

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 050 - FOLDER -004

[04/29/1999]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:29-APR-1999 10:25:49.00

SUBJECT: Religious Liberties Protection Act

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

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

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

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

TEXT:

We have received word that Rep. Canady intends to move quickly on RLPA, the Religious Liberties Protection Act. In general, RLPA would create a religious free exercise defense to many state laws that are inconsistent with the religious beliefs or practices of individuals. In order to apply the law, the government would have to show that it was particularly important to apply the law to the individual with religious objections. You may recall that RLPA is a sequel to RFRA, the Religious Freedom Restoration Act. RFRA became law a few years ago but was largely struck down as beyond Congress's power. RLPA is intended to restore the major part of RFRA that was held unconstitutional.

The President strongly supported RFRA, and it was widely supported in Congress. However, some of the potential implications of the bill are now better understood. In particular, RLPA could provide a religious liberties defense to many state laws, including some civil rights laws, such as fair housing laws that prevent discrimination against gays and lesbians and unmarried persons. This result is not certain, but it is certainly possible, at least in some states. As a result, the gay community, supported by many civil rights groups, oppose RLPA as currently drafted. Last year, no Democrats on the House Constitution Subcommittee supported the bill after they heard from this community. Canady wants to move this bill quickly, and the Administration is going to have to decide how to respond. We will discuss the Administration's response to this bill on Monday at 1:00 in 472 OEOB. Representatives of DOJ will also attend. Can you come or send someone? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 10:42:32.00

SUBJECT: Q&A On Gambling Study

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

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

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

TEXT:

Question: Does the Administration support the expected findings --
including a moratorium on gambling expansion and
more regulation of Indian Gaming -- from the National
Gambling Impact Study Commission?

Answer: Since the study has not yet been forwarded to the
Administration it would be premature to comment. However,
The Administration looks forward to receiving the study and
giving it careful consideration. However, I would like to
point out that this Administration recently issued
important regulations on Indian Gaming designed to help facilitate the
ability of states and tribes to permit gambling on Indian
lands

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Iratha H. Waters (CN=Iratha H. Waters/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:29-APR-1999 11:06:45.00

SUBJECT: Meeting Notice/Reminder

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

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

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

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

TEXT:

Meeting today in Barbara Chow's office (260) at 4:30 pm... re: Puerto Rico...

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 11:24:24.00

SUBJECT: AGENCY UPDATES - COLUMBINE SCHOOL SHOOTING

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

TO: Ben_Tucker@ed.gov (Ben_Tucker@ed.gov [UNKNOWN])
READ:UNKNOWN

TO: esummy@os.dhhs.gov (esummy@os.dhhs.gov [UNKNOWN])
READ:UNKNOWN

TO: james.johnson@do.treas.gov (james.johnson@do.treas.gov [UNKNOWN])
READ:UNKNOWN

TO: Leslie_Thornton@ed.gov (Leslie_Thornton@ed.gov [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

TO: Jane.bullock (Jane.bullock @ fema.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: bill_modzeleski@ed.gov (bill_modzeleski@ed.gov [UNKNOWN])
READ:UNKNOWN

TO: ann.harkins@usdoj.gov (ann.harkins@usdoj.gov [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TEXT:
April 29, 1999
As of: 11:19am

MEMORANDUM FOR DISTRIBUTION

FROM: KRIS M. BALDERSTON
SEAN P. O'SHEA

SUBJECT: Agency Updates - Columbine School Shooting Relief Efforts

The last of the funerals for the victims of Columbine is scheduled for today.

A memorial services will be held this Sunday at Red Rock to include the students, faculties, and parents. It is expected to be sponsored by the Jefferson County school system and will be closed to outsiders.

OPL joined the call today to gather information so as to direct callers offering assistance in responding to the shootings. Each agency will provide contact names and numbers so OPL may direct callers appropriately. In addition, OPL will forward printed materials to those agencies as they are gathered. There are essentially two types of inquiries: offers of counseling assistance (which we are forwarding to the state of Colorado) and proposals for legislation and new initiatives (which we will forward to the appropriate agencies and DPC).

The local officials have asked for help in archiving some of the articles left at memorial sites near and around Columbine High School. We are contacting the National Park Service to see if they can be of assistance.

The Department of Education

Bill Modzeleski, of DOEd's Safe and Drug Free Schools, recently returned from two days of meetings at Columbine officials. Students and faculty will return to Columbine tomorrow and throughout the weekend to retrieve materials such as backpacks, lesson plans, books, schedules, etc. needed to restart their teaching and learning efforts. Student and teachers will begin classes on Monday at nearby Chatfield High School.

Secretary Riley will participate in a discussion with students, teachers, and faculty tomorrow, April 30, at Walt Whitman High School in Maryland. The Secretary will then hold a press availability afterwards.

To date, the State of Colorado has provided \$1 million in discretionary state funding to help respond to this crisis. School damage is estimated to be around \$5 million (although the exact estimates will not be available until the crime scene has been cleared).

For parents and others interested in gathering information on guides they may call 1-800-USA-LEARN.

The Department of Health and Human Services

On Friday, April 30, United Way will host a meeting to outline efforts to distribute contributions that have been collected over the past week.

On Wednesday, May 5, from 1:00-3:00pm, the Governor's Task Force will convene in Colorado to discuss long term recovery efforts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 11:43:50.00

SUBJECT: Re: HIV Vaccine Event

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

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

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

TEXT:

please give us your rec. thanks.

----- Forwarded by Stephanie S. Streett/WHO/EOP on
04/29/99 11:42 AM -----

Sandra Thurman 04/29/99 10:51:43 AM

Record Type: Record

To: Stephanie S. Streett/WHO/EOP@EOP
cc: Todd A. Summers/OPD/EOP@EOP
Subject: Re: HIV Vaccine Event

Sorry it has taken so long to get back to you on this event, but we had to check on the Bumpers' schedule and with the folks at NIH.

It appears that there are no other dates prior to the 18th that work and NIH feels compelled to do something on or before the 18th since there are so many public events planned for the anniversary of the President's announcement.

Is there any chance of revisiting this? If not, we thought we would approach the First Lady since she any Betty Bumpers have been such tireless advocates for immunization.

Let me know what you think.

Thanks so much for your help.

Sandy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 11:55:04.00

SUBJECT: Final POTUS tobacco statement

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

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

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

TEXT:

The campaign will hand it out at their 2:00 press conference and we'll simultaneously release it here.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release
April 29, 1999

STATEMENT BY THE PRESIDENT

I am disappointed that so few states are devoting tobacco settlement funds to reducing youth smoking, as shown by the new report from the Campaign for Tobacco Free Kids and the American Heart Association. This new report underscores why I strongly oppose any legislation waiving the federal government's claim to tobacco settlement funds without a commitment from the states to fund youth tobacco prevention efforts. In the absence of such a commitment, states won't have to spend a single penny of the \$246 billion tobacco settlement to reduce youth smoking. We must act now: every day, 3,000 children become regular smokers and 1,000 will have their lives cut short as result.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D70]ARMS25283743I.136 to ASCII,
The following is a HEX DUMP:

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THE WHITE HOUSE
Office of the Press Secretary

For Immediate Release

April 29, 1999

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###

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nicole R. Rabner (CN=Nicole R. Rabner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:29-APR-1999 11:59:03.00

SUBJECT: bankruptcy and the choice groups

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

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

TEXT:

As we discussed briefly in our somewhat recent meeting on choice, the choice groups, led by NARAL, are working to advance an amendment to the quickly-moving bankruptcy reform bill that would specifically disallow debtors in bankruptcy to discharge debts that they may owe from damages awarded to victims of clinic bombings, etc. Schumer is championing the amendment in the Senate (it lost in Committee by a narrow, largely party-line margin). As you will see below in an e-mail from WH leg. affairs, NARAL wants to meet with us soon to try to secure the Administration's support for the amendment.

As you know, the Administration has several large concerns with the bankruptcy bills moving forward (a similar bill that moved through the House last year garnered a veto threat), and our ability to influence the bill on these large issues (means test, balance, etc.) is questionable, as is our ability to sustain a veto, frankly.

The NEC-led bankruptcy working group will likely be looking to you both for guidance on the political and policy context of this amendment, but we should probably have a broader discussion soon to consider our position on the amendment vis-a-vis the rapid movement of the bill (e.g., if we want to kill the bill, maybe we should fight hard for the amendment).

----- Forwarded by Nicole R. Rabner/WHO/EOP on 04/29/99
11:42 AM -----

Joel K. Wiginton
04/28/99 04:44:18 PM
Record Type: Record

To: Mark.McClellan@do.treas.gov
cc: See the distribution list at the bottom of this message
Subject: The FACE Amendment

NARAL wants to meet with us on Monday to discuss the Schumer and Nadler FACE amendments. Allison Hurit (sp?) wants the meeting to be with Schumer and Nadler's staff, them, and us. I have a bit of a concern about this, because -- to the best of my knowledge -- we haven't discussed how helpful we're going to be on these amendments. As you know, generally we've remained silent except on the most significant of amendments. Moreover -- except for the possible political advantage (which if played well, could be significant) -- I think that most folks on the bankruptcy group probably think this amendment may not be the best bankruptcy policy. Indeed, even NARAL's own material's on the amendment note that given a

recent Supreme Court decision, FACE damages are likely covered under the "willful and malicious injury" exception (NARAL appears to be worried about state FACE amendments which use a lessor standard of intent and forcing FACE victims to litigate the issue). As a policy matter, I recognize the importance of protecting the constitutional right to an abortion, but I'm not sure damages under the FACE amendment should be protected more so than damages provided for under other statutes designed to guarantee other constitutional rights (e.g., voting rights, a Section 1983 action).

In short, I don't want to have to tell Schumer and Nadler (two guys who may carry a great deal of water for us on this issue) that we're not going to actively campaign for their amendments.

That being said, if you all want, we can certainly make this a pro-choice deal and possibly throw a wrench in the progress of this bill. I always like a good pro-choice fight. Any thoughts?

Message Copied

To:

lucy.huffman@do.treas.gov
frank.toohey@do.treas.gov
tom.mcgivern@do.treas.gov
Broderick Johnson/WHO/EOP@EOP
john.daugherty@usdoj.gov
mark.mcclellan@do.treas.gov
karen.l.wilson@intmail.usdoj.gov
kenneth.l.chernof@intmail.usdoj.gov
Sarah Rosen/OPD/EOP@EOP
Sonyia Matthews/OPD/EOP@EOP
Nicole R. Rabner/WHO/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 13:05:57.00

SUBJECT: Need your advice on one DOJ Q&A on tobacco lawsuit

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: J. Eric Gould (CN=J. Eric Gould/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

As you recall Sen McConnell and others submitted written questions to the AG on the tobacco lawsuit. Since the AG is testifying next Wednesday, we'd like to get these to the Hill tomorrow. There's one tricky one I'd like your help with. Can you think of a better way to answer this question?

Current Version of Q&A

Q: The Administration directly connects its proposed 55-cent increase in the cigarette excise tax to health care expenditures in various Federal programs. See FY 2000 Budget of the United States Government, Table S-8 (listing Veterans, Federal Employees Health Benefits Program, Department of Defense, and Indian Health Service). Doesn't this suggest that the amount of previously collected Federal tobacco excise tax revenues should offset any claims for past Federal health care expenditures?

A: No. The Department believes that liability for Federal tobacco-related health care costs properly may be assessed against the parties responsible for these costs. The Department does not agree that excise taxes paid by smokers relieve or reduce the accountability of the tobacco companies for these costs.

Background

Table S-8 of our budget simply lists 1) the year-by-year revenue raised by the 55 cent excise and the accelerated 15 cent tax, 2) the year by year tobacco related health costs in Veterans, Federal Employees Health Benefits Program, Department of Defense, and Indian Health Service, and 3) the amount assumed from recoupment.

The text of our budget (p. 88), however, says in the section discussing the price increase: "The funds that result from this policy will offset tobacco-related Federal health care costs. Each year, the Federal Government spends billions of dollars treated tobacco-related diseases for our Armed Forces, veterans, and Federal employees. It is fitting that the tobacco industry reimburse U.S. taxpayers for these costs, just as it has already agreed to do for the States."

In the later section mentioning the lawsuit, the budget says "In addition

to these Medicaid costs, tobacco-related health problems have cost Medicare and other Federal programs billions of dollars each year. To recover these losses, the Department of Justice intends to bring suit against the tobacco industry, and the budget contains \$20 million to pay for necessary legal costs. The Administration will propose that recoveries will be used to enhance the security of Medicare for future generations."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:29-APR-1999 14:17:34.00

SUBJECT: ESEA and Governor Davis

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: Bethany Little (CN=Bethany Little/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Governor Davis' DC office has requested a briefing on ESEA this coming Monday, and Fred Duvall asked if I would do a briefing for them. Tanya and I are happy to do a briefing for them, but we would welcome your guidance on this. Would one of you like to lead the briefing and/or should we try to get Mike Cohen to do it?

This is particularly important because Davis might consider endorsing our general approach to ESEA, if not necessarily all of the specifics. By coincidence he is in town 5/6 (the same day that ESEA is tentatively scheduled for) currently planning to do a short meeting and statement with the VP and Riley announcing some Obey-Porter \$ for California. If ESEA is announced that day, we could try get Davis to speak at the signing ceremony or at least turn the Gore-Davis-Riley statement into a statement of Davis support for ESEA.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 18:02:10.00

SUBJECT: Daschle set to introduce new equal pay bill tomorrow

TO: Cordelia W. Reimers (CN=Cordelia W. Reimers/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

TO: Carl Haacke (CN=Carl Haacke/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:

Caroline Fredrickson just called and said that Daschle is expected to introduce the new Paycheck Fairness Act with the data collection provision tomorrow. They aren't planning on doing any press on it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 19:11:50.00

SUBJECT: Reuters stories on teen birth data/event

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

READ:UNKNOWN

TO: Melissa B. Ratcliff (CN=Melissa B. Ratcliff/O=OVP @ OVP [UNKNOWN])

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: Sarah A. Bianchi (CN=Sarah A. Bianchi/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

Two Reuters stories -- one before the event (w/o VP in it) and one with good coverage and quotes from the VP event .

Thursday April 29 6:57 PM ET

Teen Birth Rates Down In U.S., Report Finds

WASHINGTON (Reuters) - Births among American teen-agers, already at a record low in recent years, were down even more in 1997, a government report said Thursday.

The teen birth rate fell by four percent in 1997, the sixth year in a row that it has declined, said the report by the U.S. Health and Human services department. The teen birth rate fell 16 percent between 1991 and 1997.

``We should take some encouragement from the fact that we're clearly making progress, and we're clearly moving in the right direction and we're clearly doing some things right,'' Vice President Al Gore said at a White House meeting with young people and adults working to combat teen pregnancies.

However, he said, the teen birth rate remained the highest of any developed country.

``We shouldn't get carried away with good news...We still have an awful lot of hard work to do,'' Gore added.

The report said U.S. teen-age girls between 15 and 19 had a birth rate of 52.3 births per 1,000. That made for nearly 500,000 births to teen-agers in 1997, the latest year

for which data were available, it said.

The number of women having babies out of wedlock also declined, to 44 births per 1,000 women aged 15 to 44, two percent lower than in 1996, the report said. A total of 1.26 million babies were born to unmarried mothers in 1997.

The highest teen-age birth rate was in 1957, but most of the teens who gave birth were married at that time.

Gore criticized the media for frequent portrayals of sex.

"I think it's fair to conclude that maybe one factor in the U.S. having the highest rate of teen pregnancy in the developed world is also the prevalence of sexualized messages, particularly in so much of the media," he said.

But he also said some media outlets have cooperated in promoting messages of responsibility and hailed other efforts to educate teens about the consequences of teen pregnancy.

"The message is beginning to get through" he said.

At the White House event, Brandi Chapple, a Laurel, Maryland, high school senior and co-host of Black Entertainment Television's Teen Summit program, offered tips she had picked up through the program and essay contests she has judged for avoiding unwanted pregnancies.

Chapple said she practiced sexual abstinence, and said it was important to keep busy and involved.

"You can't control your hormones, but you can control your time," she said.

Overall the U.S. birth rate is at a record low of 14.5 births per 1,000 people, or 3.9 million births in 1997.

The report also said fewer mothers were smoking, with 13.2 percent of women saying they smoked while pregnant. Smoking can lead to low birth weights and has been associated with sudden infant death syndrome (SIDS or crib death).

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Thursday April 29 3:13 AM ET

Teen Birth Rates Down In U.S.

WASHINGTON (Reuters) - Births among American teen-agers, already at a record low in recent years, were down even more in 1997, the Health and Human Services (HHS)

department said
Thursday.

The teen birth rate fell by 4 percent in 1997, the sixth year in a row that it has declined, the report said. The teen birth rate fell 16 percent between 1991 and 1997.

The report said teen-age girls between 15 and 19 had a birth rate of 52.3 births per 1,000. That made for nearly 500,000 births to teen-agers in 1997, the latest year for which data were available, it said.

``Communities and parents all across America have joined with us to help our young people understand that they should delay parenthood until they are truly ready to nurture and support a child of their own,' ' HHS Secretary Donna Shalala said in a statement.

The number of women having babies out of wedlock also declined, to 44 births per 1,000 women aged 15 to 44, 2 percent lower than in 1996, the report said. A total of 1.26 million babies were born to unmarried mothers in 1997.

The highest teen-age birth rate was in 1957, but most of the teens who gave birth were married at that time.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:29-APR-1999 19:27:47.00

SUBJECT: Public Charge Roll-out

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

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

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

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

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

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

TEXT:

To make sure we are on track with the public charge roll-out announcement, I recommend that we have a DPC-led meeting early next week that you would chair with Janet, Maria, Sarah, and other appropriate people and it would be helpful if Laura could help with scheduling.

Fyi - I spoke briefly with Janet and she seems ok with a TX roll-out.

Please advise. Thanks.

RECORD TYPE:, PRESIDENTIAL (NOTES MAIL)

CREATOR: Eugenia Chough (CN=Eugenia Chough/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:29-APR-1999 19:30:19.00

SUBJECT: welfare accomplishments

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Ruby Shamir (CN=Ruby Shamir/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: J. Eric Gould (CN=J. Eric Gould/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:

Attached please find the latest version of the Administration's welfare accomplishments document.

Genie Chough

x65372===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D87]ARMS25785353Q.136 to ASCII,

The following is a HEX DUMP:

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4/29/99

CLINTON-GORE ACCOMPLISHMENTS

REFORMING WELFARE

On August 22, 1996, President Clinton signed the Personal Responsibility and Work Opportunity Reconciliation Act, fulfilling his longtime commitment to 'end welfare as we know it.' As the President said upon signing, "... this legislation provides an historic opportunity to end welfare as we know it and transform our broken welfare system by promoting the fundamental values of work, responsibility, and family."

TRANSFORMING THE BROKEN WELFARE SYSTEM

- **Overhauling the Welfare System with the Personal Responsibility Act:** In 1996, the President signed a bipartisan welfare plan that is dramatically changing the nation's welfare system into one that requires work in exchange for time-limited assistance. The law contains strong work requirements, performance bonuses to reward states for moving welfare recipients into jobs and reducing illegitimacy, state maintenance of effort requirements, comprehensive child support enforcement, and supports for families moving from welfare to work -- including increased funding for child care. State strategies are making a real difference in the success of welfare reform, specifically in job placement, child care and transportation. In April 1999, the President unveiled landmark new welfare regulations that will promote work and help those who have left the rolls to succeed in the workforce and stay off welfare.
- **Law Builds on the Administration's Welfare Reform Strategy:** Even before the Personal Responsibility Act became law, many states were well on their way to changing their welfare programs to jobs programs. By granting federal waivers, the Clinton Administration allowed 43 states -- more than all previous Administrations combined -- to require work, time-limit assistance, make work pay, improve child support enforcement, or encourage parental responsibility. The vast majority of states have chosen to build on their welfare demonstration projects approved by the Administration.
- **Welfare Rolls Decline as More Recipients go to Work:** In April 1999, the President released state-by-state data (from December 1998) showing that welfare caseloads are at their lowest level in 30 years and that the welfare rolls have fallen by nearly half since he took office. Since January 1993, 29 states have had caseload declines of more than half and nationwide the rolls have fallen by 46 percent, from 14.1 million to 7.6 million. This historic decline occurred in response to the Administration's grants of federal waivers to 43 states, the provisions of the new welfare reform law, and the strong economy. Information released by the Department of Health and Human Services also shows that the percentage of welfare recipients working has tripled since 1992, that an estimated 1.5 million people who were on welfare in 1997 were working in 1998, and that all states met the first overall work participation rates required under the welfare

reform law.

Automated Records Management System
Hex-Dump Conversion

MOVING PEOPLE FROM WELFARE TO WORK

- **Mobilizing the Business Community:** At the President's urging, the Welfare-to-Work Partnership was launched in May 1997 to lead the national business effort to hire people from the welfare rolls. The Partnership began with 105 participating businesses, and in his 1999 State of the Union address, the President announced that the Partnership has grown to more than 10,000 businesses. Since 1997, these businesses have hired over 410,000 welfare recipients, surpassing the challenge the President set in May of 1998. The Partnership provides technical assistance and support to businesses around the country, including: its toll-free number 1-888-USA-JOB1, a web site, a quarterly newsletter, and a "Blueprint for Business" hiring manual. The Partnership also published "The Road to Retention," a report of companies that have found higher retention rates for former welfare recipients than for other new hires, and strategies they used to achieve this success.
- **Connecting Small Businesses with New Workers and Creating New Entrepreneurs:** The Small Business Administration is addressing the unique and vital role of small businesses who employ over one-half of the private workforce, by helping small businesses throughout the country connect with job training organizations and job-ready welfare recipients. In addition, SBA provides training and assistance to welfare recipients who wish to start their own businesses. SBA provides assistance to businesses through its 1-800-U-ASK-SBA number, as well through its network of small business development and women's business centers, one-stop capital shops, Senior Corps of Retired Executives (SCORE) chapters, district offices, and its website.
- **Mobilizing Civic, Religious and Non-profit Groups:** Vice President Gore created the Welfare-to-Work Coalition to Sustain Success, a coalition of national civic, service, and faith-based groups committed to helping former welfare recipients succeed in the workforce. Working in partnership with public agencies and employers, Coalition members provide mentoring, job training, child care, transportation, and other support to help these new workers with the transition to self sufficiency. Charter members of the Coalition include: Alpha Kappa Alpha, the Boys and Girls Clubs of America, the Baptist Joint Committee, Goodwill, Salvation Army, the United Way, Women's Missionary Union, the YMCA, the YWCA, and other civic and faith-based groups.
- **Doing Our Fair Share with the Federal Government's Hiring Initiative:** Under the Clinton/Gore Administration, the federal workforce is the smallest it has been in thirty years. Yet, this Administration also believes that the federal government, as the nation's largest employer, must lead by example. In March 1997, the President asked the Vice President to oversee the federal government's hiring initiative in which federal agencies committed to directly hire at least 10,000 welfare recipients in the next four years. In April 1999, the President announced that the federal government has hired 12,000 welfare recipients, meeting the goal nearly two years ahead of schedule. As a part of this effort, the White House pledged to hire six welfare recipients and has already exceeded this goal.
- **Funds to Help Move More People from Welfare to Work:** Because of the President's leadership, the 1997 Balanced Budget Act included \$3 billion for Welfare-to-Work grants

to help states and local communities move long-term welfare recipients, and certain non-custodial parents, into lasting, unsubsidized jobs. These funds can be used for job creation, job placement and job retention efforts, including wage subsidies to private employers and other critical post-employment support services. The Department of Labor provides oversight, but most of the dollars are placed through the Private Industry Councils, in the hands of the localities who are on the front lines of the welfare reform effort. In addition, 25 percent of the funds are awarded by the Department of Labor on a competitive basis to support innovative welfare-to-work projects. The President announced the first round of 49 competitive grants in May, and the Vice President announced the second round of 75 competitive grants in November 1998. In January 1999, the Department of Labor announced the availability of \$240 million in competitive grants for FY 1999. These funds will support innovative local welfare-to-work strategies for noncustodial parents, individuals with limited English proficiency, disabilities, substance abuse problems, or a history of domestic violence.

The President's FY 2000 Budget requests \$1 billion to extend the Welfare-to-Work program to help 200,000 long-term welfare recipients and noncustodial parents in high-poverty areas move into lasting unsubsidized employment. The initiative would provide at least \$150 million to ensure that every state helps fathers fulfill their responsibilities by working, paying child support, and playing a responsible part in their children's lives. Under this proposal, states and communities would use a minimum of 20 percent of their formula funds to provide job placement and job retention assistance to low-income fathers who sign personal responsibility contracts committing them to work and pay child support. This effort would further increase child support collections, which have risen 80 percent since the President took office, from \$8 billion in 1992 to \$14.4 billion in 1998. Remaining funds will go toward assisting long-term welfare recipients with the greatest barriers to employment to move into lasting jobs. The reauthorized program also would double the Welfare-to-Work funding available for tribes.

- **Tax Credits for Employers:** The Welfare-to-Work Tax Credit, enacted in the 1997 Balanced Budget Act, provides a credit equal to 35 percent of the first \$10,000 in wages in the first year of employment, and 50 percent of the first \$10,000 in wages in the second year, to encourage the hiring and retention of long term welfare recipients. This credit complements the Work Opportunity Tax Credit, which provides a credit of up to \$2,400 for the first year of wages for eight groups of job seekers. The Omnibus Budget Act of 1998 included an extension through June 30, 1999 and the President's FY 2000 Budget proposes to extend both credits for an additional year.
- **Welfare-to-Work Housing Vouchers:** In 1999, the President proposed and Congress approved \$283 million for 50,000 new housing vouchers for welfare recipients who need housing assistance to get or keep a job. Families will use these welfare-to-work housing vouchers to move closer to a new job, to reduce a long commute, or to secure more stable housing that will eliminate emergencies which keep them from getting to work every day on time. Nearly all of these vouchers will be awarded to communities on a competitive basis, to communities that create cooperative efforts among their housing, welfare and employment agencies. The President's FY 2000 Budget provides \$430 million for 75,000 welfare-to-work housing vouchers, including \$144 million in new funds for

25,000 additional vouchers.

- **Welfare-to-Work Transportation:** One of the biggest barriers facing people who move from welfare to work -- in cities and in rural areas -- is finding transportation to jobs, training programs and child care centers. Few welfare recipients own cars. Existing mass transit does not provide adequate links to many suburban jobs at all, or within a reasonable commute time. In addition, many jobs require evening or weekend hours that are poorly served by existing transit routes. To help those on welfare get to work, President Clinton proposed a \$100 million a year welfare-to-work transportation plan as part of his ISTEA reauthorization bill. The Transportation Equity Act for the 21st Century (TEA-21) authorized \$750 million over five years for the President's Job Access initiative and reverse commute grants. Of this amount, \$50 million is guaranteed funding in FY 1999, rising to \$150 million in 2003. The Omnibus Budget Act included \$75 million for this program in FY 1999 and the Department of Transportation is currently reviewing applications for this first year funding. The President's Budget proposes to double funding for FY 2000, bringing the program to the authorized level of \$150 million. The Job Access competitive grants will assist states and localities in developing flexible transportation alternatives, such as van services, for welfare recipients and other low income workers.
- **Investing for the Future:** In 1992, the President proposed to establish Individual Development Accounts (IDAs) to empower low-income families to save for a first home, post-secondary education, or to start a new business. The 1996 welfare reform law authorized the use of welfare block grants to create IDAs. And last year, the President signed legislation creating a five-year demonstration program. Households that are either eligible for Temporary Assistance for Needy Families or qualify for the Earned Income Tax Credit and have a net worth below \$10,000 are eligible to participate in the demonstration. The FY 1999 budget includes \$10 million to launch this initiative, and the President has proposed to double the commitment to \$20 million in FY 2000.

PROVIDING HEALTH CARE TO LOW-INCOME WORKING FAMILIES

- **Health Care for Low-income Families Who Work:** In August 1998, the President eliminated a vestige of the old welfare system by allowing all states to provide Medicaid coverage to working, two-parent families who meet State income eligibility requirements. Under the old regulations, adults in two-parent families who worked more than 100 hours per month could not receive Medicaid regardless of their income level. Because the same restrictions did not apply to single-parent families, these regulations created disincentives to marriage and full-time work. Prior to eliminating the rule entirely, the Administration allowed a number of states to waive this rule. The new regulation eliminates this requirement for all States, providing health coverage for more than 130,000 working families to help them stay employed and off welfare.
- **Transitional Medical Assistance (TMA):** TMA provides time-limited Medicaid coverage to low-income households whose earnings or child support would otherwise make them ineligible for welfare-related Medicaid under state income eligibility standards. The President's FY 2000 Budget would reduce burdensome reporting requirements, including TMA eligibility procedures in the current Medicaid eligibility

redetermination process. The budget also exempts those states that have expanded Medicaid coverage to families with incomes up to 185 percent of the federal poverty level from burdensome TMA reporting requirements, providing states with additional incentives to provide critical health care services.

- **Helping States Help Low-Income Families:** In March 1999, the Administration released new guidance encouraging States to reach out to children and families who are no longer eligible for cash assistance but are still eligible for Medicaid or CHIP. It also establishes that states must provide Medicaid applications upon request and process them without delay. The guidance reiterates state responsibilities to establish and maintain Medicaid eligibility for families and children affected by welfare reform, and provides creative examples of the best way to liberalize eligibility.

PROMOTING PERSONAL RESPONSIBILITY

- **Increasing Parental Responsibility and Enforcing Child Support:** Tougher measures under the Clinton Administration resulted in a record \$14.4 billion in child support collections in 1998, an increase of \$6.4 billion, or 80 percent since 1992. Not only are collections up, but the number of families that are actually receiving child support has also increased. In 1997, the number of child support cases with collections rose to 4.2 million, an increase of 48 percent from 2.8 million in 1992.
 - A new collection system, proposed by the President in 1994 and enacted as part of the 1996 welfare reform law, has located over 1.2 million delinquent parents in its first nine months of operation. With approximately one-third of all child support cases involving parents living in different states, this National Directory of New Hires helps track parents across state lines.
 - In June 1998, the President signed the Deadbeat Parents Punishment Act, a law based on his 1996 proposal for tougher penalties for parents who repeatedly fail to support children living in another state or who flee across state lines to avoid supporting them.
 - Paternity establishment, often the crucial first step in child support cases, has dramatically increased, due in large part to the in-hospital voluntary paternity establishment program begun in 1994 by the Clinton Administration. In 1997, the number of paternities established or acknowledged rose to a record 1.3 million, two and a half times the 1992 figure of 512,000.
 - Finally, President Clinton has taken executive action, including: collections from federal payments such as income tax refunds and employee salaries, and steps to deny federal loans to delinquent parents. The federal government collected over \$1.1 billion in delinquent child support from federal income tax refunds for tax year 1997, a 70 percent increase since 1992.
- **Breaking the Cycle of Dependency -- Preventing Teen Pregnancy:** Significant components of the President's comprehensive effort to reduce teen pregnancy became law when the President signed the 1996 Personal Responsibility Act. The law requires unmarried minor parents to stay in school and live at home or in a supervised setting; encourages "second chance homes" to provide teen parents with the skills and support they need; and, provides \$50 million a year in new funding for state abstinence education

activities. Since 1993, the Administration has supported innovative and promising teen pregnancy prevention strategies, including working with boys and young men on pregnancy prevention strategies. The National Campaign to Prevent Teen Pregnancy, a private nonprofit organization, was formed in response to the President's 1995 State of the Union. In 1997, the President announced the National Strategy to Prevent Teen Pregnancy. The first annual report on this Strategy reported that HHS-supported programs already reach at least 31 percent or 1,470 communities in the United States. In April 1999, the Vice President announced new data showing that we continue to make real progress in encouraging more young people to delay parenthood-- teen births have declined nationwide by 16 percent from 1991 to 1997, and have fallen in every state and across ethnic and racial groups. In addition, teen pregnancy rates are at their lowest level in 20 years.

RESTORING FAIRNESS AND PROTECTING THE MOST VULNERABLE

The President made a commitment to fix several provisions in the welfare reform law that had nothing to do with moving people from welfare to work. In 1997, the President fought for and ultimately was successful in ensuring that the Balanced Budget Act protects the most vulnerable.

In 1998, the President continued his proposals to reverse unfair cuts in benefits to legal immigrants. The Administration's FY 2000 budget would build on this progress by restoring important disability, health, and nutrition benefits to additional categories of legal immigrants, at a cost of \$1.3 billion over five years.

- **Disability and Health:** The Balanced Budget Act of 1997 and the Noncitizen Technical Amendment Act of 1998 invested \$11.5 billion to restore disability and health benefits to 380,000 legal immigrants who were in this country before welfare reform became law (August 22, 1996). The President's FY 2000 Budget would restore eligibility for SSI and Medicaid to legal immigrants who enter the country after that date if they have been in the United States for five years and become disabled after entering the United States. This proposal would cost approximately \$930 million and assist an estimated 54,000 legal immigrants by 2004, about half of whom would be elderly.
- **Nutritional Assistance:** The Agricultural Research Act of 1998 provided Food Stamps for 225,000 legal immigrant children, senior citizens, and people with disabilities who enter the United States by August 22, 1996. The President's FY 2000 Budget would extend this provision by allowing legal immigrants in the United States on August 22, 1996 who subsequently reach age 65 to be eligible for Food Stamps at cost of \$60 million, restoring benefits to about 20,000 elderly legal immigrants by 2004.
- **Health Care for Children and Pregnant Women:** Under current law, states have the option to provide health coverage to immigrant children and pregnant women who entered the country before August 22, 1996. The President's FY 2000 Budget gives states the option to extend Medicaid or CHIP coverage to low-income legal immigrant children and Medicaid to pregnant women who entered the country after August 22, 1996. The proposal would cost \$325 million and provide critical health insurance to approximately 55,000 children and 23,000 women by FY 2004. This proposal would reduce the number of high-risk pregnancies, ensure healthier children, and lower the cost of emergency Medicaid deliveries.
- **Helping People Who Want to Work but Can't Find a Job:** The Balanced Budget Act, as amended by the Agricultural Research Act, also restored \$1.3 billion in food stamp cuts. The welfare reform law restricts food stamps to 3 out of every 36 months for able-bodied childless adults, unless they were working. Acknowledging that finding a job often takes time, the BBA provided funds for work slots and food stamp benefits to help those who are willing to work but, through no fault of their own, have not yet found employment. In addition, the BBA allows states to exempt up to 15 percent of the food stamp recipients (70,000 individuals monthly) who would otherwise be denied benefits as a result of the "3 in 36" limit.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-APR-1999 19:54:36.00

SUBJECT: EEOC Federal Sector Rule

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

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

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

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

TEXT:

EEOC has been working on new regulations for over a year which would streamline and make fairer the process by which federal employees pursue discrimination complaints. This process has been a very contentious one with many of the agencies voicing objections. The main issue is that under the current system, the agencies issue a "final decision" from which the employee can appeal. However, EEOC wanted to change this because one of the parties in interest (the agency-defendant) acted as its own judge and jury, making the process seem unfair. Under the proposed rule, the EEOC Administrative Judge (AJ) would issue a decision, and the agency would only have a short period of time to accept or reject it. The final rule is almost ready to be published, barring any last minute objections by the agencies. OMB is planning on asking for final comments from the agencies next week.

NPR is starting a related process which would try to reduce the backlog of federal employees' complaints pending at each agency (in addition to what the above rule might accomplish). NPR plans on announcing this Task Force at the PMC Meeting on May 5. Moreley really wants to announce the NPR Task Force next week.

The issue is that some of the agencies may view the NPR process as the Administration as backing away from the rule and that the agencies might use the PMC meeting to derail the final rule process. While the final stages of the rule process may be contentious, it might actually be beneficial to voice strong WH support for the rule at the PMC meeting. Thus, the PMC meeting could actually help, rather than hinder, the final stage of the rule process. Does this seem like a good strategy?