

NLWJC - KAGAN

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[03/24/1998 - 03/25/1998]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	03/24/1998	P6/b(6)
002. email	Pager No. (Partial) (1 page)	03/24/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[03/24/1998 - 03/25/1998]

2009-1006-F
ke731

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 14:13:14.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Do you want to hand in AIDS office Q & A for press conf? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Linda Ricci (CN=Linda Ricci/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:24-MAR-1998 14:17:31.00

SUBJECT: President's press conf.

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I am forwarding some small items that were raised by OMB folks, regarding items for the President's press conference. They may be useful in preparation for the final Q and A.

Hi-B visas

1st paragraph, last sentence. It is the "G.I. Bill for America's Workers" - not the GI Bill of Rights for America's workers.

2nd paragraph. Reference to: "reducing the maximum stay for H1-B workers from 6 to 3 years".

Strictly speaking, this is not part of Kennedy's bill, which was the premise of the question.

(which may be too nitpicky).

-Linda

I

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 14:18:22.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I also don't have your comments on INS Reform- do you want to include these? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 14:44:13.00

SUBJECT:

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

TEXT:

Call Gene re: WSJ article 62807 when you can

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 14:49:57.00

SUBJECT: Draft Kennedy bill

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

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

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

TEXT:

Don/Elena,
I spoke with Michael Meyers of Sen. Kennedy's staff. I asked if he would share their draft legislation with Sue on Congresswoman Lofgren's staff. He said that he and Sue had spoken recently, and that he would contact her about this.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 14:51:38.00

SUBJECT: Equal Pay

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

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

TEXT:

thanks for the memo. I have one question: does the memo mean we are not going to do anything to collect data. And, if so, is the only reason we are not doing this is because of the Republican react? I understood this to be the most important piece for labor/women--if we are not doing it, what are we doing substantively. After reading the piece it seemed a bit light to me for a VP announcement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 15:21:19.00

SUBJECT:

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

TEXT:

Pls. Call David Kessler at 224-2235 (he's in McCain's Office)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 15:23:43.00

SUBJECT: Updated Pay Equity Memo

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

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

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

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

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

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: Amy N. Finkelstein (CN=Amy N. Finkelstein/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

TEXT:

Attached is an updated memo on the policy initiatives for a pay equity event. Please look it over and return any comments by COB today so that we can meet with the women's groups to evaluate their reactions to our proposal. Thanks, Mary ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D61]MAIL40740628K.026 to ASCII,
The following is a HEX DUMP:

FF57504314070000010A020100000002050000000552000000020000D9394B12AA174D9B72B053
1E220B6A14A77EB15A5CEA67E8C4DBF2BB225E8B30B41DECFFEF5134A9B731F331A05D717FB3D7A

March 24, 1998

DRAFT MEMORANDUM FOR THE DPC/ NEC

FROM: DPC/NEC STAFF

SUBJECT: Equal Pay Initiative

This memorandum outlines the "Equal Pay" initiative the Vice President could announce on April 3rd. Many organizations around the country hold events on April 3rd, which is "Equal Pay Day," the day designated as the date on which women's earnings, added to their previous year's earnings, are said to equal what men earn in one calendar year. This event would be the message event of the day, and it is expected that representatives from the Department of Labor, OPM, and other departments will attend the event with the Vice President.

There are numerous studies attempting to determine the degree of wage differences between men and women. A recent brief review of existing studies in the area by the Council of Economic Advisors concludes that while wage differentials have narrowed steadily since the late 1970s, there is still a significant wage differential, even after controlling for education, experience, and occupation. The raw differential in terms of female and male wage ratios is 72.4. Taking into account education and experience, the differential becomes 80.5. The wage differential further narrows to 88.2, controlling for occupation, industry, and union status. A more popular figure, cited for instance by the Department of Labor, states women earn on average only 75 cents for each dollar a man earns.

On April 3rd, the Vice President could announce: (1) the Administration's endorsement of Senator Daschle's pay equity bill with some changes; (2) an annual study on pay discrepancies to highlight this important problem; and (3) other executive branch initiatives in the areas of enforcement, technical assistance, and outreach.

I. Endorsement of Daschle Bill

The most prominent (and mainstream) bill in Congress regarding fair pay is Senator Daschle's. Congresswoman DeLauro has introduced the companion bill to Senator Daschle's in the House. Rep. Gephardt is looking to support an equal pay initiative and is likely to introduce whatever bill we support. There is agreement with almost all of the provisions in the Daschle bill. However, there are two issues that raise some concern. We set forth below the provisions in the Daschle bill, along with a discussion of the issues that warrant further discussion. You

should know that Senator Harkin also has a bill on equal pay, but there is little support for his approach because it incorporates “comparable worth” which would be difficult, if not impossible, to administer.

A. Provisions in Daschle’s bill that the Administration supports:

- **Non-retaliation Provision.** The Daschle bill includes a Non-retaliation provision that amends the Equal Pay Act (EPA) to prohibit employers from penalizing employees for sharing information about their salaries with coworkers. Lack of ability to share such information makes it more difficult for women to evaluate whether there is evidence of wage discrimination.
- **Class Actions.** The bill amends the procedures for filing class actions under the EPA to conform with the general procedural rules for filing federal class actions in other areas of the law.
- **Training, Research, Education, and Outreach.** The Daschle bill provides for training, research, education, and outreach. The bill requires the EEOC to provide training for its employees, subject to the availability of funding, on matters involving discrimination in the payment of wages. The bill also enhances programs already in place at the Department of Labor, requiring DOL to undertake research in the area of sex-based pay disparities; disseminate that information to members of the interested public; provide information on means of eradicating such disparities; assist State and local information and educational programs; recognize and promote the achievements of employers that have made strides to eliminate pay disparities; and convene a national summit to discuss and highlight the issue of sex-based pay disparities.
- **Pay Equity Award.** The bill establishes “The National Award for Pay Equity in the Workplace,” to be administered by the Women’s Bureau of the Department of Labor, to recognize and promote the achievements of employers that have made strides to eliminate pay disparities.

B. Provisions in Daschle’s bill that raise some concerns:

1. Enhanced Enforcement.

Daschle’s bill would amend the EPA to allow for compensatory and punitive damages. Currently, the EPA only allows for liquidated damages and back-pay awards. Liquidated damages typically are awarded in an amount equal to back pay. And typical recoveries are double back-pay awards.

An individual can file suit for wage discrimination under Title VII as well as the EPA. Title VII allows for compensatory and punitive damages, in addition to back pay, as a result of the Civil Rights Act of 1991. Under Title VII, however, these damages are capped -- to no more than between \$50,000 and \$300,000, depending on the size of the employer -- not the severity of the offense (e.g., for firms with between 15 and 100 employees, combined damages are capped at \$50,000).

Victims of racial or ethnic discrimination in employment can also sue for wage discrimination under Section 1981, which allows unlimited damages. This leaves victims of discrimination based on sex, religion or disability limited in the relief they can receive.

The Daschle bill adds unlimited compensatory and punitive damages to the Equal Pay Act. This provides more than is currently authorized under Title VII, but achieves parity with racial and ethnic discrimination awards under Section 1981.

A number of advocates believe that increasing the damages available under the EPA would encourage the private bar to bring more suits under the statute, encourage employers to devote more attention to their pay practices, and encourage victims to come forward. Adding unrestricted damages to equal pay cases would not necessarily lead to a huge proliferation of frivolous actions or excessive awards. An examination of cases under Section 1981 found that between 1980 and 1990 plaintiffs won 121 cases -- eleven per year. There were no compensatory and punitive damages in 52 of the cases; in 42, damages awarded were less than \$50,000. Total damages exceeded \$200,000 in only two cases during the eleven-year period. Note: this study was limited to reported decisions, and did not include cases settled before trial.

The women's groups have long advocated lifting the caps in Title VII and view any limits on damages in the EPA as an abandonment of their position for equal relief and as an affront to women rights generally. In fact, if the Administration did not support uncapped damages in the Daschle bill, the women's groups would feel betrayed, preferring no bill at all. In addition, they have indicated that they would publicly attack the Administration on this issue.

The Departments of Labor, Treasury, Justice, and the Commissioner of the EEOC all support endorsing adding uncapped compensatory and punitive damages to the EPA, with the exception that the Department of Justice believes that punitive damages should not be available against the Federal Government. The NEC, DPC, Women's Office, CEA, and OMB agree. Commerce remains concerned.

2. Data Collection

Daschle's bill also provides for the collection of pay information by the EEOC. Daschle's bill is somewhat vague on exactly how the wage data would be collected. In particular, it does not specify that the data needs to be collected on the EEO-1 form, which is the

form used by the EEOC to collect employment data. Because of the concerns set forth below, we believe we need to work with Daschle's staff to remove this section of the bill.

Data collection could improve pay equity in two ways. The first is by increasing public awareness of pay inequities and enabling women to evaluate whether they have been victims of wage discrimination; the second is by enhancing enforcement of anti-discrimination laws.

The EEOC currently collects annual data regarding the demographic breakdown of the workforces of private employers with 100 or more employees and of federal contractors with 50 or more employees on the EEO-1 form. The EEOC does not currently collect salary data with respect to private employers.

The EEO-1 form has remained virtually unchanged for the past 30 years, despite its review every 3 years for OMB paperwork clearance (most recently in 1997). Since the 1960s, the occupation and racial categories have become outdated; what was once confusing is now potentially misleading. As a result, many in the business community perceive the EEO-1 form as a waste of time and money. (OMB estimates suggest that it takes each firm 10 hours to fill out the form; adding wage data would likely increase the compliance costs dramatically -- possibly by several hundred-fold -- although creating a supplement to the form or limiting it to a subset of the reporting universe could mitigate some of these costs.)

Nonetheless, the EEOC believes that collecting wage data on the EEO-1 form would greatly improve its ability to target and prioritize discrimination cases. It also would assist the Department of Labor (DOL) in targeting its enforcement efforts and monitoring affirmative action programs. Because DOL thought that the EEO form would not be amended to include wage information, it has been working on a proposed rule to gather such data from federal contractors through an OFCCP form. That work has been in process for almost three years; we now understand that it may be ready to be sent to OMB during this fiscal year.

There is consensus that any attempts to add wage data to the EEO-1 form will draw immediate fire from the Republicans and the business community. Indeed, any announcement of a process to determine the best way to gather this data would likely provoke a rider and risk the increase in funds requested for the EEOC in our FY99 budget. **(The budget requests \$279 million for the EEOC -- \$37 million or 15 percent more than enacted in the 1998 budget. More than one-third of the proposed increase, \$13 million, goes to expansion of the agency's Alternate Dispute Resolution [ADR] program.)**

Since the EEO-1 form is up for revision in the year 2000, as part of the Paperwork Reduction Act, the consensus among the working group is that we should work to remove the data collection provision from the Daschle bill and should work quietly to evaluate the options for addressing the existing problems with the form (e.g., the outdated occupational and racial categories, and the lack of wage data).

II. Data Collection - Annual Report By Department of Labor

In order to increase public awareness of pay inequities, the Vice President could announce an annual report on the pay gap by sex produced by the Department of Labor. This annual report would be based on data that already exist, but are very difficult for most people to utilize. Publishing the information on pay inequities in an easy-to-access report would make it easier for interested parties to raise the national prominence of this problem. And because attitudes and awareness are keys to reducing wage disparities, highlighting the issue every year would likely have a powerful effect on public consciousness and be an effective way to achieve increased gender pay equity. This announcement will not be politically charged since it would not impose additional burdens on business. This option would not enhance enforcement efforts and would not involve significant costs.

II. Other Executive Branch Announcements

A. Private-Sector Enforcement

Enforcement of anti-discrimination laws by the EEOC and OFCCP have traditionally played an important role in easing discrimination in our labor market. Therefore, a key component to our equal pay initiative is to improve enforcement by both agencies.

- 1. A Memorandum Of Understanding (MOU) between EEOC and DOL to Cross Train.** The EEOC and the Department of Labor could enter into an agreement to train each other's staff to be sensitive to potential violations of the statutes they enforce, including the Equal Pay Act. The agencies would refer information concerning potential violations of the agency's statutes to the applicable EEOC or Labor Department office for appropriate action.
- 2. A MOU Between EEOC and DOL to Collect Damages.** OFCCP would be designated to serve as the EEOC's agent for purposes of collecting damages that are not otherwise collectible under OFCCP's authority under its executive order. OFCCP then could obtain full relief for intentional discrimination. This change would not require any legislative action. There are no costs anticipated for this option.

B. Private-Sector Technical Assistance

There are several areas in which the federal government could provide technical assistance to make private employers aware of wage disparities.

- 1. Federal Contractor Best Practices.** Currently, federal contractors must conduct self-audits as part of their federal contract obligations. OFCCP has begun to publicize successful programs through its best practices honor roll. The agency plans to place these Best Practices suggestions on its web site.

2. **10-Step Voluntary Self-Audit for Businesses and Employees.** The Department of Labor would develop and make available a 10-step package that would give companies guidelines to determine whether they offer equal pay, hiring, and promotional opportunities. The Department would also develop a similar checklist for employees. DOL would put these self-audits on the Internet. This would require no additional funding.
3. **Awards.** The Department of Labor has an Exemplary Voluntary Efforts (EVE) and Secretary's Opportunity 2000 Awards program that recognizes best corporate practices. This year's event will be held on September 17. This existing vehicle could be used to highlight the best practices in furthering pay equity. There is also an award proposed in the Daschle bill.

C. **Federal Government As A Role Model**

For any equal pay initiative to be credible, we must make the Federal government the role model for other employers. To this end, we would propose the following four initiatives to put the Federal government in the lead on this issue and address discrimination within the Federal government:

1. **10-Step Voluntary Self-Audit for Agencies.** The federal agencies will agree to take the 10-step self-audit that the Department of Labor would develop and use the results from the self-audit to monitor their efforts on equal pay.
2. **Best Practices.** OPM could work with the other Federal departments and agencies to develop best practices, from both the public and private sectors, for recruiting and retaining women.
3. **Guide to Recruitment and Retention of Women.** OPM is producing a new Guide on Recruitment and Retention of Women in the federal government that would contain information to make agency managers aware of career opportunities for women and to provide guidance on recruitment and career development for women. This could be prepared by April 3rd.
4. **Outreach.** OPM, in conjunction with other agencies, could expand outreach efforts, including working with professional groups, participating in women's conferences, and visiting college campuses so that talented women may be recruited for jobs in the Federal government.

Withdrawal/Redaction Marker

Clinton Library

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001. email	Phone No. (Partial) (1 page)	03/24/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[03/24/1998 - 03/25/1998]

2009-1006-F
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 15:50:34.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

If you miss Kessler @ McCain's office, call his cell phone P6/(b)(6) [001]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 16:12:41.00

SUBJECT: EBB Tobacco Talking Points

TO: Elena Kagan (CN=Elena Kagan/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:

This draft [above as attachment; below as text] closely tracks Larry Summer's testimony, as well as our own Q and A's. I'd like to get it to EBB as soon as possible. Thanks.

Please note that the format is a little different than what we would give the President; EBB likes bullet points. The text version doesn't have the actual bullets, but you'll get the basic idea.

Draft 3/24/98 4:00pm

CHIEF OF STAFF ERSKINE BOWLES
TALKING POINTS FOR TOBACCO REMARKS
CENTER FOR NATIONAL POLICY
WASHINGTON, DC
March 30, 1998

Acknowledgments and Introduction: I want to start by thanking you for giving me the chance to speak to you today about what President Clinton is doing to protect our children from tobacco.

I come from tobacco country, and I come before you today, as a North Carolinian, as a businessman, as a member of this administration, and as a parent, to tell you that protecting our children from tobacco is not about politics, and it is not about money -- it is about saving lives.

Smoking kills more people every day than AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined;

Nearly 90% of smokers started smoking before they turned 18;

More than 22% of high school students already smoke cigarettes on a daily basis;

Every day, 3,000 young people will become regular smokers, and 1,000 will die sooner as a result.

At the same time, multi-million dollar marketing campaigns are designed to get our children to light their first cigarettes. In the past months, new documents have come to light that conclusively prove that tobacco companies aimed to sell their deadly products to children as young as [12]. These documents are a shocking reminder that our children are under siege by a deadly and powerful enemy -- and it is up to us to protect them.

The heavy human cost of smoking to our families and communities is tragic -- the economic cost to our society is shocking.

Smoking related illness costs around \$60 Billion every year;

Smoking during pregnancy results in 2,500 fetal deaths every year, and costs \$3 to \$4 Billion every year;

Fires caused by smokers cost another \$500 Million every year;

Smokers with group life insurance push up the premiums of non-smokers in their insurance pool by about \$4 Billion every year

The premature deaths and premature retirements of smokers cost around \$60 Billion every year in lost wages and lower productivity

President Clinton has proposed a comprehensive plan to stop young Americans from smoking before they start, by:

Raising the price of cigarettes by up to \$1.50 a pack over the next ten years;

Affirming the FDA's full authority to regulate tobacco products;
Imposing strict restrictions on advertising aimed at young people,
Assessing stiff penalties for selling cigarettes to minors.

The Treasury Department has found that our proposal will save 1 million lives over the next five years. Last week, Vice President Gore announced that new estimates show that our proposal would have major effects on youth smoking in every state, with reductions ranging from 33% in Washington State to 51% in Kentucky.

For every dime added to the price of cigarettes, up to 700,000 teenagers will begin smoking.

Comprehensive tobacco sales and marketing restrictions will reduce youth smoking by as much as 15%

President Clinton's balanced budget protects our children and invests in our nation's future. It includes:

Unprecedented investments in education -- reducing class size, hiring 100,000 more teachers, building or rehabilitating 5,000 more schools;

Historic investments in child care -- providing child care to up to [xxx] working families;

Critical investments in health research, including biomedical research, cancer clinical trials, and children's health outreach -- increasing by nearly 50% funding at the National Institutes of Health.

President Clinton is committed to working with the Congress to make this the year that we took action to protect our children and to give them the care and education they need to reach their highest potential. But the Senate Republican budget would force us to choose between investing in our children's future and protecting their health.

It would force medical research to compete for scarce dollars against children and education;

It short changes working families by failing to subsidize child care;

It fails to help us reduce class size, excluding important tax incentives to spur schools construction and hire 100,000 new teachers.

The American people should not have to choose between their children's health and their children's education. The President's budget proves that we can do both.

As we continue to work to protect the health of our children, we must also work to protect the well being of our nation's tobacco farmers.

We are determined to make sure that the money realized from increasing the price of cigarettes will help benefit tobacco farmers and their communities;

We support the efforts of Congress to help lessen the impact on tobacco farmers with tobacco production control programs;

We will continue to work with tobacco farming organizations and public health groups to reach a consensus on the best way to proceed.

We have it within our power right now to save one million lives, and we must not miss this historic opportunity. As President Clinton recently said: "We stand on the verge of one of the greatest public health achievements in history -- an historic triumph in our fight to protect America's children from the deadly threat of tobacco." I hope you will support our efforts, and I look forward to working together with you to meet this vitally important challenge.

Thank you.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D80]MAIL42143628Z.026 to ASCII,
The following is a HEX DUMP:

FF5750432C060000010A02010000000205000000C62A0000000200001D9D028C5883B680FC5B68
66D3DC2B34D6B747DABA1AD0C2A355D9A20EC6DA8BE453B197B508D88DE1A4AC5D287B7472163F

Draft 3/24/98 4:00pm

**CHIEF OF STAFF ERSKINE BOWLES
TALKING POINTS FOR TOBACCO REMARKS
CENTER FOR NATIONAL POLICY
WASHINGTON, DC
March 30, 1998**

Acknowledgments and Introduction: I want to start by thanking you for giving me the chance to speak to you today about what President Clinton is doing to protect our children from tobacco.

I come from tobacco country, and I come before you today, as a North Carolinian, as a businessman, as a member of this administration, and as a parent, to tell you that protecting our children from tobacco is not about politics, and it is not about money -- it is about saving lives.

- Smoking kills more people every day than AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined;
- Nearly 90% of smokers started smoking before they turned 18;
- More than 22% of high school students already smoke cigarettes on a daily basis;
- Every day, 3,000 young people will become regular smokers, and 1,000 will die sooner as a result.

At the same time, multi-million dollar marketing campaigns are designed to get our children to light their first cigarettes. In the past months, new documents have come to light that conclusively prove that tobacco companies aimed to sell their deadly products to children as young as [12]. These documents are a shocking reminder that our children are under siege by a deadly and powerful enemy -- and it is up to us to protect them.

The heavy human cost of smoking to our families and communities is tragic -- the economic cost to our society is shocking.

- Smoking related illness costs around \$60 Billion every year;
- Smoking during pregnancy results in 2,500 fetal deaths every year, and costs \$3 to \$4 Billion every year;
- Fires caused by smokers cost another \$500 Million every year;
- Smokers with group life insurance push up the premiums of non-smokers in their insurance pool by about \$4 Billion every year

- The premature deaths and premature retirements of smokers cost around \$60 Billion every year in lost wages and lower productivity

President Clinton has proposed a comprehensive plan to stop young Americans from smoking before they start, by:

- Raising the price of cigarettes by up to \$1.50 a pack over the next ten years;
- Affirming the FDA's full authority to regulate tobacco products;
- Imposing strict restrictions on advertising aimed at young people,
- Assessing stiff penalties for selling cigarettes to minors.

The Treasury Department has found that our proposal will save 1 million lives over the next five years. Last week, Vice President Gore announced that new estimates show that our proposal would have major effects on youth smoking in every state, with reductions ranging from 33% in Washington State to 51% in Kentucky.

- For every dime added to the price of cigarettes, up to 700,000 teenagers will begin smoking.
- Comprehensive tobacco sales and marketing restrictions will reduce youth smoking by as much as 15%

President Clinton's balanced budget protects our children and invests in our nation's future. It includes:

- Unprecedented investments in education -- reducing class size, hiring 100,000 more teachers, building or rehabilitating 5,000 more schools;
- Historic investments in child care -- providing child care to up to [xxx] working families;
- Critical investments in health research, including biomedical research, cancer clinical trials, and children's health outreach -- increasing by nearly 50% funding at the National Institutes of Health.

President Clinton is committed to working with the Congress to make this the year that we took action to protect our children and to give them the care and education they need to reach their highest potential. But the Senate Republican budget would force us to choose between investing in our children's future and protecting their health.

- It would force medical research to compete for scarce dollars against children and education;
- It short changes working families by failing to subsidize child care;

- It fails to help us reduce class size, excluding important tax incentives to spur schools construction and hire 100,000 new teachers.

The American people should not have to choose between their children's health and their children's education. The President's budget proves that we can do both.

As we continue to work to protect the health of our children, we must also work to protect the well being of our nation's tobacco farmers.

- We are determined to make sure that the money realized from increasing the price of cigarettes will help benefit tobacco farmers and their communities;
- We support the efforts of Congress to help lessen the impact on tobacco farmers with tobacco production control programs;
- We will continue to work with tobacco farming organizations and public health groups to reach a consensus on the best way to proceed.

We have it within our power right now to save one million lives, and we must not miss this historic opportunity. As President Clinton recently said: "We stand on the verge of one of the greatest public health achievements in history -- an historic triumph in our fight to protect America's children from the deadly threat of tobacco." I hope you will support our efforts, and I look forward to working together with you to meet this vitally important challenge.

Thank you.

###

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 16:29:09.00

SUBJECT:

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

TEXT:

please call jordan 65701

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 17:16:14.00

SUBJECT: Mail 2 Disk Space

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

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

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

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

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

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

TEXT:

You all unfortunately are a big e-mail problem. Please be religious about deleting your send and incoming e-mails. Laura, I know you are keeping copies of all attached documents, but please review your sent e-mails for deletions.

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
03/24/98 05:14 PM -----

Ashley L. Raines
03/24/98 04:53:14 PM
Record Type: Record

To: Paul J. Weinstein Jr./OPD/EOP
cc:
Subject: Mail 2 Disk Space

We are running out of free disk space on Mail 2 again. Here are the DPC staff with the largest amount of disk space on the server:

Laura Emmett - #24 on the server
Diana Fortuna - #48
Elena Kagan - #63
Bruce Reed - #66
Leanne Shimabukuro - #95
Tom Freedman - #111

Please have these staff and other DPC staff delete as many messages as possible so the server doesn't crash again. Thanks!!

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Pager No. (Partial) (1 page)	03/24/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[03/24/1998 - 03/25/1998]

2009-1006-F
ke731

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 17:23:10.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- If you still need to reach Kessler, his pager # is P6/(b)(6) pin [002]

P6/(b)(6)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 17:30:54.00

SUBJECT:

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

TEXT:

Kevin Sable is looking for you and Rich at the FDA mtg, 438 Dirksen-Schultz is there; Call Kevin at 224-7660

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:24-MAR-1998 17:35:02.00

SUBJECT: Call Jason 66798

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:24-MAR-1998 17:36:43.00

SUBJECT: Call jason with Erskine question 66798

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 18:01:52.00

SUBJECT: H1B meeting w/AFL

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

I attended the meeting with the AFL today. This is where we are:

1. AFL has been approached by Kennedy to get their support for his bill (n.b., the Kennedy announcement is now set for Thursday). They are concerned about raising the cap, but don't really know where they are on whether to support the Kennedy legislation. They don't think that they could endorse raising the cap without a serious, large-scale training initiative (with a big incumbent worker piece). They support reforms to the H1B program, but don't know if they would support a bill that had the reforms, raised the cap, but didn't have a big training piece. However, their affiliates have been signaling that reforms to the H1B program are as important as training. This may be particularly true in light of the GAO report (b/c they see that if employers have to do more to target use of visas to a real shortage and there is no shortage, there will be less use of foreign workers). Also, they noted that some in their constituency will likely oppose any raising of the cap, regardless of what it is packaged with.

2. AFL is interested in bringing the labor unions into some kind of partnership with industry and educators to better address training (both for new workers and, more importantly, for incumbent workers). This could either be by building on the regional skill alliance idea that the NEC group has been working on, or could be a separate venture. Sally is going to convene a meeting next week with AFL folks to talk about what role they could play (with others) in either model.

3. Sally told them that we would share the POTUS statement with them after it is finalized, but before it is released (if there is a window), and asked that they share any statements of theirs with us.

4. It appears that Feinstein has been lobbied hard by the IT folks and is "concerned" about the proposed reforms to the H1B program. Labor is getting her some paper on why the reforms are a good idea.

That's it.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 18:46:06.00

SUBJECT: Update

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

CC: Robin Leeds (CN=Robin Leeds/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:

Susan Liss, Sally and I are all ok to meet at 4pm on Wed with Marcia G.,
Jusith L., Karen N., Gerry S., and Susan B. S.....It will be in
our office.....Room 15 OEOB.

Purpose is to discuss equal pay status.

Laura: This all just transpired.....I know Elena is tied up in
Tobacco. I hope this time fits with her schedule.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 18:52:40.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- CR called; Penalty mtg. still has not started, it will be in 254
Russell

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 19:07:06.00

SUBJECT:

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

TEXT:

CR just called, she is w/ Raidt in 254 Russell, Penalty mtg. is about to start- page her if you need her

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAR-1998 20:15:52.00

SUBJECT: after school event

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

TEXT:

Jen wanted me to let you know that for the May after-school event for the President that we have in mind, we'll also have a DOJ/ Ed report on after-school programs and how they cut down on crime as well as improve educational performance. This is in addition to the announcement of the grants. Thanks --

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 08:56:42.00

SUBJECT: Chile Answers

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

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

TO: Jennifer M. Palmieri (CN=Jennifer M. Palmieri/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

----- Forwarded by Stephanie S. Streett/WHO/EOP on
03/25/98 09:00 AM -----

Laura A. Graham
03/24/98 04:56:49 PM
Record Type: Record

To: Stephanie S. Streett/WHO/EOP
cc: Laura S. Marcus/WHO/EOP
Subject: Chile Answers

The Chileans have come back with some answers:

- 1) They have agreed to do an interactive via satellite throughout the nations represented at the summit with students. Their idea is to have one student rep from each nation ask their leader a question regarding (what I do not know how or if they will be scripted, which could be problematic on our side given the imagination of a HS student in the current climate) anyway, we would need to seriously think on who this student is asking Potus a question and make sure they are scripted as this will now be open to the press. They would repeat the questioning from other students with their leaders.
- 2) Valpariso was confirmed as a go from the Chileans. They are pretty sure that the concern will not be present at all.
- 3) They have agreed to move the Trade/Economics basket to Sunday and swap it with the leaders free lancing.

That is all for now, just wanted to pass along the latest update. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 09:37:48.00

SUBJECT: CNP speech

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

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

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

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

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

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

TO: Jordan Tamagni (CN=Jordan Tamagni/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: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

CC: Dawn L. Smalls (CN=Dawn L. Smalls/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:

I've informed CNP that Erskine will do the speech on Monday. I'll ok their description, but I'm inclined to be very general -- he'll talk about the importance to the President of passing tobacco legislation that protects kids, public health, and about the principles the President has established for any legislation. Does anybody have any better ideas or want this to be more specific?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 09:49:37.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Matt Meyers is holding on 65584

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 10:19:26.00

SUBJECT: Wine labels and treasury

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

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

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

TEXT:

You'd asked me to check on the status of the wine label issue at Treasury. The matter is a regulatory one (the ATF was petitioned by various private parties for the right to use this label) and Rob Weiner is looking into what involvement we can have. I do have a substantive update on the issue -- it is public knowledge via the press that that the decision has been made by Treasury to approve the petition. HHS did write letters to ATF expressing concern about the health effects of this decision. I'm out tomorrow & Fri. but will leave all the relevant info with Mary.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 10:39:17.00

SUBJECT: W2W Scheduling Request

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:

Just got your note written on Staff Secretary's 3/7 memo to POTUS re: Welfare to Work event requested by Eli Segal, asking if we've put in a request, and if not, let's do. This must have gotten delayed getting over here. We did submit request on Monday. I believe Laura showed it to you before it went in. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 10:42:21.00

SUBJECT: Equal Pay

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

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

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

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

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

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

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

TEXT:

The Equal Pay meeting with outside folks is confirmed for today at 4pm in my office, Room 15 OEOP. Those attending from the outside include: Karen Nussbaum, Gerry Shea, Chris Owens(coming with Karen AFL), Susan bianchi Sands, and Marcia Greenberger.

.....they wanted to bring the world with them but I suggested a smaller meeting was the best at this point!

Judith Lichtmann is the only one we have not heard from yet and Gerry Shea is a "maybe" although he will do his best to make it.

Also, Karen said they were planning an event with the Senate for Thurs.....they were in a planning meeting this morning. I asked her if they had discussed combining White House with others and our event being "the event".....and she said, of course, if WH has announcement for an event.....so it is clear to me that no event has really been planned yet, but I'd say they are pretty focused on getting something going by tomorrow.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-MAR-1998 10:56:16.00

SUBJECT: Erskine's latest draft

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

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

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

TEXT:
Erskine made a couple more minor edits. A couple more facts also need to be checked.

He just expressed to me that he likes the speech a lot -- likes the format and the substance. Just missing the news nugget.

Thanks.

jason

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D86]MAIL48261438D.026 to ASCII,
The following is a HEX DUMP:

FF5750439C060000010A02010000000205000000834700000002000008C6793535AFA948BD42505

Draft 3/25/98 11:00am

**CHIEF OF STAFF ERSKINE BOWLES
TALKING POINTS FOR TOBACCO REMARKS
CENTER FOR NATIONAL POLICY
WASHINGTON, DC
March 30, 1998**

Acknowledgments and Introduction. [tk]

I am not ordinarily the Administration's spokesperson on issues like tobacco. But I am here today, not only as the Chief of Staff of this Administration, but as a businessman, as a North Carolinian, and as a parent, to talk to you about the President's plan to protect our children from tobacco.

Consider these facts:

- Smoking kills 430,000 people every year -- more people than AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined. Smoking is still by far the largest preventable cause of premature death in the United States.
- Nearly 90% of smokers started smoking before they turned 18.
- Nearly half of teen daily smokers think they will not be smoking five years later -- yet only one in five actually manages to quit.
- Every day, 3,000 young people will become regular smokers, and 1,000 will die sooner as a result.

At the same time, multi-million dollar marketing campaigns have been designed to get our children to light their first cigarettes.

- In the past months, new documents have come to light that conclusively prove that tobacco companies aimed to sell their deadly products to children as young as [12].
- These documents are a shocking reminder that our children are under siege by a deadly and powerful enemy -- and it is up to us to protect them.

As Chief of Staff, I can tell you that protecting our children from this threat is one of President Clinton's top goals -- and this administration is fully committed to working with the bipartisan leadership in Congress to achieve it.

- This is not a matter of politics --- it is a matter of priorities. Many Members of Congress from both parties have taken enormous leadership on this most important issue.
- Congressman Waxman has been on the forefront of this issue for years -- helping lead to the pivotal point we are at today.
- Congressman Bliley has recently done the American people a great service by getting thousands of pages of documents from the tobacco companies posted on the Internet for all the world to see.
- Congressman Fazio and Senators Conrad, Harkin, and Chaffee, have introduced bills we can support.
- Senator McCain has provided great leadership in the Commerce Committee to try to put together a bipartisan bill that meets the President's principals.
- We will not let protecting our children's lives become an election year political fight. It must be a national commitment.

President Clinton has proposed a comprehensive plan that he believes -- and experience shows -- is the best way to stop young Americans from smoking before they start.. His plan would:

- Raise the price of cigarettes by up to \$1.10 a pack over the next ten years;
- Affirm the FDA's full authority to regulate tobacco products;
- Impose strict restrictions on advertising aimed at young people; and
- Assess stiff penalties for selling cigarettes to minors.

The Treasury Department has found that the President's proposal to stop teenage smoking will save 1 million lives over the next five years.

- Last week, Vice President Gore announced that new estimates show that our proposal would have major effects on youth smoking in every state, with reductions ranging from 33% in Washington State to 51% in Kentucky.
- For every dime added to the price of cigarettes, up to 700,000 fewer teenagers will begin smoking and more than 200,000 premature deaths will be avoided..
- The combination of the price increase called for in the President's plan plus the tighter restrictions on youth access and marketing, are projected to reduce teenage smoking by ____, ____, a year and ____%.

Tobacco companies must be part of the solution, too.

- As the President has said, encouraging adults to smoke is legal, but tobacco companies must draw the line at our children.
- Our proposal requires tobacco companies to help establish smoking cessation programs for adult smokers, and to launch public education campaigns aimed at children to keep them from smoking in the first place.

The heavy human cost of smoking to our families and communities is tragic -- and as a businessman, I can tell you that the economic cost to our society is extremely high.

- Smoking related illness costs approximately \$60 Billion every year -- that's more than we spend on education, child care, and medical research combined. [tk]
- Smoking during pregnancy results in 2,500 fetal deaths every year, and costs \$3 to \$4 Billion every year; -- with that money alone, we could provide health care insurance to _____ uninsured kids. [tk]
- Fires caused by smokers cost another \$500 Million every year;
- Smokers with group life insurance push up the premiums of non-smokers in their insurance pool by about \$4 Billion every year; and
- Smokers die earlier and retire sooner -- and this is estimated to carry a cost to our economy in lost output, lost productivity, and lost wages as high as \$60 Billion every year.

These costs rob our economy and cheat the American people out of their hard-earned tax dollars. But if we pass the President's plan, we will take the first important steps to reducing these costs, increasing productivity, and most important, saving lives.

We know that this plan will be good for America -- but as a North Carolinian born and raised in tobacco country, I can tell you that we must also take steps to make sure that we treat our tobacco farmers fairly.

- The President made protecting tobacco farmers and their communities one of the five key elements for his plan for comprehensive tobacco legislation.**
- We can achieve the twin goals of protecting the health of the public and protecting the well-being of farming communities. Recently, a remarkable coalition of farming groups, including burley and flue-cured growers, and public health groups, including the American Heart Association and the American Cancer Society, came together around a shared set of principles. That is a consensus we can build on.**
- We will use some of the revenue from raising the price of cigarettes to make sure that we save our kids without devastating our farm communities. That is a commitment the Administration has made, and we are optimistic that a consensus is forming to do just that in Congress.**

President Clinton's balanced budget protects our children from the harms of tobacco and our nation from the burdensome costs associated with teen smoking -- and this budget used the very money raised by raising the price of cigarettes to invest in the future of our nation. Our budget uses the tobacco money for:

- Critical investments in health research, including biomedical research, cancer clinical trials, and children's health outreach -- increasing by nearly 50% funding at the National Institutes of Health.**
- Historic investments in child care -- providing child care to up to [xxx] working families;**
- Unprecedented investments in education -- reducing class size, hiring 100,000 more teachers, building or rehabilitating 5,000 more schools;**

Finally, and most importantly, as a parent of three kids, I can tell you that when I hear the statistics I mentioned when I began, my blood runs cold.

- And when I hear that tobacco companies have deliberately tried to get our children to smoke -- despite the fact that a full third of the 3,000 kids who start smoking every day will die prematurely -- I know that we must not rest until we have done everything we can to protect our children from tobacco.

We have it within our power right now to save the lives of one million kids over the next ____ years [tk]. We must not miss this historic opportunity.

- As President Clinton recently said: “We stand on the verge of one of the greatest public health achievements in history -- an historic triumph in our fight to protect America’s children from the deadly threat of tobacco.”
- As Chief of Staff of this Administration, as a businessman and a North Carolinian, as a parent -- and as an American -- I ask you to support our efforts, and to work with us in a bipartisan manner to meet this vitally important challenge.

Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 11:10:06.00

SUBJECT: tobacco Q&A

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

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

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

TEXT:

Here are this morning's Q&A.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D18]MAIL46952438K.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A020100000002050000006F0A00000002000051E5F19C6E55C132BD0D36
DCD28520F52525A5650BE63AF336BA0FBBC94AAE8D5FBDF872B2890AB7166AA154142D3E65A13C

Q&A
March 25, 1998

Martin Feldman testified before the Commerce Committee yesterday that the President's proposal would cost \$644 billion over 25 years. What is your response to this?

The President's budget includes \$65 billion in spending over five years from tobacco legislation. We have not done, and never do, budget projections beyond five years. We propose industry payments at a level that would result in a \$1.10 per pack price increase in order to cut youth smoking nearly in half and prevent a million deaths over the next five years. This means that over the next five years, 3 million fewer underage teens would be kept from smoking. The \$1.10 figure is based on its projected impact on youth smoking, not on its ability to generate revenue.

What are the new figures that Larry Summers is releasing today?

Larry Summers is releasing a new Treasury Department analysis that shows that smoking costs this nation's economy \$230 billion a year in terms of lost productivity and higher medical costs. By reducing youth smoking by 60 percent, as proposed by the President, we would save an estimated \$60 billion in costs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 11:24:58.00

SUBJECT:

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

TEXT:

Hugh Rodham wants to meet w/ you today, he is in the Residence at 329

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 11:44:18.00

SUBJECT:

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

TEXT:

Doris Meissner called & wants to talk to you asap 514-1900

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 11:53:10.00

SUBJECT: tobacco Q&A - revised

TO: Cynthia A. Rice (CN=Cynthia A. Rice/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:

Here is the revised Q&A. I didn't have the most current version of the
speech for my 11am version. Sorry for the confusion.===== ATTACHMENT

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D82]MAIL46215438J.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000390A00000002000014B464A04952D1D1279CD6
C69B82E20EF070035A4A7952B876AFE3CF9B5142C59C967B9E70266DCAB2382CFBC5AEA7FD13E2

**DRAFT 3/25 noon
Q&A
March 25, 1998**

Martin Feldman testified before the Commerce Committee yesterday that the President's proposal would cost \$644 billion over 25 years. What is your response to this?

The President's budget includes \$65 billion in spending over five years from tobacco legislation. We have not done, and never do, budget projections beyond five years. We propose industry payments at a level that would result in a \$1.10 per pack price increase in order to cut youth smoking nearly in half and prevent a million deaths over the next five years. This means that over the next five years, 3 million fewer underage teens would be kept from smoking. The \$1.10 figure is based on its projected impact on youth smoking, not on its ability to generate revenue.

What are the new figures that Larry Summers is releasing today?

Larry Summers is releasing a new Treasury Department analysis that shows that smoking costs this nation's economy \$130 billion a year in terms of lost productivity and higher medical costs. By reducing youth smoking by 60 percent, as proposed by the President, we would save an estimated \$78 billion in costs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 12:27:03.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- Rodham & John Cole will come to Bruce's office at 2:30 to meet w/ you

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 12:31:38.00

SUBJECT: Ideas

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

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

READ:UNKNOWN

TEXT:

Rahm/Elena:

While I'm still pouring over the facts to make sure this is what makes the most sense, here's my initial recommendation of what we might want to say in the radio address:

1. Add section on preventing/responding to multiple shootings in annual report. Building on his comments this morning the President could call on the AG and Secretary Riley to convene a national meeting with experts on what leads youth to commit such sudden, violent acts (child abuse, exposure to violence, etc.). Recommendations from the experts would be added to the Administration's Annual Report on School Safety and include early warning signs and initial responses that teachers and parents should know to help avoid multiple shootings by distraught students.

2. Make parents who don't keep guns out of the hands of their kids liable for their actions. In both the Pearl and Paducah shootings, the kids involved obtained their firearms from their homes. There is absolutely no reason that a distraught 11- or 12-year old should have easy and unsupervised access to firearms. That's why parents who don't make the effort to safely store and lock their firearms should be held liable for their actions. Next week, the Administration will transmit model juvenile handgun legislation to the States that -- in addition to many of the provisions in our juvenile crime bill -- will propose making adults who allow easy to their firearms criminally liable if those guns are misused. Not only should states enact those laws, but I will ask the AG to determine if we should enact such legislation at the federal level, too.

Rahm, the draft report and legislation on model handgun legislation has not yet been sent and can be leaked. I'll run a copy over to you in a few minutes. DOJ and Education refuse to budge on the other pending school violence study. You may want to call Kent. Also, did you know that Riley is testifying on the Hill this afternoon, and this is sure to come up. I understand that ABC will cover the hearing.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 12:47:59.00

SUBJECT:

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

TEXT:

Tell Rich: that Jack Callahan is holding at 65584 for him & Jane Horvath called him back at 690-7450

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 13:10:46.00

SUBJECT:

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

TEXT:

Pls. call John Raidt 224-1251

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 13:32:39.00

SUBJECT: Update on food stamps for legal immigrants

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

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

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

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

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

TEXT:

OMB is up on the Hill trying to negotiate as much of our \$2.5 billion food stamp restoration for legal immigrants as possible as part of the Ag research bill. There is agreement to spend \$642 million on this, and OMB is searching for additional offsets to get the number up to around \$820 million. OMB is trying to figure what part of our restoration package (families with children, disabled, elderly) can get shoe-horned in to equal that amount. Congress is refusing to consider the feature of our proposal that would help families with children who arrived after the law was signed.

They are considering funding a bit of this by cutting back a bit in the first year only on the food stamp employment/ training slots we got added last year to help the 18-50 year olds. Apparently Greenstein is pushing this and OMB is a bit reluctant to do it, but this money isn't getting spent very fast by the states.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 13:43:49.00

SUBJECT: Action by California on FLSA and workfare

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

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

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

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

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

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

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

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

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

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

TEXT:

Seth Harris says DOL hears from reliable sources that California plans to send guidance to welfare directors next week that people in work experience are not covered by FLSA. Here's DOL's plan to deal with it.

1. DOL will call the state now, saying in a neutral way that they hear guidance is being prepared, and offer to help in their interpretation, with a followup letter saying the same thing.
2. Then they expect to get within a few days a formal request from a Democratic state legislator asking for a formal opinion on the guidance. DOL will respond to that by saying the guidance appears to be inconsistent with DOL's guidance, that the state is wrong to make categorical judgments about the status of work experience participants, but that they need to learn more.
3. If this doesn't stop the state from issuing the guidance, advocates will find a plaintiff and bring suit in federal court. (An alternative would be for the advocates to ask DOL's Wage and Hour Division to take enforcement action, but Seth thinks they'll bring suit.) If that happens, DOL would then like to file an amicus brief in the case. That won't happen for a few weeks at the earliest.

Let me know if you have a concern about DOL's plan of action or would like to discuss further.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 14:06:31.00

SUBJECT:

TO: CYNTHIA (Pager) #RICE (CYNTHIA (Pager) #RICE [UNKNOWN])
READ:UNKNOWN

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

TEXT:

Call John Raidt 224-1251 re: FDA language

March 31, 1998

DRAFT

Harold Rogers
Chairman
Subcommittee on Commerce, Justice, State,
the Judiciary and Related Agencies
Appropriations Committee
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman,

In the Subcommittee's Report accompanying P.L. 105-119, the Congress directed the Attorney General to review the recommendations of the Commission on Immigration Reform (CIR) and develop a plan that would result in greater effectiveness and efficiency in the performance of the core functions of the federal immigration system. The President, also responding to the report of the CIR, asked the Domestic Policy Council (DPC) to "evaluate carefully the [CIR] proposal and other reform options designed to improve the executive branch's administration of the Nation's immigration laws." In conducting this review, the DPC, working closely with the Office of Management and Budget, consulted with the Departments of Justice, Labor and State, the INS, staff of the CIR, immigration experts and advocacy groups, and other White House offices, including the National Security Council.

The DPC/OMB review concluded that the CIR report correctly diagnosed many of INS' problems -- insufficient accountability between field offices and headquarters, lack of consistency and professionalism, overlapping organizational relationships, and significant management weaknesses. These problems have hampered the ability of the INS to pursue effectively the principle tasks that Congress and the President expect the INS to perform: effective enforcement of our immigration laws both at our borders and in the interior, and the efficient provision of immigration and citizenship benefits and services. Improving the ability of the INS to pursue these critical priorities must be the guiding principle of any reform plan.

After careful consideration and study, we have concluded that the most effective way to adhere to this guiding principle is to implement dramatic and fundamental reforms *within* the INS. The Administration's reform plan will untangle the INS's overlapping and frequently confusing organizational structure and replace it with two clear organizational chains of command -- one to accomplish its enforcement mission and the other to provide immigration-related services. By retaining both of these functions within a single agency, the Administration's reform plan would ensure that both the enforcement and the service operations are appropriately coordinated and supported by Headquarters. The Administration's reform plan will strengthen accountability and improve efficiency and effectiveness by allowing each of the two chains of command to focus on the unique

management, knowledge, skills, and abilities of its function.

The key features of the Administration's plan are:

- **Effect an operational split between enforcement and services, resulting in two distinct, clear lines of authority from the field to headquarters, with an INS Commissioner continuing to be responsible for overall agency operations;**
- **Eliminate the current "district" field structure, and replace it with a functional and geographic-based organization that allows for the creation of service offices in areas convenient to their immigrant "customers" and the creation of enforcement offices at border areas and at significant ports of entry;**
- **Improve the quality of the workforce by creating separate enforcement and service career paths for INS employees, so that the best employees can move up the ladder and be rewarded for high performance;**
- **Restructure management operations to ensure an effective "shared support" operation (e.g., records and data management, technological support, employee relations, and administrative support) that will serve both the enforcement and the service sides of the agency.**
- **Establish a Chief Financial Officer to address deficiencies in financial, accounting and budget execution systems.**

In addition to implementing the restructuring plan noted above, the Administration will continue its efforts to identify and then take appropriate remedial action to eliminate any remaining areas of duplication, overlapping responsibilities, or inadequate coordination between the INS and the Departments of Labor and State.

It should be noted that during its review, DPC and OMB carefully evaluated the recommendations of the CIR. The CIR concluded that the INS's dual responsibility of welcoming legal immigrants and deterring illegal immigration has resulted in "mission overload." To address this issue, the CIR recommended disbanding the INS and reallocating its primary responsibilities to the Department of Justice (DOJ) and the State Department. We believe those recommendations would only compound the current problems with the nation's immigration system.

First, such a substantial reallocation of authority could require a six- or seven-year transition, exacerbating existing concerns about long delays in immigration activities. Second and even more important, this reallocation would hinder the coordination and communication necessary to maintain the integrity and efficiency of both immigration enforcement and immigration service operations. To be most effective, all immigration policy and management should remain within one agency at the Justice Department.

The Administration's plan is a fundamental change in the way the INS conducts business. This restructuring -- from top to bottom -- will address long-standing concerns about lines of authority and responsibility, consistency of operations, and performance within the INS. It will result in improved enforcement coordination, career paths that support professionalism, and measurable changes in the way INS provides services to the immigration community. Most important, it will greatly improve the ability of the INS to perform their duties effectively and efficiently. We look forward to working with you and other members of Congress to implement this restructuring plan and to ensure successful, long-term improvements in the Nation's immigration system.

Sincerely,

**Franklin Raines
Director
Office of Management and Budget**

**Bruce Reed
Assistant to the President for Domestic Policy**

**Janet Reno
Attorney General**

Enclosures

***Restructure and Reform of the Immigration and Naturalization Service
Comparison of the Administration and Commission on Immigration Reform (CIR) Proposals***

<i>CIR Recommendation</i>	<i>Administration Restructuring Proposal</i>	<i>Rationale</i>
<p><u>Immigration Enforcement</u></p> <p>Consolidate immigration enforcement at the border and in the interior in a new Bureau for Immigration Enforcement at the Department of Justice.</p>	<p>Establishes an Executive Associate Commissioner (EAC) for Enforcement Operations with responsibilities for all enforcement functions (border patrol, inspections, investigations, detention and intelligence) reporting directly to the INS Deputy Commissioner/ Commissioner. This functional split between enforcement and service operations extends from the field to headquarters.</p>	<p>Consolidates border and interior enforcement within one entity but preserves necessary integration between enforcement and service functions. Establishes clear lines of authority and divisions of responsibility between these two operations. Maintains a single immigration focal point within the Department of Justice (DOJ).</p>
<p>Bureau Director appointed for a set term (5-years).</p>	<p>INS Commissioner remains a Presidential appointee with no set term.</p>	<p>Ensures agency-head has the confidence of the Attorney General and President.</p>
<p>Upgrade all enforcement personnel to receive law enforcement pay and benefits commensurate with those of other DOJ law enforcement components.</p>	<p>The Administration is reviewing pay comparability options to ensure law enforcement officers with similar duties receive comparable pay and benefits.</p>	<p>Eliminating pay disparities between enforcement agents performing similar tasks promotes increased professionalism and positive morale.</p>
<p>Establish a Uniformed Service Enforcement Branch that merges INS inspectors, border patrol and detention officers into one uniform service. Investigations would constitute a "white-collar" division with this new bureau.</p>	<p>Consolidates all enforcement operations under an area enforcement director. Within this structure, border patrol, inspectors and detention officers will each continue to operate separately within their defined area of expertise.</p>	<p>Provides a single point of responsibility and accountability for all enforcement and allows the agency to focus on integrated enforcement on a national or global scale.</p>
<p>All uniformed officers (border patrol, inspectors and detention officers) within a particular geographic area would be under the authority of a single integrated enforcement manager.</p>	<p>Consolidates all enforcement operations under an area enforcement director. The enforcement area director will report directly to the EAC for Enforcement Operations.</p>	<p>Provides a single point of responsibility and accountability for all enforcement and allows the agency to focus on integrated enforcement on a national or global scale. This approach is similar to a traditional law enforcement model.</p>
<p>Establish a "removal officer" position that integrates the functions of investigations and deportation.</p>	<p>Investigators and deportation officers will be merged into an investigation and removal unit within the enforcement area.</p>	<p>Close coordination, oversight and management will ensure optimum use of staff to expedite the removal of illegal aliens. The merits of merging the two occupational series is still under consideration.</p>
<p>Field offices structured to address comprehensively the immigration enforcement</p>	<p>In place of the current district office structure, consolidates all enforcement operations under an</p>	<p>Creates an unambiguous enforcement chain of command with clear reporting relationships and a</p>

<i>CIR Recommendation</i>	<i>Administration Restructuring Proposal</i>	<i>Rationale</i>
challenges within that locality.	area enforcement director. The enforcement area director will report directly to the EAC for Enforcement Operations. Border patrol officers will report to the border patrol chief; inspectors will report to port-of-entry directors. These enforcement officers, along with investigation and removal personnel, will report to the area enforcement director who coordinates enforcement activities within a geographic area.	manageable span of control.
Retain regional offices.	Regional offices will be restructured as operational rather than administrative. Instead of three regional offices, the plan envisions between 6 and 12 enforcement areas. Each enforcement area director will report directly to the EAC for Enforcement Operations.	Provides operational oversight of field operations, to achieve better coordination and execution of enforcement priorities.
<p><u>Immigration Services</u></p> <p>Adjudication of eligibility for immigration-related applications (immigrant, limited duration admissions, asylum, refugee, and naturalization) in the Department of State under the jurisdiction of a new Undersecretary for Citizenship, Immigration, and Refugee Admissions.</p>	Establishes an Executive Associate Commissioner for Immigrant Services consisting of all immigrant service functions reporting directly to the INS Deputy Commissioner/ Commissioner.	Establishes a singular immigration service organization but preserves necessary integration between enforcement and service functions. Establishes clear lines of authority and divisions of responsibility between these two missions. Maintains a single immigration focal point within the DOJ.
Establish a Bureau of Immigration Affairs at the State Department to manage the immigration process including domestic adjudication/examination (work authorization/adjustment of status) and employment verification.	Functions included within a restructured EAC for Immigration Services.	Immigration enforcement responsibilities are integral to the benefit review and adjudication process. Neither mission can be conducted effectively if separated.
Establish a Bureau of Refugee Admissions and Asylum Affairs at the State Department responsible for overseas refugee admissions and refugee and asylum functions conducted by the INS.	Functions included within a restructured EAC for Immigration Services.	Same as above. INS and State will initiate an operational review to minimize overlap and duplication within INS and State-run visa, refugee and asylum programs.
Establish a Bureau of Citizenship and Passport	Functions included within a restructured EAC for	The State Department is not equipped to conduct

<i>CIR Recommendation</i>	<i>Administration Restructuring Proposal</i>	<i>Rationale</i>
Affairs at the State Department responsible for naturalization and determinations of citizenship and passport issuance.	Immigration Services.	the service and enforcement processes required in the naturalization program. Moreover, this reallocation of functions to State may conflict with their foreign policy mission. The naturalization redesign has addressed the concerns raised by the CIR while retaining this responsibility within the INS.
Establish Quality Assurance Officers to oversee records management, procedure monitoring, fraud investigations and internal review.	INS has expanded its INSpect program to assist in internal review and audits.	The naturalization redesign has established integrity quality assurance checks throughout the process. The redesign incorporates sweeping changes in processes, records management, data flow and retention, and customer service as measures of quality and integrity.
Establish a field structure that uses existing INS Regional Service Centers and State's National Visa Center and create a local office structure that is separate from immigration enforcement offices.	The EAC for Immigration Services will rely heavily on direct mail to existing INS service centers. Local service offices will move from the current district office configuration to a community-based operation. Service offices will not necessarily be located in the same location as enforcement areas.	The naturalization redesign study has recommended direct-mail to service centers for benefit processing and INS is implementing these recommendations. Beginning April 15, 1998, all naturalization processing will be direct-mail and phased implementation of direct mail processing for all other benefit applications in planned for completion over the next two years.
<u>Immigration-related functions</u>		
Consolidate enforcement of immigration-related employment standards in the Department of Labor.	DOL and INS will develop an MOU that will improve coordination with the INS and more effective DOL involvement in worksite enforcement.	Will provide a mechanism for the more effective enforcement of immigration-related labor laws.
All worksite investigations to ascertain employers' compliance with employment eligibility verification requirements should be conducted by the Department of Labor.	DOL and INS will develop an MOU that will improve coordination with the INS and more effective DOL involvement in worksite enforcement.	Will provide a mechanism for the more effective enforcement of immigration-related labor laws.
<u>Administrative Review</u>		
Administrative review of all immigration-related	Maintains the current review and appeals	It is important to maintain the Attorney General's

<i>CIR Recommendation</i>	<i>Administration Restructuring Proposal</i>	<i>Rationale</i>
decisions should be consolidated and considered by a newly-created independent agency, the Agency for Immigration Review. This agency would be headed by a Presidentially-appointed Director.	mechanism. The Administration is studying options to consolidate certain review and appeals functions currently in the INS and DOL into the Executive Office of Immigration Review under the Attorney General.	ability to oversee the administrative appeals process within the Department of Justice. Also important to maintain each agency's role in the review of decisions reached by an division or component of that agency.
<u>Agency-wide reforms</u> Set more manageable and fully-funded priorities (realistically-achievable short and long-term goals and greater specificity on expected annual outcomes to which agencies should be held accountable).	The INS has developed strategic performance plans and measures in both enforcement and service operations. These plans and measures are manageable and will accurately capture agency performance. As measures are refined, annual outcomes can help judge performance and highlight strengths and weakness that require management attention.	The goal is result-oriented performance measures that allow management to judge performance in the aggregate and provide line-managers with the data necessary to do their job effectively.
Improve systems of accountability and measures of performance.	The key feature of this restructuring plan is to build clear lines of responsibility and accountability within the INS. The restructuring will ensure that line managers have the necessary tools to do the job effectively and performance can be measured. Current confusing and overlapping organizational relationships will be eliminated and replaced with clear lines of command in enforcement, services and within the administrative support functions -- vital to INS' operational effectiveness.	Much of the work INS performs requires close coordination between enforcement and services. Under this restructuring, coordination is maintained while reporting relationship remain clear so that policy can be developed, coordinated and applied consistently.
Strengthen the customer service orientation. Establish a separate career track for service operation employees.	This restructuring will establish separate career paths for enforcement and service personnel.	Lack of clear career path for enforcement and service personnel often means INS losses its best employees. This restructuring, by creating a separate career path for enforcement and service operations will increase retention and, therefore, improve overall morale.
Use fees for immigration services more effectively.	This restructuring, combined with the naturalization redesign, should address this concern. INS recently completed a activity-based-costing (ABC) review of its benefit fee structure that accurately estimates the cost of	Fees should reflect true costs, cover the costs of services provided, result in timely and courteous service and provide flexibility in their use to meet changing service requirements and demands. The base-funding review of its fee structure and the

<i>CIR Recommendation</i>	<i>Administration Restructuring Proposal</i>	<i>Rationale</i>
	providing benefits. INS will conduct a "base" funding examination of its fee structure in FY 1998 to ensure benefit and service fee receipts support service-related operations.	ABC review should help assure the immigrant community that fees reflect true costs and that they support fee services.

C:\WORK\WP\IMMIGRAT\99\INSCIR.JF

March 29, 2010

2:30pm

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 15:23:03.00

SUBJECT:

TO: CYNTHIA (Pager) #RICE (CYNTHIA (Pager) #RICE [UNKNOWN])
READ:UNKNOWN

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

TEXT:

Lookback conf. call is happening ASAP 6-6755 code 6667

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 15:25:14.00

SUBJECT: WtW Formula Grants--Status

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

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

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

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

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

TEXT:

I've started keeping this list for myself, and thought you might find it useful. I'll send updates as things change.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D60]MAIL49337538T.026 to ASCII,
The following is a HEX DUMP:

FF57504375050000010A020100000002050000004F0C0000000200000659E4020E45CF4861B0E
3D8CAF15C9588C1D331CF8609D1DBAACDDE87BF07CC9EC03C7D0E6BBBA511545E6A326766D7BA9

Welfare-to-Work Formula Grant Status

States announced 1/29/98: \$122M

IL
LA
MI
NE
NV

States announced 2/19: \$32.6 M

MA
SC

States announced 3/2: \$26.3 M

KA
HI
MN

3/19:

26 tribal plans approved \$5.8 M

States with pending plans:

MO (probably by 3/27)
TN (probably by 3/27)

NOTE: DOL is working with OVP to do press release with VP quote and provide talking points so VP can call TN delegation and possibly Governor Carnehan.

GA
KY
DE (probably week of 4/30)
CA

Tribes with pending plans:

20 (probably by 4/30)

NOTE: OVP and IG are aware but OVP can't do anything before 4/1. DOL will probably release grants, but work with OVP to do a conference call to all tribal grantees soon.

As of 3/25

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura A. Graham (CN=Laura A. Graham/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-MAR-1998 16:08:06.00

SUBJECT: Chile Message Meeting

TO: Craig T. Smith (CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Eleanor S. Parker (CN=Eleanor S. Parker/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Laura S. Marcus (CN=Laura S. Marcus/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Elisa Millsap (CN=Elisa Millsap/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There will be a meeting to discuss the Chile Summit of the Americas message events (Summit and Bilateral) tomorrow at 2:00 pm in Ann Lewis' office. It is imperative that we get this group together asap since both

the summit education event and the bilateral event are domestic related and logistically complicated. Please make all efforts to be on time. Please include others who I have left out. Any questions, please call me at x62349.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 16:28:53.00

SUBJECT: FYI on radio address on benefits to prisoners

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

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

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

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

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

TEXT:

SSA says Rahm asked Ken Apfel for material on SSA's efforts to stop paying benefits to prisoners, along with ideas for how to expand those efforts to other agencies. Ken sent a copy of his note to Elena and OMB on the theory that we would have to be involved in any effort to expand this to other agencies in a quick way. Other programs Ken listed that might benefit if SSA shared its prisoner data are food stamps, veterans benefits, and child support enforcement. I'm not sure if DPC should be following up and, if so, who.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-MAR-1998 16:47:05.00

SUBJECT: UPDATED Erskine Speech Draft with fact checks included

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

TO: Jordan Tamagni (CN=Jordan Tamagni/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.D20]MAIL42212638F.026 to ASCII,
The following is a HEX DUMP:

FF5750430C070000010A02010000000205000000EA41000000020000B984BFAA7C38B9BAED3C0B
116F857327F2E7288BADD3D722B6579CD00840BA75ACEC0121DDE51AC37D333724A4B90ED599D7

**CHIEF OF STAFF ERSKINE BOWLES
TALKING POINTS FOR TOBACCO SPEECH
March 30, 1998**

Acknowledgments and Introduction. [tk]

I am not ordinarily the Administration's spokesperson on issues like tobacco. But I am here today, not only as the Chief of Staff of this Administration, but as a businessman, as a North Carolinian, and as a parent, to talk to you about the President's plan to protect our children from tobacco.

Consider these facts:

- Smoking kills 430,000 people every year -- it kills more people than AIDS, alcohol, car accidents, murders, suicides, drugs and fires combined. Smoking is still by far the largest preventable cause of premature death in the United States.
- Nearly 90% of smokers started smoking before they turned 18.

- Nearly half of teen smokers think they will not be smoking five years after starting -- yet only one in five actually manages to quit.
- Every day, 3,000 young people will become regular smokers, and 1,000 will die sooner as a result.

At the same time, multi-million dollar marketing campaigns have been designed to get our children to light their first cigarettes.

- In the past months, new documents have come to light that conclusively prove that tobacco companies aimed to sell their deadly products to children as young as 12.
- These documents are a shocking reminder that our children are under siege by a deadly and powerful enemy -- and it is up to us to protect our children.

As Chief of Staff, I can tell you that protecting our children from the threat of tobacco is threat is one of President Clinton's top goals -- and this administration is fully committed to working with the bipartisan leadership in Congress to achieve this goal.

- This is not a matter of politics --- it is a matter of priorities. Many Members of Congress from both parties have shown enormous leadership on this most important issue.
- Congressman Waxman has been in the forefront of this issue for years -- providing the powerful leadership it took to bring us to the pivotal point have reached today.
- Congressman Bliley has recently done the American people a great service by getting thousands of pages of documents from the tobacco companies posted on the Internet for all the world to see how tobacco companies have gone after our children.

- Congressman Fazio and Senators Conrad, Harkin, and Chafee, have worked long and hard to introduce tobacco legislation that this Administration can support.
- Senator McCain [and Senator Hollings] has/have provided great leadership in the Commerce Committee to put together a bipartisan bill that embodies the President's principals.
- We will not let protecting our children's lives become an election year political fight. It must be a national commitment.

President Clinton has proposed a comprehensive plan that he believes -- and experience shows -- is the best way to stop young Americans from smoking before they start. His plan would:

- Raise the price of cigarettes by up to \$1.50 a pack over the next ten years;
- Affirm the FDA's full authority to regulate tobacco products;
- Impose strict restrictions on advertising aimed at young people; and
- Assess stiff penalties for selling cigarettes to minors.

The Treasury Department has found that the President's proposal to stop teenage smoking will save 1 million lives over the next five years.

- Last week, Vice President Gore announced that new estimates show that our proposal would have major effects on youth smoking in every state, with reductions ranging from 33% in Washington State to 51% in Kentucky.
- For every dime added to the price of cigarettes, up to 700,000 fewer teenagers will begin smoking and more than 200,000 premature deaths will be avoided.
- The combination of the price increase called for in the President's plan plus the tighter restrictions on youth access and marketing, will reduce teen smoking by 1.6 In 2003 -- a 42% reduction and a total of 3 million fewer smokers over the next 5 years.

Tobacco companies must also be part of the solution.

- As the President has said, advertising aimed at adults is legal, but tobacco companies must draw the line at our children.
- Our proposal requires tobacco companies to help establish smoking cessation programs for adult smokers, and to launch public education campaigns aimed at children to keep them from smoking in the first place.

The heavy human cost of smoking to our families and communities is tragic -- and as a businessman, I can tell you that the economic cost to our society is extremely high.

- Smoking related illness costs approximately \$60 Billion every year -- that's more than the federal government spends on education, child care, and medical research combined.
- Smoking during pregnancy results in 2,500 fetal deaths every year, and **costs \$4 billion every year -- which is close to double what we spend on cancer research each year.**
- Fires caused by smokers cost another \$500 Million every year;
- Smokers die earlier and retire sooner -- and this is estimated to cost our economy as much as \$80 Billion every year in lost output, lost productivity, and lost wages.

These costs rob our economy and cheat the American people out of their hard-earned tax dollars. But if we pass the President's plan, we will take the first important steps to reducing these costs, increasing productivity, and most important, saving lives.

We know that this plan will be good for America -- but as a North Carolinian born and raised in tobacco country, I can tell you that we must also make sure that we treat our tobacco farmers fairly.

- **The President has made protecting tobacco farmers and their communities one of the five key elements for his plan for comprehensive tobacco legislation.**

- **We can achieve the twin goals of protecting the health of the public and protecting the well-being of farming communities. Recently, a remarkable coalition of farming groups, including burley and flue-cured growers, and public health groups, including the American Heart Association and the American Cancer Society, came together around a shared set of principles. That is a consensus we can build on.**
- **We will use some of the revenue from raising the price of cigarettes to make sure that we save our kids without devastating our farm communities. That is a commitment this Administration has made, and we are optimistic that a consensus is forming in Congress to use some of this money to help tobacco farmers.**

President Clinton's balanced budget protects our children from the harms of tobacco -- and our nation from the burdensome costs associated with teen smoking. And this budget uses the very money raised by raising the price of cigarettes to invest in the future of our nation. Our budget uses the tobacco money for:

- Critical investments in health research, including biomedical research, cancer clinical trials, and children's health outreach -- increasing by nearly 50% funding at the National Institutes of Health.
- We also make historic investments in child care and after-school care -- doubling the number of working families who receive child care, for a total of 2 million children; and increasing the number of students receiving after school care by 500,000 per year; and lastly,
- We make unprecedented investments in education -- reducing class size, hiring 100,000 more teachers, building or rehabilitating 5,000 more schools;

Finally, and most importantly, as a parent of three kids, I can tell you that when I hear the statistics I mentioned earlier, my blood runs cold.

- And when I hear that tobacco companies have deliberately tried to get our children to smoke -- despite the fact that a full third of the 3,000 kids who start smoking every day will die prematurely -- I know that we must not rest until we have done everything we can to protect our children from tobacco.

We have it within our power right now to save the lives of 1 million kids over the next five years. We must not miss this historic opportunity.

- As President Clinton recently said: “We stand on the verge of one of the greatest public health achievements in history -- an historic triumph in our fight to protect America’s children from the deadly threat of tobacco.”
- As Chief of Staff of this Administration, as a businessman, as a North Carolinian, as a parent, and as an American -- I ask you to support our efforts, and to work with us in a bipartisan manner to meet this vitally important challenge.

Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-MAR-1998 16:50:53.00

SUBJECT: UPDATED Erskine Speech Draft with fact checks included

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

READ:UNKNOWN

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

READ:UNKNOWN

Records Management (Records Management @ EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

Excuse the funky formatting -- that's how EBB likes it.===== ATTACH
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D72]MAIL444626380.026 to ASCII,
The following is a HEX DUMP:

FF5750430C070000010A02010000000205000000EA410000000200000B984BFAA7C38B9BAED3C0B

CHIEF OF STAFF ERSKINE BOWLES
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March 30, 1998

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Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 16:53:06.00

SUBJECT: Call Larry Stein ASAP x62230/va

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barbara D. Woolley (CN=Barbara D. Woolley/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-MAR-1998 17:26:58.00

SUBJECT: Press conference w/ Sec. Shalala and Smokeless Tobacco

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

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

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

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

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

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

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

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

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

TEXT:

Is confirmed for Tuesday, March 31, Opening Day of Baseball, at HHS in the morning. Not confirmed is the throwing out of the first pitch in Baltimore, but we're working on that one. They will announce the development of a spit tobacco cessation program for professional baseball players.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 17:42:37.00

SUBJECT: You probably know this, but...

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 House emergency supplemental cuts AmeriCorps very sharply, among other programs. I am working with OMB and the Corp. for Natl Service on whatever statements we issue on this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAR-1998 17:46:34.00

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 at 9am in room 100. Bobbie Greene will be leading it tomorrow. Thanks.