

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 035 - FOLDER - 011**

**[08/05/1998 - 08/06/1998]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lisa M. Jones ( CN=Lisa M. Jones/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME: 5-AUG-1998 17:23:36.00

SUBJECT: See memo below

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

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

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

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

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

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

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

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

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

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

TEXT:

This memo was signed on Tuesday, August 4th.

MEMORANDUM FOR ERSKINE BOWLES

THROUGH: Jack Lew

FROM: Donald R. Arbuckle

SUBJECT: Heads-up Consumer Confidence Rule

EPA will issue by the statutory deadline of August 6th a final rule requiring all community drinking water systems to provide their customers with "consumer confidence" reports. These reports must contain information on contaminant levels detected in the systems, drinking water, as well as on the EPA standards against which the detected levels are compared to determine if they pose a health risk. The reports must also contain various health warnings and information on the potential sources of detected contaminants.

In this final rule, EPA has added a number of requirements in response to criticisms at the proposed stage by the environmental community. These changes include additional mandatory health warnings and a requirement to report the range of detection levels as well as the annual average (the average is generally used to determine compliance with the standards). We understand that environmental groups have held press conferences today (Tuesday) in more than 20 cities heralding the as yet unpublished final rule but describing it as weak, and urging states and local governments to go beyond the minimum requirements.

We concluded review yesterday so that EPA could meet its statutory deadline. The rule is a high priority of Administrator Browner who was personally involved in its development, and is tentatively scheduled as the subject for next Saturday's radio address.

cc: Maria Echaveste  
Rahm Emanuel  
Larry Stein  
Ron Klain  
Thurgood Marshall, Jr.  
Ann Lewis  
Sally Katzen  
Minyon Moore  
John Podesta  
Bruce Reed  
Gene Sperling  
Katy McGinty  
Elena Kagan  
Barry Toiv  
Michael Waldman  
Janet Yellen  
Mickey Ibarra  
T. J. Glauthier

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-AUG-1998 12:45:47.00

SUBJECT: W2W Partnership & WOTC

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

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

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

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

TEXT:

As part of the Partnership's next board meeting on 9/15, they are trying to arrange a meeting with House R leadership to reinforce their bipartisan credentials and strengthen their ties on the Hill. Bob McArthur, the new COO, just wanted to let us know that extension of WOTC will be one of the issues on the agenda. I told them we also supported extension, and had it as part of our FY 99 budget proposal.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-AUG-1998 21:06:44.00

SUBJECT: Hefley

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

TEXT:

FYI. We killed 'em around 9 pm when the Hefley vote came up. We got like 55 R's and lost 6 D's.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME: 5-AUG-1998 13:19:21.00

SUBJECT: URGENT 2:00 deadline: REVISED Signing Statement on HR 1385 == Workforce In

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

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

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

TO: Maureen H. Walsh ( CN=Maureen H. Walsh/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

TO: jack\_kristy ( jack\_kristy @ ed.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Daniel I. Werfel ( CN=Daniel I. Werfel/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: Barry White ( CN=Barry White/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

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

TO: ogc\_legislation ( ogc\_legislation @ ed.gov @inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

TEXT:

PLEASE PROVIDE ANY FINAL COMMENTS BY 2:00 P.M. TODAY, WEDNESDAY, AUGUST 5, 1998.

STATEMENT BY THE PRESIDENT

Today, I am pleased to sign into law H.R. 1385, the Workforce Investment Act of 1998. This legislation represents the culmination of bipartisan efforts of the Congress and the Administration to reform our workforce development system so that it empowers America's workers and responds to the economy of the twenty-first century. I particularly want to recognize the tireless efforts of Senators Jeffords, DeWine, Kennedy, and Wellstone, and Representatives Goodling, McKeon, Clay, and Kildee in guiding this legislation through the Congress.

More than three years ago, I proposed a G.I. Bill for America's Workers to inject choice, competition, and individual responsibility into national workforce policy. Since then I have pursued these goals to the fullest extent possible under current law. I am now pleased that this legislation, with overwhelming bipartisan support, takes the necessary next steps to incorporate key principles of my proposal. These principles -- including individual opportunity, leaner government, State and local flexibility, accountability, and partnership with the private sector -- will permit individuals and States to craft a lifelong learning system that respects individual priorities, reflects local conditions, and delivers results.

The new workforce development system embodied in this legislation will consolidate numerous Federal programs and create "individual training accounts" -- or skill grants -- providing valuable resources directly to American workers who need to enhance their skills. Instead of the decades old system of dispensing services through top-down, inflexible bureaucracies, this new system would let the workers of America choose the training they need, at any eligible institution they choose. H.R. 1385 will provide workers and job seekers high-quality information on jobs, career options, and report cards of training institutions, so that they can make informed choices. And it will offer all Americans easy access to this information and to employment and training services through one-stop career centers.

I am pleased that the Workforce Investment Act supports my efforts to expand lifelong learning by streamlining and improving the quality of adult education programs. The bill also reauthorizes and includes important reforms to the Rehabilitation Act, including simplifying program

requirements, improving accountability, and enhancing consumer choice. In addition, it takes serious new steps to ensure that all information technology procured by the Federal Government is accessible to individuals with disabilities.

Finally, I am especially gratified that this legislation includes my Youth Opportunity proposal. This program will help give hope to tens of thousands of youth living in Empowerment Zones, Enterprise Communities, and other high-poverty areas by helping them secure good jobs and a brighter future. I urge the Congress to ensure that the funds appropriated in advance last year for this initiative are made available now that the program is authorized, and to appropriate the full amount of my fiscal year 1998 request for all activities authorized in this legislation.

The Workforce Investment Act will expand opportunities for working men and women in today's vibrant, global economy. It will help reduce the number of people in our Nation who lack the skills to compete in today's economy. And it will help business benefit from a more skilled, highly productive workforce. For these reasons, I am delighted to sign the Workforce Investment Act of 1998.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-AUG-1998 12:49:52.00

SUBJECT: H-1B -- q&a

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

The press office has been receiving some calls on the status of the Rep. H-1B compromise and our reaction to it. Attached are some draft q&a for them.

julie

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D90]MAIL459710120.226 to ASCII,

The following is a HEX DUMP:

FF57504370040000010A020100000002050000000820F0000000200000D74976EDFA7D43FD7684C  
10507A9B3BC1D8141317DACF7B360EA8A6B8DE921D7A26C82FC2163828C953D56C32469E2DE4C1  
D0724A213D33B90C36AF04CA1048505C8D7AF360339156D6D9C7980185C37B6DAF1D48BCD4EFCF  
8D17CEEF80015DCA3067247CBFE98F01B8C41A660FB0D1DB42615553EC0F46FF3ACCF604F5E61B  
40D9B407449993C12CBC0701F909BB90AE7856473C96ABB8A7AE5996A2846320DD26CA6B3D463A  
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19FA84256289D28359F698F4B3ED1926400C3969B44BDD240DB3B9ABD232C49C078FDC505E67DA  
5FBA1C15592283CE04AE63614B65B4FD7B18BF362E0F5B0AB4FCE7EF70D4CC940E0CAB592F9EF3  
5AC970E255A9415E5F162EAAC99849686B18CC8053D1413D699704647010C4E923E1D177229A1F

**H-1B Legislation**  
**August 5, 1998**

**Q: Why has the Administration not embraced the Republican compromise on H-1B legislation?**

**A:** Although the Republican agreement includes a training provision and limited protections for U.S. workers, it falls short in several respects. The attestations are weak and too many employers are exempt from their obligations. Also, the training provision would not generate sufficient funds.

**Q: Some Republicans and hi-tech executives claim that the Administration keeps moving the bar on what it would consider an acceptable bill. What has been going on?**

**A:** Our position on this issue is unchanged: in order for the President to sign a bill that increases the cap on H-1B visas, it must contain both a significant training component and meaningful reform to the H-1B program to ensure that American companies recruit U.S. workers and not lay-off U.S. workers in order to replace them with H-1B workers.

The Republican agreement that was unveiled late last week falls short in several respects. It would generate inadequate training funds and would exempt large numbers of employers from the attestation obligations. We have had a series of detailed discussions with the sponsors of the bill and have suggested changes that would increase the funding for training and strengthen the protections for U.S. workers.

**Q: The House leadership is threatening to bring their bill to a vote tomorrow. Will you veto it?**

**A:** It is unclear at this point whether this bill is scheduled for tomorrow. However, if the Congress passes this bill and it is presented to the President, his senior advisors will recommend that he veto it. While the President is willing to sign a bill to raise the caps, he also wants to make sure that we protect and provide training for U.S. workers. We want to work with the Congress to develop a balanced bill that addresses the growing demand for highly skilled workers.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 17:44:16.00

SUBJECT: Our "offer" on Dept Labor Performance Bonus isn't flying... yet

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Chow is "elevating to the Director"

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sean P. Maloney ( CN=Sean P. Maloney/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-AUG-1998 16:50:11.00

SUBJECT: The President's Trip to KY, IL, CA, WI

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

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

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

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

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

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

TO: Dorian V. Weaver ( CN=Dorian V. Weaver/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Cynthia M. Jasso-Rotunno ( CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

TO: Carolyn E. Cleveland ( CN=Carolyn E. Cleveland/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: David S. Beaubaire ( CN=David S. Beaubaire/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

TO: Michael V. Terrell ( CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Megan C. Moloney ( CN=Megan C. Moloney/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: Bruce R. Lindsey ( CN=Bruce R. Lindsey/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

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

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

TO: Nancy V. Hernreich ( CN=Nancy V. Hernreich/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: Kris M Balderston ( CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:

On Monday, August 10, 1998, the President will travel to Louisville, Kentucky, to participate in a Patients' Bill of Rights event and attend a "Victory in Kentucky" luncheon. He will then proceed to Illinois, where he will attend a Unity event in Chicago, before flying on to California, where he will overnight. On Tuesday, in San Francisco, the President will attend a crime event and a Gray Davis luncheon. He will then fly to Los Angeles, where he will attend a reception and dinner for Davis. On Wednesday morning, the President will attend a safe drinking water event in Los Angeles, before traveling to Milwaukee, Wisconsin, for a Unity reception. He will return to the White House Wednesday night.

Deadlines for the President's Trip Book are as follows:

KY, IL, CA, WI Background Memos: DUE SAT., AUG. 8, AT 3:00 P.M.

- Political Memos
- CEQ Hot Issues
- Cabinet Affairs Hot Issues
- Accomplishments

KY, IL, CA, WI Event Memos: DUE SUN., AUG. 9, AT 3:00 P.M.

- Patients' Bill of Rights
- "Victory in Kentucky" Luncheon
- Unity Event (Chicago)
- Crime Event (SF)
- Davis Luncheon (SF)
- Davis Reception (LA)
- Davis Dinner (LA)
- Safe Drinking Water Event (LA)
- Unity Reception (Milwaukee)

Please call or e-mail me if you have any questions. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 16:21:37.00

SUBJECT: You asked where the VP was with Hollywood

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

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

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

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

TEXT:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 08/06/98  
04:20 PM -----

Cynthia Dailard  
08/06/98 03:08:33 PM  
Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc:  
bcc:  
Subject: Re: did you ever reach David Beier re: Hollywood?

Toby told me the following:

In 2/97, the President went to Paramount studies to talk about the portrayal of cancer story lines in the media. He wound up blasting them for their portrayal of smoking, and was received with hostility. Toby said it took them a long time to recover from that.

In 12/97, he met with the head of the screen actors and writers guilds, along with Kristi Turlington, and some tv producers (about 7 people in all) to discuss the portrayal of smoking in the media. (Kristi's father died as the result of smoking, and she has done a PSA for the CDC on smoking).

Richard Mazur, head of the screen actor's guild, is most interested in the issue, and has made an effort to hold a few meetings with people in Hollywood, and is working to educate people by bringing in doctors to explain things, etc. Toby also noted that a few CA legislators have held hearings on the issue.

The VP's office got no where talking to Jack Valenti (head of the motion pictures association). Toby says that his indifference is definitely part of the problem.

Toby said that they haven't taken any action since 12/97. She said that

except for Mazur, they encountered resistance and tremendous hostility from people.

Cynthia A. Rice  
08/06/98 01:53:36 PM  
Record Type: Record

To: Cynthia Dailard/OPD/EOP  
cc:  
Subject: did you ever reach David Beier re: Hollywood?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 12:08:56.00

SUBJECT: Re: gannett reporter for story

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

READ:UNKNOWN

TEXT:

Julia had written the following to make up b/c she had been hassling me to have you call the Gannett reporter and I had responded that we did not get the reporter info until 6:20 and you had been in Erskine's office ever since. So then Amy was in fact thanking you.

"laura, thank you very much for helping the press office with this. we really, really do appreciate all of your work and assistance. thanks again!"

Elena Kagan  
08/06/98 11:37:07 AM  
Record Type: Record

To: Laura Emmett/WHO/EOP  
cc:  
Subject: Re: gannett reporter for story

what emotion was she seconding??  
----- Forwarded by Elena Kagan/OPD/EOP on 08/06/98 11:37 AM -----

Laura Emmett  
08/06/98 08:50:55 AM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc:  
Subject: Re: gannett reporter for story

----- Forwarded by Laura Emmett/WHO/EOP on 08/06/98 08:51 AM -----

Amy W. Tobe  
08/06/98 08:50:20 AM  
Record Type: Record

To: Julia M. Payne/WHO/EOP  
cc: Laura Emmett/WHO/EOP, Barry J. Toiv/WHO/EOP, Beverly J. Barnes/WHO/EOP

Subject: Re: gannett reporter for story

I second that emotion! And, I did enjoy reading the email traffic on this...it seemed uncertain, but, as always, Elena pulled through! Pls thank her for us. This stuff really helps. And we know how busy she is. Thanks again!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME: 6-AUG-1998 14:53:52.00

SUBJECT: LRM CJB269: Aug. 6th Draft of HEA Conferee Letter (HR 6)

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

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

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

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

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

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

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

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

TO: Barry White ( CN=Barry White/OU=OMB/O=EOP@EOP [ OMB ] )  
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: Jonathan A. Kaplan ( CN=Jonathan A. Kaplan/OU=OPD/O=EOP@EOP [ OPD ] )  
READ:UNKNOWN

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

TO: lori\_templeman ( lori\_templeman @ ed.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

TO: Justin D. Sullivan ( CN=Justin D. Sullivan/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: ogc\_legislation ( ogc\_legislation @ ed.gov @inet [ UNKNOWN ] )  
READ:UNKNOWN

TO: agc.llr ( agc.llr @ treas.sprint.com @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

The attached draft letter reflects final changes proposed to the letter and attachment. If you identify any problems in this version, please let me know no later than 4:30 p.m. today, Thursday, August 6, 1998.

Draft Conferee Attachment  
Letter: to Lettter:

Total Pages: \_\_\_\_

Thursday, August 6, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative Reference

OMB CONTACT: Constance J. Bowers  
PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: August 6th version REVISED EDUCATION Conference Document on HR6 Higher Education Amendments of 1998

DEADLINE: 5:00 p.m., today Thursday, August 6, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: This document is proposed for transmittal to the conferees today.

DISTRIBUTION LIST

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Charles Konigsberg  
Arthur W. Stigile  
Justin D. Sullivan  
Raymond P. Kogut  
James J. Jukes  
Janet R. Forsgren

LRM ID: CJB269 SUBJECT: August 6th version REVISED EDUCATION Conference Document on HR6 Higher Education Amendments of 1998

RESPONSE TO  
LEGISLATIVE REFERRAL  
MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

- (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
- (2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148  
Office of Management and Budget  
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: \_\_\_\_\_ (Date)  
 \_\_\_\_\_ (Name)  
 \_\_\_\_\_ (Agency)  
 \_\_\_\_\_ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

- \_\_\_\_\_ Concur
- \_\_\_\_\_ No Objection
- \_\_\_\_\_ No Comment
- \_\_\_\_\_ See proposed edits on pages \_\_\_\_\_
- \_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ FAX RETURN of \_\_\_\_\_ pages, attached to this response sheet

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

TEXT:

WPCB

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Jennifer KronLori G. Tem

pleman

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Title#XP\ P6QXP#□ATTACHMENT

TitleADDITIONAL VIEWS ON ISSUES IN H.R. 6□

In addition to the concerns outlined in Secretary Rileys letter, this attachmen t expresses the Administrations views on other important issues in the confere nce on the Higher Education Amendments of 1998. The issues are discussed in t he order in which they appear in the current law or, in the case of new program s, in the passed versions of the bill.

□Alcohol and drug abuse□

Both the House and Senate versions of the bill would authorize the Department t o offer grants and recognition awards to combat the illegal use of drugs and al cohol on campus. The Secretary would be authorized to make grants to or enter into contracts with institutions for alcohol, drug and violence prevention prog ramming. This authority is similar to a program that already exists in the Saf e and DrugFree Schools program. While we believe this activity is very importa nt, we do not believe that it needs to be authorized in both the Higher Educati on Act and the Safe and DrugFree Schools Act. We recommend maintaining the aut horization in Safe and DrugFree Schools.

□Institutional aid□

Both versions of the bill make several positive changes to the institutional ai d provisions that the Administration has recommended. Both versions of the bil l allow institutions participating in Title III programs and HispanicServing In stitutions (HSIs) to use up to 20% of their grant funds to establish or expand an endowment fund and expand allowable activities to encourage institutions to use technology. Both versions would provide the HSI program more visibility by moving the program to a separate part in a different title, and simplifying th e definition of HSI. Both the Senate and the House versions authorize grants f or Tribal Colleges, as proposed by the Administration.

We prefer the House language on the changed funding formula for Historically Bl ack Graduate Institutions (HBGIs) with the addition of the substance of the des criptive factors in the Senate provision for a competition; this will provide a more equitable distribution than either provision by itself. We also support the Senate provision for a minimum grant of \$1,000,000 to institutions before m atching is required and the \$28,000,000 threshold for the use of the funding fo rmula.

□Pell Grants□

We appreciate the strong support for the Pell Grant program that is evident in both versions of the bill, and are very pleased to see that many of the Adminis trations proposals for the Pell Grant program have been included in either one version or the other.

header#XX2PQXP##XP\ P6QXP#  
headerWe support the House provision to extend the cohort default rate cutoff t

o Pell Grant eligibility. This extension will increase institutional accountability and better protect students from unscrupulous schools. □ □ We believe that the mitigating circumstance provisions that the Department has adopted in regulation for the student loan programs protect those institutions in which only a few students borrow, and we would like to work with the conferees to incorporate mitigating circumstances directly into the statute for purposes of institutional eligibility to participate in the Pell Grant program.

header#XX2PQXP##XP\ P6QXP#

headerStyle0#XX2PQXP##XP\ P6QXP# We support the Senate version of the bills in addition of the 150% time limit on student eligibility for Pell Grants, the new requirements for standalone English as a Second Language (ESL) programs, the tuition sensitive award rule, and the extension of Pell Grant eligibility to college graduates enrolled in a nongraduate teacher training program. The Administrations proposal to limit Pell Grant eligibility to 150% of the time normally required to complete the course of instruction, with adjustments for students attending parttime and exemptions for students with disabilities, would prevent abuse of the program. We urge that the Administrations proposal to impose a total time limit of eight academic years of full time study, or the equivalent period of parttime study, be added to the 150% limit in the final version of the bill.

Style0

The Senate provision that students in standalone ESL programs may receive Pell Grants only if a minimum percentage of the programs students pass an English proficiency exam will also increase program integrity. The Senate version also includes the Administrations proposal to clarify that tuition includes fees required for attendance, and that the institution may determine the dependent care/disability allowance.

Finally, the Senate version includes a provision that would allow college graduates to receive Pell Grants on a casebycase basis for a fifth year if they are enrolled in a teacher training program. This program would provide new assistance to encourage college students to become welltrained, motivated teachers. However, we need to ensure that it is administratively workable. We look forward to working with you in conference to refine this provision.

□

TRIO programs□

Current law provides for grants of both four and five years in the TRIO programs. The House version of the bill adopts the Administrations proposal to standardize grant duration in the Talent Search, Upward Bound, Student Support Services, Postbaccalaureate Achievement, and Educational Opportunity Centers Programs at four years; the Senate version of the bill does not change current statutory provisions. We strongly support the Houses changes, since current law is confusing to the community, presents little or no practical benefit and is administratively complex.

The House version of the bill would eliminate the current administrative setaside of 0.5% of appropriations for the TRIO Programs. The Senate version of the bill retains the setaside. Eliminating the setaside would have a significant and negative impact on the Departments ability to administer the TRIO Programs effectively. We support the Senate version.

□Campusbased programs□

The Administration proposed modifying the campusbased aid formula to gradually distribute a larger share of the program appropriation on the basis of measured institutional need for funds. The House version would eliminate the pro rata step. However, this change could lead to some institutions allocations being reduced too quickly, rather than the gradual shifts proposed by the Administration. The Senate version has no comparable change, and, thus, fails to respond to changes in institutional need. We urge the conferees to adopt the Administrations proposal.

□

## College awareness□

Neither passed version of H.R. 6 would authorize the college awareness program proposed by the Administration. Recent studies have shown that low-income students attend college at significantly lower rates than individuals from high and middle-income families, not because of financial inability to attend college but because of a lack of information about the requisite steps to prepare for, apply for, finance, and enroll in college. A college awareness program is a crucial element in our efforts to increase college attendance among low-income students, and would complement well the High Hopes program, which received support in both versions of the bill.

## □Guaranty agencies and voluntary flexible agreements□

Both versions of the bill authorize up to six guaranty agencies to enter into voluntary flexible agreements with the Department. Guaranty agency arrangements need to focus more heavily on preventing defaults, and voluntary flexible agreements could help promote greater administrative efficiency and improved service for students.

The Administration supports components of both the House and Senate versions of the guaranty agency reform, including the House provisions to allow the Secretary to regulate the operating fund when monies are owed to the Federal fund and to allow the Secretary to waive or modify any statutory requirements for agencies that enter into voluntary flexible agreements. The Administration supports the provision in the Senate version that specifies that voluntary flexible agreements cannot restrict borrowers from selecting the lender of their choice. The Administration also supports the Senate provisions to prohibit agencies that fail to make scheduled payments from receiving additional Federal funds, to require the Secretary's approval before agencies may support other student aid activities, to prohibit agencies from depositing interest earned on the Federal fund in the operating fund, and to reduce the loan processing and retention allowance fee. The Administration opposes the Senate provisions that would add burdensome notice requirements regarding voluntary flexible agreements.

Style0#XX2PQXP##XP\ P6QXP#The Administration also supports the provision of the House version that requires guaranty agencies to invest funds deposited into their operating funds in accordance with prudent investor standards, rather than the Senate provision which permits investment of the fund at the sole discretion of the guaranty agency.

Style0□

## heading 1#XP\ P6QXP#□FFEL repayment□

heading 1 □We support the Senate provision to offer extended repayment plans of up to 25 years to FFEL borrowers with loans in excess of \$30,000. We also support the House provision that allows FFEL borrowers to retain their interest subsidies when they consolidate their loans. These changes would benefit FFEL borrowers with heavy debt burdens and would help level the playing field between the two loan programs. In addition, we support consideration of efforts to extend income-contingent repayment plans to FFEL borrowers.

## □Origination and insurance fees□

Unfortunately, neither version would lower the upfront loan fees for students. Reducing the origination fees for Direct Loans and the insurance fees for FFEL loans would reduce students' cost of borrowing. The Administration proposed to lower the fees by one percentage point for all borrowers, and to phase them out entirely for borrowers of subsidized loans. These fee reductions could be included in the conference agreement if their costs are appropriately offset.□

## heading 3#XP\ P6QXP#□Loan forgiveness□

heading 3 □Both the House and Senate include programs to forgive loans for teachers in high-poverty schools. We support encouraging students to teach in the

schools where their talents are needed most. However, changes are needed to the program as currently written to make the program more effective and its administration, by the Department, institutions, guaranty agencies, and lenders, more workable. For example, because of the need to track student loans separately under the loan forgiveness provisions as currently structured, a student seeking loan forgiveness would be unable to consolidate his or her student loans.

This is inequitable because it would limit the students repayment options. In addition, the House and Senate versions of the bill also contain provisions for loan forgiveness for child care workers. In lieu of these proposals, the Administration supports its Child Care Provider Scholarship Fund, which would provide more than \$300 million in scholarships over five years to up to 50,000 child care providers annually

header#XX2PQXP##XP\ P6QXP#

headerWe would like to work with you on making the loan forgiveness provisions more equitable and effective. Options to consider include: treating all Federal student loans equally, regardless of the year in which they were received; offering loan forgiveness from the first year of teaching, or explicitly providing forbearance for the first years of teaching; changing the percentage of loans that may be forgiven each year; and creating a simpler administrative and financing mechanism for for both teachers and child care workers.

Style0#XX2PQXP#

Style0

Body Text 2#XP\ P6QXP#Finally, under both versions of the bill, borrowers who have their remaining outstanding loan balance forgiven after 25 years of incomecontingent repayment must continue to pay taxes on the amount forgiven.

Saddling borrowers with additional tax liability is neither appropriate nor was it ever intended. The Administration supports adding a provision to exempt the amount forgiven from Federal income taxation.

"

Body Text 2"□

Lending from proceeds of taxexempt obligations□

Under current law, secondary markets using taxexempt funds must file a plan for doing business with the Department. This provision includes substantive restrictions on discrimination and on payment of premiums exceeding one percent for loans. The House version of the bill would eliminate both the filing requirement and the restrictions. The Senate version eliminates the filing requirement and the payment of premiums restriction, retaining only the nondiscrimination provision. The Administration supports elimination of the filing requirement but retention of both substantive restrictions.

□Community service deferment□

Neither version would permit the Secretary to pay the interest that accrues on an unsubsidized FFEL or Direct Loan while the borrower is receiving an economic hardship deferment on the loan and performing community service. This important proposal is part of the President's call to action to all Americans to serve their communities, and would allow individuals with student loans who qualify for economic hardship deferments to take up to three years to serve their communities without accruing additional interest on their loans. This would remove a financial obstacle to community service for borrowers who already satisfy economic hardship criteria, such as Peace Corps volunteers.

□Marketbased mechanisms□

The Administration continues to support an objective, marketbased determination of appropriate rates of return for lenders on student loans. A number of different market mechanisms have the potential to achieve this outcome, and we are eager to work with Congress to find the right approach. We also support obtaining financial information from FFEL lenders as part of a new study that could better guide the Congress regarding the profitability of lenders and the formulation of policy on student loans.□

heading 1#XP\ P6QXP#Workstudy community service

heading 1

Body Text 2#XP\ P6QXP#The House version of the bill would add several burdensome requirements. First, it would add a requirement that at least two percent of an institution's allocation (in addition to the current five percent community service requirement) be spent on early childhood reading tutors.

The House version of the bill would also require institutions to give priority in workstudy funds to students tutoring in schools that meet certain criteria, a requirement which would unnecessarily complicate institutions' administration of the program. The Department has had great success with its voluntary partnerships with America Reads tutors, and prefers to continue with that approach.

"

Body Text 2"

Perkins Loans

Body Text 2#XP\ P6QXP#Both the House and Senate version of the bills would eliminate the Federal Perkins Loan revolving fund account; the House would do so explicitly in order to subsidize loan forgiveness for teachers in the FFEL and Direct Loan programs. We oppose this elimination. Without this fund, Congress would need to provide an increase in discretionary appropriations for Perkins Loan Federal Capital Contributions in order to avoid reducing loan volume. In addition, the House version of the bill includes forbearance provisions, including mandatory forbearance for Perkins Loans recipients during a term of national service, that should be expanded to be comparable with FFEL and Direct Lending.

"

Body Text 2"

heading 3#XP\ P6QXP#Need analysis

heading 3 Style0#XX2PQXP##XP\ P6QXP#We are pleased with the House provisions to combine parent and dependent student assets to eliminate the differential assessment rates and to increase the income protection allowances significantly.

These changes will protect more of the earnings of needy students, will restore Pell Grant eligibility to many nontraditional students, and are a step in the right direction toward encouraging saving, increasing fairness, and simplifying the financial aid process for students and families, as proposed by the Administration. However, we note this change would increase discretionary spending, and thus the funding of these provisions would need to be examined during the annual appropriations process.

Style0

Style0#XX2PQXP##XP\ P6QXP#We are also pleased that both the Senate and House version of the bills would add an offset for dependent students in the amount of the parents negative available income. This offset would exclude from need analysis calculation the income of a student whose earnings are necessary for the family's living expenses. The Administration supports the House version of this offset since it allows for the use of "adjusted" available income as an offset against dependent student income. This means that any negative amount remaining after first offsetting any contribution from parental assets would then be used to offset dependent student income. The Senate version, on the other hand, would allow the full unadjusted negative available income to offset both parental assets and the same amount again to offset dependent student income. In a sense, the Senate proposal would inappropriately provide a double counting advantage.

Style0

Neither the House nor the Senate included language clarifying that financial aid administrators may adjust need determination to assist dislocated workers. The Administration has requested this change in recent letters to Congress, and will continue to seek to include it in the final version of the bill. □□

Multiyear promissory note; forms

The House version of the bill would require a multiyear promissory note within 180 days of the enactment of the reauthorization bill. The Senate version would require the Secretary to develop a master promissory note for use beginning July 1, 2000. We agree that a multiyear promissory note will simplify the process by which students and their families apply for and receive federal student loans. In fact, we are currently in the final stages of developing the procedures and notes for the introduction of a master promissory note with a multiyear loan renewal process in both the FFEL and Direct Loan programs. We expect the new notes to be available for the 19992000 academic year, with borrowers who apply for loans for the 20002001 year being the first who would benefit from the multiyear functionality, since they would have signed the master note during the prior year. With these targets in mind, and in order to ensure that the processes work properly and effectively, we would prefer that the law not include a specific timeframe.

The Administration is also disappointed that neither version of H.R. 6 would provide the Secretary with the authority to approve alternative forms to determine need and eligibility for student aid that contain the same information as the Free Application for Federal Student Aid (FAFSA) as long as the entire form is provided free of charge, as was proposed by the Administration. The use of alternative free versions of the FAFSA, especially electronic versions, could reduce burden for students and families while streamlining the aid award process and maintaining the integrity of the delivery system.

heading 1#XP\ P6QXP#IRS and information sharing

heading 1 header#XX2PQXP##XP\ P6QXP#The House version of the bill would authorize the Secretary to confirm with the IRS each aid applicant's adjusted gross income, Federal income taxes paid, tax filing status, and number of exemptions.

The Senate version of the bill would require the Secretary to verify aid applicant's tax return information with the IRS. The Administration has several concerns regarding the income verification proposals in both the House and Senate versions, including confidentiality of taxpayer information, and IRS resource and systems capacity issues (particularly in light of the Year 2000 conversion underway). The Administration would like to work with the conferees to determine whether an approach can be developed to address these issues, while still accomplishing the Members' objectives.

header

Drug offenders

We oppose the language in both versions of the bill suspending aid eligibility for students who have been convicted of any drug offense under Federal or State law. This provision would largely duplicate existing law denying Federal benefits to individuals convicted of a drug offense under Federal or State law. Current law also contains important judicial discretion provisions that are lacking in both versions.

Freely Associated States

Under current law, citizens of the Federated States of Micronesia, the Republic of the Marshall Islands, and the Republic of Palau attending any eligible institutions may be eligible for Pell Grants and certain other forms of student financial aid. (Students who are permanent residents of the Freely Associated States may be eligible for such aid to attend institutions in the Freely Associated States.) The Senate version makes no change to these provisions. The House version would terminate the eligibility of students who are citizens or permanent residents of Micronesia, the Marshall Islands, or Palau on October 1, 2001, and, until then, they would be eligible only if they attend an institution in Guam, Micronesia, the Marshall Islands, or Palau. We strongly oppose the House provisions. The United States has a special relationship with these countries, as well as a responsibility to assist them in nationbuilding, and the State Department has raised questions about the international significance of curtailing Federal student aid and its potential impact on the negotiation of future com

pacts with the Freely Associated States. Finally, it would be useful if the final version of H.R.6 were to include a clearer expression of congressional intent that the eligibility of these students from the FAS was not affected by the enactment of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996.

□

heading 3#XP\ P6QXP#□Refunds□

heading 3 □Although we are pleased that the Senate adopted the Administration's general approach for calculating refunds, we have strong concerns about allowing schools to retain all Title IV funds for students who withdraw from an institution without going through an official withdrawal process. This policy would create a huge loophole that would encourage abuse in reporting withdrawals and recouping appropriate funds. It would reward institutions for unofficial withdrawals by students by giving those students the same amount of student aid as is given to students who complete the term. We also have some drafting concerns regarding this provision. We hope to work with you to adopt the Senate approach with some changes.

□Program integrity□

The Administration opposes a variety of provisions in the House version that would weaken program integrity. The House provision to allow proprietary institutions to include revenues from job training contracts as part of the requisite 15% of revenues from nonTitle IV sources would seriously undermine the intent of the 8515 rule, which was to ensure that eligible institutions are not primarily dependent on public monies to exist.

The House version also would vitiate the antiinjunction provision in current law. This provision prohibits injunctions against the Secretary that interfere with the Secretary's responsibilities in the loan programs. An institution with an official cohort default rate that would remove it from the loan programs still may receive loan funds during the course of its administrative appeal of its loss of eligibility, but if the institution loses its administrative appeal, its participation ends. The antiinjunction provision has prevented institutions whose loan eligibility has been terminated on the basis of high cohort default rates from receiving loan funds while they sue the Secretary over the termination. An institution still may receive loan funds during the course of its administrative appeal of its loss of eligibility, but if the institution loses its administrative appeal, its participation ends. We strongly believe that the institution should not be able to enjoin the Secretary to restore its participation during the course of a lawsuit. Without the current antiinjunction provision, these lawsuits could be used as a delaying tactic by unscrupulous institutions merely to obtain more loan funds. The antiinjunction provision has prevented millions of dollars of loan funds from going to high default schools that were properly terminated from the loan programs. It would undermine program integrity to undo this well-established precedent.

Body Text#XP\ P6QXP#□

□

The Senate version provides that schools with default rates of over 50 percent for three consecutive years would not be eligible to participate in the Perkins program. We believe this provision would be too lenient, and prefer a provision that would end participation for an institution with default rates of 25% or higher for three consecutive years. This change would standardize the cohort default rate cap across Federal student loan programs.

Body Text

Finally, we oppose the provision in the Senate version of the bill that requires the Department to calculate a program participation rate index for each institution subject to loan eligibility termination on the basis of high cohort default rates. The participation rate index is currently used in the mitigating ci

rcumstances appeals process, where the calculation is performed by the institut ion. The Department does not have data on the number of loaneligible students at each institution, and therefore cannot calculate the participation rate inde x for all institutions without imposing significant new reporting requirements on institutions for no substantial benefit.

□

Electronic exit counseling□

The Senate version of the bill would allow institutions to provide personalized electronic exit counseling for borrowers. While we believe that current statut ory language allows the use of technology for exit (and entrance) counseling, a nd the Department has been moving in this direction, we support this clarificat ion.

□

Campus security□

The Administration generally supports most of the changes made by the House and Senate versions of the bill. Both versions would require institutions to mai ntain open crime logs and expand the number of crimes that must be reported; we support these changes. They also contain language permitting disclosure of ca mpus disciplinary records. Both versions have drafting flaws that would underm ine their effectiveness and compromise legitimate privacy interests. We look f orward to working with the conferees to develop more acceptable language.

The Senate version of the bill clarifies and expands the definition of campus, so that institutions have to report crimes that take place on public property c ontiguous to the campus, e.g. sidewalks, and in any building owned by the insti tution or a student organization. This information is critical for students to know and will help provide a more accurate picture of crime on campus.

□Violence against women on campus□

We support the language in both the House and Senate versions of the bill that would authorize a grant program to prevent violence against women on campus. V iolence against women is a serious issue, and this program would help female st udents feel safer on their campuses. The Senate also authorizes a study of cam pus sexual assault policies, which would shed new light on the controversial is sue of how campus authorities handle sexual assaults.

□Quality assurance (QA) and experimental sites programs□

The House version of the bill would effectively end these two programs, replaci ng them with a "Regulatory Simplification Program" that would not allow for wai ver of statutory requirements, or provide for alternatives for administering th e programs. The Senate version of the bill does attempt to expand the areas in cluded in the QA program, but then undermines that expansion by specifically li miting waivers to verification, as is now the case in the current QA program. The Administration supports the inclusion of the waivers necessary to give effe ct to the expanded scope of the QA program included in the Senate version.

Body Text#XP\ P6QXP#□

□

The Senate version of the bill would make less drastic changes to the experimental sites program than the House version. The Senate version includes requirements that the Secretary review all projects and report to Congress his recommendations to streamline and improve student aid programs based on the projects (these reporting requirements would also be applicable t o the QA program). It is important that the experimental sites program be cont inued, as it has provided administrative relief to institutions with strong per formance managing the student financial assistance programs and has supported i mportant research into alternatives to current law and regulation. The provisi ons in the Senate bill for both programs are preferable to those in the House v ersion of the bill.

Body Text

Negotiated rulemaking

The House and Senate version of the bills are overly broad in scope and include unrealistic time requirements that would actually impede effective negotiated rulemaking. The Administration strongly opposes the requirement that all future Title IV regulations be subject to negotiated rulemaking regardless of their technicality or urgency, skewing resources away from the most important issues and generating unnecessary litigation, delay, and expense. We hope to work with Congress to develop a workable process for fashioning more focused and flexible regulations. That process should include the ability to negotiate with the higher education community to identify the issues to be subject to negotiated rulemaking.

Loan proration

We support the House versions language on loan proration. The House provisions move in the direction of the Administration proposal and would simplify proration by allowing it to be done proportionally for all types of loans affected.

Ability to implement regulations earlier

The Senate version of the bill includes the Administrations proposal to authorize the Secretary to designate regulatory provisions that institutions or other entities may choose to implement before the otherwise applicable effective date which, as required by the Master Calendar, includes a delay of at least seven months. These changes would provide the Secretary and program participants with greater flexibility.

Biennial review of regulations

The House version of the bill would require the Secretary to conduct reviews of regulations every two years. The Senate version also requires the Secretary to review regulations, but does not specify frequency. The Department already reviews its regulations regularly, and feels that either version of this provision would be an unnecessary and inappropriate intrusion upon the Secretarys authority and responsibility to manage the Department.

heading 3#XP\ P6QXP#Financial responsibility

heading 3 Style0#XX2PQXP##XP\ P6QXP#The House version of the bill contains confusing language that could be read to undermine the wellreceived financial responsibility regulations that the Department recently developed in close cooperation with the higher education community and to establish a dangerously low standard for the financial health of institutions participating in student financial aid programs. We oppose these provisions

Style0#C\ P6QP#

#XP\ P6QXP#Program review criteria

X` hp x (#!The Administration opposes the provision in both versions of the bill that would require the Department to prioritize program reviews based on criteria in statute, such as high default or withdrawal rates, or large fluctuations in Pell Grant and loan volume. This is unwarranted micromanagement. The Department selects its program review sites based on a probabilistic risk analysis model. While this model incorporates many of the criteria listed in the Senate provision, strict adherence to the provision would require the development of a new model and would remove all flexibility for the Department. We are confident that the current program review selection model effectively targets problem institutions while maintaining an element of randomness to promote broad program compliance.

!4

<DL!Student loan ombudsman

Body Text 2#XP\ P6QXP#The Senate version of the bill would establish a Student Loan Ombudsman Office to assist borrowers with problems with their student loans. We understand the desire to provide a place for students to go, if they ha

ve particularly complex student loan problems, or have been frustrated by other attempts to resolve these problems. This is the kind of customer-oriented activity that we would want a PBO to address, and we would prefer for the new Chief Operating Officer (COO) to determine its structure and mission. However, if the conferees intend to include statutory language regarding an Ombudsman, we would seek changes to the Senate provisions. For example, the relationships between the Secretary, the COO, and the ombudsman are very unclear, which would result in a substantial danger of poor coordination in providing services to students. We hope to work with Congress to look at the role and function of an ombudsman and to relate any such office appropriately to the PBO.

Body Text 2"heading 2#XX2PQXP##XP\ P6QXP# heading 2 heading 3#XP\ P6QXP#Graduate education heading 3 Style0#XX2PQXP##XP\ P6QXP#The House version would eliminate the Javits, Faculty Development, and Legal Training for the Disadvantaged programs, retaining only a modified Graduate Assistance in Areas of National Need (GAANN) program. The Senate version authorizes all of these programs with some changes: Javits and GAANN eligibility would be limited to students who demonstrate financial need; forwardfunding of Javits would be permitted; the Faculty Development Fellowship program would be redesigned; and Assistance for Training in the Legal Profession would be replaced by the Thurgood Marshall Legal Educational Opportunity Program. The Administration supports the House approach to consolidate all graduate programs into one, which is closer to the approach proposed by the Administration, with the addition of the Administrations provisions for students from underrepresented groups.

Style0

Teaching students with disabilities

We support the Senate version of the bills new program to provide competitive grants to colleges to improve teaching for students with disabilities. The grants would support technical assistance and training for faculty and administrators to enable them to effectively teach students with disabilities. Many more students with disabilities are now benefiting from higher education; the grants would help faculty members better reach these students.

heading 3#XP\ P6QXP#Advanced Placement

We are pleased that both versions of the bill would reauthorize the current Advanced Placement Fee Payment Program, the Senate with significant modifications. We prefer the Senate version of the bill; however, we recommend that the final bill clarify that any State in which all lowincome individuals are required to pay no more than a nominal fee to take advanced placement tests may use any remaining funds to increase the participation of lowincome students in Advanced Placement courses and exams through activities such as information dissemination, teacher training, and curriculum development.

The Senate version of the bill attempts to accommodate this recommendation in part, by permitting States to use up to 5 percent of grant funds to disseminate information about the program and by providing an exception to the supplement, not supplant rules when funds are used to increase the participation of lowincome individuals in advanced placement courses through teacher training and other activities directly related to increasing the availability of Advanced Placement courses. However, the supplanting language is very difficult to understand and inconsistent with the Senate committee reports description of the program.

Another problem with the Senate language concerns the provision that notwithstanding an appropriation, the Secretary shall award grants for this program only if the College Board funds its fee assistance program at no less than the level of the previous year. It is inappropriate for the behavior of a private organization to determine whether a nationwide Federal program, for which funds have been appropriated, can be carried out. We recommend that this language be eliminated.

nated, and that the conferees instead include report language recommending that members of the appropriations committees should consider whether the College Board and other private efforts are continuing their support.

□  
Education of the Deaf Act□

Body Text 2#XP\ P6QXP#The provisions in the House version that would reauthorize the Education of the Deaf Act include a provision to eliminate the 10 percent cap on enrollment of international deaf students. The current tuition charges for these students cover less than one-third of the educational costs related to their attendance, and the Administration is concerned about the high Federal cost of subsidizing these students. Elimination of the cap, without a corresponding increase in the tuition surcharge for international students, would result in resources being diverted from other university level programs to support these students. We support the provisions in the Senate version, which retain current law and add language clarifying that no qualified United States citizen shall be denied admission because of the admission of an international student.□

"  
Body Text 2"  
Proprietary school liaison□

The Senate version of the bill would establish a Liaison for Proprietary Institutions of Higher Education within the Department. The need for such a liaison has not been demonstrated. The Department works with many different kinds of schools, all with their own specific interests. To single out the proprietary sector for special representation is inappropriate and opens the door to a multitude of liaisons.

□□===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

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

TEXT:

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Dear Conferee:

I am pleased that versions of H.R. 6, a bill to reauthorize the Higher Education Act of 1965 (HEA), have passed both the Senate and the House, and I greatly appreciate the hard work that you and your staff have devoted to this important legislation. I am especially pleased that both versions of H.R. 6 have adopted the student interest rate on new loans at the level proposed by the Vice President last winter. This will help students better manage their postsecondary education debt and thus make college more affordable.

We now have the opportunity to work together during the conference deliberations to enact a strong bipartisan bill that will help more Americans prepare for and gain access to college, improve teacher recruitment and preparation, and promote better program management. In this work, we must all keep our focus on the goal of producing legislation that is grounded in sound educational and fiscal policy to provide maximum benefits to students. That is the ultimate purpose of the Higher Education Act.

The Administration is working with the Congress to resolve OMB/CBO cost estimating differences and develop mutually agreeable legislative language that would eliminate the risk of a Government-wide sequester as a result of its passage. However, there remain a number of other extremely serious issues which must be resolved in order for me to be able to recommend that the President approve the conference bill. These include ensuring that there are no reductions in the student aid administrative funds available to the Department to administer both the Federal Family Education Loan and Federal Direct Loan programs; and offering borrowers the same low interest rates on FFEL and Direct Consolidation loans.

I am confident that these and the other important issues presented by the the bills now in conference, and explained further in this letter and attachment, can be resolved in a manner that serves students well by our working together in good faith. This letter and its attachment highlight the issues in the HEA reauthorization that are of particular importance to the Administration.

Interest rates

I am pleased that both the Senate and House versions would lower the interest rates that students pay on new loans by .8 of a percent, as the Administration proposed. This reduction is a major accomplishment that will provide substantial savings for students. I am concerned, however, that many current borrowers are struggling with excessive debt, and need to have access to the lower interest rates as well. The final version of H.R. 6 should reduce the interest rate on FFEL Consolidation Loans so that it is the same as the rate applicable to Direct and FFEL student loans and Direct Consolidation Loans. This policy is consistent with our HEA reauthorization proposal to have the same low consolidation rates in both loan programs.

In order to provide the low consolidation rate for students in the FFEL program, it may be necessary to maintain current subsidies or adjust the offset fee to ensure that loans continue to be sufficiently profitable. At the same time, however, subsidies that both the House and Senate versions of the bill would provide to lenders in the Stafford and PLUS loan programs are too high, and I urge you to reduce or eliminate them.

Section 458

I remain adamantly opposed to any cuts in the student aid administrative funds available to the Department under section 458 of the HEA beyond those agreed to in last year=s balanced budget package. Both the House and Senate versions include such further decreases, and the House version would decrease section 458 funds even more substantially than the Senate version. Decreases in section 458 funds would impair the Department=s ability to administer effectively the FFEL and Direct Loan programs by threatening the Department=s ability to manage such activities as student aid application processing, student loan default collection, and the urgently needed modernization of student aid delivery systems.

Both the Senate and House versions would create a new loan processing and issuance fee to be paid to guaranty agencies from section 458 funds. I strongly support the Senate=s provision to cap this fee to better ensure sufficient funding for the efficient administration of the loan programs. However, the Senate=s decision to offset the amendment regarding need analysis determinations for veterans receiving G.I. Bill benefits with funds from section 458 undermines the Department=s ability to manage the loan programs. I hope to work with you to find a more suitable offset for this provision.

National Board for Professional Teaching Standards

While I understand that the language in H.R. 6 on the National Board for Professional Teaching Standards will be satisfactorily resolved, I want to reiterate my strong opposition to the House language, which would prohibit Federal funds from being made available to the National Board for Professional Teaching Standards. By defining standards of excellence for experienced teachers, the National Board helps to focus and upgrade

teacher training, recognize and reward outstanding teachers, and keep our best teachers in the classroom, where they are needed most. As both Houses have recognized in the teacher recruitment and preparation provisions of the HEA, attracting and keeping well-trained teachers in the classroom is a national priority and an essential step to increase student achievement. More than half the States and a growing number of school districts offer incentives to teachers to seek Board certification, and have made Board certification an integral part of their overall efforts to strengthen teacher quality. By ending Federal support for the Board's research and development, the House provision jeopardizes completion of the remaining professional standards and assessments, and undermines these vital State and local efforts. This is the wrong step to take at precisely the time when we must do everything possible to set the highest standards for our teachers.

### *High Hopes*

I am very pleased that both versions address the importance of early outreach to at-risk youth. The House version includes the Administration's proposal for High Hopes for College, while the Senate created a new AConnections@ program that incorporates certain elements of High Hopes and the National Early Intervention Scholarship and Partnership (NEISP) program. I look forward to working with the conferees to ensure that the final version of the program encourages colleges to partner with high-poverty middle schools, offers comprehensive services to all students at these middle schools, and is administratively feasible.

### *Teacher training and recruitment*

Both the House and Senate versions would authorize grants to States and local partnerships to reform and improve teacher training. The Senate version, which would divide funding equally between States and partnerships and would focus the partnerships on improving teacher education, offers a better chance at meaningful change than the House version, which limits partnerships' share of funding to 33 percent. Partnerships that involve colleges, teacher training programs, K-12 schools, and other entities will encourage more interaction among practicing teachers, aspiring teachers, and professors of education to better prepare teachers for 21<sup>st</sup> century classrooms than will State-level efforts.

I am pleased that the Senate version includes the Administration's program to recruit new teachers for underserved areas through partnerships between colleges and underserved school districts. The House version fails to include sufficient efforts to recruit new teachers in order to address the pressing need for teachers in disadvantaged urban and rural areas. I urge the conferees to adopt the Senate's program for teacher recruitment.

Both versions include accountability provisions that require State and institutional Areport cards@ on the quality of teacher education. While I endorse reporting requirements that will provide more information about the teacher training process, I am concerned about eliminating students from student aid eligibility for some programs based on the inadequate performance of others.

*Distance learning*

We have made significant progress on the issue of distance learning, and I am pleased that both the House and Senate versions include demonstration programs to accommodate the new technologies and innovations that can greatly increase access to postsecondary education. The House provisions, which would allow the Secretary to waive any need analysis or general provisions for a representative sample of institutions (or consortia of institutions), would provide more flexibility and opportunity than the Senate provisions. The Senate version would authorize the waiver only of particular statutory provisions and any need analysis or general provisions regulations for 15 institutions or consortia initially, to be expanded to up to 50 in the third year of the program. I urge the conferees to provide sufficient flexibility in the demonstration projects to allow for the development and support of high-quality distance education programs, as contained in the House version.

I am also pleased that the Senate version authorizes the Administration=s Learning Anytime Anywhere Partnership (LAAP) program, which would encourage partnerships to develop innovative ways of delivering education, ensuring quality, and measuring student achievement that are appropriate to distance education. I urge the conferees to adopt LAAP.

*PBO*

I am glad that provisions that would create a Performance Based Organization (PBO) for the administration of the student aid programs were included in both passed versions of H.R. 6. I prefer the PBO provisions in the Senate version, in part because these provisions explicitly provide for personnel and procurement flexibilities necessary for the successful operation of the PBO. I also ask that the conferees provide the PBO with buyout authority, comparable to that which the Congress previously provided to non-Defense agencies, to assist in transforming the organization to the new PBO structure.

### Year 2000

It is anticipated that all Department systems needed to deliver Federal student aid will be fully compliant with Year 2000 requirements no later than March 1999. However, the Department is still concerned that all of its partners and customers, particularly institutions of higher education, may not be able to ensure that all their data systems related to the delivery of aid are also compliant. In light of that concern, it is important that the final version of the bill authorize the Secretary to delay implementation of those provisions with significant systems implications if earlier implementation would jeopardize the ability of the Department, or its partners or customers, to ensure that their data systems are Year 2000 compliant. In utilizing such discretion, the Department would work in close consultation with the Office of Management and Budget and the House and Senate authorizing committees.

### Program integrity

There are numerous House and Senate provisions pertaining to program integrity, that, taken together, the Administration would regard as a serious weakening of current program integrity protections. These provisions include changes regarding program review criteria, financial responsibility, the anti-injunction provision and the A85-15@ rule.

Our concerns with these provisions are described in more detail in the attachment.

### TANF

The Senate version contains a provision amending the Temporary Assistance for Needy Families program (TANF). It would expand the type and length of education programs that may be counted toward a State's "work activity" participation rate. The provision would also extend the FY98 and FY99 exclusion of teen parents from the cap on education programs that may be counted toward a State's "work activity" participation rate to FY2000 and beyond. The Administration strongly supports the goals of enabling more welfare recipients to move from welfare to work and providing educational opportunities for those who do. We look forward to working with conferees to ensure that the final legislation keeps the doors of college open to all Americans while still maintaining the welfare law's strong work requirements.

### Pay-As-You-Go Scoring

The Omnibus Budget Reconciliation Act of 1990 requires that all revenue and direct spending legislation meet a pay-as-you-go requirement. That is, no such bill should result in an increase in net budget costs, and, if it does, it will trigger a sequester if not fully offset. Statements of Administration Policy on the two versions of the bill as reported out of committee indicated that each version had significant net costs. The Administration will estimate the costs and savings in the conference bill as reported at the appropriate time.

*DRAFT*  
3/18/10 10:15 AM

The Office of Management and Budget advises that there is no objection to the submission of this report to the Congress.

Yours sincerely,

Richard W. Riley

Attachment

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 12:07:51.00

SUBJECT: NYT welfare caseloads by race in weekly

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

It looks like you didn't include our item re: racial/ethnic composition of the welfare caseloads in the weekly last week. Do you want us to wait until we have more definitive answers (we're pulling all the eggheads together tomorrow). Here's what we submitted last week.

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

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## Weekly Report -- Welfare Reform Team

7/30/98

**Welfare Reform -- Minorities on Welfare Reform Caseload:** The New York Times report on the increasing share of minorities on the welfare caseloads highlights some important trends and issues that we will explore further. In the meantime, it's helpful to put the information in context.

First, the racial/ethnic composition of welfare caseloads has been changing gradually over the last 25 years: whites rose from 38 percent in 1973 to a peak of 42 percent in 1983 and have dropped steadily to 35 percent in 1997. The proportion of blacks has generally declined, from 46 percent in 1973 to 37 percent in 1997. As the New York Times points out, the most significant trend is the increase in the Hispanic portion of the caseload, from 13 percent in 1973 to 23 percent in 1997. However, this is not too surprising given the rapid increase in the Hispanic population overall. The question is how welfare reform may be affecting these historic trends. National data on the racial/ethnic characteristics of welfare recipients are only available through June 1997, so it is hard to gauge the impact of the past year when welfare reform efforts accelerated so rapidly. Some states have more recent data which they shared with the Times, and which may reveal more significant trends. It is also worth noting that the caseload data only tells who is currently on the rolls; it does not tell the rate at which different groups are entering and exiting.

Second, the number of white, black and Hispanic families receiving welfare have all dropped since 1994 (when caseloads peaked), but the rate of decline has been greater for whites than blacks, with an even slower decline for Hispanics.

	<u>94</u>	<u>97</u>	<u>% Change</u>
Whites 1.9M	1.4 M		-26%
Blacks	1.8M	1.5 M	-18%
Hispanics	1.0 M	.9 M	-9%

Third, the changes are more dramatic than the actual mix of who is left on the caseloads, at least on a national basis. While the story pointed out important trends, the conclusion that the composition of the caseload has changed dramatically seems unwarranted.

	<u>94</u>	<u>97</u>
Whites 37%	35%	
Blacks	36%	37%
Hispanics	20%	23%

Fourth, there is some encouraging evidence from Census data that the employment rates of former welfare recipients are *increasing* even faster for minorities than for whites (although the actual rates and the disparity between groups remains disturbing). Between 1996 and 1997, the percentage of all prior year welfare recipients who were employed in the next year increased by 28%. The increase was highest for blacks (33%), followed by Hispanics (22%) and whites (21%).

Finally, there is longstanding evidence that minorities on welfare disproportionately share characteristics that may make it harder to leave the rolls: lower education levels, lower marriage rates, larger families, employment and housing discrimination, and isolation from areas with jobs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 20:44:40.00

SUBJECT: Food Safety Talking Points

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

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

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

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

TEXT:

What the EO is

I've attached the draft of the EO that we gave out to the agencies. Briefly put, it establishes a food safety council co-chaired by secretaries of USDA, HHS, and either DPC or VP. It is charged with reviewing and making recommendations on the NAS report, presenting a unified food safety budget, and formulating a food safety plan.

What Glickman/Frazier may say and some Answers.

USDA: We should wait for the NAS report to come out, review it, and respond with what is right.

A. Three part answer (not artfully constructed but you will weave it together somehow)

1. Yes we agree. We should review the NAS in a thoughtful way and only do what makes sense from a food safety perspective. One of the most important things the EO does is set up a process to review NAS in a coherent way and report back to the President. It provides a structure to think long-term about what is the right thing to do on food safety.

2. But this is a good step even w/o the NAS report. We don't need the NAS report to know that we should have better coordination on food safety. We should be working off a unified food safety plan each year, and we should have a food safety budget that helps fulfill that plan. This year, HHS came to us and said they were thinking of not participating in a unified budget with USDA at all. That should not be up in the air each year. This is an interim step, but a useful one.

3. It also doesn't make sense to wait. For one thing, we have always been working ahead on food safety doing what we think should be done, not waiting for criticism that we know will come and then responding. Like the GAO report on nursing homes, it is better to be welcoming reform and instituting it rather than responding to a NYT story.

By waiting we will be inevitably in the position of having outside folks say whether we have gone far enough or not. The NAS is expected to recommend four options: a food czar, a new agency, designating one agency

as lead, or making one agency totally responsible for food safety. USDA would probably dislike each of their recommendations more than the Council, but if we wait we will be faced with the argument that whatever we do, we haven't done what they asked. The consumer groups that asked for this study want a single food agency with a food czar. Once the report is out, you give them that as the measuring rod.

It is also very likely that NAS will ask for more money to do a second report finishing up its recommendations on what to do. The same argument could be made that we should then wait for their second report.

USDA: This report is coming out on August 17th and will get lost.

A. Well, we should do what is right on the merits and the Council is the right thing to do even if the NAS does get no press. In addition, the report is now moved back to August 20th for release so the chance for press is increased. And any decent reporter will know how to play this -- there is a good chance it will get play.

USDA: This is a FDA power grab.

A. We don't see this as a way for FDA to get its hands on USDA money. We don't want that and don't want to go along with it.

{ You could note we have three co-chairs (DPC is one). We could argue we favor putting in an executive director who we thought should be Eric Olsen or someone who gets that this is about moving forward, not about reallocating resources. }

USDA: We don't think it will be that critical.

A. It may or may not get played as critical. But there will be plenty there. We've heard the NAS report right now says we need: a national food safety plan; a new budgeting system; a universally adopted food code; and there is not enough research; not enough standards (like milk); our epidemiological system is insufficient; statutory changes need to be made to harmonize regulations; USDA should involve more science; there should not be a mixing of food promotion and regulation within agencies; and a concern about dietary supplements. It will suggest potentially four options: including a food czar, an EPA like organization; letting either HHS or USDA be the lead agency or sole agency. It is the fodder for something critical. ===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D21]MAIL48533722Z.226 to ASCII,  
The following is a HEX DUMP:

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## **EXECUTIVE ORDER**

### **PRESIDENT'S COUNCIL ON FOOD SAFETY**

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to strengthen efforts to improve food safety for American consumers by establishing a President's Council on Food Safety, it is hereby ordered as follows:

#### **Section 1. Establishment of President's Council on Food Safety.**

(a) There is established the President's Council on Food Safety (Council). The Council shall comprise the Secretary of Agriculture, the Secretary of Health and Human Services, the Assistant to the President for Domestic Policy, the Senior Policy Advisor for the Vice President, and the Director of the Office of Science and Technology Policy. The Council shall consult with the Office of Management and Budget, the Environmental Protection Agency, the Department of Defense, the Commerce Department, and such other senior executive branch officials as the Council determines.

(b) The Secretaries of Agriculture and Health and Human Services shall serve as Co-Chairs of the Council. In consultation with other Council members, the Secretaries shall jointly designate an Executive Director for the Council. Council members may designate senior executive branch officials as their representatives.

#### **Section 2. Purpose.**

The purpose of the Council shall be to review the National Academy of Sciences report, "Ensuring Safe Food from Production to Consumption", and other reports on the effectiveness of the current food safety system, to review and improve ongoing efforts to develop and implement a science-based comprehensive strategy to improve the safety of the food supply, and work towards enhanced coordination among Federal agencies and with State, local governments and the private sector. The Council shall build upon the President's Interagency Food Safety Initiative and shall consult extensively with all concerned parties, including consumers, producers, industry, academia, and State and local governments.

#### **Section 3. Specific Activities and Functions.**

(a) The Council shall annually develop a unified food safety budget to eliminate duplication and ensure the most effective use of resources. This unified food safety budget shall include food safety surveillance, inspection, risk assessment, education, and research.

(b) The Council shall work to develop a science-based, unified plan for improving food safety from the farm to the table. The fundamental goal of the plan should be the establishment of a seamless food safety system, including the steps necessary to achieve this goal, and should consider key public-health, resource, and management questions facing Federal food safety

agencies. The plan should consider both interim and long term food safety issues, including new and emergent threats and the needs of vulnerable populations. The plan should include education, inspection, research, surveillance, and should also ensure effective coordination of Federal, State, local, and private resources to improve food safety, including public-private partnerships, where appropriate

(c) The Council shall oversee the operation of the Joint Institute on Food Safety Research, and shall ensure that the Institute focuses on addressing the high priority research needs identified in the unified food safety plan. The Council shall also ensure that the Institute issues a report annually and holds regular public conferences and meetings regarding food safety research developments and findings, including research conducted by the private sector and academia.

(d) The Council shall review the National Academy of Sciences report, "Ensuring Safe Food from Production to Consumption", and other reports on the effectiveness of the current food safety system. After providing opportunity for public comment, including public meetings, the Council shall report to the President with recommendations for appropriate additional actions to improve food safety. Any such recommendations should be in the context of the strategic planning effort of the President's Interagency Food Safety Initiatives.

#### Section 4. Cooperation.

All actions taken by the Council shall, as appropriate, further partnerships and cooperation with other public and private sector efforts wherever such partnerships and cooperation are possible and would further improve the safety of the food supply.

#### Section 5. Judicial Review.

This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers, or any person.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 22:50:56.00

SUBJECT: draft one pager for radio address

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

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

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

TEXT:

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

TEXT:

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## **Making Progress and Saving Lives** **August 8, 1998**

In his radio address to the nation, President Clinton will: (1) announce that, in 1997, the rate and number of alcohol-related fatalities dropped to their lowest levels since record-keeping began in 1975; and (2) renew his challenge to Congress to save even more lives by setting a nationwide drunk driving standard of .08 blood alcohol content (BAC).

### **Drunk Driving: Reaching A Historic Low**

- Fewest Alcohol-Related Deaths Since 1975. According to the Transportation Department's Fatality Analysis Reporting System (FARS), the rate of alcohol-related crashes fell from nearly 41% in 1996 to 38.6% in 1997 -- the first time since the Transportation Department began record-keeping in 1975 that the rate dropped below 40%. And since 1986, the overall number of alcohol-related fatalities has dropped by a third.
- Decline in Youth Killed by Drunk Drivers. The 1997 FARS data also shows that alcohol-related deaths among 16 to 20 year-olds dropped 5%. Reducing the number of young people killed in alcohol-related crashes has been a cornerstone of the President's effort to combat drunk driving.

### **Working to Make .08 the Law of the Land**

- Fighting for a Tough National Standard. President Clinton continues to challenge Congress to enact legislation that makes .08 BAC the legal limit for impaired driving. The President strongly supports bipartisan legislation that would give states three years to enact .08 legislation, or risk losing highway funds. Sixteen states have already adopted .08 laws: Utah, Oregon, Maine, California, Vermont, Kansas, North Carolina, New Mexico, New Hampshire, Florida, Virginia, Hawaii, Alabama, Idaho, Illinois, and Washington.
- Taking Executive Action on .08. Although Congress failed to enact .08 legislation as part of omnibus transportation legislation it recently passed, the President continues to lead by example. On March 3, 1998, he directed the Secretary of Transportation to work with safety groups, the States, Federal agencies, and others to develop a plan to: (1) make .08 BAC the standard on federal property; (2) work with tribes to make .08 the limit in Indian Country; and (3) launch an education campaign on the risks of drinking and driving. The Secretary recently submitted such a plan to the President, and he has accepted the Secretary's recommendations.

### **President Clinton: A Record of Leadership**

- Putting Safety First. Safety has always been President Clinton's highest transportation priority, and the decline in alcohol-related deaths announced today is a result of that commitment. This Administration's highway safety priorities include taking on drunk and aggressive driving, and increasing seat belt use.
- Zero Tolerance Now the Law in 50 States. In 1995, President Clinton fought for and signed legislation requiring states to have "zero alcohol tolerance" laws for youth by October 1, 1998, or risk losing highway funds. At that time, just 24 states and D.C. had zero tolerance laws. This past June, South Carolina became the 50th -- and final -- state to adopt a zero tolerance law.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 17:18:36.00

SUBJECT: Title IX and sexual harassment

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

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

TEXT:

Elena,

FYI. Yesterday, Eddie C. and I met with the DOJ and Dept. of Ed. to discuss where they are in developing leg. and/or reg. fixes for the Gebser decision. They are proceeding on three tracks:

1. The Dept. of Educ. is going to send a letter to Superintendants clarifying that the decision in Gebser does not change a school's obligations under Title IX re: sexual harassment (i.e., that school districts have to provide students with a discrimination-free environment as defined under their existing regulations). I am sending you a copy of the draft.

2. The Depts. of Educ. and Justice are continuing to work together to develop detailed guidance on a school district's Title IX obligations. They would like to issue this guidance in a couple of months. They will let us know when they have a draft.

3. The NAAG is putting out a guide to best practices in this area that will include a framework of how to understand harassment law generally (including racial, religious, and sexual harassment -- including sexual orientation harassment). They are scheduled to get this to DOJ soon, and are working to meet a publication deadline of the end of September. DOJ will share this draft with us when they receive it.

The advocacy groups want a legislative response to Gebser that will make it easier (b/c of possibility of money damages) for private plaintiffs to enforce Title IX. The National Women's Law Center has drafted legislation that would give students the same rights under Title IX that workers have under Title VII (except that this legislation, unlike Title VII, would not have damages caps). According to Justice and Ed., the groups want to try to attach this legislation to something this summer. The Depts. of Justice and Educ. are trying to decide whether they would recommend that we support this (or any other) legislative response to Gebser. They will keep us up to date as this process goes forward.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey A. Shesol ( CN=Jeffrey A. Shesol/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-AUG-1998 09:28:10.00

SUBJECT: Brady revised final -- Rahm's edits in bold

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

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

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

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

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

TEXT:

Revised Final 08/06/98 9:00am  
Jeff Shesol

PRESIDENT WILLIAM J. CLINTON  
REMARKS ON THE BRADY LAW  
THE ROSE GARDEN  
August 6, 1998

Acknowledgments: VP; Sec. Rubin; AG Reno; Sarah and Jim Brady; Officer Gerald Flynn, Internat□,l Brotherhood of Police Officers; Police Chief Bobby Moody, Pres. of Internat□,l Assoc. of Chiefs of Police; Sheriff Pat Sullivan, Nat□,l Sheriff□,s Assoc.; and all the law enforcement officials here today.

I want to thank Sarah and Jim Brady for all their hard work. For years, police, families, and the victims of violence waged the fight on their own for safe streets, safe homes, and safe schools. Washington sat on the sidelines. In 1993, we moved to the frontlines -- joining people like Sarah and Jim and the law enforcement officials we have here today.

Today I want to talk about the progress we□,ve made in our country□,s fight against crime and the steps we must take to build on that progress. More than five years ago, we made a commitment as an administration to recover our nation□,s streets from crime and violence, to provide security for America□,s families. It required a new, comprehensive strategy of law enforcement, based simply on what works: on community policing, strong anti-gang efforts, and targeted deterrence; on tougher penalties and smarter prevention.

Our strategy -- from the Brady Bill to the Crime Bill, from the assault weapons ban to the Violence Against Women Act -- is showing remarkable results. We are well on our way to putting 100,000 new police officers on the streets, ahead of schedule. All across America, violent crime is down, property crime is down, murder is down dramatically. Crime rates overall have dropped to a 25-year low. Americans should take pride and comfort in our steady progress.

The Brady Law, in particular, shows the progress America can make when we take responsibility for the safety of our families and our communities. Since the Brady Law took effect, gun trafficking and gun-related crime are on the wane. It is no wonder: according to a recent report by the Justice Department, background checks have put a stop to nearly a quarter of a million handgun purchases since the law took effect. Last year, 62 percent of those rejections were based on felony convictions or indictments. That's 118 felons a day turned away, thanks to the Brady Law. That's 118 felons a day going home empty-handed instead of well armed.

As we near the fifth anniversary of the Brady Law and celebrate its progress, we must continue to press ahead in the fight against crime and violence. We've begun to win the battle; what we must not do is retreat. Yet that is what the gun lobby and its allies on Capitol Hill would have us do -- retreat from a law that is keeping guns out of the hands of criminals, retreat from the national interest and surrender our safety to the special interests.

Now, before the Brady Law even goes fully into effect, the gun lobby and its friends in Congress are trying to undermine it. They claim to support the National Insta-Check System -- but would deny the FBI the funds it needs to make the system work. They claim to support background checks -- but would have the FBI immediately destroy records that are vital to the process. In their official literature, the gun lobby is proudly calling this measure what it is -- and I quote -- an "anti-Brady" amendment. From its anti-Brady efforts to its attempts to undermine the assault weapons ban, this Congress is trying to turn back the clock on common sense crime control. But let me be clear: I will oppose any legislation that would gut the Brady Law and put guns back into the hands of felons and fugitives. When we passed the Brady Law, we did so with bipartisan support. Now, Congress should again put progress above partisanship, step up to its responsibility, and stop playing politics with public safety.

Years of experience show that the Brady Law works, and now we must do everything in our power to make it even more effective. I have urged Congress to extend Brady background checks to violent juveniles who should not be able to buy a gun on their 21st birthday. Congress should also extend -- permanently -- the 5-day waiting period before it expires in November. Too many crimes are committed within hours of a handgun purchase. The waiting period gives tempers time to cool. It gives potential criminals time to consider the consequences, and gives local law enforcement officials time to check all relevant records, even those that are not computerized, and stop every last prohibited person from walking home with a gun in hand and violence in mind.

The 5-day waiting period is good law enforcement, it's smart, and it works. That's why Officer Flynn and others like him support a permanent extension. They know from experience that a waiting period is our last, best line of defense to keep guns out of criminals' hands.

The real measure of our progress, of course, is more than the decline in crime. It is whether families feel secure in their homes and their neighborhoods; whether a child feels safe in the classroom and the schoolyard; whether the American people, in big cities or small towns, feel the full measure of their freedom. That, at heart, is what the Brady Law has helped accomplish; and that is the vision to which we must all remain true if we are to build a safer, stronger America for the 21st

century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 18:21:24.00

SUBJECT: Draft weekly on sexual orientation exec order

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:

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

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## **SEXUAL ORIENTATION EXECUTIVE ORDER UPHELD**

The House blocked a measure, sponsored by Rep. Hefley, that would have prohibited funding to implement your May 28 executive order which prohibits discrimination based on sexual orientation in the federal civilian workforce. By a vote of 252 to 176, the House rejected arguments that this executive order would lead to affirmative action for gays and lesbians. Sixty-three Republicans joined 188 Democrats and the one independent in voting against the measure. The DPC, along with Counsel's Office and OPL, worked closely to ensure that House members had information to rebut arguments about special preferences. A recent Wall Street Journal/NBC News Poll showed that 72 percent supported the order against antigay bias in federal agencies, while only 20 percent opposed it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 11:59:33.00

SUBJECT: INS -- nats roll out

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

OMB has decided not to do a WH press statement re: nats plan.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 08:41:37.00

SUBJECT: Larry

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

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

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

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

TEXT:

Larry would like to attend today's briefing for the Crime Event at 10:05am  
in the Map Room. Pls let me know if there is a problem.

Peter Jacoby will not be attending. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-AUG-1998 19:24:46.00

SUBJECT: FICA

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Can you help us out here?

----- Forwarded by Mickey Ibarra/WHO/EOP on 08/06/98  
07:03 PM -----

Fred Duval 08/06/98 06:45:48 PM

Record Type: Record

To: Mickey Ibarra/WHO/EOP

cc:

Subject: FICA

In case it comes up, three Govs office have now called in to see if we have met our latest commitment of getting FICA done this week. It is apparent that we won't.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 10:16:43.00

SUBJECT: Riggs bilingual on floor today

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We expect Riggs to come up this afternoon, probably around 3:00. Here's the latest:

1. Democratic whip count looks pretty solid: no one has said they will vote for Riggs, only 4 are leaning toward Riggs, 8 undecided. I'm not sure how many no responses there are now, but Broderick and others think we are in solid shape on our side.
2. Riggs has a manager's amendment he is expected to introduce. It would free district's from complying with Lau guidelines if the state has a law that is inconsistent with it, and would prohibit districts from receiving federal funds if they are not in compliance with state law. Well suited for CA--but an interesting legal theory that allows state ballot initiatives to supercede Supreme Court decisions. Dems are hoping he proceeds with this amendment.
3. We don't have a good handle on Republican defections yet, though we know there are some from New Mexico, and anticipate some from Texas and Florida as well. Expect Riggs to pull the bill if he's in danger of loosing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 08:51:11.00

SUBJECT: Re: gannett reporter for story

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

READ:UNKNOWN

TEXT:

----- Forwarded by Laura Emmett/WHO/EOP on 08/06/98 08:51 AM -----

Amy W. Tobe  
08/06/98 08:50:20 AM  
Record Type: Record

To: Julia M. Payne/WHO/EOP  
cc: Laura Emmett/WHO/EOP, Barry J. Toiv/WHO/EOP, Beverly J. Barnes/WHO/EOP  
Subject: Re: gannett reporter for story

I second that emotion! And, I did enjoy reading the email traffic on this...it seemed uncertain, but, as always, Elena pulled through! Pls thank her for us. This stuff really helps. And we know how busy she is. Thanks again!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 22:16:58.00

SUBJECT: Summary of WTW Bonus Issues

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

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

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

TEXT:

The attached matrix may be helpful if you get a call from Jack Lew on WTW High Performance Bonus. It lays out DOL/OMB position on WTW, TANF approach, and our proposal for WTW.

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D38]MAIL41064722H.226 to ASCII,  
The following is a HEX DUMP:

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0A0A662FCE788DA4A95565AA9C540D9133AB13B70A270CA691BCC1B3DDFAA49B5F060E2CFF7B5E  
34160C56928D7980C3B8678C03CF4F9596BDD44A386B6B2560574FE7B5A2040BAB124F57291D78  
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7A672B191A7FFD4DEB8A30686AB4D8BB4E0B034F715DF599FD4EDCE787C32760BD903056C0B880  
0CFE3C860CC980661AED3097C34A3986F4ED6E65B8BFF15FD426AAE37936C2D3DBAA15C3FEF95B

**WELFARE-TO-WORK HIGH PERFORMANCE BONUS ISSUES**

	<b>DOL/OMB Proposal</b>	<b>TANF Guidance</b>	<b>DPC Proposal</b>
<b>Definition of Employment</b>	Unsubsidized (excludes wage subsidies and OJT paid with <u>WTW</u> funds). NOTE: DOL agreed that subsidies paid w/ TANF funds would not be excluded.	Unsubsidized and partially subsidized (excludes workfare and fully subsidized employment)	Same as TANF (include subsidies paid with either TANF or WTW funds)
<b>Job Entry Measures(s)</b>	1) "Job Entry Rate" (any job) 2) "Substantial Job Entry Rate" = jobs of least 20 hours per week (includes people who are counted in 1) and increase to >20 hours)	1) "Job Entry Rate" (any job)	Can live w/ two measures, but change 2) to 30 hours and rename it (so that there's an explainable difference between the two).
<b>Weighting</b>	<p>A: original proposal            35% Job Entry  <u>20%</u> Subst Job Entry  <b>55%</b>            30% Retention  <u>15%</u> Earnings Gain  <b>45%</b></p> <p>B: revised proposal            15% Job Entry  <u>20%</u> Subst Job Entry  <b>35%</b>            50% Retention  <u>15%</u> Earnings Gain  <b>65%</b></p> <p>Bottom line: at least 50% should be for Retention and Earnings.</p>	<p>40% Job Entry  <u>20%</u> Job Entry--Improvement  <b>60%</b></p> <p>25% Success in Workforce            (Retention &amp; Earnings)  <u>15%</u> Success in Wkfrce--Impr.  <b>40%</b></p>	<p>40% Job Entry  <u>20%</u> Subst Job Entry  <b>60%</b></p> <p>25% Retention  <u>15%</u> Earnings Gain  <b>40%</b></p> <p>Similar to TANF, and to DOL's original proposal.</p>

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 11:11:53.00

SUBJECT: Re: gannett reporter for story

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

READ:UNKNOWN

TEXT:

Thanks very much.

Elena Kagan

08/05/98 07:54:15 PM

Record Type: Record

To: Barry J. Toiv/WHO/EOP

cc:

Subject: Re: gannett reporter for story

it has now.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 14:23:25.00

SUBJECT: Weekly Health Care Strategy Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Jocelyn Neis ( CN=Jocelyn Neis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

TEXT:

We will be having the weekly Health Care Strategy Meeting at 4:00 p.m.  
TODAY.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 15:12:08.00

SUBJECT: DRAFT H1B SAP

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

Though it is still unclear whether the Republicans will bring their H-1B to the floor tomorrow, we wanted to be prepared with a SAP just in case. Attached is a draft of a veto SAP.

According to Peter, it is still possible that we can reach a deal with Abraham on a better bill. However, if they introduce the current version, we would likely want to send this up.

julie

----- Forwarded by Julie A. Fernandes/OPD/EOP on 08/06/98  
03:25 PM -----

From: Ingrid M. Schroeder on 08/06/98 03:06:49 PM

Record Type: Record

To: Julie A. Fernandes/OPD/EOP

cc:

Subject: DRAFT H1B SAP

DRAFT -- NOT FOR RELEASE

August 6, 1998

(House)

H.R. 3736 - Workforce Improvement and Protection Act of 1998  
(Smith (R) Texas and 3 cosponsors)

The Administration strongly opposes House passage of H.R. 3736, the Workforce Improvement and Protection Act of 1998, as amended. If this bill is presented to the President, his senior advisors will recommend that he veto it.

This bill is intended to respond to a skills shortage in the information technology industry by increasing the annual cap on the number of temporary visas for foreign specialty workers under the H-1B program. Regrettably, H.R. 3736, as amended, emphasizes providing opportunities for foreign workers rather than providing opportunities for and protecting U.S. workers.

The Administration supports sound and balanced legislative efforts to address shortages of skilled workers within certain sectors of our economy. The most important way to increase the availability of skilled workers must be to improve the skills of U.S. workers and ensure that employers seek U.S. workers first. While it may be necessary in the

short-term to increase the number of visas for temporary foreign workers, this must only be done in conjunction with additional efforts to increase the skill level of U.S. workers, including through enhanced training programs, and meaningful reforms to the H-1B program.

Although this bill provides for certain employers to attest to recruitment and lay-off provisions, the attestations are too weak to adequately protect U.S. workers and far too many employers are exempt from their obligations. Moreover, the bill, as structured, will not generate sufficient funds for increased training opportunities for U.S. workers. Finally, rather than strengthening enforcement to prevent employer abuses of the H-1B program, H.R. 3736, as amended, undermines some of the program's important enforcement provisions.

The Administration wants to work with the Congress to develop a bill that addresses the growing demand for highly skilled workers, while effectively protecting and promoting the interests of U.S. workers and enhancing the international competitiveness of important U.S. industries in a manner consistent with our international obligations.

\* \* \* \* \*

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sonyia Matthews ( CN=Sonya Matthews/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 6-AUG-1998 14:35:14.00

SUBJECT: community coll presidents

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

TO: Barry White ( CN=Barry White/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: Emil E. Parker ( CN=Emil E. Parker/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: Robert M. Shireman ( CN=Robert M. Shireman/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: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TEXT:

The following meeting will now start back at its original time at 9:00 am on Friday, August 7th in room 239. Thank you.

----- Forwarded by Sonyia Matthews/OPD/EOP on 08/04/98  
11:42 AM -----

Jon\_Weintraub @ ed.gov  
08/03/98 11:17:00 AM

Record Type: Record

To: Sonyia Matthews

cc:

Subject: community coll presidents

a group of community college presidents [who would be suitable for a follow up meeting as per our discussion] will be in town next week. they are available friday morning 8/7/98 between 8:30-10:00am.

can we set up a meeting at the white house for that time, and can you get a suitable room?

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
id <01J05ZAC99M8009SPH@PMDF.EOP.GOV> for matthews\_s@a1.eop.gov; Mon,  
3 Aug 1998 11:49:22 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
with ESMTTP id <01J05ZA9G9FK008S52@PMDF.EOP.GOV> for matthews\_s@a1.eop.gov;  
Mon, 03 Aug 1998 11:49:19 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])  
by STORM.EOP.GOV (PMDF V5.1-10 #29131)  
with ESMTTP id <01J05Z9FM618000QAT@STORM.EOP.GOV> for matthews\_s@a1.eop.gov;  
Mon, 03 Aug 1998 11:48:38 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.16.166])  
by vader.ed.gov (8.9.0/8.8.4) with SMTP id LAA18349 for  
<matthews\_s@a1.eop.gov>; Mon, 03 Aug 1998 11:52:03 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov  
(IMA Internet Exchange 2.12 Enterprise) id 001E90B5; Mon,  
03 Aug 1998 11:27:52 -0400

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 09:28:14.00

SUBJECT: Fax of new language from Dept of Ed re: Wellstone amendment

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Bruce, Pauline Abernathy left me a message saying you and Mike Smith spoke last night, and that they have faxed new language that they think accomodates both our and their concerns.

Bruce -- would you call me about this?

Cathy -- would you fax me what they sent?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 09:28:13.00

SUBJECT: Statement by the President: Hefley Amendment

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

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: Julia M. Payne ( CN=Julia M. Payne/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: 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

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

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

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

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

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

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

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

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

CC: Monica M. Dixon ( CN=Monica M. Dixon/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

READ: UNKNOWN

TEXT:

Thank you all for all the hard work we put into this victory. This is the first time in history that the Congress has voted to sustain civil rights protections for gay and lesbian Americans. The gay civil rights groups and our friends and supporters in the gay community are elated and enormously grateful to the President for his leadership.

----- Forwarded by Richard Socarides/WHO/EOP on 08/06/98  
09:10 AM -----

Elizabeth R. Newman  
08/06/98 09:03:50 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: Statement by the President: Hefley Amendment

THE WHITE HOUSE

Office of the Press Secretary

---

For Immediate  
Release

August 6, 1998

STATEMENT BY THE PRESIDENT

I am gratified that the House has defeated an attempt to overturn my Executive Order providing a uniform policy to prohibit discrimination based on sexual orientation in the federal civilian workforce.

This vote reflected the values of our nation. The American people believe in fairness, not discrimination, and the Hefley amendment would have legitimized government sponsored discrimination against its own citizens based on their sexual orientation.

It has always been the practice of this Administration to prohibit employment discrimination in the federal civilian workforce based on sexual orientation. Most federal agencies and departments have taken actions to memorialize that policy. The Executive Order does no more than make that policy uniform across the federal government. It does not authorize affirmative action, or preferences, or special rights for anyone.

The Executive Order reflects this Administration's firm commitment that the federal government make employment related decisions in the civilian workforce based on individual ability and not on sexual orientation.

-30-30-30-

Message Sent

To: \_\_\_\_\_  
Christine A. Stanek/WHO/EOP  
Lori E. Abrams/WHO/EOP

Laura K. Capps/WHO/EOP  
Steven A. Cohen/WHO/EOP  
Anne M. Edwards/WHO/EOP  
Rahm I. Emanuel/WHO/EOP  
James T. Heimbach/WHO/EOP  
David E. Kalbaugh/WHO/EOP  
Julie E. Mason/WHO/EOP  
Doris O. Matsui/WHO/EOP  
Elisa Millsap/WHO/EOP  
Cheryl D. Mills/WHO/EOP  
G. Timothy Saunders/WHO/EOP  
Laura D. Schwartz/WHO/EOP  
Douglas B. Sosnik/WHO/EOP  
Todd Stern/WHO/EOP  
Barry J. Toiv/WHO/EOP  
Michael Waldman/WHO/EOP  
Dorian V. Weaver/WHO/EOP  
Catherine T. Kitchen/WHO/EOP  
Lori L. Anderson/WHO/EOP  
Brenda M. Anders/WHO/EOP  
Richard Socarides/WHO/EOP  
Dag Vega/WHO/EOP  
Barbara D. Woolley/WHO/EOP  
Darby E. Stott/WHO/EOP  
Jake Siewert/OPD/EOP  
Cynthia M. Jasso-Rotunno/WHO/EOP  
Sara M. Latham/WHO/EOP  
Carole A. Parmelee/WHO/EOP  
Andrew J. Mayock/WHO/EOP  
Beverly J. Barnes/WHO/EOP  
Megan C. Moloney/WHO/EOP  
Jonathan Murchinson/WHO/EOP  
Joseph P. Lockhart/WHO/EOP  
Laura S. Marcus/WHO/EOP  
Virginia N. Rustique/WHO/EOP  
Thomas D. Janenda/WHO/EOP  
Brian D. Smith/WHO/EOP  
Leanne A. Shimabukuro/OPD/EOP  
Tracy S. Olmstead/OSTP/EOP  
Kim B. Widdess/WHO/EOP  
1=US @ 2=WESTERN UNION @ 5=ATT.COM @ \*ELN\62955104 @ MRX @ LNGTWY  
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BARBUSCHAK\_K @ A1 @ CD @ LNGTWY  
INFOMGT @ A1 @ CD @ LNGTWY  
JOHNSON\_WC @ A1 @ CD @ LNGTWY  
SULLIVAN\_M @ A1 @ CD @ LNGTWY  
SUNTUM\_M @ A1 @ CD @ LNGTWY  
WOZNIAK\_N @ A1 @ CD @ LNGTWY  
backup @ wilson.ai.mit.edu @ inet  
newsdesk @ usnewswire.com @ inet  
usia01 @ access.digex.com @ inet  
usnwire @ access.digex.com @ inet  
GRAY\_W @ A1 @ CD @ LNGTWY  
NAPLAN\_S @ A1 @ CD @ LNGTWY  
WEINER\_R @ A1 @ CD @ LNGTWY  
GRIBBEN\_J @ A1 @ CD @ LNGTWY  
RILEY\_R @ A1 @ CD @ LNGTWY  
tnewell @ ostp.eop.gov @ INET @ LNGTWY  
Joseph P. Lockhart/WHO/EOP  
Elizabeth R. Newman/WHO/EOP

Jordan Tamagni/WHO/EOP  
HEMMIG\_M @ A1 @ CD @ LNGTWY  
Kevin S. Moran/WHO/EOP  
Ashley L. Raines/OA/EOP  
Peter A. Weissman/OPD/EOP  
Douglas J. Band/WHO/EOP  
Edwin R. Thomas III/WHO/EOP  
Sherman A. Williams/WHO/EOP  
William W. McCathran/WHO/EOP  
Julia M. Payne/WHO/EOP  
Robin J. Bachman/WHO/EOP  
Ruby Shamir/WHO/EOP  
Nicole R. Rabner/WHO/EOP  
June Shih/WHO/EOP  
Elisabeth Steele/WHO/EOP  
Brooks E. Scoville/WHO/EOP  
Estela Mendoza/WHO/EOP  
Neera Tanden/WHO/EOP  
Reuben L. Musgrave Jr./WHO/EOP  
Kyle M. Baker/WHO/EOP  
Diane Ikemiyashiro/WHO/EOP  
Sarah S. Knight/WHO/EOP  
Tracy F. Sisser/WHO/EOP  
Woyneab M. Wondwossen/WHO/EOP  
Jeannetta P. Allen/WHO/EOP  
Judithanne V. Scourfield/WHO/EOP  
Karen C. Fahle/WHO/EOP  
Patrick E. Briggs/WHO/EOP  
Debra S. Wood/WHO/EOP  
Daniel W. Burkhardt/WHO/EOP  
Maureen A. Hudson/WHO/EOP  
Lana Dickey/WHO/EOP  
Carmen B. Fowler/WHO/EOP  
Jonathan Orszag/OPD/EOP  
Lynn G. Cutler/WHO/EOP  
Nelson Reyneri/WHO/EOP  
Julianne B. Corbett/WHO/EOP  
Eleanor S. Parker/WHO/EOP  
Sheelah A. Feinberg/WHO/EOP  
Walker F. Bass/WHO/EOP  
Virginia Apuzzo/WHO/EOP  
Glen M. Weiner/WHO/EOP  
Michael V. Terrell/CEQ/EOP  
Elliot J. Diringier/CEQ/EOP  
Kara Gerhardt/WHO/EOP  
Nanda Chitre/WHO/EOP  
Julie\_green @ ed.gov @ inet  
Amy W. Tobe/WHO/EOP  
Melissa M. Murray/WHO/EOP  
David S. Beaubaire/WHO/EOP  
bonney @ dnc.democrats.org @ inet  
Lisa J. Levin/WHO/EOP  
Phillip Caplan/WHO/EOP  
Katharine Button/WHO/EOP  
Michael A. O'Mary/OPD/EOP  
Douglas R. Matties/OA/EOP  
Eli G. Attie/OVP @ OVP  
wh-outbox-distr @ pub.pub.whitehouse.gov @ inet  
Sean P. Maloney/WHO/EOP  
Marsha Scott/WHO/EOP

Gino J. Del Sesto/WHO/EOP  
Jessica L. Gibson/WHO/EOP  
Jodi R. Sakol/OVP @ OVP  
Linda Ricci/OMB/EOP  
Mark D. Neschis/WHO/EOP  
Jeffrey A. Shesol/WHO/EOP  
Heather M. Riley/WHO/EOP  
Christa Robinson/OPD/EOP  
Brigham C. Smith/WHO/EOP  
Jonathan E. Smith/WHO/EOP  
Sarah A. Bianchi/OPD/EOP  
McGavock D. Reed/OMB/EOP  
Chandler G. Spaulding/WHO/EOP  
Marie-Therese Dominguez/WHO/EOP  
Janelle E. Erickson/WHO/EOP  
Delia A. Cohen/WHO/EOP  
Emory L. Mayfield/WHO/EOP  
Maureen T. Shea/WHO/EOP  
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BILLDEAN @ AOL.COM@INET  
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WNEIKIRK @ TRIBUNE.COM@INET  
dcburo @ latimes.com@INET  
deborin @ aol.com@INET  
halperm @ ccabc.com@INET  
jfcarney @ aol.com@INET  
mattizcoop @ aol.com@INET  
richgeorge @ aol.com@INET  
topurd @ nytimes.com@INET  
almitc @ nytimes.com@INET  
vftg64a @ prodigy.com@INET  
whdesk @ cqalert.com@INET  
stewart @ hearstdc.com@INET  
harrisj @ washpost.com@INET  
BAKERP @ WASHPOST.COM@INET  
mike.frisby @ news.wsj.com@INET  
jabenn @ nytimes.com@inet  
bakerp @ washpost.com@INET  
ropear @ nytimes.com@INET  
durham @ usia.gov  
broder @ nytimes.com@INET  
gerstij @ abc.com@INET  
jenda @ krwashington.com@inet  
rbrownstein @ usnews.com@inet  
rsimoncol @ aol.com@inet  
Bnichols @ usatoday.com@inet  
dmilbank @ tnr.com@inet  
mhall @ usatoday.com@inet  
spage @ usatoday.com@inet  
mcoope @ nwnet.newsweek.com  
kmmckiern @ aol.com@inet  
Noa A. Meyer/WHO/EOP  
BUDIG\_N @ A1 @ CD @ VAXGTWY  
tbrazait @ plaind.com

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 21:38:14.00

SUBJECT: Riggs/Bilingual Education bill

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

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

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

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

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

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

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

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

TEXT:

The Republican leadership pulled the bill from floor consideration this evening. There was excellent cooperation from our Democratic whip operation and lots of lobbying by the Hispanic Caucus against the bill. In fact, Democratic Committee staff believe the Republicans were worried about the vote. I think there was some truth to that but believe that it was the desire by Members to not stay late and to adjourn for the August recess that really prompted the bill to be pulled. JM



## **Concealed Weapons Legislation**

**Q: What is the Administration's position on the concealed weapons legislation that passed out of the House Judiciary Committee this week?**

A: There may be good reasons to allow retired and current police officers to carry their weapons on an interstate basis, and we intend to consult the law enforcement organizations and others on this issue. However, as we understand it, the bill's current language also allows the increasing number of persons with state permits to carry concealed weapon to similarly carry these weapons into other states. Frankly, we do not think that it is a good idea -- before the Brady Law is made permanent, and before the NICS system is implemented -- to allow millions of persons to carry concealed weapons throughout the country.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 09:32:02.00

SUBJECT: Tobacco update

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

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

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

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

TEXT:

Dallas called to say the Administration had sent a letter to China in April urging them not to put up false scientific barriers and that the time for talking was coming to an end. He'll bring a copy of the letter for Erskine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 18:04:41.00

SUBJECT: Senate Labor-HHS and Child Care

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

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

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

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

TEXT:

An update on child care in Senate Labor-HHS. Mary says that they are still planning to spend \$180 million. They may choose not to earmark the money for our programs (scholarships, standards, research), but instead may just add it to the block grant. She will keep us posted.

----- Forwarded by Jennifer L. Klein/OPD/EOP on 08/06/98  
05:42 PM -----

Nicole R. Rabner

08/05/98 06:37:08 PM  
Record Type: Record

To: Jennifer L. Klein/OPD/EOP, Neera Tanden/WHO/EOP, Elena Kagan/OPD/EOP,  
Bruce N. Reed/OPD/EOP  
cc:  
Subject: Senate Labor-HHS and Child Care

Mary Bourdette reported today that Specter's staff told her that the Senate Labor-HHS Appropriations subcommittee plans to fully fund our child care request in appropriations (the discretionary request included \$180 million of standards enforcement, research and evaluation, and scholarships). Since none of these new programs have authorizing legislation, Mary is puzzled but elated, and HHS staff is trying to work on appropriate language for this purpose, if we get that far.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 11:33:08.00

SUBJECT: NEED CLEARANCE: DC APPROPS HSE FLR SAP

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

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

TO: G. E. DeSeve ( CN=G. E. DeSeve/OU=OMB/O=EOP@EOP [ OMB ] )  
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: Michael Cohen ( CN=Michael Cohen/OU=OPD/O=EOP@EOP [ OPD ] )  
READ:UNKNOWN

TO: RUDMAN\_M@A1@CD@VAXGTWY ( RUDMAN\_M@A1@CD@VAXGTWY [ UNKNOWN ] ) (NSC)  
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: FARRAR\_J@A1@CD@VAXGTWY ( FARRAR\_J@A1@CD@VAXGTWY [ UNKNOWN ] ) (NSC)  
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: 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: Rosemary Evans ( CN=Rosemary Evans/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: 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 HOUSE FLOOR SAP FOR THE DC APPROPRIATIONS BILL. THE LANGUAGE IS IDENTICAL TO THE HOUSE RULES SAP RELEASED YESTERDAY EXECPT FOR TWO AMENDMENTS UNDER THE MICROMANAGEMENT SECTION: TOBACCO AMENDMENT & ADVISORY NEIGHBORHOOD COMMISSION AMENDMENT. FLOOR ACTION EXPECTED AT 2PM TODAY; PLEASE PROVIDE COMMENTS/CLEARANCE BY 1PM. THANKS.

H.R. 4380 -- DISTRICT OF COLUMBIA APPROPRIATIONS BILL, FY 1999  
(Sponsors: Livingston (R); Louisiana; Taylor (R), North Carolina)

This Statement of Administration Policy provides the Administration's views on H.R. 4380, the District of Columbia Appropriations Bill, FY 1999, as reported by the House Appropriations Committee.

The Administration appreciates the Committee's support in developing a bill that provides sufficient Federal funding to implement the National Capital Revitalization and Self-Government and Improvement Act of 1997 successfully. While the Committee bill is an improvement over the Subcommittee version of the bill, the Administration is deeply concerned about inadequate funding for the D.C. economic development initiative and objects to a number of provisions of the Committee bill, as described below. We urge the House to adopt a bill that addresses the Administration's concerns.

#### Economic Development Initiative

The Administration has requested \$100 million for an economic development initiative in the District of Columbia: \$50 million to capitalize the locally-chartered National Capital Revitalization Corporation (NCRC), \$25 million for critically needed management reforms authorized by the Revitalization Act and related to the city's economic development infrastructure, and \$25 million for Metrorail improvements that would support the Washington Convention Center project. We appreciate the Committee's action to provide \$25 million to support transportation improvements associated with the Washington Convention Center, as requested, as well as \$21 million for infrastructure improvements in the District. However, we regret that the Committee has provided no funding for critically needed management reforms or funding to capitalize the locally-chartered NCRC. The Administration strongly urges the Committee to appropriate additional resources for economic development.

#### Public Education

The Administration appreciates the Committee's full support of charter schools and other public schools in the District and supports the Committee's appropriation of \$20.4 million in Federal funding for D.C. charter schools.

#### Abortion

The Administration strongly opposes the abortion language of the Committee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations involving rape or incest. The Administration continues to view the prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

#### Micromanagement

The Administration opposes provisions of the Committee bill that would further restrict or otherwise condition management of the District Government, thereby undercutting the Financial Responsibility and Management Assistance Authority's (the Authority's) oversight and responsibility for the District's budget and financial condition. Further, the Administration is concerned about provisions that would undermine the responsibilities of the Superintendent of the District of Columbia Public Schools by legislating how local funds are used for salaries and pay raises.

Reducing teen smoking is a high priority of the Administration; therefore, we support the objective of the amendment made in order related to the possession of tobacco products by minors. However, for the same reason that Congress has not legislated specific laws for individual States, it would be inappropriate to do so for the District of Columbia. Presently, the District of Columbia law bans the sale of tobacco to minors under 18 years of age. We urge the House to modify this amendment to make it a sense of the Congress amendment.

The Administration understands that an amendment may be offered that would strike restrictions on funding the District of Columbia Advisory Neighborhood Commission. The Administration supports this amendment.

The Administration is committed to working with the House to produce a bill that will assist the District in its continued efforts toward financial recovery. We look forward to working with the House to address our mutual concerns.

#### Objectionable Amendments

The Administration understands that three amendments may be offered that would seriously undermine local control. If such amendments were adopted and included in the bill presented to the President, his senior advisers would recommend that the President veto the bill.

An amendment to provide for the use of private school vouchers in the District. We would strongly oppose any legislation allowing the use of Federal taxpayer funds for private school vouchers. Instead of investing additional resources in public schools, vouchers would allow a few selected students to attend private schools and would draw resources and attention away from the hard work of reforming public schools that serve the overwhelming majority of D.C. students. Establishing a private school voucher system in the Nation's Capital would set a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public.

An amendment that would prohibit adoptions in the District by couples that are unmarried or not related by blood.

An amendment that would prohibit the use of Federal and local funds for needle exchange programs and would prohibit private agencies from supporting needle exchange programs if they receive Federal or local funds (even if the funds used for the needle exchange programs are their own).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-AUG-1998 09:03:45.00

SUBJECT: Nats roll-out

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

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

TEXT:

I just got word from OMB about the roll-out of the Nats plan. First, INS (maybe including Doris) is going to meet with House and Senate staff tomorrow (Friday) morning. Doris is then doing an event in Alexandria in the afternoon. Also Friday afternoon, the President will issue a statement that outlines the plan. Finally, Jack Lew will call Rogers and ask for his assistance in getting the reprogramming money (\$171 million). OMB is taking the lead on drafting the President's statement, q&a, and Jack's talking points, but they want to work with us.

Also, FYI. CJS passed without an INS reform amendment.

julie