

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 034 - FOLDER -008

[07/10/1998 - 07/13/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUL-1998 16:14:09.00

SUBJECT: The ads are scheduled for Monday

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

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

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

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

TO: C. Wayne Skinner (CN=C. Wayne Skinner/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TO: Moe Vela (CN=Moe Vela/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Philip G Dufour (CN=Philip G Dufour/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

TO: Clark E. Ray (CN=Clark E. Ray/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Elizabeth J. Potter (CN=Elizabeth J. Potter/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

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

TEXT:

Sorry, I forgot to ad that the anti-gay ads are scheduled to run this coming Monday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUL-1998 13:29:21.00

SUBJECT: Hefley Amendment conference call Tues July 14 at 4pm

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

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

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

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

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

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

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

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

TO: Robert N. Weiner (CN=Robert N. Weiner/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: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Thanks to everyone who participated in yesterday's successful meeting.
The numbers for the call on Tues. are 6-6766 or 6-6777 -- code 1624.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUL-1998 11:30:56.00

SUBJECT: ACTION ALERT: Save Clinton's Executive Order

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

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

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

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

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

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

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

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

TO: Robert N. Weiner (CN=Robert N. Weiner/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: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 07/10/98
11:30 AM -----

Joseph E. Voeller

07/10/98 10:36:28 AM

Record Type: Record

To: Richard Socarides/WHO/EOP
cc:
Subject: ACTION ALERT: Save Clinton's Executive Order

----- Forwarded by Joseph E. Voeller/WHO/EOP on 07/10/98
10:40 AM -----

ACTION ALERT Moderator <jjy @ xnet.com>
07/09/98 10:26:38 PM

Please respond to pcrawley@aclu.org
Record Type: Record

To: ACTION ALERT <action-alert @ casti.com>
cc:
Subject: ACTION ALERT: Save Clinton's Executive Order

[submitted by ACLU, Penny Crawley, Cyber Organizer (Pcrawley@aclu.org)]

*** SUMMARY ***

Federal Workplace Discrimination Based on Sexual Orientation

Representative Joel Hefley (R-Colorado) is leading an attempt to gut an executive order signed by President Clinton that would prohibit the federal government from discriminating against anyone based on his or her sexual orientation. Congressman Hefley has offered the repeal of this executive order as an amendment to the Treasury-Postal spending bill.

The Family Research Council, a driving force in the Christian right, and other opponents of the non-discrimination policy are circulating blatantly false information about the President's executive order. They are telling their members that an individual's sexual orientation will now constitute a "specially protected category for consideration in federal government jobs

and promotions."

In reality, the order does NOT grant special rights to lesbian, gay or bisexual individuals, nor does it include them in any affirmative action programs. It is NOT a new law. It simply puts in place a more uniform policy across all federal agencies (many of which already have non-discrimination policies) that assures equal opportunity.

*** ACTION NEEDED ***

A. Send a FREE FAX from the ACLU website at:

<http://www.aclu.org/congress/congress.html>

B. Urge your Representative to oppose bigotry against lesbians and gays by calling him or her through the Capitol Switchboard at (202) 225-3121.

[Moderator Note: I used choice (A) above and did it in less than 3 minutes!!!]

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* In the mail message, enter ONLY the words: unsubscribe
action-alert *

* Words in the Subject: line are NOT processed! *

* List Information: <http://www.qrd.org/qrd/electronic/email/action-alert> *

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUL-1998 03:48:56.00

SUBJECT: Income/poverty mtg

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

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

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

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

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])
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: Daniel D. Heath (CN=Daniel D. Heath/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

TEXT:

The next income/poverty meeting will be held Monday, July 20th at 2:00 PM
in Sally's office, Room 231.
Please confirm your attendance.
Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-JUL-1998 05:58:13.00

SUBJECT: Heads up on sad welfare to work story

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

TO: Cynthia A. Rice (CN=Cynthia A. Rice/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

TEXT:

DOL just told me that Katherine Boo from Washington Post may run a story this weekend about one of DOL's welfare-to-work federal hires who was recently involved in a child abuse incident (I understand there was a story in the Metro section within the last week about the incident, though it did not mention the connection with DOL/welfare to work). Apparently the woman and her boyfriend were babysitting someone else's child and the child was scalded. The woman is out on bail and the judge told her to return to work. She has talked to the Post. I imagine questions would go to DOL's press office, but just wanted to give you a heads up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 15:28:38.00

SUBJECT: OFCCP and testers

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

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

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

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

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

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

TEXT:

I spoke with Gayle Black from OFCCP. The OFCCP started their testing program in 1995, and so far has run one test: on entry-level banking jobs in the D.C. area. They tested 13 banks and then shared the information with the banks. This was all done in the context of compliance, and there was no enforcement angle and no sanctions of any kind. The banks, though not happy that some discrimination was found, were pleased with the feedback that they received. On July 21st, the American Bankers Association is having a press conference to unveil a guidebook that was developed in conjunction with the OFCCP and others. According to Gayle, the ABA has said that they would be happy to support the use of testers by the DOL in compliance efforts.

The OFCCP has plans to do other tests in other areas and industries, however nothing has yet been finalized. They, like HUD, hired a not-for-profit organization to run the test, and thus did not themselves employ testers.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 19:37:42.00

SUBJECT: Floor fight on sexual orientation executive order

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

TEXT:

The Hefley amendment, which tries to block any funding for enforcement of the sexual orientation executive order, will probably come up for a vote later in the week. We met with the Human Rights Campaign and Martha Foley last week, who both thought this would be a close vote. Richard Socarides and others thought that a legal letter would help some of the undecided folks join in opposing the Hefley amendment.

Richard asked the counsel's office to draft a letter which essentially is a legal opinion that refutes the Republican arguments on the executive order, e.g. that the President exceeded his power, etc. Below is a draft.

The current draft of the letter says that the President would veto the bill. We need to decide whether to send this letter and from whom it would come (Chuck Ruff?). Let us know

----- Forwarded by Mary L. Smith/OPD/EOP on 07/13/98
 07:02 PM -----

Robert N. Weiner
 07/13/98 12:46:20 PM
 Record Type: Record

To: Mary L. Smith/OPD/EOP
 cc:
 Subject: Re: Bullets on sexual orientation executive order

This is still rough.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D94]MAIL40408049M.126 to ASCII,
 The following is a HEX DUMP:

FF57504370040000010A02010000000205000000D21B000000020000C451D26427E1129437634A
 DA35E147A3F381B447C632AF918AB46F59E36B2ECE0274A901B6EF231BD7716CB8D935091EE4FA

July __, 1998

The Honorable _____
United States House of Representatives
Washington, D.C.

Dear Congressman _____:

I am writing to state the Administration's vigorous opposition to the amendment offered by Congressman Hefley to H.R. 4104, the Treasury and General Government Appropriations bill for 1999. The Amendment is an effort to legitimize discrimination by the United States government against its own citizens simply based on their sexual orientation. This Administration will not tolerate such gross unfairness, and neither will the American people. If this Amendment is adopted, the President's senior advisers will recommend that he veto the bill.

The Amendment seeks to prevent the Administration from spending any funds to implement, administer or enforce Executive Order 13087, which the President issued on May 28, 1998. That order amends Executive Order 11478, which bars discrimination by the federal government based on race, color, religion, sex, national origin, handicap or age. The amendment merely adds sexual orientation to the list of prohibited bases of discrimination.

The arguments mustered against this Executive Order are spurious. First, the Order confers no "special rights." It bars the Government from discriminating. The right to be free from governmental discrimination is not a special right. It is the inalienable right of every American. No one should be denied a job based on attributes that have nothing to do with their ability.

Second, the wild claims that have been made about what this Executive Order means are false and distorted. The Order is clear. Plainly and simply, it bars discrimination based on sexual orientation in the federal civilian workforce. It does not mandate affirmative action based on sexual orientation. It does not allow preferential treatment. It does not require that agencies find out which of their employees are gay, or how many gay employees they have hired. It does not cover federal contractors. And -- to confront the most irresponsible charges -- it does not authorize sexual misconduct in the workplace. Sexual orientation has the commonly understood meaning stated in the Employment Non-Discrimination Act of 1995, "homosexuality, bisexuality, or heterosexuality." These false issues should be forever laid to rest. This is the President's order, and the President's intent as to what it means is conclusive. See Sea-Land Service, Inc. V. Interstate Commerce Commission, 738 F.2d 1311, 1314 (D.C. Cir. 1984) ("The 'law' at issue in this instance is an Executive Order promulgated by the President, and it is to his intent that we must turn for guidance . . .").

Third, this order does not reflect any new policy and creates no new law. The Civil Service law, enacted in 1978, prohibits "discrimination for or against any employee or applicant

for employment on the basis of conduct which does not adversely affect the performance of the employee or applicant or the performance of others.” 5 U.S.C. 2302(b)(10). In 1980, the Office of Personnel Management interpreted this law to mean what it clearly said, “applicants and employees are to be protected against inquiries into, or actions based upon, non-job-related conduct, such as religious, community, or social affiliations, or sexual orientation.” OPM reiterated this interpretation in 1994 and 1997. Most federal agencies and departments have issued regulations, policy directives, or memoranda from agency heads to implement this law. All President Clinton’s Executive Order does is make the policy uniform for the entire civilian federal workforce.

Fourth, the President unquestionably has the power to issue this Order. Presidents since George Washington have directed Executive Orders to their employees in the Executive Branch. In 1966, Congress specifically authorized the President to “prescribe regulations for the conduct of employees in the executive branch.” 5 U.S.C. § 7301. Presidents have frequently exercised that authority over the federal workforce, issuing scores of Executive Orders. This particular Order by President Clinton amends Executive Order 11478, issued in 1969 by President Nixon, barring federal employees from discriminating based on race, color, religion, sex, national origin, handicap or age. The same authority that supported that Order supports this one. President Reagan issued Executive Order 12564, requiring a drug-free federal workplace, and Executive Order 12353, governing charitable fundraising by federal employees. President Bush issued Executive Order 12674, setting forth principles of ethical conduct for government employees. It would be nonsensical to contend that the President can regulate the ethical conduct of federal employees, that he can prescribe standards for fundraising and require drug testing, but cannot instruct federal employees to refrain from discriminating on the basis of sexual orientation.

When we strip away all these specious arguments, the sole remaining basis for this appropriations rider is prejudice. That is not an appropriate basis for legislation. We will oppose this effort to sanction discrimination by the federal government.

Sincerely,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 11:21:17.00

SUBJECT: NACO and welfare reform

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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, there is one line about welfare reform in remarks POTUS is taping for NACO meeting on 7/19. With my edits, it says:

"We're addressing the challenges of moving people from welfare to work, many of which are outlined in the study NACO is releasing at this conference."

NACO's study called "Is Welfare Reform Working: A Study of the Changing Welfare System in Counties" is a follow-up on welfare reform in the four areas where NACO conducted hearings in 1997 (Fulton Co, GA; Hennepin/Ramsey Cos, MN; Santa Clara Co, CA; Dade Co, FL). They also sent a questionnaire to 85 other counties. The basic message is constructive: "NACO is committed to making welfare reform work", ...there are many positive signs (caseload reductions, new partnerships), but there is much more to learn about long-term effects. The report applauds restoration of SSI and food stamps, and Access to Jobs, but raises concerns about congressional attempts to cut TANF.

Recommendations (I've asked HHS and DOL to take a look at these):

Eliminate separate participation rate for two-parent families, or at least eliminate 90% requirement.

Ease match requirement for Welfare-to-Work formula grants--prefer ATJ model which allows using other federal funds as match. (They indicate that match issue is why some states have turned down formula grants). Counties in states that reject formula grants should be allowed to access funds directly.

Give states and counties additional funds and technical assistance to monitor effect of welfare reform on other systems and to track families once they leave welfare.

Key Points:

Counties who responded to survey said the largest percentage of individuals who have left the welfare rolls have done so for full-time employment in the private sector, and the majority have remain employed for at least 6 months. (The actual data are rather odd--I'm trying to get some clarification from NACO).

Counties expect to meet all family participation rates for now, but worry

about two-parent rates and continuing success once they get to harder cases.

Too early to tell long-term effects; counties are just beginning to track what happens to people; time limits not yet a major factor. Some evidence of increased use of food banks attributed to ABAWD and legal immigrant provisions.

Collaboration is most consistent theme--with Chambers, neighboring jurisdictions, CBOs, businesses, faith community, foundations. CA, CO, MD, NC, OH and WI are providing additional flexibility to counties. While most counties expect to meet current child care demand, they anticipate shortages in the future. NYC anticipates need to add 30,000 slots over next few years to respond to increased work by TANF families and working families, at estimated cost of \$150 M by 2001. Biggest need is infant care, along with care for off-peak hours and special needs children.

The report also highlights some interesting innovations in several areas. For example, Santa Clara has a "JobKeeper: 24 hours Job Support Hotline" to help people resolve crises such as child care and transportation. Monterey County has developed a continuum of intensive substance abuse services for people moving from welfare to work. The Full Employment Council in Kansas City will provide a voucher worth up to \$1,800 to repair or buy a car, housing car insurance, continuing education, work tools/clothes, or substance abuse treatment for people who retain their jobs for at least nine months.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 11:00:24.00

SUBJECT: Civil rights: I don't think you dealt with this before you went on vacatio

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Could you let me know if this is OK with you?

----- Forwarded by Diana Fortuna/OPD/EOP on 07/13/98
10:59 AM -----

Diana Fortuna

06/25/98 12:20:22 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Laura Emmett/WHO/EOP, Cynthia A. Rice/OPD/EOP

Subject: It would be helpful to get a read from you on this in the next few days

It's OK with Eddie Correia and Cynthia.

----- Forwarded by Diana Fortuna/OPD/EOP on 06/25/98
12:23 PM -----

Diana Fortuna

06/19/98 05:16:16 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP, Edward W. Correia/WHO/EOP

cc: Laura Emmett/WHO/EOP

Subject: Just when you thought this civil rights guidance on welfare reform thing was resolved...

HHS had a counter-suggestion to our suggestion. Actually, I'm not sure it's so bad. HHS's concern about our suggested language was that it appeared too much to invite racially neutral criteria with a disproportionate impact. But their new effort is more positive than their old. I think it's OK, although maybe I'm just getting tired. Is this OK with everyone?

Intro:

The Act imposes a 5-year limit on receipt of TANF benefits. However, a state may allow hardship exemptions from the time limit for up to 20% of its caseload.

DPC Suggestion:

A racially neutral criterion that excludes a disproportionately greater number of minorities than non-minorities is permissible, so long as there is a substantial and legitimate justification for this criterion and there is no comparably effective alternative that excludes fewer minorities.

HHS Counter-Suggestion:

States should take care in establishing the criteria for allowing such exemptions particularly where racially neutral criteria exclude a disproportionately greater number of minorities than non-minorities. Neutral criteria that cause a significantly disproportionate exclusion are permissible, only so long as there is a substantial and legitimate justification for these criteria and there is no comparably effective alternative that excludes fewer minorities.

[For those who want to cast their minds back, here is HHS's original version that we didn't like, FYI.]

HHS Original Version:

States and counties may not use a racially neutral criterion that, nevertheless, excludes a disproportionately greater number of minorities than non-minorities to determine who will be granted this exemption, unless there is a substantial and legitimate justification for this criterion. Even if there is such a justification, this criterion cannot be used if there is a comparably effective alternative to identify persons who qualify for this exemption that excludes fewer minorities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 01:22:04.00

SUBJECT: patients' bill o' rights

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

We are semi-on-track for at least two patients' bill of rights events for the President. The first would be on Wednesday with the AMA for a roundtable discussion with patients, doctors, and perhaps nurses to document the real-life tragedies that have resulted from actions/non-actions by managed care plans. We spoke with AMA reps over the weekend and they assured us that they want to work with us to deliver a good event. (At this event, we could also announce the implementation of the Presidentially-ordererd appeals rights at the DVA.)

On Thursday, we are currently contemplating a POTUS Democratic unity event on the Hill that would likely include the release of a new Families USA report. This report documents how many Republican Governors and legislatures have already enacted many of these rights. (The report undermines charges that a PBo'R bill represents a Government take-over, all-the-while also emphasizing the need for uniformity and how far short the state-passed protections go.) It could also include the release of the CBO numbers for the Dingell-Ganske bill. (As of this writing, however, the Hill is currently targeting Tuesday for the release of the CBO numbers.)

The Hill also has asked the AMA to attend, but the association is nervous and thinks it is politically unwise to make this a Democrats-only unity event. They believe (and I agree) it undermines the success that Senator Kerrey and others have had -- as recently as on "THIS WEEK" -- in characterizing this as a bipartisan bill that the Republican Leadership and their followers are tying up. Perhaps we should suggest that Ganske and other Republicans (who we think helpful and appropriate) should come?

The Democrats on the Hill are tentatively preparing at least three events:

1. Tuesday -- The Hill Democrats have just recently concluded that it would be advisable to release the CBO numbers on the Dingell-Ganske bill on Tuesday. They thought it should be a separate news story. (I think this is an unwise decision and hope that we can push back the release of these numbers a couple of days; I fear that an early release will be the big news story of the week and, although the numbers should be viewed fairly positively, they will not get a free ride from the the Republican Leadership OR the press.

2. Wednesday -- The Hill mock hearings appear to be locked in. Our only outstanding question is how we assure that the hearing does not coincide with the POTUS AMA event; the Hill doesn't want our event to swallow their hearing.

3. Thursday -- The Hill event with the President in conjunction with the release of the Families USA state-by-state report is getting locked down. I do think, however, that we need to discuss the potential downside of doing this with no Republicans. It could play right into the media perception that we are looking for an issue -- not a strong, bipartisan, enforceable bill. (If we decide that we would be better served by the release of the CBO numbers on Thursday ; it is possible we could convince the Hill Dems to hold off until then; should we do a quick Hill consultation call later today?)

cj

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 16:08:28.00

SUBJECT: Update on Agriculture Senate SAP

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

A decision has been made not to include the veto and reference to the Coburn amendment (FDA - Drug Safety) in the Senate Agriculture SAP. Therefore, we aim to send the SAP immediately - please call me at 5-4790 if you have any problems. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 17:00:18.00

SUBJECT: URGENT: TRANSPORTATION APPROPS. SENATE LETTER

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

CC: Adrienne C. Erbach (CN=Adrienne C. Erbach/OU=OMB/O=EOP@EOP [OMB])
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: Robert L. Nabors (CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [OMB])
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:

Below is the draft Senate Committee letter for FY99 Transportation Appropriations. Please note the Secretarial veto recommendation regarding project labor agreements. Senate markup is tomorrow, Tuesday, at 9:30am. Therefore, we need to send the letter tonight. Please provide comments/clearance no later than 7pm. 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 Transportation 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.

The Administration appreciates the Subcommittee's effort to include in its bill many of the priorities recently agreed to by the President and Congress in the Transportation Equity Act for the 21st Century (TEA-21). However, the Administration is concerned that the Subcommittee's bill could seriously disrupt air transportation safety, and vital Federal Aviation Administration (FAA) and Coast Guard modernization programs, and delay Amtrak's progress towards operating self-sufficiency. The Committee could accommodate the funding increases recommended below by adhering more closely to the President's request for the Airport Grants program, High Speed Rail, Coast Guard Alteration of Bridges, and other programs. The bill also includes a number of objectionable language provisions. In particular, the Secretary of Transportation has indicated he would recommend that the President veto the bill if it includes section 322, which could severely limit the use of project labor agreements. These concerns are discussed below.

Air Transportation and Highway Safety

The Administration strongly urges the Committee to restore the \$50 million reduction to FAA Operations and eliminate the earmarks for low-priority programs, such as subsidies for non-cost beneficial contract towers. These funds are necessary to ensure that the FAA can hire the security personnel and safety inspectors needed to meet the demands from increased air travel. To adequately protect the safety of automobile travelers, we ask that the Committee work with the authorizers and provide an additional \$12 million for high priority National Highway Traffic Safety Administration (NHTSA) programs.

FAA and Coast Guard Modernization

The Administration is concerned about language that is intended to constrain outlays for FAA Facilities and Equipment in FY 1999. We question whether this provision can be implemented and, if so, whether it would lead to unintended and unfavorable programmatic effects. We look forward to working with the Committee to address our concerns. In addition, we urge the Committee to fund fully the President's request for the Facilities and Equipment account -- funding at any lower level could delay National Airspace System modernization.

The Administration objects to the virtual elimination of funding for the Flight 2000 program. This program is a key element of the FAA's plans to make a transition to a more efficient, user involved, satellite-based air traffic control system to meet the air traffic need of the next century. The Committee is requested to provide the \$100 million in the FAA Facilities and Equipment account to deploy explosive detection systems. The Subcommittee's decision to provide up to \$100 million for this purpose in the Airport Grants account would preclude the FAA from deploying these systems based on security requirements and may result in fewer systems being deployed.

The Administration opposes the Subcommittee's reduction of \$57 million to the President's request of \$443 million for Coast Guard capital investments. These capital projects provide long-term operating savings and are necessary to ensure that the Coast Guard has the necessary infrastructure to fulfill its maritime safety, drug interdiction, environmental protection, and national security goals.

Amtrak

The Administration strongly urges the Committee to provide Amtrak with the ability to invest its capital funds flexibly, as presently done by Federal Transit Administration grantees, and to make the funds available on October 1st. In addition, as this bill moves forward, we urge Congress to fund fully the President's request for Amtrak so that it can carry through on the bipartisan five-year reform plan envisioned by the Amtrak Reform and Accountability Act of 1997.

Access-to-Jobs

The Administration requests that the Committee provide an additional \$50 million to fully fund the President's request of \$100 million for the Access-to-Jobs program. This program is a critical component of the Administration's welfare reform effort. Without these funds, many economically disadvantaged individuals will be unable to make the transition from welfare to work.

Civil Rights and Office of the Secretary

The Administration strongly urges the Committee to restore the 20-percent reduction made by the Subcommittee to the funding request for the Office of Civil Rights. This reduction would significantly hamper the Department's ability to enforce laws that prohibit discrimination in Federally operated or assisted transportation programs. We also urge the Committee to provide the President's requested \$62 million for the Office of the Secretary and to delete the Subcommittee's recommended new account structure and limitation on political appointees. These changes are necessary to avoid a reduction-in-force and to allow the Secretary to manage the department effectively.

Earmarks

The Subcommittee has earmarked almost 400 transit projects, as well as many airport, Intelligent Transportation System (ITS) and rail, and infrastructure credit projects. The Administration believes that projects should be funded based upon their merit and that funds should not be directed to low-priority projects that cannot meet established selection criteria.

Language Provisions

Section 322 would preclude the Department of Transportation from using project labor agreements (PLAs), which are a contract mechanism to achieve efficiencies in construction projects. Furthermore, the provision is ambiguous, making its full impact difficult to assess and raising questions as to its applicability to a host of laws and regulations affecting workers. As noted above, the Secretary of Transportation would recommend the President veto this bill if it includes section 322.

The Administration strongly opposes section 342 of the bill, which would allow helicopters to operate and land on Federally-owned lands in

Alaska, including wilderness areas. This would be harmful to species and habitat and disrupt Congress' carefully crafted balance on this issue in the Alaska National Interest Land Conservation Act (ANILCA). Under ANILCA, helicopter landings are permitted for emergency reasons and, on a case-by-case basis, for non-emergency use in non-wilderness areas. The Secretaries of the Interior and Agriculture have previously recommended that bills containing similar provisions be vetoed.

The Administration requests that the Committee delete the provisions in both the Coast Guard and FAA operating expenses appropriations language that would prohibit the Coast Guard and the FAA from evaluating options for collecting fees for their services. User fees may be a critical means in the future for ensuring that the Coast Guard and the FAA have adequate resources to meet their operating and capital needs without significantly reducing other vital transportation programs.

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, The Honorable Richard C. Shelby,
and The Honorable Frank R. Lautenberg

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 20:00:45.00

SUBJECT: Latest Draft of Views Letter

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

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

TEXT:

----- Forwarded by Mary L. Smith/OPD/EOP on 07/13/98
08:00 PM -----

Robert N. Weiner
07/13/98 07:46:05 PM
Record Type: Record

To: Mary L. Smith/OPD/EOP, Edward W. Correia/WHO/EOP, William P. Marshall/WHO/EOP
cc: James E. Kennedy/WHO/EOP, Karen Tramontano/WHO/EOP
Subject: Latest Draft of Views Letter

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D51]MAIL40958049K.126 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000A01E000000020000120D963C41F79CE053F735
C134298B59FAC00258F967EFBC128313B3CF4139DB39CB64BCB6E581D8D130E48A5A217F4BD61A
5675F2A91E9945806642699B8F936ACB5A9810191EE00C14C392875B12D3CE1E3F3B8A1395B808
F589EEC3A3758829ADB6A9607FE0D83F6159AD18F34497D93AD3FFF9574B7154A8088D19013A57
09CBEC2936BCACD18F3F22A23341901DAB647E29C603E50D0CC7CF952EA8DE7BE918E1F29EF77B

July __, 1998

The Honorable _____
United States House of Representatives
Washington, D.C.

Dear Congressman _____:

I am writing to state the Administration's vigorous opposition to the amendment offered by Congressman Hefley to H.R. 4104, the Treasury and General Government Appropriations bill for 1999. The Amendment would effectively legitimize discrimination by the United States government against its own citizens based solely on their sexual orientation. This Administration will not accept such unfairness. If this Amendment is adopted, the President's senior advisers will recommend that he veto the bill.

The amendment seeks to prevent the Administration from spending any funds to implement, administer or enforce Executive Order 13087, which the President issued on May 28, 1998. That order amends Executive Order 11478, which bars discrimination by the federal government based on race, color, religion, sex, national origin, handicap or age. The amendment merely adds sexual orientation to the list of prohibited bases of discrimination.

The arguments mustered against this Executive Order are unfounded. First, the Order confers no "special rights." It bars the Government from discriminating. The right to be free from governmental discrimination is not a special right. It is the inalienable right of every American. No one should be denied a job based on attributes that have nothing to do with their ability.

Second, many of the claims that have been made about what this Executive Order means are false and distorted. The Order is clear. Plainly and simply, it bars discrimination based on sexual orientation in the federal civilian workforce. It does not mandate affirmative action based on sexual orientation. It does not allow preferential treatment. It does not require that agencies find out which of their employees are gay, or how many gay employees they have hired. It does not cover federal contractors. And -- to address the most outlandish charges -- it does not authorize sexual misconduct in the workplace. Although supporters of the amendment have claimed that the phrase "sexual orientation" is not defined and could cover a wide range of conduct, the President intends the term to have the common meaning stated in the Employment Non-Discrimination Act of 1995, "homosexuality, bisexuality, or heterosexuality." With regard to all these issues, as this is the President's order, the President's intent as to what it means is conclusive. See Sea-Land Service, Inc. v. Interstate Commerce Commission, 738 F.2d 1311, 1314 (D.C. Cir. 1984) ("The 'law' at issue in this instance is an Executive Order promulgated by the President, and it is to his intent that we must turn for guidance . . .").

Third, this order does not reflect any new policy and creates no new law. The Civil

Service law, enacted in 1978, prohibits “discrimination for or against any employee or applicant for employment on the basis of conduct which does not adversely affect the performance of the employee or applicant or the performance of others.” 5 U.S.C. 2302(b)(10). In 1980, the Office of Personnel Management interpreted this law to mean what it clearly said, “applicants and employees are to be protected against inquiries into, or actions based upon, non-job-related conduct, such as religious, community, or social affiliations, or sexual orientation.” OPM reiterated this interpretation in 1994 and 1997. Most federal agencies and departments have issued regulations, policy directives, or memoranda from agency heads to implement this law. President Clinton’s Executive Order does merely makes the policy uniform for the entire civilian federal workforce.

Fourth, the President unquestionably has the power to issue this Order. Presidents since George Washington have directed Executive Orders to their employees in the Executive Branch. In 1966, Congress specifically authorized the President to “prescribe regulations for the conduct of employees in the executive branch.” 5 U.S.C. § 7301. Presidents have frequently exercised that authority over the federal workforce, issuing scores of Executive Orders. This particular Order by President Clinton amends Executive Order 11478, issued in 1969 by President Nixon, barring federal employees from discriminating based on race, color, religion, sex, national origin, handicap or age. The same authority that supported that Order supports this one. President Reagan issued Executive Order 12564, requiring a drug-free federal workplace, and Executive Order 12353, governing charitable fundraising by federal employees. President Bush issued Executive Order 12674, setting forth principles of ethical conduct for government employees. It would be nonsensical to contend that the President can regulate the ethical conduct of federal employees, that he can prescribe standards for fundraising and require drug testing, but cannot instruct federal employees to refrain from discriminating on the basis of sexual orientation. Indeed, in accordance with normal procedures, the Department of Justice specifically reviewed and approved this order before it was issued.

Finally, the amendment sends a disturbing message. Whatever the intentions of its supporters, the amendment conveys an unmistakable message that discrimination based on sexual orientation is acceptable. This Administration rejects that message. We oppose discrimination by the federal government, and we oppose this amendment.

Sincerely,

Automated Records Management System
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June Shih (CN=June Shih/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JUL-1998 16:19:43.00

SUBJECT: Re: girls nation/tobacco

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

TEXT:
thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June Shih (CN=June Shih/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:13-JUL-1998 15:37:22.00

SUBJECT: girls nation/tobacco

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

TEXT:

i'm on deck for the friday Girls Nation remarks, which i hear, will be about tobacco. do you have any guidance?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 15:36:00.00

SUBJECT: EEOC

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

READ:UNKNOWN

TEXT:

Here is the e-mail I sent you re: the mtg. with LCCR last week. I am faxing you the chart that Michael handed out at the meeting.

julie

----- Forwarded by Julie A. Fernandes/OPD/EOP on 07/13/98
03:51 PM -----

Julie A. Fernandes
07/08/98 12:52:21 PM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Laura Emmett/WHO/EOP
Subject: EEOC

Elena,
Yesterday, Maria convened a follow-up meeting with the LCCR folks to discuss our civil rights enforcement initiatives. Wade asked for a higher profile for our civil rights enforcement package. Maria and Minyon agreed that they would try to incorporate support for the cr package (as a package) in upcoming principal events. Next week the VP is speaking at the NAACP and the FLOTUS is speaking at La Raza. These were identified as two opportunities.

Wade also indicated the LCCR's intention to draft a letter to the Congressional leadership + committee members outlining the "package" concept and expressing strong support for the increases in the President's budget. Though this sort of sets them up in a way that may make them a target ("here is all the stuff that is important to us"), they believe that it would be an important rallying tool. Wade also indicated that LCCR plans to work on getting a bi-partisan letter from members of Congress and former EEOC commissioners expressing support for the use of employment testers.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 20:40:25.00

SUBJECT: Labor/HHS Appropriations Letter - Need clearance

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

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

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

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

READ:UNKNOWN

CC: Adrienne C. Erbach (CN=Adrienne C. Erbach/OU=OMB/O=EOP@EOP [OMB])
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: Victoria A. Wachino (CN=Victoria A. Wachino/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Robert L. Nabors (CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [OMB])
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:

Please review the House L/HHS/Ed letter. Markup is tomorrow, Tuesday, at 1pm; therefore, we need your comments by 10am. Thank you.

The Honorable Bob Livingston
Chairman
Committee on Appropriations
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the Labor, Health and Human Services, Education, and Related Agencies Appropriations Bill, FY 1999, as reported by the House Subcommittee. As the Committee develops its version of the bill, your consideration of the Administration's views would be appreciated.

[On June 23, 1998, the President stated that he was "deeply disappointed with the Subcommittee bill." Due to the very serious funding and language issues present in the Subcommittee bill, discussed below, the President would veto the bill in its current form.]

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 through user fees and certain mandatory programs 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 paid for with mandatory offsets. We want to work with the Congress on mutually-agreeable mandatory and other offsets that could be used to increase funding for high-priority discretionary programs, including those funded by this bill. In addition, we hope that the Committee will reduce funding for lower priority discretionary programs, and redirect funding to programs of higher priority.

Department of Education

The Subcommittee bill cuts \$2 billion from the President's overall request for education program funding. As a result, the bill does not adequately support the Nation's efforts to raise student achievement, make schools safe, and improve the capabilities of teachers. High priority programs inadequately funded and objectionable language issues include:

Goals 2000. Funding for Goals 2000 is cut \$255 million below the President's request, which would reverse momentum in all 50 States to raise academic standards and deny 6,000 schools serving over three million students the funds needed to implement innovative education reforms.

Title I (Education for the Disadvantaged) Grants to Local Educational Agencies. The Subcommittee bill cuts \$392 million from the request, which would leave nearly 520,000 students in high-poverty communities without the extra help they need to master the basics and develop the capability to reach high academic standards.

Eisenhower Professional Development. The Subcommittee's \$50 million reduction would leave over 100,000 teachers without the training they need to help them teach to rigorous academic standards.

America Reads. America Reads is denied the \$210 million provided in last year's Bipartisan Budget Agreement for children's literacy, which would prevent thousands of young children from receiving the extra help they need to learn to read well and independently by the end of the third grade.

Safe and Drug-Free Schools and Communities. The Subcommittee's \$50 million reduction would deny funding for School Coordinators in nearly one-half of the Nation's middle schools needed to implement effective drug and violence prevention programs.

After School programs (21st Century Community Learning Centers). A \$140 million cut to this program, part of the President's child care initiative, would result in 3,000 fewer centers and no services to nearly 400,000 children.

Education Opportunity Zones. The Subcommittee bill does not provide the requested \$200 million, which would deny high-poverty urban and rural districts the extra assistance they need to implement effective reforms with tough accountability for performance.

Technology in Education. The Subcommittee's \$137 million reduction from the request would make it increasingly difficult for States to meet school children's education technology needs, especially in training teachers to integrate educational technology into their curriculum effectively.

School-to-Work. School-to-Work is cut by a total of \$100 million (between the Departments of Education and Labor) below the President's \$250 million request, which would seriously hamper all States' efforts to help young people of all backgrounds move from high school to careers or postsecondary training and education.

Work-Study. Roughly 57,000 needy students would be denied the opportunity to work to finance their college education because of the Subcommittee's \$50 million reduction.

Higher Education Initiatives. No funds are provided for three Presidential initiatives for which the President sought \$237 million: High Hopes, to help prepare students at high poverty middle schools for college; Learning Anytime Anywhere Partnership grants for pilot projects using distance learning technology; and teacher recruitment and preparation programs. In addition to inadequate funding for priority education programs, the Administration is concerned with several language provisions of the Subcommittee bill, that would severely restrict the Administration's ability to continue the development of programs designed to raise academic standards.

National Tests. The Administration strongly objects to the language limitation and \$15 million funding cut that would bring a halt to the President's efforts to help States and parents raise academic standards through a voluntary national test. The Subcommittee bill's language would prohibit the development, implementation, and administration of the tests unless explicitly authorized. The language prohibition should be deleted and the funding restored.

Unfocused Block Grants. The Administration strongly objects to language that would, in effect, turn the Goals 2000 and the Eisenhower Professional Development programs into block grants by allowing those funds to be used under the broad Title VI block grant authority. Title VI has no performance or accountability standards. The language should be deleted

so that these Federal funds can address national needs and continue to be guided by strong accountability measures.

Special Education (Individuals with Disabilities Education Act -- IDEA). The bill contains two objectionable IDEA riders. One would undermine the due process protections and parental rights for disabled students who are regarded as violent. The other would, in effect, allow States to discontinue special education services for youth ages 18-21 in adult prisons, violating the right of all disabled, incarcerated students in that age group to receive special education services and prohibiting the Department of Education from using its enforcement mechanisms. Both provisions would unnecessarily re-open IDEA before last year's bipartisan reauthorization has had a chance to be implemented and fairly assessed. Both provisions should be stricken.

Bilingual Education. While we agree with the Committee on the need for more reforms to Bilingual Education, we are opposed to any provision that would set an absolute limit on student participation in bilingual education or alternative programs. Such a step would deny help to students who need it and violate the civil rights of Limited English Proficient students to an equal education. Because of individual differences, students will vary in how long it takes to develop English proficiency. We are also opposed to provisions that would establish a two year goal for becoming proficient in English, since research has shown that this timetable is unrealistically short. There are several promising provisions in this proposed bill, such as the removal of the 25 percent cap to allow more local flexibility and the funding priority for only successful programs.

Department of Labor

Summer Jobs Program. The Administration strongly opposes the Subcommittee's elimination of the \$871 million Summer Jobs program, which could finance 530,000 summer jobs for economically disadvantaged youth. The unemployment rate for teens continues to far exceed the overall unemployment rate. The Summer Jobs program plays a vital role in supporting employment among these teens, especially among African-American youths -- approximately 25 percent of summer jobs held by African-American 14-15 year olds come through this program -- and serves as a valuable introduction to the world of work. We urge the Committee to restore the full request for this program.

President's Youth Opportunity Area Initiative. The Subcommittee provides no funding for the President's Youth Opportunity Area initiative and rescinds the \$250 million appropriated last year for this program. This program would address the problem of pervasive joblessness in high-poverty neighborhoods by making large investments in these areas to effect community-wide change and help 50,000 out-of-school youth. We strongly oppose elimination of this program, which is an essential component of the Administration's Empowerment Zones/Enterprise Communities initiative. We urge the Committee to provide full funding as requested.

The Administration has strong concerns with the inadequate funding

levels provided for the following Labor programs :

Adult Job Training. The Subcommittee has provided none of the requested increases for the Dislocated Worker (\$100 million) and low-income adult (\$45 million) job training programs. Freezing these programs would mean that some 67,000 fewer workers in need of assistance would be helped.

Worker Protection. The Subcommittee has cut nearly in half the requested increase for programs that protect our workers on the job. For example, the Subcommittee mark for Occupational Safety and Health Administration redirects resources to State consultation and is, effectively, 12-percent below the requested level for Federal enforcement, while funding for the Mine Safety and Health Administration is frozen at the 1998 level. We urge the Committee to restore financing for such critical workplace protection programs.

Unemployment Insurance. The House Subcommittee mark does not fund the \$90 million requested for the Unemployment Insurance (UI) integrity initiative. This initiative was authorized in the Balanced Budget Act of 1997 and would, over five years, achieve \$763 million in mandatory savings assumed in the Bipartisan Budget Agreement. Failure to fund this initiative would mean a continuation of errors in benefit payments and UI taxes.

Child Labor. The \$3 million increase to combat international child labor abuses is inadequate in light of the magnitude of the problem, and provides only a small fraction of the \$27 million requested.

The Subcommittee bill contains several objectionable language riders addressing regulatory issues in the Department of Labor. These include language imposing new, unnecessary, and burdensome review procedures before the Department can issue Black Lung regulations, a new requirement for OSHA to conduct duplicative peer review panels for its new regulations, and a continuation of the rider that prohibits MSHA from enforcing training requirements at certain mines, which have a growing numbers of deaths. These riders would make it more difficult for the Department of Labor to carry out its programs and should be dropped.

The Administration objects to the continuation of last year's rider that prohibits the use of funds for supervising the Teamster's election, despite a court order requiring the Federal Government to pay for a supervised election.

Department of Health and Human Services

The Administration appreciates the Subcommittee's efforts to provide much needed funding for important programs crucial to the healthy lives of all Americans. Unfortunately, the Subcommittee has not provided adequate funding for several important programs of the Department of Health and Human Services (HHS). In addition, the Subcommittee bill contains several language provisions that are troubling to the Administration.

Abortion. The Administration urges the Committee to strike sections 508 and 509 of the Subcommittee bill, which would prohibit the use of funds for abortion. The President believes that abortion should be safe, legal, and rare. These provisions would continue to limit the range of conditions under which a woman's health would permit access to abortion services. Furthermore, section 509 requires a physician to make a legal determination that these conditions have been met. The Administration

proposes to work with the Congress to address the issue of abortion funding.

Head Start. The Subcommittee funds Head Start at \$4.5 billion, \$160 million below the President's request -- denying slots to up to 25,000 low-income children in FY 1999 and undermining efforts to serve one million children by the year 2002. Head Start has a track record of success in readying disadvantaged children for school, supporting working families by helping parents to get involved in their children's lives and providing services to the entire family. We urge the Committee to restore Head Start funding to the President's requested level.

Child Care. The Administration urges the Committee to provide the additional \$174 million requested for a child care initiative that will improve the availability of affordable, quality child care for working parents. This initiative would provide States with resources to enhance child care health and safety standards enforcement, give child care workers scholarships to improve their skills, and increase our commitment to understand better and evaluate how our Nation's child care system is working. Likewise, we ask that the Committee restore funds to the President's requested level for a \$5 million program designed to assist States in developing support systems for families of children with disabilities.

[**Organ Donation.** The Administration strongly opposes two provisions of the Subcommittee bill which would suspend two HHS rules pertaining to organ donation: a HCFA rule that seeks to expand the number of organs available for donation through more vigorous procurement efforts; and, a Health Resources and Services Administration rule that would require allocation of organs for transplant on the basis of medical need (rather than locality) and would ensure that organs are allocated to the sickest candidates first. (Dan Mendelson is checking w/ HHS on this language)]

Other troublesome HHS-related funding and language issues, with which the Administration has serious concerns, include the following:

National Household Survey on Drug Abuse. The Subcommittee mark eliminates funding for data collection activities of the Substance Abuse and Mental Health Services Administration, including the National Household Survey on Drug Abuse, which is our single best source of information on youth drug use and youth smoking and is important for evaluating the impact of substance abuse prevention, treatment, and enforcement efforts.

Needle Exchange. The Subcommittee includes a total ban on the use of funds appropriated in this Act for needle exchange programs rather than making the use of funds for such programs conditional upon the certification of the Secretary of Health and Human Services.

Health Care Financing Administration (HCFA). Although the Subcommittee fully funded the President's program level request for HCFA Program Management (with the exception of the Medicare+Choice information campaign), no action was taken on the \$265 million in new discretionary HCFA user fees. We urge the Committee to enact the President's requested user fees to finance HCFA activities and to ensure that sufficient resources remain available for education and other priorities.

Bio-Terrorism. The Administration urges the House to provide the full \$111 million requested to improve HHS's ability to respond to attacks of

biological and chemical terrorism.

Health Disparities. The Subcommittee has failed to include \$30 million requested for demonstration projects to address racial and ethnic health disparities in infant mortality, cancer, diabetes, heart disease and stroke, HIV/AIDS, and immunizations.

Low Income Home Energy Assistance Program (LIHEAP). The Subcommittee would eliminate funding for the Low Income Heating Assistance Program. This would force over five million of our Nation's most vulnerable households to choose between heating their homes or feeding their families. Over 36 percent of LIHEAP households have elderly residents, 32 percent have disabled residents, 27 percent have children under the age of six, and 27 percent are the working poor who do not receive any other public assistance. The Administration urges the Committee to restore funds to the President's requested level.

Foster Care and Adoption Assistance. The Subcommittee bill fails to provide the Administration's request for a \$200 million contingency reserve. This language is critical to ensure grant awards should the definite appropriations be insufficient for authorized eligible expenditures in either Foster Care or Adoption Assistance. The Committee should restore the requested level of \$200 million, or approximately four percent of total program costs.

Office of AIDS Research. The Subcommittee bill does not appropriate a specific amount for AIDS research through a single appropriation for the National Institutes of Health's (NIH's) Office of AIDS Research. The single appropriation would help NIH plan and target research funds effectively, minimizing duplication and inefficiencies across the 21 institutes and centers that carry out HIV/AIDS research.

Prevention Research. The Subcommittee has provided only \$10 million of the \$25 million requested for the Centers for Disease Control to expand research in ways to prevent disease and reduce the need for medical care.

General Departmental Management. A provision of the bill would require that HHS' Office of the Secretary contract with National Academy of Sciences (NAS) for an \$890,000 study on repetitive tasks in the workplace. This provision duplicates current NIH efforts with NAS in this area.

Social Security Administration

The Subcommittee bill does not provide \$19 million for administrative expenses, contingent on the authorization of a user fee for services provided by the Social Security Administration to attorneys who represent claimants for benefits. These services include withholding money from certain past due benefits and issuing payments to certain claimant representatives. The Administration continues to support enactment of this user fee and appropriation of the anticipated collections for administrative expenses.

In addition, the Subcommittee bill does not provide \$50 million for administrative expenses, for the conduct of additional non-disability Supplemental Security Income (SSI) redeterminations of eligibility. These resources and the resulting redeterminations are essential to ensuring the integrity of the SSI program and reducing unnecessary benefit payments. Failure to provide this funding will result in serious staffing shortfalls.

Other Issues

National Labor Relations Board (NLRB). The Subcommittee provides funding for the NLRB at the FY 1997 level. This would result in a loss of over 100 staff, an increase in case backlogs, and could result in furloughs and office closings. This reduction would cripple an agency key to protecting workers' rights on the job, and we urge the Committee to restore the NLRB to the requested level.

Section 516 amends the National Labor Relations Act to require the NLRB to adjust its dollar jurisdictional standards for inflation on October 1, 1998, and every five years thereafter. This change would deny workers in some small businesses the protection afforded to others to organize and bargain collectively. This change to substantive law raising the jurisdictional thresholds more than five-fold should not be done through the appropriations process, but only after hearings and debate.

Corporation for National and Community Service. The Administration is deeply concerned about the Subcommittee's \$27 million reduction to the request for the Corporation for National and Community Service. This reduction freezes the Corporation's Senior Service program at the FY 1998 level and cuts VISTA \$5 million below FY 1998. These reductions would deny more than 500 VISTA members the opportunity to serve in low-income communities Nation-wide and would reduce the number of seniors serving their communities by 15,000. The Administration urges the Committee to fully fund the Corporation at the \$279 million level proposed in the FY 1999 budget.

Corporation for Public Broadcasting. The Administration strongly objects to the lack of funding provided for the President's initiative to assist public broadcasters convert to digital technology. The transition to digital technology promises to create tremendous opportunities for expanded and enhanced educational and public service programming while promoting innovative technology applications. Providing the Corporation with funding in FY 1999 will allow public broadcasting to convert to digital technology on a similar schedule as commercial stations. This will facilitate fundraising efforts and allow public broadcasters to participate in the establishment of digital standards.

Railroad Retirement Board (RRB). The Subcommittee bill does not include language to provide the RRB with authority to offer voluntary separation incentive payments (or "buyouts") through the end of calendar year 1998. RRB's experience has shown that reducing employment through buyouts is much less disruptive to agency operations than conducting a reduction-in-force. The Administration urges the Committee to provide this buyout authority.

The Subcommittee bill includes language prohibiting the RRB Inspector General from using funds for any audit, investigation, or review of the Medicare program. The Administration believes that this language should be dropped. RRB has statutory authority to administer a separate contract for RRB, Part B Medicare claims. As long as RRB has authority to negotiate and administer a separate Medicare contract, the RRB Inspector General ought not to be prohibited from using funds to review, audit, or investigate activity related to that contract.

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 Bob Livingston,
The Honorable David R. Obey, and The Honorable John E. Porter

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 18:05:35.00

SUBJECT: Reminder--comments on MNB199, Revised Labor Draft Bill on Trade Adjustment

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

This is a reminder that your comments on the subject draft bill are due.

Please provide all comments no later than COB tomorrow, July 14th. If I do not hear from you, I will assume you have no comments and will proceed with clearing the bill.

Please call (5-7887) if you have comments or questions. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 13:14:23.00

SUBJECT: Follow-up on update to Senate Agriculture SAP

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

CC: Adrienne C. Erbach (CN=Adrienne C. Erbach/OU=OMB/O=EOP@EOP [OMB])
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])
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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: Robert L. Nabors (CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [OMB])
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:

FYI, it is our understanding that Elena Kagan is following up with HHS to possibly send a letter regarding the Coburn amendment (instead of including reference in the Senate Agriculture SAP).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Steve B. Chu (CN=Steve B. Chu/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME:13-JUL-1998 13:14:30.00

SUBJECT: Weekly

TO: Ananias Blocker III (CN=Ananias Blocker III/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TO: Oliver G. McGee (CN=Oliver G. McGee/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

TEXT:

Here is the weekly report for the week of July 9, 1998.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D84]MAIL42268539W.126 to ASCII,
The following is a HEX DUMP:

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E14C4829D45880863AA1F594FB457FFD5B6C444C90BCDD9BF887CA9A089B981AE05786B7E934CC

.....MEMORANDUM TO THE PRESIDENT

FROM: JUDITH A. WINSTON

THROUGH: ERSKINE BOWLES
MARIA ECHAVESTE

DATE: JULY 9, 1998

SUBJECT: PRESIDENT'S INITIATIVE ON RACE WEEKLY REPORT
JULY 3 - JULY 9

PBS Panel Discussion. Your discussion about "Race in America" on the NewsHour with Jim Lehrer was very successful and received extensive press coverage. Governor Winter and Angela Oh will be participating in an on-line discussion next week on PBS about the issues raised in your conversation. I have attached two articles about the discussion for your information.

ADVISORY BOARD ACTIVITIES

Dr. Franklin's Letter Regarding the Denver Advisory Board Meeting. On July 7, the Associated Press filed a story about Dr. Franklin's June 16, 1998, letter to you regarding the Advisory Board's March meeting on stereotypes. The wire story generated press attention about the letter. Dr. Franklin's letter highlighted some of the presentations of the expert panelists -- including the view that "aspir(ing) to a 'colorblind' society is an impediment to reducing racial stereotyping" -- and provided recommendations from the Advisory Board. The press article created some confusion because it characterized the panelist information as a recommendation of the Advisory Board. The June 16 letter and the AP story are attached for your information.

Race and Health Meeting. On July 10, Dr. John Hope Franklin, Governor William Winter, Governor Thomas Kean, PIR Senior Consultant Laura Harris, and I attended a meeting sponsored by the Department of Health and Human Services on issues relating to race and health. Dr. David Satcher, Assistant Secretary for Health and Surgeon General of the United States, gave a strong, insightful address about the need for continued

aggressive actions to close disparities in health and health care access.

Race and Immigration Meeting. On July 13, Dr. John Hope Franklin, Angela Oh, Governor William Winter and Linda Chavez-Thompson will attend a conference on race and immigration sponsored by the Carnegie Endowment for International Peace and the Georgetown University Law Center. The meeting will include a discussion of immigration issues and examine promising practices.

American Friends in London. On July 3, Reverend Dr. Suzan Johnson Cook spoke to 25 business leaders at a meeting of the American Friends in London. She spoke to this group about the importance of the Initiative and the private sector's role in promoting One America.

Orange County Women Lawyer's Association. On July 7, Angela Oh spoke about the Initiative to 50 participants at the Orange County Women Lawyers Association in Orange County, California.

Fisk University Race Relations Institute. On July 8, Dr. John Hope Franklin delivered the keynote address at Fisk University's 32nd annual Race Relations Institute.

California School Administrator's Summer Institute. On July 9, Angela Oh spoke about the Initiative to the principals of all of California's public schools at the California School Administrator's 1998 Summer Institute in Los Angeles, California.

Women's Political Caucus. On July 10, Angela Oh spoke to the Santa Barbara's Women's Political Caucus about the Initiative in Santa Barbara, California.

OFFICE OF THE EXECUTIVE DIRECTOR

United States Virgin Islands Emancipation Day. Last week, at the request of Governor Roy L. Scheider, I participated in several programs commemorating the 150th Anniversary of the emancipation of slaves in the Virgin Islands (1848). I used the occasion to discuss the objectives and progress of the Race Initiative and to urge Virgin Islanders to join in the effort to build one America. The Islands have been experiencing some racial and ethnic tensions as increasing numbers of immigrants enter the Territory from other largely Spanish-speaking Caribbean islands. During the various ceremonies commemorating the emancipation, I accepted on your behalf a handsome clock made of Virgin Island mahogany and the Governor's Medal of Freedom (the bronze replica will be replaced by a silver medal). They are being shipped to you and should arrive shortly. The Governor will be sending you a silkscreened replica of the Emancipation postage stamp with an official July 3, 1998 cancellation stamp attractively bound in a leather case suitable for your Presidential library should you choose to place it there.

Joint Center for Political and Economic Studies. On July 7, I spoke to the Board of Governors of the Joint Center for Political and Economic Studies. I discussed with the 50 people in attendance the policies that the Administration has developed in conjunction with the Initiative.

FEDERAL AGENCY ACTIVITIES

Department of Justice

Native American Conference. The Eastern and Western Districts of Wisconsin will host the "Great Lakes Native American Conference." This is a multi-disciplinary conference for representatives from human services, education, clergy and victim services, and for tribal leaders. Topics will include federal domestic violence initiatives, elder abuse, and building on the strengths of Native American families.

Department of Interior

Civil War Memorial. Celebration events surrounding the unveiling of the African-American Civil War Memorial to 235,000 African-American soldiers and their white officers who fought in the Union Army are scheduled for July 15-18. The events are presented by the African-American Civil War Memorial Freedom Foundation. Events include an Arlington Memorial Sunrise Service and Commemoration Ceremony at the U.S. Capitol Rotunda, July 16; a Ford's Theater program to honor those who worked on the data entry of over 235,000 names of the U.S. Colored Troops, July 17; and a parade of U.S. Colored Troops re-enactors along historic Georgia Avenue and the unveiling of the "Spirit of Freedom" bronze sculpture by Ed Hamilton in honor of the U.S. Colored Troops, July 18.

Women's History. NPS has announced a new on-line National Register of Historic Places travel itinerary, "Places Where Women Made History." This itinerary is being launched to coincide with the celebration of the 150th anniversary of the first Women's Rights Convention taking place at the NPS Women's Rights National Historical Park in Seneca Falls, NY, from July 10 to 19. The travel itinerary focuses on 74 historic places in NY and MA associated with various aspects of women's history and is located on the NPS' web site at <http://www.cr.nps.gov/nr>. The itinerary includes interactive maps, a description of each place's significance in women's history, essays on women's achievements in American history, photographs and information on public accessibility of each historic place.

National Indian School Board Association. On July 29, Assistant Secretary for Indian Affairs Gover will be the keynote speaker for the National Indian School Board Association in St. Paul, MN.

Department of Commerce

Black Chamber of Commerce. On July 10, Deputy Secretary Robert L. Mallett gave the keynote address at the Plenary Session of the Sixth Annual Black Chamber of Commerce Convention in Baltimore, MD.

Department of Labor

Women's Rights Convention. On July 17, Secretary Herman will make remarks at the 150th Women's Rights Convention in Seneca Falls, NY.

Department of Housing and Urban Development

National Hispanic Leadership Agenda. On July 10, Secretary Cuomo participated in a meeting with the National Hispanic Leadership Agenda.

NAACP Annual Convention. On July 14, Secretary Cuomo will address the NAACP at their annual convention in Atlanta.

Tribal Housing. On July 21-22, Secretary Cuomo will tour tribal housing in Alaska.

Department of Transportation

Hispanic Coalition Conference. On August 4, FAA Administrator Jane F. Garvey will speak at the FAA Hispanic Coalition Conference in Dallas, TX.

Department of Veterans Affairs

NAACP Annual Convention. Representatives from the Department of Veterans Affairs will participate in the 89th Annual National Convention of the NAACP, July 11-17, in Atlanta, GA. VA's participation includes display booths, health assessment screening, benefits counseling, and a veterans workshop. VA will also focus on building a coalition for outreach to minority veterans and to veterans in rural and isolated areas through a joint partnership between VA and some 600 NAACP veterans' affairs offices around the Nation.

Office of Personnel Management

Hispanics in Federal Workforce. Director Lachance will visit San Antonio, TX on July 9 and 10 and advance efforts to recruit, retain and advance Hispanics in the federal workforce in two public events (a meeting of the San Antonio Federal Executive Board and the TX Labor/Management Partnership Conference), a meeting with the Hispanic Association of Colleges and Universities, and through media sessions, including editorial board meetings. She will deliver the Partnership Conference keynote address on July 10.