

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 072 - FOLDER -004**

**[01/18/1998 - 01/20/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Audrey Haynes to Elena Kagan et al: RE: Pro Choice Meeting List (partial) (2 pages)	01/19/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System (Email)  
WHO [Kagan]  
OA/Box Number: 500000

### FOLDER TITLE:

[01/18/1998 - 01/20/1998]

2009-1006-F

db1574

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

CREATION DATE/TIME:18-JAN-1998 17:11:44.00

SUBJECT: Civil Rights Documents

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

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

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

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

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

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

TEXT:

One pager and Q/A.===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D54]MAIL427380810.026 to ASCII,  
The following is a HEX DUMP:

FF57504367070000010A02010000000205000000AE1B000000020000590EA4A98DE9C80FB3D7CF  
83F882932F569A2437880A048BE314A5FC6E65401D1BDECFC15CA98C31A8B907D2344DEFEB7F6A

**Q&A for Civil Rights Enforcement Initiative  
January 19, 1998**

**Q: What did the Clinton Administration announce with regard to civil rights enforcement?**

**A:** The Clinton Administration announced its Fiscal Year 1999 budget proposal of \$602 million for civil rights enforcement agencies -- this is \$86 million or more than 16 percent greater than the FY 1998 budget. The President's proposal places new emphasis on preventive measures and non-litigation strategies while also strengthening the ability of federal agencies to enforce existing civil rights laws. The Administration's budget provides for increased use of voluntary Alternative Dispute Resolution (ADR), especially in the Equal Employment Opportunity Commission, so parties can have their cases resolved more easily, cheaply, and promptly. The combination of additional resources and reforms will enable the EEOC to reduce the average time it takes to resolve a complaint from over 9 months to 6 months, and reduce the current backlog from 64,000 to 28,000, by the year 2000.

**Q: Why is the President proposing these actions?**

**A:** This budget keeps the President's commitment to ensure equal opportunity for all Americans: that no one should be denied such essentials as a job, a home or a chance at an education because of the color of their skin, a disability, their gender or their religion. One of the key observations John Hope Franklin, Chairman of the President's Initiative on Race, made in his November 30, 1997 letter to the President was that the budgets of civil rights agencies have not kept pace with their increased responsibilities. This budget seeks to provide sufficient resources and promote management reforms to allow civil rights agencies to do their jobs.

**Q. How does this budget relate to the President's Initiative on Race?**

**A.** John Hope Franklin and the rest of the Race Initiative's Advisory Board urged the President to focus on this issue and recommend some specific reforms. Of course, the Administration has a consistently strong record in this area, but the Initiative on Race made this an especially appropriate year in which to propose systemic reforms to, and strengthening of, the nation's civil rights agencies and offices.

**Q. What other agencies are part of the Civil Rights Enforcement Initiative?**

**A.** The President's budget encourages the use of ADR, prevention activities such as education and technical assistance, and improved enforcement across the major civil

rights agencies and offices. It includes funding for the following agencies involved in civil rights enforcement:

**Civil Rights Enforcement Funding  
(Budget authority, in millions of dollars)**

	<b>1997 Actual</b>	<b>1998 Enacted</b>	<b>1999 Request</b>
Equal Employment Opportunity Commission	240	242	279
Department of Housing and Urban Development, Fair Housing Activities	30	30	52
Department of Justice, Civil Rights Division	62	65	72
Department of Labor, Office of Federal Contractor Compliance Efforts	59	62	68
Department of Education, Office of Civil Rights	55	62	68
Department of Health and Human Services, Office of Civil Rights	20	20	21
Department of Agriculture	10	15	19
U.S. Commission on Civil Rights	9	9	11
Department of Transportation, Office of Civil Rights	6	6	7
Department of Labor, Civil Rights Center	5	5	5

**Q: What does the President's budget propose with respect to the Civil Rights Division at the Department of Justice?**

**A:** The Administration's 1999 budget proposes more than a 10 percent increase for the Department of Justice -- from \$65 million in FY 1998 to \$71.6 million in FY 1999. This funding will permit the Department to continue its efforts in enforcing the laws that provide civil and criminal protections from discrimination, including the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. The budget also includes funds specifically to enhance the Civil Rights Division's role in coordinating

federal civil rights enforcement across agencies. This enhanced coordinating role, which will be undertaken by Bill Lann Lee, will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices, and improved data collection.

**Q: The Congressional Research Service has recently stated that the appointment of Bill Lann Lee as Acting Assistant Attorney General for Civil Rights is illegal under the Vacancies Act. How can you appoint Lee to this position?**

**A:** The Department of Justice has reviewed this question closely and has determined that the Attorney General has the authority to make this appointment.

**Q: What actions is the President taking with respect to appointing a new Chairman of the Equal Employment Opportunity Commission?**

**A:** After the departure of Chairman Gilbert Casellas at the end of last year, the President reappointed Paul M. Igasaki to the Equal Employment Opportunity Commission, and named him Acting Chairman. Currently, three of the five positions on the Commission are filled, which is enough for a quorum. The fourth member to be appointed is for a Republican slot, and Senate Majority Leader Trent Lott (R-Miss.) has already indicated his choice for the position. The President is working as expeditiously as possible to nominate a fifth member of the Commission.

**Q: What does the President's plan do to improve performance at the EEOC?**

**A:** This plan creates specific goals and invests in new technology and procedures that will significantly improve EEOC performance. The initiative's reforms will reduce the average time it takes to process a complaint from over 9 months to 6 months, and the current backlog from 64,000 to 28,000 cases, by the end of 2000. This reduction will be achieved in part through technology improvements and in part through a dramatic expansion of the Agency's Alternative Dispute Resolution (ADR) program. The Administration's budget proposal expands the EEOC's ADR program over three years to allow as many as 70 percent of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. In the first year the EEOC will provide ADR in a projected 16,000 cases -- 20 percent of all incoming cases and double the number currently sent to mediation.

**Q: Is the President's budget simply a way to increase funding for affirmative action programs?**

**A:** No. The President's budget is aimed at preventing and eliminating discrimination through emphasizing compliance with and enforcement of the various existing civil rights laws, such as the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with

Disabilities Act. Affirmative action programs are only one tool (and not the most widely used tool) of civil rights enforcement.

**Q. What does this budget do to improve USDA programs for minority farmers?**

**A.** The President's budget proposal increases funding for USDA's civil rights programs from \$15 million to \$19 million to increase human resources management, outreach to under-represented customers, involvement of small and disadvantaged businesses in USDA programs, conflict resolution activities, and processing complaints brought by employees and customers.

**THE CLINTON ADMINISTRATION ANNOUNCES  
NEW CIVIL RIGHTS ENFORCEMENT INITIATIVE  
January 19, 1998**

The Vice President today announced a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination and strengthens civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternative dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 balanced budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million, or more than 16 percent, over last year's funding.

**Equal Employment Opportunity Commission (EEOC)**

The Administration's budget proposal expands the EEOC's ADR program over three years to allow as many as 70 percent of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. In the first year of this expansion, the EEOC will provide ADR in a projected 16,000 cases -- 20 percent of all incoming cases and double the number currently sent to mediation. The Administration's budget also sets specific performance goals for the EEOC to reduce its backlog. Through a combination of the increased use of mediation, improved information technology, and an expanded investigative staff, the EEOC will reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months, and reduce the backlog of cases from 64,000 to 28,000, by the year 2000.

In total, the budget requests \$279 million for the EEOC for FY 1999 -- \$37 million or 15 percent more than the enacted 1998 budget. More than one-third of the proposed increase (\$13 million) goes to expansion of the agency's ADR program.

**Department of Housing and Urban Development (HUD)**

The Administration's budget proposes an increased emphasis on reducing discrimination and ensuring equal opportunity in housing. The highlight of the HUD budget proposal is a targeted enforcement initiative that will use paired testing -- in which otherwise identical applicants of different races approach realtors or landlords -- to detect and eliminate housing discrimination. This systematic, focused testing strategy will allow more accurate measurement and increased public awareness of housing discrimination, while facilitating enforcement actions against violators of the fair housing law.

The Administration's budget proposes \$52 million for FY 1999 -- \$22 million, or about 70 percent, more than last year's funding -- to enable HUD to meet its goals of ensuring equal opportunity in housing. The new paired testing program is funded at \$10 million.

## **Key Aspects of the Budget**

### **\* Alternative Dispute Resolution (ADR)**

The plan increases the use of ADR in the Federal government as a voluntary option available to parties that seek a non-litigation solution to their cases. The Administration's budget expands mediation programs in almost every agency, most notably in the EEOC.

### **\* Prevention Activities**

The plan emphasizes efforts throughout the government's civil rights agencies and offices to prevent discrimination from occurring -- for example, through technical assistance, outreach, and compliance reviews. Offices in which such consultative activities will assume added importance include the Civil Rights Center of the Department of Labor and the Offices of Civil Rights of the Departments of Health and Human Services and Education. The Office of Federal Contract Compliance Programs of the Department of Labor will increase compliance reviews by 10 percent, while reducing burdens on contractors (paperwork, etc.) by at least 30 percent.

### **\* Improved Coordination**

The plan recognizes the need for enhanced coordination of federal civil rights enforcement policy among agencies by highlighting the lead role of the Department of Justice's Civil Rights Division, under the direction of Bill Lann Lee, and providing additional resources for coordination activities. This emphasis will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices, and improved data collection.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Nanda Chitre@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:19-JAN-1998 11:03:00.00

SUBJECT: Final one pager and q&a on vp's announcement today

TO: RUBIN\_E ( RUBIN\_E@A1@CD ) (NSC)  
READ:20-JAN-1998 08:06:45.59

TO: WOZNIAK\_N ( WOZNIAK\_N@A1@CD ) (NSC)  
READ:20-JAN-1998 15:55:55.75

TO: LUZZATTO\_A ( LUZZATTO\_A@A1@CD ) (NSC)  
READ:20-JAN-1998 10:23:08.08

TO: CROWLEY\_P ( CROWLEY\_P@A1@CD ) (NSC)  
READ:23-JAN-1998 09:52:13.30

TO: MENDOZA\_E ( MENDOZA\_E@A1@CD ) (WHO)  
READ:NOT READ

TO: Barry J. Toiv ( Barry J. Toiv@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Darby E. Stott ( Darby E. Stott@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Dag Vega ( Dag Vega@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Anne M. Edwards ( Anne M. Edwards@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Brenda M. Anders ( Brenda M. Anders@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Jonathan Murchinson ( Jonathan Murchinson@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Joseph P. Lockhart ( Joseph P. Lockhart@EOP@LNGTWY@EOPMRX )  
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TO: Megan C. Moloney ( Megan C. Moloney@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Elizabeth R. Newman ( Elizabeth R. Newman@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Julia M. Payne ( Julia M. Payne@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Julianne B. Corbett ( Julianne B. Corbett@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Kara Gerhardt ( Kara Gerhardt@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Mark D. Neschis ( Mark D. Neschis@EOP@LNGTWY@EOPMRX )

READ:NOT READ

TO: Nanda Chitre ( Nanda Chitre@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Amy W. Tobe ( Amy W. Tobe@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: James M. Teague ( James M. Teague@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Joshua Silverman ( Joshua Silverman@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Jeremy M. Gaines ( Jeremy M. Gaines@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Beverly J. Barnes ( Beverly J. Barnes@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Julie E. Mason ( Julie E. Mason@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Ann F. Lewis ( Ann F. Lewis@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Stacie Spector ( Stacie Spector@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Kevin S. Moran ( Kevin S. Moran@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Elena Kagan ( Elena Kagan@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Thomas L. Freedman ( Thomas L. Freedman@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Christa Robinson ( Christa Robinson@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Jake Siewert ( Jake Siewert@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Andrew J. Mayock ( Andrew J. Mayock@EOP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Virginia M. Terzano ( Virginia M. Terzano@OVP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Heidi Kukis ( Heidi Kukis@OVP@LNGTWY@EOPMRX )  
READ:NOT READ

TO: Nathan B. Naylor ( Nathan B. Naylor@OVP@LNGTWY@EOPMRX )  
READ:NOT READ

TEXT:

Message Creation Date was at 19-JAN-1998 11:01:00

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

ATT CREATION TIME/DATE:19-JAN-1998 11:04:00.00

ATT BODYPART TYPE:D

TEXT:

The following attachments were included with this message:

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TYPE : FILE  
NAME : Q&Amlk1.19  
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=====  
END ATTACHMENT 1  
=====

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

ATT CREATION TIME/DATE:19-JAN-1998 11:04:00.00

ATT BODYPART TYPE:p

ATT SUBJECT: Q&Amlk1

TEXT:

Unable to convert OA\$SHARA672:ZXFDFTREI.WPC to ASCII,  
The following is a HEX DUMP:

FF575043140E0000010A020100000002050000000E3F000000020000152F46420B27107265E76F

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 13:11:28.00

SUBJECT: food SAFETY Q/A

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

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

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

TEXT:

Food safety q/a with new question as last one, one plant that had multiple violations. ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D50]MAIL41908481Z.026 to ASCII,  
The following is a HEX DUMP:

FF57504344070000010A02010000000205000000FD1E000000020000DEEB9F62E820FE5FFC60C5

**Questions and Answers on Food Safety  
January 19, 1998**

**Q: What steps is the Administration taking to improve food safety?**

**A:** Last year we were able to increase spending on food safety by approximately \$40 million. This year, our budget will seek an even more substantial increase in resources to improve food safety. The resources will go to a variety of initiatives, including: giving FDA authority to prevent the import of produce from countries without safety precautions equivalent to our own; hiring FDA inspectors to improve the safety of our nation's fruits and vegetables, both domestic and imported; developing new ways for federal inspectors to detect food-borne illnesses in meat and poultry and determine the source of contamination; improving educational outreach on proper food handling; and expanding CDC's surveillance activities for food-borne illnesses.

**Q. Is this a new issue for the Administration?**

**A.** No, our actions are part of a continuing effort that has seen real accomplishment every year:

\* October, 1997. President announces new initiative to enhance FDA oversight over imported foods and to develop guidance on good agricultural and manufacturing practices for fruits and vegetables; to seek legislation to give FDA the same authority that USDA has to inspect imports; and to seek funds to greatly expand FDA's inspection force.

\* January, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.

\* August, 1996. President signs Safe Drinking Water Act of 1996. The law requires drinking water systems to protect against dangerous contaminants like cryptosporidium, and gives people the right to know about contaminants in their tap water.

\* August, 1996. President signs Food Quality Protection Act of 1996, which streamlines regulation of pesticides by FDA and EPA and puts important new public-health protections in place, especially for children.

\* July, 1996. President Clinton announces new regulations that modernize the nation's meat and poultry inspection system for the first time in 90 years. New standards help prevent E.coli bacteria contamination in meat.

\* December, 1995. Administration issues new rules to ensure seafood safety. Utilizes HACCP regulatory programs to require food industries to design and implement preventive measures and increase the industries' responsibility for and control of their safety assurance actions.

\* 1994. CDC embarks on strategic program to detect, prevent, and control emerging infectious disease threats, some of which are food borne, making significant progress toward this goal in each successive year.

\* 1993. Vice-President's National Performance Review issues report recommending government and industry move toward a system of preventive controls.

**Q. A recent story revealed that USDA did not close down a plant despite 1,700 violations, what are you doing to make sure our meat and poultry are safe to eat?**

A. We do need to keep doing a better job on food safety. And I am committing more resources than ever to the problem, and modernizing food safety for meat and fruits and vegetables and the water we drink. There are several important facts to remember in regard to this specific story. First, in every instance cited in the story, inspectors took action to prevent unsafe food from reaching consumers and to correct unacceptable practices by the plant. Second, the story is based largely on events in 1996. Since that time the Administration has developed the Hazard Analysis and Critical Control Points (HACCP) which we began implementing in January 1997. Under this system the Food Safety and Inspection Service (FSIS) can insist on preventative measures to improve food safety before a plant can reopen. Under HACCP inspectors will use non-compliance reports to document food safety violations. These actions will lay the groundwork for documenting repeated failures. And where there are repeat failures, FSIS can and will take formal action to shut down the plant. Finally, the Administration has asked Congress for additional enforcement authority to fine companies for violations of food safety standards. Currently, USDA can't fine companies that violate food safety standards.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 16:41:59.00

SUBJECT: Q&As for Lehr interview

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

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

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

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

TEXT:

Here you go.

cj===== ATTACHMENT 1 =====

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

TEXT:

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6EDCFBB854572491FCF7136CE267E346989894E8C4A08216A7A2DE5991E29337859F27A6C6DF0A

**Questions and Answers on Health Care  
January 18, 1998**

**Q: How do you feel about the selection of Senator Breaux as the Chair of the Medicare Commission and Congressman Bill Thomas as the Administrative Chair?**

**A: I believe that Senator Breaux is a fine choice to chair the Commission. His years of experience on the Finance and Aging Committees, as well as his strong track record of successful bipartisan negotiations on numerous policy fronts will serve the Commission and the nation well. I am also confident that Congressman Thomas will make significant contributions to the Commission in his capacity as administrative chair. As Chair of the Ways and Means Subcommittee on Health, he has demonstrated extraordinary leadership and an impressive knowledge about Medicare and the challenges it faces. I look forward to the Commission getting their important work underway.**

**Q. Isn't your new Medicare buy-in policy just another example of a government take-over of the private health insurance system?**

**A. Absolutely not. This is a carefully targeted proposal that is designed to make sure that older Americans have access to health care coverage. Currently, older Americans have less access to employer-based health insurance, are twice as likely to have health problems, and are at greater risk of losing coverage. Some have no insurance options, and others are left to buy into the individual insurance market, which can be prohibitively expensive because of their poorer health. This policy helps this vulnerable population get access to health care coverage by:**

- **Enabling Americans Ages 62 to 65 Buy into the Medicare Program, by paying a full premium.**
- **Providing Vulnerable Displaced Workers over 55 Access to Medicare by offering those who have involuntarily lost their jobs and their health care coverage a similar Medicare buy-in option.**
- **Providing Americans Over 55 Whose Companies Reneged on Their Commitment to Provide Retiree Health Benefits A New Health Option, by extending (COBRA) coverage until age 65.**

**Q. Isn't this policy a Medicare entitlement expansion, at a time when Medicare can least afford it?**

**A. Absolutely not. There is no impact on the Medicare Trust Fund because participants would pay their full premium over time, and any of the temporary costs associated with this proposal are completely offset by Medicare fraud, abuse and waste savings.**

**This Administration has made strengthening and preserving the Medicare Trust Fund a top priority since I took office. In 1993, we enacted a budget --without the vote of a single Republican -- that extended the life of the Trust Fund through 2002.**

**The Balanced Budget I signed into law last summer extended the life of the Trust Fund beyond 2010. This new policy is a carefully targeted policy that will in no way compromise our commitment to strengthen the Medicare program.**

**Q. Shouldn't you wait for the Medicare Commission to make its recommendations before you propose such policies?**

**A. The purpose of the Commission is to develop proposals for the overall financing of Medicare. Because this policy is fully financed, it has no overall impact on the Medicare Trust Fund, and will not conflict with the Commission's work in this area.**

**The proposal addresses an important problem in our health care system without interfering in any way with the overall financing of Medicare, which the Commission is looking into**

**Q: Won't this policy cause people to retire early?**

**A: Suggestions that this would be a significant problem are simply untrue and are not backed up by the fact. There is no financial incentive to retire since participants would pay a higher premium than they would in their current, subsidized employer health plans. And, since participants would have to pay the full premium, they may need to continue to work to afford the coverage. In fact, this option may actually encourage people to start second careers (e.g., opening their own stores; becoming a consultant) since they could purchase Medicare if they leave their current job.**

**Q. Does this proposal create incentives for employers to drop retiree health coverage?**

**A. For today's retirees, this proposal actually lessens the incentives for employers to**

**drop their health coverage. Such employers would have to allow their retirees to buy into their current workforce's health plan if they break their promise of providing retiree health benefits.**

**Q: What do you think of the Norwood/D'Amato consumer bill of rights legislation?**

**A:** I applaud Congressman Norwood and Senator D'Amato for their leadership on this issue. We are encouraged that so many Republicans and Democrats understand the need for national legislation. There are a number of bills on the Hill at this time. Some Members have indicated their interest in modifying their legislation before Congress comes back. We look forward to working with all Republicans and Democrats as we move forward throughout this process.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 11:01:21.00

SUBJECT: Final one pager and q&a on vp's announcement today

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

READ:UNKNOWN

TO: Virginia M. Terzano ( CN=Virginia M. Terzano/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Joshua Silverman ( CN=Joshua Silverman/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Mark D. Neschis ( CN=Mark D. Neschis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: MENDOZA\_E ( MENDOZA\_E @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)

READ:UNKNOWN

TO: LUZZATTO\_A ( LUZZATTO\_A @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (NSC)

READ:UNKNOWN

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

READ:UNKNOWN

TO: WOZNIAK\_N ( WOZNIAK\_N @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (NSC)

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jonathan Murchinson ( CN=Jonathan Murchinson/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Heidi Kukis ( CN=Heidi Kukis/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: CROWLEY\_P ( CROWLEY\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (NSC)  
READ:UNKNOWN

TO: Julianne B. Corbett ( CN=Julianne B. Corbett/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: RUBIN\_E ( RUBIN\_E @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (NSC)  
READ:UNKNOWN

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

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

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

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

TEXT:  
THE CLINTON ADMINISTRATION ANNOUNCES  
NEW CIVIL RIGHTS ENFORCEMENT INITIATIVE  
January 19, 1998

The Vice President today announced a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination and strengthens civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternative dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 balanced budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million, or more than 16 percent, over last year's funding.

#### Equal Employment Opportunity Commission (EEOC)

The Administration's budget proposal expands the EEOC's ADR program over three years to allow as many as 70 percent of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. In the first year of this expansion, the EEOC will provide ADR in a projected 16,000 cases -- 20 percent of all incoming cases and double the number currently sent to mediation. The Administration's budget also sets specific performance goals for the EEOC to reduce its backlog. Through a combination of the increased use of mediation, improved information technology, and an expanded investigative staff, the EEOC will reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months, and reduce the backlog of cases from 64,000 to 28,000, by the year 2000.

In total, the budget requests \$279 million for the EEOC for FY 1999 -- \$37 million or 15 percent more than the enacted 1998 budget. More than one-third of the proposed increase (\$13 million) goes to expansion of the agency's ADR program.

#### Department of Housing and Urban Development (HUD)

The Administration's budget proposes an increased emphasis on reducing discrimination and ensuring equal opportunity in housing. The highlight of the HUD budget proposal is a targeted enforcement initiative that will use paired testing -- in which otherwise identical applicants of different races approach realtors or landlords -- to detect and eliminate housing discrimination. This systematic, focused testing strategy will allow more accurate measurement and increased public awareness of housing discrimination, while facilitating enforcement actions against violators of the fair housing law.

The Administration's budget proposes \$52 million for FY 1999 -- \$22 million, or about 70 percent, more than last year's funding -- to enable HUD to meet its goals of ensuring equal opportunity in housing. The new paired testing program is funded at \$10 million.

#### Department of Justice Civil Rights Division

The Administration's 1999 budget proposes more than a 10 percent increase for the Civil Rights Division -- from \$65 million in FY 1998 to \$71.6 million in FY 1999. This funding will permit the Department to continue its efforts to enforce the laws that provide civil and criminal protections from discrimination, including the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. The budget also includes funds specifically to enhance the Civil Rights Division's role in coordinating federal civil rights enforcement across agencies.

This enhanced coordinating role, which will be undertaken by Bill Lann Lee, will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices, and improved data collection.

Key Aspects of the Budget

\* Alternative Dispute Resolution (ADR)

The plan increases the use of ADR in the Federal government as a voluntary option available to parties that seek a non-litigation solution to their cases. The Administration's budget expands mediation programs in almost every agency, most notably in the EEOC.

\* Prevention Activities

The plan emphasizes efforts throughout the government's civil rights agencies and offices to prevent discrimination from occurring -- for example, through technical assistance, outreach, and compliance reviews. Offices in which such consultative activities will assume added importance include the Civil Rights Center of the Department of Labor and the Offices of Civil Rights of the Departments of Health and Human Services and Education. The Office of Federal Contract Compliance Programs of the Department of Labor will increase compliance reviews by 10 percent, while reducing burdens on contractors (paperwork, etc.) by at least 30 percent.

\* Improved Coordination

The plan recognizes the need for enhanced coordination of federal civil rights enforcement policy among agencies by highlighting the lead role of the Department of Justice's Civil Rights Division, under the direction of Bill Lann Lee, and providing additional resources for coordination activities. As noted above, this emphasis will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices, and improved data collection.

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

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

TEXT:

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The following is a HEX DUMP:

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**Q&A for Civil Rights Enforcement Initiative  
January 19, 1998**

**Q: What did the Clinton Administration announce with regard to civil rights enforcement?**

**A:** The Clinton Administration announced its Fiscal Year 1999 budget proposal of \$602 million for civil rights enforcement agencies -- this is \$86 million or more than 16 percent greater than the FY 1998 budget. The President's proposal places new emphasis on preventive measures and non-litigation strategies while also strengthening the ability of federal agencies to enforce existing civil rights laws. The Administration's budget provides for increased use of voluntary Alternative Dispute Resolution (ADR), especially in the Equal Employment Opportunity Commission, so parties can have their cases resolved more easily, cheaply, and promptly. The combination of additional resources and reforms will enable the EEOC to reduce the average time it takes to resolve a complaint from over 9 months to 6 months, and reduce the current backlog from 64,000 to 28,000, by the year 2000.

**Q: Why is the President proposing these actions?**

**A:** This budget keeps the President's commitment to ensure equal opportunity for all Americans: that no one should be denied such essentials as a job, a home or a chance at an education because of the color of their skin, a disability, their gender or their religion. One of the key observations John Hope Franklin, Chairman of the President's Initiative on Race, made in his November 30, 1997 letter to the President was that the budgets of civil rights agencies have not kept pace with their increased responsibilities. This budget seeks to provide sufficient resources and promote management reforms to allow civil rights agencies to do their jobs.

**Q: How does this budget relate to the President's Initiative on Race?**

**A:** John Hope Franklin and the rest of the Race Initiative's Advisory Board urged the President to focus on this issue and recommend some specific reforms. Of course, the Administration has a consistently strong record in this area, but the Initiative on Race made this an especially appropriate year in which to propose systemic reforms to, and strengthening of, the nation's civil rights agencies and offices.

**Q: What other agencies are part of the Civil Rights Enforcement Initiative?**

**A:** The President's budget encourages the use of ADR, prevention activities such as education and technical assistance, and improved enforcement across the major civil

rights agencies and offices. It includes funding for the following agencies involved in civil rights enforcement:

**Civil Rights Enforcement Funding  
(Budget authority, in millions of dollars)**

	<b>1997 Actual</b>	<b>1998 Enacted</b>	<b>1999 Request</b>
Equal Employment Opportunity Commission	240	242	279
Department of Housing and Urban Development, Fair Housing Activities	30	30	52
Department of Justice, Civil Rights Division	62	65	72
Department of Labor, Office of Federal Contractor Compliance Efforts	59	62	68
Department of Education, Office of Civil Rights	55	62	68
Department of Health and Human Services, Office of Civil Rights	20	20	21
Department of Agriculture	10	15	19
U.S. Commission on Civil Rights	9	9	11
Department of Transportation, Office of Civil Rights	6	6	7
Department of Labor, Civil Rights Center	5	5	5

**Q: What does the President's budget propose with respect to the Civil Rights Division at the Department of Justice?**

**A:** The Administration's 1999 budget proposes more than a 10 percent increase for the Department of Justice -- from \$65 million in FY 1998 to \$71.6 million in FY 1999. This funding will permit the Department to continue its efforts in enforcing the laws that provide civil and criminal protections from discrimination, including the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. The budget also includes funds specifically to enhance the Civil Rights Division's role in coordinating

federal civil rights enforcement across agencies. This enhanced coordinating role, which will be undertaken by Bill Lann Lee, will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices, and improved data collection.

**Q: The Congressional Research Service has recently stated that the appointment of Bill Lann Lee as Acting Assistant Attorney General for Civil Rights is illegal under the Vacancies Act. How can you appoint Lee to this position?**

**A:** The Department of Justice has reviewed this question closely and has determined that the Attorney General has the authority to make this appointment.

**Q: What actions is the President taking with respect to appointing a new Chairman of the Equal Employment Opportunity Commission?**

**A:** After the departure of Chairman Gilbert Casellas at the end of last year, the President reappointed Paul M. Igasaki to the Equal Employment Opportunity Commission, and named him Acting Chairman. Currently, three of the five positions on the Commission are filled, which is enough for a quorum. The fourth member to be appointed is for a Republican slot, and Senate Majority Leader Trent Lott (R-Miss.) has already indicated his choice for the position. The President is working as expeditiously as possible to nominate a fifth member of the Commission.

**Q: What does the President's plan do to improve performance at the EEOC?**

**A:** This plan creates specific goals and invests in new technology and procedures that will significantly improve EEOC performance. The initiative's reforms will reduce the average time it takes to process a complaint from over 9 months to 6 months, and the current backlog from 64,000 to 28,000 cases, by the end of 2000. This reduction will be achieved in part through technology improvements and in part through a dramatic expansion of the Agency's Alternative Dispute Resolution (ADR) program. The Administration's budget proposal expands the EEOC's ADR program over three years to allow as many as 70 percent of all complainants to choose mediation, rather than the lengthy process of investigation and litigation. In the first year the EEOC will provide ADR in a projected 16,000 cases -- 20 percent of all incoming cases and double the number currently sent to mediation.

**Q: Is the President's budget simply a way to increase funding for affirmative action programs?**

**A:** No. The President's budget is aimed at preventing and eliminating discrimination through emphasizing compliance with and enforcement of the various existing civil rights laws, such as the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with

Disabilities Act. Affirmative action programs are only one tool (and not the most widely used tool) of civil rights enforcement.

**Q. What does this budget do to improve USDA programs for minority farmers?**

**A.** The President's budget proposal increases funding for USDA's civil rights programs from \$15 million to \$19 million to increase human resources management, outreach to under-represented customers, involvement of small and disadvantaged businesses in USDA programs, conflict resolution activities, and processing complaints brought by employees and customers.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Audrey Haynes to Elena Kagan et al: RE: Pro Choice Meeting List (partial) (2 pages)	01/19/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System (Email)  
WHO [Kagan]  
OA/Box Number: 500000

### FOLDER TITLE:

[01/18/1998 - 01/20/1998]

2009-1006-F  
db1574

### 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: Audrey T. Haynes ( CN=Audrey T. Haynes/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:19-JAN-1998 17:14:24.00

SUBJECT: Pro Choice Meeting List

Here's a list of 20plus folks. I need to get it down to 18 due to seating. I'm open .

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

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

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

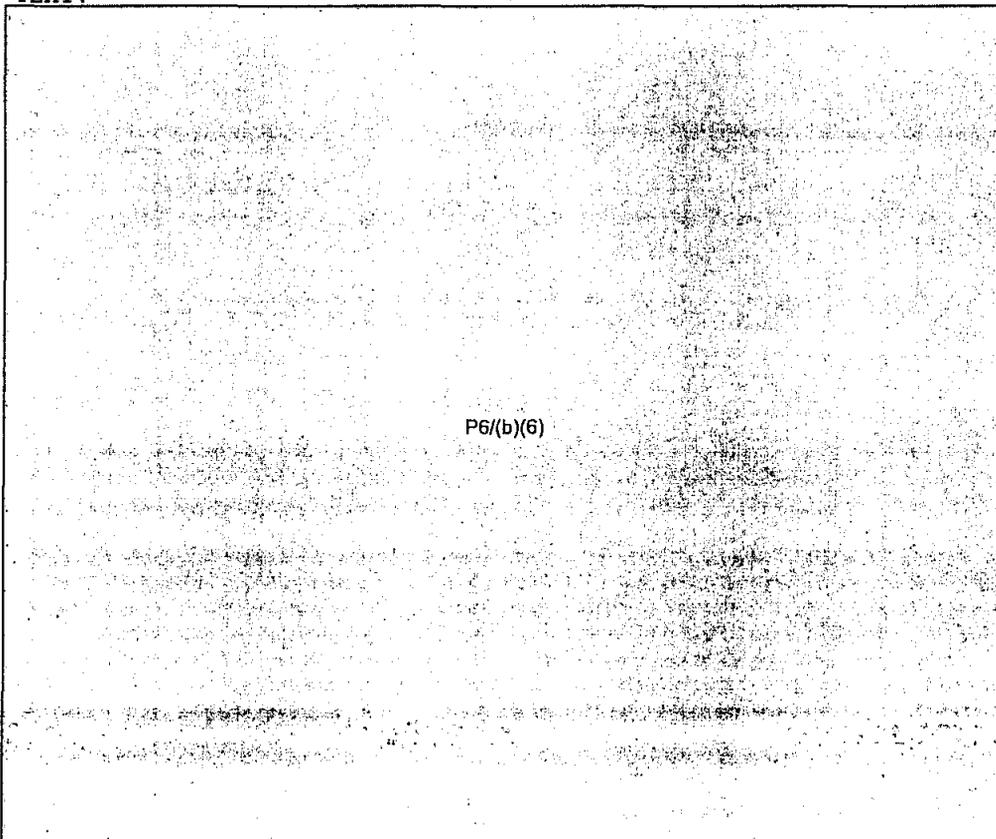
CC: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

CC: Tania I. Lopez ( CN=Tania I. Lopez/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

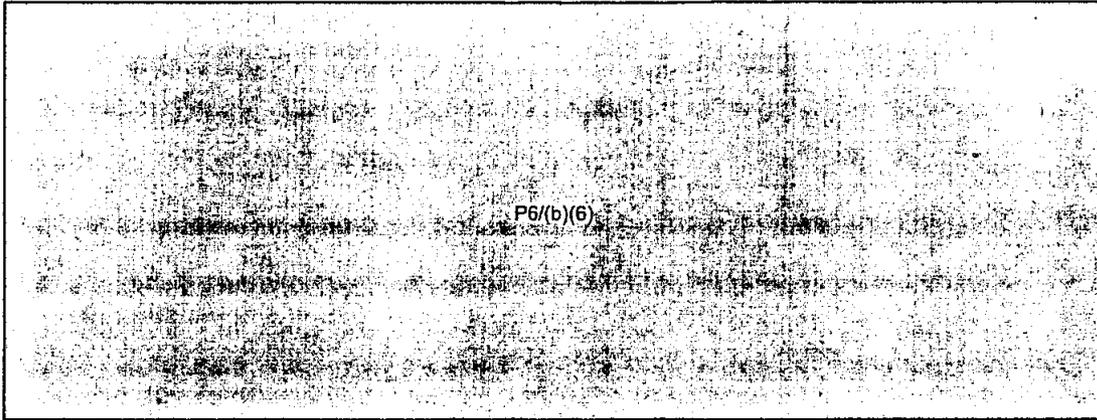
CC: Maria Echaveste ( CN=Maria Echaveste/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:



[001]



[001]

Others:



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 13:59:29.00

SUBJECT: Tobacco QA

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

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

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

TEXT:

I added a new second question and messed around with the first one.  
(there must also be a set of the new 1/16 Q and A's that I didn't put  
together on this issue but I think EK did.)===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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72632900EE1CB88863CAA675308E25C2CAD44BFC381CF1AC67BE87F52E0596C2CC02387538F068

**Questions and Answers on Tobacco Taxes and Budget  
January 19, 1998**

- Q. Are you concerned by comments by some members of Congress that tobacco legislation may be getting stalled -- that you may not be serious about getting a bill -- and suggesting that you should take a more active role in pushing legislation?**
- A. I am committed to enacting comprehensive bipartisan tobacco legislation. So any comments to the contrary are just wrong. We are making very solid progress towards enacting comprehensive tobacco legislation that will reduce teen smoking. I've proposed a very clear set of principles about what should be in the bill -- the first issue being that this is about protecting kids, not money or political advantage. I've met personally with senior members involved in this issue -- I've assured them that we want to get this done, that we will. Our staff has met with members of both parties. My budget will contain some details on how we should get this done, but we will work with Congress in a bipartisan way. Already there have been several bills introduced and I expect a few more will in the next couple of months and that is the natural way in Congress. This has been a long battle we have been fighting and we will stay with it, and it will make a difference to the health of millions of children over the next few years. We have to get it done.
- Q. Do recent events, the tobacco settlement in Texas or the release of documents showing some companies were marketing to children, diminish the need for legislation or the chance that it would get passed?**
- A. No. It is a good sign that industry is being held accountable for the harms it has caused, and that we are getting information out about how the industry has hurt children. But that should serve as an impetus for comprehensive legislation. We need a comprehensive system of penalties to make sure companies reduce teen smoking, we need the FDA to have authority over tobacco products to protect our health, to make sure advertising doesn't go after our kids. So we need legislation, and it should be bi-partisan. I think all the attention from these events makes it clear why we need a national solution, and that we should try and get it done soon.
- Q. Your proposed budget call for a tax on tobacco products, how much money do you believe can be raised in this manner?**
- A. I have urged Congress to pass comprehensive tobacco legislation to reduce teen smoking, and my proposed budget assumes some revenues from the passage of such legislation. It's very important to understand that these revenues need not come from a tax; they could result from industry payments and penalties pursuant to a settlement agreement. The revenues assumed in the budget will be consistent with my prior demand for a combination of industry payments and penalties to increase the price of cigarettes by up to \$1.50 over the next decade, as necessary to meet youth smoking reduction targets.

**Q. Are the revenue estimates reported in *The Wall Street Journal* accurate -- i.e., that your budget assumes that tobacco payments will raise \$10 billion in FY 99 and \$40 to \$60 billion over five years?**

A. I won't comment on particular budget numbers until we actually release the budget. The projected revenues we use in the budget will be consistent with what I have called for in the past: a combination of industry payments and penalties to increase the price of cigarettes by up to \$1.50 over the next decade, as necessary to meet youth smoking reduction targets.

**Q. There are various reports about how much money from tobacco legislation will go to the states, and whether the federal government has any right to this money. What do you think the states are entitled to?**

A. My first goal is to pass national tobacco legislation to reduce teen smoking. The specific allocation of monies is a secondary issue, which I will work to resolve with the states and Congress. Both the states and the Administration have worked hard to create the conditions for national legislation -- by bringing suit against the tobacco companies and by asserting regulatory power over them. I am confident we will be able to reach -- and to incorporate in legislation -- a mutually agreeable approach to the allocation issue that fully recognizes the states' contribution.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 15:00:44.00

SUBJECT: Family Farmers

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Andrew, here is the paragraph you asked for on the working group with the couple of extra sentences as requested.

Working Group on Highlighting Issues in Farm Policy: The DPC has established a working group to research and promote high-profile issues of interest to farmers. Tom Freedman of DPC is coordinating the working group, which will eventually include representatives from USDA, NEC, CEA, Treasury and OPL.

The first meeting of the group focused on significant rural issues that are suitable for Presidential announcement. Among the topics for further investigation are the concept of whole farm insurance (insurance that covers not just a crop but an entire farm's revenue) and IRA-style accounts for family farmers to guard against losses.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JAN-1998 14:17:57.00

SUBJECT: civil rights q/a

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

may want something on this.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D27]MAIL472815816.026 to ASCII,

The following is a HEX DUMP:

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72E39CB0B926EA217C84C2808D1AC7CE7AD844FAF76D9F52438CB06E6AC15FFD7D0D2EA5BE0380

**M E M O R A N D U M**

**TO: BRUCE REED, ELENA KAGAN**  
**FROM: TOM FREEDMAN, MARY L. SMITH**  
**RE: CIVIL RIGHTS CROSSCUT**  
**DATE: NOVEMBER 25, 1997**

---

Below is a list of performance goals that are applicable across agencies and suggestions as to how they might be implemented at the various civil rights enforcement agencies.

**I. ALTERNATE DISPUTE RESOLUTION**

**A. EEOC**

- Mediation Program. EEOC proposes to mediate approximately 8,000, or 10 percent of the 80,000 new charges expected in FY 1999. (\$4,000,000)

**B. HHS-OCR**

- Mediation Partnerships: HHS would contract with providers of mediation services in five to ten pilot urban and rural areas. OCR would decentralize the use of third party mediation services for a subset of complaints assessed through its case triage process. (\$250,000)

**C. DOL-OCR**

- Mediation. 7 FTE will be required to market ADR and to assist states in developing and designing ADR programs. In addition, 4 FTE will be needed to provide ADR for those complainants who request ADR in the processing of their complaints. (\$990,000)

**D. DOL-OFCCP**

- Alternate Dispute Resolution. OFCCP is initiating an alternate dispute resolution program in order to facilitate the closure of compliance reviews and complaint investigations. ADR will be used as an effort to avoid litigation and to reduce the number of cases referred to the Solicitor of Labor for enforcement. (\$200,000)

**E. EDUCATION**

- Alternate Dispute Resolution. In December 1993, OCR issued a new Case Resolution

Manual (CRM). The CRM streamlined the complaint resolution process so that OCR can provide more efficient and effective service to complainants. One element of the CRM is an alternative dispute resolution procedure (ADR). Any additional funding over OCR's FY 1999 appropriation could be used to provide additional staff training to build skills necessary for effective ADR or to hire contract mediators to actually facilitate resolution between the parties. (\$100,000)

## II. **TARGETING FUTURE COMPLIANCE AND TECHNICAL ASSISTANCE EFFORTS (through data collection and other means)**

### A. **EEOC**

- Benchmark EEO survey data. EEOC would like to perform a one-time data collection from employers to obtain benchmark EEO survey data for the Americans with Disabilities Act (ADA) of 1990. (\$250,000)
- Video Outreach and Technical Assistance. Three video productions on subjects such as "Information for Small Employers," "Mediation to Resolve Charges," and "Best Practices for Employers." (\$225,000)
- PSA Campaign. (\$100,000)
- Stakeholder Meetings. Stakeholder meetings around the country for 25 offices. (\$125,000)
- Translation of materials. Translate pamphlets into several languages, including production costs. (\$280,000)

### B. **EDUCATION**

- Elementary and Secondary School Civil Rights Compliance Report: OCR would conduct a survey of the approximately 15,000 school districts in the country on the following: number and types of schools within a school district; the demographics of the school district for both teachers and students; the number of students by race and gender in gifted and talented programs;; the number of students with disabilities by race and gender; and the number of students in math, science, and computer programs by race and gender. This data is used by other government agencies, including DOJ in its enforcement activities for approximately 400 court-ordered school districts. In addition, information and data obtained by the survey would be used as a baseline for OCR's proposed activities under GPRA. (\$1,700,000)

### C. **HHS-OCR**

- Analysis of Differential Treatment Modalities. OCR, working with the HHS Data Council, would investigate medical decision-making at the individual facility level to see how it is influenced by race and ethnicity. OCR would contract for the development of methodologies to determine potential areas of discrimination or differential access to services through assessment of Departmental and State level administrative data sets. The purpose of this initiative is to identify potentially non-complying hospitals and to target and implement Title VI compliance reviews and outreach initiatives. As the result of this effort, HHS expects to change the compliance status of from 220 to 280 facilities. If HHS were to undertake all such reviews over a three-year period, it would need approximately \$565,000 per year, beyond an initial \$500,000 for survey design and analysis, to support the staffing needed to carry out such reviews while simultaneously avoiding an accumulation of a backlog. (\$1,065,000)
- Managed Care. OCR's FY 1999 budget request seeks consultant services to develop data collection measuring the effect of managed care arrangements on Hill-Burton facilities and others. The purpose of this initiative is to target compliance reviews and outreach activities in support of both the President's Initiative on Race and to ensure effective oversight of the nondiscrimination provisions of the Patients' Bill of Rights endorsed by the President on November 19. HHS expects that these reviews of managed care plans and other insurance arrangements will require 50 percent more time than individual facility reviews. Accordingly, HHS estimates that it would need approximately \$300,000 per year, beyond an initial \$250,000 for survey design and analysis, to support the staffing needed to carry out 50 such reviews per year. (\$550,000)
- Outcome Measurement. OCR is moving from output and process measures to assessing the extent to which the number and quality of services to protected classes has changed. The purpose of this initiative is: (1) to collect data on program performance that focuses on the public's ability to access and benefit from HHS services and (2) to focus performance goals and reporting on outcome measures identified in the Annual Government Performance and Results Act (GPRA) Plan. By collecting outcome data focusing on service to individuals, OCR will be able to effectively target activities based on which compliance strategies result in the greatest number of additional minority persons served by programs, the greatest number of additional services, or changes in the quality of services provided. (\$250,000)

D. **DOL-OCR**

- Improved Targeting. An enhanced management information system could produce reports that would identify problem areas that should be targeted for review. This system could also identify trends in complaints so that compliance activities could be directed towards those entities most in need of assistance. This would maximize the utilization of staff resources to address the targeted problem areas in a given year and enhance development of work plans and results under GPRA. Approximately \$100,000 is needed

to design management information reports to meet this performance goal. (\$100,000)

- Compliance Activities. 18 FTE will be required to provided total compliance monitoring coverage on a three-year cycle. Within existing resources, only 4 compliance reviews can now be conducted, due to the regulatory need to process complaints. This will enable staff to conduct 18 reviews per year. (\$1,620,000)
- Data Collection on JTPA. Currently, applicant data is not captured to identify those seeking entry into programs such as JTPA. To ensure that discriminatory factors are not being used in the intake process, a pilot program could be instituted. This would require revisions to ETA's management information system, agreement by the pilot state to participate, and OMB concurrence to collect this data. (\$360,000)
- Compliance Assistance. 3 FTE will be required to conduct 20 technical assistance visits per year. This represents staff being on travel two weeks out of every month. (\$270,000)

E. **DOL-OFCCP**

- Future Targeting. The OFCCP's three-pronged Fair Enforcement Strategy includes a comprehensive regulatory reform component. One aspect of the regulatory reform effort is the redesign of the compliance review process. This process, as restyled "compliance evaluations," will enable the OFCCP to institute a multi-tiered level of review, varying from limited "compliance checks" to the full-scope compliance review. Additional resources for the three-pronged strategy will allow OFCCP to revise the requirements for the Affirmative Action Plan, fully implement the Affirmative Action Program Summary Report, and enhance the tiered compliance review enforcement strategy. (\$4,800,000)
- Ombud Activities. OFCCP will increase the use of its Ombud Office to improve customer quality and service. The Ombud Office, established in 1995, provides customer service, technical assistance, and a means for OFCCP's stakeholders to obtain confidential advice regarding the laws, policies, and programs that are administered by the OFCCP. Through this expansion of the Ombud Office, OFCCP will provide technical assistance earlier with the result of reducing the amount of resources needed during full compliance reviews performed at a later time. (\$1,500,000)

III. **REDUCING BACKLOG**

A. **EEOC**

- Inventory Reduction. To reduce the private-sector backlog from the current over 9.4 months it takes to resolve private sector complaints to 6 months by the year 2000, EEOC requires 165 new FTEs. (\$6,036,166)

**B. HHS-OCR**

- Changes in Complaint Processing to Respond to Additional Workload. OCR proposes expanding its pilot program which uses teams of investigators to review incoming cases and to provide ongoing case management. This expansion will require additional team training. OCR also anticipates increased complaint workload resulting from the Patients' Bill of Rights and the Adoption 2002 initiatives. OCR estimates that \$360,000 would be needed both to continue to enhance expedited complaint processing and to prevent development of a backlog. (\$400,000)
- State and Local Program. OCR's Strategic Plan proposes to increase partnerships with state and local agencies to expand the scope of civil rights compliance coverage of HHS grantees. OCR proposes a pilot program to contract with states and local civil rights agencies to conduct investigations, thus expanding its capacity to enforce civil rights while giving states an active role in enforcement. The purpose of these partnerships is to enhance the ability to target OCR staff resources on precedent-setting and high priority complaint investigations while continuing to improve response times to citizen complaints. (\$500,000)

**IV. PAPERLESS OFFICE**

**A. EEOC**

- Information Systems. The EEOC has proposed a three-year \$25 million initiative to upgrade hardware, communications infrastructure, and the deployment of integrated information systems throughout the agency. The FY 1999 request of \$10 million would provide a basic communication infrastructure that would allow the EEOC to complete the development and procurement of new information systems capabilities. These upgrades will allow the field offices and headquarters to communicate via electronic mail, eliminate redundant data entry procedures, and provide for greater operational efficiency through the sharing of information and enhanced research capabilities for investigators and attorneys. (\$10,000,000)
- Replacing Paper Forms. The EEOC proposes developing an "Interactive Diskette" data collection to replace "Paper Forms" for all EEOC employment survey data collection programs. (\$200,000)

**B. HHS-OCR**

- Civil Rights on the Internet: New technology that would allow the public to file complaints via computer. Also technical assistance to grantees could be accomplished via the Internet. Survey data collections, pre-grant certifications, investigative data

requests and responses could also be expedited. (\$250,000)

**C. ALL CIVIL RIGHTS ENFORCEMENT AGENCIES (Justice, Labor, HHS, Education, and EEOC)**

- Linked Civil Rights Data Bases: This linking of all the data bases would permit the agencies to share statistics that each agency collects. Linking technology would also improve coordination among the civil rights agencies. (\$500,000)

**D. DOL-OCR**

- Technology Improvements: There is a need for the establishment of a data base that can provide management information reports that can respond to GPRA and DOJ requirements. A review is required of the current information technology infrastructure that supports the civil rights enforcement of federal financial assistance programs to determine what is needed to achieve the desired outcomes of improved case processing and case management. A working group could be established to conduct the survey and make recommendations in this area. Some economies of scale could be achieved if agencies explored the possibility of selecting a data base system that would meet the needs of agencies with some modifications adaptable to their specific programs. (\$158,000)

**E. DOL-OFCCP**

- Information Technology: These funds will be used to upgrade the agency's infrastructure and replace outmoded systems hardware, enabling OFCCP to meet its current requirements and to develop the systems necessary for federal contractors to submit data electronically to the program. The agency will also provide the technology necessary for compliance officers to record all documents related to reviews electronically. (\$3,750,000)

**V. COORDINATION AMONG CIVIL RIGHTS AGENCIES**

**A. Proposed by HHS-OCR**

- Inter-agency Civil Rights Coordination Group: A standing inter-agency group composed of principals or their deputies would address cross-cutting issues including broad strategic planning, coordination of litigation strategies, development of performance outcome measures, outreach and partnership strategies, coordinated public service announcement and public relations initiatives, coordinated town meetings on civil rights issues, coordinated training initiatives, data collections, reviews, and investigations.
- Inter-agency training program. A coordinated training strategy could entail creation of

an inter-agency training program. The training program could be under the auspices of the Department of Justice. It would focus on investigative methodologies, examination of best practices in non-discriminatory service delivery, litigation review and strategy, data collection techniques and other compliance techniques that can be employed by many agencies, including HHS, ED, HUD, DOL, DOT, and EEOC. The center could also provide civil rights investigative and outreach training to state and local partners. A training center with dedicated staff could either be contracted or use federal agency staff. A rough estimate of the cost for rent, staff support, curriculum development, scholarships for non-federal participants, equipment, trainers, etc. is \$1,000,000 government-wide per year. (\$1,000,000)

- Intra-agency civil rights councils. These councils would be a means for furthering civil rights compliance throughout individual departments and agencies. Each Department would establish a high-level body that would be advisory to the Secretaries or Agency Heads on civil rights issues. A Civil Rights Council would be a forum for review of agency-wide policies and practices and could serve as a forum for external organizations to present civil rights concerns associated with individual agency programs. Such a council would be headed by the Department or Agency's chief Civil Rights Official and would require minimal staffing (an Executive Secretary to the Council and perhaps one support staff) in addition to staff that could be provided from within the agencies. (\$200,000)
- Geo-coded/Mapping Data Base on a Civil Rights Intranet. OCR proposes development, in conjunction with the Census Bureau and the Department of Justice, of a government-wide pilot project that would make geo-coded mapping of race, ethnicity, and national origin Census data available to all civil rights agencies on a Civil Rights Intranet. This resource would enable civil rights agencies to have immediate access to tract level data during the course of investigations and reviews. Other uses of this system could include a government-wide index of administrative decisions, letters of findings, and entities under civil rights investigation. (\$350,000)

**B. Proposed by DOL-OCR**

- Coordination between DOJ and OMB. In order to achieve enhanced civil rights enforcement, OMB will be required to review the civil rights enforcement function on a cross-cutting basis to achieve performance goals. DOJ could work with OMB and the respective agencies to promote a comprehensive civil rights agenda. This would provide the framework and overall reporting relationships to integrate civil rights enforcement within the budget process. (\$90,000)

**C. Proposed by DOL-OFCCP**

- The Civil Rights Working Group, made up of all the civil rights agencies in the Federal

government and a liaison from the White House, should be formalized and meet on a regular basis to integrate efforts to achieve civil rights in America.

- Coordination with DOJ and Veterans Affairs. Increase compliance on national origin discrimination and to share a database with Veterans Affairs so that veterans have equal employment opportunities. (\$400,000)

**D. Proposed by ED-OCR**

- Intranet technology. Civil rights enforcement agencies need to improve their communication network. Intranet technology could be used to create a network for used by selected civil rights enforcement agencies. The system could be used for various purposes such as sharing data; posting information like current research, historical document, special alerts, best practices, scheduled meetings/conferences, newsworthy events, and training opportunities. The system could also be used to communicate essential information and materials to agencies' staff on Presidential initiatives. (\$100,000 to 500,000)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Scott R. Hynes ( CN=Scott R. Hynes/O=OVP [ UNKNOWN ] )

CREATION DATE/TIME:19-JAN-1998 13:25:51.00

SUBJECT: REMINDER - 2:30 BRIEFING

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

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

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

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

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

TEXT:

Klain is holding a 2:30 briefing in his office (OEOB 276) for the VP's CNN interview today. If possible, he would like the following to attend:

Emanuel  
Begala  
Sosnik  
Blumenthal  
Kagan

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Joshua Gotbaum ( CN=Joshua Gotbaum/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:20-JAN-1998 13:48:11.00

SUBJECT: Title X Funding: Corrected point: FY89 request was Reagan; FY90 was the fi

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

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

CC: Chin-Chin Ip ( CN=Chin-Chin Ip/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

My (careful and competent) staff notes that FY89 was a Reagan submission. See below. Also a typo. Therefore, one should say:

If we look at the President's Budget proposals (vs what Congress enacted), then we can say the following about Title X requests:

From FY90 to its last budget submission for FY93, the Bush Administration proposed increases in Title X totalling \$11 million over 4 years. From FY94 to FY97, also 4 years, the Clinton Administration proposed \$69 million in increases. [Unfortunately, we didn't get our full proposals.] In the FY99 budget, the President will propose an additional \$15 million increase. If enacted, it will be the largest increase achieved by this Administration. [Congress, on its own, enacted a larger increase for FY93, to \$173 from the previous year's \$150m.]

----- Forwarded by Joshua Gotbaum/OMB/EOP on 01/20/98  
01:43 PM -----

Richard J. Turman  
01/20/98 01:30:38 PM  
Record Type: Record

To: Joshua Gotbaum/OMB/EOP@EOP  
cc: Chin-Chin Ip/OMB/EOP@EOP  
Subject: Note: FY89 request was Reagan; FY90 was the first Bush Budget

This is not a big deal, but after we spoke I went and checked the transmittal dates of the FY89 and FY90 Budgets.

FY89 was transmitted by Reagan in January, 1988.

FY90 was transmitted by Reagan on Jan. 9, 1989

FY90, Round II, was transmitted by Bush on Feb. 9, 1989, and superceded the Reagan FY90 Budget.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 11:35:45.00

SUBJECT: Reponse to Medicare Buy-in Story

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

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

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

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

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

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

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

TO: Lawrence J. Haas ( CN=Lawrence J. Haas/OU=OMB/O=EOP @ EOP [ OMB ] )  
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: Russell W. Horwitz ( CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D21]MAIL459144919.026 to ASCII,  
The following is a HEX DUMP:

FF57504374040000010A02010000000205000000E01000000002000005ABCFE3C519E99EFDF7535  
617B54C442B4278079D191DE4ED23AEFDE06B3AFA6C90FF2CACD18E8D423977D187CF24DD7BA64

**Questions and Answers on Health Care  
January 20, 1998**

**Q: How do you respond to critics of the Medicare buy-in proposal who charge that it is not and cannot be self-financing?**

**A: We simply do not believe they understand the policy.**

**First of all, the President's proposal explicitly would direct the Medicare actuary to set premiums at levels necessary to pay for the cost of this program. Unlike any other previous changes to the Medicare program, this policy asks the people benefiting to pay for the costs associated with this coverage. Each year, the actuary would be required to adjust those premiums to reflect actual experience to ensure that they are sufficient to offset costs. [This is the same career actuary whose projections about the financial status of Medicare are relied upon by Medicare's Trustees, Republicans and Democrats alike. We have full confidence that his estimates are sound.]**

**Second, from the beginning, we have acknowledged --and paid for -- any up-front costs associated with this proposal. The day the President announced the proposal we laid out the \$2 billion cost that was associated with this proposal. We also committed to completely offset these costs through a package of fraud, waste and abuse initiatives that will be included in the President's budget proposal.**

**Follow Up: If this is self-financed, why is there any cost associated with this proposal?**

**A. To ensure that the premium is affordable, we designed the 62-65 buy-in proposal so that there were two premium payments. Since the second premium is not paid until age 65, there is a short-term "loan" to participants to cover this cost. It is paid back, with interest, by the participants and the temporary cost is completely offset by anti-fraud, waste and abuse savings.**

**BACKGROUND: The first premium payment, about \$300, reflects the average cost of this age group and would be paid monthly before participants turn 65. The second premium, about \$15 per month per year for each year participants enrolled in Medicare before age 65, would be paid at the time of Medicare eligibility (at age 65). This amount offsets the additional costs resulting from the fact that participants are expected to be sicker than average.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 19:35:41.00

SUBJECT: Privatization Meeting @1 p.m. Room 180

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

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

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

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

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

CC: Samuel-William ( Samuel-William @ dol.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

TEXT:

Attached are my thoughts and process for tomorrow's meeting. If possible we should try to either have a few minutes b/4 the meeting. I will try to schedule it. Also, please e-mail me w/ comments and concerns about the attached. I hope to cover four things tomorrow -- opening, current status, options and dialogue. Thanks===== ATTACHMENT 1 ===  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D42]MAIL44741791P.026 to ASCII,  
The following is a HEX DUMP:

FF5750436A040000010A020100000002050000002F0D000000020000084EFE708B85060FFD69E2B  
DC9807718DF9C17797825370ADD27839EB466D535D2725E70AFCF154F913C6FC79223E33FBEB6F

To: Bruce, Gene, Elena, Emil  
From: Karen  
CC: Maria Eschaveste, Barbara Chow  
Re: Privatization Meeting

Kitty Higgins will be joining us tomorrow a.m. Based on our previous conversation and a conversation I had with Gerry Shea, our goal is to begin a dialogue with labor about a long term strategy for privatization.

In addition to the afl-cio staff, the communication workers, auto workers, afscme and seiu will be attending the meeting. It goes without saying that their first response will be “we are winning the privatization war; the Clinton Administration needs to hold firm.” In Gerry’s view -- and I think we agree -- “holding firm” is not a long term strategy.

John and Sec. Herman put on the table a four-pronged approach:

- Say “no” to all privatization;
- Say “yes” to all privatization;
- Say “no” but accommodate a State proposal to privatize but w/ merit staffing principles;
- Say “yes” but just pilot.

If we can engage in a dialogue around the last two options--because I believe the first two options do not work--I think we will have made some progress. With the last two options, if we could engage in a discussion around the principles that labor would like to see us apply, we will have made significant progress.

Since the reaction from the outset will be defensive and lacking in trust, I would like to open with a “why we are here.” Then, Bruce and Elena if you would give an overview of the issues that are currently before the Administration and the ones we expect to come like CHIPS, Medicaid, TANIF. With a bit of luck, we may be able to engage in a dialogue about the best options for handling the debate, the process and the substance.

Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 16:05:14.00

SUBJECT: High performance bonus & child support issues

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

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

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

TEXT:

I spoke to Barbara Chow this afternoon, and she is still insisting on a separate measure for earnings gain (not combined with job retention for a "success in the workplace" measure). Thus, we are at loggerheads, and, as Diana has outlined below, after we have moved to try to accomodate their concerns.

In the meantime, OIRA is suggesting we have an Elena-Olivia-Barbara Chow meeting tomorrow to discuss this -- i.e, see if we can all work this out without having an EOP position. This is a bit dangerous, because OMB and HHS agree here, but it could also move the ball forward. What do you think ?

On another matter, Barbara Chow is also holding firm on changing the child support budget language -- as you suggested, I made a pitch for --

"The Administration will hold a dialogue with the stakeholders of the child support program to look at ways to address these problems, and work with members of Congress to prepare legislation." or work with members of Congress on legislation."

instead of "in working with members of Congress, will prepare legislation."

----- Forwarded by Cynthia A. Rice/OPD/EOP on 01/20/98  
04:02 PM -----

Diana Fortuna  
01/20/98 03:14:27 PM  
Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc:  
Subject: hi perf notes -- as an attachment and attached

Attached is a straight chronology, followed by an attempt (after the asterisks) to lay out an argument: that we've moved to implement the deal we struck with them (they would drop welfare exit if we would drop earnings gain), and they still won't compromise. Charts are slightly hard

to do because most of the time there is no OMB position to measure ourselves against. But I think the best argument is that we agreed on a trade and that we have delivered on it. Now we are arguing about window-dressing.

Chronology:

HHS Position	JE	16%
	JR	16%
	EG	16%
	Improv -- JE	16%
	Improv -- JR	16%
	Improv -- EG	16%

Original DPC Position	JE	50%
	JR	25%
	Improv -- JE/JR	25%

OMB Response: Desire for earnings gain  
 Desire to count only those exiting welfare  
 Willingness to compromise on #2 if we  
 compromise on #1

DPC 2nd Position:	JE	50%
	JR/EG	25%
	Improv -- JE	12.5%
	Improv -- JR/EG	12.5%

OMB Response:	JE	30%
	JR	20%
	EG	20%
	Improv -- JE	10%
	Improv -- JR	10%
	Improv -- EG	10%

DPC 3rd Position:	JE	40%
	JR/EG	40%
	Improv -- JE	10%
	Improv -- JR/EG	10%

OMB Response: No, still want separate measure for JR and EG

Measure	DPC Original Pos.	DPC Current Pos.	HHS
JE	50%	40%	16%
JR	25%	20%	16%
EG	0%	20%	16%
Improv -- JE	12.5%	10%	16%
Improv -- JR	12.5%	5%	16%
Improv -- EG	0%	5%	16%

\*\*\*\*\*

OMB stated that they would compromise on welfare exit if we compromised on earnings gain. The following chart shows that we did so, but it is still unacceptable to OMB.

Measure	HHS Position	DPC Original Pos.	DPC Current Pos.
Earnings Gain	16%	0%	20%
Improv -- Earnings Gain	16%	0%	5%

Total Earnings Gain      32%      0%      25%

===== ATTACHMENT    1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D85]MAIL47879591I.026 to ASCII,  
The following is a HEX DUMP:

FF575043440B0000010A02010000000020500000006B1F000000002000074D2FE360018523A121835

Chronology:

HHS Position                    JE                    16%  
    JR                    16%  
    EG                    16%  
    Improv -- JE        16%  
    Improv -- JR        16%  
    Improv -- EG        16%

Original DPC Position        JE                    50%  
    JR                    25%  
    Improv -- JE/JR    25%

OMB Response:                Desire for earnings gain  
    Desire to count only those exiting welfare  
    Willingness to compromise on #2 if we compromise on #1

DPC 2nd Position:            JE                    50%  
    JR/EG                25%  
    Improv -- JE        12.5%  
    Improv -- JR/EG    12.5%

OMB Response:                JE                    30%  
    JR                    20%  
    EG                    20%  
    Improv -- JE        10%  
    Improv -- JR        10%  
    Improv -- EG        10%

DPC 3rd Position:            JE                    40%  
    JR/EG                40%  
    Improv -- JE        10%  
    Improv -- JR/EG    10%

OMB Response:                No, still want separate measure for JR and EG

Measure	DPC Original Pos.	DPC Current Pos.	HHS
JE	50%	40%	16%
JR	25%	20%	16%
EG	0%	20%	16%
Improv -- JE	12.5%	10%	16%

Improv -- JR	12.5%	5%	16%
Improv -- EG	0%	5%	16%

\*\*\*\*\*

OMB stated that they would compromise on welfare exit if we compromised on earnings gain. The following chart shows that we did so, but it is still unacceptable to OMB.

Measure	HHS Position	DPC Original Pos.	DPC Current Pos.
Earnings Gain	16%	0%	20%
Improv -- Earnings Gain	16%	0%	5%
Total Earnings Gain	32%	0%	25%

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 17:18:17.00

SUBJECT: Hispanic Caucus Outreach meeting

TO: Raymond E. Donnelly III ( CN=Raymond E. Donnelly III/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TO: lgriffil ( lgriffil @ os.dhhs.gov @ INET @ LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

TEXT:

The Hipanic Caucus holds a monthly meeting. Esther from the Caucus has added Child Care to this Monday's (1/26/98) agenda. The meeting is at 11:30am, 1539 Longworth. Pls let me know if you will be able to attend. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Tania I. Lopez ( CN=Tania I. Lopez/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:20-JAN-1998 11:48:24.00

SUBJECT: Roe invitee list

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is the invitee list, we are still waiting on a couple of confirmations but are not planning on adding any new names. Let me know if you have any questions.

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D46]MAIL47294491W.026 to ASCII,

The following is a HEX DUMP:

FF57504370040000010A02010000000205000000C215000000020000DA8DFF24AAB4AF906B2882

**Invited Participants for Pro-Choice Group Meeting**

**January 20, 1997 5:00 pm**

**Vice President's Ceremonial Office - OEOB  
with the Vice President and Mrs. Clinton**

- 1) Susan Cohen, Senior Public Policy Associate  
Alan Guttmacher Institute  
1120 Connecticut Avenue, N.W., Suite 460  
Washington, D.C. 20036
- 2) Nancy Zirkin, Director of Government Relations  
American Association of University Women  
1111 16th Street, N.W.  
Washington, DC 20036
- 3) Patricia Ireland, President  
National Organization for Women  
1000 16th Street, N.W., Suite 700  
Washington, DC 20036
- 4) Marcia Greenberger, Co-President  
National Women's Law Center  
11 Dupont Circle, N.W., Suite 800  
Washington, DC 20036
- 5) Anita Perez-Ferguson, President  
National Women's Political Caucus  
1211 Connecticut Avenue, N.W., Suite 425  
Washington, DC 20036
- 6) Gloria Feldt, President  
Planned Parenthood  
1120 Connecticut Avenue, N.W., Suite 461  
Washington, DC 20036
- 7) Kate Michelman, President  
National Abortion and Reproductive Rights Action League  
1156 15th Street, N.W., 7th Floor  
Washington, DC 20005
- 8) Vicki Saporta, Executive Director  
National Abortion Federation  
1755 Massachusetts Avenue, N.W., Suite 600

Washington, DC 20036

- 9) Ellie Smeal, President  
Fund for Feminist Majority  
1600 Wilson Blvd, Suite 801  
Arlington, VA 22209
- 10) Judy Desarno, President/CEO  
National Family Planning and Reproductive Health Organization  
122 C Street, NW, Suite 380  
Washington, DC 20001
- 11) Judith Lichtman, President  
Women's Legal Defense Fund  
1875 Connecticut Avenue, N.W., Suite 710  
Washington, DC 20009
- 12) Beverly Stripling, Public Policy Director  
YWCA of the U.S.A.  
624 9th Street, N.W., 3rd Floor  
Washington, DC 20001
- 13) Craig Lasher, Senior Policy Analyst/Legislative Assistant for Political Affairs  
Population Action International  
1120 19th Street, NW, Suite 550  
Washington, DC 20036
- 14) Brian Dixon, Director of Government Relations  
Zero Population Growth  
1400 16th Street, N.W., Suite 320  
Washington, DC 20036
- 15) Kathy Bryant, Associate Director Government Relations  
American College of OBGYN  
P.O. Box 96920  
Washington, DC 20009
- 16) Sarah Brown,  
National Campaign to Prevent Teen Pregnancy
- 17) Brenda C. Romney  
Center for Reproductive Law and Policy  
1801 Calvert Street, NW #104  
Washington, DC 20009
- 18) James Wagner, Executive Director

Advocates for Youth  
1025 Vermont Ave. NW, Suite 200  
Washington, DC 20005

Automated Records Management System  
Hex-Dump Conversion

- 19) Reverend Carlton W. Veazey, Vice President  
Religious Coalition for Reproductive Choice  
9609 Stoneybrook Drive  
Kensington, MD 20895

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 19:33:56.00

SUBJECT: CNN and Immigration

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

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

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

TEXT:  
Elena,

Last week in the Silicon Valley, in response to a question regarding Sen. Abraham's proposed legislation that would raise the number of H1B visas (temporary visas for "specialty workers" -- generally higher skilled), Commerce Secretary Daley made a comment that the Administration would oppose raising the annual number of these visas. Historically, we have not used the full number of H1B visas, but the cap (now at 65,000) was reached for the first time in FY 1997.

CNN has called John Frazier at Labor to ask whether someone from there would appear (unclear on what program) tomorrow to comment on this. Frazier is going to inform them that Labor has not seen the legislation, and cannot comment. We also put in a call to INS public affairs to alert them to this.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 17:32:23.00

SUBJECT: Attendees at the INS Restructuring Meeting

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

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

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

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

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

CC: Patricia E. Romani ( CN=Patricia E. Romani/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

FYI: The attendees for the Wednesday, January 21 (tomorrow) 10:30 a.m. meeting in Room 246 on INS restructuring include:

INS: Bob Bach, Executive Association Commissioner, Policy and Planning  
Katharine Morland, Policy and Planning -- Booze-Allen Contract Coordinator

DOJ: Bob Diegelman, Director, Justice Management Division  
Terry Simpson, Justice Management -- Booze-Allen Contract Coordinator  
John Morton, Assistant to the Deputy Attorney General

Booze-Allen: Mary James Kavanaugh  
Sonia Kapoor  
Cynthia Lee Vanderlinde-Kopper

DPC: Elana Kagan  
Julie Fernandes

OMB: Michael Deich  
David Haun  
Steve Mertens

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Emily Bromberg ( CN=Emily Bromberg/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:20-JAN-1998 16:47:03.00

SUBJECT: longest phone tag in history

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

READ:UNKNOWN

TEXT:

please page me when you are available to talk. i'm getting swamped with questions about tobacco and education. we need to talk about how/when to roll this out. the wsj article caused lots of problems in my part of the world.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 12:31:55.00

SUBJECT: Food Safety Q and A

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I ran these by USDA and HHS/FDA again. All the changes were basically fine, they wanted a clarification that "last year's \$40 million" is for activities that are not done but are still on-going as they are part of the FY '98 budget. FDA pointed out that they were developing HACCP in '96, we should just say they it wasn't implemented yet. So I did that too.=====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D55]MAIL47087491S.026 to ASCII,  
The following is a HEX DUMP:

FF57504344070000010A020100000002050000008815000000020000ADD7547E3AFEF019810A1E  
D81DC400FBB536501197F545BD8EEBB152522B32DD54309F3B57DF4A67DE6A3F13F4897172236F

**Questions and Answers on Food Safety  
January 19, 1998**

**Q: What steps is the Administration taking to improve food safety?**

**A:** Last year we launched a new Presidential food safety initiative, and added more than \$40 million to the FY '98 budget. With that money we started putting in place new science-based preventive systems to improve the safety of seafood, meat and poultry and began work on a new early warning system to help detect and respond to outbreaks of foodborne illness. This year, our budget will seek an even more substantial increase in resources to improve food safety. The resources will go to a variety of initiatives, including: giving FDA authority to prevent the import of produce from countries without safety precautions equivalent to our own; hiring FDA inspectors to improve the safety of our nation's fruits and vegetables, both domestic and imported; developing new ways for federal inspectors to detect food-borne illnesses in meat and poultry and determine the source of contamination; improving educational outreach on proper food handling; and further expanding our early warning system and strengthening state surveillance activities for foodborne illnesses.

**Q. A recent story revealed that USDA did not close down a plant despite 1,700 violations. What are you doing to make sure our meat and poultry are safe to eat?**

**A.** We have to keep improving our food safety systems. And I am committing more resources than ever to the problem, and modernizing food safety for meat and fruits and vegetables and the water we drink. There are several important facts to remember in regard to this specific story. First, although the inspectors did not close the plant -- and in my view that was a wrong decision -- they did take actions to correct the plant's bad practices and to prevent all unsafe food they found from reaching the public. Second, those events occurred in 1996 -- before my Administration began implementing the Hazard Analysis and Critical Control Point (HACCP) system for meat. Under this system, inspectors will document food safety violations; they will shut down the plant where there are repeat failures; and they will insist that the plant take a wide range of measures to prevent any future contamination before the plant can reopen. Finally, the Administration has asked Congress for additional enforcement authority to fine companies for violations of food safety standards. Currently, USDA can't fine companies that violate food safety standards.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 10:36:23.00

SUBJECT: HRC -- ENDA

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

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

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

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

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

TEXT:

Hillary Rosen, Chair HRC called and asked whether the President could mention ENDA in the SOTU. Her rationale -- the President supports ENDA, they were w/in one vote of passage, he is the best spokesperson on issues of discrimination, fairness --

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 18:02:16.00

SUBJECT: New Dems mtg

TO: Raymond E. Donnelly III ( CN=Raymond E. Donnelly III/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TO: lgriffil ( lgriffil @ os.dhhs.gov @ INET @ LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

TEXT:

The meeting with the New Dems on Weds (tomorrow) will be in 1440 Longworth HOB @ 2:00pm. This is a reminder, we discussed the meeting last week at our internal meeting. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 09:26:01.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Call Sylvia ASAP 61960 re: family planning

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 17:27:40.00

SUBJECT:

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

TEXT:

FYI- SW Border is Principals Only, just Bruce. -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 12:08:47.00

SUBJECT: time poll

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

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

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

TEXT:

A TIME/CNN poll says they want to slash the national debt accumulated in those deficit-spending years. Maybe they feel guilty about their own credit-card bills or are worried that today's prosperity could melt into tomorrow's slowdown. And while those polled like some of Clinton's spending plans, such as expanded Medicare, they are less certain about him. Most believe that America is better off than in 1992, but that Clinton has turned out to be an "average" President.

Which of these proposals about how to spend some of the budget surplus should be a top priority or high priority?

Reducing the national debt-- 78%  
 Providing more tax credits for child care-- 74%  
 Extending Medicare to include some 55- to 64-year-old Americans-- 71%  
 Cutting federal income taxes-- 68%  
 Ending the income tax "marriage penalty"-- 50%  
 Increasing spending on federal highway programs-- 44%

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 12:03:50.00

SUBJECT: slight revision

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

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

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

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

TO: Russell W. Horwitz ( CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D7]MAIL43906491Q.026 to ASCII,  
The following is a HEX DUMP:

FF5750439E040000010A02010000000205000000E2110000000200006A40A0A5C9CA54D50734BF  
E962995501BB0BE1FDC36A908832F97B371DCFC345DA657EA4782773D7C8649FF392E41D723394

**Questions and Answers on Health Care  
January 20, 1998**

**Q. How do you respond to critics of the Medicare buy-in proposal who charge that it is not and cannot be self-financing?**

**A: We simply do not believe they understand the policy.**

**First of all, the President's proposal to allow 62 to 65 year olds to buy into Medicare explicitly would direct the Medicare actuary to set premiums at levels necessary to pay for the cost of this program. Unlike any other previous changes to the Medicare program, this policy asks the people benefiting to pay for the costs associated with this coverage. Each year, the actuary would be required to adjust those premiums to reflect actual experience to ensure that they are sufficient to offset costs. [This is the same career actuary whose projections about the financial status of Medicare are relied upon by Medicare's Trustees, Republicans and Democrats alike. We have full confidence that his estimates are sound.]**

**Second, from the beginning, we have acknowledged --and paid for -- any up-front costs associated with this proposal. The day the President announced the proposal we laid out the \$2 billion cost that was associated with this proposal. We also committed to completely offset these costs through a package of fraud, waste and abuse initiatives that will be included in the President's budget proposal.**

**Follow Up: If this is self-financed, why is there any cost associated with this proposal?**

**A. To ensure that the premium is affordable, we designed the 62-65 buy-in proposal so that there were two premium payments. Since the second premium is not paid until age 65, there is a short-term "loan" to participants to cover this cost. It is paid back, with interest, by the participants and the temporary cost is completely offset by anti-fraud, waste and abuse savings.**

**BACKGROUND: The first premium payment, about \$300, reflects the average cost of this age group and would be paid monthly before participants turn 65. The second premium, about \$15 per month per year for each year participants enrolled in Medicare before age 65, would be paid at the time of Medicare eligibility (at age 65). This amount offsets the additional costs resulting from the fact that participants are expected to be sicker than average.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 09:14:13.00

SUBJECT: HHS Budget Proposal for CASA Demo Project

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

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

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

TEXT:

Folks--what do you think? Is there any chance we can find the resources for this little project--it would make a huge, huge difference to this community (as well keeping us true to the President's word).  
----- Forwarded by Maria Echaveste/WHO/EOP on 01/20/98  
09:13 AM -----

William H. White Jr.  
01/16/98 08:13:24 PM  
Record Type: Record

To: Barry T. Clendenin/OMB/EOP, Mark E. Miller/OMB/EOP, Anne E. Tumlinson/OMB/EOP  
cc: See the distribution list at the bottom of this message  
Subject: HHS Budget Proposal for CASA Demo Project

Attached is a statement the White House released after a Sept 10 meeting with the President and leaders of the disability meeting. We have been told that HHS, at the last minute, requested \$2 million for a personal assistant demo project in order to meet the President's commitment made at the meeting, but that OMB rejected the request. We are trying to determine if this true. Richard reports there was no request on the discretionary side.

Regardless of the above, how do we demonstrate that we are following-up the President's commitment.

THE WHITE HOUSE

OFFICE OF SPECIALTY PRESS

FOR IMMEDIATE PUBLICATION  
1997

September 10,

PRESIDENT AND VICE PRESIDENT MEET WITH  
LEADERS FROM THE DISABILITY COMMUNITY

Washington, D.C. -- On Wednesday, September 10, 1997, President Clinton and

Vice President Gore met with national leaders from the disability community in the Cabinet Room at the White House to discuss issues important to people with disabilities.

The discussion focussed on the enforcement of the Americans Disabilities Act (ADA), employment of people with disabilities, Supplemental Security Income (SSI) eligibility for children, personal assistant services, the Individuals with Disabilities Education Act (IDEA) and telecommunication issues.

During the meeting, President Clinton restated his commitment to ensuring equal access to the American dream for every person by integrating disability issues into all policies and programs during his Administration. The President said he would again ask Congress for a significant increase in ADA enforcement funding in his FY 1999 budget, and urged the community to make it a priority for Congress. On the subject of SSI eligibility, President Clinton said he was instructing the Social Security Administration to submit a report to him on the SSI reevaluation process within thirty days.

The President and HCFA Administrator Bruce Vladeck discussed the Administration's establishment of a task force at HHS on personal assistant services, a plan to conduct demonstration projects in targeted area, and commitment to study states with successful programs. Additionally, President Clinton noted that funding for IDEA has increased by 36% during his Administration and reiterated his commitment to special education funding.

The two hour meeting resulted in a lively and productive session and both the President and Vice President look forward to hearing more from this important community.

The following individuals attended the meeting:

- Marca Bristo, National Council on Disability
- Hon. Tony Coelho, President's Committee on Employment for People With Disabilities
- Justin Dart, Justice for All
- Nancy Diehl, Parent Training and Information Center
- Paul Edwards, American Council of the Blind
- Dr. Frederick Fay, Justice for All
- John Harper, Youth Leader
- Bob Kafka, ADAPT
- Paul Marchand, Consortium of Citizens With Disabilities and The Arc
- Gina McDonald, National Council of Independent Living
- Becky Ogle, Justice for All
- Michael Oxford, ADAPT
- Debbie Robinson, Speaking for Ourselves

# ## ##

Message Copied

To:

- 
- Diana Fortuna/OPD/EOP
  - Elena Kagan/OPD/EOP
  - Maria Echaveste/WHO/EOP
  - Richard J. Turman/OMB/EOP
  - Jeanne Lambrew/OPD/EOP
  - Christopher C. Jennings/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 08:36:10.00

SUBJECT: Education

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

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

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

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

TEXT:

I have read and returned comments to Michael on his draft regarding a WH Conference and related meetings on education issues. I like the four event sequence he proposed including a mayor's conference. I'm hopeful we can reach agreement this week on a Decision Memo to the President so we can be in a position to announce all (or at leas

I'd appreciate knowing if you think this is possible to get done in time for USCM. Is there anything you need from IGA to help move it along?  
Thanks.