wildlife Refuge and wilderness area in Alaska;

prohibit Grizzly Bear reintroduction into the Selway-Bitterroot area of Idaho and Montana;

means-test tribes as a basis for redistributing Tribal Priority Allocation funding;

prohibit the regulation of commercial fishing in Glacier Bay National Park in Alaska;

place unnecessary limits on Federal land acquisitions in Alaska;

delay or prohibit dam removals on the Elwha, Columbia, and Snake Rivers in the Pacific Northwest; automatically extend the term of grazing leases that are undergoing review by the Bureau of Land Management; and, delay implementation of environmental protections for hardrock mining reclamation on Federal lands.

Department of Energy

While higher than the House Subcommittee mark, the Senate Subcommittee's funding level represents a very objectionable \$161 million reduction to the President's request for Energy Conservation. The Subcommittee mark would be particularly damaging to the Partnership for a New Generation of Vehicles and to new efforts to develop clean diesel engines for light trucks. It would also impede valuable cooperation with industry on improved industrial energy efficiency.

The President's budget requests \$36 million for payment to the State of California for the Retired Teachers System, which is not included in the Subcommittee bill. The Administration prefers that this payment be appropriated consistent with P.L. 104-106.

Indian Health Service

The Administration is concerned that the increases requested for the President's Race Initiative, alcohol and substance abuse initiative, and for first-year construction of the Fort Defiance Health Facility, is not included. The Administration intends to work with the Committee to fund these important initiatives within funds available for IHS.

Cultural Agencies

The Administration appreciates the Subcommittee's commitment to funding for the National Endowment for the Arts (NEA). We urge the Committee to provide funding for NEA and NEH at the President's requested level of \$136 million each and for the Institute for Museum and Library Services at the requested level of \$26 million.

Likewise, the Administration appreciates the Subcommittee's support for the other cultural agencies funded by this bill, including funding for the National Museum of the American Indian and restoration of the Star Spangled Banner in the Smithsonian Institution, and the full request for the National Gallery of Art, the Holocaust Museum, and the Kennedy Center for the Performing Arts. However, the Administration urges the Committee to provide the full \$40 million request for repair and restoration in the Smithsonian Institution, in order to allow the Institution to proceed with its plans for addressing critical deficiencies, particularly in the Natural History Museum, the American Art Museum and Portrait Gallery, the Arts and Industries Building, and the Smithsonian Castle.

We look forward to working with the Committee to address our mutual concerns.

Sincerely,

Jacob J. Lew
Acting Director

Identical Letter Sent to The Honorable Ted Stevens,
The Honorable Robert C. Byrd, and The Honorable Slade Gorton

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1998 15:31:57.00

SUBJECT: Brief Description of Bragdon v. Abbott

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I was told earlier that I had two sentences, which are attached:

----- Forwarded by Robert N. Weiner/WHO/EOP on 06/25/98
03:41 PM -----

Robert N. Weiner

06/25/98 02:34:24 PM

Record Type: Record

To: Kevin S. Moran/WHO/EOP

cc:

Subject: Brief Description of Bragdon v. Abbott

BRAGDON v. ABBOTT

The Supreme Court, as urged by the Solicitor General, found that being HIV positive is a disability subject to the Americans with Disabilities Act, whether or not the individual is symptomatic, because the infection impairs a significant life activity, in this case, reproduction. The Court did not rule definitively that all people with HIV are protected by the ADA -- only those who can show that the disease impairs their ability to reproduce and bear children.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1998 15:14:22.00

SUBJECT: Updated Welfare Reform Accomplishments document

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

READ:UNKNOWN

TO: Joanne.Whitman (Joanne.Whitman @ npr.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: dana.colarulli (dana.colarulli @ sba.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: corine.hegland (corine.hegland @ ost.dot.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Paul_A. Leonard (Paul_A. Leonard @ HUD.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Jlombard (Jlombard @ acf.dhhs.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Anil Kakani (CN=Anil Kakani/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Thomas M. Rosshirt (CN=Thomas M. Rosshirt/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: susan.valaskovic (susan.valaskovic @ npr.gsa.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Julie.Anderson (Julie.Anderson @ ost.dot.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: linda.lawson (linda.lawson @ ost.dot.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: mkharfen (mkharfen @ acf.dhhs.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

CLINTON-GORE ACCOMPLISHMENTS

REFORMING WELFARE

Automated Records Management System
Hex-Dump Conversion

On August 22, 1996, President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act, fulfilling his longtime commitment to 'end welfare as we know it.' As the President said upon signing, "... this legislation provides an historic opportunity to end welfare as we know it and transform our broken welfare system by promoting the fundamental values of work, responsibility, and family."

TRANSFORMING THE BROKEN WELFARE SYSTEM

- **Overhauling the Welfare System with the Personal Responsibility Act:** In 1996, the President signed a bipartisan welfare plan that is dramatically changing the nation's welfare system into one that requires work in exchange for time-limited assistance. The law contains strong work requirements, performance bonuses to reward states for moving welfare recipients into jobs and reducing illegitimacy, state maintenance of effort requirements, comprehensive child support enforcement, and supports for families moving from welfare to work -- including increased funding for child care. State strategies are making a real difference in the success of welfare reform, specifically in job placement, child care and transportation.
- **Law Builds on the Administration's Welfare Reform Strategy:** Even before the Personal Responsibility Act became law, many states were well on their way to changing their welfare programs to jobs programs. By granting Federal waivers, the Clinton Administration allowed 43 states -- more than all previous Administrations combined -- to require work, time-limit assistance, make work pay, improve child support enforcement, and encourage parental responsibility. The vast majority of states have chosen to continue or build on their welfare demonstration projects approved by the Clinton Administration.
- **Largest Decline in the Welfare Rolls in History:** The President has announced that we've met -- two years ahead of schedule -- the challenge he made in last year's State of the Union to move two million more Americans off of welfare by the year 2000. The latest caseload numbers, announced May 27th, show that welfare caseloads fell by 5.2 million since President Clinton took office and 3.3 million since he signed the welfare reform law. The new figures, from March 1998, show 8.9 million people on welfare, a drop of more than 37 percent from January 1993. This historic decline occurred in response to the Administration's grants of Federal waivers to 43 states, the provisions of the new welfare reform law, and the strong economy.

MOVING PEOPLE FROM WELFARE TO WORK

- **Mobilizing the Business Community:** At the President's urging, the Welfare to Work Partnership was launched in May 1997 to lead the national business effort to hire people from the welfare rolls. Founded with 105 participating businesses, the Partnership has grown to 5,000 businesses within one year. In 1997 these businesses hired 135,000 welfare recipients and the President has challenged them to double their efforts to 270,000 in 1998. The Partnership provides technical assistance and support to businesses around the country, including: a toll-free number, a web site, a "Blueprint for Business" manual, and a new report called The Road to Retention on businesses whose retention rates for former welfare recipients are higher than the retention rates for other new hires.
- **Connecting Small Businesses with New Workers:** The Small Business Administration is reaching out to small businesses throughout the country to help them connect with job-ready welfare recipients. In addition, SBA assists welfare recipients who wish to start their own businesses.
- **Mobilizing Civic, Religious and Non-profit Groups:** The Vice President created the Welfare to Work Coalition to Sustain Success, a coalition of civic groups committed to helping former welfare recipients stay in the workforce and succeed. Tailoring their services to meet welfare recipients needs and the organizations' strengths, the Coalition focuses on providing mentoring and other support services. Charter members of the Coalition include: the Boys and Girls Clubs of America, the Baptist Joint Committee, the United Way, the YMCA, and other civic and faith-based groups.
- **Doing Our Fair Share with the Federal Government's Hiring Initiative:** Under the Clinton Administration, the Federal workforce is the smallest it has been in thirty years. Yet, this Administration also believes that the Federal government, as the nation's largest employer, must lead by example. The President asked the Vice President to oversee the Federal government's hiring initiative in which Federal agencies have committed to directly hire at least 10,000 welfare recipients in the next four years. Already, **the federal government has hired over 4,811 welfare recipients, 45 percent of its planned hires.** As a part of this effort, the White House pledged to hire six welfare recipients and has already exceeded this goal.
- **\$3 Billion to Help Move More People from Welfare to Work:** Because of the President's leadership, the 1997 Balanced Budget Act included the total funding requested by the President for the creation of his \$3 billion welfare to work fund. This program will help states and local communities move long-term welfare recipients, and certain non-custodial parents, into lasting, unsubsidized jobs. These funds can be used for job creation, job placement and job retention efforts, including wage subsidies to private employers and other critical post-employment support services. The Department of Labor provides oversight but most of the dollars will be placed, through the Private Industry Councils, in the hands of the localities who are on the front lines of the welfare reform effort. In addition, 25 percent of the funds will be awarded by the Department of Labor on a competitive basis to support innovative welfare to work projects. The

President announced the first round of 49 innovative competitive grants on May 27th.

- **Tax Credits for Employers:** The Welfare to Work Tax Credit, enacted in the 1997 Balanced Budget Act, provides a credit equal to 35 percent of the first \$10,000 in wages in the first year of employment, and 50 percent of the first \$10,000 in wages in the second year, to encourage the hiring and retention of long term welfare recipients. This credit complements the Work Opportunity Tax Credit, which provides a credit of up to \$2,400 for the first year of wages for eight groups of job seekers. The President's FY 1999 budget extends these two important tax credits through April 2000.
- **Welfare-to-Work Housing Vouchers:** In his FY 1999 budget, the President proposes \$283 million for 50,000 new housing vouchers for welfare recipients who need housing assistance to get or keep a job. Families could use these housing vouchers to move closer to a new job, to reduce a long commute, or to secure more stable housing to eliminate emergencies that keep them from getting to work every day on time. These vouchers, awarded to communities on a competitive basis, will give people on welfare a new tool to make the transition to a job and succeed in the work place.
- **Welfare-to-Work Transportation:** One of the biggest barriers facing people who move from welfare to work -- in cities and in rural areas -- is finding transportation to get to jobs, training programs and child care centers. **Few welfare recipients own cars. Existing mass transit does not provide adequate links to many suburban jobs at all, or within a reasonable commute time. In addition, many entry level jobs require evening or weekend hours that are poorly served by existing transit routes.** To help those on welfare get to work, President Clinton proposed a \$100 million a year welfare to work transportation plan as part of his ISTEA reauthorization bill. The Transportation Equity Act for the 21st Century (TEA-21), which the President signed on June 9th, authorizes \$750 million over five years for the President's initiative and reverse commute grants. Of this amount, \$50 million is guaranteed funding in FY 1999, rising to \$150 million in 2003. The Job Access competitive grants will assist states and localities in developing flexible transportation alternatives, such as van services, for welfare recipients and other low income workers.

PROMOTING PERSONAL RESPONSIBILITY

- **Enforcing Child Support -- 68% Increase in Collections:** The Clinton Administration collected a record \$13.4 billion in child support in 1997 through tougher enforcement, an increase of \$5.4 billion, or 68% since 1992. Not only are collections up, but the number of families that are actually receiving child support has also increased. In 1997, the number of child support cases with collections rose to 4.2 million, an increase of 48% from 2.8 million in 1992. In addition, a new collection system proposed by the President in 1994 and enacted as part of the 1996 welfare reform law located one million delinquent parents in its first nine months of operation. This National Directory of New Hires helps track parents across state lines by enabling child support officials to match records of delinquent parents with wage records from throughout the nation.

Approximately one-third of all child support cases involve parents living in different states. In June 1998, the President signed the Deadbeat Parents Punishment Act, a law based on his 1996 proposal for tougher penalties for parents who repeatedly fail to support children living in another state or who flee across state lines to avoid supporting them. This new law creates two new felonies, with penalties of up to two years in prison, for egregious child support evaders who travel across state or country lines to evade child support obligations, or who have an unpaid obligation to a child living in another state that is more than \$10,000 or has remained unpaid for more than two years.

Increasing Parental Responsibility: The President's unprecedented and sustained campaign to ensure parents financially support their children is working. Paternity establishment, often the crucial first step in child support cases, has dramatically increased, due in large part to the in-hospital voluntary paternity establishment program begun in 1994 by the Clinton Administration. In 1997, the number of paternities established or acknowledged rose to a record 1.3 million, two and a half times the 1992 figure of 512,000. In addition to tougher enforcement including a strong partnership with states, President Clinton has taken executive action including: directing the Treasury Department to collect past-due child support from Federal payments including Federal income tax refunds and employee salaries, and taking steps to deny Federal loans to any delinquent parents. The welfare reform law contains tough child support measures that President Clinton has long supported including: the national new hire reporting system; streamlined paternity establishment; uniform interstate child support laws; computerized state-wide collections; and tough new penalties. These five measures are projected to increase child support collections by an additional \$24 billion over the next ten years.

- **Breaking the Cycle of Dependency -- Preventing Teen Pregnancy:** Significant components of the President's comprehensive effort to reduce teen pregnancy became law when the President signed the 1996 Personal Responsibility Act. The law requires unmarried minor parents to stay in school and live at home or in a supervised setting; encourages "second chance homes" to provide teen parents with the skills and support they need; and provides \$50 million a year in new funding for state abstinence education activities. Since 1993, the Clinton Administration has supported innovative and promising teen pregnancy prevention strategies, including working with boys and young men on pregnancy prevention strategies. In 1997, the President announced the National Strategy to Prevent Teen Pregnancy, mandated in the welfare reform law. It reported that HHS-supported programs already reach about 30 percent or 1,410 communities in the United States. As part of this effort, the National Campaign to Prevent Teen Pregnancy, a private nonprofit organization, was formed in response to the President's 1995 State of the Union. Notably, data shows we are making progress in reducing teen pregnancy -- teen births have fallen five years in a row, by 12 percent from 1991 to 1996.

RESTORING FAIRNESS AND PROTECTING THE MOST VULNERABLE

The President made a commitment to fix several provisions in the welfare reform law that had nothing to do with moving people from welfare to work. In 1997, the President fought for and

ultimately was successful in ensuring that the Balanced Budget Act protects the most vulnerable. In 1998, the President continues to reverse unfair cuts in benefits to legal immigrants.

- **Restoring Food Stamp Benefits for Legal Immigrants:** In June 1998, the President signed the Agricultural Research Act into law, which restores food stamp benefits to 250,000 elderly, disabled, and other needy legal immigrants, including 75,000 children, who lawfully resided in the U.S. as of August 22, 1996 and lost assistance as a result of cuts in the 1996 welfare law that had nothing to do with welfare reform. It restores benefits to Hmong immigrants from Laos who aided our country during the Vietnam War and extends the period during which refugees and asylees may qualify for Food Stamps while they await citizenship. This law funds a significant part of the President's 1999 budget proposal to restore food stamp benefits to 730,000 legal immigrants, but the President's budget proposal would go further by covering families with children regardless of the date they entered the U.S. This restoration builds on the President's success last year in restoring SSI and Medicaid to 420,000 legal immigrants whose benefits were also terminated in welfare reform (see below).
- **Protects Legal Immigrants Who Become Disabled and Those Currently Receiving Benefits:** The Balanced Budget Act of 1997 restored \$11.5 billion in SSI and Medicaid benefits for legal immigrants whose benefits were also terminated in welfare reform. This law protects those immigrants now receiving assistance, ensuring that they will not be turned out of their apartments or nursing homes or otherwise left destitute. And for immigrants already here but not receiving benefits, the BBA does not change the rules retroactively. Immigrants in the country as of August 22, 1996 but not receiving benefits at that time who subsequently become disabled will also be fully eligible for SSI and Medicaid benefits.
- **Protects Children by Keeping the Medicaid Guarantee:** The BBA preserved the Federal guarantee of Medicaid coverage for the vulnerable populations who depend on it, and contains additional investments to extend coverage to uninsured children. It also ensures that 30,000 disabled children losing SSI because of the new tighter eligibility criteria keep their Medicaid coverage.
- **Helps People Who Want to Work but Can't Find a Job:** The Balanced Budget Act (BBA) also restored \$1.5 billion in food stamp cuts. The welfare reform law restricted food stamps for able-bodied childless adults to only 3 out of every 36 months, unless they were working. This move ignored the fact that finding a job often takes time. The BBA provided funds for an estimated 235,000 work slots over 5 years and food stamp benefits to those who are willing to work but, through no fault of their own, have not yet found employment. In addition, the BBA allows states to exempt up to 15 percent of the food stamp recipients (70,000 individuals monthly) who would otherwise be denied benefits as a result of the "3 in 36" limit.

6/25/98

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1998 12:40:33.00

SUBJECT: H2A letter

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

All:

I just spoke with Earl from Labor. Secretary Herman has had a couple of phone conversations with Sen. Coverdell today, and he was unpersuaded to release their nominee based on our reform commitments. Labor is sending out the letter that reflects what we are doing to Abraham, Smith, Kennedy and Watt (with cc: to the rest of the committee members) today.

Earl is also forwarding to me a summary of what Coverdell was asking for.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: OASISMGR@A1@CD@LNGTWY (OASISMGR@A1@CD@LNGTWY [UNKNOWN]) (OA)

CREATION DATE/TIME:26-JUN-1998 10:17:03.00

SUBJECT: Work to be performed during the President's trip to China

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

TO: Cheryl D. Mills@eop (Cheryl D. Mills@eop [WHO])
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TO: R. Scott Michaud@eop (R. Scott Michaud@eop [WHO])
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TO: Manuel A. Mendoza@eop (Manuel A. Mendoza@eop [WHO])
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TO: Daniel N. mendelson@eop (Daniel N. mendelson@eop [OMB])
READ:UNKNOWN

TO: John Y. McInnis@eop (John Y. McInnis@eop [OA])
READ:UNKNOWN

TO: Anne E. McGuire@eop (Anne E. McGuire@eop [WHO])
READ:UNKNOWN

TO: Michael McCurry@eop (Michael McCurry@eop [WHO])
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TO: Kelli McClure@eop (Kelli McClure@eop [WHO])
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TO: Ellen W. McCathran@eop (Ellen W. McCathran@eop [WHO])
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TO: Andrew J. Mayock@eop (Andrew J. Mayock@eop [WHO])
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TO: Douglas R. Matties@eop (Douglas R. Matties@eop [OA])
READ:UNKNOWN

TO: Doris O. Matsui@eop (Doris O. Matsui@eop [WHO])
READ:UNKNOWN

TO: Julie E. Mason@eop (Julie E. Mason@eop [WHO])
READ:UNKNOWN

TO: William P. Marshall@eop (William P. Marshall@eop [WHO])
READ:UNKNOWN

TO: Capricia P. Marshall@eop (Capricia P. Marshall@eop [WHO])
READ:UNKNOWN

TO: Laura S. Marcus@eop (Laura S. Marcus@eop [WHO])
READ:UNKNOWN

TO: Jerold R. Mande@eop (Jerold R. Mande@eop [OSTP])
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TO: Aimee M. Malnati@OVP@EOP (Aimee M. Malnati@OVP@EOP [UNKNOWN])
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TO: Ira C. Magaziner@EOP (Ira C. Magaziner@EOP [OPD])

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TO: Ellen M. Lovell@eop (Ellen M. Lovell@eop [WHO])
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TO: Joseph P. Lockhart@eop (Joseph P. Lockhart@eop [WHO])
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TO: Susan M. Liss@OVP@EOP (Susan M. Liss@OVP@EOP [UNKNOWN])
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TO: Bruce R. Lindsey@eop (Bruce R. Lindsey@eop [WHO])
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TO: Ann F. Lewis@eop (Ann F. Lewis@eop [WHO])
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TO: Lisa J. Levin@eop (Lisa J. Levin@eop [WHO])
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TO: Christopher S. Lehane@OVP@EOP (Christopher S. Lehane@OVP@EOP [UNKNOWN])
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TO: Jackie D. Lawson@EOP (Jackie D. Lawson@EOP [OA])
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TO: Sara M. Latham@eop (Sara M. Latham@eop [WHO])
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TO: Jeanne Lambrew@eop (Jeanne Lambrew@eop [OPD])
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TO: Robert D. Kyle@eop (Robert D. Kyle@eop [OMB])
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TO: Karin Kullman@EOP (Karin Kullman@EOP [WHO])
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TO: Lisa M. Kountoupes@eop (Lisa M. Kountoupes@eop [WHO])
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TO: Alison M. Kolwaite@eop (Alison M. Kolwaite@eop [WHO])
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TO: Jennifer L. Klein@EOP (Jennifer L. Klein@EOP [OPD])
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TO: Mark A. Kitchens@eop (Mark A. Kitchens@eop [WHO])
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TO: Charles E. Kieffer@eop (Charles E. Kieffer@eop [OMB])
READ:UNKNOWN

TO: Sally Katzen@eop (Sally Katzen@eop [OPD])
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TO: Jonathan A. Kaplan@EOP (Jonathan A. Kaplan@EOP [OPD])
READ:UNKNOWN

TO: Robert S. Kapla@eop (Robert S. Kapla@eop [CEQ])

READ:UNKNOWN

TO: Thomas A. Kalil@eop (Thomas A. Kalil@eop [OPD])

READ:UNKNOWN

TO: Elena Kagan@eop (Elena Kagan@eop [OPD])

READ:UNKNOWN

TO: Eli P. Joseph@eop (Eli P. Joseph@eop [WHO])

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TO: Elizabeth C. Jones@eop (Elizabeth C. Jones@eop [WHO])

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TO: Ansley Jones@OVP@EOP (Ansley Jones@OVP@EOP [UNKNOWN])

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TO: Wayne C. Johnson@EOP (Wayne C. Johnson@EOP [OA])

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TO: Robert B. Johnson@eop (Robert B. Johnson@eop [WHO])

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TO: Jon P. Jennings@eop (Jon P. Jennings@eop [WHO])

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TO: Cynthia M. Jasso-Rotunno@eop (Cynthia M. Jasso-Rotunno@eop [WHO])

READ:UNKNOWN

TO: Peter G. Jacoby@eop (Peter G. Jacoby@eop [WHO])

READ:UNKNOWN

TO: Marilyn R. Jacanin@eop (Marilyn R. Jacanin@eop [WHO])

READ:UNKNOWN

TO: Mickey Ibarra@eop (Mickey Ibarra@eop [WHO])

READ:UNKNOWN

TO: Edward F. Hughes@eop (Edward F. Hughes@eop [WHO])

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TEXT:
MEMORANDUM FOR ALL BLUE PASSHOLDERS

FROM: JOHN DANKOWSKI
SPECIAL ASSISTANT TO THE PRESIDENT AND
DIRECTOR OF WHITE HOUSE OPERATIONS

SUBJECT: WORK TO BE PERFORMED DURING THE
PRESIDENT'S TRIP TO CHINA

COMPLETION OF RENOVATION ON WEST WING ENTRANCE TO ROSE GARDEN:

Beginning on Friday, June 26th at 7:00pm, work will commence to complete the renovation on the West Wing entrance to the Rose Garden. For the duration of this work, access to the Rose Garden via the West Wing entrance will be available only in the event of an emergency. The Rose Garden will also be closed to tours. We ask that staff find alternate routes between the West Wing and the Residence/East Wing during the following time periods:

Friday, June 26th: 7:00pm - 12:00 midnight
Saturday, June 27th: 6:30am - 6:30pm
Sunday, June 28th: 6:30am - 6:30pm

Thank you for your patience in this matter.

EXCAVATION NEAR WEST WING LOBBY ENTRANCE:

Beginning on Friday, June 26th, excavation work will be performed on the grass area to the east of the West Wing Lobby entrance. This work will take place to repair a leak in the ground floor West Wing copier area. The work will be completed on Monday, June 29th and will not in any way affect access to the West Wing lobby or the steps which lead down to West Executive Avenue.

Again, thank you for your cooperation and patience. If you have any questions, please feel free to contact Dan Holt at x62500.

June 26, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
Elena Kagan

SUBJECT: Analysis of Hatch-Feinstein Tobacco Bill

The Hatch-Feinstein bill is based on the original agreement between the state attorneys general and the tobacco companies, with a few changes (stronger lookback surcharges; tobacco farmer provisions that are a hybrid of Ford and Lugar). While smaller than the McCain bill, the Hatch bill includes a significant price increase (66 cents a pack from annual payments, another 25 cents a pack or more from lookbacks). The most important shortcoming of the Hatch bill is its FDA provisions, which include several procedural hurdles leftover from the settlement.

The public health community and many Democrats would also object to the absence of a company-specific lookback surcharge, no federal enforcement of secondhand smoke restrictions, and all the liability protections from the settlement (a \$5.5 billion annual cap and a ban on class actions and punitive damages). Nevertheless, Daschle and some other Senate Democrats have not ruled out the possibility of negotiating with Hatch, since his bill may be the only comprehensive vehicle that can pass this year. As usual, the major hurdle is how to secure a bipartisan majority for some form of liability protection, without which Lott (and Hatch) will walk away.

I. Summary of Hatch-Feinstein

A. Overall Cost and Price Per Pack

The charts Hatch distributed earlier this week dramatically exaggerated the cost of the McCain bill. OMB and Treasury have done Administration estimates that correct these problems by taking into account the volume adjustment in both bills, and measuring both in real rather than nominal dollars.

	McCain Mgrs Amdt. (25-year cost in 1999\$)	Hatch-Feinstein (25-year cost in 1999\$)
Base Payment	\$408 billion	\$291 billion
Estimated Lookbacks	59 billion	80 billion
Total	467 billion	371 billion
Per-Pack Increase in 10 years	\$1.____	\$0.87

(w/lookback)

Youth Smoking Reduction in 10 years ___% 42%

B. Spending

The attached OMB chart compares the available revenue and spending priorities in the McCain and Hatch bills and the settlement. McCain raises \$59 billion over 5 years; Hatch raises \$46 billion; the settlement raises \$40 billion. The Hatch bill divides the money in almost exactly the same way as the McCain managers amendment (i.e., before the tax cut and drug amendments). The major potential difference is that the Hatch bill includes an offset for liability payments that could reduce the available revenue by up to one-third if the companies are hit with massive verdicts in court.

C. Lookback Surcharges

The Hatch bill includes industry-wide lookback surcharges that are dramatically larger than those in the settlement. In the settlement, penalties were capped at \$2 billion a year. Hatch raised that cap to \$5 billion in the first 5 years and \$10 billion after that. The McCain managers amendment capped industry-wide penalties at \$4 billion non-deductible, or about \$5.5 billion pre-tax. (The Durbin amendment cut that in half.) We estimated the maximum McCain penalties at about 35 cents a pack; maximum Hatch penalties would be about 60 cents a pack.

However, Hatch's penalty scheme inherits a few problems from the settlement. First, companies can apply for an abatement of their share of the penalties, which the public health community strongly objected to last summer. Second, Hatch includes a double-counting adjustment to keep from penalizing companies more than once for the same teenage smoker. This has the effect of reducing actual penalties by about two-thirds. Third, and most important to congressional Democrats, Hatch does not include any company-specific lookback penalty. (The McCain managers amendment penalized companies \$1,000 per youth smoker.)

Even with these shortcomings, the Hatch lookbacks would raise \$80 billion over 25 years, compared to \$59 billion in the McCain managers amendment. The Durbin lookback amendment would raise \$94 billion over 25 years, most of it in company-specific penalties.

D. FDA

E. Farmers

The Hatch bill tries to strike a middle ground between Ford's bill and Lugar's 3-year buyout. Hatch provides about \$17 billion to end the tobacco program over 7 years, not 3, and incorporates some of Ford's economic development provisions. Ford has said he might be willing to end the program over 10-15 years, if states had the option to run their own support programs. The current Hatch provisions are closer to Lugar than Ford, but Hatch has said he is willing to make additional changes to pick up support.

F. Other provisions (state menu, ETS, etc.)

II. Legislative Options

Dems divided on strategy. A few on the left, like Kennedy, want to take the issue to the fall elections. A few on the right, like Breaux, would take the Hatch bill as written. Others, like Kerry, Conrad, and Daschle, would like to keep working to pass a bipartisan bill in the Senate, but need direction from us on how to do so. Kerry seems to prefer a streamlined McCain bill, still with \$1.10 but with fewer titles and less spending. He is willing to talk to Lott and to Hatch, but doesn't like the Hatch bill. Conrad is willing to talk to Hatch, but would prefer a smaller bill (in the 65-cent-a-pack range) with no liability caps.

McCain, meanwhile, is willing to do whatever Lott asks, but won't negotiate with anybody on a new bill until Lott guarantees him 60 votes for cloture. He believes that will only happen if Republicans tell Lott they felt a lot of heat over the recess.

Starting point of any strategy is to pressure Republicans as much as possible over the recess. Matt's FEC complaint. Scruggs' ad. Energizing groups to apply heat. But groups are demoralized and weak.

We have two options: encourage Dems to unite behind some position along the lines of what Kerry has suggested, where they try to make R's look bad and show we don't really care about the money. This is unlikely to lead anywhere, but could keep the issue alive for the fall. However, Republicans have other ways to get clean on tobacco, either by attaching a skinny but otherwise unobjectionable youth smoking bill as a rider to an appropriations bill or by passing a reconciliation bill that includes a significant tobacco tax increase to pay for tax cuts, which we might be forced to veto for other reasons.

Our other option is to find some way to engage Hatch, either directly or through Kerry, Daschle, and/or McCain. (Or: Go directly to Lott and Daschle, say this is too important, force them to work things out.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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CREATION DATE/TIME:26-JUN-1998 18:05:56.00

SUBJECT: OMB Legislative Report - June 26, 1998

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TO: gary l. bennethum (CN=gary l. bennethum/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: rodney g. bent (CN=rodney g. bent/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: steven d. aitken (CN=steven d. aitken/OU=omb/O=eop@e [OMB])
READ:UNKNOWN

TO: elena kagan (CN=elena kagan/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: toni s. hustead (CN=toni s. hustead/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: barry j. toiv (CN=barry j. toiv/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: brian a. barreto (CN=brian a. barreto/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: justine f. rodriguez (CN=justine f. rodriguez/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: oliver_a@a1 (oliver_a@a1 @ cd @ lngtwy [UNKNOWN]) (OMB)
READ:UNKNOWN

TO: levin_p@a1 (levin_p@a1 @ cd @ lngtwy [UNKNOWN])
READ:UNKNOWN

TO: richard a. mertens (CN=richard a. mertens/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: mckiernan_k@a1 (mckiernan_k@a1 @ cd @ lngtwy [UNKNOWN])
READ:UNKNOWN

TO: janet e. irwin (CN=janet e. irwin/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: melinda d. haskins (CN=melinda d. haskins/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: alphonse j. maldon (CN=alphonse j. maldon/OU=who/O=eop@eop [WHO])

READ:UNKNOWN

TO: phillip caplan (CN=phillip caplan/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: shelley n. fidler (CN=shelley n. fidler/OU=ceq/O=eop@eop [CEQ])
READ:UNKNOWN

TO: mickey ibarra (CN=mickey ibarra/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: sylvia m. mathews (CN=sylvia m. mathews/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: philip r. dame (CN=philip r. dame/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: annette e. rooney (CN=annette e. rooney/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: robert j. pellicci (CN=robert j. pellicci/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: brown_ja@a1 (brown_ja@a1 @ cd @ lngtwy [UNKNOWN]) (OMB)
READ:UNKNOWN

TO: ingrid m. schroeder (CN=ingrid m. schroeder/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: janet r. forsgren (CN=janet r. forsgren/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: james c. murr (CN=james c. murr/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: bruce w. mcconnell (CN=bruce w. mcconnell/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: ellen j. balis (CN=ellen j. balis/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: robert e. barker (CN=robert e. barker/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: philip a. dusault (CN=philip a. dusault/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: ronald m. cogswell (CN=ronald m. cogswell/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: alan b. rhinesmith (CN=alan b. rhinesmith/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: jill m. blickstein (CN=jill m. blickstein/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: joseph j. minarik (CN=joseph j. minarik/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: t j. glauthier (CN=t j. glauthier/OU=omb/O=eop@eop [OMB])

READ:UNKNOWN

TO: charles e. kieffer (CN=charles e. kieffer/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

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

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

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

TO: jack a. smalligan (CN=jack a. smalligan/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: john a. gribben (CN=john a. gribben/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: wendy r. fink (CN=wendy r. fink/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: steven d. aitken (CN=steven d. aitken/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: dianne m. wells (CN=dianne m. wells/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: daniel n. mendelson (CN=daniel n. mendelson/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: rudman_m@al@cd@vaxgtwy (rudman_m@al@cd@vaxgtwy [UNKNOWN]) (NSC)
READ:UNKNOWN

TO: janelle e. erickson (CN=janelle e. erickson/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: judy jablow (CN=judy jablow/OU=ceq/O=eop@eop [CEQ])
READ:UNKNOWN

TO: roger s. ballentine (CN=roger s. ballentine/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: lawrence j. haas (CN=lawrence j. haas/O=ovp@ovp [UNKNOWN])
READ:UNKNOWN

TO: david a. bernell (CN=david a. bernell/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: jonathan h. adashek (CN=jonathan h. adashek/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: suzanne dale (CN=suzanne dale/OU=who/O=eop@eop [UNKNOWN])
READ:UNKNOWN

TO: barbara chow (CN=barbara chow/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: theodore wartell (CN=theodore wartell/OU=omb/O=eop@eop [OMB])

READ:UNKNOWN

TO: peter d. greenberger (CN=peter d. greenberger/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: jonathan orszag (CN=jonathan orszag/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: dario j. gomez (CN=dario j. gomez/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: allan e. brown (CN=allan e. brown/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: ruby shamir (CN=ruby shamir/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: sean e. o'connor (CN=sean e. o'connor/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: eric r. anderson (CN=eric r. anderson/O=ovp@ovp [UNKNOWN])
READ:UNKNOWN

TO: gene b. sperling (CN=gene b. sperling/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: robert donnelly (CN=robert donnelly/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: maryanne b. green (CN=maryanne b. green/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: barry white (CN=barry white/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: ronald e. jones (CN=ronald e. jones/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: rosemary evans (CN=rosemary evans/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: ronald k. peterson (CN=ronald k. peterson/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: carol thompson-cole (CN=carol thompson-cole/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: janie l. jeffers (CN=janie l. jeffers/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: steven l. schooner (CN=steven l. schooner/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: laura s. marcus (CN=laura s. marcus/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: charles r. marr (CN=charles r. marr/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: patricia e. romani (CN=patricia e. romani/OU=omb/O=eop@eop [OMB])

READ:UNKNOWN

TO: edward m. rea (CN=edward m. rea/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: francis s. redburn (CN=francis s. redburn/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: david e. tornquist (CN=david e. tornquist/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: richard j. turman (CN=richard j. turman/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: larry r. matlack (CN=larry r. matlack/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: bruce k. sasser (CN=bruce k. sasser/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: david h. morrison (CN=david h. morrison/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: eugene m. ebner (CN=eugene m. ebner/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: russell w. horwitz (CN=russell w. horwitz/OU=opd/O=eop@eop [OPD])
READ:UNKNOWN

TO: hogan_l@a1 (hogan_l@a1 @ cd @ lngtwy [UNKNOWN]) (OPD)
READ:UNKNOWN

TO: mary jo siclari (CN=mary jo siclari/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: julie e. mason (CN=julie e. mason/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: abramson_k@a1 (abramson_k@a1 @ cd @ lngtwy [UNKNOWN])
READ:UNKNOWN

TO: kate p. donovan (CN=kate p. donovan/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: peter g. jacoby (CN=peter g. jacoby/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: mark a. weatherly (CN=mark a. weatherly/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: james b. kazal (CN=james b. kazal/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: robert s. fairweather (CN=robert s. fairweather/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: robert j. nassif (CN=robert j. nassif/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: anita chellaraj (CN=anita chellaraj/OU=omb/O=eop@eop [OMB])

READ:UNKNOWN

TO: janet himler (CN=janet himler/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: douglas b. sosnik (CN=douglas b. sosnik/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: john podesta (CN=john podesta/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: todd stern (CN=todd stern/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: weinstein_d@a1 (weinstein_d@a1 @ cd @ lngtwy [UNKNOWN])
READ:UNKNOWN

TO: e. holly fitter (CN=e. holly fitter/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: constance j. bowers (CN=constance j. bowers/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: jeffrey a. weinberg (CN=jeffrey a. weinberg/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: holstein_e@a1 (holstein_e@a1 @ cd @ lngtwy [UNKNOWN])
READ:UNKNOWN

TO: james j. jukes (CN=james j. jukes/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: elisa millsap (CN=elisa millsap/OU=who/O=eop@eop [WHO])
READ:UNKNOWN

TO: alicia k. kolaian (CN=alicia k. kolaian/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: susanne d. lind (CN=susanne d. lind/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: richard p. emery jr. (CN=richard p. emery jr./OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: barry t. clendenin (CN=barry t. clendenin/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: kathleen peroff (CN=kathleen peroff/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: janet l. graves (CN=janet l. graves/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: william a. halter (CN=william a. halter/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: joshua gotbaum (CN=joshua gotbaum/OU=omb/O=eop@eop [OMB])
READ:UNKNOWN

TO: robert g. damus (CN=robert g. damus/OU=omb/O=eop@eop [OMB])

READ: UNKNOWN

TO: jacob j. lew (CN=jacob j. lew/OU=omb/O=eop@eop [OMB])
READ: UNKNOWN

TEXT:

TO: ACTING DIRECTOR JACK LEW
ACTING DEP. DIRECTOR FOR MANAGEMENT ED DESEVE
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JUNE 26, 1998

SUBJECT: LEGISLATIVE REPORT

Social Security Debate: A delegation from the Congress will join Vice President Gore for another forum on Social Security, on Wednesday July 1 at Rhodes-on-the-Pawtuxet in Cranston, Rhode Island. Members of Congress who will attend include: Senators John Chafee and Jack Reed; and Representatives Mark Sanford and Charlie Rangel. The forum is cosponsored by the AARP and the Concord Coalition in collaboration with Americans Discuss Social Security, a project of the Pew Charitable Trusts.

Post Item-Veto Decision: Kasich introduced an enhanced rescission bill yesterday, which would require the Congress to vote -- within 10 days from receipt -- on rescissions proposed by the President. McCain introduced a separate enrollment bill yesterday.

There was no action on Ed DeSeve and Dee Lee's nominations today.

CONGRESS -- TODAY (6/26):

SENATE:

A cloture petition on S. 648, the Product Liability Bill, was filed (a cloture vote will occur on Tuesday, July 7)
The following legislation was adopted today by unanimous consent or voice vote:

- o S. 2073 - Authorizing a National Center for Missing Children, with amendments
- o Concurred with the House on H.R. 3130 - Child Support Performance and Incentive Act of 1998
- o H.R. 3694 - Intelligence Authorization Bill, as amended with the Senate language
- o S. Con Res 81 - Regarding the Berlin airlift
- o S. 1609 - Next generation internet bill with amendments

The Senate is expected to recess from Monday, June 29th to Monday, July 6th.

HOUSE:

The House was not in session today and will recess through July 13th.

POST-RECESS:

SENATE

Monday, July 6

The Senate will reconvene after recess on Monday, July 6th at Noon.
No votes are expected on Monday.
Begin consideration of VA/HUD Appropriations

Tuesday, July 7th

9:30 a.m. Cloture vote on S. 648 - Product Liability Bill

Continue consideration of VA/HUD Appropriations

Tuesday evening, the Senate will attempt to vote on the conference report on H.R. 2676 - Internal Revenue Service Restructuring and Reform Act Conference Report (also includes the TEA-21 technical corrections bill)

Wednesday, July 8th and the balance of the week:

S.2137 Legislative Branch Appropriations Bill
[No SAP]

S. 1250 - NASA authorization bill
[SAP pending: support if amended]

S.2132 - Defense Appropriations Bill

If UC agreements can be reached, the Senate could consider any of the following measures:

H.R. 2614 - Reading Excellence Act
[SAP under development; support Senate passage if amended]

S. 1882 - Higher Education Amendments of 1998
[SAP sent 6/16/98: strongly opposes in its current form]

H.R. 2610 - National Narcotics Leadership Act of 1997 (ONDCP reauthorization)
[SAP sent 11/8/97: no objection but will seek amendments]

HOUSE

Tuesday, July 14

The House will reconvene for Legislative Business at 2pm on Tuesday, July 14. No recorded votes are expected before 5pm.

Resume consideration of H.R. 2183 -the Bipartisan Campaign Integrity Act of 1997
[POTUS letter sent, 5/20: POTUS supports Shays/June/Meehan substitute]

A number of bills to be determined will be considered under suspension of the rules.

Wednesday, July 15

The House will meet at 10:00 am for Legislative Business.

H.R. 3682 - Child Custody Protection Act (subject to a rule)

H.R. 3267 - The Sonny Bono Memorial Salton Sea Reclamation Act (subject to a rule)

Thursday, July 16 and Friday, July 17

The House will meet at 10am on Thursday and 9 am on Friday for Legislative Business.

H.R.-- VA/HUD FY99 Appropriations (subject to a rule)

H.R.--Interior FY99 Appropriations (subject to a rule)

H.R. 4104 - Treasury-Postal FY99 Appropriations (subject to a rule)
H.R. 2709 - Iran Missile Proliferation Sanctions Act (consideration of the
President's veto)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah Rosen (CN=Sarah Rosen/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:26-JUN-1998 12:56:01.00

SUBJECT: Class Action Bill

TO: Charles W. Burson (CN=Charles W. Burson/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TO: Sonyia Matthews (CN=Sonya Matthews/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

TEXT:

The House Judiciary subcommittee marked up this week HR 3789, the Class Action Jurisdiction Act of 1998. They have made significant modifications to address some of the concerns in the DoJ letter opposing the bill. Nancy Miller at DoJ's OLP is preparing a summary of the bill as revised. The bill should be considered in the context of the securities litigation class action bill (although securities class actions are carved out) and to tobacco, since tobacco class actions appear to be covered.

We thought it would be helpful to pull together interested folks to talk about substance and strategy. (DoJ, Fran Allegra and Nancy Miller; DoC, Josh Pinkus or Eric Biel; NEC; DPC; OMB, WH Leg Affairs, OVP, others??)

Leg Affairs -- please identify who will participate and will be working on this bill.

Elena -- Who should represent DPC?

Ingrid -- Who from the program side of OMB should be included?

Charles/David -- Who from OVP?

Sonya Matthews will call on Monday to set something up for July 7th or 8th, after the 4th of July holiday.