

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 073 - FOLDER -005

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 19:02:31.00

SUBJECT: Final Medicare Q&A from today.

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

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

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D75]MAIL43402816H.026 to ASCII,
The following is a HEX DUMP:

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Q: WHAT IS YOUR RESPONSE TO TODAY'S *NEW YORK TIMES* STORY THAT STATES THAT SENATOR BREAUX IS ASKING THE CONGRESS TO WAIT FOR THE MEDICARE COMMISSION BEFORE CONSIDERING THE PRESIDENT'S PROPOSAL TO OFFER MEDICARE FOR AMERICANS AGES 55 TO 65?

A: We do not believe that this story fully reflects Senator Breaux's views on this issue. Senator Breaux has accurately stated that the Medicare Commission has been charged with the responsibility of looking at this issue as well as a wide range of other issues. But Senator Breaux is not saying that he would explicitly stand in the way of legislation that expands coverage options, such as the President's proposal.

The President believes that this is a financially responsible and targeted policy that addresses a vulnerable population that the private insurance market has failed to serve. Americans ages 55 to 65 are one of the most difficult to insure populations: they have less access to and a greater risk of losing employer-based health insurance; and they are twice as likely to have health problems. The policies proposed by the President are paid for and responsible, and will help people with few affordable choices for health insurance.

While the work of the Medicare Commission will be extremely important, the President does not believe that the American public would sanction holding up a targeted, important proposal that would help hundreds of thousands of Americans with access to health insurance. The President is confident that as Congress examines the needs of this population and the proposal to address it, the necessary consensus to move this legislation forward will be achieved.

Q: ISN'T THIS EXACTLY THE WRONG TIME TO PROPOSE EXPANDING MEDICARE -- JUST WHEN THE COMMISSION IS GOING TO MAKE RECOMMENDATIONS ABOUT THE OVERALL FINANCING OF THE PROGRAM?

A: The President has a targeted proposal that is paid for within the Medicare program and therefore does not add any new burdens to the program. We believe this is a worthy goal that is fully consistent with the charge of the Medicare Commission. **The Medicare Commission will be working to develop proposals for the overall financing of Medicare.** **The President's proposed policy will not conflict with the Commission's work in this area.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 20:16:53.00

SUBJECT: Here are the current tobacco meetings for the rest of the week

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

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The following is a HEX DUMP:

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9BCA361D713284DBD4C42479ADA2DBFB0EE53D0E880ECF454308E5BE711D025B14DB637075C355

Meetings
March 2-6th

DAY		GROUP	LOCATION	ADMIN ATTENDEES (IF OUTSIDE MTG)
Wednesday	10:00	Leg Conference Call	456-6755 code 1111	Reed, Stein/Jacoby, Kagan, Rice, Tarplin/Burke, Gruber
	12:30	Prep for McCain mtg	211	Kagan, Rice, Ogden Perelli, Letter, Barron, Moss, Schultz, Wilkenfeld
	2:00	John Raidt, Mark Busey/McCain	241 Russell	Kagan, Rice, Ogden, Perelli, Barron, Wildenfeld, Schultz
	4:30	Sen Breaux	516 Hart	
	5:45	Licensing -- Subgroup	211	
	5:45	Jeff Tietz/Kennedy re: tobacco spending	644 Dirksen	Rice or Kagan, Gotbaum, Burke, Claxton
Thursday	11:00	Documents	211	
	1:45 (tent)	Rep. Bliley	2409 Rayburn	Bowles, Reed, Stein
	2:45	Weekly Coordinating Meeting	211	
Friday	9:00	DOJ mtg	5132 Main Justice	Kagan, Rice
	10:00	Leg Conference Call	456-6799 code 7298	Reed, Stein/Jacoby, Kagan, Rice, Tarplin/Burke, Gruber
	11:00 (tent)	Karen Lightfoot/Waxman re: penalty provisions	B350A Rayburn	Rice, Burke, Claxton, Gruber
	12:30 (tent)	Sen. Mack	517 Hart	Bowles, Reed, Stein
	1:30 (tent)	Sen. Conrad and Dem task	TBD	Bowles, Reed, Stein

		force		
	3:00	Marketing/ Legal Strategy Meeting		
	TBA	International Issues	TBA	

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAR-1998 08:32:50.00

SUBJECT: hill meetings

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

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

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

TEXT:

is there a memo you're preparing for ebb that will detail the purpose of the meetings and what's expected from him? if so, lets include a list of the proposed member meetings.

i've already notified carole about the scheduling the meetings.

----- Forwarded by Virginia N. Rustique/WHO/EOP on
03/03/98 08:24 AM -----

VIRGINIA N. RUSTIQUE
03/03/98 08:22:38 AM
Record Type: Record

To: Cathy R. Mays/OPD/EOP, Bruce N. Reed/OPD/EOP
cc: Elena Kagan/OPD/EOP
Subject: hill meetings

here's what we came up with.
conrad and fazio includes their respective task forces. i start scheduling this morning

----- Forwarded by Virginia N. Rustique/WHO/EOP on
03/03/98 08:21 AM -----

VIRGINIA N. RUSTIQUE
03/02/98 07:32:04 PM
Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Laura Emmett/WHO/EOP
Subject: hill meetings

how's this?:

- mccain
- bliley
- chafee
- hatch
- conrad
- fazio

domenici
mack

larry and ebb are already scheduled to meet with newt (thur) re: general issues and will raise tobacco.

larry wants to start the meetings after meeting w/ newt.

----- Forwarded by Virginia N. Rustique/WHO/EOP on
03/02/98 07:22 PM -----

VIRGINIA N. RUSTIQUE
03/02/98 07:01:37 PM
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: Cathy R. Mays/OPD/EOP, Laura Emmett/WHO/EOP
Subject: hill meetings

larry wants to schedule the following (in this order):

mccain
chafee
hatch
bliley

elena: is there a list off of which we should be working?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 19:29:49.00

SUBJECT: food safety q's and a's

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is a draft q&a that has been signed off by USTR, USDA, HHS, and OMB.

Thanks, Mary===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D82]MAIL436038167.026 to ASCII,

The following is a HEX DUMP:

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1A3B9C468615360C3FDA4F6AF2A5FEB0B0633AC0B1110B8D281C4376542FC6004263278BAD6491

**Q&A for Presidential Announcement on Food Safety Legislation
and Report to Ensure Safety of Imported Fruits and Vegetables
March 3, 1998**

Q: What did the President announce today?

A: The President announced the introduction of food safety legislation in the Senate that will permit the FDA to deny the entry of imports of fruits, vegetables, or other food from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also will permit the FDA to consider halting imports from countries or facilities that do not allow FDA inspections to occur in addition to other factors. This legislation was introduced in the House in November of last year. The President also announced the release of a report that provides a roadmap for the Secretary of Health and Human Services, in cooperation with the Secretary of Agriculture and the agricultural community, to develop guidance on good agricultural and good manufacturing practices for any fruits and vegetables that are sold in the U.S. market.

Q: Why is your Administration proposing these actions?

A: There have been dramatic changes in the produce department of the grocery store. Thirty years ago, most produce sections only had around a dozen items year round, increasing to as many as 50 in the summer. Today, the chances are that there are 400 or more items in the produce section and they are there all year round. Last year, 38 percent of the fruit and 12 percent of the vegetables Americans ate were imported.

We have changed as well. Americans are eating more fresh fruits and vegetables than ever before, and our nation's health experts tell us we will live longer, better quality lives as a result. Our environment is also changing. We are finding "new" exotic bugs such as cyclospora and *E. coli O157:H7* on our food that once were not there.

We must ensure that these changes do not increase the risk to American consumers of foodborne illnesses. Although raw produce -- including that imported from foreign countries -- is now safe, experts have suggested ways to make further improvements, and my actions accord with their recommendations.

Q: Are you saying that imported produce is unsafe?

A: There is no data indicating that imported fruits and vegetables are more unsafe than domestic products. But some recent outbreaks of foodborne illness have been traced back to imports, and it is important to ensure that foreign fruits and vegetables meet U.S. food safety requirements or otherwise achieve the level of protection required. The steps we are taking today are adding additional layers of protection. We are making sure that there are no gaps in our food safety system -- that high safety standards apply to imported as well as domestic food, and to fruits and vegetables as well as to meat, poultry, and seafood.

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 seeks an even more substantial increase in resources, \$101 million, 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.

Questions on Food Safety Legislation

Q: What does the legislation do?

A: This legislation provides the FDA with the authority to refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also will permit the FDA to consider halting imports from countries or facilities that do not allow FDA inspections to occur in addition to other factors.

Q: How is this different from current authority?

A: This legislation increases the FDA authority to refuse imports for foods from countries or facilities that do not meet U.S. food safety requirements or otherwise achieve the level of protection required. do not have food safety systems that are comparable to those in this country. Currently, the FDA can only refuse imports after inspection or testing at the

border when the FDA determines that the food appears to be unsafe or otherwise violates U.S. law. This new legislation would give FDA the authority to ensure that food products entering this country were grown and processed in conditions that meet U.S. food safety requirements or otherwise achieve the level of protection required. This authority is necessary because experience has shown that inspection and testing of products at the border may not be sufficient in all cases to ensure the safety of food products. It may be necessary to identify and address the source of potential contamination to ensure that products offered for sale in the United States meet domestic food safety requirements or otherwise achieve the level of protection required. FDA currently has such authority with respect to domestic production.

Q: Does this legislation give FDA additional authority to inspect in other countries?

A: No. Foreign inspections will continue to be done by consent. In making the determination that a food offered for import into the U.S. is adulterated, the legislation does permit the Secretary to consider whether FDA has been refused access to conduct inspection of the places where such food has been prepared, packed or held. The Secretary may deny importation to foods from such location or establishment on the basis of such refusal and other relevant factors. Given that denying reasonable access is one factor in making that determination, the exporting country and the food establishment both have an incentive to allow such access.

Q: There is concern that this legislation is the first step in providing FDA with the authority to inspect farms in the U.S. Is that next?

A: No. Under current law, FDA has authority to inspect establishments where food is prepared, packed, or held, which would include places where food is grown, such as domestic farms. While such inspections are infrequent, FDA has taken action against a U.S. farmer when a violation occurs. When FDA is involved in a food safety problem that is found to originate on a farm, the agency's focus generally is on identifying the source of the problem and removing the unsafe food from commerce.

Q: Doesn't this legislation impose trade barriers to food imports at a time when you are saying you want to lower them? Is this legislation consistent with free trade?

A. This legislation is consistent with free trade and all our treaty obligations. We have no obligation to open our borders to imports that pose a greater risk than domestic products to American consumers. As long as we are not imposing any greater requirements on foreign countries -- as long as we are only holding them to our standards -- we are acting consistently with our trade policy and international obligations.

Q: What makes you think this new legislation can be effective? Do you seriously think

you are going to be able to put FDA inspectors in every country abroad?

- A:** The new legislation would give the FDA the same kind of responsibility that the USDA already has for meat and poultry. The USDA system has worked well to ensure that unsafe meat and poultry, produced in foreign facilities which do not provide the same level of protection that is required in domestic facilities, will not be imported. The FDA should be able to run a similarly effective system that ensures food safety and prevents imports from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required.

Questions Related to Report on Guidance

Q: Why has this report been prepared?

- A:** On October 2, 1997, President Clinton announced an initiative to ensure the safety of imported and domestic fruits and vegetables which included the development of good agricultural practices and good manufacturing practices for fresh fruits and vegetables that would include ways to prevent potential contamination. This voluntary guidance will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The guidance effort will include outreach and education, reflecting the Administration's commitment to direct resources toward improving food safety and the availability of food safety technologies.

The President requested this status report about progress made toward providing industry with good agricultural and good manufacturing practices guidance for fresh fruits and vegetables. It also presents a plan for outreach to the domestic and foreign industry.

Q: When you say good agricultural practices (GAPs) and good manufacturing practices (GMPs), are you talking about mandatory GAPs and GMPs?

- A:** No, the GAP/GMP guidance is voluntary. We are developing this science-based guidance with input from USDA, states, the agricultural community, industry, academia, consumers, and organizations representing the foreign produce industry. The guidance is intended for appropriate use by growers, packers, manufacturers of minimally processed products and produce distributors. Because the guidance is broad-based, it may be used, where applicable, by both the domestic and foreign produce industry to reduce the risk of microbial contamination.

Q: Does the report give a timeline for publishing the guidance?

- A:** Yes, we anticipate publishing the draft guidance in late March with a 75-day comment period. We anticipate that the guidance will be available in final form in October 1998.

Q: Is the development of commodity-specific guidance part of the future plans discussed in the report?

A: FDA, along with USDA, will oversee a task force to assist in developing additional guidance if sound science, risk, or experience with general guidance indicate a need. Any additional guidance will be developed through an open process involving industry, consumers, academia, states, and public health professionals, including the FDA public review and comment process.

Q: What kind of technical assistance and educational outreach is envisioned and who will provide it?

A: The plan involves a broad input from both the public and private sectors, including public health agencies, domestic and foreign industry groups, international organizations, and academia. In the U.S., the Cooperative State Research, Education, and Extension Service within the USDA has lead responsibility for developing the outreach and education strategy for domestic growers.

USDA and FDA intend to work with appropriate U.S. and foreign government public health and agriculture agencies, as well as with industry groups, to provide technical assistance needed to support application of the guidance by the produce industry overseas. The State Department will help facilitate visits to foreign countries for this purpose. We also anticipate that international organizations, such as FAO/WHO and subsidiary organizations (e.g., Pan American Health Organization), and exporter organizations will play a role in international activities.

Q: The Directive calls for “an acceleration” of food safety research. What is being “accelerated”?

A: Research is an essential element of the President’s initiative. Food safety research focuses on development of rapid detection methods for pathogens and of prevention and

intervention strategies that may be used to reduce the risk of microbial foodborne illness. A coordinated, interagency fresh produce research plan will be available in early 1998.

Additional Information: In September, 1997, FDA initiated an interagency meeting to review ongoing research on fresh fruits and vegetables. Since that time, several interagency meetings involving USDA, CDC, EPA, the Department of Defense, NIH, and others have been held, as well as a public meeting to discuss what research is being conducted by industry and academia and to identify research priorities. In coordinating the fresh produce research programs of all the agencies, four primary research areas have been identified. They are: improved detection methods, resistance to traditional preservation techniques, antibiotic resistance, and development of intervention strategies. Research is currently underway in all of these areas.

Research and characterization of risks is a high priority. Research on preventive technologies and intervention strategies to reduce or eliminate microbial contamination is a specific major area of focus. An interagency research plan has been developed and will be available in early 1998.

Q: We have heard about the development of Good Agricultural Practices (GAPs) and Good Manufacturing Practices (GMPs) for fresh fruits and vegetables, both of which are intended to help domestic growers meet the U.S. level of protection. What are they and how will they be applied to foreign growers?

A: When the President announced an initiative to ensure the safety of imported and domestic fruits and vegetables on October 2, 1997, he directed the Secretary of Health and Human Services and the Secretary of Agriculture, to work together in close cooperation with the agricultural community, to issue guidance on good agricultural and manufacturing practices (GAPs and GMPs).

This voluntary, science-based guidance can be used by both domestic and foreign fresh fruit and vegetable producers to help ensure the safety of their produce. The voluntary guidance will be consistent with U.S. trade rights and obligations and will not impose unnecessary or unequal restrictions or barriers on either domestic or foreign producers.

Q: We expected the report at the beginning of January? Why the delay?

A: The fresh fruits and vegetables initiative is highly complex because it may not only impact the domestic industry, but also the foreign produce industry. Our main concern was that the report accurately portray the good agricultural and good manufacturing practices guidance and the planned support activities (technical assistance, education,

outreach, evaluation, and research) and public participation in the process. The timing of the report in no way affects that the guidance will be available in October of this year, as the President announced.

This may come up because the deadline for the importation of Guatemalan raspberries is March 15.

Q: What is the status of Guatemalan raspberries?

A: On November 20, 1997, FDA notified the Guatemalans that fresh raspberries will not be allowed entry into the U.S. during the period of March 15 through August 15, 1998. However, if the source of *Cyclospora* contamination is found and corrected or if intervention technologies are developed that will prevent cyclosporiasis in humans, we will revisit this decision. FDA has assisted Guatemala in seeking a resolution to this problem since 1996. In fact, we currently have people in Guatemala reviewing the interventions they have reportedly put in place.

Automated Records Management System
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 18:26:21.00

SUBJECT: food safety announcement

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

READ:UNKNOWN

TEXT:

This is a draft of the announcement that has been signed off by OMB, FDA,
USTR, and USDA. I will send the q&a shortly. Mary===== ATTACHMENT

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D6]MAIL40010816H.026 to ASCII,

The following is a HEX DUMP:

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8D57701A25BDB5B732C9761E77335C413BE24FD7429AF1350E636FA4D65112107BE94DA2DFEF0E

**PRESIDENT CLINTON ANNOUNCES INTRODUCTION OF SENATE FOOD
SAFETY LEGISLATION AND REPORT TO ENSURE THE SAFETY OF
IMPORTED AND DOMESTIC FRUITS AND VEGETABLES
March 4, 1998**

Today President Clinton will announce the introduction of legislation by Senators Milkulski and Kennedy to ensure the safety of all imported foods, including fruits and vegetables. This legislation will enhance Food and Drug Administration's authority to prevent the imports of fruits, vegetables and other food products which do not meet U.S. food safety requirements. This legislation was introduced in the U.S. House of Representatives by Reps. Eshoo and Pallone. This legislation is part of the President's food safety initiative that was announced last October. The President also will announce the release of a report that provides a blueprint on how the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA) will work cooperatively with the agricultural community to develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

Enhanced FDA Oversight for Imported Foods. The food safety legislation to be introduced today in the Senate will provide greater assurance that imported foods meet U.S. food safety requirements or achieve the same level of protection required for comparable domestic products. The legislation also will permit the FDA to consider halting imports from countries or facilities that do not allow FDA inspections to occur. This legislation gives FDA authority that is comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry. The President has already committed to providing approximately \$25 million in his Fiscal Year 1999 budget to enable the FDA to dramatically expand its international food safety capabilities. This legislation is part of a broader Administration initiative to enhance the safety of our Nation's food supply.

Development of Guidance on Good Agricultural and Manufacturing Practices. The President will announce the release of a report that provides a roadmap for the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in cooperation with the agricultural community, to develop guidance on good agricultural and manufacturing practices. This report outlines the progress made to develop the voluntary guidance for the growing, processing, shipping, and marketing of fruits and vegetables and the time lines leading to the final publication of the guidance in October 1998. The guidance -- the first-ever specific safety standards for fruits and vegetables -- will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The report also provides both short- and long-term plans for technical assistance, education, and outreach activities to support the appropriate application of the guidance.

Clinton Administration Accomplishments In Improving Food Safety

The President's announcement builds on a strong record of food safety initiatives, ensuring that Americans eat the safest possible food. The Administration has put into place improved safety standards for meat, poultry and seafood products, and has begun the process of developing enhanced standards for fruit and vegetable juices. The Administration also has expanded research, education and surveillance activities throughout the food safety system.

*March, 1998. The President announces the introduction of Senate legislation for imported food safety.

*February, 1998. Administration announces its proposed food safety budget which requests an approximate \$101 million increase for food safety initiatives.

*October, 1997. President announces new initiative to enhance FDA oversight over imported foods and develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

*May, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply -- "Food Safety from Farm to Table" -- detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.

*January, 1997. President announces new Early-Warning System to gather critical scientific data to help stop food borne disease outbreaks quickly and to improve prevention systems further.

*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.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jordan Tamagni (CN=Jordan Tamagni/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAR-1998 10:27:41.00

SUBJECT: Radio

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

READ:UNKNOWN

TEXT:

Is the radio address on tobacco? If so, can you walk me through what we're doing? It wasn't clear at the communications meeting. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey A. Shesol (CN=Jeffrey A. Shesol/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAR-1998 20:18:20.00

SUBJECT: Food Safety

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

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

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

TEXT:
Draft 03/03/98 8:00PM

PRESIDENT WILLIAM J. CLINTON
REMARKS ON THE SAFETY OF IMPORTED FOOD ACT
THE ROOSEVELT ROOM
March 4, 1998

Acknowledgments: VPOTUS; Sen. Barbara Mikulski; Sen. Edward Kennedy; Rep. Anna Eshoo; Rep. Frank Pallone; Rep. Lynn Rivers

Last night I was in New York, celebrating the heroes who have made this the American Century. I spoke about one of my heroes, Franklin Roosevelt. But it's Theodore Roosevelt that I'm thinking of today. At the beginning of this century, he made an unprecedented national commitment to protecting American families from unsafe food. That was at the dawn of the Industrial Age--when Americans were moving from the farm to the city, and for the first time buying their food from others rather than growing it themselves. Theodore Roosevelt ensured Americans that their food was safe--whoever grew it and wherever it was grown.

Now, as we move into the 21st century, the health and well being and productivity of Americans remain our top priorities. But the world is changing, and it takes new methods to protect enduring values. The Vice President has just told you what our administration has done to modernize food safety. America's food supply is the safest in the world, but we have yet to meet all the challenges of the global marketplace.

It wasn't long ago that you could walk through the produce section of your local grocery store, look around, and find no more than a dozen items that would be there all year. Today, thanks to the global food market, it's not uncommon to find up to 400 varieties, and almost all of them year-round. You can get summer squash during the chill of winter, and winter squash in the heat of summer. And the farmer who grows those vegetables no longer lives down the road. That farmer might live across the ocean or on the other side of the world. It is more important than ever that the food we eat be inspected and protected from orchard to fruit basket, from farm to table--wherever that orchard or farm may be. And when the families that join us here today--and the millions of Americans like them--walk through the produce section, they shouldn't have to worry where that food comes from or whether it's safe.

Food safety is part of the basic contract between American consumers and

their government. Any food that doesn't meet our clear and strict standards shouldn't make it into the United States. It's that simple.

Last fall, I announced a new initiative to ensure that fruits and vegetables coming from abroad are every bit as safe as those grown here at home--and to halt at the border or at the dock any food that fails to meet our strict standards. I also directed the Secretary of Health and Human Services and the Secretary of Agriculture to report on our progress in improving food safety at home and abroad. It's a good, thorough report. And it underscores my belief that Congress must now take the next, important step to protect America's families from food-borne illness. I call on Congress to enact the bill introduced by Senator Mikulski in the Senate and Representatives Eshoo and Pallone in the House. This is not a political issue--it is not a Democratic or Republican issue--it is simply an issue whose time has come. By giving the FDA the tools and the technology it needs to do its job, this legislation gives American families the extra protection they deserve.

Theodore Roosevelt recognized nearly a century ago that new challenges demand a new kind of government--in this case, a government that demands responsibility from industry and producers but also provides clearer, stricter standards of safety--and provides the means to enforce them. American families enjoy the greatest bounty and variety of food in the world. We must ensure that when they walk the aisles of their supermarket to buy food for their children, they can continue to do so with confidence and without fear. Acting now will strengthen America today--and throughout the 21st century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 09:22:21.00

SUBJECT: Child Care

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

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

TEXT:

What do you think our next step should be? (You have to love these groups--they always seem to find a way to lay fault at the White House and focus solely on the dc game and not in building public support out there in the country.) Audrey--who all did you meet with?

----- Forwarded by Maria Echaveste/WHO/EOP on 03/03/98

09:18 AM -----

Audrey T. Haynes
03/03/98 08:59:03 AM
Record Type: Record

To: Maria Echaveste/WHO/EOP, Barbara D. Woolley/WHO/EOP, Doris O. Matsui/WHO/EOP, Maureen T. Shea/WHO/EOP
cc: Marjorie Tarmey/WHO/EOP, Robin Leeds/WHO/EOP
Subject: Child Care

Yesterday we had our internal meeting with the key "thinkers and movers" on the child care initiative. Following is the summary:

1. Clearly Children's Defense Fund is the lead organization and they don't believe any other coalition/campaign is needed.....they are the coalition/campaign.
2. When asked how we could assist with outreach, the only group they don't feel is connected is business.
3. They want the White House to use events/opportunities to continue and keep child care on the front of the agenda.
4. The bottom line for them is "what is our legislative strategy?" They had some thoughts, but really said the most confusion on this issue from WH is within the absence of a legislative strategy, with or without a bill although they much prefer a bill.

Suggestion: We need to convene an internal meeting with DPC and leg

affairs and whoever else to discuss legislative strategy.....

As an FYI, Maureen and Doris were at the meeting as well....if either of you have something to add, feel free!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 12:52:10.00

SUBJECT: Q&A in response to NYT Medicare Story

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

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

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

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

TEXT:
FYI -- this language was signed off on by Senator Breaux.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D30]MAIL42066516I.026 to ASCII,
The following is a HEX DUMP:

FF575043BA040000010A02010000000205000000AA1100000002000074DDA4F189C80792E7C935
19DED094A4FB07BFBDCCCE1E26FF1976ABBE55C67E043FF1AC492804655BDB914CDC83F02EEE4A5
D9CB29DED4079FEE932712DAFB63BFAF9E69AA09A96701EAC8A1E0BBD79E5BB14D05B8C734D056

Q: WHAT IS YOUR RESPONSE TO TODAY'S *NEW YORK TIMES* STORY THAT STATES THAT SENATOR BREAUX IS ASKING THE CONGRESS TO WAIT FOR THE MEDICARE COMMISSION BEFORE CONSIDERING THE PRESIDENT'S PROPOSAL TO OFFER MEDICARE FOR AMERICANS AGES 55 TO 65?

A: We do not believe that this story fully reflects Senator Breaux's views on this issue. Senator Breaux has accurately stated that the Medicare Commission has been charged to look at this issue as well as a wide range of other issues in its evaluation of the challenges and possible solutions to strengthen the Medicare program. Having said this, Senator Breaux is not saying that he would explicitly oppose legislation in this area if the Senate Finance Committee and the Congress achieved consensus that we should move forward to pass legislation on this issue this year.

The President's believes that this is a financially responsible and targeted policy that addresses a vulnerable population that the private insurance market has failed to serve. Americans ages 55 to 65 are one of the most difficult to insure populations: they have less access to and a greater risk of losing employer-based health insurance; and they are twice as likely to have health problems. The policies proposed by the President are paid for and responsible, and will help people with few affordable choices for health insurance.

While the work of the Medicare Commission will be extremely important, the President does not believe that the American public would sanction us putting on hold a targeted but important proposal that would help hundreds of thousands of Americans access health insurance. The President is confident that as Congress examines the needs of this population and the proposals to address it, the necessary consensus to move this legislation forward will be achieved.

Q: ISN'T THIS EXACTLY THE WRONG TIME TO PROPOSE EXPANDING MEDICARE -- RIGHT WHEN THE COMMISSION IS GOING TO MAKE RECOMMENDATIONS ABOUT THE OVERALL FINANCING OF THE PROGRAM?

A: The President has a targeted proposal that is paid for within the Medicare program and therefore does not add any new burdens to the program. We believe this is a worthy goal that is not inconsistent with the charge of the Medicare Commission. **The Medicare Commission will be working to develop proposals for the overall financing of Medicare.** **The President's proposed policy will not conflict with the Commission's work in this area.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 19:31:21.00

SUBJECT: Women's Caucus

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

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

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

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

TEXT:

While we have talked extensively about this meeting, I wanted to follow up with the details:

Tomorrow @ 4:30pm Wednesday, March 4
Women's Caucus meeting (bipartisan)
H-324, the Member Family rm

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAR-1998 18:40:58.00

SUBJECT: H1B Visa Mtg

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

TO: WARNATH_S (WARNATH_S @ A1 @ CD @ VAXGTWY [UNKNOWN]) (CPC)
READ:UNKNOWN

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

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

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

TO: Donald H. Gips (CN=Donald H. Gips/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Anne H. Lewis (CN=Anne H. Lewis/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

TO: Peter O'Keefe (CN=Peter O'Keefe/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TEXT:

Maria would like to invite you to a meeting w/12-15 outside groups to discuss H1B Visas.

She will be holding this mtg Thursday, March 12 at 1pm in Room 476.

Please let me know if you cannot attend or if there is anyone else I should be including in the meeting.

Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 16:37:38.00

SUBJECT: Taggants Report

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

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

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

TEXT:

Crime Team:

FYI -- I just heard from Treasury that they are doing an emergency impromptu press conference on their interim taggants report. It seems that NAS (the National Academy of Sciences), to whom ATF had contracted part of the taggants study, was planning to do a press conference on the Hill tomorrow morning, and Treasury thought it'd be better for Ray Kelly to get ahead of NAS and talk to press tonight. I'm unclear as to why things turned out this way, and hope to know more by tomorrow's crime meeting. In the meantime, I thought I should circulate a note and let everyone know -- in case it makes any news.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 12:19:35.00

SUBJECT: roll call

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

READ:UNKNOWN

TEXT:

This is obviously an opportunity. Please let me know how you want to move ahead on it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 17:55:13.00

SUBJECT: Weekly Education Strategy Meeting

TO: Vicky_Stroud (Vicky_Stroud @ ed.gov @ inet [UNKNOWN])
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: Barbara Chow (CN=Barbara Chow/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

The weekly Education Strategy Meeting for Thursday, March 5 is cancelled.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Stacie Spector (CN=Stacie Spector/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAR-1998 15:11:25.00

SUBJECT: Food Safety event

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:
FYI -

Time: 1-1:25 brief
1:25 - 1:30 short meet and greet with program participants
1:30 - 2:00 event

Location: Roosevelt Room

Press: Pool
No stake out for surrogates

Audience: 40ish people -- made up of families, 5-7 Cong..members,
Consumer groups, Secy's Shalala and Glickman, agency staff

Program: VPresident
Senator Mikulski
Real person (victim/consumer) (TBD)
President

(currently being discussed is that Leg Affairs is making a very strong
case for Congresswoman Eshoo to be added to the program - TBD)

Speechwriter: Jeff S.

Paper: Tom Freedman and Mary Smith.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 17:16:04.00

SUBJECT: .08 BAC update

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

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

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

TEXT:

Lautenberg is offering the .08 amendment right now. Forbes in leg affairs says we don't have to worry about a second degree amendment (which was feared) and is optimistic that we'll win on the straight up/down vote. Vote will be tomorrow sometime before 11:00am.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 19:22:14.00

SUBJECT: crime meeting agenda

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

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

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

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

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

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

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

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D20]MAIL417828167.026 to ASCII,
The following is a HEX DUMP:

FF575043B0040000010A02010000000205000000EE10000000020000FA3057472AF84EB1703469

Crime Meeting Agenda March 4, 1998

Pending Events

- * Crime Speech to National Association of Attorneys General
 - Overview of crime policy
 - NIJ gang report not appropriate; only research preview
- * 3/14 Tentative Assault Weapons Radio Address
 - Release date for report
 - Meeting tomorrow on legal questions

Legislative Update

- * Juvenile Crime
 - Current status
- * Drugs
 - Crack cocaine: draft Lott/Hatch/Abraham letter
 - Drug Strategy hearing in Senate Judiciary
- * Prison Drug Testing/Treatment Legislation
 - March 23 to 25 conference; possible announcements
- * Justice Authorization Bill
 - Relevant crime issues

Other Potential Events

- * School violence indicators released end of March

Miscellaneous/ Pending Items

- * Cocaine/Heroin report (3/5)
- * Juvenile Confinement and Violence (3/6)
- * Any other pending events/releases--DOJ Reports
- * DOL/OSHA Report on Workplace Violence
- * Drug testing/drivers licenses pilots
- * COPS Meeting scheduled for tomorrow

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 10:16:29.00

SUBJECT: Weekly Crime Meeting

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

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

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

TO: NELSON_J (NELSON_J @ A1 @ CD @ LNGETWY [UNKNOWN]) (CPC)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TEXT:

MEMORANDUM TO DISTRIBUTION LIST

FROM: Bruce Reed
Assistant to the President for Domestic Policy

SUBJECT: March 4, 1998 CRIME MEETING

On Wednesday, March 4, at 10:00 a.m. in Room 211 of the Old Executive Office Building, we will hold the Weekly Crime Meeting.

Thank You.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 12:16:42.00

SUBJECT: Question

TO: John A. Gribben (CN=John A. Gribben/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

CC: Lawrence J. Haas (CN=Lawrence J. Haas/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TEXT:

I'm being asked by L.A. Times for our stand on the various proposals to make it more difficult to vote, such as requirements to show a social security card or other id, ending motor voter or mail-in registration -- sponsors include Tauzin, Horn. Where do I go for this? Is there a piece of paper? what's status? do we have any SAPs?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1998 09:41:41.00

SUBJECT:

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

TEXT:

please call Rahm at 62531 when you can

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 16:48:03.00

SUBJECT: Immigration -- H1B

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

I just talked to Peter re: H1B. He advises that we should be hard one way or the other on the issue of whether we would agree to raise the cap. He further advises that if we want to come down hard against it, we should do it quickly. In part, as a signal to Dems and to help to kill some of the momentum for raising the cap, while trying to focus the discussion on the reforms that we want to push. Peter does not detect a lot of gray on this issue -- folks are either for or against raising the cap. However, he had not heard any intelligence on the Kennedy-Feinstein alternative that will likely represent a middle position (with reforms and an increase in the cap.) He is going to find out what he can about Kennedy and get back to us.

Also, Tom Kalil has scheduled our meeting with high tech industry for the week of the 16th of March. That seems like an eternity. Should I inquire more about getting an earlier date?

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 13:13:55.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Briefing is about to start; Tom, Rahm, Begala, Waldman, & Cabinet Secs are all there- they say they are fine

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 09:57:08.00

SUBJECT: here's a draft of the memo to the President for your review

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D12]MAIL441873260.026 to ASCII,

The following is a HEX DUMP:

FF575043C5050000010A020100000002050000005A2500000002000050F9F6A2E87C43989A79CE

DRAFT 3/3

March 4, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed

SUBJECT: Tobacco Communications and Legislative Strategy

Over the past two weeks, we have met with Erskine, OVP, NEC, OMB, HHS, Treasury, and Justice to develop an aggressive communications plan to help turn up the heat on Congress to pass comprehensive bipartisan tobacco legislation this year. This memo presents you with our proposal, and provides an update on the legislative strategy we discussed with you last month.

Communications Strategy

We are organizing a series of events for you and others, including House and Senate Democrats, to begin a drumbeat that Congress should not go home without passing comprehensive tobacco legislation.

Our message is simple: Every day Congress fails to pass tobacco legislation, 3,000 kids start smoking and 1,000 will die early as a result. We can dramatically reduce teen smoking and save a million lives over the next 5 years if we pass our budget proposal now.

We must continue to stress that we need a comprehensive, not piecemeal, approach that raises the price of cigarettes by up to \$1.50 a pack over the next ten years, expressly confirms the FDA authority to regulate tobacco products, gets tobacco companies out of the business of marketing to children, furthers public health research and goals, and protects tobacco farmers and their communities.

In the next week, we plan to underscore our commitment to bipartisan, comprehensive legislation in several ways:

- Secretary Shalala will meet with editorial boards to explain our goals and priorities.
- In your March 7th radio address, we hope you will challenge the Congress not to go

home this year without passing legislation that will dramatically reduce teen smoking, and note that Congress has less than 70 work days left.

- On Sunday, March 8th, The Washington Post will begin a three day series chronicling the tobacco wars from the drafting of the FDA rule to present, hopefully underscoring our long commitment to this issue and the need for action.
- On March 9th, in your speech to the AMA on health care quality, we hope to have you laud the doctors' support for comprehensive tobacco legislation.
- When Senators Chafee, Harkin, Lugar and Graham announce their bipartisan plan -- probably the week of the 9th -- we are hoping to have the Vice President appear with them.
- Starting March 11th, the Democratic leadership will announce a countdown calendar, starting a daily drumbeat of how every day that passes without enacting tobacco legislation, 3,000 kids start smoking, causing 1,000 to die a premature death. Jeffords will mark up his FDA bill the same day, providing us with an opportunity to underscore the importance of the tough advertising and access restrictions in our FDA rule and the need for legislation which reaffirms the FDA's authority to regulate tobacco. Rep. Fazio will likely introduce a slightly revised version of Senator Conrad's bill the same day.
- In a March 12th speech to the attorneys' general, we hope to have you announce state-by-state numbers of how many lives will be saved by comprehensive tobacco legislation. This is the same day as the last Bliley hearing, when the industry is under subpoena to release more documents. It is also the first day of markup for the McCain's Senate Commerce Committee.
- On March 13th, we would like to leak a political memo by Geoff Garin and Mark Mellman on the popularity of tobacco legislation.
- On Saturday, March 14th, the Vice President will convene a regional tobacco roundtable in Boston, inviting key members of Congress (Kennedy, Chafee, Jeffords).

Legislative Strategy

As you know, we are using these remaining weeks before the Congressional recess in early April to lay the groundwork for a possible bipartisan summit to negotiate comprehensive tobacco legislation. We have been (1) attacking Republican plans to enact piecemeal legislation; (2) praising comprehensive bills, such as Senator Conrad's, which meet your principles; and, (3) in the next week, we will hold meetings with the Democratic Caucus and quiet conversations (led by Erskine) with key Republicans in both the House and Senate.

There have been several significant developments over the last two weeks:

- Senator Conrad introduced his comprehensive legislation, and the Vice President appeared at his announcement to praise the bill. The bill has only Democratic co-sponsors. Rep. Fazio is planning to introduce a companion bill on March 11th.
- Senator McCain is planning to report a bill out of the Commerce Committee by March 18th, and his staff tells us they would like to produce a bill that we would support. They are starting with S. 1415, McCain's bill codifying the Attorneys' General settlement, and we are providing him with advice and technical assistance. As you know, we responded last week to 74 written questions posed by Senator McCain.
- Senators Chafee and Harkin are still working to forge a bipartisan bill that can attract other Republicans. They had hoped to be able to announce a plan this week, but now the week of March 9th seems more likely.
- Rep. Bliley plans to complete his hearings, and then may begin to draft legislation in the House Commerce Committee. We understand that while Bliley and Waxman have been talking, they are not drafting joint legislation.

Ersine, Larry, and I will meet in the next week with Senator Conrad and the Senate Democratic Tobacco Task Force, Rep. Fazio and the House Democratic Tobacco Task Force, Senator McCain, Rep. Bliley, Senator Chafee, Senator Hatch, Senator Domenici, Senator Mack, and Representative Pryce.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 17:22:21.00

SUBJECT: DUI

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

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

TEXT:

The call to Kathy Kiely of the New York daily News can be made tomorrow. Chuck Brain relates the following: the House legislative situation is similar to what it was in the senate. the committee bill contains incentives rather than a penalty. Lowey and allies will seek to turn it into penalties, just as Lautenberg did in the Senate. We think our legislative prospects are good (Chuck thinks it's slightly better than 50-50.) Kathy's number is 467-6670.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 14:28:22.00

SUBJECT: LABOR Report on HR2327 Drive for Teen Employment Act

TO: Anne H. Lewis (CN=Anne H. Lewis/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

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

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

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

CC: Janet R. Forsgren (CN=Janet R. Forsgren/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TEXT:

Below is OMB's proposed markup of the letter. Please notify me ASAP whether you have any problems with the proposed revisions.

See edits/comments below (highlighted in blue). One comment up front. We found it difficult to oppose this bill given states license 16 and 17 year olds to drive anytime of the day or even all day. Under this proposal, teens would be limited to drive a maximum of approximately 2.5 hours per day / 8 hours per week during the summer (while schools out) and 1 hour per day / 3.6 hours per week during the school year. The legislation seems limited.

----- Forwarded by Debra J. Bond/OMB/EOP on 03/04/98
12:12 PM -----

DRAFT

The Honorable Cass Ballenger
Chairman
Subcommittee on Workforce Protections
Committee on Economic and Educational
Opportunities
U.S. House of Representatives
Washington, D.C. 20515

Dear Chairman Ballenger:

I am writing to provide you with the views of the Department of Labor on H.R. 2327. The Department is concerned that the result of this legislation would increase the number of automobile-related injuries and deaths caused by very young and inexperienced drivers on the job. (Note: This sentence is moved from the next paragraph.)

The Department of Labor is committed to helping this nation's youth find meaningful and productive employment; however, while protecting their

safety and health on the job must not be placed at risk by such employment . H.R. 2327 would substantially weaken existing restrictions on the employment of 16- and 17-year olds in jobs that require driving. It will increase the on-the-job driving time of young workers which is currently only allowed for "incidental and occasional" driving. The Department is concerned that the result of this legislation would increase the number of automobile-related injuries and deaths caused by very young and inexperienced drivers on the job.

The existing rules governing occupational driving for young workers, set forth in Hazardous Occupations Order No. 2 (HO 2), prohibit anyone under the age of 18 from being employed to drive--with limited exception for "incidental and occasional" driving of automobiles (and trucks weighing 6,000 pounds or less) under certain circumstances. H.R. 2327 would greatly expand the exemption and allow teenagers--many of whom will have just been licensed to drive--to spend as much as one-fifth of their workweek behind the wheel on public roads and highways. Sixteen and 17-year old youths could be employed to deliver pizzas or to shuttle passengers to and from hotels, for example, as long as they did not exceed the 20 percent limitation.

Although we realize that the proposed legislation seeks to reduce the risk to teen drivers and the public by limiting their driving to a 50-mile radius, we do not believe this offers sufficient protection. (This sentence is moved to later in the letter.) Statistics show that 80 percent of fatal accidents occur less than 25 miles from home. (Comment: This statistic is irrelevant to the legislation. The statistic represents all drivers and has no bearing on the differences between youth and adult drivers. Also, the legislation's 50 mile radius deals with the place of employment, not the home.)

The need to protect young workers in an increasingly fast-paced highly competitive workplace is as real as when the child labor laws were first enacted. According to a National Institute for Occupational Safety and Health (NIOSH) study, automobile crashes are the number one cause of occupational deaths for 16- and 17-year olds despite the fact that most occupational driving is prohibited for this age group. QUESTION: Does this statistic represent fatalities of 16-17 year old drivers or does it include 16/17 year old fatalities as a passenger or being struck by a car - - example a bike messenger? If it represents all 16/17 year olds regardless of whether they were driving then the statistic should be caveated. This question also applies to the next sentence. At least a third of all occupational fatalities involving young workers involved driving. Newly licensed drivers are especially at risk, with higher crash rates than any other age group. The American Automobile Association, the National Safety Council and the Insurance Institute for Highway Safety publicly support greater restrictions on teenage driving. The Department of Labor is aware of several examples of 16- and 17-year olds injured or killed while driving.

Although we realize that the proposed legislation seeks to reduce the risk to teen drivers and the public by limiting their driving to a 50-mile radius, we do not believe this offers sufficient protection. The Department opposes the legislative changes proposed in H.R. 2327. We believe that responsible public policy dictates that any modifications to weaken child labor protections be carefully weighed against the potential harm to the health and safety of these young workers.

However, we have heard recognize the concerns raised concerns about the current regulations from those who advocate more driving by teenage

workers. We are currently exploring ways to make the H02 restrictions more flexible looking at the regulations to determine if there are changes that can be made to accommodate these concerns without jeopardizing the safety and well-being of these young workers. Rather than changing the restrictions through legislation, we would prefer to modify the regulations to reflect our experience and changes in the workplace.

The Office of Management and Budget advises that there is no objection to the submission of this report to the Congress from the standpoint of the Administration's program.

Sincerely,

Alexis M. Herman

cc: Major Owens, Ranking Minority Member

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 10:50:40.00

SUBJECT: Food safety q&a and one-pager

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

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

TO: Wendy A. Taylor (CN=Wendy A. Taylor/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

TEXT:
Here are the final versions. Mary===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:
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**Q&A for Presidential Announcement on Food Safety Legislation
and Report to Ensure Safety of Imported Fruits and Vegetables
March 4, 1998**

Q: What did the President announce today?

A: The President announced the introduction of food safety legislation in the Senate that will ensure that the FDA denies the entry of imports of fruits, vegetables, or other food from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country. This legislation was introduced in the House in November of last year. The President also announced the release of a report on how the Secretary of Health and Human Services, in cooperation with the Secretary of Agriculture and the agricultural community, will develop guidance on good agricultural and good manufacturing practices for any fruits and vegetables that are sold in the U.S. market.

Q: Why is your Administration proposing these actions?

A: There have been dramatic changes in the produce department of the grocery store. Thirty years ago, most produce sections only had around a dozen items year round, increasing to as many as 50 in the summer. Today, the chances are that there are 400 or more items in the produce section and they are there all year round. Last year, 38 percent of the fruit and 12 percent of the vegetables Americans ate were imported.

We have changed as well. Americans are eating more fresh fruits and vegetables than ever before, and our nation's health experts tell us we will live longer, better quality lives as a result. Our environment is also changing. We are finding "new" exotic bugs such as cyclospora and *E. coli O157:H7* on our food that once were not there.

We must ensure that these changes do not increase the risk to American consumers of foodborne illnesses. Although raw produce -- including that imported from foreign countries -- is now safe, experts have suggested ways to make further improvements, and my actions accord with their recommendations.

Q: Are you saying that imported produce is unsafe?

A: There is no data indicating that imported fruits and vegetables are more unsafe than domestic products. But some recent outbreaks of foodborne illness have been traced back to imports, and it is important to ensure that foreign fruits and vegetables meet U.S. food safety requirements or otherwise achieve the level of protection required. The steps we are taking today are adding additional layers of protection. We are making sure that there are no gaps in our food safety system -- that high safety standards apply to imported as well as domestic food, and to fruits and vegetables as well as to meat, poultry, and seafood.

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 seeks an even more substantial increase in resources, \$101 million, 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.

Questions on Food Safety Legislation

Q: What does the legislation do?

A: This legislation helps ensure that the FDA will refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country.

Q: How is this different from current authority?

A: This legislation increases the FDA's authority to refuse imports for foods from countries or facilities that do not meet U.S. food safety requirements or otherwise achieve the level of protection required. Currently, the FDA can only refuse imports after inspection or testing at the border when the FDA determines that the food appears to be unsafe or otherwise violates U.S. law. This new legislation will enable the FDA to ensure that

food products entering this country were grown and processed in conditions that meet U.S. food safety requirements or otherwise achieve the level of protection required. This authority is necessary because experience has shown that inspection and testing of products at the border may not be sufficient in all cases to ensure the safety of food products. It may be necessary to identify and address the source of potential contamination to ensure that products offered for sale in the United States meet domestic food safety requirements or otherwise achieve the level of protection required. FDA currently has such authority with respect to domestic production.

Q: Does this legislation give FDA additional authority to inspect in other countries?

A: No. Foreign inspections will continue to be done by consent. In making the determination that a food offered for import into the U.S. is adulterated, the legislation does permit the Secretary to consider whether FDA has been refused access to conduct inspection of the places where such food has been prepared, packed or held. The Secretary may deny importation to foods from such location or establishment on the basis of such refusal and other relevant factors. Because denying reasonable access is one factor in making that determination, the exporting country and the food establishment both have a strong incentive to allow such access.

Q: There is concern that this legislation is the first step in providing FDA with the authority to inspect farms in the U.S. Is that next?

A: Under current law, FDA already has authority to inspect establishments where food is prepared, packed, or held, which would include places where food is grown, such as domestic farms. While such inspections are infrequent, FDA has taken action against a U.S. farmer when a violation occurs. When FDA is involved in a food safety problem that is found to originate on a farm, the agency's focus generally is on identifying the source of the problem and removing the unsafe food from commerce.

Q: Doesn't this legislation impose trade barriers to food imports at a time when you are saying you want to lower them? Is this legislation consistent with free trade?

A: This legislation is consistent with free trade and all our treaty obligations. We have no obligation to open our borders to imports that pose a greater risk than domestic products to American consumers. As long as we are not imposing any greater requirements on foreign countries -- as long as we are only holding them to our standards -- we are acting consistently with our trade policy and international obligations.

Q: What makes you think this new legislation can be effective? Do you seriously think you are going to be able to put FDA inspectors in every country abroad?

A: The new legislation would give the FDA the same kind of responsibility that the USDA already has for meat and poultry. The USDA system has worked well to ensure that unsafe meat and poultry, produced in foreign facilities which do not provide the same level of protection that is required in domestic facilities, will not be imported. The FDA should be able to run a similarly effective system that ensures food safety and prevents imports from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required.

Questions Related to Report on Guidance

Q: Why has this report been prepared?

A: On October 2, 1997, President Clinton announced an initiative to ensure the safety of imported and domestic fruits and vegetables which included the development of good agricultural practices and good manufacturing practices for fresh fruits and vegetables that would include ways to prevent potential contamination. This voluntary guidance will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The guidance effort will include outreach and education, reflecting the Administration's commitment to direct resources toward improving food safety and the availability of food safety technologies.

The President requested this status report about progress made toward providing industry with good agricultural and good manufacturing practices guidance for fresh fruits and vegetables. It also presents a plan for outreach to the domestic and foreign industry.

Q: When you say good agricultural practices (GAPs) and good manufacturing practices (GMPs), are you talking about mandatory GAPs and GMPs?

A: No, the GAP/GMP guidance is voluntary. We are developing this science-based guidance with input from USDA, states, the agricultural community, industry, academia, consumers, and organizations representing the foreign produce industry. The guidance is intended for appropriate use by growers, packers, manufacturers of minimally processed products and produce distributors. Because the guidance is broad-based, it may be used, where applicable, by both the domestic and foreign produce industry to reduce the risk of microbial contamination.

Q: Does the report give a timeline for publishing the guidance?

A: Yes, we anticipate publishing the draft guidance in late March with a 75-day comment period. We anticipate that the guidance will be available in final form in October 1998.

This may come up because the deadline for the importation of Guatemalan raspberries is March 15.

Q: What is the status of the Guatemalan raspberries?

A: On November 20, 1997, FDA notified the Guatemalans that fresh raspberries will not be allowed entry into the U.S. during the period of March 15 through August 15, 1998. However, if the source of *Cyclospora* contamination is found and corrected or if intervention technologies are developed that will prevent cyclosporiasis in humans, we will revisit this decision. FDA has assisted Guatemala in seeking a resolution to this problem since 1996. In fact, we currently have people in Guatemala reviewing the interventions they have reportedly put in place.

**PRESIDENT CLINTON ANNOUNCES INTRODUCTION OF SENATE FOOD
SAFETY LEGISLATION AND REPORT TO ENSURE THE SAFETY OF
IMPORTED AND DOMESTIC FRUITS AND VEGETABLES**

March 4, 1998

Today President Clinton will announce the introduction of legislation by Senators Milkulski and Kennedy to ensure the safety of all imported foods, including fruits and vegetables. This legislation will enhance the Food and Drug Administration's authority to prevent the import of fruits, vegetables, and other food products that do not meet U.S. food safety requirements. The President also will announce the release of a report that provides a blueprint on how the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA) will work cooperatively with the agricultural community to develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

Enhanced FDA Oversight for Imported Foods. The President will call on Congress to pass the food safety legislation to be introduced today in the Senate to give the FDA greater authority over imported foods. This legislation will ensure that the FDA halts imports of fruits, vegetables, and other food products from any foreign country with food safety systems that do not provide the same level of protection required for U.S. products. The legislation also permits the FDA to consider refusal of inspection as a factor in halting imports from a country or facility. This legislation gives FDA authority that is comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry. The President already has committed to providing approximately \$25 million in his Fiscal Year 1999 budget to enable the FDA to dramatically expand its international food inspection force in order to implement this legislation. Reps. Eshoo and Pallone previously have introduced this legislation in the House of Representatives.

Development of Guidance on Good Agricultural and Manufacturing Practices. The President will announce the release of a report on how the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in cooperation with the agricultural community, will develop guidance on good agricultural and manufacturing practices. This report outlines the progress already made -- and the measures that must still be taken -- to develop guidance for the growing, processing, shipping, and marketing of fruits and vegetables by October 1998. The guidance -- the first-ever specific safety standards for fruits and vegetables -- will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The report also provides both short- and long-term plans for technical assistance, education, and outreach activities to support the appropriate application of the guidance.

Clinton Administration Accomplishments In Improving Food Safety

The President's announcement builds on a strong record of food safety initiatives, ensuring that Americans eat the safest possible food. The Administration has put into place improved safety standards for meat, poultry, and seafood products, and has begun the process of developing enhanced standards for fruit and vegetable juices. The Administration also has expanded research, education, and surveillance activities throughout the food safety system.

*February, 1998. Administration announces its proposed food safety budget, which requests an approximate \$101 million increase for food safety initiatives.

*May, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply --"Food Safety from Farm to Table" -- detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.

*January, 1997. President announces new Early-Warning System to gather critical scientific data to help stop foodborne disease outbreaks quickly and to improve prevention systems further.

*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, utilizing 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.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 4-MAR-1998 11:03:37.00

SUBJECT: Decision on high performance bonus guidance

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

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

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

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

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

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

TEXT:

Attached is a decision paper on an issue we need your guidance on. We need to resolve this before HHS can release its high performance bonus guidance, so it would be great if you could look at this today.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D97]MAIL442924268.026 to ASCII,
The following is a HEX DUMP:

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1B582617E11A4C78A46AA427BAF0D6589A402092B2ED252C5E621D2F2F635D718F519DE508C06A

Proposal to Exempt Certain Separate State Programs From TANF Data Report

Issue: As part of our guidance on the high-performance bonus, HHS proposes that we agree to consider exceptions on a case-by-case basis to our requirement that states must report the same extensive data on people in separate state programs as for TANF.

The high-performance bonus guidance to states has not yet gone out because HHS has been consulting with states on technical issues. As part of states' general objection to the data requirements on separate state programs, states have raised one particularly compelling issue. For certain separate state programs, the required reporting may not be feasible. The best example is a state EITC, such as Wisconsin has. HHS argues that this requirement may convince a state like Wisconsin that it should not even bother to compete for the bonus.

States only have contact with recipients of an EITC annually, via their tax returns, rather than monthly as our reporting requires. In addition, states argue that they will not know most of the required detailed information about these recipients -- e.g., whether they get HUD rent subsidies or transportation assistance, the amount of food stamps and child support received each month, highest education level by teen parents, hours of work per week in each of 12 TANF work activities, and detailed citizenship information on each person in the family. (See attached listing of data requirements for more information.)

Therefore, HHS proposes that we inform states in the guidance that we will entertain limited requests from states that they report more limited data on a given separate state program if the data required is not feasible to collect.

Background: To discourage states from using their authority to create separate state programs to get around the work requirements, we included a number of critical features in the TANF NPRM. In the chart below, they are listed in the row "Discourage Bifurcation".

In addition, we required states to report the same data for SSP programs as for TANF programs if they wish to:

- (i) receive a high performance bonus;
- (ii) qualify for work participation caseload reduction credit; or
- (iii) be considered for a reduction in the penalty for failing to meet the work participation requirements. The HPB draft guidance repeats this requirement.

	Summary of Tools for Accountability of Separate State Programs (SSP)		
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Our Goals on SSP	Caseload Reduction Credit	Penalty Reduction	High Performance Bonus
Discourage Bifurcation	Require states to include SSP caseload in CRC calculation (unless state has a good argument to omit, like EITC)	Can't get relief unless you prove you did not bifurcate	If exclusion of SSP causes a state to score higher, HHS could add SSP cases to the HPB performance measures
Report same data on SSP recipients as on TANF recipients	<p>TANF reg states that a state must report the same data for SSP programs as TANF programs if it wishes to:</p> <p>(I) receive a high performance bonus;</p> <p>(ii) qualify for work participation caseload reduction credit; or</p> <p>(iii) be considered for a reduction in the penalty for failing to meet the work participation requirements.</p> <p>The HPB draft guidance repeats this requirement.</p>		

During negotiations on the rule, DPC did not focus as extensively on data requirements as it did on policies to discourage bifurcation, partly because HHS readily agreed to the former.

Our goals in requiring extensive data reporting were to (a) enable us to understand the characteristics of the populations being served in separate state programs, both for program integrity and evaluation purposes; (b) treat separate state programs the same as TANF programs, both to reinforce our belief that separate state programs are really part of TANF, and arguably to make it onerous for states to establish them.

(It is important to note that, while states especially object to the data requirements for separate state programs, they are complaining about all the data requirements, including the general TANF requirements. HHS believes that they can defend all or most of the data required for TANF as being required by the statute, which is not the case for separate state programs. This is an issue we will have to address in the final rule. However, we need to address this now because states are currently making decisions about whether to compete for the high-performance bonus.)

Decision to be Made:

We must decide whether we will continue to insist on all the data now required, either because we believe this data is critical for us to evaluate TANF, or because we believe it is a legitimate way to discourage separate state programs. We recommend Option 1.

Option 1: Agree to HHS's proposal that we will consider exceptions to the data reporting requirements for separate state programs on a case-by-case basis. When full data submission is not possible, we would require the state to submit the data they do have with a full explanation of why the complete data set is not possible.

Pro:

- Responds moderately to a reasonable request by the states.

- We/HHS would retain control over the ultimate decision in any individual case.
- Our key goal is to prevent states from gutting the work requirements or time limits by segregating certain people in separate state programs. This goal is best served by the requirements we were able to impose to discourage bifurcation -- eligibility for the caseload reduction credit, penalty reduction, and high-performance bonus. Requiring states to report reams of data in order to discourage them from establishing these programs is a much clumsier way to accomplish this goal. This is particularly true if we only exempt programs like EITC, which we favor, and which go only to working TANF recipients, and by definition can't be used to segregate those who are not working.

Con:

- We are caving in too hastily on our hard-won victory on separate state programs by agreeing to treat these programs differently than TANF programs. A concession here will set us up to make further, more damaging concessions as we develop the final TANF rule, such as removing more critical requirements on separate state programs; or removing data requirements on TANF programs.

Note: To be consistent, if we agree to this provision for the purpose of the high-performance bonus, we would make the same concession on our requirement that states report this same data for the caseload reduction credit and to qualify for penalty relief.

Option 2: Exempt EITC programs from the full data reporting requirements, but impose a lesser, more reasonable requirement on such programs.

Pro:

- Provides a clean solution to the problem by singling out EITC, a strategy to support work that we favor.

Con:

- Option 1 may give us more control over the outcome, and would allow us to be involved in HHS's decision-making on these matters.
- While HHS is using EITC as its best example, they believe that there are other separate state programs that could make similar compelling arguments.

Option 3: Continue current policy.

Pro:

- Preserves victory we have won to date.

Con:

- Takes the unreasonable position that states may not compete for the high-performance bonus if they have an EITC, or else must undertake burdensome reporting requirements.

Data Reporting Required by TANF NPRM

Automated Records Management System
Hex-Dump Conversion

The TANF rule requires states to report on 178 data elements for TANF families, and 160 data elements for separate state program families. States must report monthly data on a quarterly basis. Examples of data required for TANF families are below. There is an asterisk next to items where data is not required for separate state program families.

- Composition of family
- Whether person is a new applicant*
- One or two parent family
- Whether the family benefits from public housing or HUD or other rent subsidy
- Whether family gets Medicaid
- How much the family gets in food stamps, including wage subsidy under food stamps
- How much the family gets in subsidized child care, including the size of any disregard
- How much child support the family got that month
- Amount of family's cash resources that month
- Amount of educational benefits, employment services, work subsidies, transportation assistance, home heating assistance, contributions to IDA's that month
- Amount family was sanctioned, and which of 10 possible reasons
- Whether person was in a waiver control or experimental group
- Whether the family is exempt from the 5-year time limit, and why*
- Head of household's date of birth, SSN, race, gender, marital status
- Whether person in family is getting federal disability benefits, and what type
- For teen parents, highest education level attained
- Data on citizenship, including whether a naturalized citizen; legal permanent resident who has worked 40 quarters in the U.S.; alien who is a veteran; refugee; Cuban or Haitian entrant; eligible for TANF per state option
- Number of months used toward the 5-year time limit to date in own state; in other states*
- Whether employed; which of 18 categories (e.g., exempt because child under 1; sanctioned; tribal exemption; child under 6 and no child care available; caring for a disabled child; temporary good cause domestic violence waiver; state waiver; teen head-of-household going to school; working but not at minimum participation requirements)
- Average number of hours per week of work participation in each of the statute's work activities: unsubsidized employment, subsidized employment, work experience, on-the-job training, job search/job readiness, community service, voc ed, job skills training directly related to employment, etc.
- Amount of earned and unearned income, including EITC, Social Security payments, SSI, workers' compensation, and other (e.g., veterans benefits, unemployment compensation, housing subsidy, public assistance, educational grants/scholarships/loans)
- For up to 10 children in the family: relationship in family and to head of household, date of birth, SSN, race, gender, receipt of disability benefits, citizenship, whether cooperating with child support, unearned income such as SSI, type of child care* (licensed or not; in-home, family, group home, center-based; by relative or non-relative), amount charged for child care* and hours provided in the month*
- For the month after someone leaves TANF, 53 data elements, including many of the above, plus reason for case closure

- For separate state programs, most of the above, plus whether the family got TANF assistance within the prior 6 months

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 10:37:16.00

SUBJECT:

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

TEXT:

VP's CEB Mtg. is about to start; you are sitting next to VP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 19:27:49.00

SUBJECT: Women's Mtg

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

CC: Marjorie A. Black (CN=Marjorie A. Black/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

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

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

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

TEXT:

There will be a Women's Mtg on Thursday morning at 9am in Room 100. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 4-MAR-1998 12:48:26.00

SUBJECT: Hearing on CASA/ADAPT issue

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There is a hearing in the House on the CASA bill next Thursday, March 12th. This is the bill being pushed by ADAPT, the disability advocates, that would make home and community-based services, including personal assistance services, mandatory under Medicaid. It has a price tag of about \$12 billion.

I am trying to get details, but the rumor I have heard is that Gingrich and Gephardt will be on the first panel. Gingrich introduced the bill, but does not endorse it. Gephardt is a co-sponsor. The second panel is supposed to be an Administration witness. I hear HCFA wants to send Sally Richardson; disability groups will be mad that it isn't Shalala or Min. Then a 3rd expert panel.

We are finishing up a letter from the President to Gingrich on the legislation that details Administration actions on this issue, praises CASA's goals, notes its costs, declines to endorse it, and says we should work together on the issue. I hope we can issue it in the few days before the hearing.

Elena/Laura: Andy Imparato/Marca Bristo of the National Council on Disability may be calling you on this, supposedly with ideas on what the Administration could say. I am trying to figure out what they think.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: M. Jill Gibbons (CN=M. Jill Gibbons/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 4-MAR-1998 11:25:29.00

SUBJECT: DOJ letter on Burton substitute to Solomon English Language

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

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

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

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

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

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

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

TO: Alice E. Shuffield (CN=Alice E. Shuffield/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TEXT:

I just faxed you a draft Justice letter supporting the Burton substitute to the Solomon english language amendment to HR856-Puerto Rico Political Status. Please provide comments or sign-off as soon as possible. Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 20:34:05.00

SUBJECT: Here are the McCain and Domenici memos

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D20]MAIL47893036L.026 to ASCII,

The following is a HEX DUMP:

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CDE721B5241E70FEA4CB49C528DE4E856D2C5BFFDD29C7EF02565DB10B13471059BBF0EE7D0833

March 5, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
SUBJECT: Meeting with Senator Domenici

As you know, we are continuing to lay the groundwork for a possible bipartisan summit to negotiate comprehensive tobacco legislation. We are (1) attacking Republican plans to enact piecemeal legislation; (2) praising comprehensive bills, such as Senator Conrad's, which meet the President's principles; and, (3) holding one-on-one meetings with key House and Senate Members.

Talking Points

Senator Domenici has proposed that any tobacco funds should "go towards keep the Medicare system solvent, not new Washington spending." His gave GOP radio address on February 7th on this topic saying "We should save Medicare first." This is obviously in conflict with our budget, which provides unrestricted funds to states as well as nearly \$15 billion in child care and education block grants.

We want to work with Senator Domenici to ensure that the budget resolution he crafts does not limit all tobacco spending to Medicare. To that end, we could say:

- The President believes it is critical that we enact comprehensive, bipartisan legislation to dramatically reduce teen smoking this year.
- Obviously, there are many members of Congress have different ideas about how tobacco funds should be spent. We think it is critical that we leave our options open while the remainder of the tobacco bill is being debated.
- Thus, we urge you to propose a budget resolution that does not limit tobacco spending to certain categories, but has enough flexibility to allow these decisions be made as part of a larger legislative package. Restricting our spending options may make it more difficult for us to garner enough votes to enact comprehensive tobacco legislation.

Background

On September 17th, President Clinton announced the five key principles that must be included in any comprehensive tobacco legislation. They are:

1. **Tough penalties and price increases** to reduce youth smoking. Price increases of up to \$1.50 if necessary over the next ten years.
2. **Full authority for the FDA to regulate tobacco products**, including authority of the manufacture, sale, and advertising of tobacco products.
3. **The tobacco industry must change the way it does business**, including stopping advertising to children.
4. **There needs to be progress towards other public health goals** including cutting second-hand smoke and increasing funding for health research and cessation programs.
5. **There should be protection for tobacco farmers and their communities** so they do not suffer economically because of this legislation.

March 5, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
SUBJECT: Meeting with Senator McCain

As you know, we are continuing to lay the groundwork for a possible bipartisan summit to negotiate comprehensive tobacco legislation. We are (1) attacking Republican plans to enact piecemeal legislation; (2) praising comprehensive bills, such as Senator Conrad's, which meet the President's principles; and, (3) holding one-on-one meetings with key House and Senate Members.

Talking Points

Senator McCain is planning to start marking up a bill next week, and he would like to report a bill out of the Commerce Committee by March 18th. He is starting with S. 1415, McCain's bill codifying the Attorneys' General settlement. His staff tells us they would like to produce a bill that we would support, and we are providing him with advice and technical assistance (as you know, we responded last week to 74 written questions they sent us).

We should start by reiterating the President's commitment to working on a bipartisan basis on this issues. We should then make clear that there are five key provisions that must be in his bill in order to gain Administration support:

1. **Tough penalties and price increases** to reduce youth smoking. Price increases of up to \$1.50 if necessary over the next ten years.
2. **Full authority for the FDA to regulate tobacco products.** Nicotine is a drug. Its use in a product needs to be regulated by the Food and Drug Administration.
3. **The tobacco industry must change the way it does business,** including stopping advertising to children.
4. **There needs to be progress towards other public health goals** including cutting second-hand smoke and better funded programs to help people quit smoking.
5. **There should be protection for tobacco farmers and their communities** so they do not suffer economically because of this legislation.

Senator McCain will likely as our views about liability limits. Our understanding is that he is not eager to be the first to propose limits, and that he may be seeking ways to avoid addressing these issues in the Commerce Committee. To these questions, we can say:

- We would prefer not to have liability limits either, but we have said they are not a dealbreaker because we think the most important thing is to get a comprehensive bill that raises the costs of cigarettes substantially, imposes tough penalties on companies that sell to kids, and reaffirms the FDA's authority to regulate tobacco products.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 13:09:32.00

SUBJECT:

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

TO: BRUCE N. (Pager) #REED (BRUCE N. (Pager) #REED [UNKNOWN])
READ:UNKNOWN

TEXT:

FYI- DUI passes 62/32; POTUS statement at top of food safety event

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 11:57:17.00

SUBJECT: EEOC hearing

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

At the EEOC hearing yesterday, Gingrich made a very strong statement opposing class actions, pattern or practice cases and testing. Gingrich's rhetorical push was toward using enforcement money to handle cases of "actual victims" of discrimination, rather than "creating cases" (testing) or class actions. He did seem to concede, however, that testing could be warranted where there were strong indications (unclear what the threshold would be) that the employer might be unlawfully discriminating. Igasaki (acting EEOC chair) made clear that though the agency was in the middle of a small pilot program to determine how best to use testing in the employment context, their FY99 budget request did not include any money for testers.

jf

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 12:45:21.00

SUBJECT: .08 Statement

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

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

TEXT:
EK:

Rahm and Barry asked us to draft a .08 statement right away. Can you look at this ASAP.

Jose/Leanne

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D85]MAIL491725267.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000060B0000000200000B02959EF6377DE6F446803

DRAFT

DRAFT

Automated Records Management System
Hex-Dump Conversion

STATEMENT OF THE PRESIDENT

I applaud the Senate for taking action today to protect our children from drunk drivers. Today's vote to make .08 percent BAC the legal limit in all 50 states sends a powerful message: we will not tolerate the irresponsible acts of those who chose to endanger the lives of all Americans by drinking and driving. Thanks to the bipartisan leadership of Senators Lautenberg and DeWine, we can do more to prevent needless alcohol-related crashes in the future and honor the memory of the thousands of lives cut short by drunk drivers. I challenge the House of Representatives to follow the Senate's lead and quickly pass this important life-saving measure.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 10:09:15.00

SUBJECT: food safety q&a

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

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

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

TEXT:

Here is an updated q&a. FDA and USTR say that they would never halt imports based solely on a refusal to allow inspections; it would only be considered with other factors. USTR says it would cause quite a problem if we gave the impression that imports could be halted for that reason alone. So, in the 2 places where you deleted "in addition to other factors," FDA and USTR came up with the following sentence: "The legislation permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country." Let me know, Mary =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D72]MAIL480193267.026 to ASCII,
The following is a HEX DUMP:

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**Q&A for Presidential Announcement on Food Safety Legislation
and Report to Ensure Safety of Imported Fruits and Vegetables
March 3, 1998**

Q: What did the President announce today?

A: The President announced the introduction of food safety legislation in the Senate that will ensure that the FDA denies the entry of imports of fruits, vegetables, or other food from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country. This legislation was introduced in the House in November of last year. The President also announced the release of a report on how the Secretary of Health and Human Services, in cooperation with the Secretary of Agriculture and the agricultural community, will develop guidance on good agricultural and good manufacturing practices for any fruits and vegetables that are sold in the U.S. market.

Q: Why is your Administration proposing these actions?

A: There have been dramatic changes in the produce department of the grocery store. Thirty years ago, most produce sections only had around a dozen items year round, increasing to as many as 50 in the summer. Today, the chances are that there are 400 or more items in the produce section and they are there all year round. Last year, 38 percent of the fruit and 12 percent of the vegetables Americans ate were imported.

We have changed as well. Americans are eating more fresh fruits and vegetables than ever before, and our nation's health experts tell us we will live longer, better quality lives as a result. Our environment is also changing. We are finding "new" exotic bugs such as cyclospora and *E. coli O157:H7* on our food that once were not there.

We must ensure that these changes do not increase the risk to American consumers of foodborne illnesses. Although raw produce -- including that imported from foreign countries -- is now safe, experts have suggested ways to make further improvements, and my actions accord with their recommendations.

Q: Are you saying that imported produce is unsafe?

A: There is no data indicating that imported fruits and vegetables are more unsafe than domestic products. But some recent outbreaks of foodborne illness have been traced back to imports, and it is important to ensure that foreign fruits and vegetables meet U.S. food safety requirements or otherwise achieve the level of protection required. The steps we are taking today are adding additional layers of protection. We are making sure that there are no gaps in our food safety system -- that high safety standards apply to imported as well as domestic food, and to fruits and vegetables as well as to meat, poultry, and seafood.

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 seeks an even more substantial increase in resources, \$101 million, 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.

Questions on Food Safety Legislation

Q: What does the legislation do?

A: This legislation helps ensure that the FDA will refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country.

Q: How is this different from current authority?

A: This legislation increases the FDA's authority to refuse imports for foods from countries or facilities that do not meet U.S. food safety requirements or otherwise achieve the level of protection required. Currently, the FDA can only refuse imports after inspection or testing at the border when the FDA determines that the food appears to be unsafe or otherwise violates U.S. law. This new legislation will enable the FDA to ensure that

food products entering this country were grown and processed in conditions that meet U.S. food safety requirements or otherwise achieve the level of protection required. This authority is necessary because experience has shown that inspection and testing of products at the border may not be sufficient in all cases to ensure the safety of food products. It may be necessary to identify and address the source of potential contamination to ensure that products offered for sale in the United States meet domestic food safety requirements or otherwise achieve the level of protection required. FDA currently has such authority with respect to domestic production.

Q: Does this legislation give FDA additional authority to inspect in other countries?

A: No. Foreign inspections will continue to be done by consent. In making the determination that a food offered for import into the U.S. is adulterated, the legislation does permit the Secretary to consider whether FDA has been refused access to conduct inspection of the places where such food has been prepared, packed or held. The Secretary may deny importation to foods from such location or establishment on the basis of such refusal and other relevant factors. Because denying reasonable access is one factor in making that determination, the exporting country and the food establishment both have a strong incentive to allow such access.

Q: There is concern that this legislation is the first step in providing FDA with the authority to inspect farms in the U.S. Is that next?

A: Under current law, FDA already has authority to inspect establishments where food is prepared, packed, or held, which would include places where food is grown, such as domestic farms. While such inspections are infrequent, FDA has taken action against a U.S. farmer when a violation occurs. When FDA is involved in a food safety problem that is found to originate on a farm, the agency's focus generally is on identifying the source of the problem and removing the unsafe food from commerce.

Q. Doesn't this legislation impose trade barriers to food imports at a time when you are saying you want to lower them? Is this legislation consistent with free trade?

A. This legislation is consistent with free trade and all our treaty obligations. We have no obligation to open our borders to imports that pose a greater risk than domestic products to American consumers. As long as we are not imposing any greater requirements on foreign countries -- as long as we are only holding them to our standards -- we are acting consistently with our trade policy and international obligations.

Q: What makes you think this new legislation can be effective? Do you seriously think you are going to be able to put FDA inspectors in every country abroad?

- A:** The new legislation would give the FDA the same kind of responsibility that the USDA already has for meat and poultry. The USDA system has worked well to ensure that unsafe meat and poultry, produced in foreign facilities which do not provide the same level of protection that is required in domestic facilities, will not be imported. The FDA should be able to run a similarly effective system that ensures food safety and prevents imports from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required.

Questions Related to Report on Guidance

- Q: Why has this report been prepared?**

- A:** On October 2, 1997, President Clinton announced an initiative to ensure the safety of imported and domestic fruits and vegetables which included the development of good agricultural practices and good manufacturing practices for fresh fruits and vegetables that would include ways to prevent potential contamination. This voluntary guidance will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The guidance effort will include outreach and education, reflecting the Administration's commitment to direct resources toward improving food safety and the availability of food safety technologies.

The President requested this status report about progress made toward providing industry with good agricultural and good manufacturing practices guidance for fresh fruits and vegetables. It also presents a plan for outreach to the domestic and foreign industry.

- Q: When you say good agricultural practices (GAPs) and good manufacturing practices (GMPs), are you talking about mandatory GAPs and GMPs?**

- A:** No, the GAP/GMP guidance is voluntary. We are developing this science-based guidance with input from USDA, states, the agricultural community, industry, academia, consumers, and organizations representing the foreign produce industry. The guidance is intended for appropriate use by growers, packers, manufacturers of minimally processed products and produce distributors. Because the guidance is broad-based, it may be used, where applicable, by both the domestic and foreign produce industry to reduce the risk of microbial contamination.

- Q: Does the report give a timeline for publishing the guidance?**

- A:** Yes, we anticipate publishing the draft guidance in late March with a 75-day comment period. We anticipate that the guidance will be available in final form in October 1998.

This may come up because the deadline for the importation of Guatemalan raspberries is March 15.

Q: What is the status of the Guatemalan raspberries?

A: On November 20, 1997, FDA notified the Guatemalans that fresh raspberries will not be allowed entry into the U.S. during the period of March 15 through August 15, 1998. However, if the source of *Cyclospora* contamination is found and corrected or if intervention technologies are developed that will prevent cyclosporiasis in humans, we will revisit this decision. FDA has assisted Guatemala in seeking a resolution to this problem since 1996. In fact, we currently have people in Guatemala reviewing the interventions they have reportedly put in place.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 10:20:35.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I have one pager & Q&A that Mary needs your final signoff on -laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 08:16:33.00

SUBJECT: Here is the food safety one-pager with EK's edits

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

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

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

TEXT:

This is the one-pager with your edits. As you mentioned to Tom, we added as the second sentence of the second paragraph a call on Congress : "The President will call on Congress to promptly enact this crucial next step in improving the safety of all the food that reaches Americans' tables." Let us know if this is OK before we send it out. Thanks, Mary===== A
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D41]MAIL43070326Z.026 to ASCII,
The following is a HEX DUMP:

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951F62ADBE8A13B7A4086D5FBEB022B33E85FF1FA062D4F7DFBFC4C636D7A28F06633F66749F0B

**PRESIDENT CLINTON ANNOUNCES INTRODUCTION OF SENATE FOOD
SAFETY LEGISLATION AND REPORT TO ENSURE THE SAFETY OF
IMPORTED AND DOMESTIC FRUITS AND VEGETABLES**
March 4, 1998

Today President Clinton will announce the introduction of legislation by Senators Milkulski and Kennedy to ensure the safety of all imported foods, including fruits and vegetables. This legislation will enhance the Food and Drug Administration's authority to prevent the import of fruits, vegetables, and other food products that do not meet U.S. food safety requirements. The President also will announce the release of a report that provides a blueprint on how the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA) will work cooperatively with the agricultural community to develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

Enhanced FDA Oversight for Imported Foods. The food safety legislation to be introduced today in the Senate will provide greater assurance that imported foods meet U.S. food safety requirements or achieve the same level of protection required for comparable domestic products. The President will call on Congress to promptly enact this crucial next step in improving the safety of all the food that reaches Americans' tables. The legislation also will permit the FDA to halt imports from countries or facilities that do not allow FDA inspections to occur. This legislation gives FDA authority that is comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry. The President already has committed to providing approximately \$25 million in his Fiscal Year 1999 budget to enable the FDA to dramatically expand its international food inspection force. Reps. Eshoo and Pallone previously have introduced this legislation in the House of Representatives.

Development of Guidance on Good Agricultural and Manufacturing Practices. The President will announce the release of a report that provides a roadmap for the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in cooperation with the agricultural community, to develop guidance on good agricultural and manufacturing practices. This report outlines the progress already made -- and the measures still to be taken -- to develop guidance for the growing, processing, shipping, and marketing of fruits and vegetables by October 1998. The guidance -- the first-ever specific safety standards for fruits and vegetables -- will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The report also provides both short- and long-term plans for technical assistance, education, and outreach activities to support the appropriate application of the guidance.

Clinton Administration Accomplishments In Improving Food Safety

The President's announcement builds on a strong record of food safety initiatives, ensuring that Americans eat the safest possible food. The Administration has put into place improved safety standards for meat, poultry, and seafood products, and has begun the process of developing enhanced standards for fruit and vegetable juices. The Administration also has expanded research, education, and surveillance activities throughout the food safety system.

*February, 1998. Administration announces its proposed food safety budget, which requests an approximate \$101 million increase for food safety initiatives.

*May, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply --"Food Safety from Farm to Table" -- detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.

*January, 1997. President announces new Early-Warning System to gather critical scientific data to help stop foodborne disease outbreaks quickly and to improve prevention systems further.

*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.

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*December, 1995. Administration issues new rules to ensure seafood safety, utilizing 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.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 19:50:10.00

SUBJECT: Elena look at this ASAP

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D64]MAIL45391036H.026 to ASCII,
The following is a HEX DUMP:

FF57504342060000010A02010000000205000000802A000000020000092E5F582A86FDF5097E533
2A4012D8F3B3079A61840FD90F49187A3FBAAE8470792CBBBA7EE09628639D607D20BA6DE48FC8

March 4, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed

SUBJECT: Meeting with Congressman Waxman

As you know, we have been using the last few weeks to lay the groundwork for a possible bipartisan summit to negotiate comprehensive tobacco legislation. We have been (1) attacking Republican plans to enact piecemeal legislation; (2) praising comprehensive bills, such as Senator Conrad's, which meet the President's principles; and, (3) holding one-on-one meetings with key House and Senate Members.

Talking Points

Congressman Waxman, as you know, is one of Congress' toughest tobacco critics. He thinks that we should be taking a harder line, and he fears that we will be too quick to rush to a deal. He thinks that we can get a bill that doesn't give the industry anything, i.e., liability limits.

In response, you can say:

- We will hold out for a high standard, and that we will not do anything that undermines our public health goal of dramatically reducing teen smoking.
- We don't like liability limits either, but we think that the most important thing for now is to get the Republicans to agree to a comprehensive bill that raises the costs of cigarettes to children and impose tough penalties on companies that sell to kids, reaffirms the FDA authority to regulate nicotine like the drug it is, and ends tobacco company advertising that targets kids.
- The President has made clear he wants a bipartisan solution to this problem. He said so on September 17 when he announced his plan, he has met with leaders of both parties, and senior Administration officials have met and will meet with Democratic and Republican leaders to help draft legislation.
- Time delays mean lives -- everyday 3,000 kids start smoking and 1,000 of them will die prematurely from this addiction. Congress should pass this legislation

this year.

Background

On September 17th, President Clinton announced that there are five key principles that must be included in any comprehensive tobacco legislation. They are:

1. **Tough penalties and price increases** to reduce youth smoking. Price increases of up to \$1.50 if necessary over the next ten years.
2. **Full authority for the FDA to regulate tobacco products.** Nicotine is a drug. Its use in a product needs to be regulated by the Food and Drug Administration.
3. **The tobacco industry must change the way it does business**, including stopping advertising to children.
4. **There needs to be progress towards other public health goals** including cutting second-hand smoke and better funded programs to help people quit smoking.
5. **There should be protection for tobacco farmers and their communities** so they do not suffer economically because of this legislation.

March 4, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
SUBJECT: Meeting with Senator Mack

As you know, we have been using the last few weeks to lay the groundwork for a possible bipartisan summit to negotiate comprehensive tobacco legislation. We have been (1) attacking Republican plans to enact piecemeal legislation; (2) praising comprehensive bills, such as Senator Conrad's, which meet the President's principles; and, (3) holding one-on-one meetings with key House and Senate Members.

Talking Points

Senator Mack's support will be key to enacting bipartisan tobacco legislation. He has a long history of supporting anti-cancer efforts and is particularly interested in funding research efforts (as you may know, many members of his family have had cancer). He has made statements indicated his interest in the legislation -- we'll want to use this meeting to find out more about his views.

In general, you can say:

- The President has made clear he wants a bipartisan solution to this problem. He said so on September 17 when he announced his plan, he has met with leaders of both parties, and senior Administration officials have met and will meet with Democratic and Republican leaders to help draft legislation.
- Time delays mean lives -- everyday 3,000 kids start smoking and 1,000 of them will die prematurely from this addiction. Congress should pass this legislation this year.

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3. **The tobacco industry must change the way it does business,** including stopping advertising to children.
4. **There needs to be progress towards other public health goals** including cutting second-hand smoke and better funded programs to help people quit smoking.
5. **There should be protection for tobacco farmers and their communities** so they do not suffer economically because of this legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAR-1998 09:46:52.00

SUBJECT: Shalala to Task Force meetings

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

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

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

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

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

TEXT:

FYI - Larry wants to invite Shalala to the HOuse and Senate Task Force meetings.

I'll call Rich Tarplin.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 15:07:25.00

SUBJECT: Bilingual Ed--SF Chronicle

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

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

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

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

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

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

TEXT:

Received a call from Louis Freeburg from the SF Chronicle on bilingual ed, saying he'd heard the White House staff including me personally had been talking to people in califo about this issue--could I share some light on what and why we are interested in this issue--I went on background explaining that we've been talking to different people. he said he'd heard unz had been here talking to us--which I confirmed as part of our strategy of talking to all people and all sides. he asked if president had ever taken position on bilingual ed which I said yes--he's in favor of transitional bilingual ed programs and he has also spoken about the importance in the global economy of people learning more than one language. looked at research shows effective programs when properly implemented but those are few programs, cali right now is 20,000 teachers short of qualified bilingual ed teachers, 30% of kids in califo are getting nothing--what about those issues. Pointed to the president's education initiative targetted to drop outs, especially Hispanic--he mentioned the Hispanic education initiative--that this administration has been at forefront of improving education for all children--so he asked when are we saying anything--I said we're still looking at the issue, there are other people to talk to but did point out that when the President gets involved in an issue that sometimes escalates the matter and that's something that needs to be evaluated. we'll see what comes out--just thought you should know.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 15:09:29.00

SUBJECT: Lott/Hatch/Abraham Letter on Crack

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Rahm/Elena:

Reminder, please take a look at the draft response to the crack letter when you can.

Thanks,
Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 09:19:58.00

SUBJECT: Draft one-page with FDA and USTR approval

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

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

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

TEXT:

We talked to USTR and FDA

1. USTR says we shouldn't use the word "equivalent" because that word is a term of art in our SPS agreement.
2. Also they said the legislation is not comparing the actual food safety systems, it is just comparing the safety of the end product. If we used the phrase "systems that are equivalent to our own" then other countries, particularly Europe would want us to process our food exactly like we do. ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D19]MAIL42384326N.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000601F0000000200006369COD16933615F832FB0

**PRESIDENT CLINTON ANNOUNCES INTRODUCTION OF SENATE FOOD
SAFETY LEGISLATION AND REPORT TO ENSURE THE SAFETY OF
IMPORTED AND DOMESTIC FRUITS AND VEGETABLES**
March 4, 1998

Today President Clinton will announce the introduction of legislation by Senators Milkulski and Kennedy to ensure the safety of all imported foods, including fruits and vegetables. This legislation will enhance the Food and Drug Administration's authority to prevent the import of fruits, vegetables, and other food products that do not meet U.S. food safety requirements. The President also will announce the release of a report that provides a blueprint on how the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA) will work cooperatively with the agricultural community to develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

Enhanced FDA Oversight for Imported Foods. The President will call on Congress to pass the food safety legislation to be introduced today in the Senate to give the FDA greater authority over imported foods. This legislation will permit the FDA to halt imports of fruits, vegetables, and other food products from any foreign country with food safety systems that do not provide the same level of protection required for U.S. products. The legislation also will permit the FDA to halt imports from countries or facilities that do not allow FDA inspections to occur. This legislation gives FDA authority that is comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry. The President already has committed to providing approximately \$25 million in his Fiscal Year 1999 budget to enable the FDA to dramatically expand its international food inspection force in order to implement this legislation. Reps. Eshoo and Pallone previously have introduced this legislation in the House of Representatives.

Development of Guidance on Good Agricultural and Manufacturing Practices. The President will announce the release of a report on how the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in cooperation with the agricultural community, to develop guidance on good agricultural and manufacturing practices. This report outlines the progress already made -- and the measures that must still be taken -- to develop guidance for the growing, processing, shipping, and marketing of fruits and vegetables by October 1998. The guidance -- the first-ever specific safety standards for fruits and vegetables -- will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The report also provides both short- and long-term plans for technical assistance, education, and outreach activities to support the appropriate application of the guidance.

Clinton Administration Accomplishments In Improving Food Safety

The President's announcement builds on a strong record of food safety initiatives, ensuring that Americans eat the safest possible food. The Administration has put into place improved safety standards for meat, poultry, and seafood products, and has begun the process of developing enhanced standards for fruit and vegetable juices. The Administration also has expanded research, education, and surveillance activities throughout the food safety system.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 12:53:09.00

SUBJECT:

TO: BRUCE N. (Pager) #REED (BRUCE N. (Pager) #REED [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Briefing is running on time @ 1:00; Rahm says he's fine doing the briefing

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 18:02:52.00

SUBJECT: EEOC

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

As a result of yesterday's hearing, EEOC believes that there is an opening to work with Gingrich's staff to secure their budget request. They want to get our leg. person working with them to direct the effort. Who would that be?

Also, there is the knotty question of testing. According to Fawell (in a conversation with Igasaki (Acting EEOC Chair) after the hearing) the Republicans want the agency not to spend any money on testing in FY99. As you know, the EEOC has a testing pilot program that is supposed to be completed by the end of this fiscal year. They had no plans to do any more with this program during FY99, and there is nothing in the President's FY99 budget for testing programs for the EEOC. However, the agency had anticipated spending some time after the pilot is finished analyzing the results and doing long term planning for next steps, if any. So, in addition to leg. help, they want some guidance about the general parameters of our view of making some kind of deal on this.

Until they complete this year's pilot, the EEOC won't even know if they can run an effective employment testing program. It does not, therefore, seem a big concession to agree that the EEOC will not spend money on testing during FY99, as long as we do not in any way signal that testing is not a legitimate tool for effective civil rights enforcement. Of course, the attack on testing at the EEOC could be the prelude to a similar attack at HUD. HUD does have \$10 million in the FY99 budget to develop and implement a nation-wide housing rental and sales testing program. I have not heard anything about a strategy to go after this.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ora Theard (CN=Ora Theard/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAR-1998 15:27:31.00

SUBJECT: Affirmative Action Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Demond T. Martin (CN=Demond T. Martin/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

You are invited to attend an affirmative action strategy meeting, hosted by Chuck Ruff, Thursday, March 12, at 1:30 p.m. You will be notified of the location.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 10:35:13.00

SUBJECT: new drafts

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D78]MAIL46911426U.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000601C0000000200004FADC9635D43C6F4E1F8B0
E2E989589B8272365E8EB4C8F9E8936EF7C8909D7CEE75E963A29F4892FA318C52126095A4F23D

**Q&A for Presidential Announcement on Food Safety Legislation
and Report to Ensure Safety of Imported Fruits and Vegetables
March 4, 1998**

Q: What did the President announce today?

A: The President announced the introduction of food safety legislation in the Senate that will ensure that the FDA denies the entry of imports of fruits, vegetables, or other food from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country. This legislation was introduced in the House in November of last year. The President also announced the release of a report on how the Secretary of Health and Human Services, in cooperation with the Secretary of Agriculture and the agricultural community, will develop guidance on good agricultural and good manufacturing practices for any fruits and vegetables that are sold in the U.S. market.

Q: Why is your Administration proposing these actions?

A: There have been dramatic changes in the produce department of the grocery store. Thirty years ago, most produce sections only had around a dozen items year round, increasing to as many as 50 in the summer. Today, the chances are that there are 400 or more items in the produce section and they are there all year round. Last year, 38 percent of the fruit and 12 percent of the vegetables Americans ate were imported.

We have changed as well. Americans are eating more fresh fruits and vegetables than ever before, and our nation's health experts tell us we will live longer, better quality lives as a result. Our environment is also changing. We are finding "new" exotic bugs such as cyclospora and *E. coli O157:H7* on our food that once were not there.

We must ensure that these changes do not increase the risk to American consumers of foodborne illnesses. Although raw produce -- including that imported from foreign countries -- is now safe, experts have suggested ways to make further improvements, and my actions accord with their recommendations.

Q: Are you saying that imported produce is unsafe?

A: There is no data indicating that imported fruits and vegetables are more unsafe than domestic products. But some recent outbreaks of foodborne illness have been traced back to imports, and it is important to ensure that foreign fruits and vegetables meet U.S. food safety requirements or otherwise achieve the level of protection required. The steps we are taking today are adding additional layers of protection. We are making sure that there are no gaps in our food safety system -- that high safety standards apply to imported as well as domestic food, and to fruits and vegetables as well as to meat, poultry, and seafood.

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 seeks an even more substantial increase in resources, \$101 million, 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.

Questions on Food Safety Legislation

Q: What does the legislation do?

A: This legislation helps ensure that the FDA will refuse imports of any food regulated by the FDA, including fruits and vegetables, from any country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required. The legislation also permits FDA to consider refusal of inspection as a factor in halting imports from a facility or country.

Q: How is this different from current authority?

A: This legislation increases the FDA's authority to refuse imports for foods from countries or facilities that do not meet U.S. food safety requirements or otherwise achieve the level of protection required. Currently, the FDA can only refuse imports after inspection or testing at the border when the FDA determines that the food appears to be unsafe or otherwise violates U.S. law. This new legislation will enable the FDA to ensure that

food products entering this country were grown and processed in conditions that meet U.S. food safety requirements or otherwise achieve the level of protection required. This authority is necessary because experience has shown that inspection and testing of products at the border may not be sufficient in all cases to ensure the safety of food products. It may be necessary to identify and address the source of potential contamination to ensure that products offered for sale in the United States meet domestic food safety requirements or otherwise achieve the level of protection required. FDA currently has such authority with respect to domestic production.

Q: Does this legislation give FDA additional authority to inspect in other countries?

A: No. Foreign inspections will continue to be done by consent. In making the determination that a food offered for import into the U.S. is adulterated, the legislation does permit the Secretary to consider whether FDA has been refused access to conduct inspection of the places where such food has been prepared, packed or held. The Secretary may deny importation to foods from such location or establishment on the basis of such refusal and other relevant factors. Because denying reasonable access is one factor in making that determination, the exporting country and the food establishment both have a strong incentive to allow such access.

Q: There is concern that this legislation is the first step in providing FDA with the authority to inspect farms in the U.S. Is that next?

A: Under current law, FDA already has authority to inspect establishments where food is prepared, packed, or held, which would include places where food is grown, such as domestic farms. While such inspections are infrequent, FDA has taken action against a U.S. farmer when a violation occurs. When FDA is involved in a food safety problem that is found to originate on a farm, the agency's focus generally is on identifying the source of the problem and removing the unsafe food from commerce.

Q: Doesn't this legislation impose trade barriers to food imports at a time when you are saying you want to lower them? Is this legislation consistent with free trade?

A: This legislation is consistent with free trade and all our treaty obligations. We have no obligation to open our borders to imports that pose a greater risk than domestic products to American consumers. As long as we are not imposing any greater requirements on foreign countries -- as long as we are only holding them to our standards -- we are acting consistently with our trade policy and international obligations.

Q: What makes you think this new legislation can be effective? Do you seriously think you are going to be able to put FDA inspectors in every country abroad?

A: The new legislation would give the FDA the same kind of responsibility that the USDA already has for meat and poultry. The USDA system has worked well to ensure that unsafe meat and poultry, produced in foreign facilities which do not provide the same level of protection that is required in domestic facilities, will not be imported. The FDA should be able to run a similarly effective system that ensures food safety and prevents imports from any foreign country or facility that does not meet U.S. food safety requirements or otherwise achieve the level of protection required.

Questions Related to Report on Guidance

Q: Why has this report been prepared?

A: On October 2, 1997, President Clinton announced an initiative to ensure the safety of imported and domestic fruits and vegetables which included the development of good agricultural practices and good manufacturing practices for fresh fruits and vegetables that would include ways to prevent potential contamination. This voluntary guidance will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The guidance effort will include outreach and education, reflecting the Administration's commitment to direct resources toward improving food safety and the availability of food safety technologies.

The President requested this status report about progress made toward providing industry with good agricultural and good manufacturing practices guidance for fresh fruits and vegetables. It also presents a plan for outreach to the domestic and foreign industry.

Q: When you say good agricultural practices (GAPs) and good manufacturing practices (GMPs), are you talking about mandatory GAPs and GMPs?

A: No, the GAP/GMP guidance is voluntary. We are developing this science-based guidance with input from USDA, states, the agricultural community, industry, academia, consumers, and organizations representing the foreign produce industry. The guidance is intended for appropriate use by growers, packers, manufacturers of minimally processed products and produce distributors. Because the guidance is broad-based, it may be used, where applicable, by both the domestic and foreign produce industry to reduce the risk of microbial contamination.

Q: Does the report give a timeline for publishing the guidance?

A: Yes, we anticipate publishing the draft guidance in late March with a 75-day comment period. We anticipate that the guidance will be available in final form in October 1998.

This may come up because the deadline for the importation of Guatemalan raspberries is March 15.

Q: What is the status of the Guatemalan raspberries?

A: On November 20, 1997, FDA notified the Guatemalans that fresh raspberries will not be allowed entry into the U.S. during the period of March 15 through August 15, 1998. However, if the source of *Cyclospora* contamination is found and corrected or if intervention technologies are developed that will prevent cyclosporiasis in humans, we will revisit this decision. FDA has assisted Guatemala in seeking a resolution to this problem since 1996. In fact, we currently have people in Guatemala reviewing the interventions they have reportedly put in place.

**PRESIDENT CLINTON ANNOUNCES INTRODUCTION OF SENATE FOOD
SAFETY LEGISLATION AND REPORT TO ENSURE THE SAFETY OF
IMPORTED AND DOMESTIC FRUITS AND VEGETABLES**
March 4, 1998

Today President Clinton will announce the introduction of legislation by Senators Milkulski and Kennedy to ensure the safety of all imported foods, including fruits and vegetables. This legislation will enhance the Food and Drug Administration's authority to prevent the import of fruits, vegetables, and other food products that do not meet U.S. food safety requirements. The President also will announce the release of a report that provides a blueprint on how the Department of Health and Human Services (HHS) and the Department of Agriculture (USDA) will work cooperatively with the agricultural community to develop guidance on good agricultural and manufacturing practices for fruits and vegetables.

Enhanced FDA Oversight for Imported Foods. The President will call on Congress to pass the food safety legislation to be introduced today in the Senate to give the FDA greater authority over imported foods. This legislation will permit the FDA to halt imports of fruits, vegetables, and other food products from any foreign country with food safety systems that do not provide the same level of protection required for U.S. products. The legislation also permits the FDA to consider refusal of inspection as a factor in halting imports from a country or facility. This legislation gives FDA authority that is comparable to USDA's existing authority to prevent the importation of unsafe meat and poultry. The President already has committed to providing approximately \$25 million in his Fiscal Year 1999 budget to enable the FDA to dramatically expand its international food inspection force in order to implement this legislation. Reps. Eshoo and Pallone previously have introduced this legislation in the House of Representatives.

Development of Guidance on Good Agricultural and Manufacturing Practices. The President will announce the release of a report on how the Secretary of Health and Human Services, in partnership with the Secretary of Agriculture and in cooperation with the agricultural community, will develop guidance on good agricultural and manufacturing practices. This report outlines the progress already made -- and the measures that must still be taken -- to develop guidance for the growing, processing, shipping, and marketing of fruits and vegetables by October 1998. The guidance -- the first-ever specific safety standards for fruits and vegetables -- will address potential food safety problems throughout the production and distribution system and help ensure the sanitation and safety practices of all those seeking to sell produce in the U.S. market. The report also provides both short- and long-term plans for technical assistance, education, and outreach activities to support the appropriate application of the guidance.

Clinton Administration Accomplishments In Improving Food Safety

The President's announcement builds on a strong record of food safety initiatives, ensuring that Americans eat the safest possible food. The Administration has put into place improved safety standards for meat, poultry, and seafood products, and has begun the process of developing enhanced standards for fruit and vegetable juices. The Administration also has expanded research, education, and surveillance activities throughout the food safety system.

*February, 1998. Administration announces its proposed food safety budget, which requests an approximate \$101 million increase for food safety initiatives.

*May, 1997. Administration announces comprehensive new initiative to improve the safety of nation's food supply --"Food Safety from Farm to Table" -- detailing a \$43 million food safety program, including measures to improve surveillance, outbreak response, education, and research.

*January, 1997. President announces new Early-Warning System to gather critical scientific data to help stop foodborne disease outbreaks quickly and to improve prevention systems further.

*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, utilizing 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.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey A. Shesol (CN=Jeffrey A. Shesol/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-MAR-1998 10:21:41.00

SUBJECT: Re: Food Safety

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

READ:UNKNOWN

TEXT:

Thanks. Will do.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 11:41:18.00

SUBJECT: Immigration and Labor meeting -- NEW DATE AND TIME

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

TO: WARNATH_S (WARNATH_S @ A1 @ CD @ LNGTWY [UNKNOWN]) (CPC)
READ:UNKNOWN

TO: LETTS_K (LETTS_K @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

TO: Larry R. Matlack (CN=Larry R. Matlack/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

TEXT:
Sorry again for all of this back and forth. The meeting with the Labor folks will be Tomorrow (March 5th) at 6pm in Room 476. Thanks.

Julie
----- Forwarded by Julie A. Fernandes/OPD/EOP on 03/04/98
11:48 AM -----

Julie A. Fernandes
03/04/98 10:44:25 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Miriam H. Vogel/WHO/EOP, Laura Emmett/WHO/EOP
Subject: Immigration and Labor -- Rescheduled meeting

The meeting to discuss immigration issues with the Labor Department has been rescheduled for Monday March 9th at 12 noon in Room 476. I hope to see you all there. Thanks.

julie

Message Sent

To: _____

Leanne A. Shimabukuro/OPD/EOP

Maria Echaveste/WHO/EOP

Elena Kagan/OPD/EOP

LETTS_K @ A1 @ CD @ VAXGTWY

Steven M. Mertens/OMB/EOP

WARNATH_S @ A1 @ CD @ LN GTWY

Larry R. Matlack/OMB/EOP

Debra J. Bond/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1998 22:41:52.00

SUBJECT: Updated meeting schedule

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

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

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

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

CC: johara (johara @ osophs.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

CC: kburkel (kburkel @ os.dhhs.gov @ inet [UNKNOWN])
READ:UNKNOWN

TEXT:

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

TEXT:

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Meetings
March 2-6th

DAY		GROUP	LOCATION	ADMIN ATTENDEES (IF OUTSIDE MTG)
Thursday	10:30	Sen. Mack	517 Hart	Bowles, Reed, Stein
	11:00	Documents	211	
	11:30	Rep. Waxman	2204 Rayburn	Bowles, Reed, Stein
	2:00	Sen. Domenici	328 Hart	Bowles, Reed, Stein
	2:00	House/Senate Dem Communications Staff	H-201 Capitol	Emanuel, Rice, Jacoby, Tarplin, Skolfield
	2:45	Weekly Coordinating Meeting	211	
	4:00	International Issues	TBA	
	4:30	Ivan/Hollings	558 Dirksen	Reed, Tarplin
Friday	9:00	DOJ mtg	5132 Main Justice	Kagan, Rice
	10:00	Leg Conference Call	456-6799 code 7298	Reed, Stein/Jacoby, Kagan, Rice, Tarplin/Burke, Gruber
	1:30 (tent)	Sen. Conrad and Dem task force	TBD	Bowles, Reed, Stein
	3:00	Marketing/ Legal Strategy Meeting		