

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 041 - FOLDER -005

[12/03/1998 - 12/04/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Sandra Thurman to Marsha Scott et al re invitation (1 page)	12/04/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

12/03/1998-12/04/1998]

2009-1006-F

kc190

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Caroline R. Fredrickson (CN=Caroline R. Fredrickson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-DEC-1998 12:33:35.00

SUBJECT: Meeting on Choice Issues

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

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

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

TEXT:

Would you guys be free on Dec. 15 at 2 (other times also work) to meet with Melody Barnes from Kennedy's office, Laurie Rubner from Chafee's office, and maybe some House staff? (Jenny and Broderick -- what do you think about House staff?). We'd like to talk about the coming year and the lovely prospect of a return of CCPA and other old favorites.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 15:24:42.00

SUBJECT: Mayor and Counties on Welfare to Work

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

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

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

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

TEXT:

FYI: The U.S. Conference of Mayors has sent us paper saying "reauthorization of Welfare-to-Work is essential in the FY 2000 Budget" and the LA County Board of Supervisors has written to the President urging him to include \$1.5 billion in FY 2000 for Welfare to Work as well as expanded financial support for projects which provide employment-related services to non-custodial parents of children on welfare. The letter from LA notes that LA county has more TANF recipients than any state except New York and California.

The Mayors also urge us to fund Access to Jobs welfare to work transportation at the full \$150 million in FY 2000 (currently the passback has \$75).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Peter A. Weissman (CN=Peter A. Weissman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-DEC-1998 15:51:08.00

SUBJECT: june shih is out here, waldman wants you to come out and talk to her.

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D89]MAIL41528683Q.326

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 16:23:19.00

SUBJECT: Farm Safety Net - Final version

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:
Unable to convert ARMS_EXT:[MESSAGE.D81]MAIL42391783K.326
The following is a HEX dump of the file:
===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D81]MAIL43391783L.326 to ASCII,
The following is a HEX DUMP:
===== END ATTACHMENT 1 =====
===== ATTACHMENT 2 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D81]MAIL46391783M.326 to ASCII,
The following is a HEX DUMP:
===== END ATTACHMENT 2 =====
===== ATTACHMENT 3 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D81]MAIL47391783N.326 to ASCII,
The following is a HEX DUMP:
===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 18:42:31.00

SUBJECT: SOTU -- Hate Crimes Legislation

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

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

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

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

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

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

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

TEXT:

At the dinner on Tuesday night, several people asked the President if he would consider making a pitch for the hate crimes bill in the SOTU. He said he would think about it in the context of the actual speech. There has been some internal discussion of the value of inviting Matthew Shepard's parents to watch from the box.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 12:03:21.00

SUBJECT: Request for Views on HR1870 Young American Workers' Bill of Rights

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: justice.lrm (justice.lrm @ usdoj.gov @ inet [UNKNOWN]) (OA)

READ:UNKNOWN

TO: velma.taylor (velma.taylor @ usdoj.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: ca.legislation (ca.legislation @ gsa.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: usdaobpaleg (usdaobpaleg @ obpa.usda.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Debra J. Bond (CN=Debra J. Bond/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TEXT:

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

Please provide any comments no later than 2 p.m. today. Call (5-7887) if you have any comments or questions. Thanks!

----- Forwarded by Melissa N. Benton/OMB/EOP on 12/03/98
12:00 PM -----

From: Melissa N. Benton on 11/27/98 09:58:28 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: Request for Views on HR1870 Young American Workers' Bill of Rights

NOTE: The bill is attached following the LRM.
Total Pages: _____

LRM ID: MNB245
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Wednesday, November 25, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

OMB CONTACT: Melissa N. Benton
PHONE: (202)395-7887 FAX: (202)395-6148

SUBJECT: Request for Views on HR1870 Young American Workers' Bill of Rights

DEADLINE: Noon Wednesday, December 2, 1998

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

COMMENTS:
DISTRIBUTION LIST

AGENCIES:

62-LABOR - Robert A. Shapiro - (202) 219-8201
61-JUSTICE - L. Anthony Sutin - (202) 514-2141
7-Agriculture - Marvin Shapiro (LRMs & EBS) - (202) 720-1516
25-COMMERCE - Michael A. Levitt - (202) 482-3151
52-HHS - Sondra S. Wallace - (202) 690-7760
51-General Services Administration - William R. Ratchford - (202) 501-0563
30-EDUCATION - Jack Kristy - (202) 401-8313
128-US Trade Representative - Fred Montgomery - (202) 395-3475
107-Small Business Administration - Mary Kristine Swedin - (202) 205-6700

EOP:

Barry White
Larry R. Matlack
Debra J. Bond
Sarah S. Lee
Robert G. Damus
William H. White Jr.
Stuart Shapiro
Daniel J. Chenok
Steven M. Mertens

Sarah Rosen
 Elena Kagan
 Karen Tramontano
 Kate P. Donovan
 Janet R. Forsgren
 LRM ID: MNB245 SUBJECT: Request for Views on HR1870 Young American
 Workers' Bill of Rights

RESPONSE TO
 LEGISLATIVE REFERRAL
 MEMORANDUM

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

You may also respond by:

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

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

TO: Melissa N. Benton Phone: 395-7887 Fax: 395-6148
 Office of Management and Budget
 Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

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

- _____ Concur
- _____ No Objection
- _____ No Comment
- _____ See proposed edits on pages _____
- _____ Other: _____
- _____ FAX RETURN of _____ pages, attached to this response sheet

Message Sent

To: _____

Barry White/OMB/EOP@EOP
 Larry R. Matlack/OMB/EOP@EOP
 Debra J. Bond/OMB/EOP@EOP
 Sarah S. Lee/OMB/EOP@EOP
 Robert G. Damus/OMB/EOP@EOP
 William H. White Jr./WHO/EOP@EOP
 Stuart Shapiro/OMB/EOP@EOP
 Daniel J. Chenok/OMB/EOP@EOP
 Steven M. Mertens/OMB/EOP@EOP
 Sarah Rosen/OPD/EOP@EOP
 Elena Kagan/OPD/EOP@EOP
 Karen Tramontano/WHO/EOP@EOP
 Kate P. Donovan/OMB/EOP@EOP
 Janet R. Forsgren/OMB/EOP@EOP

Message Copied

To:

dol-sol-leg@dol.gov @ inet
 justice.lrm@usdoj.gov @ inet
 usdaobpaleg@obpa.usda.gov @ inet
 clrm@doc.gov @ inet
 lrm@os.dhhs.gov @ inet
 ca.legislation@gsa.gov @ inet
 ogc_legislation@ed.gov @inet
 cla@sba.gov @ inet

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

TEXT:

HR 1870 IH

105th CONGRESS

1st Session

H. R. 1870

To amend the Fair Labor Standards Act of 1938 to reform the provisions

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

TEXT:

HR 1870 IH

105th CONGRESS

1st Session

H. R. 1870

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

IN THE HOUSE OF REPRESENTATIVES

June 12, 1997

Mr. LANTOS (for himself, Mr. CAMPBELL, Mr. ACKERMAN, Mr. BONIOR, Mr. BROWN of California, Ms. CARSON, Mr. DAVIS of Illinois, Mr. DELLUMS, Ms. ESHOO, Mr. EVANS, Mr. FALEOMAVAEGA, Mr. FOGLIETTA, Mr. FRANK of Massachusetts, Mr. FROST, Mr. GONZALEZ, Mr. GUTIERREZ, Mr. HINCHEY, Mr. JEFFERSON, Mr. MANTON, Mr. MILLER of California, Ms. NORTON, Mr. OBERSTAR, Mr. OLVER, Mr. OWENS, Mr. RANGEL, Mr. SANDERS, Mr. SCHUMER, Mr. TIERNEY, Mr. TORRES, Mr. VENTO, Ms. WOOLSEY, Ms. VELAZQUEZ, and Mr. YATES) introduced the following bill; which was referred to the Committee on Education and Workforce

A BILL

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE: REFERENCE.

(a) SHORT TITLE- This Act may be cited as the 'Young American Workers' Bill of Rights'.

(b) REFERENCE- Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Fair Labor Standards Act of 1938.

SEC. 2. REPORTING AND RECORDKEEPING.

(a) CHILD-LABOR LAWS- Section 12 (29 U.S.C. 212) is amended by adding at the end the following new subsection:

(e) (1) The Secretary and the United States Census Bureau shall compile data from respective State employment security agencies in all the States (A) on the types of industries and occupations in which children under the age of 18 are employed and on the types of industries and occupations in which children who are 18 and full-time students in a high school are employed, and (B) on cases in which it was determined that minors were employed in violation of this section.

The first such compilation shall be completed not later than 2 years after the date of enactment of the Young American Workers' Bill of Rights and each subsequent compilation shall be completed not later than 3 years thereafter.

`(2) If a minor in the course of employment suffers death or an injury or illness resulting in lost work time of at least 1 working day, not later than 5 days after the death, injury, or illness, the employer of the minor shall provide to the State agency a written description of the death, injury, or illness.

`(3) The Secretary of Health and Human Services, in conjunction with the Secretary of Labor, shall issue an annual report on the status of child labor in the United States and its attendant safety and health hazards.'

SEC. 3. CERTIFICATES OF EMPLOYMENT.

Section 12 (29 U.S.C. 212) is amended by adding at the end the following new subsection:

`(e) (1) As used in this subsection, the term `parents' means the biological parents of a minor or other individual standing in loco parentis to a minor and the term `minor' means an individual who is under the age of 18 and who has not received a high school diploma or its equivalent or who is 18 and enrolled full-time in a high school.

`(2) No employer shall employ a minor unless the minor possesses a valid certificate of employment issued in accordance with this subsection.

`(3) The Governor of a State shall designate a State agency to issue certificates of employment to minors in the State. The agency shall make available, on request, a form for the application described in paragraph (4) and shall make available, as part of the certification process, materials describing applicable Federal requirements governing the employment of minors and the minor's rights under such requirements.

`(4) To be eligible to receive a certificate of employment, a minor must submit to the appropriate State agency an application that contains--

`(A) the name and address of the minor;

`(B) proof of age of the minor;

`(C) if the minor is under the age of 18 or is age 18 and enrolled full-time in a high school--

`(i) a written statement by the `parents or legal guardian of the minor that the parents grant consent for employment of the minor; and

`(ii) a written verification from the minor's school that the minor is meeting at least the minimum school attendance requirements established by the State and that such employment will not interfere with the schooling of the minor; and

`(D) the employer's name, address, signature; and

`(E) with respect to the employment--

 `(i) a statement on the nature of the work to be performed;

 `(ii) the daily and weekly hours, and

 `(iii) the times of day in which the work is to be performed.

`(5) On receipt of an application under paragraph (4), a State agency shall issue to the minor--

 `(A) a certificate of employment, if the requirements of paragraph (4) are met; or

 `(B) a statement of the denial of a certificate of employment (including the reasons for the denial), if the requirements of paragraph (4) are not met.

`(6) A certificate of employment issued to a minor under this subsection shall be valid for 1 year after the date of issuance of the certificate or for the duration of the permitted employment, whichever is shorter.

`(7) A certificate of employment issued to a minor under this subsection shall indicate--

 `(A) the name, address, and date of birth of the minor;

 `(B) a minor will not be employed more than 3 hours per day or more than 15 hours per week and shall be prohibited from working before 7 a.m. and after 7 p.m. when school is in session if such minor is between 14 and 16 years of age and will not be employed more than 4 hours per school day or more than 20 hours per week and shall be prohibited from working before 6 a.m. and after 10 p.m. when school is in session if such minor is 16, 17, or 18 years of age and a full-time student enrolled in a high school; and

 `(C) the name, address, and telephone number of the State agency that may be contacted for additional information concerning applicable Federal requirements governing the employment of minors.

`(8) The State agency shall provide a copy of a certificate of employment issued to a minor who is not older than the age of 18 to the parent of the minor who granted consent pursuant to paragraph (4) and to the local school district where the minor is enrolled.

`(9) If an employer employs a minor, not later than 14 days after the date of the commencement of employment of the minor, the employer shall provide to the State agency written notice of the name and occupation of the minor and the number of the certificate of employment issued to the minor.

`(10) Each employer shall post a copy of the provisions of this Act relating to child labor at each premise of a worksite where one or more minors is employed.

(11) A State agency shall report annually to the Secretary concerning certificates of employment issued under this subsection. The agency shall include such information as the Secretary requires (including information on the number of deaths and injuries of minors reported pursuant to subsection (f)).'

SEC. 4. REVISIONS OF ORDERS AND REGULATIONS.

(a) ORDERS-

(1) In the administration of the Fair Labor Standards Act of 1938, the Secretary of Labor shall make the following revisions in the Secretary's child labor orders published in subpart E of part 570 of title 29, Code of Federal Regulations:

(A) The exemption provided in Order No. 2 (29 C.F.R. 570.52) shall apply to minors who are at least 18 years of age and to driving that is secondary and incidental to the minor's main occupation. Such exemption would be limited to 20 percent of the minor's work in any workday and may not exceed 5 percent of the minor's work in any workweek.

(B) Order No. 10 (29 C.F.R. 570.61) shall apply with respect to restaurants and fast food establishments. Such order shall prohibit minors who are under the age of 18 or who are 18 and are enrolled full-time in a high school from cleaning any machinery irrespective of who has disassembled the machinery.

(2) In the administration of the Fair Labor Standards Act of 1938, the Secretary of Labor shall find and declare that poultry processing, seafood processing, paper baling, power driven meat slicing, and pesticide handling are occupations that are particularly hazardous for the employment of minors for purposes of section 3(1) of the Fair Labor Standards Act of 1938.

(b) CHILD LABOR REGULATIONS- Under child labor regulation No. 3 (subpart C of 29 C.F.R. 570 et seq.)--

(1) individuals under 16 shall be prohibited from making door-to-door sales for profit,

(2) individuals under 16 shall be prohibited from using fryers, baking equipment, and cooking equipment in food service establishments, and

(3) strike out in section 570.34(b)(5) (except at soda fountains, lunch counters, snack bars, or cafeteria serving counters)'

SEC. 5. CRIMINAL PENALTIES FOR CHILD LABOR VIOLATIONS.

(a) WILLFUL VIOLATIONS THAT CAUSE INJURY OR DEATH- Section 16 (29 U.S.C. 216) is amended by adding at the end the following new subsection:

(f) Any person who willfully violates the provisions of section 12, relating to child labor, or any regulation

issued under such section, shall, on conviction be punished--

`(1) in the case of a willful violation that causes serious bodily injury to an employee described in section 3(1) but does not cause death to the employee, by a fine in accordance with section 3571 of title 18, United States Code, or by imprisonment for not more than 5 years, or by both, except that if the conviction is for a willful violation committed after a first conviction of the person, the person shall be punished by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 10 years, or by both; or

`(2) in the case of a willful violation that causes death to an employee described in section 3(1), by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 10 years, or by both, except that if the conviction is for a willful violation committed after a first conviction of the person, the person shall be punished by a fine in accordance with section 3571 of such title 18 or by imprisonment for not more than 20 years, or by both.'

(b) NO PRIOR OFFENSE PREREQUISITE FOR CHILD LABOR VIOLATION- The second sentence of section 16(a) is amended by inserting before the period at the end the following: ', except that this sentence shall not apply to a violation of section 12'.

SEC. 6. CIVIL PENALTIES FOR CHILD LABOR VIOLATIONS.

Section 16(e) (29 U.S.C. 216(e)) is amended--

(1) by redesignating paragraphs (1), (2), and (3) as subparagraphs (A), (B), and (C), respectively;

(2) by inserting `(1)' after the subsection designation;

(3) by adding at the end the following new paragraphs:

`(2) Any person who willfully violates the provisions of section 12, relating to child labor, or any regulation issued under such section, on more than one occasion, shall, on such additional violation, be ineligible--

`(A) for any grant, contract, or loan provided by an agency of the United States or by appropriated funds of the United States, for 5 years after the date of such additional violation;

`(B) to pay the training wage authorized by section 6 of the Fair Labor Standards Amendments of 1989 (29 U.S.C. 206 note); or

`(C) to employ a minor for a period of 5 years from the date of such violation.'

SEC. 7. CIVIL ACTIONS FOR CHILD LABOR VIOLATIONS.

Section 16 (29 U.S.C. 216), as amended by section 4, is amended by adding at the end the following:

`(g) Any employer who violates section 12 shall be liable for such legal or equitable relief as may be appropriate. An action to recover such relief may be brought against any employer in any Federal or

State court of competent jurisdiction by any employee subject to the protections of section 12 or by the employee's survivors. The court in such an action shall, in addition to any other judgment awarded to the plaintiff, allow a reasonable attorney's fee to be paid by the defendant and costs of the action. If the employee or the employee's survivors obtain a judgment under this subsection and also seek recovery for the same violation through State worker's compensation, this subsection does not preclude a State from choosing to offset recovery obtained under this subsection against recovery provided through State worker's compensation.'

SEC. 8. COORDINATION.

(a) IN GENERAL- The Secretary of Labor shall establish and encourage closer working relationships among Federal and State agencies having responsibility for enforcing labor, safety and health, and immigration laws.

(b) REFERRALS-

(1) The Secretary of Labor shall establish a referral system under which employees engaged in the enforcement of the Fair Labor Standards Act of 1938 and the Occupational Safety and Health Act of 1970 shall--

(A) exchange information about suspected violators of the Acts and monitor the results of referrals to each other, and

(B) provide basic training to each other's staffs concerning the requirements of such Acts.

(2) The Secretary of Labor shall require employees engaged in the enforcement of the Fair Labor Standards Act of 1938 and the Occupational Safety and Health Act of 1970 to establish a referral system with--

(A) employees of the Immigration and Naturalization Service engaged in the enforcement of the Immigration and Nationality Act, and

(B) employees of Departments of Labor of the States engaged in the enforcement of State minimum wage and occupational safety and health laws.

The Immigration and Naturalization Service and the State Departments of Labor shall each be encouraged by the Secretary of Labor to establish information exchanges and, to the extent practicable, provide training to each other's staffs concerning the requirements of the Acts enforced by the respective agencies.

(c) ADVICE FROM PRIVATE AND PUBLIC SECTORS- The Secretary shall seek information and advice from representative elements of the private sector and the non-Federal governmental sector with respect to the provisions of the Fair Labor Standards Act of 1938 and corresponding regulations as they pertain to the employment of minors.

(d) ADVISORY COMMITTEE- The Secretary shall establish an Advisory Committee for Child Labor to provide overall policy advice on matters referred to in subsection (c). The Committee shall be composed of not less than 21 individuals, and shall include representatives of

government, labor, industry, education, agriculture, health professions, small business, youth, service industries, retailers, consumer interests, human rights, child welfare, parent groups, and the general public. The Committee shall meet quarterly at the call of the Secretary or upon the call of a majority of the Committee, a quorum being present. The Chairperson of the Committee shall be elected by the Committee from among its members. Members

of the Committee shall be appointed by the President for a period of 4 years and may be reappointed for one or more additional periods. The Secretary shall make available to the Committee such staff, information, personnel, and administrative services and assistance as it may reasonably require to carry out its activities.

SEC. 9. PUBLICATION OF VIOLATORS.

(a) IN GENERAL- The Secretary of Labor shall publish and disseminate the names and addresses of each person who has willfully violated the provisions of section 12 of the Fair Labor Standards Act of 1938 relating to child labor or any regulation under such section and the types of violations committed by such person and shall distribute the publication regionally.

(b) NOTICE TO SCHOOL DISTRICTS- The Secretary shall post and otherwise make available to affected school districts the name of each employer who violates the provisions of section 12 of the Fair Labor Standards Act of 1938, relating to child labor, or any regulation issued under such section together with a description of the location and nature of the violation.

SEC. 10. COVERAGE.

The provisions of sections 12 and 16(e) of the Fair Labor Standards Act of 1938 shall apply to employers regardless of the annual dollar volume of sales whereby certain enterprises are exempted from coverage under such Act.

SEC. 11. PROTECTION OF MINORS WHO ARE MIGRANT OR SEASONAL AGRICULTURAL WORKERS.

(a) DEFINITION OF OPPRESSIVE CHILD LABOR- The first sentence of section 3(1) (29 U.S.C. 203(1)) is amended--

(1) by striking 'or' before '(2)'; and

(2) by inserting before the semicolon the following: ', or (3) any employee under the age of 14 years is employed by an employer as a migrant agricultural worker (as defined in section 3(8) of the Migrant and Seasonal Agricultural Protection Act (29 U.S.C. 1802(8)) or seasonal agricultural worker (as defined in section 3(10) of such Act)';

(b) EXEMPTIONS- Section 13 (29 U.S.C. 213) is amended--

(1) in subsection (a)(6), by inserting before the semicolon at the end the following: ', except that this paragraph shall not apply to an employee described in section 3(1)(3)'; and

(2) in subsection (c)--

(A) in paragraph (1), by striking `Except as provided in paragraph (2) or (4)' and inserting `Except as provided in paragraph (2), (4), or (5)'; and

(B) by adding at the end the following new paragraph:

`(5) The provisions of section 12 relating to child labor shall apply to an employee described in section 3(1)(3).`.

SEC. 12. REGULATIONS.

The Secretary of Labor shall issue such regulations as are necessary to carry out this Act and the amendments made by this Act.

SEC. 13. AUTHORIZATION.

There is authorized to be appropriated to the Secretary of Labor such sums as may be necessary for the additional costs resulting from the amendments made by sections 2 and 5.

END

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 12:00:49.00

SUBJECT: OMB Request for Views on S2383 Children's Act for Responsible Employment (

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: justice.lrm (justice.lrm @ usdoj.gov @ inet [UNKNOWN]) (OA)

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Stuart Shapiro (CN=Stuart Shapiro/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: usdaobpaleg (usdaobpaleg @ obpa.usda.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Debra J. Bond (CN=Debra J. Bond/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TEXT:

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

Please provide any comments no later than 2 p.m. today. Call (5-7887) if you have any comments or questions. Thanks!

----- Forwarded by Melissa N. Benton/OMB/EOP on 12/03/98

11:57 AM -----

From: Melissa N. Benton on 11/27/98 09:55:17 AM

Record Type: Record

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

cc:

Subject: OMB Request for Views on S2383 Children's Act for Responsible Employment (CARE) Act

Total Pages: _____

LRM ID: MNB246
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, November 27, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

OMB CONTACT: Melissa N. Benton

PHONE: (202)395-7887 FAX: (202)395-6148

SUBJECT: OMB Request for Views on S2383 Children's Act for
Responsible Employment (CARE) Act

DEADLINE: Noon Wednesday, December 2, 1998

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

COMMENTS:
DISTRIBUTION LIST

AGENCIES:

62-LABOR - Robert A. Shapiro - (202) 219-8201
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30-EDUCATION - Jack Kristy - (202) 401-8313
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EOP:

Barry White
Larry R. Matlack
Debra J. Bond
Sarah S. Lee
Robert G. Damus
William H. White Jr.
Stuart Shapiro
Daniel J. Chenok
Sarah Rosen
Elena Kagan
Kate P. Donovan
Karen Tramontano
Janet R. Forsgren

LRM ID: MNB246 SUBJECT: OMB Request for Views on S2383 Children's Act
for Responsible Employment (CARE) Act

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

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

You may also respond by:

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

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

TO: Melissa N. Benton Phone: 395-7887 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

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

- _____ Concur
- _____ No Objection
- _____ No Comment
- _____ See proposed edits on pages _____
- _____ Other: _____
- _____ FAX RETURN of _____ pages, attached to this response sheet

Message Sent

To: _____
 Barry White/OMB/EOP@EOP
 Larry R. Matlack/OMB/EOP@EOP
 Debra J. Bond/OMB/EOP@EOP
 Sarah S. Lee/OMB/EOP@EOP
 Robert G. Damus/OMB/EOP@EOP
 William H. White Jr./WHO/EOP@EOP
 Stuart Shapiro/OMB/EOP@EOP
 Daniel J. Chenok/OMB/EOP@EOP
 Sarah Rosen/OPD/EOP@EOP

Elena Kagan/OPD/EOP@EOP
Kate P. Donovan/OMB/EOP@EOP
Karen Tramontano/WHO/EOP@EOP
Janet R. Forsgren/OMB/EOP@EOP

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

TEXT:

S 2383 IS

105th CONGRESS

2d Session

S. 2383

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

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

TEXT:

S 2383 IS

105th CONGRESS

2d Session

S. 2383

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

IN THE SENATE OF THE UNITED STATES

July 30, 1998

Mr. HARKIN (for himself, Mr. KENNEDY, MR. KERRY, and Ms. MOSELEY-BRAUN) introduced the following bill; which was read twice and referred to the Committee on Labor and Human Resources

A BILL

To amend the Fair Labor Standards Act of 1938 to reform the provisions relating to child labor.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE; REFERENCE.

(a) SHORT TITLE- This Act may be cited as the 'Children's Act for Responsible Employment' or the 'CARE Act'.

(b) REFERENCE- Whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the Fair Labor Standards Act of 1938 (29 U.S.C. 201 et seq.).

SEC. 2. AGRICULTURAL EMPLOYMENT.

Section 13(c) (29 U.S.C. 213(c)) is amended--

(1) by striking paragraph (1) and inserting the following:

~(1) The provisions of section 12 relating to child labor shall not apply to any employee employed in agriculture outside of school hours for the school district where such employee is living while he or she is so employed, if such employee is employed by his or her parent or legal guardian, on a farm owned or operated by such parent or legal guardian.'; and

(2) by striking paragraphs (2) and (4).

SEC. 3. YOUTH PEDDLING.

Automated Records Management System
Hex-Dump Conversion

(a) FAIR LABOR STANDARDS ACT COVERAGE-

(1) FINDING- The last sentence of section 2(a) (29 U.S.C. 202(a)) is amended by inserting after 'households' the following: ', and the employment of employees under the age of 16 years in youth peddling,'.

(2) DEFINITION- Section 3 (29 U.S.C. 203) is amended by adding at the end the following:

'(y) 'Youth peddling' means selling goods or services to customers at their residences, places of business, or public places such as street corners or public transportation stations. 'Youth peddling' does not include the activities of persons who, as volunteers, sell goods or services on behalf of not-for-profit organizations.'.

(b) DEFINITION OF OPPRESSIVE CHILD LABOR- Section 3(1) (29 U.S.C. 203(1)) is amended in the last sentence by insert after 'occupations other than' the following: 'youth peddling,'.

(c) PROHIBITION OF YOUTH PEDDLING- Section 12(c) (29 U.S.C. 212(c)) is amended by inserting after 'oppressive child labor in commerce or in the production of goods for commerce' the following: ', or in youth peddling,'.

SEC. 4. CIVIL AND CRIMINAL PENALTIES FOR CHILD LABOR VIOLATIONS.

(a) CIVIL MONEY PENALTIES- Section 16(e) (29 U.S.C. 216(e)) is amended in the first sentence--

(1) by striking '\$10,000' and inserting '\$15,000';

(2) by inserting after 'subject to a civil penalty of' the following: 'not less than \$500 and'.

(b) CRIMINAL PENALTIES- Section 16(a) (29 U.S.C. 216(a)) is amended by adding at the end the following: 'Any person who violates the provisions of section 15(a)(4), concerning oppressive child labor, shall on conviction be subject to a fine of not more than \$15,000, or to imprisonment for not more than 5 years, or both, in the case of a willful or repeat violation that results in or contributes to a fatality of a minor employee or a permanent disability of a minor employee, or a violation which is concurrent with a criminal violation of any other provision of this Act or of any other Federal or State law.'.

SEC. 5. GOODS TAINTED BY OPPRESSIVE CHILD LABOR.

Section 12(a) (29 U.S.C. 212(a)) is amended by striking the period at the end and inserting the following: ': And provided further, that the Secretary shall determine the circumstances under which such goods may be allowed to be shipped or delivered for shipment in interstate commerce.'.

SEC. 6. COORDINATION.

Section 4 (29 U.S.C. 204) is amended by adding at the end the following:

(g) The Secretary shall encourage and establish closer working relationships with non-governmental organizations and with State and local government agencies having responsibility for administering and enforcing labor and safety and health laws. Upon the request of the Secretary, and to the extent permissible under applicable law, State and local government agencies with information regarding injuries and deaths of employees shall submit such information to the Secretary for use as appropriate in the enforcement of section 12 and in the promulgation and interpretation of the regulations and orders authorized by section 3(1). The Secretary may reimburse such State and local government agencies for such services.'

SEC. 7. REGULATIONS AND MEMORANDUM OF UNDERSTANDING.

(a) REGULATIONS- The Secretary of Labor shall issue such regulations as are necessary to carry out this Act and the amendments made by this Act.

(b) MEMORANDUM OF UNDERSTANDING- The Secretary of Labor and the Secretary of Agriculture shall, not later than 180 days after the date of enactment of this Act, enter into a memorandum or understanding to coordinate the development and enforcement of standards to minimize child labor.

SEC. 8. AUTHORIZATION.

There is authorized to be appropriated to the Secretary of Labor such sums as may be necessary for to carry out this Act and the amendments made by this Act.

END

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 19:58:34.00

SUBJECT: Monday's Event

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:

FYI, the Medicare Fraud event is scheduled for 12:30pm on Monday. We have told the press office that the President will be reintroducing his Medicare Fraud and Abuse legislative package and will ask HCFA to send to him a strategic plan for cracking down on fraud within a certain number of days. This is just to say that Chris is working on the details now, so people may want more information but this is as much as we have -- and that should be fine.

The speaking program will be: Nancy Ann, a senior advocate (probably someone from the Older Women's League who can talk about the importance of Medicare to people and the importance ridding the system of fraud so that all seniors don't pay the price), and the President. We do not yet know about the VP. The IG and Members of Congress will be invited and will be seated in the audience. Shalala is out of town.

The Press Office does not want the President to have to take questions from the pool so the event will either be in the Rose Garden or Rm 450. We're opening it to hill staff, HHS staff, and seniors groups, but we'll still probably end up a little short. Please let me know if you have any suggestions of appropriate people we could reach out to. Also, if you have any friends or family that happen to be in town we can certainly get them in!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 11:49:32.00

SUBJECT: Weekly Strategy Meeting

TO: Vicky Stroud (Vicky_Stroud @ ed.gov@inet [UNKNOWN])
READ:UNKNOWN

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: Amy Weiss (CN=Amy Weiss/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

CC: 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 NOT have the WEEKLY EDUCATION STRATEGY MEETING today.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 22:11:00.00

SUBJECT: Radio Address

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

BR/EK:

Update on radio address...

You should both have the draft 1-pager and speech. Please review if you can. NB: DOJ called me a short bit ago to say that their numbers are wrong, and that they will get us the best numbers possible tomorrow before noon. It's likely that the overall number of checks will go up, but that the denials will go down significantly -- maybe to about 200. As long as we can show that 100+ criminals were stopped in the first three days, and that most law abiding gun owners got their guns w/little or no delay, I think we're in good shape.

Two notes on the lawsuit language: (1) EK, I may need you to speak w/Rob Weiner. I gave him a heads up tonight because I expect him to be more helpful than DOJ, but I we'll need your help in nailing this language down. (2) FYI -- DOJ will file its response to the NRA's lawsuit on Monday.

Let's chat in the morning...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 12:23:28.00

SUBJECT: medicare q&a

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

TO: Jeanne Lambrew (CN=Jeanne Lambrew/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: Jacob J. Lew (CN=Jacob J. Lew/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:
Hello --

Please review and call with comments as soon as possible. Sorry for the rush.

Thanks --

cj

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D55]MAIL49546483U.326 to ASCII,
The following is a HEX DUMP:

FF575043B0040000010A020100000002050000008F10000000020000C45C8F6BF740A6E24D9A64
A1998E59F454510CAE853791A9E9C47F925449630E5AFAD89D6CD264BBA131DBA5AC560DA5F214
4B814E873593471BA3A46DC0E84FE8773F950BD9FBA23A2F3515CC025D4E6FE1E17674CF88A17D

Q: Senator Breaux and Senator Frist accurately point out that the Medicare Trust Fund is projected to become insolvent far sooner than Social Security's Trust Fund. Both have stated that Medicare's more acute problem deserves serious attention and, in fact, have said that addressing Medicare should be the Administration's and Congress' first priority. (Senator Breaux is no longer saying Medicare first, but is definitely wants the program to get equal billing). How do you respond? Don't they have a point?

A: Assuring a strong, modern Medicare program has always been and always will be a top priority for this President. Last year, the President enacted into law arguably the most significant changes to Medicare since the program's enactment in 1965.

A provision in that legislation, one that he strongly supported, was the establishment of the Medicare Commission. The Commission, which has 17 Members -- including four Administration appointees -- and is chaired by Senator Beau, is charged with developing recommendations to begin dealing with the long-term health care delivery, financing, and demographic challenges facing the Medicare program. Because of the President's strong commitment to the program, we are closely following the work of the Commission and are hopeful that we will be able to embrace its final report, now scheduled to be released in March of next year.

Unlike Medicare, however, we have all benefited from the completion of the work of the Social Security Advisory Commission. This Commission produced a comprehensive analysis of the challenges facing Social Security and produced a series of options that are now being seriously reviewed by all parties interested in this critically important program.

As a result, we now have a historic opportunity to ensure the solvency of Social Security well into the next century. We need to respond to this opportunity. Doing so now will make it easier for us to focus on the future of Medicare.

Q: Are you saying that the President and the Administration will do nothing about Medicare until the Commission files its report?

A: Of course not. The President has and will continue to take administrative actions and propose legislative initiatives that strengthen the Medicare program. For example, his record on advocating for anti-fraud and program integrity initiatives is clear. As such, we are currently reviewing options for this upcoming budget. However, we are doing so in a way that complements rather than undermines the Commission's work.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 12:44:15.00

SUBJECT: FYI: today's Arizona Republic article about our action on privatization

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:

This doesn't seem to have broken through to national press but here's the Arizona story.

----- Forwarded by Cynthia A. Rice/OPD/EOP on 12/03/98
 12:43 PM -----

Cynthia A. Rice
 12/03/98 12:40:32 PM
 Record Type: Record

To: See the distribution list at the bottom of this message
 cc: julie_paradis @ usda.gov @ inet, bonny_o'neil @ fcs.usda.gov @ inet,
 carolyn_foley @ fcs.usda.gov @ inet, art_foley @ fcs.usda.gov @ INET @
 LNGTWY
 Subject: FYI: today's Arizona Republic article about our action on
 privatization

Welfare reforms threatened

Privatizing Food Stamp benefits rejected by U.S.

By Pat Kossan
 The Arizona Republic
 Dec. 3, 1998

hand
 that
 benefits

The federal government slapped down Arizona's proposal to
 over its Food Stamp Program to a private company, a decision
 endangers legislative efforts to turn other state-run
 programs over to for-profit businesses.

"fair and
 would be
 scrutiny,

The idea fails to ensure that needy families would have
 equitable" access to the benefits, that fraud and abuse
 detected, and that the program would be open to public
 federal Food Stamp officials said in letter sent Wednesday

to state

Department of Economic Security Director Linda Blessing.

Agriculture, which
requests
Florida

This is the first decision the U.S. Department of
oversees the Food Stamp Program, has made about state
for privatization, a USDA spokesman said. Wisconsin and

have also expressed interest in privatization of Food Stamp
programs and their requests are being reviewed, he said.

reducing

Federal officials seemed especially unnerved by the Arizona's
proposal to give the private vendor bonus payments for
the number of people receiving Food Stamps.

doesn't meet
nutritious

Federal officials call it an example of how the program
"the cornerstone of our efforts to guarantee a healthy and
diet to all low-income families."

the

"The legislature has to relook at this program," said Alfredo
Gutierrez, a former state senator, now lobbyist, who chairs
board responsible for designing the privatization program and
finding a vendor to manage it.

"We may have to go back and reconsider our mission and
re-engineer the (privatization) program," he said.

worth
children.

About 272,000 Arizona residents receive an average of \$78
of Food Stamps each month, while 96,000 of them also get cash
welfare benefits averaging \$101. Most recipients are

distributing
project
amended

Determining eligibility for the Food Stamp Program and
Food Stamp benefits are only part of a pilot privatization
called Arizona Works, passed by legislators in 1997 and
in 1998.

moving
and
workers.

It is designed to make a private business responsible for
about 20 percent of DES's welfare caseload, or about 5,000
families mostly in eastern Maricopa County, off Food Stamps
cash welfare benefits and into jobs over the next two years,
Gutierrez said, threatening the jobs of about 60 state

Under law, the private agency must show at least a 10 percent
savings in administrative costs.

The Arizona Works Procurement Board awarded the bid Monday
to MAXIMUS, a national company that runs benefits programs in
other states, mostly child support programs.

Stamps
Procurement
Gutierrez

But the USDA's decision not to allow distribution of Food to be part of the privatization program could force the Board to cancel that award and reissue its bid requests, said.

letter
Program
legal

The state Attorney General's Office must review the denial and determine whether the withdrawal of the Food Stamp changes the original bid proposal and opens the state up to action by those vendors not awarded the contract.

Board
could

If that decision is made, Gutierrez said the Procurement would have to start with a new proposal and bid requests and miss its Jan. 5 deadline for issuing a bid reward.

But that's not the only problem.

DES workers now help welfare parents acquire both Food Stamps and welfare cash benefits during one interview.

Stamp
privatization
money.

If the state is forced to keep its workers to run the Food program, it could mean that funding an additional program for other benefits would no longer save the state money.

"Then the Legislature could choose to end, mend or extend the program," Gutierrez said.

The Procurement Board members plan to meet with the Attorney General's Office next week, he said.

Message Sent

To:

Christopher C. Jennings/OPD/EOP
Jeanne Lambrew/OPD/EOP
Devorah R. Adler/OPD/EOP
Karen Tramontano/WHO/EOP
Daniel N. Mendelson/OMB/EOP
Barbara Chow/OMB/EOP
Jeffrey A. Farkas/OMB/EOP
Edwin Lau/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 09:39:28.00

SUBJECT: tobacco meetings

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

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

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:
Senate

1. Friday meeting with Daschle staff and other democratic staff
2. After that, possible meeting with task force members

Additional meetings are possible after meeting with the Daschle folks.

House

1. House Commerce Committee Democratic staff (Dingell - Reid Stuntz, Waxman - Phil Shilero, and possible additional staff from their offices)
2. Representative Boucher (D-VA)
3. Representative DeGette (D-CO)
4. Commerce Committee Chairman Bliley (R-VA)
5. Gephardt staff (not clear who this is at present due to recent departure)

Depending on how these go, we can set up additional meetings with agriculture/tobacco members/staff. Increasingly, however, it sounds like the House Democrats are not very interested in pushing legislation. There is also concern because the issue splits the caucus.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 16:53:24.00

SUBJECT: Tom Mahr heard rumour re AG mtg, called Caroline. Suggestions? CR 62846

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

READ:UNKNOWN

TO: 4697 (4697 @ WHCA [UNKNOWN])

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 09:08:07.00

SUBJECT: Re: Aviation PDD--follow up

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: 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

TEXT:

VP's office is pulling back their airline safety idea...

----- Forwarded by Thomas L. Freedman/OPD/EOP on 12/03/98
09:06 AM -----

Morley A. Winograd @ OVP
12/02/98 10:01:04 PM
Record Type: Record

To: Jefferson Hofgard/OSTP/EOP, Stephen G. Moran/OSTP/EOP
cc: Jean.Logan @ npr.gov, Thomas L. Freedman/OPD/EOP, Mary L. Smith/OPD/EOP
bcc:
Subject: Re: Aviation PDD--follow up

Jeff:

At today's VP message planning meeting we concluded that the budget issues that surround the Civil Aviation Safety PDD cannot be worked out in time for a Dec. 18 or Dec. 19 POTUS event/radio address. As you indicate in the attached, we still would like to get that done by Feb. I am not sure what kind of a radio address we would have without that, but we (you) should talk to Tom Freedman and team about your idea to see if they think it would work for POTUS.

Alternatively, we would like to propose for the radio address the issue Mary has been working on: "sharing the data in the black box" proposed safety rule. Since this idea contains REGO partnerships, a way for the President to challenge other airlines to get on board, etc. we think it has possibilities for the President's address. Can you and Tom and Mary and Jean talk about this and determine what recommendation we want to make to DPC so they can take the issue through the President's decision making process?

Morley

Jefferson Hofgard @ EOP

12/02/98 01:56:24 PM

Record Type: Record

To: Morley A. Winograd/OVP @ OVP
cc:
Subject: Aviation PDD--follow up

Morley -- I spoke with Jim Kohlenberger in Davide Beier's office this morning on aviation PDD and the possible dilemma with proposed cut in NASA's aero budget. I think they are sympathetic to doing the PDD but may see more value in rolling it out with the budget in February. Jim told me that he was going to have David call you to discuss. I think we can still construct an aviation message for the POTUS on 12/18 that makes sense and, in a way, tees up the PDD for a roll out in February.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-DEC-1998 18:58:11.00

SUBJECT: Family Assessment

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

TEXT:

I attended a meeting today on a provision of the Omnibus Appropriations bill codifying a Reagan Administration EO that requires the Federal government to consider how all policies and regulations affect families. OMB is sending a memo to agencies explaining the requirements of the new law, which I reviewed. Give me a call when you want, and I can explain the interesting issues for OPD.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 12:24:06.00

SUBJECT: Tob. farmers/intra-company squabble

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

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

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

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

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

TEXT:

The NC flue-cured association exec. director passes along the following which Dallas Smith thinks is credible: the offer from the companies to farmers is headed down from \$5 billion to \$3.8 billion reflecting RJR's decision to simply increase its purchase intentions rather than participate in the lump sum payment; the farmers who want to remain in farming favor the RJR approach (companies buy less overseas, more domestic) because it stabilizes their market for the next decade; the farmers suspect (and they think companies do as well) that Phillip Morris is hoping to gain market share by cutting purchase intentions, eliminating the quota program, reducing the cost of tobacco, and underselling their competition. They also think Phillip Morris is trying to subsidize a bid by LeBow to buy RJR's cig. business.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 15:55:07.00

SUBJECT:

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Political Reform -- Gore Commission: As a result of our conversation in the Oval Office, Paul Weinstein of the DPC talked with co-chair Norm Ornstein to discuss the Gore Report. He relayed your serious concerns about the proposed reports recommendations regarding free television time for candidates for political office. Ornstein indicated he was very familiar with your views on the subject. In response to your concerns, there is a voluntary commitment by the broadcasters to provide five minutes of free TV for political discourse between 5:00 pm and 11:35 pm over the last thirty days of a campaign. While Ornstein agrees with us that the report does not go as far as it should, he feels he has pushed the broadcasting industry as far as he can without destroying the consensus of Commission members. More importantly, he believes the commitment of broadcasters to voluntary free TV time will and should be seen as a major victory -- he has indicated to us that Paul Taylor is pleased with the commitment of the broadcasters. We believe you should issue a statement on December 18, when the report is released, praising the broadcaster's commitment, challenging them to act in a timely manner, and reminding them that we will use our authority to implement the agreement if they do not. Ornstein would like to work with the Administration and Senator McCain -- Ornstein has gotten agreement from Senator McCain to hold hearings on the report -- to insure broadcaster fulfillment of this voluntary commitment. Although the report falls short on the education front, we have taken the lead on making certain that public broadcasting will thrive in the digital era with your proposal for \$400 million to help PBS transition to digital television. In addition, the Commission report will include a critical reporting requirement on broadcasters that effectively strengthens the three hour rule agreement you secured from them in 1996. (ELENA: I put my name because I would like to get a little credit for the work I have done on this. Bruce concurs.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 11:11:06.00

SUBJECT: Re: charter schools guidance

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

READ:UNKNOWN

TEXT:

Do you still want Jon or Tanya to do guidance on this? (See below)

----- Forwarded by Laura Emmett/WHO/EOP on 12/04/98 11:09
AM -----

Tanya E. Martin

12/04/98 11:05:23 AM

Record Type: Record

To: Laura Emmett/WHO/EOP

cc: Jonathan H. Schnur/OPD/EOP

bcc:

Subject: Re: charter schools guidance

The Education Dept (Julie Green) has already forwarded to Nanda Chitre a statement that the Asst Sec for Elementary and Secondary Education made on this report. I'm getting a copy as well.

Julie, who used to work in the press office here, has recommended that the WH press office refer any calls to the Education dept. This is a local study and not one that is likely to receive any national attention.

Laura Emmett

12/04/98 10:36:50 AM

Record Type: Record

To: Jonathan H. Schnur/OPD/EOP, Tanya E. Martin/OPD/EOP

cc:

Subject: charter schools guidance

Please do a Q&A on this new study ASAP. Thanks.

Also, I had paged Mike re: weekly but I did not know he was on travel. Do you all have anything for this week?

----- Forwarded by Laura Emmett/WHO/EOP on 12/04/98 10:35
AM -----

Nanda Chitre

12/04/98 10:34:53 AM

Record Type: Record

To: Laura Emmett/WHO/EOP
cc:
Subject: charter schools guidance

Can we get guidance on charter schools Univ. of California study released yesterday? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 18:21:06.00

SUBJECT: Law School Template

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D84]MAIL48284304Q.326

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D84]MAIL40384304R.326 to ASCII,

The following is a HEX DUMP:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 10:20:24.00

SUBJECT: weekly

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

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

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

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

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

TEXT:

Here is the hell document.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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nesdayandThursday,theMedicareCommissionmet foritsfirstseriousdiscussio
icyoptions.Nextmonth,itistentativelyscheduledtomakefinaldecisionsand,assuch,its
workismorelikelytobecomemorerelevanttoourinternalbudget,SocialSecurity,andState
oftheUniondiscussions.TheCommissioncontinuestobeburdenedbyrelativelyweakstaffin
g,poorcommunicationamongstitsmembers,andageneralsenseofdisorganization.Despitem
his,thestaffdidproduceastaffoptionsdocumentthat,althoughseriouslyflawed,suggest
edsomealternativesthatmeritconsiderationsuchasfeeforservicereforms(e.g.,rationa
lizingtheprogram'scostsharingrequirementsandaddingaprescriptiondrugbenefit)aswe
llasa"premiumsupport,"FEHBPmodel."Premiumsupport"isatermdescribingaprogramthatc
oncurrentlydefinesmandatorybenefitswhilealsosettingtheGovernment'scontribution.
(ItissimilartoaconceptadvocatedbyHenryAaronandBobReischauer).Interestingly,alth
oughtheDemocrats(includingourownappointees)arefrustratedwiththeoperationoftheCo
mmission,theyremainengagedbecauseoftheirbeliefthatapremiumsupportapproachcouldi
fdonecorrectlyprovideanavenueoestablishanewand,intheirminds,longoverdueprescri
ptiondrugbenefit.Someofourmembers,likeLauraTysonandStuartAltman,alsothinkthepre
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system.ToensurethatSenatorBreauXdoesnotveertoofaroffthepathofanacceptableoptiontoD
emocrats,CongressmanDingelloffered(withourassistance)asetofMedicareprinciplesfo
rtheDemocratstoutilizeasguidepostsinthedevelopmentofanyoption.Theprinciplesende

dup being ^very^ well received by all the Democrats including Senator Breaux. (They are attached for your review.) Notwithstanding the generally positive momentum that was achieved, the financing, policy, and the political challenges facing the Commission are enormous. Recognizing the scope of the financing and demographics problem, they are realizing that much more than the program - traditional programs savings large infusion of revenue will be necessary to have any chance of significantly extending the life of the program. The Commission will likely respond by either reducing the time frame they wish to extend Medicare solvency or contemplating how to infuse the program with more dollars. They are starting to realize this policy challenge. The primary challenge remains the same as it always has been: After BBA 1997, there are very little savings to be squeezed out of the Medicare baseline and, as a result, a significant and viable improvement to the financial status of the program will almost inevitably require new and substantial funding sources. Recognizing this, Senator Breaux and others are already starting to eye the "surplus." We will continue to closely monitor the progress of the Commission; in so doing, we will continue to be responsive to the Commission's requests, particularly Senator Breaux in order to keep him on track with the option that will not totally alienate too many Democrats from this process. (ELENA: This one probably justifies a brief one page memo to the POTUS; I'd like to send in if you and Bruce say ok) Combating Medicare fraud and abuse. This week, the HHS Inspector General June Gibbs and Brown released a report finding that the program managers HCFA contracts out with to administer and oversee Medicare provider reimbursement do not proactively identify instances of fraud and abuse. This report is yet another in a series of IG reports that assert that HCFA is not sufficiently cracking down on fraud and/or that the Congress has not provided the agency with adequate authority to more effectively manage the program. We plan on countering these reports on Monday at an anti-fraud and abuse event in which you will unveil a series of program integrity initiatives that will be included in next year's budget. Most of these initiatives represent a direct response to IG recommendations and, as such, she can be expected to strongly validate them. We also anticipate that they will be well received by aging advocates, such as AARP, the National Council of Senior Citizens and others, and viewed as a sign that the Administration is not waiting for the Medicare Commission to make needed changes in the program. Recommendation of the National Toxicology Board to list alcohol as a carcinogen. On Wednesday, the National Toxicology Board of Scientific Counselors recommended that alcoholic beverages be considered a known human carcinogen. While the scientists acknowledged other studies showing correlation between moderate alcohol consumption and some positive health outcomes, they concluded that recent studies that link alcohol consumption with cancers of the mouth, pharynx, larynx, and esophagus were sufficiently compelling to necessitate their recommendation. Although this recommendation must go through several layers of bureaucracy before Secretary Shalala makes a final decision about this classification next Spring, she rarely overturns a recommendation made by this (or any other) scientific body. If she does decide to list alcohol in HHS's ninth Report on Carcinogens, no further regulatory action will be taken. This congressional mandated report is used as an information awareness mechanism to alert the public and regulatory agencies about substances that have been scientifically linked with increased rates of cancer. Notwithstanding the narrow scope of action, we can expect a major outcry of displeasure from the wine, beer, and even the distilled spirits lobby when this recommendation gets publicized. CDC report on slight increase in the number of legally induced abortions. Thursday, the Centers for Disease Control (CDC) reported that the number of legally induced abortions increased by 0.9 percent between 1995 through 1996 to a total of 1,221,585. The change in the number of abortions reported to CDC may have resulted from variations in data reporting by state health departments. It could also indicate that the number of legal abortions in the U.S. is stabilizing. However, because this slight increase in the number of terminations has occurred for only one year, it is too early to predict any future changes in abortion trends. It is important to note that from 1990 (the year in which the number of reported abortions was highest) to 1995, the number of legal induced abortions decreased by 15 percent. In addition, the national abortion rate of 20 per 1,000 women of reproductive age continues to be the lowest rate recorded since 1975. Hearing held on embryonic stem cell research. On Wednesday, the Senate Appropriations Subcommittee on Health held a hearing to explore the medical, ethical and legal implications of the recent innovations in embryonic stem cell research. Beyond spending a great deal of time on the great health care potential of this research (specifically on lessening the need for transplantable donor organs and on new treatments for Parkinson's and Alzheimer's disease, spinal cord injury, stroke, burns, heart disease, diabetes, osteoarthritis

is, and rheumatoid arthritis), the hearing attempted to determine whether Federal funding for this research was legal under the congressionally mandated prohibition on funding human embryo research. (The General Counsel's office at HHS is now reviewing this matter and we anticipate an answer in short order; she will likely conclude that funding for certain stem cell research techniques, such as the one used by Dr. James Gearhart of Johns Hopkins University, is legal because it uses fetal tissue from terminated pregnancies rather than viable human embryos.) Because we had not received the HHS legal opinion and because we did not wish to prematurely enter into a -@), potential conflict with the Catholic Bishops and others, we thought it advisable to instruct NIH's Harold Varmus who testified for the Administration to defray any comments on the legality of Federal funding of this research. However, we should soon receive the HHS legal opinion and are working with OSTP and HHS to develop options for your consideration on how best to proceed. Regardless, to illustrate that you continue to believe there are areas of research we should not go, it would seem wisest to continue to highlight your 1994 executive directive that explicitly prohibits the creation of human embryos for research purposes no matter how we proceed.

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 10:23:00.00

SUBJECT:

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

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

TEXT:

----- Forwarded by Cathy R. Mays/OPD/EOP on 12/04/98
10:22 AM -----

Dawn L. Smalls
12/04/98 10:18:29 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Sara M. Latham/WHO/EOP, Kevin S. Moran/WHO/EOP
Subject:

There will be a meeting at 1:00 today in John's office to discuss the President's role in Social Security Conference. Invited are:

Podesta
Echaveste
Ricchetti
Sosnik
Secy Rubin
Larry Summers
Jack Lew
Larry Stein
Sperling
Bruce Reed
Ron Klain
Paul Begala
Karen Tramontano
Michael Waldman
Ann Lewis
Stephanie

Message Sent

To: _____
Leslie Bernstein/WHO/EOP
Sarah Salton/WHO/EOP
Dominique L. Cano/WHO/EOP
Robert L. Nabors/OMB/EOP
Sandra L. Via/OMB/EOP
Jessica L. Gibson/WHO/EOP
Melissa G. Green/OPD/EOP

Peter A. Weissman/OPD/EOP
Cathy R. Mays/OPD/EOP
Scott R. Hynes/OVP @ OVP
Tracy Pakulniewicz/WHO/EOP
Carolyn T. Wu/WHO/EOP
Joshua S. Gottheimer/WHO/EOP
Charles J. Payson/WHO/EOP
Jonathan E. Smith/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 16:09:31.00

SUBJECT: Revised Weekly w/ political reform item 12/4

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D58]MAIL41319104N.326

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D58]MAIL43319104O.326 to ASCII,

The following is a HEX DUMP:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 17:36:52.00

SUBJECT: Education Ideas

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:

I. ESEA: What strings?

NEW REQUIREMENTS

- easy stuff: send parents annual report cards, states list worst performing schools
- end social promotion and require summer-school/after-school programs
- test new teachers
 - subject matter testing of secondary teachers
- fire bad teachers
- phase out teachers aides
- provide public choice
- shut down failing schools
- [require national test]

INCENTIVES & SANCTIONS

- bonuses for improved performance
- require states to pass laws giving them authority to take over failing schools/districts
- reduce funding for schools that don't improve performance
- limits on administrative spending

[ED-FLEX for states that meet conditions]

II. CLASS SIZE

- restore testing rqmt for all new teachers (old proposal)
- fire bad teachers

III. HOW TO SPEND OUR MONEY

A. TEACHERS

1. Troops (& midcareer professionals) to teachers -- \$60m
2. Teacher Corps (Teach for America)
3. More teacher scholarships (HEA)
4. Crackdown on teacher colleges
5. Principal academies

B. SOCIAL PROMOTION/AFTER-SCHOOL

C. WORK-SITE SCHOOLS -- go from 30 to 1,000 over next several years

D. SECOND-CHANCE SCHOOLS -- \$50-100m/yr

E. AMERICORPS

1. Senior Corps -- 40,000 seniors for after-school tutoring (Glenn?)

2. 100,000 members a year by 2001.
3. Work-study requirement -- 7% to 25% over 3 years

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 11:56:19.00

SUBJECT: Airline Safety Radio Address

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As you know, NPR doesn't think its new aviation policy will be ready for the radio address. Tom and I had favored an alternative proposal that would have led to more disclosure of black box material even when there was no accident. I don't know what you thought of the idea, but Morely had favored it, and pitched it to Ron Klain. In any case, FAA released a press release on the plan on Wednesday. We had been clear with FAA that they should hold it, even when they told us it was an old policy. Morely called Tom late last night to say he'd talked to Jane Garvey who apologized and blamed it on staff confusion. Morely thinks we should bag the radio address. Nonetheless, we are working on trying to come up with new ideas. FAA is working to come up with some new-generation anti-terrorism equipment for airports.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kevin S. Moran (CN=Kevin S. Moran/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-DEC-1998 07:35:18.00

SUBJECT: POTUS / Albright Budget Meeting

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

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

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

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

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

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

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

TO: Sandra L. Via (CN=Sandra L. Via/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: Tracy Pakulniewicz (CN=Tracy Pakulniewicz/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Mona K. Sutphen (CN=Mona K. Sutphen/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

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

TO: Alice H. Williams (CN=Alice H. Williams/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

TEXT:

In case you did not hear last night, today's State Department Budget Meeting with the President will now take place from 11:00 to 11:45 am. The 11:30 to 1:30 meeting is canceled.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 12:30:33.00

SUBJECT: draft budget

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

TEXT:

We should sit down with Gene to figure out how to spend that \$1-2 billion.

Here are some thoughts:

HOW TO SPEND \$2 BILLION:

EDUCATION (\$1 billion):

Social Promotion/After-School: \$300m

Teachers: \$200m

Adult Literacy: \$___m

Training: \$___m

Americorps: \$176m (Harris's appeal)

Work-Site & Choice: \$50m?

[Second-chance schools: cheap Kerry idea for disruptive students]

HEALTH -- \$500m

Bioterrorism -- \$100m (helps with terrorism #)

Diseases -- \$300m

Food safety -- \$75m?

FDA tobacco enforcement -- ??

Medicare suit -- \$10m?

MISCELLANEOUS -- \$200m

Child support crackdown -- \$50m

Foster care -- \$150m

Equal pay -- \$20m

Parental leave demo -- \$10m

GORE STUFF (CEQ/OSTP) -- \$300m (probably unrealistic)

NON-TAX IDEAS FUNDED OUTSIDE THE POT:

Crime Bill II -- \$1 billion

WTW -- \$1 billion

TAX IDEAS FUNDED BY TAX OFFSETS:

Long-term care tax credit -- \$5-6.5b

Stay at home DCTC (no cost or modest cost)

Small business coops -- \$100m

Work-site schools & workplace literacy -- \$200m

Americorps

Interest deduction -- \$300m

CDFI -- \$100m

Telecommuting -- \$500m

Welfare/pensions

BIG QUESTIONS:

Medicare buy-in

Other coverage ideas?

Non-tax long-term care (community centers, nursing home quality)
NIH
Other disability tax credit
Whether to shave child care

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 15:07:38.00

SUBJECT: DPC Team Leaders Mtg

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

CC: Essence P. Washington (CN=Essence P. Washington/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: Devorah R. Adler (CN=Devorah R. Adler/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

TEXT:

The DPC Team Leaders Meeting for Monday, December 7, will be held at 4:00 p.m. in Bruce Reed's office.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Sandra Thurman to Marsha Scott et al re invitation (1 page)	12/04/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

12/03/1998-12/04/1998]

2009-1006-F
kc190

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 12:58:56.00

SUBJECT: Budget initiatives

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: WEINSTEIN_P@A1@CD@VAXGTWY (WEINSTEIN_P@A1@CD@VAXGTWY @ VAXGTWY [UNKNOWN]) (O

READ:UNKNOWN

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

READ:UNKNOWN

CC: Christopher C. Jennings (CN=Christopher C. Jennings/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:

Here's a summary of welfare-reform related budget issues for your use.
Includes cross-cutting issues on: housing, substance abuse, literacy/ESL.

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

TEXT:

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```

WELFARE REFORM BUDGET INITIATIVES

12/3/98

Initiative	Agency Proposed	OMB Passback	Comment
<p>Welfare-to-Work Reauthorization, including Responsible Fathers Grants.</p> <p>Target: - approx. 60% to formula grants - approx. 20% to competitive grants, w/ possible set asides for substance abuse, literacy/ESL, disabilities - approx. 15% to fathers grants</p>	<p>\$1.5 B annually over 5 yrs</p>	<p>N.A.</p>	<p>DOL request did not include separate Fathers grants, but they are generally supportive of the concept.</p> <p>Status: meeting w/ DOL on overall reauthorization issues 12/7; meeting w/ DOL & HHS on Fathers 12/9.</p>
<p>Welfare-to-Work Housing Vouchers</p>	<p>\$289 M (BA)</p> <p>50,000 vouchers, on top of 50,000 funded in FY 99</p>	<p>\$144 M (BA)</p> <p>25,000 vouchers, on top of 50,000 funded in FY 99</p>	<p>In passback, OMB also proposed that HUD could fund up to 36,000 more vouchers beginning in 2001 (for WtW or other purposes) through enhanced rent collection or other program savings.</p> <p>Passback level seems reasonable given budget constraints.</p>
<p>Access to Jobs Transportation</p>	<p>\$150 M</p>	<p>\$75 M</p>	<p>TEA-21 authorized \$150 M, guaranteed \$75M for FY 2000.</p> <p><u>Preliminary</u> discussion of targeting additional \$75 M to jobs gap proposal under race initiative.</p>
<p>Adult Literacy/ESL</p>	<p>N.A.</p>	<p>N.A.</p>	<p>Working w/ NEC to refine proposal on addressing skills gap through expanding adult ed/ESL, workplace literacy, and combined ESL/accluturation services</p>
<p>Expand targeted Substance Abuse Treatment grants</p>	<p>\$100 M</p>	<p>\$26 M</p>	<p>These 'targeted capacity expansion grants' address emerging needs in local communities. In FY 98, SAMHSA awarded 44 grants totaling \$24 M, w/ about one-third to women with children and/or women on TANF. Unlike the substance abuse block grant, we can target these to</p>

			<p>specific issues and they can go directly to locals. (See background information below)</p> <p>Depending on available funding, some increase in these grants would help address the specific substance abuse needs of women moving from welfare to work. We continue to work with Crime and Health teams to determine suggested funding level and strategy.</p>
--	--	--	---

Background

There are two ways to increase substance abuse treatment:

1) Substance Abuse Block Grant

These funds are allocated to states on a formula basis with states deciding how to target the funds. SAMHSA requested an increase of \$270 million for FY 2000. OMB passback holds them to FY 99 level of \$1.585 billion (plus an additional \$100 million in advance funding).

2) Targeted Capacity Expansion Grants

These funds are designed to address treatment needs for emerging substance abuse problems specific to a city, county, state or region, with a particular focus on meeting local needs since the block grant goes to states. For FY 1988, SAMHSA identified several target groups including: substance abusing women and their children, clients participating in welfare reform programs, juvenile and adult criminal justice-referred offenders, dually diagnose youth offenders, substance abusing physically and cognitively challenged individuals, and hard-to-reach IV drug users. FY 98 funds supported 41 grants totaling \$24 million to a combination of state, local, and tribal agencies and community-based organizations. This funding will serve an additional __ people on an annual basis. Grants are available for three years, with first year funding generally between \$500,000 and \$700,000. Approximately one-third of the FY 1998 grants are targeted to TANF or substance abusing women with children. For example, Women in Need in Brooklyn received \$250,000 to expand capacity to serve an additional 85 homeless women and women with children receiving TANF. The Wisconsin Department of Health and Family services received \$750,000 to provide intensive family treatment to 121 women with children and TANF recipients.

US Conference of Mayors has indicated strong support for these grants -- in fact, they would like to see an increase of around \$250 million. Based on conversations with ONDPC staff, they generally support SAMHSA's request both for the block grant and targeted capacity grants, but they particularly like the targeted capacity grants since we have more ability to target and track how these get spent.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 11:08:14.00

SUBJECT: DPC Goal & Objective Document

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D87]MAIL47235493Q.326

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D87]MAIL48235493R.326 to ASCII,

The following is a HEX DUMP:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 10:17:20.00

SUBJECT: REVISED radio address. taping may move up to noon. COMMENTS ASAP

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

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

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

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

TEXT:

Draft 12/13/98 10 am

Shih

PRESIDENT WILLIAM J. CLINTON

RADIO ADDRESS ON BRADY LAW/NRA LAWSUIT

DECEMBER 5, 1998

Good Morning. Since I took office, we have worked very hard to make our streets, schools, and neighborhoods safer places to live, work and raise families. We've put in place a comprehensive strategy of more prevention, stricter enforcement and tougher punishment. We've taken more guns and criminals off the street and put more police on the beat. As a result, crime has dropped for six years in a row.

This week, America launched a new effort to keep guns out of the hands of criminals and make our streets even safer. For the first time ever, the Justice Department, working with the states, conducted computerized background checks on all firearm purchases. In its first three days, the new National Instant Check System reviewed more than 60,000 prospective gun sales to make sure only law-abiding citizens took home new guns. In those three days, we stopped some 1,300 felons, fugitives, stalkers and other prohibited purchasers from walking away with new guns. Who knows how many lives were saved.

But within 24 hours after the new background checks went into

effect, the National Rifle Association went to court to stop the new system. The goal of gun lobby's suit is plain: As the NRA's executive director himself put it this week, they want to "scale back" the Brady law.

Five years ago, as the Brady Bill was nearing passage in Congress, the gun lobby spent millions of dollars in a desperate effort to kill it. Fortunately, the good sense of Congress and the will of the American people prevailed. The gun lobby lost. But as we saw this week, they will stop at nothing to gut the Brady Law and undermine the efforts of the American people to keep guns from falling into the wrong hands.

We must not turn back. Brady background checks have stopped nearly a quarter of a million illegal handgun sales. We cannot go back to the days when dangerous criminals walked away from stores with new guns, no questions asked.

Police, prosecutors and the American people they protect have made it clear that they want even tougher gun laws. That is why we must continue to work with law enforcement to strengthen -- not weaken -- the Brady law. That is why, when the new Congress goes into session next month, one of my top priorities will be to pass legislation to require a minimum waiting period before a handgun sale becomes final. This "cooling off" period will help prevent rash acts of violence and give authorities more time to stop illegal gun purchases. I also call on Congress to ban violent juveniles from owning guns for life. There is absolutely no reason why young people convicted of violent crimes should be allowed to buy guns on their 21st birthday. And I thank Senator Bob Dole for coming out in support of such legislation this week.

Finally, we must make sure that firearms sold at gun shows are not exempt from background checks -- and that they do not let unscrupulous dealers circumvent our gun laws. Last month, I asked Treasury Secretary Rubin and Attorney General Reno to find ways to close this loophole. And I call on Congress to support their recommendations.

Reducing crime has been one of the American people's greatest achievements in recent years. A decade ago, no one thought we could do it. But we did. Why would we retreat on this hard-won progress? We must remain vigilant in our efforts to support the laws that protect our children and families. Thanks for listening.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Caroline R. Fredrickson (CN=Caroline R. Fredrickson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-DEC-1998 17:47:22.00

SUBJECT: NYT article

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

TEXT:

wanted to make sure both of you saw Robert Pear's article on the AMA in today's Times. Nice to have helpful news in this area for a change.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 09:54:13.00

SUBJECT: assistant

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

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

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

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

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

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

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

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

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

TEXT:

I'm in the market for a new assistant, since Jonathan is going over to Treasury. A Kevin Moran/Melissa Green type is what I have in mind. If anyone's got any bright ideas of a smart, young, organized person who'd staff the front desk and have an opportunity to soak up some climate change politics and policy, please let me know. tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Joshua S. Gottheimer (CN=Joshua S. Gottheimer/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-DEC-1998 14:05:06.00

SUBJECT: SCHEDULING UPDATE

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

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

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

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

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

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

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

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

TEXT:

Today's 4pm CFR meeting in the Ward Room has been canceled. We will reschedule next week. Sorry for the inconvenience.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 11:35:34.00

SUBJECT: Re: charter schools guidance

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

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

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

TEXT:

fyi- the lower Press Office says they no longer need any guidance from us,
but let me know if you want Jon or Tanya to still work on some Q&A's.

----- Forwarded by Laura Emmett/WHO/EOP on 12/04/98 11:34
AM -----

Laura Emmett
12/04/98 11:10:21 AM
Record Type: Record

To: Elena Kagan/OPD/EOP
cc:
Subject: Re: charter schools guidance

Do you still want Jon or Tanya to do guidance on this? (See below)
----- Forwarded by Laura Emmett/WHO/EOP on 12/04/98 11:09
AM -----

Tanya E. Martin
12/04/98 11:05:23 AM
Record Type: Record

To: Laura Emmett/WHO/EOP
cc: Jonathan H. Schnur/OPD/EOP
bcc:
Subject: Re: charter schools guidance

The Education Dept (Julie Green) has already forwarded to Nanda Chitre a
statement that the Asst Sec for Elementary and Secondary Education made
on this report. I'm getting a copy as well.

Julie, who used to work in the press office here, has recommended that the
WH press office refer any calls to the Education dept. This is a local
study and not one that is likely to receive any national attention.

Laura Emmett
12/04/98 10:36:50 AM
Record Type: Record

To: Jonathan H. Schnur/OPD/EOP, Tanya E. Martin/OPD/EOP
cc:
Subject: charter schools guidance

Please do a Q&A on this new study ASAP. Thanks.

Also, I had paged Mike re: weekly but I did not know he was on travel. Do you all have anything for this week?

----- Forwarded by Laura Emmett/WHO/EOP on 12/04/98 10:35 AM -----

Nanda Chitre
12/04/98 10:34:53 AM
Record Type: Record

To: Laura Emmett/WHO/EOP
cc:
Subject: charter schools guidance

Can we get guidance on charter schools Univ. of California study released yesterday? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 12:42:59.00

SUBJECT: Complete Weekly report 12/4/

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

READ:UNKNOWN

TEXT:

Education, Tobacco, Welfare, & Immigration say that they do not have anything this week.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D70]MAIL419416933.326 to ASCII,
The following is a HEX DUMP:

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December 5, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Health Care -- Medicare Commission update: On Wednesday and Thursday, the Medicare Commission met for its first serious discussion of policy options. Next month, it is tentatively scheduled to make final decisions and, as such, its work is more likely to become more relevant to our internal budget, Social Security, and State of the Union discussions. The Commission continues to be burdened by relatively weak staffing, poor communication amongst its members, and a general sense of disorganization. Despite this, the staff did produce an options document that, although seriously flawed, suggested some alternatives that merit consideration such as fee-for-service reforms (e.g., rationalizing the program's cost sharing requirements and adding a prescription drug benefit) as well as a "premium support," FEHBP model. "Premium support" is a term describing a program that concurrently defines mandatory benefits while also setting the Government's contribution. (It is similar to a concept advocated by Henry Aaron and Bob Reischauer.) Interestingly, although the Democrats -- including our own appointees -- are frustrated with the operation of the Commission, they remain engaged because of their belief that a premium support approach could -- if done correctly -- provide an avenue to establish a new and, in their minds, long overdue prescription drug benefit. Some of our members, like Laura Tyson and Stuart Altman, also think the premium support model offers the ability to inject more market competition into the Medicare system. To ensure that Senator Breaux does not veer too far off the path of an acceptable option to Democrats, Congressman Dingell offered (with our assistance) a set of Medicare principles for the Democrats to utilize as guideposts in the development of any option. The principles ended up being well received by all the Democrats -- including Senator Breaux. (They are attached for your review.) Notwithstanding the generally positive momentum that was achieved, the financing, policy, political and timing challenges facing the Commission are enormous. As they are finally recognizing the scope of the financing and demographics problem, they are realizing that much more than program savings will be necessary to have any chance of significantly extending the life the program. The Commission will likely respond by either reducing the time frame they wish to extend Medicare's solvency or contemplating how to infuse the program with more dollars. We will continue to closely monitor the progress of the Commission; in so doing, we will continue to be responsive to the Commission's requests, particularly Senator Breaux in order to keep him on track with options that will not totally alienate too many Democrats from this process. (ELENA: This one probably justifies a brief memo to the POTUS; I'd like to send in if you and Bruce say ok)

Health Care -- Combating Medicare fraud and abuse: This week, the HHS Inspector General June Gibbs Brown released a report finding that the program managers HCFA contracts out with to administer and oversee Medicare provider reimbursement do not proactively identify instances of fraud and abuse. This report is yet another in a series of IG reports that asserts that HCFA is not sufficiently cracking down on fraud and/or that the Congress has not provided the agency with adequate authority to more effectively manage the program. We plan on countering these reports on Monday at an anti-fraud and abuse event in which you will unveil a series of program integrity initiatives that will be included in next year's budget. Most of these initiatives represent a direct response to IG recommendations and, as such, she can be expected to strongly validate them. We also anticipate that they will be well received by aging advocates, such as AARP, the National Council of Senior Citizens and others, and viewed as a sign that the Administration is not waiting for the Medicare Commission to make needed changes in the program.

Health Care -- Recommendation of the National Toxicology Board to list alcohol as a carcinogen: On Wednesday, the National Toxicology Board of Scientific Counselors recommended that alcoholic beverages be considered a known human carcinogen. While the scientists acknowledged other studies showing correlations between moderate alcoholic consumption and some positive health outcomes, they concluded that recent studies that link alcohol consumption with cancers of the mouth, pharynx, larynx, and esophagus were sufficiently compelling to necessitate their recommendation. Although this recommendation must go through several layers of bureaucracy before Secretary Shalala makes a final decision about this classification next Spring, she rarely overturns a recommendation made by this (or any other) scientific body. If she does decide to list alcohol in HHS's ninth Report on Carcinogens, no further regulatory action will be taken. This congressionally-mandated report is used as an information awareness mechanism to alert the public and regulatory agencies about substances that have been scientifically linked with increased rates of cancer. Notwithstanding the narrow scope of action, we can expect a major outcry of displeasure from the wine, beer, and even the distilled spirits lobby when this recommendation gets publicized.

Health Care -- CDC reports slight increase in the number of legally induced abortions: Thursday, the Centers for Disease Control (CDC) reported that the number of legally induced abortions increased by 0.9 percent between 1995 through 1996 to a total of 1,221,585. The change in the number of abortions reported to CDC may have resulted from variations in data reporting by state health departments. It could also indicate that the number of legal abortions in the U.S. is stabilizing. However, because this slight increase in the number of terminations has occurred for only one year, it is too early to predict any future changes in abortion trend rates. It is important to note that from 1990 (the year in which the number of reported abortions was highest) to 1995, the number of legal induced abortions decreased by 15 percent. In addition, the national abortion rate of 20 per 1,000 women of reproductive age continues to be the lowest rate recorded since 1975.

Health Care -- Hearing held on embryonic stem cell research: On Wednesday, the Senate Appropriations Subcommittee on Health held a hearing to explore the medical, ethical

and legal implications of the recent innovations in embryonic stem cell research. Beyond spending a great deal of time on the great health care potential of this research (specifically on lessening the need for transplantable donor organs and on new treatments for Parkinson's and Alzheimer's disease, spinal cord injury, stroke, burns, heart disease, diabetes, osteoarthritis, and rheumatoid arthritis), the hearing attempted to determine whether Federal funding for this research was legal under the congressionally-mandated prohibition on funding human embryo research. (The General Counsel's office at HHS is now reviewing this matter, and we anticipate an answer in short order; she will likely conclude that funding for certain stem cell research techniques is legal because it uses fetal tissue from terminated pregnancies rather than viable human embryos.) Because we had not received the HHS legal opinion and because we did not wish to prematurely enter into a potential conflict with the Catholic Bishops and others, we thought it advisable to instruct NIH's Harold Varmus -- who testified for the Administration -- to defray any comments on the legality of Federal funding of this research. However, we should soon receive the HHS legal opinion and are working with OSTP and HHS to develop options for your consideration on how best to proceed. Regardless, to illustrate that you continue to believe there are areas of research we should not go, it would seem wise to continue to highlight your 1994 executive directive that explicitly prohibits the creation of human embryos for research purposes no matter how we proceed.

Crime -- COPS: On December 11, the COPS Office will announce \$77 million in grants to over 30 local law enforcement agencies through the COPS MORE (Making Officer Redeployment Effective) program. COPS MORE helps law enforcement agencies to purchase technology, equipment, and to hire support staff so that existing officers can be redeployed to spend more time on the street in community policing activities. The grants will assist in the redeployment of over 3,800 officers.

Consumer Protection -- Toxic Toys: This week, the Consumer Product Safety Commission released the most comprehensive report to date examining the potential exposure and health risks to children from teething rings, rattles, and toys containing chemicals called phthalates that are used to soften plastic. The report concludes that children using these products are not exposed to phthalates at levels that might be harmful. For this reason, the CPSC has decided not to ban these products. However, the study also identified several areas where additional scientific research is needed. Given remaining uncertainty and the concerns of consumers, the CPSC also announced the plans of a number of manufacturers and retailers to discontinue selling certain toys containing a widely used phthalate called DINP and to begin producing toys without this chemical. We continue to work with CEQ and the CPSC on possible next steps, including other research that we could support.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 11:08:29.00

SUBJECT: Last Year's Goal's Memo

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

READ:UNKNOWN

TEXT:

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

TEXT:

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February 28, 1997

Automated Records Management System
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MEMORANDUM FOR ERSKINE BOWLES

FROM: BRUCE REED

SUBJECT: DOMESTIC POLICY COUNCIL GOALS AND OBJECTIVES

The central mission of the Domestic Policy Council is to advance the President's domestic agenda. The following memo outlines our goals and objectives in carrying out the domestic priorities that the President set forward in this year's State of the Union.

OVERALL GOAL: Education. Develop and implement, in concert with other White House offices and the Department of Education, a strategy to carry out the President's 10-point plan.

GOAL: Education. Develop and implement policies to achieve high educational standards nationwide and improved student performance to meet those standards.

Objectives:

- Work with Education Department to persuade twenty-plus states this year to agree to administer the President's national tests in 1999.
- Build support in the parent, business, and education communities for the President's testing initiative.
- Work to improve the quality of teaching by promoting the work of the National Board for Professional Teaching Standards; encouraging states and local school districts to adopt policies to place a master teacher in every school; and highlighting successful efforts at the state and local level.
- Continue efforts, in coordination with America Reads, to recruit 100,000 college students to be reading tutors, expand the Department of Education's summer reading initiative, and promote proven approaches to reading instruction.
- Work to increase the number of states with charter schools legislation.

GOAL: Education. Work toward passage of legislation and appropriations to implement the President's education agenda.

Objectives:

- Introduce legislation on school construction, America Reads, and HOPE scholarships and related tax proposals; identify bipartisan support for each proposal.
- Assist in mobilizing constituencies for these proposals, such as securing an endorsement letter from hundreds of college Presidents.
- Assist in developing and implementing a communications strategy showing how each

legislative proposal will improve the lives of students, families, and communities.

GOAL: Welfare. Develop policies that will assist in moving people from welfare to work.

Objectives:

- Work toward enactment of a \$3 billion fund to help states and cities find and create jobs for welfare recipients and enhanced tax credits to encourage companies to hire them.
- Assist in conducting an extensive outreach campaign asking companies, nonprofits, the faith community, and government agencies to hire welfare recipients.
- Oversee implementation of the new welfare law to ensure that the Administration does everything in its power, through executive action and guidance, to help states move people from welfare to work.

GOAL: Welfare. Develop and implement policies to ensure that welfare reform promotes family and responsibility.

Objectives:

- Fulfill the President's commitment to restore certain budget cuts, involving legal immigrants and food stamps, included in the welfare law but unrelated to welfare reform.
- Work with HHS in assisting states to ensure strict enforcement of child support rules.
- Develop and implement new teenage pregnancy prevention and statutory rape initiatives.

GOAL: Crime. Enact the President's Anti-Gang & Youth Violence Act of 1997.

Objectives:

- Organize events highlighting main provisions in President's legislation -- involving, for example, handgun safety locks, anti-gang prosecutors, and after-school programs.
- Draft directives, executive orders, and letters in furtherance of the bill's objectives.
- Lead working group meetings with bipartisan Congressional delegation and Administration officials to ensure enactment of President's main priorities.

GOAL: Drugs. Promote and secure full funding for the President's 1997 Drug Control Strategy.

Objectives:

- Work closely with ONDCP on National Anti-Drug Media Campaign and organize Presidential event to kick off anti-drug advertisements.
- Work to ensure full funding for President's drug strategy in appropriations process.

GOAL: Health Care. Work toward achieving bipartisan consensus on and enactment of Medicare, Medicaid, health coverage, and quality reforms.

Objectives:

- Continue close coordination of policy development and strategy with HHS, Treasury, Automated Records Management System
Hex-Dump Conversion

Labor and all relevant divisions within the White House.

- Identify opportunities for executive actions that further the President's health care agenda, particularly in relation to quality and coverage initiatives.
- Develop collaborative relationships with Congress and the governors to promote our health care agenda.
- Work with representatives of consumers, providers, insurers / health plans, business, and labor, as well as academics, health economists, and foundations to disseminate and validate the President's positions on health care.
- Refine and implement communications strategy to highlight the President's accomplishments, educate the public on current proposals, and generate support for legislative and executive initiatives.

GOAL: 0-3 Initiative. Promote efforts to enhance development in the earliest years of life.

Objectives:

- Engage in a broad-based review of policy affecting our youngest children and develop new initiatives, involving both executive and legislative action, to support these children.
- Organize, in coordination with other White House offices, a White House Conference on early learning that will examine current scientific research and its practical applications for parenting; explore how different sectors of society can support our youngest children; and highlight Administration accomplishments and initiatives.

GOAL: Service. Work with other offices in the White House to ensure that the Presidents' Service Summit advances the goals of service and voluntarism, while enhancing the AmeriCorps program.

Objectives:

- Work with other White House offices to ensure that we participate in all important decisions about the structure and content of the Summit.
- Develop events highlighting service and voluntarism to prepare the way for the Summit.
- Develop policies and identify federal government "commitments" for the President to announce in his speech at the Summit.

GOAL: Executive Action. Help the President use all the powers of his office to advance his agenda, with or without help from Congress.

Objectives:

- Develop Executive Orders and Memoranda in the priority issues outlined above, as well as in other important issues, such as consumer safety, technology, family, and the environment.
- Vet proposals for executive action on domestic policy coming from agencies and other White House offices to make sure that they advance the President's long-term agenda.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 08:59:22.00

SUBJECT: food safety

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

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

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

TEXT:

Here is a brief summary of the budget situation that Cliff Gabriel and I put together.

The goal of the initiative is to work towards integrating federal, state, and local public health agencies into a coherent national system with improved surveillance and inspections including expanded coverage of imported food.

FDA

ú The FDA request is for \$48.9 million over the FY99 request.

The majority of FDA's request (\$25.6 million) would go toward expansion of their inspection and compliance capability. FDA's inspection program is viewed widely as deficient, with most plants only being inspected once every seven to ten years. HHS estimates that a combination of the improved federal and local inspections and our risk-based approach will reduce the inspection cycle so that high-risk operations will be inspected once a year. The FY2000 increment would be on top of \$24.5 million appropriated for this purpose in FY99. FDA will enter into contracts and partnerships so that states will follow FDA guidelines and procedures. Much of the focus will also be placed on assuring the safety of imported food. GAO and the NAS have identified this as a major weakness in FDA's programs. FDA will increase the number of international inspections from 100 to 250 and will conduct evaluations of foreign food production systems. Other important activities include continuing HACCP implementation and field visits to foreign countries related to the GAPS/GMPs for fresh fruits and vegetables.

FDA will send \$9.0 million for improved surveillance activities. Given the fact that FDA relies on monitoring and surveillance (not continuous inspection like FSIS) this request is reasonable. In particular, FDA will focus its efforts on improving its traceback capabilities.

FDA also requested \$6.9 million for research programs and \$2.7 for risk assessment. Risk assessment is a critical tool for priority setting and determining proper interventions. However, data supporting good quantitative risk assessment activities are very weak. This money will be used to improve FDA's risk assessment capabilities as well as support other aspects of FDA's regulatory programs e.g., pathogen detection.

FDA is asking for \$4.7 million in new education funding. If FDA is ever

going to be successful, they will need to find ways to better educate state regulators, industry (HACCP implementation), and the public.

FSIS

ú User fees are the main problem

The biggest problem associated with the FSIS budget is its continued reliance on user fees. Proposed as part of our original deficit reduction package, these fees are widely criticized by Congress and consumer groups. The FY2000 request currently contains a \$473 million cut in discretionary spending for FSIS to be compensated for by user fees, which everyone knows will not happen. This is on top of a flat budget when the agency is trying to implement extensive HACCP reforms. FSIS has very little discretionary money, since most is tied up in inspector salaries and other fixed costs.

CDC

ú The CDC request is for \$18 million over the FY99 request. The goal is to create a national system that provides comprehensive data on the occurrence of food-borne illness that can be used by agencies at every level to combat food-borne illness.

The majority of the investment (\$12.8 million) is targeted toward surveillance activities, specifically expanding the scope of FoodNet and the capacity of PulseNet to better capture pathogen DNA fingerprints of both E. coli O157:H7 and Salmonella enteritidis and include more state health departments in the network. This expanded surveillance network is the heart of our nation's food-borne disease early warning system. The current surveillance system does not provide adequate coverage of the US population.

An additional \$3.0 million is targeted to applied research. The applied research that CDC conducts is vital to their epidemiology and surveillance work. In particular, CDC will focus on developing methods to identify and subtype hard to identify pathogens.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 12:58:39.00

SUBJECT: DPC Team Leaders

TO: Julie A. Fernandes (CN=Julie A. Fernandes/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: 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: Jennifer L. Klein (CN=Jennifer L. Klein/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: 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: Elena Kagan (CN=Elena Kagan/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: Chantell S. Long (CN=Chantell S. Long/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

The DPC Team Leaders meeting for Monday, Dec. 7, will probably be scheduled for another time on Monday -- I'll let you know as soon as possible. Stay tuned.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-DEC-1998 13:01:32.00

SUBJECT: Final Brady Numbers

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

BR/EK:

FYI...during the course of the first 4 days of NICS operation:

Total requests for background checks...103,234

by FBI...3,360

by NICS call center...59,114

by state points of contact...40,760

TOTAL...103,234

Total NICS/FBI denials...420

Total state denials...no hard numbers, but about 270 if we assume same rate as NICS.

We have amended the speech and paper accordingly...jc3