

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 039 - FOLDER -009**

**[10/20/1998 - 10/21/1998]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 12:30:57.00

SUBJECT: Native American budget win document

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm trying to prepare a Native American budget win document for Lynn to use at the National Congress of American Indian Conference. OMB is still looking it over, but I will get it to you to review this afternoon. If you could review it by 4:30pm today, I would appreciate it. I'm leaving this afternoon to go to the conference and would like to take it with me. I get it to you as soon as OMB gets back to me. Thanks, Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sylvia M. Mathews ( CN=Sylvia M. Mathews/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:20-OCT-1998 18:28:12.00

SUBJECT: FYI -- WIC rule codifying law on treatment of pregnant women for program e

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

READ:UNKNOWN

TEXT:

What do you think about this?

----- Forwarded by Sylvia M. Mathews/OMB/EOP on 10/20/98  
06:26 PM -----

Sandra Yamin

10/19/98 05:46:11 PM

Record Type: Record

To: Sylvia M. Mathews/OMB/EOP@EOP, Maria Echaveste/WHO/EOP@EOP, Daniel N. Mendelson/OMB/EOP@EOP, Martha Foley/WHO/EOP@EOP

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

Subject: FYI -- WIC rule codifying law on treatment of pregnant women for program eligibility

Barbara Chow requested that I forward the attached e-mail as an FYI.

Please call 5-4844 if you have any questions. Thank you.

----- Forwarded by Sandra Yamin/OMB/EOP on 10/19/98 05:43  
PM -----

Anil Kakani

10/19/98 05:42:27 PM

Record Type: Record

To: Barbara Chow/OMB/EOP@EOP, Sandra Yamin/OMB/EOP@EOP

cc:

Subject: FYI -- WIC rule codifying law on treatment of pregnant women for program eligibility

FNS is about to clear a rule that, among other technical provisions, codifies language the President signed into law in 1994, and that almost all state agencies have since implemented under an FNS policy memorandum. The provision at issue would make an otherwise income ineligible household with a pregnant woman eligible for WIC benefits if the household would be eligible if household size were increased by one. In passing this law Congress considered evidence that some of the greatest returns in the WIC program are for pregnant women. We are bringing this to your attention out of concern that a rule allowing pregnant mothers to be counted as two individuals could be construed by some as a statement on status of a fetus with respect to broader discussions on abortion policy. Because the rule codifies language signed into law in 1994 and on which FNS has already issued guidance, it reflects no change in policy or in formally stated Administration position.

Please let us know if you have any concerns.

Message Copied

To:

---

Adrienne C. Erbach/OMB/EOP@EOP

Leslie Bernstein/WHO/EOP@EOP

Gina C. Mooers/OMB/EOP@EOP

Jack A. Smalligan/OMB/EOP@EOP

Anil Kakani/OMB/EOP@EOP

Barry White/OMB/EOP@EOP

Barbara Chow/OMB/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: T J. Glauthier ( CN=T J. Glauthier/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:20-OCT-1998 13:22:09.00

SUBJECT: DOE and the State of the Union Initiatives

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

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

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

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

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

TEXT:

thanks for including me in today's meeting. I hope to be over there soon, and will look forward to continuing the discussion begun today -- and I'll have more information once I'm there. For now, though, let me mention a couple of areas in which I think DOE can play an important role. In many cases, that will be a supporting role, and in all cases, I expect it to be a collaborative one with a number of other agencies.

The Economy --

Domestically, its high profile focus next year will probably be on electricity restructuring, to make the industry more competitive and to increase choices and reduce costs for industrial, commercial and residential customers

With our "heavy industries" (steel, chemicals, autos, etc.) DOE has active partnerships focused on jointly developing "technologies for the 21st century", many of which are new, more efficient manufacturing processes and products

International Economic Development --

One of our most active areas of international business activity, especially in the developing world, is energy projects. Our U.S. companies are engaged in numerous international projects, especially joint projects in developing countries, where we are using our expertise and capital to help develop the basic energy infrastructure in areas such as South Africa, China, India, and Latin America

Our joint R&D with U.S. industries on increasing energy efficiency of manufacturing and products is also helping to keep those industries competitive in the world market.

Oil imports continue to be our number 1 balance of payments problem. We need to continue the dual tracks of improving our domestic energy supply sector, especially oil and gas, and of increasing the efficiency and conservation programs so we get the most out of the energy we do use.

Urban Development and Sprawl --

As urban areas are being redeveloped, we need to encourage the use of the most energy efficient buildings, transportation systems, municipal lighting and other technologies, and DOE already has some significant

## success stories

## Environment --

In the climate change area, DOE has the most active, widely supported set of initiatives of any agency. The industry cooperative projects and pilots on technology development and use offer an opportunity to draw in a wide base of industry support.

## National Security ("a safer world") --

Russian cooperation centers on DOE in areas such as the safeguarding of nuclear weapons material and the conversion of such material to peaceful, commercial uses (eg, uranium to commercial power plant fuel rods), including the initiatives the President announced on his August trip, such as the nuclear cities initiative

Strengthening our domestic energy sector (as described above) lessens the threat of potential disruption of our energy supplies, which are becoming ever more dependent on foreign sources

## R&amp;D, Science, and Education at the University Level --

DOE is the nation's primary sponsor of high energy physics research facilities and research projects, including numerous linear accelerators, and the Spallation Source which is being designed to be built at Oak Ridge, Tennessee and will be used by researchers around the country in physics and health research

the leading edge of high performance computing is being sponsored by DOE, and has impressive statistics on computer speeds and size (its primary focus at DOE is to certify our nuclear weapons stockpile in the absence of testing)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 15:53:34.00

SUBJECT: Native American budget wins

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This is a document on Native American budget wins that OMB has approved. I would like to pass this out at the National Congress of American Indians conference. Could you review this by 4:30 as I am leaving to catch a plane to the conference at 5pm? Thanks

I am just waiting for signoff from Fred DuVal on the gaming paragraph. =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D74]MAIL448763391.226 to ASCII,  
The following is a HEX DUMP:

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# PRESIDENT CLINTON FIGHTING FOR NATIVE AMERICANS IN THE BUDGET, BUT THERE IS STILL MORE WORK TO DO

October 20, 1998

The final FY99 budget represents a significant step forward for America, protecting the surplus until Social Security is reformed, and putting in place critical investments in education and training, from smaller class sizes to after-school care, and from summer jobs to college mentoring. While the final budget is clearly a win for President Clinton and Vice President Gore, there is still more work to do to prepare America for the 21st century. Unfortunately, Republicans blocked school modernization, Patients Bill of Rights, comprehensive tobacco legislation, child care investments, and campaign finance reform.

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Hex-Dump Conversion

## Budget Victories for Native Americans:

**Saving Social Security First.** The President's commitment to Save Social Security First held the line against several Republican efforts to drain the surplus.

**Investing in Education and Training.** While House Republican tried to slash their education budget by over \$2 billion, President Clinton and Congressional Democrats delivered on their education agenda:

— **More High-Quality Teachers With Smaller Class Sizes:** \$1.2 billion for the first year of the President's new initiative to hire 100,000 new teachers to reduce class size in the early grades to a national average of 18. Through smaller classes this initiative will help recruit high-quality teachers and will insure that students will receive more individual attention, a solid foundation in the basics, and greater discipline in the classroom.

— **\$6 Million of the \$1.2 Billion is for BIA-funded schools.** The funds can used to recruit, hire and train teachers in order to reduce class size in the early grades.

— **BIA School Construction and Repair: The final budget provides \$60 million** to replace older, unsafe, and dilapidated schools on reservations in accordance with a Congressionally-approved priority list of replacement schools and would provide for much-needed health and safety-related repairs and improvements that together comprise a roughly \$700 million backlog. In his FY1999 budget, the President requested \$87 million, which is a \$33 million (61%) increase over FY 1998, to support the Administration's initiative. The House-passed bill would have provided only \$59 million, which was \$28 million (32%) below the requested amount.

— **Ensuring the Success of Public Schools and Colleges Serving Tribes.** The final budget provides \$574 million for the operation of elementary and secondary schools, tribally controlled community colleges, and assistance to Indian children attending public schools. This represents an increase of 16 millions from FY98. The funds can used to recruit, hire and train teachers in order to reduce class size in the early grades. These funds will assist the Nation's 30 tribal colleges, which provide 2-year degrees to over 25,000 students in 12 states. For the first time in his FY99 budget, the President singled out tribal colleges for the time in his proposed budget for the Higher Education Act.

— **After School Programs:** \$200 million to expand programs and serve a quarter of a million children.

— **Child Literacy:** \$260 million for a new literacy initiative, consistent with the President's America Reads proposal.

- **College Mentoring for Middle School Children:** \$120 million for GEAR-UP, a new mentoring initiative to help up to 100,000 low income middle school children prepare for college.
- **Education Technology:** A \$114 million increase over FY98 to ensure that every child has access to computers, the Internet, high-quality educational software, and teachers that can use technology in the classroom.
- **Child Care Quality:** \$182 million to improve the quality of child care for America's working families.
- **Teacher Recruitment:** \$75 million for new teacher quality programs including to recruit and prepare thousands of teachers to teach in high-poverty areas.
- **Head Start:** A \$313 million increase to fund President's request of up to an additional 36,000 slots for children and keeping on track towards one million children served by 2002.
- **Indian Head Start:** The final budget provides \$134 million for Indian Head Start -- a \$9 million increase over FY98.

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**Fighting Crime in Indian Country.** The President's budget included key increases for law enforcement:

- **Improves Law Enforcement in Indian Country.** The final bill includes a \$109 million increase -- for the Departments of Justice and Interior -- for the President's Indian Country Law Enforcement Initiative. The initiative will improve public safety for the 1.4 million residents on the approximately 56 million acres of Indian lands. This funding will increase the number of law enforcement officers on Indian lands, provide more equipment, expand detention facilities, enhance juvenile crime prevention, and improve the effectiveness of tribal courts. **Although violent crime has been declining nationally for several years, it has been on the rise in Indian country. At the same time, police service on Indian lands has been steadily shrinking. Recognizing these facts, the President made a major commitment to improve law enforcement in Indian country**

**Providing Health Care.** President Clinton and Vice President Gore are committed to providing health care to the Native American population. This budget moves forward on their vision to help realize this goal.

- **Indian Health Service:** Indian Health Services saw an increase of \$140 million over FY98. This increase will assist in providing much-needed quality health care to Indian communities.
- **Indian Health Service (IHS) Contract Support Costs.** The House bill contained an objectionable provision that would allocate contract support costs (e.g., indirect costs) to tribes that have contracted and compacted their health systems on a proportional basis. The Native American community and IHS objected to this provision because some tribes would have received less funding than they received in FY 1998. At the same time, the Congress agreed to add some funding to contract support costs so that the amounts by which some tribes' payments are reduced is minimized. The Administration pursued compromise language, but at the last minute the House relented and removed the objectionable provision entirely.

**Moving People from Welfare to Work and Empowering Communities.** President Clinton and Vice President Gore are committed to tapping the potential of America's urban and rural communities. This budget moves forward on their vision to help revitalize America's communities.

- **50,000 Welfare-to-Work Housing Vouchers.** President Clinton's FY 1999 Budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work. The original House bill included \$100 million, while the Senate

provided only \$40 million. The final budget includes President Clinton's full request of \$283 million for 50,000 welfare-to-work housing vouchers.

**\$75 Million for Welfare-to-Work Transportation Funds.** While the House and Senate provided \$50 million -- the minimum amount "guaranteed" in the transportation bill -- the final budget includes \$75 million for this competitive grant program. These funds will assist states and localities in developing flexible transportation alternatives, such as van services, to help former welfare recipients and other low income workers get to work.

**Community Development Financial Institution (CDFI) Expansion.** The Administration requested a major expansion of the CDFI program to continue building a national network of community development banks. The original House bill froze CDFI funding at \$80 million, while the Senate cut funding to \$55 million. The final budget increases CDFI funding from \$80 million in FY98 to \$95 million in FY99 -- a 19-percent increase.

**Flexible Funding for Empowerment Zones.** President Clinton and Vice President Gore requested mandatory funding for second-round urban and rural Empowerment Zones. While the House and the Senate did not provide any funding, the final budget includes \$60 million in this flexible discretionary funding for the next round of Empowerment Zones and new rural Enterprise Communities. Included in this funding is \$10 million in discretionary funds for 5 rural Zones. This funding will allow the Zones to begin implementing their development strategies to bring jobs and investment to these disadvantaged areas. Also included is \$5 million for 20 new rural Enterprise Communities with purposes similar to the round one Enterprise Communities. Tribes are eligible to receive funding.

**Indian Housing:** The budget provides \$620 million in block grants for Indian housing, which will serve 552 tribes.

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**Protecting Sovereignty and Promoting Economic Development.** The Administration was successful in negotiating to remove several riders on the Interior bill that would have seriously interfered with tribal sovereignty and cut funding for Indian populations. The President's negotiators made protecting tribal sovereignty and promoting economic development a priority:

**Protecting Sovereignty:** Worked out an agreement to remove from the bill an effort to prohibit the promulgation of regulations for Class III gaming. The final bill permits these regulations to be promulgated in six months, which the Administration is confident will protect Indian gaming.

### **Much Work Still Left to Do:**

In the waning days of the session, the President and Congressional Democrats prevailed in making critical investments to advance the President's comprehensive education agenda. Much work remains for the future because Republicans in Congress killed, at least for now, critical priorities, including:

- × **School Modernization.** Beginning with his State of the Union address, the President fought all year to modernize our schools. His fully paid for tax credits would have leveraged nearly \$22 billion in bonds to build and renovate schools. In the final days of the budget negotiations, Republicans in Congress refused to even meet on the critical issue of school construction.
- × **Patients Bill of Rights.** President Clinton repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. Congressional Republicans killed this year's effort to pass a Patients Bill of Rights.
- × **Comprehensive Tobacco Legislation.** This year, President Clinton made passage of legislation to reduce youth smoking a top priority, in order to stop kids from smoking before they start through a significant price increase, measures to prevent tobacco companies from marketing to children, and

critical public health prevention and education programs. Congressional Republicans opted to act as politicians instead of parents, and killed this year's effort to pass bipartisan comprehensive tobacco legislation to reduce youth smoking.

- × **Campaign Finance Reform.** At the beginning of the year, the President made passage of bipartisan, comprehensive campaign finance reform a priority for his Administration. After months of delay, the House of Representatives overcame defenders of the status quo and passed the Shay-Meehan bill. However, the Senate Republicans killed this historic legislation.
  
- × **Child Care Initiative.** In his State of the Union, the President proposed an historic child care initiative to make child care better, safer and more affordable for America's working families. The President's proposal included \$7.5 billion over 5 years for child care subsidies for low-income working families and tax credits to help 3 million working families pay for child care. The Republicans refused to support these critical investments.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 19:19:58.00

SUBJECT: Access to Jobs Roll-Out in Chicago 10/22

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

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

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

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

TEXT:

According to DOT staff, there's a possibility that the First Lady may be attending this event (Jen, this is when Secretary Slater will be announcing availability of the Job Access/Reverse Commute grants that we fought hard for and were included in TEA-21.) If HRC does attend, DOT will make sure there are some former welfare recipients participating who could introduce her. We've suggested they go to United Airlines for local success stories (W2W Partnership staff and United will be on one of the panels).

Also, there's a rumor that Slater is considering naming the program for Rosa Parks and Delores Juerta (sp?), so it would be something like the Rosa Parks and Delores Juerta Job Access and Reverse Commute Grants Program (try to get an acronym around that one!). There may be legal and perception issues w/ this that DOT is still sorting out.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 15:52:32.00

SUBJECT: Short Term Scheduling Meeting Tomorrow

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

My understanding from the scheduling office is that this is not a discussion about message events but rather a discussion of November political and other events.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 12:59:40.00

SUBJECT: Working with ED

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

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

TEXT:

As we discussed yesterday, there have been a number of instances in which an extraordinary effort on our part was necessary in order to get the Education Department to take steps which the President clearly wanted.

1. Giving NAGB rather than the Education Department authority to develop national tests: In a meeting with national experts shortly after the President's national standards initiative was announced in the 1997 SOTU, the President made clear that he thought that the national test should be moved out of the Education Department and placed in NAGB's hands. DPC staff regularly reiterated this view to ED in the following weeks and months. The Education Department resisted moving in this direction until Secretary Riley announced this as the Administration's position in September '97, as the battle over national testing was coming to a head and when it became clear that this step was necessary to save the tests. I believe ED resistance to this move was rooted in several institutional factors:

The statistical agency and leadership in ED had real doubts about NAGB's technical capacity to handle this job effectively, and real concerns about expanding NAGB's responsibility. Since NAGB's creation a little more than 10 years ago, there has always been a somewhat uneasy relationship between NAGB and the National Center for Education Statistics, as they try to appropriately define their respective roles and shared responsibilities for designing and conducting the National Assessment of Education Progress. Further, NAGB has a small staff, with limited technical capabilities. Putting NAGB fully in charge of the tests and eliminating any role for ED staff was a concern to those who have worked most closely with NAGB.

ED leadership was concerned that, for a variety of reasons, NAGB would slow down the schedule for developing and implementing the national tests. ED was concerned that NAGB would lack the desire and the ability to keep the test development work on the fast-track that ED had put it on, in order to meet the President's goal of implementing the test in 1999. They were right; NAGB delayed the timeline by a year, in addition to a one-year delay caused by the Congress. (although I remain convinced that if we had not taken this step, the tests would have been completely killed by the Congress a year ago. From this perspective, a delay is not so bad.

ED and DPC held different views about when we should announce our intent to place NAGB in charge of the tests. Because of NAGB's carefully defined statutory authority, it could assume full authority for the tests only if it was given this authority by the Congress. DPC pressed to announce our intent to seek Congressional authorization, and at the same time to make NAGB an official advisory group by executive action--either by the President or by the Secretary. Taking this step would have reinforced our commitment to ultimately give NAGB full responsibility for the

tests. However, ED resisted this move, arguing that it would buy us little support in the Congress.

Aggressively promoting the President's agenda of ending social promotions and intervening in failing schools. Since the President challenged states and local school districts to take these steps in March 1996, DPC has been trying to get ED to advance this agenda through nonlegislative means, such as producing reports and guidebooks that could assist in the implementation of these policies and give the President the hook to return to these issues. Ultimately, ED agreed to produce a guidebook on turing around failing schools (released last Spring and well received in the Education community) and on ending social promotions (to be completed later this Fall), but only after repeated requests and after we insisted on issuing Presidential directives to produce these guidebooks. I believe that it has been so difficult to get ED's enthusiastic action on these issues for several reasons:

Concerns about the policies themselves. Though Secretary Riley has always supported these policies on both substantive and political grounds, deeper in ED there has been scepticism to both of them. Briefly, there has been concern that the message about taking over failing schools was too negative and the research to guide such actions too limited; opposition to ending social promotion has been routed in the view--supported by research--that having students repeat a grade can increase the odds of later school failure and dropping out. It has taken some effort to convince people that the President's challenge is not simply to keep kids back, but to make sure that school systems take the necessary steps from the outset to ensure that kids get the extra help they need to meet standards and be promoted on time.

Limited staff capacity. ED has only a small number of staff with the analytic skills and substantive knowledge to produce first-rate reports on these two issues--and its staff capacity to do this has been further depleted in recent years. I am convinced that part of the problem here has been that there were simply not many people to turn a project like this over to--and those who could do it were already swamped with other high priority tasks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 10:37:37.00

SUBJECT: Rose Garden Announcement

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

READ:UNKNOWN

TEXT:

Podesta?

----- Forwarded by Bruce N. Reed/OPD/EOP on 10/20/98  
10:37 AM -----

PostMaster

10/20/98 10:20:12 AM

Record Type: Record

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

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

Subject: Rose Garden Announcement

The President and Chief of Staff request your attendance in the Rose Garden for a special announcement this morning. Please arrive in the Rose Garden between 11:00 and 11:15am. You may enter the Rose Garden by passing the Press Lobby on the north grounds and entering through the West Garden Room. This event is by invitation only to senior staff and other invited guests. No interns, volunteers or outside guests will be admitted. We strongly encourage your attendance at this announcement.

Message Sent

To:

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Virginia Apuzzo/WHO/EOP  
Paul E. Begala/WHO/EOP  
Sidney Blumenthal/WHO/EOP  
Phillip Caplan/WHO/EOP  
Gregory B. Craig/WHO/EOP  
Maria Echaveste/WHO/EOP  
Rahm I. Emanuel/WHO/EOP  
Mickey Ibarra/WHO/EOP  
Ron Klain/OVP @ OVP  
John A. Koskinen/WHO/EOP  
Neal Lane/OSTP/EOP  
Ann F. Lewis/WHO/EOP  
Bruce R. Lindsey/WHO/EOP  
Joseph P. Lockhart/WHO/EOP  
Thurgood Marshall Jr/WHO/EOP  
Minyon Moore/WHO/EOP  
Bob J. Nash/WHO/EOP  
John Podesta/WHO/EOP  
Bruce N. Reed/OPD/EOP  
Charles F. Ruff/WHO/EOP  
Craig T. Smith/WHO/EOP  
Douglas B. Sosnik/WHO/EOP  
Gene B. Sperling/OPD/EOP

Lawrence J. Stein/WHO/EOP  
Todd Stern/WHO/EOP  
Stephanie S. Streett/WHO/EOP  
Michael Waldman/WHO/EOP  
Kris M Balderston/WHO/EOP  
Beverly J. Barnes/WHO/EOP  
Marsha E. Berry/WHO/EOP  
Charles M. Brain/WHO/EOP  
Lael Brainard/OPD/EOP  
Kelly Craighead/WHO/EOP  
Lynn G. Cutler/WHO/EOP  
Patricia Solis-Doyle/WHO/EOP  
Fred DuVal/WHO/EOP  
Jeffrey A. Forbes/WHO/EOP  
Nancy V. Hernreich/WHO/EOP  
Christopher C. Jennings/OPD/EOP  
Robert B. Johnson/WHO/EOP  
Elena Kagan/OPD/EOP  
Ellen M. Lovell/WHO/EOP  
Alphonse J. Maldon/WHO/EOP  
Michael D. Malone/WHO/EOP  
Sean P. Maloney/WHO/EOP  
Capricia P. Marshall/WHO/EOP  
Doris O. Matsui/WHO/EOP  
Cheryl D. Mills/WHO/EOP  
Linda L. Moore/WHO/EOP  
Janet Murguia/WHO/EOP  
Jennifer M. Palmieri/WHO/EOP  
Dan K. Rosenthal/WHO/EOP  
Marsha Scott/WHO/EOP  
Karen E. Skelton/WHO/EOP  
Stacie Spector/WHO/EOP  
Tracey E. Thornton/WHO/EOP  
Barry J. Toiv/WHO/EOP  
Karen Tramontano/WHO/EOP  
Dorian V. Weaver/WHO/EOP  
Amy Weiss/WHO/EOP  
Roger S. Ballentine/WHO/EOP  
Melinda N. Bates/WHO/EOP  
Antony J. Blinken/NSC/EOP  
Daniel W. Burkhardt/WHO/EOP  
Jose Cerda III/OPD/EOP  
Cheryl M. Carter/WHO/EOP  
Michael Cohen/OPD/EOP  
John Dankowski/WHO/EOP  
Veronica DeLaGarza/WHO/EOP  
Charles N. Duncan/WHO/EOP  
Anne M. Edwards/WHO/EOP  
Julie A. Fernandes/OPD/EOP  
Thomas L. Freedman/OPD/EOP  
Paul D. Glastris/WHO/EOP  
Donald Goldberg/WHO/EOP  
D Holly Hammonds/OPD/EOP  
Kirk T. Hanlin/WHO/EOP  
Susan L. Hazard/WHO/EOP  
Broderick Johnson/WHO/EOP  
Janis F. Kearney/WHO/EOP  
Jennifer L. Klein/OPD/EOP  
Lisa M. Kountoupes/WHO/EOP  
David C. Leavy/NSC/EOP

Kenneth Lieberthal/NSC/EOP  
Jeff B. Liebman/OPD/EOP  
Heather M. Marabeti/WHO/EOP  
Anne E. McGuire/WHO/EOP  
Ann A. McCoy/WHO/EOP  
Cynthia A. Rice/OPD/EOP  
Dorothy Robyn/OPD/EOP  
Cecilia E. Rouse/OPD/EOP  
Laura E. Schiller/WHO/EOP  
Jeffrey A. Shesol/WHO/EOP  
Jake Siewert/OPD/EOP  
Guy Smith/WHO/EOP  
Richard Socarides/WHO/EOP  
Jordan Tamagni/WHO/EOP  
Christopher Wayne/WHO/EOP  
Paul J. Weinstein Jr./OPD/EOP  
William H. White Jr./WHO/EOP  
Barbara D. Woolley/WHO/EOP  
Lanny A. Breuer/WHO/EOP  
Meredith E. Cabe/WHO/EOP  
Mark Childress/WHO/EOP  
Dawn M. Chirwa/WHO/EOP  
Edward W. Correia/WHO/EOP  
Leon S. Fuerth/OVP @ OVP  
Adam W. Goldberg/WHO/EOP  
Michael X. Imbroscio/WHO/EOP  
Ira C. Magaziner/OPD/EOP  
Dimitri J. Nionakis/WHO/EOP  
Sally P. Paxton/WHO/EOP  
Michelle Peterson/WHO/EOP  
Karen A. Popp/WHO/EOP  
Karl A. Racine/WHO/EOP  
Robert N. Weiner/WHO/EOP  
Sara Wilson/WHO/EOP  
Lisa M. Winston/WHO/EOP  
Janet L. Yellen/CEA/EOP  
Kathleen A. McGinty/CEQ/EOP  
Ada L. Posey/OA/EOP  
Jacob J. Lew/OMB/EOP  
Sylvia M. Mathews/OMB/EOP  
G. E. DeSeve/OMB/EOP  
Joshua Gotbaum/OMB/EOP  
Barry R. McCaffrey/ONDCP/EOP  
barshefsky\_charlene @ ustr.gov@INET@VAXGTWY  
jblumenthal @ whitehousefellows.gov@INET@VAXGTWY  
gbritton @ whitehousefellows.gov@INET@VAXGTWY  
KERRICK\_D @ A1@CD@VAXGTWY  
BAKER\_JA @ A1@CD@VAXGTWY  
DOBBINS\_J @ A1@CD@VAXGTWY  
MALLEY\_R @ A1@CD@VAXGTWY  
MCCARTHY\_M @ A1@CD@VAXGTWY  
RUDMAN\_M @ A1@CD@VAXGTWY  
SAMORE\_G @ A1@CD@VAXGTWY  
SCHWARTZ\_E @ A1@CD@VAXGTWY  
Steve Richetti/WHO/EOP  
Jonathan M. Prince/WHO/EOP  
Anne F. Donovan/WHO/EOP  
Sara M. Latham/WHO/EOP  
Kevin S. Moran/WHO/EOP  
Sarah Salton/WHO/EOP

Clara J. Shin/WHO/EOP  
Marjorie Tarmey/WHO/EOP  
Carolyn T. Wu/WHO/EOP  
June G. Turner/WHO/EOP  
Laura S. Marcus/WHO/EOP  
Betty W. Currie/WHO/EOP  
Kay Casstevens/OVP @ OVP  
David W. Beier/OVP @ OVP  
Audrey T. Haynes/OVP @ OVP  
Thomas D. Janenda/WHO/EOP  
Glen M. Weiner/WHO/EOP  
Robin J. Bachman/WHO/EOP  
Rajiv Y. Mody/WHO/EOP  
Aviva Steinberg/WHO/EOP  
Clyde E. Williams/WHO/EOP  
Cecily C. Williams/WHO/EOP  
Laura A. Graham/WHO/EOP  
Jaycee A. Pribulsky/WHO/EOP  
Marisa Luzzatto/WHO/EOP  
Brian A. Alcorn/WHO/EOP  
David R. Goodfriend/WHO/EOP  
Mary Morrison/WHO/EOP  
Tracy Pakulniewicz/WHO/EOP  
Dominique L. Cano/WHO/EOP  
Michelle Crisci/WHO/EOP  
Elizabeth R. Newman/WHO/EOP  
Carolyn E. Cleveland/WHO/EOP  
Lowell A. Weiss/WHO/EOP  
June Shih/WHO/EOP  
Brooks E. Scoville/WHO/EOP  
Kelli R. McClure/WHO/EOP  
Douglas R. Matties/OA/EOP  
Antoinette D. Marchette/WHO/EOP  
Ashley L. Raines/OA/EOP  
Katharine Button/WHO/EOP  
Julie E. Mason/WHO/EOP  
Evan Ryan/WHO/EOP  
Karin Kullman/WHO/EOP  
Charles J. Payson/WHO/EOP  
Christopher J. Lavery/WHO/EOP  
David S. Beaubaire/WHO/EOP  
Elisa Millsap/WHO/EOP  
DAVIES\_G @ A1 @ CD @ VAXGTWY

## Message Copied

To: \_\_\_\_\_

Mary Morrison/WHO/EOP  
Carole A. Parmelee/WHO/EOP  
Dawn L. Smalls/WHO/EOP  
Leslie Bernstein/WHO/EOP  
Michelle Crisci/WHO/EOP  
Dominique L. Cano/WHO/EOP  
Tracy Pakulniewicz/WHO/EOP  
Virginia L. Cearley/WHO/EOP  
Maya Seiden/WHO/EOP  
Jonathan E. Smith/WHO/EOP  
Ruby Shamir/WHO/EOP  
Joshua S. Gottheimer/WHO/EOP  
Ora Theard/WHO/EOP  
Melissa M. Murray/WHO/EOP

Melissa J. Prober/WHO/EOP  
Katharine Button/WHO/EOP  
Maria E. Soto/WHO/EOP  
Emory L. Mayfield/WHO/EOP  
Mona G. Mohib/WHO/EOP  
Jessica L. Gibson/WHO/EOP  
Mindy E. Myers/WHO/EOP  
Antoinette D. Marchette/WHO/EOP  
Christopher J. Lavery/WHO/EOP  
Laura K. Demeo/WHO/EOP  
Abigail C. Smith/WHO/EOP  
Lori L. Anderson/WHO/EOP  
Elizabeth R. Newman/WHO/EOP  
Jocelyn A. Bucaro/WHO/EOP  
Jena V. Roscoe/WHO/EOP  
Victoria A. Lynch/WHO/EOP  
Tania I. Lopez/WHO/EOP  
Charles J. Payson/WHO/EOP  
Jonathan H. Adashek/WHO/EOP  
Carolyn E. Cleveland/WHO/EOP  
Scott R. Hynes/OVP @ OVP  
Alice H. Williams/CEA/EOP  
Sandra F. Daigle/CEA/EOP  
Robert S. Kapla/CEQ/EOP  
Nancy Marlow/CEQ/EOP  
Sharon V. Storey/NSC/EOP  
Marc I. Hurwitz/NSC/EOP  
Patricia A. Battenfield/NSC/EOP  
Janice M. Langley/NSC/EOP  
Nancy H. Maxfield/NSC/EOP  
Carolyn J. Dollar/NSC/EOP  
Ardenia R. Hawkins/NSC/EOP  
Brenda J. Kinser-Kidane/NSC/EOP  
Elaine M. Mitsler/OPD/EOP  
Joan Hunerwadel/NSC/EOP  
Christina L. Burrell/NSC/EOP  
Joan K. Edwards/NSC/EOP  
Natalie S. Wozniak/NSC/EOP  
Cheryl E. Barnett/NSC/EOP  
Mary Ann T. Silva/NSC/EOP  
Wendy E. Gray/NSC/EOP  
ALBERT\_R @ A1 @ CD @ VAXGTWY  
LETTS\_K @ A1 @ CD @ VAXGTWY  
Sterling A. Washington/OA/EOP  
Janet L. Graves/OMB/EOP  
Sandra L. Via/OMB/EOP  
Mary M. Chuckerel/OMB/EOP  
Wanda D. Lindsey/ONDCP/EOP  
Adrienne C. Erbach/OMB/EOP  
Cathy R. Mays/OPD/EOP  
Laura Emmett/WHO/EOP  
Essence P. Washington/OPD/EOP  
Chantell S. Long/OPD/EOP  
Teresa M. Jones/OPD/EOP  
Peter A. Weissman/OPD/EOP  
Shannon Mason/OPD/EOP  
Sharon H. Yuan/OPD/EOP  
Betty J. Fountain/OSTP/EOP  
Dawn V. Woollen/OMB/EOP  
RYE\_B @ A1 @ CD @ VAXGTWY

BAKER\_JE @ A1 @ CD @ VAXGTWY  
chernish\_carol @ ustr.gov @ INET @ VAXGTWY  
einHELLig\_wendY @ ustr.gov @ INET @ VAXGTWY  
Justin Coleman/WHO/EOP  
Phyllis Kaiser-Dark/WHO/EOP  
Eric P. Hothem/WHO/EOP  
Skye S. Philbrick/WHO/EOP  
Robin M. Roland/WHO/EOP  
Doug Babcock/OVP @ OVP  
Gregory W. Chang/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Waldman ( CN=Michael Waldman/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:20-OCT-1998 16:41:31.00

SUBJECT: state of the union

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As I mentioned to Bruce, please let me know about future deputies' meetings on SOTU policy. It is very helpful to me to get an early sense of the universe of possible policies. If you think it more productive to not have me there, I could send a designee.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Annette E. Rooney ( CN=Annette E. Rooney/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:20-OCT-1998 16:24:41.00

SUBJECT: Veto Message on HR 1757 - Foreign Affairs Reform and Restructuring Act

TO: BAKER\_JA@A1@CD@VAXGTWY ( BAKER\_JA@A1@CD@VAXGTWY [ UNKNOWN ] ) (NSC)

READ:UNKNOWN

TO: Carlos Del Toro ( CN=Carlos Del Toro/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: RUDMAN\_M@A1@CD@VAXGTWY ( RUDMAN\_M@A1@CD@VAXGTWY [ UNKNOWN ] ) (NSC)

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Elena Kagan ( CN=Elena Kagan/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: Robert D. Kyle ( CN=Robert D. Kyle/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Barry T. Clendenin ( CN=Barry T. Clendenin/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Michael Casella ( CN=Michael Casella/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: John D. Burnim ( CN=John D. Burnim/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: Rodney G. Bent ( CN=Rodney G. Bent/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: Bruce K. Sasser ( CN=Bruce K. Sasser/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Attached is a draft veto message for this bill, which may be received at the White House -- and vetoed -- as soon as today. The principal basis for the veto is the bill's "Mexico City" abortion provision. The draft veto message is based on input from State and NSC.

Because of the possibility of Presidential action on this bill as soon as today, please give me any comments on the draft veto message by 6:00 today. Thank you.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D83]MAIL463304399.226 to ASCII,  
The following is a HEX DUMP:

FF575043A0040000010A020100000002050000007E1500000002000001A5A95ADDF80F3231F5D  
3B3B3D1373512A05FF73062E25192DFF1AE6A2D110CE2A05B3F2C590194D20CA1D8F06974DB158  
D109194358585916ABEA78486E76A69845449BF8E35B9F5FFF3C8607E0285C2E42EE204308FCE5

## TO THE HOUSE OF REPRESENTATIVES

I am returning without my approval H.R. 1757, the "Foreign Affairs Reform and Restructuring Act of 1998". I take this action for several reasons, most importantly, because this legislation includes unacceptable restrictions on international family planning programs.

Current law, with which Administration policy is fully consistent, already prohibits the use of Federal funds to pay for abortion abroad and for lobbying on abortion issues. This bill would go beyond those limits. One provision would deny U.S. government funding for family planning programs carried out by foreign nongovernmental organizations (NGOs) that use their own funds to perform abortions even though the overall result of these NGO family planning programs is to reduce the incidence of abortion. Although the bill allows the President to waive this restriction, use of the waiver would also cripple many programs by limiting annual spending for international family planning to \$356 million, \$44 million below the amount available for Fiscal Year 1998.

A second provision would attempt to restrict the free speech of foreign NGOs by prohibiting funding for those that use their own funds to engage in any activity intended to alter the laws of a foreign country either to promote or to deter abortion. The bill would even ban drafting and distributing material or public statements on abortion. No waiver is provided for this restriction.

These restrictions and the funding limit would severely jeopardize the ability of the United States to meet the growing demand for family planning and other critical health services in developing countries. By denying funding to organizations that offer a wide range of safe and effective family planning services, the bill would increase unwanted pregnancies and lead to

more abortions than would otherwise be the case.

I am also deeply concerned that this legislation ties unacceptable restrictions on international family planning to payment of legitimate U.S. arrears to the United Nations and other international organizations. There are strongly held beliefs on both sides of the debate over international population policy, and issues associated with this debate should be decided on their own merit.

Congressional insistence on this linkage, and thus its failure to pay U.S. arrears, undermines U.S. leadership and ability to achieve far reaching reforms at the United Nations.

The package authorizing arrears payments linked to UN reforms was the result of good faith negotiations between the Administration and Congress more than a year and a half ago. Unfortunately, due to the passage of time, some of these conditions are now outdated and are no longer achievable. While many of the UN reform benchmarks in the package remain acceptable, significant revisions are required, and we look forward to working with Congress next year to win the payment of our arrears and an achievable package of UN reforms.

H.R. 1757 also contains a number of provisions that raise serious constitutional concerns. These provisions include section 1809 that instructs U.S. representatives to the International Atomic Energy Agency as to positions that they must take on programs and projects in Cuba, section 1228 requiring denial of visas to certain classes of Haitians, and a part of section 1812 regarding U.S. policy on Jerusalem.

While the legislation contains important and carefully negotiated authority to reorganize the foreign affairs agencies and other basic authorities for the State Department, these important provisions have been included in the Omnibus Consolidated Appropriations Act for FY 1999,

which will be presented to me for signature shortly..

For these reasons, I am compelled to return H.R. 1757 without my approval.

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 17:28:51.00

SUBJECT: Breast cancer paper

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is the press paper for the First Lady's breast cancer event tomorrow that includes new cancer #s etc that I thought you would want to review.

sb ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D98]MAIL48937439W.226 to ASCII,  
The following is a HEX DUMP:

FF575043500C0000010A0201000000020500000095360000000200001412A18F6A10E977E4D95C  
738250806BA707594689354AA9176001ACD82BEC6F3B034BE80F88263B91962CD01A434B2748E6  
2B74C1D71A8BB5F70CADEEC6FF691FB49BBF9839FB64CB6EF698245318B09244B4DB4E32BDE81E  
F081BE4825EFA538D40C8BF4264B98A3CF4FCD4C0BFE7E33BB8762EAB4F0D7650D3FF79B181DB0

**FIRST LADY ANNOUNCES LARGEST INCREASE IN FUNDING FOR CANCER RESEARCH,  
NEW BREAST CANCER CLINICAL TRIAL, AND OTHER NEW STEPS TO FIGHT BREAST  
CANCER**  
October 21, 1998

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***"We are facing a critical juncture in the fight against breast cancer. Our national commitment-- in the form of increased federal investment, additional private support, and a dose of heart and hard work -- is beginning to pay off as we witness enormous progress against the disease. With more investments at this critical time, we can truly hope for successful ways to prevent, detect, treat, and one day cure to this cancer that strikes so many women."***

**First Lady Hillary Rodham Clinton**

Today, in honor of Breast Cancer Awareness Month, First Lady Hillary Rodham Clinton announced: the largest funding increase in the history of the National Cancer Institute (NCI); the largest clinical trial of drugs with the potential to prevent breast cancer; and an expanded mammography outreach campaign. The First Lady also released a landmark five-year report from the Federal Coordinating Committee on Breast Cancer charting extraordinary progress in breast cancer research, prevention and treatment. The First Lady:

***Announced Record Funding Increases for the National Cancer Institute.*** As part of the recent budget agreement, Congress passed a significant down-payment on the President's 21st Century Research Fund. Today, the First Lady announced that the National Cancer Institute will receive a total budget of over \$2.9 billion in FY 1999, a \$375 million increase that will enable NCI to fund critical new research activities. The First Lady also note that this increase was strongly advocated for by the Vice President. Over ten percent of this increase will go to fund initiatives to increase patient participation in clinical trials; efforts to meet the President and Vice President's challenge to translate progress into better genetics to create diagnostic techniques for every major cancer by the year 2000; and other investments to develop new early detection methods. This increase will also fund seven new breast cancer treatment clinical trials, including a trial to expand the use of Herceptin to treat breast cancer earlier. This budget will build on historic increases in breast cancer at the NCI during the Clinton Administration from \$283 million in FY 1993 to \$433 million in FY 1998. The Department of Defense will spend an additional \$135 million in FY 1999 on innovative peer-reviewed breast cancer.

***Announced Largest Clinical Trial of Drugs With Potential to Reduce the Risk of Developing Breast Cancer.*** The First Lady also announced a new clinical trial to compare tamoxifen, a drug that has been shown to reduce the risk of developing breast cancer, to raloxifene, which researchers believe may also reduce risk, but with fewer side effects. The unique STAR trial will involve 22,000 women at increased risk of breast cancer and is scheduled to open at approximately 400 sites across the United States and Canada early next year. Underscoring the need to examine all aspects of breast cancer, the First Lady also highlighted an important trial underway at NIH examining the relationship between low-fat diet and prevention of breast cancer.

***Expanded Awareness Campaign To Help Ensure Women Get Recommended Mammograms.*** The First Lady also unveiled an expanded outreach and education campaign to encourage women ages 65 years and older

to get regularly scheduled mammogram screenings. This year's campaign will emphasize the new mammography Medicare benefit that the President proposed and signed into law that covers annual mammograms and makes them more affordable. HHS is also expanding outreach efforts to special populations -- low-income and minority women -- who tend to have the highest breast cancer mortality rates. For example, the Health Care Financing Administration has initiated a pilot program to provide free mammogram screenings and air public service announcements in key cities targeted to minority communities, while the Food and Drug Administration has developed and distributed educational materials to underserved communities around the country.

*Unveiled Landmark Report on Progress Against Breast Cancer in the Last Five Years.* The First Lady also released a new report from the Federal Coordinating Committee on Breast Cancer highlighting the accomplishments in breast cancer over the past five years, since the Administration took office. This report underscores critical progress the Administration has made, including:

- A significant investment in research--reaching over \$550 million in 1998 that has led to historic advances in breast cancer, such as the identification of new breast cancer genes, and promising new treatments, such as Taxol and Herceptin;
- Improved the quality and availability of prevention tools like mammograms, through efforts such as a new Medicare mammography benefit, an unprecedented outreach campaign to encourage older women to get mammograms, as well as improvements in the quality of mammograms through the Mammography Quality Standards Act;
- Enhanced access to treatment and quality of care for women with breast cancer by increasing access to cancer clinical trials, new projects to improve detection and care among low-income and minority women; and launching
- Innovative interagency and public-private partnerships that have made remarkable strides, such as applying the latest in defense and space technology to better detect cancerous tissues and to develop less intrusive surgery methods for patients.

*Highlighted That Congress Has Adjourned Without Passing Critical Legislation to Advance the Fight Against Breast Cancer.* The First Lady also outlined the agenda that has yet to be finished by this Congress, including:

- **A Patients' Bill of Rights.** The Clinton Administration has repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. A patients' bill of rights contains critical patient protections for women with breast cancer, such as assuring access to specialists, continuity of care so that women are not required to change doctors in the middle of treatment, and an independent appeals process to address concerns that health plans are unfairly delaying or denying care.
- *Legislation to End Genetic Discrimination.* Studies show that a leading reason women do not get new genetic testing for susceptibility to breast cancer is because they worry about discrimination. To ensure that new advances in genetics are used to improve health rather than to discriminate against individuals, the President has called for legislation prohibiting health plans and employers from discriminating against individuals on the basis of their genetic information.
- **Bipartisan Initiative Authorizing Coverage of Cancer Clinical Trials for Medicare Beneficiaries.** Americans over the age of 65 make up half of all cancer patients, and are 10 times

more likely to get cancer than younger Americans. Older Americans, however, frequently cannot participate in cutting-edge cancer clinical trials because Medicare does not pay for experimental treatments. The Congress has adjourned without passing the Administration's proposal, similar to legislation supported by Senators Mack and Rockefeller, that authorizes coverage of clinical trials for Medicare beneficiaries without harming the Trust Fund.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 20:03:03.00

SUBJECT: tomorrow's DOJ conference

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: 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:

Tomorrow is the first day of a two day conference sponsored by DOJ on nursing home fraud and abuse. The conference is not being held to discuss specific initiatives around fraud and abuse, although some may be developed subsequent to it. We anticipate that substantive initiatives may be developed following the conference from both DOJ and HHS. Should that be the case, we will determine the feasibility of holding an event around their release. While we don't anticipate much media coverage of tomorrow's conference, Eric Holder will probably do everything in his power to attract attention. (We write this only to cover us in the event that there is any media coverage.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 19:22:25.00

SUBJECT: Read this version: Job Access Roll-Out in Chicago 10/22

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

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

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

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

TEXT:

According to DOT staff, there's a possibility that the First Lady may be attending this event (Jen, this is when Secretary Slater will be announcing availability of the Job Access/Reverse Commute grants that we fought hard for and were included in TEA-21.) If HRC does attend, DOT will make sure there are some former welfare recipients participating who could introduce her. We've suggested they go to United Airlines for local success stories (W2W Partnership staff and United will be on one of the panels). Sen. Mosley-Braun, Rep. Danny Davis, Mayor Dailey, and Cook County Commissioner John Stroger are expected to participate.

Also, there's a rumor that Slater is considering naming the program for Rosa Parks and Delores Juerta (sp?), so it would be something like the Rosa Parks and Delores Juerta Job Access and Reverse Commute Grants Program (try to get an acronym around that one!). There may be legal and perception issues w/ this that DOT is still sorting out.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 21:47:38.00

SUBJECT: Draft --Top Ten List

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

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

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

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

TEXT:

Here's a top ten list of Exec. Actions plus 5 alternates. If these look like the right ones I'll run 'em back by the team leaders to see if we can do any more updates on the success of the actions.===== ATTACHMENT  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D33]MAIL410385397.226 to ASCII,  
The following is a HEX DUMP:

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Draft

## 10 KEY EXECUTIVE ORDERS, MEMORANDUMS, AND PROCLAMATIONS 1996-1998

1. *Protecting Patients' Rights.* Executive Memorandum, February 20, 1998. Directed Secretaries of Defense, Labor, Health and Human Services, Veterans Affairs, and the Director of the Office of Personnel Management to ensure that all Federal health plans, which serve over 85 million Americans, come into substantial compliance with the recommended protections in the Health Care Consumer Bill of Rights ("Patient Bill of Rights").
2. *Creating A National Monument.* Proclamation, September 18, 1996. President Clinton created by proclamation the Grand Staircase Escalante National Monument in Utah, thereby protecting 1.7 million acres of spectacular red rock canyon lands, artifacts from three ancient cultures, and the most remote site in the lower 48 states.
3. *Banning Imported Assault Weapons.* Executive Memorandum, November 14, 1997. In response to this memorandum, the President announced in April 1998 that the Treasury Department had found that more than 50 kinds of modified assault weapons are generally not importable because they accept large capacity military magazines. Up to 1.5 million rifles whose importation had been temporarily suspended may be affected this decision.
4. *Increasing Child Support.* Executive Memorandum, June 18, 1996. Strengthened child support operations by toughening paternity establishment requirements for applicants for welfare and by enabling states to locate, and withhold wages from, obligors who have taken a job in another state -- reforms that became law along with other tough new rules as part of welfare reform. The Clinton Administration collected a record \$12 billion in child support in 1996 through tougher enforcement, an increase of \$4 billion, or nearly 50%, since 1992. In 1996, the number of child support cases with collections also rose to 4 million, an increase of 43%, from 2.8 million in 1992.
5. *Protecting Children from Handguns.* Executive Memorandum, March 5, 1997. Required that a child safety lock device be issued to every Federal employee who carries a firearm on official duty. By October 1997, all federal agencies with law enforcement agents reported that they were in compliance with the President's directive, including approximately 30,000 Justice Department employees from the FBI, DEA, INS, and Marshals Service, and about 20,000 Treasury law enforcement personnel. Also, under the President's leadership, 8 major handgun manufacturers, who make the vast majority of handguns in the country, have agreed to provide child safety devices with each handgun sold.

*Creating a Sexual Offender Registration System.* Executive Memorandum, July 25, 1996. Improved the safety and protection of children through creation of a national sex offender registry. As of December 1, 1997, 20 states, representing 44.2% of the U.S. population, have contributed to the

national registry which now includes information on approximately 27,000 offenders.

*Promoting Adoption.* Executive Memorandum, December 14, 1996. The Memorandum directed the Department of Health and Human Services to develop a plan to double, by the year 2002, the number of children in foster care who are adopted or permanently placed each year. On February 14, 1997, HHS presented its report called *Adoption 2002*. The *Adoption 2002* report formed the basis of Administration work with Congress toward the development of the Adoption and Safe Families Act of 1997, which incorporated nearly all of the recommendations outlined in the Report and the Memorandum. The President signed the Adoption and Safe Families Act into law on November 19, 1997 less than one year after the Executive Memorandum was issued.

*Encouraging Welfare-to-Work.* Executive Memorandum, March 8, 1997. The President directed federal agencies to use existing hiring authority to hire individuals off the welfare rolls into available federal jobs. In April 1997, agencies identified commitments to hire a total of 10,000 individuals by 2000. To date, the federal government has hired nearly 7,100 welfare recipients, 67 percent of its planned hires.

*Improving Food Safety.* Executive Order, August 25, 1998. Created the President's first-ever Council on Food Safety chaired by the Secretaries of Agriculture, Health and Human Services, and the Director of the Office of Science and Technology to develop a comprehensive strategic plan for Federal food safety activities and to take the next steps to advance Federal efforts to implement a science-based strategy to improve the safety of the food supply and enhance coordination among Federal agencies.

*Promoting the Use of School Uniforms.* Executive Memorandum, February 23, 1996. Helped to deter school violence, promote discipline, and foster a better learning environment by promoting school uniforms. Disseminated *Manual on School Uniforms* to 15,000 school districts in 1996. In addition, 9,167 copies of the manual were distributed to persons who requested them.

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Hex-Dump Conversion

## **TIONAL 5 ACTIONS**

*Making Public Housing Safe.* Executive Memorandum, March 28, 1996. Denied admission to applicants and evicted tenants in public housing authorities (PHAs) who have engaged in illegal drug use or other criminal activities. The guidance permits PHAs to institute and enforce tough rules to protect the safety of families living in public housing. Of the 1,859 out of 3,192 (58%) total PHAs responding to the Department of Housing and Urban Development's Office of Public and Indian Housing March 1997 survey, 1,392 PHAs had implemented "One Strike" programs.

*Making Tobacco Documents Available to the Public.* Executive Memorandum, July 17, 1998. The Executive Memorandum directed the Secretary of Health and Human Services (HHS) to coordinate a public health review of tobacco industry documents and develop a plan to make documents more accessible to researchers and the public.

*Helping Uninsured Children.* Executive Order, February 18, 1998. President directed the seven Federal agencies with jurisdiction over children's programs to establish a multi-agency effort to enroll uninsured children. As a result, 10 agencies are implementing over 150 activities to educate families on enrolling uninsured children.

*Ensuring Opportunity for all Children.* Executive Order, April 17, 1996. Launched the "Computers for Learning" program, which is a unique partnership between federal agencies, schools, and non-profits across the country to move more than 70,000 computers into the nation's neediest classrooms.

*Keeping Guns Away From Kids.* Executive Memorandum, July 8, 1996. Traced approximately 93,477 guns from 27 communities (17 original sites and 10 new sites) through the use of an innovative computer software system that examines crime gun trace information and provides law enforcement officers with crucial investigative leads about the sources of these guns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 10:36:58.00

SUBJECT: EO's

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

READ:UNKNOWN

TEXT:

Here's my top 10:

1. Applying patient protections in federal health plans
2. Requiring welfare recipients to work within 2 years (7/96) plus 80+ waivers
3. Ordering reduction of 100,000 federal positions (2/93).
4. Ban on federal funding for human cloning (3/97)
5. Requiring federal employees to pay child support (2/95)
6. Ban on importation of assault pistols and crackdown on federal firearms licenses (8/93)
7. Requiring teen welfare mothers to stay in school as a condition of benefits (5/96)
8. One strike and you're out of public housing (3/96)
9. Drug testing for federal arrestees (12/95)
10. Religious expression in the Federal Workplace (8/97)
10. Protection of Children from Environmental Health and Safety Risks (4/97)

#### OTHERS

A host of right to choose E.O.'s in January 93 (Mexico City, RU486, etc.)  
The land grab in Utah (96)  
ETS in the Federal Workplace (7/97)  
Expanding family and medical leave for federal workers (parent-teacher confs) 4/97  
Memo to Cabinet to hire 10,000 off welfare (3/97)  
Requiring seatbelts on federal property (1/97)  
Requiring child safety locks for federal law enforcement (3/97)  
Developing sexual offender registry (7/96)  
Religious expression in the public schools (7/95)  
Direct ATF to do youth gun tracing in 17 cities (7/96)  
Improving child care (4/97)  
Direct DoEd to do manual on school uniforms (2/96)  
National testing in DOD schools (4/97)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 14:04:44.00

SUBJECT: Class size -- Out years

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:

The analysis below basically says that we will need between \$3.5 and \$3.9 billion in 2005 in order to reach 100,000 teachers, rather than the \$2.8 billion in our original proposal. This is because this year's agreement dropped the matching requirement (average of 20%) and also because we assumed in our proposal that all the funds in the last two years would go to hiring teachers, with none going to training.

In light of this, I think our best approach to releasing numbers this week is to simply stick with the release of numbers for just this year, and generally assert that we are on track for 100,000 without providing particulars for the outyears. If pressed, we could say that we will work to get Congress to pass something next year that is consistent with our original proposal, in order to finish the job.

Alternatively, we could provide the same numbers for years 2-7 that we have been using up until now, based on our original proposal, and assert that we will go back to Congress next year and press them to pass our original proposal. However, I think this approach more explicitly undermines our victory claims, because it would force us to acknowledge that we didn't get the provisions that make our numbers work.

A third option, also undesirable from my perspective, is to put out a new spending trajectory that will give us the \$3.5-3.9 we need in the final year in order to get to 100,000 teachers. This approach would require us to both highlight what we didn't get, and armwrestle with OMB over the 2005 budget.

Any other ideas?

----- Forwarded by Michael Cohen/OPD/EOP on 10/20/98  
01:49 PM -----

Thomas\_Corwin @ ed.gov  
10/20/98 11:48:00 AM

Record Type: Record

To: Michael Cohen

cc:

Subject: Class size -- Out years

Mike (per your request) --

The original "trajectory" for funding class size was as follows:

FY 99	\$1.1B
FY 00	1.3
FY 01	1.5
FY 02	1.7
FY 03	1.735
FY 04	2.3
FY 05	2.8

If we assume that 10 percent of the money will go for "quality" and that there will never be a match, and that the \$35,000 per teacher average holds across the States, Territories, and BIA, then we would start out with 30,857 teachers in 1999 and get only to 70,000 teachers in 2005. And it would take about \$3.889 billion in 2005 to get to 100,000 teachers.

But remember that in our bill, in order to get the the 100,000 figure, we eliminated the requirement to spend 10 percent on quality after 2003. If we assume that, in the next round, we get through some kind of authorization that requires that all funds, beginning in 04, go for hiring teachers, then we would reach 80,000 in 2005 and would need only \$3.5 billion in order to make it to 100,000.

Tom

===== 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 <01J37227UN80003YSF@PMDF.EOP.GOV> for cohen\_m@a1.eop.gov; Tue,  
20 Oct 1998 13:44:41 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
with ESMTTP id <01J37224UEM8003Y3V@PMDF.EOP.GOV> for cohen\_m@a1.eop.gov; Tue,  
20 Oct 1998 13:44:38 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])  
by STORM.EOP.GOV (PMDF V5.1-12 #29131)  
with ESMTTP id <01J3721QLR9U0036ZJ@STORM.EOP.GOV> for cohen\_m@a1.eop.gov; Tue,

20 Oct 1998 13:44:18 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.16.166])  
by vader.ed.gov (8.9.1a/8.8.4) with SMTP id NAA23218; Tue,  
20 Oct 1998 13:44:34 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov  
(IMA Internet Exchange 2.12 Enterprise) id 002711AA; Tue,  
20 Oct 1998 13:27:02 -0400

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



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 09:08:12.00

SUBJECT: NACARA regulation

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I just got word from OIRA that they have signed off on the NACARA regulation. Now it is up to DOJ to publish it in the federal register (likely within the next few days). I have already called DOJ to ask that they expedite their process.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 18:32:53.00

SUBJECT: New ideas update

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

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

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

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

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

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

TEXT:

We've been working to further develop the tobacco and welfare ideas we've discussed but the basic descriptions you already have haven't changed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 17:01:41.00

SUBJECT: Native American budget wins

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm leaving for the conference. Lynn is speaking tomorrow morning so I wanted to try to have it by then. Here is the information where to fax it to:

Fairfield Inn, Mrytle Beach  
843-444-8097  
FAX 843-444-8394

I won't be there until 10pm tonight. Thanks, Mary  
----- Forwarded by Mary L. Smith/OPD/EOP on 10/20/98  
05:02 PM -----

Mary L. Smith  
10/20/98 03:51:58 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP  
Subject: Native American budget wins

This is a document on Native American budget wins that OMB has approved. I would like to pass this out at the National Congress of American Indians conference. Could you review this by 4:30 as I am leaving to catch a plane to the conference at 5pm? Thanks

I am just waiting for signoff from Fred DuVal on the gaming paragraph.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D73]MAIL46444439A.226 to ASCII,  
The following is a HEX DUMP:

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# PRESIDENT CLINTON FIGHTING FOR NATIVE AMERICANS IN THE BUDGET, BUT THERE IS STILL MORE WORK TO DO

October 20, 1998

The final FY99 budget represents a significant step forward for America, protecting the surplus until Social Security is reformed, and putting in place critical investments in education and training, from smaller class sizes to after-school care, and from summer jobs to college mentoring. While the final budget is clearly a win for President Clinton and Vice President Gore, there is still more work to do to prepare America for the 21st century. Unfortunately, Republicans blocked school modernization, Patients Bill of Rights, comprehensive tobacco legislation, child care investments, and campaign finance reform.

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## Budget Victories for Native Americans:

**Saving Social Security First.** The President's commitment to Save Social Security First held the line against several Republican efforts to drain the surplus.

**Investing in Education and Training.** While House Republican tried to slash their education budget by over \$2 billion, President Clinton and Congressional Democrats delivered on their education agenda:

— **More High-Quality Teachers With Smaller Class Sizes:** \$1.2 billion for the first year of the President's new initiative to hire 100,000 new teachers to reduce class size in the early grades to a national average of 18. Through smaller classes this initiative will help recruit high-quality teachers and will insure that students will receive more individual attention, a solid foundation in the basics, and greater discipline in the classroom.

— **\$6 Million of the \$1.2 Billion is for BIA-funded schools.** The funds can used to recruit, hire and train teachers in order to reduce class size in the early grades.

— **BIA School Construction and Repair: The final budget provides \$60 million** to replace older, unsafe, and dilapidated schools on reservations in accordance with a Congressionally-approved priority list of replacement schools and would provide for much-needed health and safety-related repairs and improvements that together comprise a roughly \$700 million backlog. In his FY1999 budget, the President requested \$87 million, which is a \$33 million (61%) increase over FY 1998, to support the Administration's initiative. The House-passed bill would have provided only \$59 million, which was \$28 million (32%) below the requested amount.

— **Ensuring the Success of Public Schools and Colleges Serving Tribes.** The final budget provides \$574 million for the operation of elementary and secondary schools, tribally controlled community colleges, and assistance to Indian children attending public schools. This represents an increase of 16 millions from FY98. The funds can used to recruit, hire and train teachers in order to reduce class size in the early grades. These funds will assist the Nation's 30 tribal colleges, which provide 2-year degrees to over 25,000 students in 12 states. For the first time in his FY99 budget, the President singled out tribal colleges for the time in his proposed budget for the Higher Education Act.

— **After School Programs:** \$200 million to expand programs and serve a quarter of a million children.

— **Child Literacy:** \$260 million for a new literacy initiative, consistent with the President's America Reads proposal.

– **College Mentoring for Middle School Children:** \$120 million for GEAR-UP, a new mentoring initiative to help up to 100,000 low income middle school children prepare for college.

– **Education Technology:** A \$114 million increase over FY98 to ensure that every child has access to computers, the Internet, high-quality educational software, and teachers that can use technology in the classroom.

– **Child Care Quality:** \$182 million to improve the quality of child care for America's working families.

– **Teacher Recruitment:** \$75 million for new teacher quality programs including to recruit and prepare thousands of teachers to teach in high-poverty areas.

– **Head Start:** A \$313 million increase to fund President's request of up to an additional 36,000 slots for children and keeping on track towards one million children served by 2002.

– **Indian Head Start:** The final budget provides \$134 million for Indian Head Start -- a \$9 million increase over FY98.

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**Fighting Crime in Indian Country.** The President's budget included key increases for law enforcement:

– **Improves Law Enforcement in Indian Country.** The final bill includes a \$109 million increase -- for the Departments of Justice and Interior -- for the President's Indian Country Law Enforcement Initiative. The initiative will improve public safety for the 1.4 million residents on the approximately 56 million acres of Indian lands. This funding will increase the number of law enforcement officers on Indian lands, provide more equipment, expand detention facilities, enhance juvenile crime prevention, and improve the effectiveness of tribal courts. **Although violent crime has been declining nationally for several years, it has been on the rise in Indian country. At the same time, police service on Indian lands has been steadily shrinking. Recognizing these facts, the President made a major commitment to improve law enforcement in Indian country**

**Providing Health Care.** President Clinton and Vice President Gore are committed to providing health care to the Native American population. This budget moves forward on their vision to help realize this goal.

– **Indian Health Service:** Indian Health Services saw an increase of \$140 million over FY98. This increase will assist in providing much-needed quality health care to Indian communities.

– **Indian Health Service (IHS) Contract Support Costs.** The House bill contained an objectionable provision that would allocate contract support costs (e.g., indirect costs) to tribes that have contracted and compacted their health systems on a proportional basis. The Native American community and IHS objected to this provision because some tribes would have received less funding than they received in FY 1998. At the same time, the Congress agreed to add some funding to contract support costs so that the amounts by which some tribes' payments are reduced is minimized. The Administration pursued compromise language, but at the last minute the House relented and removed the objectionable provision entirely.

**Moving People from Welfare to Work and Empowering Communities.** President Clinton and Vice President Gore are committed to tapping the potential of America's urban and rural communities. This budget moves forward on their vision to help revitalize America's communities.

– **50,000 Welfare-to-Work Housing Vouchers.** President Clinton's FY 1999 Budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work. The original House bill included \$100 million, while the Senate

provided only \$40 million. The final budget includes President Clinton's full request of \$283 million for 50,000 welfare-to-work housing vouchers.

- **\$75 Million for Welfare-to-Work Transportation Funds.** While the House and Senate provided \$50 million -- the minimum amount "guaranteed" in the transportation bill -- the final budget includes \$75 million for this competitive grant program. These funds will assist states and localities in developing flexible transportation alternatives, such as van services, to help former welfare recipients and other low income workers get to work.
- **Community Development Financial Institution (CDFI) Expansion.** The Administration requested a major expansion of the CDFI program to continue building a national network of community development banks. The original House bill froze CDFI funding at \$80 million, while the Senate cut funding to \$55 million. The final budget increases CDFI funding from \$80 million in FY98 to \$95 million in FY99 -- a 19-percent increase.
- **Flexible Funding for Empowerment Zones.** President Clinton and Vice President Gore requested mandatory funding for second-round urban and rural Empowerment Zones. While the House and the Senate did not provide any funding, the final budget includes \$60 million in this flexible discretionary funding for the next round of Empowerment Zones and new rural Enterprise Communities. Included in this funding is \$10 million in discretionary funds for 5 rural Zones. This funding will allow the Zones to begin implementing their development strategies to bring jobs and investment to these disadvantaged areas. Also included is \$5 million for 20 new rural Enterprise Communities with purposes similar to the round one Enterprise Communities. Tribes are eligible to receive funding.
- **Indian Housing:** The budget provides \$620 million in block grants for Indian housing, which will serve 552 tribes.

**Protecting Sovereignty and Promoting Economic Development.** The Administration was successful in negotiating to remove several riders on the Interior bill that would have seriously interfered with tribal sovereignty and cut funding for Indian populations. The President's negotiators made protecting tribal sovereignty and promoting economic development a priority:

- **Protecting Sovereignty:** Worked out an agreement to remove from the bill an effort to prohibit the promulgation of regulations for Class III gaming. The final bill permits these regulations to be promulgated in six months, which the Administration is confident will protect Indian gaming.

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### **Much Work Still Left to Do:**

In the waning days of the session, the President and Congressional Democrats prevailed in making critical investments to advance the President's comprehensive education agenda. Much work remains for the future because Republicans in Congress killed, at least for now, critical priorities, including:

- \* **School Modernization.** Beginning with his State of the Union address, the President fought all year to modernize our schools. His fully paid for tax credits would have leveraged nearly \$22 billion in bonds to build and renovate schools. In the final days of the budget negotiations, Republicans in Congress refused to even meet on the critical issue of school construction.
- \* **Patients Bill of Rights.** President Clinton repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. Congressional Republicans killed this year's effort to pass a Patients Bill of Rights.
- \* **Comprehensive Tobacco Legislation.** This year, President Clinton made passage of legislation to reduce youth smoking a top priority, in order to stop kids from smoking before they start through a significant price increase, measures to prevent tobacco companies from marketing to children, and

critical public health prevention and education programs. Congressional Republicans opted to act as politicians instead of parents, and killed this year's effort to pass bipartisan comprehensive tobacco legislation to reduce youth smoking.

- \* **Campaign Finance Reform.** At the beginning of the year, the President made passage of bipartisan, comprehensive campaign finance reform a priority for his Administration. After months of delay, the House of Representatives overcame defenders of the status quo and passed the Shay-Meehan bill. However, the Senate Republicans killed this historic legislation.
  
- \* **Child Care Initiative.** In his State of the Union, the President proposed an historic child care initiative to make child care better, safer and more affordable for America's working families. The President's proposal included \$7.5 billion over 5 years for child care subsidies for low-income working families and tax credits to help 3 million working families pay for child care. The Republicans refused to support these critical investments.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 21-OCT-1998 11:57:17.00

SUBJECT: Re: Schedule update

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

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

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

TEXT:

I think our top message priorities for the next 10 days should be 1) Release of afterschool money; 2) Patients Bill of Rights report; and possibly 3) child care #'s.

We're just stupid if we don't put out the afterschool \$ before the election, since almost all of it will go to Democratic districts. The news value of the Patients report is harder to predict, but it would make a good Halloween radio address (top priority for next year, etc.). The child care #'s can probably hold till later -- or I suppose we could release them in conjunction with signing Head Start.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 11:18:31.00

SUBJECT: New Ideas Update

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

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

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

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

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

TEXT:

We had a major meeting of the working group on Community Empowerment yesterday to discuss tax ideas. Treasury made their argument against most proposals. On the housing front, we have the LIHTC expansion and we are working through some ideas on the homeownership end for low-income individuals. On the capital and credit side, everyone is in favor of the CDFI tax credit. On the employment side, there is some discussion of proposing to make WOTC and WTW permanent. I think we would be interested in what your thoughts are on that. As a policy matter, Treasury believes the EITC is much more effective in bringing people out of poverty, but they, the NEC, and OMB don't want to increase the EITC because they believe Republicans would turn around and cut the credit. We have also asked Treasury to work on the Environmental Bond proposal for distressed urban areas. EPA did another redraft but it needs work. I don't think Treasury favors this idea but Orszag and I believe it is good and Dimond has made me aware of a big Michigan ballot initiative to use bonds to finance urban cleanup. The proposal is backed by all the leading Republicans in the state. One area we still have not been able to make any headway is developing a tax incentive to promote commercial development directly. While the enviro bond and the CDFI tax credit would encourage commercial development indirectly or through intermediaries, some believe we should provide a tax incentive targeted to developers who would build supermarkets, drug stores, and other commercial properties in distressed communities.

Next week, Orszag and I will meet with Deich (OMB) to discuss agency submissions and the new ideas process.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 15:25:38.00

SUBJECT: Weekly Strategy Meeting

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

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

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

TO: Vicky\_Stroud ( Vicky\_Stroud @ ed.gov@inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

TEXT:

We will be having the weekly Education Strategy Meeting tomorrow,  
Thursday, October 22, at 5:15 p.m. in Bruce Reed's office, 2 Floor/West  
Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 15:17:50.00

SUBJECT: DPC Staff Meeting

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

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

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

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

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

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

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

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

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

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

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

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

TO: Cynthia Dailard ( CN=Cynthia Dailard/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: Skye S. Philbrick ( CN=Skye S. Philbrick/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Jerold R. Mande ( CN=Jerold R. Mande/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Essence P. Washington ( CN=Essence P. Washington/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: Jonathan H. Schnur ( CN=Jonathan H. Schnur/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: Tanya E. Martin ( CN=Tanya E. Martin/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Chantell S. Long ( CN=Chantell S. Long/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

TEXT:  
Tomorrow's DPC staff meeting is CANCELLED.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 14:44:24.00

SUBJECT: Weekly Strategy Meeting

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

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

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

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

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

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

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

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

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

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

CC: Teresa M. Jones ( CN=Teresa M. Jones/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

CC: Rhonda Melton ( CN=Rhonda Melton/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

TEXT:

We will be having the weekly Health Care Strategy Meeting tomorrow, Thursday, October 22, at 4:00 p.m. in Bruce Reed's office, 2 Floor/West Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 19:44:26.00

SUBJECT: WTW HPB

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

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

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

TEXT:

Today, Jack Lew told Barbara Chow and other OMB staff he doesn't recall the definition of unsubsidized employment (excluding employment subsidized by WTW funds, but not employment subsidized by TANF or other funds) being part of the deal he agreed to with Bruce (see history below). OMB intends to tell DOL to proceed with publication of the guidance on the WTW performance bonus with the narrower definition of unsubsidized employment that DOL and OMB prefers, unless Bruce wants to call a meeting with Jack and Kitty.

This means we would reward job entry only into totally unsubsidized jobs and not give states any credit for placement into jobs that were subsidized by TANF funds.

Here are the best arguments I've got for our position:

1) statute says the bonus formula should measure "success of states in placing individuals in private sector employment of in any kind of employment, through programs operated with funds provided under [\$3 Billion program]."

2) given that this is a one-time bonus to measure performance in FY 1999, defining success so narrowly may understate the performance of the program and jeopardize public support.

For example, Philadelphia has designed an innovative transitional work initiative which blends the TANF funds administered by the state welfare agency and the WTW funds flowing through the state to the local PIC. TANF funds would be converted from a welfare check to a paycheck for hard to serve people working in 25 hour/week wage-paying transitional jobs for 6 months while they gain skills, work experience, and credentials. They will be on the payroll of a non-profit intermediary. WTW funds will be used to pay for 10 hours/week of job training, job readiness/job search etc. Participants continue to get child care, transportation, and medicaid through the welfare agency. After no more than 6 months, the intermediary will place people in unsubsidized jobs. Under DOL/OMB's approach, placements in these transitional jobs would not count towards the bonus, and it's highly unlikely most people would make it into the unsubsidized jobs in time to count toward this one time bonus.

3) The TANF High Performance Bonus does give credit for subsidized and unsubsidized jobs, as long as subsidized jobs are not 100% subsidized (so as to rule out workfare type jobs, but rule in grant diversion/wage supplementation type jobs), and we were hoping to have the WTW and TANF bonuses as close as possible.

4) It's unrealistic to expect a WTW agency to track whether someone is getting a subsidy from TANF agency at the time they count as a job entry under WTW -- not that we don't expect them to coordinate, but there are timing and tracking issues that will get complicated.

5) And, of course, the President likes subsidized employment and one of the purposes of the \$3 billion was to create jobs through private and publicly subsidized employment.

Bruce N. Reed  
09/30/98 01:31:12 PM  
Record Type: Record

To: Andrea Kane/OPD/EOP  
cc: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP, Cynthia A. Rice/OPD/EOP  
Subject: Re: WTW Performance Bonus

Don't cave. We had a deal, and these DOL people are silly.

Andrea Kane  
09/30/98 01:19:31 PM  
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP, Cynthia A. Rice/OPD/EOP  
Subject: WTW Performance Bonus

As part of Bruce and Jack's deal regarding how to reward high performance in the DOL WtW program, we agreed to reward only unsubsidized employment, defined as employment not subsidized by WtW funds (Bruce's reply to Jack, copied below, even made that distinction). See note below for why we thought it made sense to include jobs subsidized by TANF or other funds. OMB staff say DOL staff say Kitty Higgins is furious about this decision, and may call one of you to protest. It appears Jack may not have been aware of the distinction when he agreed to the deal, and his staff is siding with DOL. Everything else has been agreed to.

I suggest we wait to see if Kitty really does call or if they're just bluffing. Alternatively, we could cave.

Andrea Kane  
09/29/98 12:43:13 PM  
Record Type: Record

To: Barbara Chow/OMB/EOP, Barry White/OMB/EOP, Daniel I. Werfel/OMB/EOP, Maureen H. Walsh/OMB/EOP  
cc: Emil E. Parker/OPD/EOP, Cynthia A. Rice/OPD/EOP  
Subject: WTW Performance Bonus

We think it's very clear from Bruce's note to Jack that the agreement to reward unsubsidized employment excluded only wage subsidies paid with WTW funds. Following our July 2nd meeting with agencies, we never had any reason to believe that subsidies paid with non-WTW funds were even an

issue. At that meeting, we questioned how a WTW agency would be able to track subsidies paid by non-WTW funds and DOL said they envisioned only excluding subsidies paid with WTW funds. We are willing to hold the PICs responsible for knowing whether or not they are paying a subsidy; it gets much more complicated to expect them to know if someone is getting a wage subsidy from another source, i.e. what counts, for what period, and what happens if status changes from subsidized to unsubsidized in the middle of a quarter.

Bruce N. Reed  
09/17/98 01:54:30 PM  
Record Type: Record

To: Jacob J. Lew/OMB/EOP  
cc:  
Subject: DOL High performance rule

I think your offer makes a lot of sense. We'll go along with your proposal to reward unsubsidized employment (i.e., exclude wage subsidies and OJT paid with WTW funds), if you go along with setting the threshold for the 2nd job entry measure at 30 hours, not 20; and the overall weighting at 60% job entry (40% job entry, 20% substantial job entry) and 40% retention/earnings gain (25% retention, 15% earnings gain).

Thanks for resolving this. We'll call on you to settle the next baseball strike.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 09:55:06.00

SUBJECT: ATM Initiative

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Jonathan Orszag ( CN=Jonathan Orszag/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Yesterday, Treasury staff raised with Secretary Rubin the idea of collecting information on ATM and other fees to be published over the internet by Treasury. Apparently the Secretary went ballistic. He wants no Treasury involvement in an issue which he believes is not a problem nor does he feel it is correct to require banks, thrifts, and credit unions to publish this information and not grocery stores, gas stations, etc. With regards to the second critique, I would have no problem publishing the ATM fees charged at non-banks but Treasury does not have the authority nor does the mechanism exist currently to collect this information.

I still believe this is a good idea. We have a couple of options. Push back at Rubin or find another agency (Justice, Commerce) to do the study.

Thoughts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 10:36:52.00

SUBJECT: New ideas update

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

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

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

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

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

TEXT:

I asked for new ideas updates yesterday. Cynthia is the only one who has responded to the subpoena. I am scheduling a mandatory 3-hour meeting without coffee for everyone who doesn't get their answer in this afternoon.

----- Forwarded by Bruce N. Reed/OPD/EOP on 10/21/98  
10:30 AM -----

Cynthia A. Rice  
10/20/98 06:31:16 PM  
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP  
cc: Andrea Kane/OPD/EOP, Cynthia Dailard/OPD/EOP, Paul J. Weinstein Jr./OPD/EOP  
Subject: New ideas update

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ruby Shamir ( CN=Ruby Shamir/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:21-OCT-1998 18:22:23.00

SUBJECT: Women's Mtg

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Lucia F. Gilliland ( CN=Lucia F. Gilliland/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

There will be a Women's Mtg on Thursday at 9:00am in room 100. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 11:45:44.00

SUBJECT: Schedule update

TO: Julie A. Fernandes ( CN=Julie A. Fernandes/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: 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: 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

TEXT:

If there are any bill signings coming up that you want to recommend the President do as a public event, please let me know today.

Wed	10/21	HRC Breast Cancer Event - Possible POTUS Drop-By
Thurs	10/22	DAY Off/possible travel to Wye Plantation
Fri	10/23	Social Security Roundtable on Women and Pensions Americorps Swearing-In (East Room) Tape Radio Address

Mon	10/26	DAY OFF
Tue	10/27	Social Security/Surplus Event
Wed	10/28	Columbian State Visit AIDS Announcement (*scheduled for 4:30pm)
Thur	10/29	Space Shuttle Launch (Cape Caneral, FL)
Fri	10/30	Message Event tbd Tape Radio Address

FYI, HRC is being asked to attend the Welfare to Work Parntership Event at the MCI Center Nov. 9. and the Ceremony honoring the Community Academy Public Charter School in D.C. in November since the President cannot attend.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 12:13:41.00

SUBJECT: FDA statement

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D39]MAIL442531495.226 to ASCII,  
The following is a HEX DUMP:

FF5750433A050000010A02010000000205000000590E00000002000000C0B8F17269A475350F309  
15F5FBC9FA0DCB7EE4E74953395446A6457ABDECD08AA7408A3C9ED20067CB0D6BEB778131940A  
6E38161828E4B21D95318A651D50A8ACD02444D6CAD78C8590EDD63B6E62D1E2C42FD1AECE646F  
6A55B27AD80A5AFB8EF734F43FDAA7958477EEBA72584431E0E5E4EBE3C6735161161AF9A0CBB4  
396B5D3390910C3DA0D9F3B98D9E9C4837B4FF931C12873DF8D8CE4E27C112CB114F973D6D17DB  
AFCD1C8ACA3F41C7AB7627C526AC5477E050F773E2153E6F3347E0E752B82047641F346790F150

**STATEMENT BY THE PRESIDENT ON CONFIRMATION OF DR. JANE E. HENNEY  
AS COMMISSIONER OF THE FOOD AND DRUG ADMINISTRATION  
October 21, 1998**

I am extremely pleased that today the Senate, with strong bipartisan support, overwhelmingly voted to confirm Dr. Jane E. Henney to be the next Commissioner of the Food and Drug Administration. As the first woman and first oncologist to be confirmed as FDA Commissioner. I am confident that Dr. Henney will live up to the trust the Senate has placed in her.

The nation now has an FDA Commissioner who is committed to assuring that Americans have safe food, safe and effective drugs and medical devices, and improved public health. Dr. Henney has blazed many trails and no one is more qualified to lead the FDA. She has served four Presidents and helped guide some of America's finest academic health centers. Her expertise in science and technology and lifelong dedication to individual patients will enable her to strike the important balance between the need for timely approval of prescription drugs and medical devices, while maintaining safety and quality.

I commend the Democrats and Republicans who worked to give Dr. Henney a full and fair hearing and help expedite this confirmation. I also want to thank representatives of consumers, physicians, nurses, and many within the industry for their steadfast and strong support for Dr. Henney. Their combined leadership made a vital contribution toward assuring we have the right person to lead FDA into the 21st century.

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 12:13:13.00

SUBJECT:

TO: LAURA (Pager) #EMMETT ( LAURA (Pager) #EMMETT [ UNKNOWN ] )  
READ:UNKNOWN

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

TO: 4429 ( 4429 @ WHCA [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

sent FDA statement for your review. pls call sarah or chris with changes  
asap thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 11:57:16.00

SUBJECT: Bill Signings

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: 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: 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\_PA1@CD@VAXGTWY ( WEINSTEIN\_PA1@CD@VAXGTWY @ VAXGTWY [ UNKNOWN ] ) (O  
 READ:UNKNOWN

TEXT:

Following is the list of bill signings the Scheduling Office is trying to  
 prioritize.

S. 2206, Human Services Reauthorization Act By Oct. 27  
 -This act includes reauthorization of Head Start, LIHEAP,  
 Community Services  
 Block Grant, and new Individual Development Account (IDA)  
 initiative.

Joint Signing for S. 2235, Omnibus Crime Control and Safe By Oct.  
 27  
 Streets Amendments and H.R. 3494, Child Protection and  
 Sexual Predator Punishment Act of 1998

H.R. 2431, International Religious Freedom Act of 1998 By  
 Oct. 28  
 -To demonstrate the President's deep and personal commitment to  
 international religious freedom and human rights.

H.R. 678, Thomas Alva Edison Sesquicentennial Commemorative  
 Coin Act By  
 Oct. 31  
 -This bill directs the Secretary of Treasury to mint one-dollar  
 silver coins  
 emblematic of the light bulb and the many inventions made by  
 Edison.

H.R. 3910, the Automobile National Heritage Area Act of 1998 TBD  
 -This bill established six Automobile National Heritage Areas  
 in southeastern  
 Michigan, to help recognize the automobile industry's  
 contribution to the  
 development of the American economy.  
 White House has not received bill.

H.R. 3874, William Goodling Child Nutrition Reauthorization  
 Act By  
 Oct. 31  
 -To highlight the Administration's commitment to hunger and  
 nutrition programs.

Electronic Commerce Event and Bill  
 Signing TBD

-To highlight the accomplishments of the President's electronic commerce initiative, to release the one year progress report on the initiative and to sign bills that are part of the initiative.

H.R. 1853, Carl D. Perkins Vocational & Applied Technology  
Education  
Amendments  
31

By Oct.

-To celebrate the completion of the GI Bill of Rights for America's  
Workers with the passage of this bill.

S. 2232, Establishes the Little Rock Central High School  
National Historic  
Site

TBD

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-OCT-1998 11:59:49.00

SUBJECT: Re: Bill Signings

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The first two might be worth doing. The rest are junk, esp. Child Nutrition and Voc Ed. If somebody recommends a literacy signing, we should resist that too. We could do a joint charters, voc ed, and literacy signing, but I wouldn't recommend it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia Dailard ( CN=Cynthia Dailard/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:21-OCT-1998 12:47:07.00

SUBJECT: Re: FEHBP contraceptive coverage

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I wanted to forward to you this exchange I had with Dan re implementation of contraceptive coverage in FEHBP. OMP is moving quickly!

----- Forwarded by Cynthia Dailard/OPD/EOP on 10/21/98.  
12:44 PM -----

Daniel N. Mendelson

10/21/98 12:24:55 PM

Record Type: Record

To: Cynthia Dailard/OPD/EOP

cc: Lisa B. Fairhall/OMB/EOP, Gina C. Mooers/OMB/EOP

bcc:

Subject: Re: FEHBP contraceptive coverage

This is consistent with their usual operating procedure. I have spoken with them to urge them to approve all FDA approved methods and to act quickly. If you want to reach for the actual documents, we can do that c/o Lisa Fairhall, our branch chief for OPM. In addition, I got a call from planned parenthood -- they will be sending a letter specifying some concerns in implementation [Gina -- please make sure that Lisa and Cynthia have a copy of this letter when it comes in.]

Cynthia Dailard

10/21/98 10:11:32 AM

Record Type: Record

To: Daniel N. Mendelson/OMB/EOP@EOP

cc:

Subject: FEHBP contraceptive coverage

I know that the omnibus bill hasn't even been signed into law yet, but that didn't stop me from calling Abby Bloch at OPM to find out what the next step would be regarding contraceptive coverage in FEHBP. She said that there isn't any formal regulatory process regarding OPM benefits. Instead, she simply sends out a contract modification (which she has already drafted) which will go to plans shortly after the bill is signed, notifying them that they have to cover all FDA approved prescription contraceptives starting January 1, 1999. The plans will be required to sign the contracts by November 20. I was pleased to learn that the provision will go into effect in the 1999 plan year (rather than 2000, which would naturally occur if they didn't modify the contracts that have been negotiated for 1999).

I asked her if I could get a copy of the draft contract/letter, and she declined because she (understandably) wants to see the legislative language signed by the President before she distributes it, and OPM contracts do not go through any formal clearance process anyway. She did answer my questions regarding specific provisions in the contract -- she said that the letter will require plans to cover "the full range" of FDA approved prescription contraceptives, but it will not specify them by name (this sounds fine); she also said that the letter will not be sent to the 5 religious plans specifically mentioned in the language, and other plans will be told to contact OPM if they believe they qualify for an exemption for religious plans (it will then be up to OPM to determine if they do in fact qualify); also, she said that plans will be required to notify enrollees regarding the change in benefits, but she hadn't decided whether they would be required to notify folks by a particular date or through specified materials, or whether they could just rely on the regular means of communicating with beneficiaries (which means the notification could get buried in the annual benefits manual sent out to beneficiaries). I didn't ask her what OPM would communicate to plans regarding the conscience clause for providers (on moral and religious grounds), but I would be interested in finding this out.

I wanted to give you the heads up on this, since OPM appears prepared to move rather quickly. While I am very, very pleased that OPM is acting so expeditiously, I was surprised that we would not get to review what they are sending to plans (given how politicized the issue was and how difficult it was to get the legislative language just right). I have not dealt with OPM very much, so I do not have a good sense of how independent their actions are. FYI.