

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 036 - FOLDER -002**

**[08/10/1998 -08/11/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Maria Echaveste to Bruce Reed et al re Education Working Group [partial] (1 page)	08/11/1998	P6/b(6)
002. email	Bruce Reed to Elena Kagan. Subject: EO Issue [partial] (1 page)	08/11/1998	P2, P6/b(6)

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**COLLECTION:**

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

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**FOLDER TITLE:**

[08/10/1998-08/11/1998]

2009-1006-F

vz159

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### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-AUG-1998 12:10:27.00

SUBJECT: Patients' Bill of Rights Event Q&As

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

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

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

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

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

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

TO: Eleanor S. Parker ( CN=Eleanor S. Parker/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: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D47]MAIL430058429.226 to ASCII,  
The following is a HEX DUMP:

FF5750438A060000010A02010000000205000000EA2F000000020000525C88C088E1211E20152F  
C4279D64C1C17AD4BCCFD17A56E192A49095B36E679A2E8D90FBCD54B4C42FE261A1602D82C397  
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5A2C7C0D2F187854188BED063042A20749E3FB333ECA945BF91C4D87A46BB3E02FB32A2FEA72BE  
C4738CEC3674291C7F8A4A49958981BAF2B5ADA979882F2D7B2C61DCC75383436AC3530ECADE14  
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## PATIENTS' BILL OF RIGHTS Q&AS

**Q: The Republican and Democratic proposals are not that different. Aren't you just playing politics with this issue?**

A: No bill is acceptable if it excludes over 100 million Americans, and that is exactly what the Republican proposal does. We thought one thing that everyone agreed on was that all Americans should have basic patient protections. However, the Republican Senate proposal applies only to Americans in self-insured plans, excluding most Americans in small businesses and millions of other Americans from being assured these important protections. A recent *USA Today* editorial said it best: there are "100 million reasons the GOP health plans fails."

Both the House and Senate Republican Leadership proposals also have many other weaknesses that the President is outlining today. For example, they do not ensure that patients can see oncologists or heart specialists when they need to; they do not limit or require disclosure of dangerous financial incentives for doctors to limit patient care; and **they do not compensate patients who have suffered injury as a result of the wrongful conduct of health plans. Although, by any definition, the Republican Leadership plans fall short, the President remains committed to passing a strong patients' bill of rights this year, and hopeful that we will do so.**

**Q: By insisting that a bill allow individuals to sue their HMOs, aren't you making it impossible to pass legislation this year?**

A: No. The Administration consistently has stated that a right without a remedy is not a right at all. The right to sue in state courts is certainly one approach, but we continue to be open to other meaningful approaches that ensure recourse for patients who have died or suffered injury as a result of wrongful conduct by health plans. If Republicans are serious about patients' rights, they will work with us in ensuring that patients' bill of rights legislation includes this kind of effective remedy.

It is important to remember that HMOs are one of the few entities in this country that cannot be held accountable for wrongful actions. Americans harmed by bad apple physicians or sloppy manufacturers can be compensated. For some reason, current law prevents HMOs from being held accountable. We simply believe that is unacceptable.

**Q: Do you support the state-enforced remedies in the Democratic bill?**

A: The bipartisan Dingell-Ganske bill enforcement mechanism, which allows patients to bring actions against HMOs in state courts, is certainly one viable approach to giving injured patients an effective remedy. As we have stated before, we are open to considering other meaningful approaches to ensure that these patient protections are real.

**Q: What are other approaches that the Administration would accept?**

A: We are open to anything that will give injured parties adequate recourse, to ensure that these patients' rights are real. Some have suggested allowing actions against HMOs in federal courts, rather than state courts. Of course, the devil is in the details, and we would have to inspect such proposals closely. But the essential principle is clear: when a patient dies or suffers harm because of a health plans' actions, the family must get some type of effective remedy.

**Q: Isn't this legislation going to lead to a proliferation of lawsuits? Is that really what we need in this country -- more lawsuits?**

A: We believe that having a strong internal and independent external appeals process in place will address almost all patients' grievances and that very few cases will ever make their way into the courts. That is why all of the independent analyses of the Dingell-Ganske enforcement approach have been scored as costing so little -- between a dime and a dollar per month.

But it is critically important that this protection exist for the few patients who have been wrongfully denied care, notwithstanding the appeals process, and suffered grave harm as a result. Take, for example, a patient who is denied a critical mammography test recommended by her doctors and is later diagnosed with stage two breast cancer. Even if it is determined that the HMO was clearly at fault, current law provides that the patient can be compensated only for the cost of the test -- not for any subsequent treatment she will need and not for pain and suffering. We believe that patients of this kind, who have died or suffered injury because of the wrongful action of their health plans, ought to have some type of real compensation.

**Q: Some claim that millions of Americans will lose health coverage as a result of the patients' bill of rights. Is this true?**

A. Such claims are nothing more than scare tactics used by insurers and other special interests to try to stall and kill this important legislation. There are absolutely no independent, credible reports that these basic patient protections are going to increase significantly the number of uninsured.

In fact, there are many independent analyses showing that these patient protections will not have a dramatic impact on the cost of health care coverage. A new analysis by the Congressional Budget Office shows that the patients' bill of rights will have only minimal effects on premiums. The CBO estimates that these protections will increase health care costs by \$7 per month. In most cases, the cost to the individual would be only about \$2 per month.

**Also, the Kaiser Foundation has estimated that patient protections would increase health insurance premiums less than one percent (less than \$3 per family per**

**month), and** another Kaiser study released last week even found that allowing patients to sue their health plans would only increase premiums between three and 13 cents a month.

There is simply no reason to believe that this kind of cost of increase is going to cause millions of Americans to lose their health care coverage. This is why more than 150 consumer and health care provider organizations around the nation, all of whom are concerned about the number of uninsured, are supporting passing a strong, enforceable patients' bill of rights. These organizations certainly would not be such strong advocates of patients' rights legislation if they thought these concerns were valid.

**Q: What is the Administration's position on the Chafee-Graham patients' bill of rights proposal?**

A: We can pass good health care legislation only when we have strong bipartisan support. The legislation introduced by Senators Chafee and Lieberman does represent a bipartisan attempt to address the patients' bill of rights issue, and we welcome it for that reason. The legislation is not as strong as the Dingell-Ganske bipartisan bill and we are still reviewing its details, but it certainly merits serious consideration. Unfortunately, both the House and the Senate Republican Leadership are refusing to consider any bipartisan approaches to this issue. We hope that the Republicans reconsider this position, so that we can build on the bipartisan bills offered and pass a strong bipartisan patients' bill of rights this year.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-AUG-1998 16:28:14.00

SUBJECT: Spoke to Wellstone's staffer about TANF amendment

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

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

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

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

TEXT:

He had read our SAP language as a more positive statement about his amendment, and was disappointed to say the least about our "do not oppose" stance. He will continue to urge us to weigh in in conference. He asked if we would consider supporting as a compromise a provision which allows 12 months of postsecondary education or vocational education (without making both 24 months and without taking the teens out of the 30 percent cap). We have in essence in the TANF reg allowed this, since states define "vocatioal education" but more states would realize they had the option if it were in the statute. Thoughts, comments?

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-AUG-1998 11:34:05.00

SUBJECT: Response to Post HMO story

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Eleanor S. Parker ( CN=Eleanor S. Parker/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: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Michael Waldman ( CN=Michael Waldman/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: Bruce N. Reed ( CN=Bruce N. Reed/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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The following is a HEX DUMP:

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F2EB4A7F34BBA70F5611D346F9BDF64E10F39FC60BB4BF7A3213298D8D453D807C735271F756B1

**Q&As Response to *Washington Post* Managed Care Story  
August 10, 1998**

**Q: Do you stand behind the “horror stories” that you have highlighted in recent months?**

A: We certainly have no reason to doubt the extremely troubling story that David Garvey has told. It is important to note that these cases are almost always in dispute. Not surprisingly, even when the evidence is overwhelming to the contrary, we have yet to come across any HMO or health plan that has acknowledged their responsibility for any wrongful actions.

It is also important to note that we never cite a case that has not been validated by a credible, independent source.

**Q: Administration officials have said they are not confident with Ricka Powers’ story?**

A: First, this case was also referred to us by credible independent sources.\* Subsequent to the event, however, we received additional information, and it was impossible for us to completely validate some of the concerns that were raised. Because we could not fully validate some of the specific concerns raised, we have chosen not to repeat this story. However, that should not suggest to anyone that we are questioning Ricka Powers’ credibility or the horrible situation that she faces.

## **Background on Garvey Case:**

Claim: *The Washington Post* claims that Barbara Garvey had to be moved because the hospital she was at did not perform bone marrow transplants.

Response: Dr. Kaye Kawahara, the attending physician in Hawaii, said in her deposition in the Garvey case that she had recommended that a bone marrow transplant for Barbara Garvey be done in Hawaii. She testified that Queens Medical Center (where Mrs. Garvey was in an isolation room) does have a transplant center, and it typically shares the responsibility for transplants with St. Francis (a nearby hospital in Hawaii). She also said that Mrs. Garvey's transplant could be performed at St. Francis in conjunction with the Queens Medical Center. When told that the HMO would not pay for the transplant on site, Dr. Kawahara tried again to prevent Mrs. Garvey from traveling all the way back to Chicago, by suggesting that the transplant be done in Seattle because "the closer the unit was, the better for the patient." She also testified that the HMO doctor (Dr. Ghalie) said he expected the HMO would not approve a transplant anywhere in the country but Rush Hospital in Chicago.

Claim: *The Washington Post* claims that Garvey's doctor said she ignored advise that to come in for blood tests, instead traveling to Hawaii.

Response: Barbara Garvey was routinely treated for arthritis. She visited with a nurse for routine tests on May 23 and advised the nurse that she would be on vacation. She went on vacation on May 28. Tests came back on or about June 1st that indicated serious problems in low white blood cell count. According to Mr. Garvey, Mrs. Garvey received a voice mail asking her to come in for more tests. There was no mention of any results from any past tests, and there was no indication that this was an emergency rather than a request for standard tests. Regardless, the main dispute is around the cause of death. Once Mrs. Garvey was receiving critical care in Hawaii, she should not have been forced to take the return flight to Chicago, which she was not in condition to withstand, in order to receive needed care.

\* National Breast Cancer Coalition.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-AUG-1998 17:28:09.00

SUBJECT: Welfare Caseload Announcement

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

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

TEXT:

I spoke to Melissa again today. In an effort to positively influence the welfare anniversary stories, she suggested what sounds to me like a good plan:

Let MDRC release study on LA GAIN program (partially funded by HHS), which shows that this work first oriented program increased earnings and employment and reduced welfare costs. Based on 1996 data. MDRC will begin briefing reporters Aug. 13th, with Aug. 20th embargo.

August 22nd radio address to a) announce new caseload numbers b) refer to new positive LA study and c) announce \$1.6 million in HHS grants to promote job retention and advancement (would fund a national contractor to provide technical assistance on best practices to all states and would provide planning grants to 13 states). Backup plan: HHS leaks or releases information on 19th or thereafter to get in stories on the 20th or 22nd.

It turns out the 10-12 grants to states to study what happens to those who leave the rolls won't be ready until September, and Melissa suggested we might not want to shine a bright light on them (since we don't know what they'll find). She and I also thought that the CASA grants (HHS will fund substance abuse treatment and job training for welfare recipients in an additional city (the 11th)) was dicey, mainly because Joe Califano is not a welfare reform fan. She thinks Donna should do an announcement with Califano in September, which is "treatment works" month.

Shalala's schedule is difficult in the coming weeks, so Melissa's dropped the idea of getting her together with reporters.

What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:10-AUG-1998 16:13:03.00

SUBJECT: Re: Status of NICS User Fee (Brady Bill name checks)

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

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

TEXT:

We are preparing to get the NICS reg out by Wednesday -- last chance for  
alternative plans...jose

----- Forwarded by Jose Cerda III/OPD/EOP on 08/10/98  
04:11 PM -----

G. E. DeSeve

08/10/98 04:10:43 PM

Record Type: Record

To: Bruce W. McConnell/OMB/EOP, Jose Cerda III/OPD/EOP  
cc: robert l. nabors/omb/eop, adrienne c. erbach/omb/eop, victoria  
wassmer/omb/eop  
Subject: Re: Status of NICS User Fee (Brady Bill name checks)

NICS. By all means go ahead. Check with Justice and Jose on the desired  
roll out strategy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:10-AUG-1998 13:00:09.00

SUBJECT: Correction Officer Health and Safety Act

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

TO: Leanne A. Shimabukuro ( CN=Leanne A. Shimabukuro/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:  
BR:

Per my mention at today's staff meeting...jc3  
----- Forwarded by Jose Cerda III/OPD/EOP on 08/10/98  
12:58 PM -----

Todd A. Summers  
08/07/98 12:02:04 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Ronald E. Jones/OMB/EOP  
cc: Sandra Thurman/OPD/EOP, Richard J. Turman/OMB/EOP  
Subject: Correction Officer Health and Safety Act

I just spoke with DoJ's leg person handling this bill, and told her that we were leaning to recommending that the Administration's position move from "strongly oppose" to silent. Here is why we support that position:

The Policy

Requiring Testing

We do not want to support mandatory testing. We have always maintained that voluntary counseling and testing is adequate. That remains our position on a number of bills, including Rep. Coburn's. If we were to adopt a different stance for prisoners, it opens us up to charges of hypocrisy and deflates our argument on non-prisoners. Moreover, it could potentially be infused with racial connotations since prisoners are predominantly black men. Given the heat that the CDC, NAACP and others are putting on us for the racial disparities in the epidemic, it might be prudent to avoid a conflict here.

I understand that Rep. Waters has participated in amending this bill, so it is clearly on her radar screen. Her staff says that she's in a position of not actively opposing the bill. Rep. Pelosi's staff says the same.

That being said, we now test everyone on the way out of jail so the bill just moves up the inevitable. From a scientific perspective, that is better for prisoners since early detection and treatment of HIV is recommended. From a BoP policy perspective, the testing done on the way out is "voluntary" except that it's required as part of the package of things that must be done to be released. So BoP argues that they don't do mandatory or "forced" testing, but that's semantics.

The bill requires counseling, support, and care for all those who test HIV-positive. We think that's a good mandate, even if it may be redundant (BoP's principal objection to the bill, as I understand it). I think this works more to the advantage of correction officers, staff, and visitors than prisoners because the policy now is that prisoners get care if they're HIV-positive. (The President's Advisory Council on HIV/AIDS has been adamant that they believe that there is a difference between policy and practice at some Federal institutions, but we cannot confirm that and BoP says it's not true.)

The bill also provides that the Attorney General develop standards of care and prevention for States, which we think is good. State, county and local jails ought to be the object of far greater attention since the prevalence of HIV there is so much higher than Federal institutions. I think BoP and DoJ like this part of the bill.

#### Testing After Potential Exposure

HR2070 also requires testing, or re-testing, after an exposure by a prisoner to an officer, staff person, or visitor. This is hard to argue, particularly because there are now protocols for post-exposure prophylaxis that may be efficacious (not a lot of data yet). We like that the determination of whether the exposure risk was significant lies with DoJ/BoP and should therefore be based on scientific standards and not subjective fears ("he spit on me, I want him tested"). Universal precautions should minimize instances of exposure, and BoP encourages their implementation, but exposures are certainly possible.

#### The Unions

I've spoken with the leg. director for AFSCME, which represents some (100,000) of the correctional officers and have a call into SEIU, which represents others. AFSCME says this is a very big deal for the correctional officers, and they feel that the bill that passed is a significant improvement over the original draft that we strongly opposed. They are less concerned about our active support than they are about our active opposition--they'd be content if we moved from "strongly oppose" to silent.

This also makes BoP's objection that officer's are going to be put at risk during mandatory testing because they might have to hold prisoners down to take their blood. First of all, I am not convinced this is a significant issue for Federal prisoners. Second, if the officers' unions are supporting the bill, why are we objecting on their behalf?

#### Recommendation

We recommend that the Administration:  
remove it's strong opposition to the bill  
not actively oppose or support the bill  
indicate to Senator Hatch and others that we'll acquiesce to a Senate version that parallels that which passed the House, and that the Administration would strongly oppose a version that reverts to the original version of HR2070.

Please let me know if you have any questions.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-AUG-1998 08:37:24.00

SUBJECT: Update on LAPD Police Officer

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

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

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

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

TEXT:

fyi

----- Forwarded by Stephanie S. Streett/WHO/EOP on  
08/10/98 08:38 AM -----

Laura A. Graham  
08/09/98 06:39:33 PM  
Record Type: Record

To: Stephanie S. Streett/WHO/EOP, Stacie Spector/WHO/EOP, Christa  
Robinson/OPD/EOP  
cc: Charles J. Payson/WHO/EOP  
Subject: Update on LAPD Police Officer

The officer is not expected to live. They are basically waiting for all the family to come in before shutting off life support. There are 10 - 12 suspects in custody. There were multiple shots fired at the officer's car. Al Rutherford has asked his contact in LAPD and they say that we should still come and do the event. If he dies, the funeral would be Friday or Saturday. The President should call the family so we will get that information. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL) .

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

CREATION DATE/TIME:11-AUG-1998 15:30:25.00

SUBJECT: The piece I mentioned

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:

BILL'S MEA CULPA: THE MORRIS

DRAFT

By DICK MORRIS

DEAR Mr. President:

On Aug. 17 you must face the music and answer Kenneth Starr's questions before the grand jury. Before you do, you must face the country and explain what happened between you and Monica Lewinsky.

If your comments so far have been truthful, stick with them. But if not, come clean.

The national polls show that voters are eager to forgive, forget and move on. They believe that you had sex with Monica Lewinsky, believe that you lied about it, and don't much care. If they are right, just say so - and get it over with.

When you called me on the morning of Jan. 21 as the Monica story was breaking, I told you that there is a vast capacity for forgiveness in this land. It's still there. Trust it. Go with it. The last seven months have removed some of the shock and prepared people for what they suspect is the truth. What you might not have been able to say in January, you can say in August. But after the grand jury appearance, you will be out of options and can no longer correct what you have said.

If you let Aug. 17 pass without correcting any misstatements you might have made, you will be stuck as surely as Carter in the hostage crisis, Johnson in Vietnam, Reagan in Iran-Contra and Nixon in Watergate. As we've discussed many times before, only when presidents hunker down and get stuck can they be hunted, tracked down and destroyed. I do not believe you have any choice but to speak out if the facts are different from those you have

outlined. You are out of options.

David Kendall may advise against speaking out. But he's only a lawyer and you are much more than a client.

Hillary may worry that her public acceptance and amplification of your denials have left her irretrievably committed and that a change in your position would also leave her exposed to ridicule for blaming this all on a "vast right-wing conspiracy." But she understands forgiveness better than you or I ever will. You must do what you must do.

So here's my draft of what I think you should say to the country, if the facts warrant it.

\*

\*

\*

My fellow Americans -

Tomorrow I will face a grand jury and give a full and complete account of my relationship with Monica Lewinsky. But tonight I want to tell you about it first.

Before I was elected, I told you that I had sometimes been the cause of pain in my marriage and that I regretted my mistakes. Since my election, I have tried hard not to err, but sometimes I have fallen short. Sometimes I have sinned. Specifically, I have had a relationship with Monica Lewinsky that was, on occasion, sexual.

When I was asked about it in the deposition in the Paula Jones lawsuit - a suit which the court has thrown out as without merit - I felt remorse and shame and misrepresented the nature of my relationship to spare my wife and family more pain. As you know, I cannot run for president again. So, political considerations were not foremost in my mind. My main concern was not to let my failing inflict any more anguish on those I love.

In my subsequent comments to you, I was less than candid and I deeply regret it. All I can say is that I sinner. I erred. I was flawed and I ask for your understanding and forgiveness. I should not have had a relationship with Ms. Lewinsky - the fault is mine, not hers - and I should have been more honest with you in admitting it.

I have always tried to level with you as we have

faced the crises and difficulties of the past six years. When we needed to pull together after Oklahoma City, when we had to control hand-guns to reduce crime, when we needed to cut spending and balance the budget, when we had to send peacekeeping troops abroad - I have always tried to explain honestly and forthrightly what the situation was that we faced. I am sorry that I did not bring the same integrity to my exposition of my private life.

When I ran for president, I promised to do a good job. Your affirmation in re-electing me indicates that you feel I have done my best. But I never hold myself up as more or less than a human being in my personal life who sometimes makes mistakes. I need God's love and grace about as much as the next man.

I hope you forgive me. I hope you recognize in me a man trying to change his ways. If you extend to me your trust, I will not abuse it again. But it is mainly the forgiveness of my family that I want. What I did was private and not political. My failings were personal and human. It is from those that I love the most that I need the most understanding and compassion so I can get on with my life with my family.

If you want me to serve out my term as president, I will. If you find the forgiveness that I know is in your hearts, then together we can finish the task of building a bridge to the next millennium. The decision, my fellow Americans, is yours.

Good night and God bless America.

\*

\*

\*

Once before in our relationship, after your defeat as Governor of Arkansas, I advised you that contrition and apology were the only possible courses to follow. The voters of America will extend to you their compassion and grace. Americans are a people steeped in the Judeo-Christian recognition that we are all flawed, that only he who is without sin is entitled to cast a stone. Trust them. And may the force be with you.

MORE COMMENTARY

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 09:13:44.00

SUBJECT: hi there

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

READ:UNKNOWN

TEXT:

The more I think about Chris's calls for brainstorming meetings, the less clear I am about its purpose:

1. Is the thinking that POTUS will put out a race book sometime this fall with "bold new proposals" in education, crime, etc? If so, how would this fit with (1) last year's bold new proposals that haven't been enacted yet (e.g., class size, zones) (2) the bold ideas from the year before that haven't been enacted yet and may or may not be before Congress adjourns (e.g., school construction, America reads), (3) the bold new ideas we will invent this Fall, as part of the Budget process, and as part of the effort to reauthorize all federal K-12 education programs? Brainstorming without understanding how what we do would fit into this context isn't going to get us very far.

2. I know from my brief conversation with him that Chris is thinking about Presidential challenges to states along two related lines: (1) school finance equity and (2) opportunity-to-learn standards, by which he means having states in some fashion define and guarantee to provide the necessary inputs to education (qualified teachers, textbooks/ computers, safe buildings, etc.). Do you know if he has anything else in mind?

3. More generally, is there any guidance on the extent to which this book is supposed to be programmatic vs bully pulpit?

----- Forwarded by Michael Cohen/OPD/EOP on 08/11/98  
09:02 AM -----

"Christopher Edley, Jr." <edley @ law.harvard.edu>  
08/11/98 08:22:18 AM

Record Type: Record

To: Elena Kagan/OPD/EOP, Michael Cohen/OPD/EOP

cc: Maria Echaveste/WHO/EOP

Subject: hi there

I'm anxious about getting the brainstorming efforts on crime and education going this week. I'm in Boston on Wednesday, back Wednesday evening.

We don't have tons of time, but DPC has the lead on these issues, so . . .

.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 10:10:24.00

SUBJECT: Food Safety

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

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

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

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

TEXT:

Attached is the draft EO for a food safety council. We've received comment from OMB, USDA, OSTP. The major issues are: including the vision statement, sunseting the council, and the scope of the budget that gets submitted by the council. Changes from the original draft are in bold, and I've briefly summarized the changes below. O'hara at HHS called Monday after returning from vacation and said he would like to submit as well.

We've discussed trying to have this ready for the 8- 19/20 when NAS comes out. The other big issue we need to resolve is whether the VP wants to be the third co-chair. (I think he preserves his ability to intervene selectively by not being on the council.)

1. Introduction: We added the "vision statement" as preamble. USDA, NPR (Jean), and EPA all mentioned that they would like to do this independantly as a FR notice with hearings on the vision statement topic. I think we should either combine it into the EO or wait and do this at some other later time.

Also, OSTP suggested this science-based language in the introduction.

2. Sections I(a)(b): we added a third joint chair (TBD), and put EPA and OMB on the council. Also a provision suggested by OSTP to provide staff as necessary.

3. Section 2, Purpose: OSTP suggested making it less a review of NAS and more towards developing a long-range plan taking into consideration the NAS report. We added preparing an annual budget as one of the purposes.

4. Section 3: OSTP suggested a deadline for developing the food safety plan. I've added space for a due date.

section (c): OSTP wanted the council to "establish" the research institute, we changed it back to "oversee" as it already is supposed to be established under previous presidential action. we did add their lanaguage about working with NSTC

5. Section 4: USDA wanted the section to include states.

6. Section 5: There was a general request for a sunset in this section. I didn't add it because i felt that the council should go out of business when it recommended a better coordinating mechanism -- but that in the absence of a better way, we shouldn't mandate its demise. =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D49]MAIL43967552C.226 to ASCII,  
The following is a HEX DUMP:

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13489973C1A95635D9E6E015F68A393C494A6E91AC1ACFF8025284E86B9C138C0B93BCB67307A

## EXECUTIVE ORDER

### PRESIDENT'S COUNCIL ON FOOD SAFETY

Draft 8/10/98, 5 pm

#### Introduction

Recently, representatives of the several federal agencies who work on food safety issues met and drafted a statement expressing a vision of what our nation's food safety system should accomplish. While we have already made great progress towards making our nation's food safer, this positive statement sets out goals to improve our food and our regulatory system still more. Specifically, it sets out the following vision of what the future should hold: "Consumers can be confident that food is safe, healthy, and affordable. We work within a seamless food safety system that uses farm to table preventive strategies and integrated research, surveillance, inspection, and enforcement. We are vigilant to new and emergent threats and consider the needs of vulnerable populations. We use science and risk-based approaches along with public-partnerships. Food is safe because everyone understands and accepts their responsibilities." In order to help translate this vision into reality, I hereby issue the following Executive Order.

By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the safety of the food supply through science-based regulation and well coordinated inspection, enforcement, research and education programs, 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, **the Assistant to the President for Science and Technology, the Administrator of the Environmental Protection Agency, and the Director of the Office of Management and Budget.** The Council shall consult with other Federal agencies, State and local government agencies as well as with consumer and producer groups, as appropriate.

(b) The Secretaries of Agriculture, Health and Human Services, and **the XXX shall serve as Joint Chairs of the Council.** In consultation with other Council members, the Joint Chairs shall designate a **council coordinator and provide staff with assistance from other members of the Council and as authorized by law provide necessary additional staff and administrative support.** Council members may designate senior executive branch officials as their representatives.

#### Section 2. Purpose.

**The purpose of the Council shall be to develop a long-range plan for Federal food safety activities taking into consideration the findings and recommendations of the NAS report “Ensuring Safe Food from Production to Consumption” and other input from the public on how to improve the effectiveness of the current food safety system. The Council shall make recommendations to the President on how to advance Federal efforts to implement a science-based comprehensive strategy to improve the safety of the food supply and to enhance coordination among Federal agencies, State and local governments, and the private sector. The Council shall oversee the presentation of an annual unified food safety budget proposal that will be submitted to the Office of Management and Budget**

### Section 3. Specific Activities and Functions.

**(a) The Council shall in X months develop a comprehensive Federal food safety plan that contains specific recommendations on needed changes. Specifically, the plan should identify changes in existing programs, administrative policies, and laws that must be enacted to achieve a seamless and science-based food safety system from farm to table. The planning process should consider both short and long-term issues including new and emerging threats and the special needs of vulnerable populations such as children and the elderly.**

**(b) The Council shall annually develop a food safety budget that sustains and strengthens existing capacities, eliminates duplication, and ensures the most effective use of resources for improving food safety, including developing a unified budget for the President’s Food Safety Initiative and such other food safety issues as the Council determines appropriate.**

**© The Council shall oversee the Joint Institute of Food Safety Research (JIFSR) and in consultation with the National Science and Technology Council and through JIFSR shall establish mechanisms to direct Federal research efforts toward the highest priority food safety needs in regulation and food production, processing, and distribution.**

### Section 4. Cooperation.

All actions taken by the Council shall, as appropriate, further partnerships and cooperation **with states** and 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. General Provisions.

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: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-AUG-1998 10:53:35.00

SUBJECT: SCHEDULE UPDATE

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

TO: WEINSTEIN\_P@A1@CD@VAXGTWY ( WEINSTEIN\_P@A1@CD@VAXGTWY @ VAXGTWY [ UNKNOWN ] ) (O  
READ:UNKNOWN

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

TEXT:

The Vice President is on vacation this week, and will not be doing any public events. Also, it is not definite that the President will do a message event on Friday. Currently, the only public event scheduled for the President this week is tomorrow -- he is going to Andrews AFB to greet the arrival of the bodies of the Americans who died in the bombings in Africa. I think it is a pretty safe bet that elder abuse will be scheduled for Friday, but right now it is not.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Christopher Edley, Jr." <edley@law.harvard.edu> ( "Christopher Edley, Jr."

CREATION DATE/TIME:11-AUG-1998 08:30:42.00

SUBJECT: hi there

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

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

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

TEXT:

I'm anxious about getting the brainstorming efforts on crime and education going this week. I'm in Boston on Wednesday, back Wednesday evening.

We don't have tons of time, but DPC has the lead on these issues, so . . .

.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-AUG-1998 18:44:00.00

SUBJECT: Crime Announcements Update

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

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

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

TO: Christa Robinson ( CN=Christa Robinson/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:  
BR, et.al.:

Spoke to Cabinet Affairs and the agencies. Here's the update...

Police Corps, the Local Law Enforcement Block Grant, and the National Registry are being held for now. We may not, however, be able to hold Police Corps past next week -- and we may not want to do the block grant as a stand-alone announcement (as opposed to being coupled with -- and helping carry out story on -- something more in sync with our message, cops, police corps, etc.).

As for the GTO reg, Treasury has said it simply won't be ready for Tuesday, maybe September.

I have these and other crime-related events on the schedule for Rahm to take up at the weekly crime meeting.

Jose'

As for the

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 18:31:34.00

SUBJECT: tomorrow's crime meeting agenda

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

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

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

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

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

Unable to convert ARMS\_EXT:[ATTACH.D41]MAIL446613627.226 to ASCII,  
The following is a HEX DUMP:

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## **Crime Meeting Agenda August 12, 1998**

### **Upcoming Events**

- \* 8/15 -- Drunk driving radio address
- \* 8/22 -- Early Warning Guide radio address
- \* 10/15 -- WH Conference on School Safety

### **Other Pending Events**

- \* GTO money laundering regulation not ready for 8/18
- \* 8/25 -- HHS Household Survey/ Drug-Free Communities grants
- \* Elder abuse/fraud event -- early September
- \* Miscellaneous DOJ grants: Police Corps, Block grants, national registry, COPS/schools

### **Pending Items**

- \* Proposed rule on NICS/Brady implementation
- \* Teen drug testing/driver's licenses pilot

### **Legislative**

- \* Juvenile crime -- September Senate floor action possible
- \* Appropriations
- \* Drugs
- \* Concealed weapons

### **Miscellaneous**

- \* Other releases, DOJ reports
- \* Follow up to Rendell meeting

**Automated Records Management System  
Hex-Dump Conversion**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 14:09:39.00

SUBJECT: FW: Police Corps

TO: Patricia M. Ewing ( CN=Patricia M. Ewing/O=OVP @ OVP [ UNKNOWN ] )  
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: Elena Kagan ( CN=Elena Kagan/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: Kris M Balderston ( CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TEXT:

This is background information on the grants and states receiving money.  
I have asked DOJ to postpone this announcement until later in the month or  
early September. They will get back to me today.

----- Forwarded by Jon P. Jennings/WHO/EOP on 08/11/98  
02:06 PM -----

"Avery, Kevin" <Kevin.Avery2 @ usdoj.gov>  
08/11/98 12:09:41 PM

Record Type: Record

To: Jon P. Jennings/WHO/EOP  
cc:  
Subject: FW: Police Corps

-----Original Message-----

From: Avery, Kevin  
Sent: Friday, August 07, 1998 12:26 PM  
To: 'jon\_p.\_jennings@oa.eop.gov'  
Subject: Police Corps

Jon --

We may make the announcement later in the week. In the meantime, here is a description of the program:

Police Corps is a recruitment program designed to encourage college students and graduate students to pursue a career in the law enforcement field. Participating students can receive up to \$7,500 per year to cover education expenses. Upon graduation, students serve in a law enforcement agency for four years. States apply to the COPS Office to participate in the program.

The states that have been selected for this year's funding, the number of students, and the dollars allocated are (THESE ARE PRELIMINARY):

Arkansas (10 students; \$361,000); Kentucky (15; \$532,500); Maryland (20; \$910,000); Mississippi (45; \$2 million earmarked in FY '98 appropriation); Missouri (15; \$572,500); North Carolina (15; \$597,500); Oregon (20; \$926,000); South Carolina (20; \$947,500); Texas (20; \$756,720). Each of these states are currently participating in the program.

The following states are new participants in the program for this year: Colorado (20; \$865,000); Florida (30; \$1,595,500); Illinois (20; \$677,500); Massachusetts (20; \$730,000); Oklahoma (20; \$850,500); Utah (30; \$1,595,800); Virgin Islands (10; \$465,000).

Let me know if you have any questions.

KJA

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 11:16:24.00

SUBJECT: Weekly Crime Meeting

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

TO: Audrey Choi ( CN=Audrey Choi/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

TO: GALLEGOS\_S ( GALLEGOS\_S @ A1 @ CD @ VAXGTWY [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: NELSON\_J ( NELSON\_J @ A1 @ CD @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

TEXT:  
MEMORANDUM TO DISTRIBUTION LIST

FROM: Bruce Reed  
Assistant to the President for Domestic Policy

SUBJECT: August 12, 1998 CRIME MEETING

On Wednesday, August 12, at 10:00 a.m. in Room 211 of the Old  
Executive Office Building, we will hold the weekly crime meeting.

Thank You.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 11:30:35.00

SUBJECT: NAS report news story

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

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

TO: Morley A. Winograd ( CN=Morley A. Winograd/O=OVP @ OVP [ UNKNOWN ] )  
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:

1. says won't be single agency, but will urge cooperation
2. may be seen as encouraging us to take resources from usda for fda.

Science panel unlikely to back one U.S. food agency

By Julie Vorman

WASHINGTON, Aug 10 (Reuters) - A National Academy of Sciences panel will recommend more cooperation but no major changes in how a dozen U.S. federal agencies regulate food safety, a food manufacturers group said Monday.

The panel, which was asked by Congress to study how the safety of meat, poultry, seafood, fruits, vegetables and other foods are regulated, has a Saturday deadline for issuing its long-awaited report.

Public interest in the issue has been keen since the record recall of more than 25 million pounds of tainted ground beef last year and a series of high-profile food poisoning cases.

Although a draft report prepared by the National Academy has been kept under close wraps, Rhona Applebaum, a vice president of the National Food Processors Association, said the report is likely to call for a more focused food safety policy that all existing agencies can use.

"We feel very comfortable they are not going to recommend an agency similar to the Canadian food agency, or a single omnibus agency," Applebaum said. Instead, the report will urge more sharing of resources and cooperation among agencies, she said.

The National Academy panel is led by Dr. John Bailer of the University of Chicago, with a dozen members from other U.S. universities, a world-renowned food safety expert from the Minnesota Department of Health, and a scientist from General Mills. Panel members have declined to discuss their report before it is given to Congress.

At a public meeting last spring, several food industry groups urged the panel not to dismantle the current system of food regulation and create another bureaucracy.

David Kessler, the former head of the FDA who is now the dean of Yale University's medical school, is among those who have spoken in favor of a single food safety agency. Consumer groups have endorsed the idea to get consistent regulations and end turf battles between agencies.

"With so many bureaucrats in the kitchen, breakdowns can and do occur," said Caroline Smith deWaal of the Center for Science in the Public Interest. "Inspectors from the USDA inspect every meat and poultry processing facility every day, but the FDA inspects other facilities on average once every 10 years."

Democrats have introduced a variety of food safety legislation, including a bill that would create a new agency dedicated to safeguarding the nation's food supply. The bill's sponsor, Sen. Dick Durbin of Illinois, acknowledged earlier this year that the legislation had little chance of being passed.

Currently, the farmer-friendly U.S. Agriculture Department oversees meat and poultry safety while the Food and Drug Administration, perceived by some as more consumer-oriented, has jurisdiction over processed foods, fruits and vegetables.

The Commerce Department handles some seafood issues, the Environmental Protection Agency regulates pesticide residue on food, and the U.S. Centers for Disease Control tracks foodborne disease cases. In all, at least 12 federal agencies are involved in food safety and inspection, each with widely varying procedures, funding and regulations.

For example, the manufacturing of a frozen cheese pizza is regulated by the FDA. But a frozen pizza with pepperoni or other kinds of meat falls under the authority of the USDA.

REUTERS

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael V. Terrell ( CN=Michael V. Terrell/OU=CEQ/O=EOP [ CEQ ] )

CREATION DATE/TIME:11-AUG-1998 10:03:14.00

SUBJECT: Drinking Water 1-pager (for distribution)

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

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

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

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

TO: Nathan B. Naylor ( CN=Nathan B. Naylor/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jodi R. Sakol ( CN=Jodi R. Sakol/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

TO: Julia M. Payne ( CN=Julia M. Payne/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: Dirk Forrister ( CN=Dirk Forrister/OU=WHCCTF/O=EOP @ EOP [ WHCCTF ] )  
READ:UNKNOWN

TO: Ellen Athas ( CN=Ellen Athas/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

TO: Carolyn D. Mosley ( CN=Carolyn D. Mosley/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TO: Alejandro G. Cabrera ( CN=Alejandro G. Cabrera/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Eli G. Attie ( CN=Eli G. Attie/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

TO: Nancy Marlow ( CN=Nancy Marlow/OU=CEQ/O=EOP @ EOP [ CEQ ] )

READ:UNKNOWN

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

TO: Edward R. Clark ( CN=Edward R. Clark/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: David B Sandalow ( CN=David B Sandalow/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Keith E. Laughlin ( CN=Keith E. Laughlin/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Linda Lance ( CN=Linda Lance/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Dinah Bear ( CN=Dinah Bear/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

CC: Elliot J. Diringer ( CN=Elliot J. Diringer/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D40]MAIL42386552U.226 to ASCII,  
The following is a HEX DUMP:

FF57504370040000010A0201000000020500000097140000000200006055E0DA3DAE3222EAA87E  
E6E82B9BADF96F0B025627CF3E67FFA82F378E37BE01C54F337E7CD461B29EC78C6A7BADB9CFBD  
8240457822A593F09102162A6C8A29831FCF4129C9C0631048DC288A90B4CA74A4CE992A062C5E

## **PRESIDENT CLINTON: SAFE DRINKING WATER FOR AMERICA'S FAMILIES**

*Today, at a water treatment plant near San Francisco, President Clinton announces a new measure to ensure clean, safe drinking water for America's families. Beginning next year, water utilities must provide regular reports to their customers on the quality of their drinking water. These "consumer confidence" reports will tell families whether their water meets federal health standards -- and if not, why not -- giving utilities additional incentive to deliver the cleanest water possible. The President also calls on Congress to support his initiatives on clean water, public lands and global warming, and to abandon legislative riders that would weaken environmental protections.*

***Safeguarding Our Drinking Water.*** Major reforms of the Safe Drinking Water Act proposed by President Clinton, and passed by Congress in 1996, are strengthening protections for our drinking water supplies. Scientific and regulatory processes are being streamlined to target contaminants that pose the greatest risk, and communities are receiving billions of dollars in low-interest loans to upgrade water systems. The number of Americans receiving water from systems reporting no violations of federal health standards has grown by 10 million since 1993.

***Defending Our Communities' Right to Know.*** One powerful tool against pollution is information -- letting people know what's being put in their water and air. The Clinton administration has expanded the number of industries required to report toxic releases, and the number of chemicals that must be disclosed. And many companies are reducing their toxic releases as a result. Today, with a final rule issued by the Environmental Protection Agency, this approach is being extended to drinking water.

Beginning October 1, 1999, some 5,600 water systems serving 240 million Americans will provide "***consumer confidence***" reports at least once a year. The reports must be delivered to each household served, either with the water bill or in a separate mailing, and systems serving over 100,000 people must make them available via the Internet as well. In clear, concise language, the reports will:

- Tell consumers where their water comes from and whether it meets federal drinking water standards.
- Identify potential sources of any contaminants found, and potential health effects if standards are violated.
- Include special health advisories for people with medical conditions such as HIV that weaken their immune systems, making them more vulnerable to certain contaminants.
- Tell consumers where they can go for more information on water quality.

***Progress, Not Partisanship, on the Environment.*** To achieve further progress in protecting our environment, President Clinton calls on Congress to: fully fund his Clean Water Action Plan to help communities finish the job of cleaning our rivers, lakes and coastal waters; release 1998 appropriations through the Land and Water Conservation Fund to preserve 100 natural and historic sites; approve his proposed research and tax incentives to reduce greenhouse gas pollution; and withdraw legislative riders that would pave our parks and refuges, cripple wildlife protections and deny taxpayers a fair return from oil leasing on public lands.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:11-AUG-1998 19:20:23.00

SUBJECT: TREASURY MONEY LAUDERING INITIATIVE -- Don't Get Too Excited

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

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

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

TO: Ann F. Lewis ( CN=Ann F. Lewis/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: Patricia M. Ewing ( CN=Patricia M. Ewing/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

Treasury now advises us that the announcement we were hoping to use on Tuesday, August 18, is NOT ready. Sorry, folks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 11:10:42.00

SUBJECT: Meeting with Minyon

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Minyon would like to meet with you to discuss outreach efforts and coordination with OPL. How does next Wednesday, August 19, at 10:00 work?

Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 19:45:10.00

SUBJECT: Education Working Group

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

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

edley ( edley @ law.harvard.edu @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Elena, Bruce and Gene--I am forwarding this to you to underscore Edley's frustration and ask for assistance. I just had a very good conversation with Elena in which I relayed the gist of the conversation with Gene yesterday--I made very clear to Gene and to Christopher that we needed to accomplish two things in this book project: 1) we must respect the process needs of the policy councils to ensure that ideas presented to the President have in fact been considered and opined by all necessary and appropriate parties and, just as importantly, 2) we must respond to the President's desire that this book on race have some bold policy thinking and that can only happen if the policy councils are engaged in this process in a wholehearted way. Now Gene said he would task his staff to work with Christopher, while Gene's away. Elena has indicated that she's discussed with you Bruce how hard this is going to be but that DPC has to be fully engaged to ensure that the President really has the benefit of the diversity of opinions of his staff.

I suggested to Elena that the ambitious nature of this project requires some brainstorming and then some triage of ideas, otherwise there is simply too much on the plate. A suggestion I had that I give to all of you for consideration is that in each of the four areas: education, economic opportunity, criminal justice, civil rights, you should within two-three weeks identify the three/four big ideas that could then be developed through intensive policy process by end of September--keeping in mind that at the same time the policy councils will be working on budget/sotu and therefore, these ideas could be factored into that process as well. Thus, for example, you could, after some brainstorming, decide that in education the President should consider saying something about opportunity to learn standards, the advisability of continued efforts to integrate schools, school financing--and then engaged in intensive work that would present pros and cons for President's consideration.

At any rate--I ask that you work with me to try to achieve both of these goals--sooo, in that context, why does Christopher have to wait until Michael Smith comes back from vacation--wouldn't a meeting this week to set the universe of ideas and get some thinking about how to explore some of these ideas be useful--Michael Smith as well as other key folks will

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Maria Echaveste to Bruce Reed et al re Education Working Group [partial] (1 page)	08/11/1998	P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[08/10/1998-08/11/1998]

2009-1006-F  
vz159

### RESTRICTION CODES

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

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

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.  
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).  
RR. Document will be reviewed upon request.

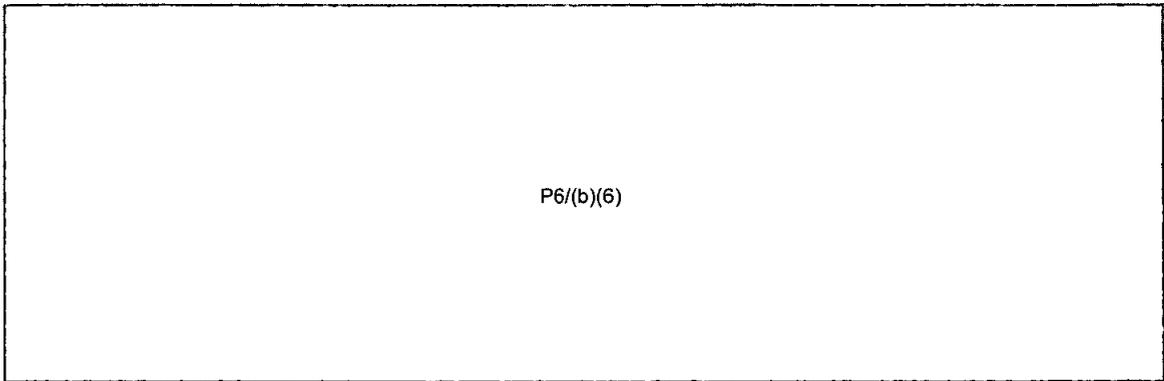
have opportunity to weigh in in the weeks ahead. What do you think?  
----- Forwarded by Maria Echaveste/WHO/EOP on 08/11/98  
06:47 PM -----

"Christopher Edley, Jr." <edley @ law.harvard.edu>  
08/11/98 06:34:53 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP  
cc:  
Subject: Education Working Group

Maria --



>Date: Tue, 11 Aug 1998 18:15:25 -0400  
>Subject: Education Working Group  
>Sender: Scott\_R\_Palmer@pir.eop.gov  
>From: Scott\_R\_Palmer@pir.eop.gov  
>To: edley@law.harvard.edu  
>  
>I spoke with Mike Cohen today about the Education Working Group and your  
>interest in its meeting as soon as possible. Two issues:  
>  
>First, Mike Smith, who Mike Cohen would like to have participate, is on  
>vacation this week. Do you think we should hold our first meeting this  
>week anyway?  
>  
>Second, Mike Cohen indicated that he was a little unclear about how this  
>Working Group process to develop bold ideas fit in with other processes,  
>such as prior and upcoming budget processes. Mike sent an e-mail to Bruce  
>Reed to get clarification. I shared the draft Thinking Paper with Mike  
and  
>explained that there was room for discussion of Administration  
>accomplishments, etc. I also indicated that this process is different  
from  
>(though should complement) other processes in that (1) it focuses on the  
>most pressing issues of race in education, (2) it focuses on long-term as  
>well as short term ideas, (3) it focuses on actions by actors beyond the  
>federal government as well as by the federal government, and more. I  
>believe Mike is comfortable with this, but he still wants to hear back f  
rom

>Bruce. I mention this because you and/or Maria may want to speak with  
>Bruce to cover the base. I don't think there is a conflict, but I'm not  
>sure how to read it.

>

>I'm following up with Mike tomorrow on a couple of things and will push  
him

>on where we stand in terms of a meeting this week (unless you think we  
>should wait for Mike Smith).

>

>

>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 19:46:55.00

SUBJECT: School Safety

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 08/11/98  
07:46 PM -----

Essence P. Washington  
08/11/98 02:49:10 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Maria Echaveste/WHO/EOP  
Subject: School Safety

We are having a meeting thursday, August 13th in room the roosevelt room  
at 3:30 - 4:30 pm to discuss the White House Conference on School Safety.

INVITEES

Education - Bill Modzeleski  
Kevin Sullivan  
Julie Green  
Sara Strizzi  
Ann O'Leary

Justice - Ricki Seidman  
Charles Simon- unable to attend  
Nick Guess - unable to attend  
Alexa Verveer  
Kinney Zalesne  
Shay Bilchik

Message Sent

To: \_\_\_\_\_  
Jose Cerda III/OPD/EOP  
Michael Cohen/OPD/EOP  
Tanya E. Martin/OPD/EOP  
Leanne A. Shimabukuro/OPD/EOP  
Jonathan H. Schnur/OPD/EOP  
Trooper Sanders/OVP @ OVP  
Audrey Choi/OVP @ OVP  
Neera Tanden/WHO/EOP

Jennifer L. Klein/OPD/EOP  
Lynn G. Cutler/WHO/EOP  
Mona G. Mohib/WHO/EOP  
Bill\_Modzeleski @ ed.gov @ inet  
Kevin\_sullivan @ ed.gov @ inet  
Sara\_Strizzi @ ed.gov @ inet  
Ann\_O'Leary @ ed.gov @ inet  
Julie\_green @ ed.gov @ inet  
Richard Socarides/WHO/EOP  
Peter G. Jacoby/WHO/EOP  
Robin J. Bachman/WHO/EOP  
Christa Robinson/OPD/EOP  
Minyon Moore/WHO/EOP  
Marsha Scott/WHO/EOP  
Amy W. Tobe/WHO/EOP  
Beverly J. Barnes/WHO/EOP  
Jocelyn Neis/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 10:58:42.00

SUBJECT: blablalba

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

"Say goodbye to tobacco (. It's gone." Rep. John Linder, National Republican Congressional Committee Chairman, before House adjourned Friday

HIGHLIGHTS

1. We believe the current tobacco environment is similar to 1986-87, when sentiment turned dramatically as the 2nd tobacco litigation wave collapsed. From 12/85 to 9/87, Philip Morris, relative multiple soared from 55% to 90%, as a wave of favorable appellate rulings convinced investors that bankruptcy risks were way overdiscounted, and Philip Morris, stock price tripled (S&P +70%).

2. Our discussion with senior executives suggests that the subpar investment performance of the group over the past 18 months is likely to compel all company boards to take more aggressive stances in accelerating earnings growth and unlocking values through buybacks, dividend hikes, and asset distributions. This is what happened between 1985-1990 (MO tripled earnings and dividends). After an 18-month absence, Loews (LTR) has now resumed its buyback program, despite the Tisch's, bearishness on the market.

3. On Friday, the House joined the Senate in recess until Labor Day, and Republican leaders conceded officially there would be no tobacco legislation passed this year. With a \$.10/pack excise tax increase passed last September now scheduled to go into effect in 2000, and another \$.05/pack hike due to begin 2002, we believe it will be at least a few years before Congress attempts to tackle tobacco again, given the tortured and exhaustive process the McCain bill was put through before it was finally killed this summer.

4. We expect a new settlement between the industry and the 46 attorneys general who have not settled by Labor Day. We expect the industry, having taken off a week to assess the renegade provisions (what to do about manufacturers who don't join the deal) will have concluded that the renegade provisions on the table -- states vow to bring claims

against manufacturers and

retailers who don't comply; states, payments, already volume adjusted, fall further if renegade

share increases -- are sufficient. We perceive that Philip Morris and most large wholesalers

believe the renegade problem is better dealt with by beefing up trade programs.

5. Expected decertifications of state class actions by the highest courts in Maryland (any day)

and Louisiana (this Fall) are the likely catalysts that will convince investors that the Engle class

action, which begins after Labor Day in West Palm Beach, FL and will last three months, will

also be decertified by the Florida Supreme Court, in early-1999. In the history of mass tort

personal injury actions, we find no record of any multi-phase trial ever reaching the individual

stage (defendants settled or class was decertified).

6. We expect the Florida trial court that heard Widdick, or the same 1st Circuit appellate court

that overturned Carter, to throw out the Widdick (aka Maddox) verdict under the same

reasoning (preemption, 1963 B&W evidence not appropriate, documents should have been

protected under attorney-client privilege). This would erase the one remaining loss on the

industry's unblemished record at trial, and further dissuade potential plaintiff attorneys from

pursuing individual claims.

7. Risk #1: If there is no state-only settlement, we see 5% downside. The Washington Medicaid

trial begins October 14. The judge has dismissed all but three claims -- conspiracy, anti-trust,

and violation of Washington's Consumer Protection Act (CPA). While the latter permits only

injunctive relief, anti-trust violations and conspiracy combined with CPA would permit money

damages. The judge has ruled that the industry can introduce evidence that the state collected

more in excise taxes than it claims in damages.

8. Risk #2: If the Administration files its own Medicare/Medicaid recovery action to get the

industry to cough up money for the federal government and accept FDA jurisdiction, we could

see 5% downside as investors worry that this new action might trigger fraudulent conveyance

claims. Any federal claim, however, would have to be filed in federal court (have dismissed 5

of 5 labor union / health care claims). The federal government, unlike the states, shows a clear

paper trail of knowledge of tobacco's risks.

9. We reiterate our outperform ratings on Philip Morris (price target \$60), RJR Nabisco (\$40),

and UST (\$40).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 19:54:44.00

SUBJECT: Two technie child support rules to go final before Aug. 22nd

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There are two very technical child support rules that will go final between now and Aug. 22nd (both were proposed in March in nearly the same form). Both relate to the \$400 million provided in the Personal Responsibility Act for child support computer systems. One simply finalizes the state formula for the funds. The other specifies what sort of Advanced Planning Document states must submit in order to get these funds. Under Keith Fontenot's guidance, OMB added safeguards to the rule last March to try to head off future state state computer systems problems, requiring states to meet milestones of progress to continue to get funds and to obtain review from independent computer systems experts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 12:37:42.00

SUBJECT: SF Votes to Expands Domestic Partner Law

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 08/11/98  
12:35 PM -----

Doug.Case @ sdsu.edu  
08/11/98 03:06:00 AM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides  
cc:  
Subject: SF Votes to Expands Domestic Partner Law

ASSOCIATED PRESS  
August 10, 1998

City Expands Domestic Partner Law

.c The Associated Press

By KIM CURTIS

SAN FRANCISCO (AP) - San Francisco politicians voted unanimously Monday to expand the city's domestic partners policy despite congressional pressure that already may have cost the city millions.

The ordinance, which Mayor Willie Brown says he will sign, will make San Francisco the only U.S. city to order private businesses to offer domestic partners any customer discounts they extend to married couples.

Most city businesses that might be subject to the law, such as gyms, car rental companies and insurance agencies, already comply. Still, supervisors are determined that the city set a standard for human rights.

``Banning discrimination is no new concept,' said County Supervisor Mark Leno, who introduced the measure in June. ``We're talking about inalienable rights here.''

The vote comes despite what gay rights advocates are calling an anti-gay campaign in Washington.

Less than two weeks ago, the House voted 214-212 to block the city from

receiving federal housing money because of its year-old Equal Benefits Ordinance, which requires businesses with city contracts to extend health benefits to its workers' partners.

``We should not force or coerce (businesses) to adopt policies they find morally objectionable,'' said Rep. Frank Riggs, R-Calif., who sponsored the measure.

Democrats attacked the Riggs measure as mean-spirited and bigoted, a message meant to promote intolerance. ``I don't know why Mr. Riggs wants to create a war,'' said Rep. Nancy Pelosi, who represents San Francisco.

Still, Monday's expansion of the domestic partner benefits law caused hardly a flutter in the city. It is backed by the San Francisco Chamber of Commerce and the Small Business Network, and has faced little opposition from business owners.

Leno couldn't name a company in the city that would have to change its ways.

``It makes good business sense,'' Leno said. ``It gives business an additional marketing tool and could help them compete with other businesses.''

It's expected to have more impact as a symbolic gesture. Most car rental agencies in the city do not offer special rates to married couples, and some gyms already include domestic partners in its ``family'' categories.

None of the supervisors were concerned about pressure from Washington, said Kieran Flaherty, Leno's spokesman.

``It boils down to, San Francisco values the domestic partner relationship as much as other family relationships,'' Flaherty said.

At 24 Hour Fitness near downtown, where domestic partners already fall under the club's ``couple membership'' category, John Pelletier, got a 50 percent discount two weeks ago because he shares a household with his partner, club member Donald Leighton.

And Laura Gilleran, 23, says she and her live-in girlfriend, T.C. Myers, are more excited by the symbolism of the ordinance than by any discounts.

``It's important, since (gay) marriage is not legal,'' Gilleran said. ``It's important to do what it takes until it becomes such.''

\*\*\*\*\*  
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===== ATTACHMENT 1 =====

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

id <01J0GLBD2CU800EWVS@PMDF.EOP.GOV>; Tue, 11 Aug 1998 02:08:03 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

with ESMTTP id <01J0GLB8YQEO008MPJ@PMDF.EOP.GOV>; Tue,

11 Aug 1998 02:07:58 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.1])

by STORM.EOP.GOV (PMDF V5.1-10 #29131)

with ESMTTP id <01J0GLAJ5TMS000ITI@STORM.EOP.GOV>; Tue,

11 Aug 1998 02:07:23 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121])

by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id XAA29502; Mon,

10 Aug 1998 23:05:41 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Bruce Reed to Elena Kagan. Subject: EO Issue [partial] (1 page)	08/11/1998	P2, P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[08/10/1998-08/11/1998]

2009-1006-F

vz159

### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 17:49:48.00

SUBJECT: EO issue

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

READ:UNKNOWN

TEXT:

what do you make of this?

----- Forwarded by Bruce N. Reed/OPD/EOP on 08/11/98  
05:49 PM -----

Morley A. Winograd @ OVP

08/11/98 04:27:24 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP

cc:

Subject: EO issue

Bruce:

You may have to find out the answer in order for Tom Freedman to get the  
EO done this week. As I said, your call. Attached is FYI ONLY.

Morley

----- Forwarded by Morley A. Winograd/OVP on 08/11/98  
04:43 PM -----

Ron Klain

08/11/98 02:44:41 PM

Record Type: Record

To: Morley A. Winograd/OVP @ OVP

cc:

Subject: Re: NAS report on food safety

P2, P6(b)(6)

[001]

Clinton Library copy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-AUG-1998 10:29:14.00

SUBJECT: Correction Officer Health and Safety Act

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:  
Elena -

This is the memo we discussed this morning.

Todd

----- Forwarded by Todd A. Summers/OPD/EOP on 08/11/98  
10:27 AM -----

Todd A. Summers  
08/07/98 12:02:04 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Ronald E. Jones/OMB/EOP  
cc: Sandra Thurman/OPD/EOP, Richard J. Turman/OMB/EOP  
Subject: Correction Officer Health and Safety Act

I just spoke with DoJ's leg person handling this bill, and told her that we were leaning to recommending that the Administration's position move from "strongly oppose" to silent. Here is why we support that position:

The Policy

Requiring Testing

We do not want to support mandatory testing. We have always maintained that voluntary counseling and testing is adequate. That remains our position on a number of bills, including Rep. Coburn's. If we were to adopt a different stance for prisoners, it opens us up to charges of hypocrisy and deflates our argument on non-prisoners. Moreover, it could potentially be infused with racial connotations since prisoners are predominantly black men. Given the heat that the CDC, NAACP and others are putting on us for the racial disparities in the epidemic, it might be prudent to avoid a conflict here.

I understand that Rep. Waters has participated in amending this bill, so it is clearly on her radar screen. Her staff says that she's in a position of not actively opposing the bill. Rep. Pelosi's staff says the same.

That being said, we now test everyone on the way out of jail so the bill just moves up the inevitable. From a scientific perspective, that is

better for prisoners since early detection and treatment of HIV is recommended. From a BoP policy perspective, the testing done on the way out is "voluntary" except that it's required as part of the package of things that must be done to be released. So BoP argues that they don't do mandatory or "forced" testing, but that's semantics.

The bill requires counseling, support, and care for all those who test HIV-positive. We think that's a good mandate, even if it may be redundant (BoP's principal objection to the bill, as I understand it). I think this works more to the advantage of correction officers, staff, and visitors than prisoners because the policy now is that prisoners get care if they're HIV-positive. (The President's Advisory Council on HIV/AIDS has been adamant that they believe that there is a difference between policy and practice at some Federal institutions, but we cannot confirm that and BoP says it's not true.)

The bill also provides that the Attorney General develop standards of care and prevention for States, which we think is good. State, county and local jails ought to be the object of far greater attention since the prevalence of HIV there is so much higher than Federal institutions. I think BoP and DoJ like this part of the bill.

#### Testing After Potential Exposure

HR2070 also requires testing, or re-testing, after an exposure by a prisoner to an officer, staff person, or visitor. This is hard to argue, particularly because there are now protocols for post-exposure prophylaxis that may be efficacious (not a lot of data yet). We like that the determination of whether the exposure risk was significant lies with DoJ/BoP and should therefore be based on scientific standards and not subjective fears ("he spit on me, I want him tested"). Universal precautions should minimize instances of exposure, and BoP encourages their implementation, but exposures are certainly possible.

#### The Unions

I've spoken with the leg. director for AFSCME, which represents some (100,000) of the correctional officers and have a call into SEIU, which represents others. AFSCME says this is a very big deal for the correctional officers, and they feel that the bill that passed is a significant improvement over the original draft that we strongly opposed. They are less concerned about our active support than they are about our active opposition--they'd be content if we moved from "strongly oppose" to silent.

This also makes BoP's objection that officer's are going to be put at risk during mandatory testing because they might have to hold prisoners down to take their blood. First of all, I am not convinced this is a significant issue for Federal prisoners. Second, if the officers' unions are supporting the bill, why are we objecting on their behalf?

#### Recommendation

We recommend that the Administration:  
remove it's strong opposition to the bill  
not actively oppose or support the bill  
indicate to Senator Hatch and others that we'll acquiesce to a Senate version that parallels that which passed the House, and that the Administration would strongly oppose a version that reverts to the original version of HR2070.

Please let me know if you have any questions.

