

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 078 - FOLDER -003

[06/09/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 12:09:04.00

SUBJECT: Benchmarking Summary

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:
For purposes of the meeting today, here is the latest version of a summary of benchmarking. This is a draft of what would be released with the new rule.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D62]MAIL48795206B.126 to ASCII,
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THE PRICE EVALUATION ADJUSTMENT PROGRAM

A key component of the Clinton administration's reform of the federal government's procurement assistance programs is its new price evaluation adjustment program. This program was authorized by Congress in 1994 as part of the Federal Acquisition Streamlining Act. The first phase of the program, which is being implemented through a revision of the Federal Acquisition Regulation, goes into effect on _____.

Under this new program, owners of small disadvantaged businesses ("SDB's") bidding on competitively awarded federal contracts may qualify for a price evaluation credit of up to 10%. Credits will be available only to businesses that have been certified as SDB's by the Small Business Administration. These credits help level the playing field for minority groups who have encountered discrimination in their efforts to compete. Other than receiving these credits, SDB's must compete with all other businesses to win federal contracts. Price evaluation credits are not set-asides. They do not assure that any firm, or group of firms, will win a contract.

In order to ensure that the use of these credits is fair and meets legal requirements, they will be available only in industries in which minority-owned firms continue to suffer the effects of discrimination. "Benchmarking" provides a methodology for identifying these industries by comparing the actual federal procurement market share of minority-owned businesses with the federal procurement market share that would be expected in the absence of discrimination. Credits will be available only in industries where the actual federal procurement market share ("utilization") falls short of the expected federal procurement market share ("capacity").

Constitutional Requirements

The administration developed this benchmarking methodology to ensure that federal procurement complies with the Supreme Court's decision in Adarand Constructors, Inc. v. Peña. In Adarand, the Court held that it is constitutional to provide targeted assistance to minority-owned businesses as long as two requirements are met. The first is that the assistance must serve a "compelling interest." This requirement is satisfied if there has been discrimination that has harmed minority business owners in the particular industry where assistance is to be provided. The second requirement is that the remedy is "narrowly tailored," that is, any assistance targeted to members of a certain race or ethnic group must be necessary to remedy discrimination and must be carefully designed to address its effects.

A. Compelling Interest

Based on an extensive review of evidence, the Department of Justice has established that discrimination has harmed minority businesses. In addition to commissioning an analysis of dozens of studies of industries throughout the country, DOJ also reviewed a long history of Congressional findings of discrimination. Congress relied on these findings in enacting affirmative action and other remedial legislation. For example, there is substantial evidence that

minority-owned businesses have been prevented from obtaining access to capital, from participating in trade associations, and from gaining enough experience to become bonded. Most of the present effects of discrimination stem from discrimination in the private sector, not in the public sector. These limitations have erected substantial barriers to minority-owned firms and have hampered their ability to win contracts. For example, in FY 1996, 25 percent of firms that participated in SBA's 8(a) program were SDB's, but SDB's won only about 6 percent of federal contracting dollars. Consistent with Congress's long-standing determinations, the government has a compelling interest in providing targeted assistance to minority businesses.

B. Narrow Tailoring

The use of benchmarks helps satisfy the Supreme Court's "narrow tailoring" requirement by providing a means for determining whether the effects of discrimination still burden small businesses in a particular market. Credits will be used only in those markets where it is still necessary to offset the effects of discrimination. Based on FY 1996 data, the Department of Commerce estimates that industries representing about 74% of federal contract dollars awarded to SDB's will be eligible for price credits. The capacity and utilization of minority-owned businesses in 70 two digit SIC code major industry groups and nine Census divisions for each of the three construction major industry groups were determined by analyzing data representing all the firms in the United States that bid on federal contracts or participated in the 8(a) programs administered by the Small Business Administration. This group of firms represents those that were ready, willing and able to fulfill federal contracts in FY 1996.

The "utilization" of minority-owned firms is simply a measure of the total dollar value of the federal contracts awarded to them in FY 1996. Calculating the "capacity" of these firms is more complex. In order to estimate capacity, the benchmarks take into account various characteristics of firms that bear directly on the value of contracts that they receive, including the age and size of the firm. This approach allows Commerce Department statisticians to estimate the value of contracts a minority-owned firm would be expected to receive if its success in winning federal contracts equaled that of all other firms in the industry of equal age and size. An outside panel of statisticians and economists reviewed this methodology and concluded that it was the best approach possible.

The Scope of the Program

Three agencies, the Department of Defense, NASA, and the Coast Guard have had authorization to offer credits since FY 1994. From the inception of the program, DOD has awarded about \$172 million in contracts through this program. Under the rule announced today, all agencies will be required to implement the price evaluation credit program. Currently, data are available to allow application of price credits to SDB's that are prime contractors. This step is estimated to increase the share of price contracts awarded to SDB's from 6.9% to 7.6% (about \$1 billion). Evaluation credits will be extended to subcontractors on _____. Sometime during the next year, the Small Business Administration will also use benchmarks in administering the

8(a) program. Benchmarks will provide guidance to program administrators, for example, in determining the number and type of firms that will participate in the program. Benchmarks will not apply to the Department of Transportation's program for Disadvantaged Business Enterprises, which is administered by grantees, such as state and local governments.

The Advantages of Benchmarking

The benchmarking/price evaluation adjustment program offers several advantages in designing government affirmative action programs to assist SDB's.

Constitutionality -- The program responds to the core concerns about procurement-related affirmative action programs expressed by the Supreme Court. The Court has made clear that government may remedy discrimination by the government itself or by the private sector. However, the Court has also indicated that any affirmative action program should be designed to address the actual effects of past discrimination. Benchmarking provides a means for carefully targeting our efforts to remedy those effects.

Flexibility -- Benchmarks are not quotas. The price evaluation adjustment program includes a series of provisions designed to target assistance carefully, to ensure flexibility and to maintain vigorous competition. Price credits will not be available in all industries, only those where there is evidence of remaining effects of discrimination. Price credits will be available only when the government has concluded that race-neutral efforts are inadequate to address past discrimination. Even in cases when utilization falls short of capacity in a major industry grouping, the relevant agencies retain discretion to adjust or eliminate the credit under some circumstances.

Preserving Competition -- Price and evaluation adjustments are not set-asides. No firm or group of firms is guaranteed any contract. These credits provide a small boost for minority-owned firms when there has been a record of past discrimination. However, these firms must compete with all other firms for contracts. As a result, government can make good faith efforts to remedy prior discrimination, while preserving the incentives for firms to compete vigorously for taxpayer dollars.

Annual Review -- Federal procurement data will be reviewed annually to ensure that price credits are available only in those industries where the effects of discrimination persist.

Industries Where Credits are Available

Benchmarking estimates are based on two digit SIC code major industry groups. With the exception of construction, for which regional benchmarks have been developed, the estimates are for the nation as a whole. Based on these benchmarks, the Department of Commerce has identified the industries in which credits will be available. A table showing these industries appears in the Federal Register of June ____, 1998.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-JUN-1998 12:45:27.00

SUBJECT: MORE TALKING POINTS FOR ISTEAM

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

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

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

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

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

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

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

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

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

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

TO: Neera Tanden (CN=Neera Tanden/OU=WHO/O=EOP @ EOP [WHO])
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TO: Michael V. Terrell (CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TO: Leanne A. Shimabukuro (CN=Leanne A. Shimabukuro/OU=OPD/O=EOP @ EOP [OPD])
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TO: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jeffrey A. Forbes (CN=Jeffrey A. Forbes/OU=WHO/O=EOP @ EOP [WHO])
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TO: Christa Robinson (CN=Christa Robinson/OU=OPD/O=EOP @ EOP [OPD])
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TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jonathan A. Kaplan (CN=Jonathan A. Kaplan/OU=OPD/O=EOP @ EOP [OPD])
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TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
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TO: Peter G. Jacoby (CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [WHO])
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TO: Daniel D. Heath (CN=Daniel D. Heath/OU=OMB/O=EOP @ EOP [OMB])
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TO: Rahm I. Emanuel (CN=Rahm I. Emanuel/OU=WHO/O=EOP @ EOP [WHO])
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TO: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])

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TO: Michelle Crisci (CN=Michelle Crisci/OU=WHO/O=EOP @ EOP [WHO])
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TO: Erskine B. Bowles (CN=Erskine B. Bowles/OU=WHO/O=EOP @ EOP [WHO])
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TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
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TO: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP @ EOP [WHO])
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TEXT:

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

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AN HISTORIC INVESTMENT IN INFRASTRUCTURE WHILE MAINTAINING FISCAL DISCIPLINE AND PROTECTING OTHER CRITICAL INVESTMENTS

June 9, 1998

Automated Records Management System
Hex Dump Conversion

Today, President Clinton will sign an ISTEA Reauthorization Bill That Includes An Historic Investment in Infrastructure While Maintaining Fiscal Discipline and Protecting Critical Investments, Such As Education, the Environment, and Health Care. While providing an historic investment in our infrastructure, the agreement maintains President Clinton's priorities of reserving the surplus until Social Security is reformed and investing in critical areas such as education, the environment, and health care. In response to the concerns the Administration raised, Congress improved the bill and the agreement now represents a solid compromise that is consistent with President Clinton's core principles:

- ✓ **Strengthens Our Infrastructure.** The agreement guarantees nearly \$200 billion to continue rebuilding America's transportation system -- an approximately 30-percent increase over the 1991 ISTEA reauthorization. This agreement will help communities modernize and build the roads, bridges, railways, and buses that link the people of our great and vast country together, that keep our economy strong and vibrant.
- ✓ **Maintains Fiscal Discipline.** The agreement cuts the increase in excess transportation funding in *half* -- reducing it by \$17 billion from the extra spending levels that were included in the original Congressional bills -- even though those bills had passed the House and Senate by large majorities.
- ✓ **Preserves Surplus Until Social Security Is Reformed.** Unlike the original Congressional bills, the compromise is fully paid for with real offsets. And because the agreement does not touch the surplus, it is fully consistent with the President's call to "Save Social Security First."
- ✓ **Protects Critical Investments in Our Future.** Unlike the original Congressional bills, the transportation agreement does not squeeze other critical investments in our future, such as education, health care, research and development, and the environment, because it is not financed by lowering the discretionary

THIS HIGHWAY-TRANSIT BILL AGREEMENT ALSO REFLECTS PRESIDENT CLINTON'S PRIORITIES BY:

- ✓ **EXPANDING TRANSIT FUNDING**
- ✓ **PROTECTING THE ENVIRONMENT**
- ✓ **HELPING MOVE PEOPLE FROM WELFARE TO WORK**
- ✓ **HELPING DISADVANTAGED BUSINESSES**
- ✓ **EXTENDING THE ETHANOL TAX CREDIT**
- ✓ **STRENGTHENING BORDER INFRASTRUCTURE**

caps.

✓ **Expands Transit Funding Within A Smaller Bill.** While the agreement has less overall spending than the original Congressional bills, it increases the share of transit funding from 17 percent of total surface transportation spending to 20 percent of total spending by 2002.

✓**Protects the Environment.** The highway-transit agreement strengthens proven strategies to protect public health and the environment by increasing funding for the Congestion Mitigation and Air Quality Improvement program 75 percent by FY2000.

Automated Records Management System
Hex-Dump Conversion

✓**Helps Move People from Welfare to Work.** One of the biggest barriers facing people who move from welfare to work -- in cities and in rural areas -- is finding transportation to get to jobs, training programs and child care centers. To help those on welfare get to their jobs, the highway-transit agreement authorizes \$900 million over the next six years for President Clinton's welfare-to-work transportation plan. Of the \$150 million per year, \$50 million is guaranteed in FY99, rising to the full \$150 million per year guaranteed in FY2003.

✓**Helps Disadvantaged Businesses.** The highway-transit agreement provides opportunities to disadvantaged businesses by retaining the Department of Transportation's Disadvantaged Business Enterprise (DBE) program.

✓**Extends the Ethanol Tax Credit.** In order to provide incentives to use ethanol in gasoline and protect the environment, the highway-transit agreement extends the Ethanol Tax Credit through FY2007.

✓**Strengthens Border Infrastructure.** The highway-transit agreement authorizes the Administration's program to target resources to border crossings to improve traffic flow and reduce illicit trade. The agreement allows highway funding to be used for Customs and INS equipment that speeds border crossings.

While the Agreement Provides Funding For Increased Safety, It Does Not Include A National Drunk Driving Standard of .08 BAC. The agreement includes a number of measures to increase safety, including incentive grants to increase seat-belt use, new measures to target repeat drunk drivers and to ban open alcohol containers in cars, and a strong program to make highway-rail grade crossings safer. However, the President is disappointed that Congress refused to lower the national drunk driving standard to .08 percent blood alcohol content (BAC). The President will continue to work to make sure that .08 is the law in every state of the country.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William P. Marshall (CN=William P. Marshall/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-JUN-1998 11:36:25.00

SUBJECT: Child Custody redux -- Pls review ASAP

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

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

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

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

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

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

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

TEXT:

Attached is a new copy of the proposed OMB letter. Its most significant change is the inclusion of veto language. Please return comments to me by no later than 3pm today. (The only change in the memo to the President is to indicate that DOJ's letter will address only constitutional issues. The previous version stated DOJ would reference constitutional and law enforcement concerns)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 10:27:55.00

SUBJECT: H1B update

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

Last Friday, Armev met with Smith and Hyde re: the H-1B bill. Armev conceded that Smith had the votes to pass his bill, but said that he (Armev) would not bring it to the floor unless/until Smith strikes a deal with business on the reforms. According to Peter, Smith is not in a hurry to do this, but may be looking at Kennedy's more narrow lay-off language as a place to go. It is unclear whether Smith wants to do this at all -- he may prefer no bill (thus no visa increase) to a bill that is too weak. Armev also indicated that he prefers Smith's bill to Abraham's bill.

Peter gave Smith our proposed language (as a possible compromise). Peter also thinks that it is important for us to strengthen the perception that we would veto a bad bill.

As of yesterday, the Smith bill was not scheduled to go to the floor this week, so it looks like next week at the earliest.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 13:59:11.00

SUBJECT: Fourth Circuit hearing today on FDA rule

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

TO: guzy.gary (guzy.gary @ epamail.epa.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: sheketoff-emily (sheketoff-emily @ dol.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: JONATHAN.GRUBER (JONATHAN.GRUBER @ MS01.DO.treas.sprint.com @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

TEXT:

HHS reports that today's rehearing before the Fourth Circuit seemed to go well . (Because one of the judges in the prior panel died, a new panel was assembled.) The judges asked only a few questions (unlike last time, when many hostile questions were posed). There was some press interest (2 cameras, one WPost reporter). Apparently the panel is comprised of the judge who heard the case in the district court, one of circuit court judge who was on the panel last time, and one new judge.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-JUN-1998 16:25:26.00

SUBJECT: Benchmarking Meeting

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

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

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

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

TO: "Hayes, Richard L." <Richard.Hayes ("Hayes, Richard L." <Richard.Hayes @ sba.go
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Jonathan E. Smith (CN=Jonathan E. Smith/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: Shannon Mason (CN=Shannon Mason/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

There will be a continuation of the Benchmarking Meeting tomorrow at 4:00 pm in the Roosevelt Room. If you have any questions please give me a call at 6-1960. Thanks.

Attendees:

Sylvia Mathews
Sally Katzen
Rob Weiner
Maria Echaveste
Dawn Chirwa
Eddie Correia
Ann Lewis
Elena Kagan
Tracey Thornton/representative
Janet Murguia
Chuck Brain
Susan Liss/Audrey Haynes
Peter Rundlet
Nancy McFadden
Mark Gross
Fran Allegra
Richard Hayes
Bill Yeomans
Lee Price
Minyon Moore
Steve Schooner

*Justice/Transportation/SBA, please confirm attendance. E-mail is Turner_J@A1.eop.gov or I can be reached at 456-1960. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 14:15:43.00

SUBJECT: Briefing is starting on time

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

TO: Nancy V. Hernreich (CN=Nancy V. Hernreich/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Christopher S. Lehane (CN=Christopher S. Lehane/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

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

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

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 10:32:49.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Please Call Rahm at 62531

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 11:16:59.00

SUBJECT: Equal Pay Event, Wed., Draft 6/9 9am

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

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

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

TEXT:

Draft speech for tommorrow's event.

----- Forwarded by Thomas L. Freedman/OPD/EOP on 06/09/98
11:16 AM -----

Jeffrey A. Shesol

06/09/98 10:46:00 AM

Record Type: Record

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

cc:

Subject: Equal Pay Event, Wed., Draft 6/9 9am

Comments to Jeff Shesol 6-2796 by 2:00

Draft 06/09/98 9:00am

Jeff Shesol

PRESIDENT WILLIAM J. CLINTON

REMARKS ON THE EQUAL PAY ACT

THE ROSE GARDEN

June 10, 1998

Acknowledgements: The First Lady; Rep. [TBD]; Sen. Boxer; VPOTUS and Mrs. Gore; Dorothy Height

I want to begin by saying how pleased I am that Dorothy Height is able to join us this afternoon. For six decades now, Dorothy Height has worked tirelessly for civil rights, the rights of women, and the health and strength of America's families and communities. I was honored to present her with the Presidential Medal of Freedom four years ago, and we are equally honored by her presence here today.

America has come a long way in the thirty-five years since Dorothy Height attended the signing of the Equal Pay Act. Just last week we learned that the American economy, the strongest in a generation, has created 16 million new jobs in the last five years. Unemployment is low, wages are high. That's good news for men and women. The rising tide of our surging economy is, indeed, lifting all boats.

Equal pay has come a long way in thirty-five years. At that historic

bill signing, President Kennedy said that the Equal Pay Act is "basic to democracy" -- giving women "the same rights at the working place. . . that they have enjoyed at the polling place."

Back then, women earned only 59 cents, on average, for every dollar men earned. Today, I am releasing a report by the Council of Economic Advisers showing that the gender gap in wages has narrowed considerably. Women now earn 75 cents for every dollar men earn.

The new numbers represent a significant step forward. But we are still miles from completing the journey. It has taken us longer to get women three-quarters of the way to equal pay than it did to send a man all the way to the moon.

The CEA study shows that the gender gap continues to narrow; but also that it will not close of its own accord. There are many reasons for this, despite women's gains in education and experience. Today I am also releasing a Labor Department review that paints a historical picture of women's employment, showing obstacles overcome and challenges remaining. Balancing family and work is one of those challenges for many women. But we cannot forget another important factor in the wage gap: discrimination.

Even with the economy booming and real wages rising, there are many women whose work is not being fully valued by employers.

Equal pay is not a political issue. It is not even a gender issue. It is, at heart, a national issue, a family issue, and a question of what kind of country we want America to be today and in the 21st century, when our daughters will grow up and enter the workplace.

That is why our administration is working hard to close the wage gap, as the Vice President explained. And that is why, today, I am personally endorsing the equal pay measure introduced by Senator Daschle and Congresswoman DeLauro. This legislation would strengthen enforcement of the Equal Pay Act, toughening penalties and making wage discrimination based on gender as costly as wage discrimination based on race. It would also ensure that women who face wage discrimination are fully compensated. This legislation is tough, it is fair, and Congress should pass it today.

Americans have always believed in the value of work -- that anyone who works hard should be able to provide for themselves and their family with dignity. More women than ever now have that chance. But 75 cents on the dollar is not enough -- for women, for families, or for America. As our nation moves forward into the 21st century, we must make sure that our age of opportunity will not be remembered for opportunities lost. If we meet this challenge, if we value the contributions of all America's workers, then we will be a more productive, prosperous and proud nation in the 21st century.

Message Sent

To: _____

Amy N. Finkelstein/CEA/EOP
Rebecca M. Blank/CEA/EOP
Melissa G. Green/OPD/EOP
Thomas L. Freedman/OPD/EOP
Michele Jolin/CEA/EOP
Broderick Johnson/WHO/EOP
Karen Tramontano/WHO/EOP

Lawrence J. Stein/WHO/EOP
Ruby Shamir/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 17:02:04.00

SUBJECT: NOON Brown Bag Lunch

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

TO: WEINSTEIN_P (WEINSTEIN_P @ A1 @ CD @ VAXGTWY [UNKNOWN]) (OPD)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

TEXT:

I have set up a schedule of brown bag lunches, for the interns. I would like to thank all of our Special Assistants for finding time in their busy schedules, to arrange a meeting with DPC's interns. We would like the interns to come to Paul's office in room 214, at 11:45 a.m. on the dates listed below. At noon, in room 211, the interns will then meet with the Special Assistant scheduled to speak on that day. Let's all please try to keep these commitments, as our interns last day will be, July 3rd.

Brown Bag Lunch Schedule

Friday, June 12th --- Thomas Freedman

Tuesday, June 16th --- Cynthia Rice

Thursday, June 18th --- Jennifer Klein

Friday, June 19th --- Julie Fernandes

Tuesday, June 23rd --- Jose Cerda

Thursday, June 25th --- Chris Jennings

Friday, June 26th --- Michael Cohen (tentative)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 19:49:00.00

SUBJECT: Final One-pager for Equal Pay event

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

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

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

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

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

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

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

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

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

TO: Audrey Choi (CN=Audrey Choi/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

TEXT:

This is the final one-pager that Gene has signed off on. It needs to be detached to wordperfect in order to see the text box at the top. Thanks=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D8]MAIL48798506M.126 to ASCII,
The following is a HEX DUMP:

FF575043EF0F0000010A02010000000205000000202B000000020000204F6D316120CE737FA47C
B40FE0675044CEE1DB18881681E47A02541791D6F53D8BBAD7FD636FDE4481185E551A109A31B

**THE PRESIDENT CALLS FOR PASSAGE OF EQUAL PAY
LEGISLATION AND RELEASES COUNCIL
OF ECONOMIC ADVISERS' REPORT ON THE WAGE GAP
June 10, 1998**

Today the President will commemorate the thirty-fifth anniversary of President Kennedy's signing of the Equal Pay Act and will urge passage of legislation to strengthen the laws that prohibit wage discrimination against women. In addition, the President will release a Council of Economic Advisers' (CEA) report on the gender wage gap, and announce a Department of Labor report that provides a historical perspective of the wage gap. The President will be joined by Dr. Dorothy Height, President Emeritus of the National Council of Negro Women, who was at the signing ceremony of the Equal Pay Act in 1963.

Legislation to Improve Enforcement of Wage Discrimination Laws. The President will call on Congress to pass legislation, introduced by Senator Daschle and Congresswoman DeLauro, to strengthen laws prohibiting wage discrimination. The highlights of this legislation include:

- Increased Penalties for the Equal Pay Act (EPA). The legislation adds full compensatory and punitive damages as remedies, in addition to the liquidated damages and back pay awards currently available under the EPA. This proposal would put gender-based wage discrimination on equal footing with wage discrimination based on race or ethnicity, for which uncapped compensatory and punitive damages are already available.
- Non-retaliation provision. The bill would prohibit employers from punishing employees for sharing salary information with their co-workers. Currently, employers are free to take action against employees who share wage information. Without the ability to learn about wage disparities, it is difficult for women to evaluate whether there is wage discrimination.
- Training, Research, and Pay Equity Award. The Daschle-DeLauro bill provides for increased training for Equal Employment Opportunity Commission employees on matters involving the discrimination of wages; **research on discrimination in the payment of wages; and the establishment of the "The National Award for Pay Equity in the Workplace," which will recognize and promote the achievements of employers that have made strides to eliminate pay disparities.**

CEA Report on the Wage Gap. The President will announce a report by the CEA that shows that a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act.

- Gender Pay Gap Has Closed: Today, Women Earn 75 Cents for Every Dollar Men Earn. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today, women earn about 75 cents for every dollar men earn -- a 29-percent increase over the 1963 levels. The gender gap has narrowed faster among

younger women and among married women with children. And relative to all male workers, wage gains have been faster for black and white women than for Hispanic women.

- Rise in Work Experience And Move To Higher-Paying Jobs Explain Part of Narrowing of Wage Gap. Over the past 20 years, increases in women's average work experience and movement into higher-paying occupations have played a major role in increasing women's pay relative to men's. Changes in family status, in industry structure, and unionization have also worked to narrow the wage gap, while the rising returns to skills and increased wage inequality would have, by themselves, widened the pay gap.
- Much of Gender Gap Is "Unexplained." In the 1980s, about one-third of the gender pay gap was explained by differences in the skills and experience that women bring to the labor market and about 28 percent was due to differences in industry, occupation, and union status among men and women. This leaves over one-third of the gender pay gap "unexplained" by factors such as educational attainment, work experience, and occupational choice.
- Labor Market Discrimination Persists. The evidence is that labor market discrimination against women persists. One indirect and rough measure of the extent of discrimination remaining in the labor market is the "unexplained" difference in pay. And academic studies -- whether looking at pay differences between men and women in very similar jobs or by comparing pay to specific measures of productivity -- have consistently found evidence of ongoing discrimination in the labor market.

Department of Labor Report Provides a Historical Perspective on the Wage Gap. The President also will announce a Department of Labor report that provides a thirty-five year perspective on the wage gap. This report focuses on three periods since the signing of the Equal Pay Act -- 1960-1975, 1975-1985, and 1985-1997 -- and highlights the increased participation of women in the labor force, the changing occupations of women, and the emergence of more women-owned businesses.

- Women's Labor Force Participation Has Increased. Women's labor force participation rate rose from 37.7 percent in 1960 to almost 60 percent in 1997.
- Increased Contributions by Women to Family Income. Between 1995 and 1996 alone, the number of families with two working parents increased by nearly half a million, making equal pay even more of a family issue. In these years, both parents were employed in 63.9 percent of married-couple families with children 18 and younger, while 28.2 percent of these families had an employed father and homemaker mother.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-JUN-1998 16:56:02.00

SUBJECT: Meeting to discuss President's book

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

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

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

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

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

TO: Lin Liu (CN=Lin Liu/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

TO: edley (edley @ law.harvard.edu @ INET @ LNGETWY [UNKNOWN])
READ:UNKNOWN

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

CC: mbyrne (mbyrne @ law.harvard.edu@INET@LNGETWY [UNKNOWN])
READ:UNKNOWN

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

CC: Cedra D. Eaton (CN=Cedra D. Eaton/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

CC: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

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

CC: Arkadi M. Gerney (CN=Arkadi M. Gerney/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: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

Helen P. Robinson (CN=Helen P. Robinson/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

TEXT:

There will be a meeting on Thursday at 4pm in the Roosevelt Room to discuss the Outline for the President's book that Chris E. is doing?
Thanks.

Invited:

Sylvia Mathews
Chris Edley
Minyon Moore
Maria Echaveste
Judy Winston
Andrew Mayock
Paul Begala
Ann Lewis
Michael Waldman
Sid Blumenthal
Elena Kagan
Lin Liu

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 13:43:45.00

SUBJECT: Look at tobacco graph in POTUS speech -- at end

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

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

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

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

TEXT:

Do you think it's too forward leading re: tax cuts? i.e. will people think we've caved?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 06/09/98
01:41 PM -----

Lowell A. Weiss
06/09/98 01:21:50 PM
Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Re: Any speech update?

Draft 6/9/98 1:15pm
Lowell Weiss
PRESIDENT WILLIAM J. CLINTON
REMARKS AT TRANSPORTATION BILL SIGNING
THE WHITE HOUSE
June 9, 1998

Acknowledge: introducer Robin McNab; Sec. Slater, a visionary and vigilant steward of our nation's transportation system, and the members of his legislative team, including Janno [JAN-oh] Lieber, Patty Doersch [DORSH], and Richard Steinman; Members of Congress, especially Majority Leader Lott, Sen. Baucus, Sen. Chafee, Rep. Shuster, and Rep. Oberstar; Gov. Schafer; Mayor Bill Campbell of Atlanta, Mayor Clarence Anthony of South Bay, Florida, and other municipal officials here today; union presidents; Gov. George Voinovich could not be with us today because he is back in Ohio with his mother, who is ill. Our thoughts and prayers are with them.

Forty-two years ago this month, President Eisenhower signed the Federal Aid Highway Act into law. That bill, sponsored in the Senate by Albert Gore, Sr., gave rise to the most efficient network of roads in history, connecting millions of Americans to the economic mainstream, ushering in two decades of unparalleled growth.

When I ran for President in 1992, I saw that the concrete foundations built in the Eisenhower era were crumbling. If America was to roll into the 21st Century full-speed ahead, we had to be willing once again to make historic, long-term investments in our roads, bridges, and transportation systems. That is why I am so pleased today to sign the landmark Transportation Equity Act for the 21st Century, which will meet my challenge to build the pathways of the future while maintaining the fiscal discipline that allowed us to achieve our historic balanced budget.

This act will strengthen America. It helps communities modernize and build the roads, bridges, transit systems, and railways that link people of our great and vast country together and permit the free flow of goods. And it supports hundreds of thousands of jobs.

This act will save lives. It allows us to develop advanced air bag technologies, offer incentives for increased seat belt use, make roads safer, and get bad drivers and vehicles off the road.

This act will protect the environment. It expands recreational trails and bike paths, promotes mass transit, and helps communities meet national standards for healthy air.

This act will expand opportunity. It offers transportation assistance to move more Americans from welfare to work -- because, after all, if you can't get to work, you can't go to work. It protects the Disadvantaged Business Enterprise program, so that minority- and women-owned businesses have an equal opportunity to compete for transportation projects.

This act will allow us to reserve our budget surpluses until we have saved Social Security first. Unlike the original transportation bills passed in the House and Senate, this bill is paid for line by line and dime by dime. And although I am still concerned that it spends too much, it will not squeeze out other critical investments in education, health care, research and development, and the environment.

I am disappointed, however, that the bill does not go far enough to ensure that there is a .08 blood alcohol standard in every state. I will continue to fight for it in this legislative session. Lowering the blood alcohol standard across the nation will not keep a single adult from drinking responsibly, but it will save hundreds of lives. I also am disappointed that we once again had to fight off several last-minute anti-environmental riders. I urge Congress to abandon this practice so critical environmental matters can be debated openly, in the light of day.

And now that we are honoring our commitment to build the transportation infrastructure for the 21st Century, we must now turn to the task of building the education infrastructure our students desperately need. All the intelligent transportation systems in the world won't matter much if we let the education system come crumbling down around our children. So I call on the Members of Congress here today to work together, in the same spirit of bipartisanship that produced this historic transportation bill, to help pass my initiative for modernizing America's schools. For less than one-tenth the cost of this transportation bill -- and without spending a cent of the surplus -- we can help ensure that all our children will be able to learn in safe, modern, well-equipped schools.

[The highway bill I am signing today shows what both parties can do when we bring our honorable differences to the table and act in the national

interest. I believe that this constructive, bipartisan approach

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 09:31:20.00

SUBJECT: Version II of NRA Q&A

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

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

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

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

TEXT:
EK:

Is this better?

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D60]MAIL411955957.126 to ASCII,
The following is a HEX DUMP:

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823758C21D413C0687F36969D31C9CECF80553CA678A38BD8FA09D7A475D613F1E1702A373514D

**National Rifle Association
Question and Answer
June 9, 1998**

Q: Mr. President, this weekend the NRA elected Charlton Heston as its new president, and he made some very critical remarks about you and your Administration. What is your reaction to his criticisms?

There are some good men and women in the NRA: people who enjoy hunting and sport shooting; gun dealers who play by the rules and are trying to make a living; and gun owners and collectors of all sorts who are law abiding citizens.

But since I came to office, the NRA's leadership has fought ever sensible thing we have done to fight crime. They opposed the Brady Bill and ban on assault weapons that were supported by every major law enforcement organization in the country. They opposed our efforts to put 100,000 more police on America's streets. They oppose our efforts to pass juvenile crime legislation and ban cop-killer bullets. And they have consistently attacked and criticized the work of our federal law enforcement officers.

So frankly, I am not sure the NRA's leadership represents America's vital center anymore. And I am not sure we will come to terms anytime soon.

Q. Mr. President, this weekend the National Rifle Association said that instead of passing new gun laws, the Administration and Congress should focus on enforcing those laws already on the books. Furthermore, they challenged the federal government to focus its efforts on a single city -- with tough enforcement of the laws -- to see what a difference that can make. What is your reaction this challenge?

A. Frankly, focusing on one city for a single year is not a realistic option. This Administration has worked hand-in-hand with local law enforcement in thousands of cities for almost six years now -- and our efforts are making a difference. Murders are down more than 25%, violent crime is down more than 15%, and overall crime is at its lowest level in a generation. If Mr. Heston and the NRA want to help, I suggest they support tougher punishments, more police and better prevention in all of our communities.

But I will agree that tough enforcement and more prosecutions are part of the answer. So I Hope the NRA will consider supporting our proposals to hire more prosecutors and law enforcement officers at all levels of government -- especially local prosecutors and police officers. The NRA likes to say it is for more law enforcement and tough punishments, but they led the fight against the 1994 Crime Act that has provided billions of dollars for law enforcement and included some of the toughest penalties ever.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cecilia E. Rouse (CN=Cecilia E. Rouse/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-JUN-1998 19:17:58.00

SUBJECT: Honesty and the Poverty Memo

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Shannon Mason (CN=Shannon Mason/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Sally and Elena,

I sent you the revised version of the poverty memo for which the "cover memo" has been substantially re-written/re-organized. Please (please) feel free to make substantial changes if it will make the memo more effective. We're now holding the pen and given that this issue is quite important, I think that the memo should be as good as possible.

I look forward to receiving your comments.

-- Ceci

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 14:15:40.00

SUBJECT: Draft of one-pager and briefing paper

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

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

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

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

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

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

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

TEXT:

Here is the draft one-pager and the briefing memo for the Equal Pay event. CEA has signed off on this. OPL will be submitting the briefing paper to the Staff Secretary, and corrections can be sent to Robin Leeds and copied to me and Tom. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D16]MAIL47307306S.126 to ASCII,
The following is a HEX DUMP:

FF575043EF0F0000010A02010000000205000000CD2500000002000001AE6A0F71C080C6DC801A'
5149DAFE4F1F0ED0E490975B12275DFE7F66E17393B525D913D389AF07918D91378A8B2E9239C2

June 9, 1998

REMARKS AT EQUAL PAY EVENT

DATE: June 10, 1998
LOCATION: Rose Garden
EVENT TIME: 2:30 pm - 3:30 pm
FROM: Bruce Reed
Gene Sperling
Audrey Tayse-Haynes

I. PURPOSE

To commemorate the 35th anniversary of President Kennedy's signing of the Equal Pay Act, to call on Congress to pass Senator Daschle's and Congresswoman DeLauro's equal pay bills, to announce a Council of Economic Advisors report on the gender wage gap, and to announce a Department of Labor report that provides a historical perspective on the wage gap.

II. BACKGROUND

You will be making remarks to approximately 150 people, including equal pay and civil rights advocates, labor leaders, business persons, legislators, and persons from Cabinet agencies. This is an opportunity to highlight women's progress since the signing of the Equal Pay Act and to call for legislative action on the remaining wage gap.

The CEA report shows that a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today women earn about 75 cents for every dollar men earn, a 29 percent increase over the 1963 levels. Despite these gains, there continues to be a significant gap between men's and women's wages, even after accounting for factors such as educational attainment, work experience, and occupational choice.

III. PARTICIPANTS

Briefing Participants:

Gene Sperling
Elena Kagan

Audrey Tayse-Haynes
Janet Yellen
Rebecca Blank

Event Participants:

The Vice President
The First Lady
Mrs. Gore
Senator Barbara Boxer
Congresswoman Eleanor Holmes Norton
Dr. Dorothy Height, President Emeritus of the National Council of Negro Women
*Janet Yellen and Deputy Labor Secretary Kitty Higgins will be seated on the stage.

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU** will be announced onto the stage accompanied by the Vice President, the First Lady, Mrs. Gore, Senator Boxer, Congresswoman Norton, and Dr. Dorothy Height.
- The First Lady will make remarks and introduce Congresswoman Norton.
- Congresswoman Norton will make remarks and introduce Senator Boxer.
- Senator Boxer will make remarks and introduce Mrs. Gore.
- Mrs. Gore will make remarks and introduce the Dr. Height.
- Dr. Height will make remarks and introduce the Vice President.
- The Vice President will make remarks and introduce **YOU**.
- **YOU** will make remarks.
- **YOU** will then work a ropeline and depart.

VI. REMARKS

Provided by Speechwriting.

Attachments

- Background memo on Daschle Equal Pay Legislation
- Photo of Signing of Equal Pay Act Legislation in Oval Office in 1963
- Executive Summary of CEA Report

**THE PRESIDENT CALLS FOR PASSAGE OF EQUAL PAY
LEGISLATION AND RELEASES COUNCIL
OF ECONOMIC ADVISERS' REPORT ON THE WAGE GAP
June 10, 1998**

Today the President will commemorate the thirty-fifth anniversary of President Kennedy's signing of the Equal Pay Act and will urge passage of legislation to strengthen the laws that prohibit wage discrimination against women. In addition, the President will release a Council of Economic Advisers' (CEA) report on the gender wage gap, and announce a Department of Labor report that provides a historical perspective of the wage gap. The President will be joined by Dr. Dorothy Height, President Emeritus of the National Council of Negro Women, who was at the signing ceremony of the Equal Pay Act in 1963.

Legislation to Improve Enforcement of Wage Discrimination Laws. The President will call on Congress to pass legislation, introduced by Senator Daschle and Congresswoman DeLauro, to strengthen laws prohibiting wage discrimination. The highlights of this legislation include:

- Increased Penalties for the Equal Pay Act (EPA). The legislation adds full compensatory and punitive damages as remedies, in addition to the liquidated damages and back pay awards currently available under the EPA. This proposal would put gender-based wage discrimination on equal footing with wage discrimination based on race or ethnicity, for which uncapped compensatory and punitive damages are already available.
- Non-retaliation provision. The bill would prohibit employers from punishing employees for sharing salary information with their co-workers. Currently, employers are free to take action against employees who share wage information. Without the ability to learn about wage disparities, it is difficult for women to evaluate whether there is wage discrimination.
- Training, Research, and Pay Equity Award. The Daschle-DeLauro bill provides for increased training for Equal Employment Opportunity Commission employees on matters involving the discrimination of wages; **research on discrimination in the payment of wages; and the establishment of the "The National Award for Pay Equity in the Workplace," which will recognize and promote the achievements of employers that have made strides to eliminate pay disparities.**

CEA Report on the Wage Gap. The President will announce a report by the CEA that shows that a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act.

- Gender Pay Gap Has Closed. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today women earn about 75 cents for every dollar men earn, a 29 percent increase over the 1963 levels.

- But Discrimination Still Exists. Despite these gains, there continues to be evidence of labor market discrimination and a significant gap between men's and women's wages, even after accounting for factors such as educational attainment, work experience, and occupational choice.

Department of Labor Report Provides a Historical Perspective on the Wage Gap. The President also will announce a Department of Labor report that provides a thirty-five year perspective on the wage gap. This report focuses on three periods since the signing of the Equal Pay Act -- 1960-1975, 1975-1985, and 1985-1997 -- and highlights the increased participation of women in the labor force, the changing occupations of women, and the emergence of more women-owned businesses.

- Women's Labor Force Participation Has Increased. Women's labor force participation rate rose from 37.7 percent in 1960 to almost 75 percent in 1997.
- Increased Contributions by Women to Family Income. Between 1995 and 1996 alone, the number of families with two working parents increased by nearly half a million, making equal pay even more of a family issue. In these years, both parents were employed in 63.9 percent of married-couple families with children 18 and younger, while 28.2 percent of these families had an employed father and homemaker mother.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 15:48:45.00

SUBJECT: food safety

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

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

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

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

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

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

TEXT:

I trust you saw yesterday's Washington Times piece quoting Republicans opposing food safety initiatives.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 16:24:57.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Per Tom I am faxing you new tobacco farmer draft language from USDA to
224-0291 -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Waldman (CN=Michael Waldman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-JUN-1998 12:58:53.00

SUBJECT:

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

pls call waldman re potus statement for later today on tobacco 62272

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 14:51:26.00

SUBJECT: just one small change to one-pager

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

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

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

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

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

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

TEXT:

Just changed in the second to last bullet about women's labor force participation from 75 to 60. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D28]MAIL497304067.126 to ASCII,
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1B93EBA48C396FD100270BB7C856D524E3A80C3656CB15216C915A2ED6F30BD779CD1D09198C36

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- Gender Pay Gap Has Closed. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today women earn about 75 cents for every dollar men earn, a 29 percent increase over the 1963 levels.

- But Discrimination Still Exists. Despite these gains, there continues to be evidence of labor market discrimination and a significant gap between men's and women's wages, even after accounting for factors such as educational attainment, work experience, and occupational choice.

Department of Labor Report Provides a Historical Perspective on the Wage Gap. The President also will announce a Department of Labor report that provides a thirty-five year perspective on the wage gap. This report focuses on three periods since the signing of the Equal Pay Act -- 1960-1975, 1975-1985, and 1985-1997 -- and highlights the increased participation of women in the labor force, the changing occupations of women, and the emergence of more women-owned businesses.

- Women's Labor Force Participation Has Increased. Women's labor force participation rate rose from 37.7 percent in 1960 to almost 60 percent in 1997.
- Increased Contributions by Women to Family Income. Between 1995 and 1996 alone, the number of families with two working parents increased by nearly half a million, making equal pay even more of a family issue. In these years, both parents were employed in 63.9 percent of married-couple families with children 18 and younger, while 28.2 percent of these families had an employed father and homemaker mother.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-JUN-1998 15:04:56.00

SUBJECT: ISTEA paper

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

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

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

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READ:UNKNOWN

TO: Andrei H. Cherny (CN=Andrei H. Cherny/O=OVP @ OVP [UNKNOWN])
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TO: Neera Tanden (CN=Neera Tanden/OU=WHO/O=EOP @ EOP [WHO])
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TO: Roberta W. Greene (CN=Roberta W. Greene/OU=WHO/O=EOP @ EOP [WHO])
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READ:UNKNOWN

TO: Cynthia A. Rice (CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [OPD])
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TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])
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TO: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])
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TO: Erskine B. Bowles (CN=Erskine B. Bowles/OU=WHO/O=EOP @ EOP [WHO])
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TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

a few minor changes. USE THIS INSTEAD of EARLIER DRAFT. thanks
----- Forwarded by Melissa G. Green/OPD/EOP on 06/09/98
03:01 PM -----

Charles R. Marr
06/09/98 02:56:09 PM
Record Type: Record

To: Melissa G. Green/OPD/EOP
cc: Jake Siewert/OPD/EOP
Subject: ISTEA paper

with minor modifications....

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

TEXT:

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AN HISTORIC INVESTMENT IN INFRASTRUCTURE WHILE MAINTAINING FISCAL DISCIPLINE AND PROTECTING OTHER CRITICAL INVESTMENTS

June 9, 1998

Automated Records Management System
Hex Dump Conversion

Today, President Clinton will sign an ISTEA Reauthorization Bill That Includes An Historic Investment in Infrastructure While Maintaining Fiscal Discipline and Protecting Critical Investments, Such As Education, the Environment, and Health Care. While providing an historic investment in our infrastructure, the agreement maintains President Clinton's priorities of reserving the surplus until Social Security is reformed and investing in critical areas such as education, the environment, and health care. In response to the concerns the Administration raised, Congress improved the bill and the agreement now represents a solid compromise that is consistent with President Clinton's core principles:

- ✓ **Strengthens Our Infrastructure.** The agreement guarantees nearly \$200 billion to continue rebuilding America's transportation system -- an approximately 30-percent increase over the 1991 ISTEA reauthorization. This agreement will help communities modernize and build the roads, bridges, transit systems, and railways that link the people of our great and vast country together, that keep our economy strong and vibrant.
- ✓ **Maintains Fiscal Discipline.** The agreement reduces the amount of additional transportation funding by \$17 billion from the spending levels that were included in the original Congressional bills even though those bills had passed the House and Senate by large majorities.
- ✓ **Preserves Surplus Until Social Security Is Reformed.** Unlike the original Congressional bills, the compromise is fully paid for with real offsets. And because the agreement does not touch the surplus, it is fully consistent with the President's call to "Save Social Security First."
- ✓ **Protects Critical Investments in Our Future.** Unlike the original Congressional bills, the transportation agreement does not squeeze other critical investments in our future, such as education, health care, research and development, and the environment, because it is not financed by lowering the discretionary

THIS HIGHWAY-TRANSIT BILL AGREEMENT ALSO REFLECTS PRESIDENT CLINTON'S PRIORITIES BY:

- ✓ **EXPANDING TRANSIT FUNDING**
- ✓ **PROTECTING THE ENVIRONMENT**
- ✓ **HELPING MOVE PEOPLE FROM WELFARE TO WORK**
- ✓ **HELPING DISADVANTAGED BUSINESSES**
- ✓ **EXTENDING THE ETHANOL TAX CREDIT**
- ✓ **STRENGTHENING BORDER INFRASTRUCTURE**

caps.

✓ **Expands Transit Funding Within A Smaller Bill.** While the agreement has less overall spending than the original Congressional bills, it increases the share of transit funding from 17 percent of total surface transportation spending to 20 percent of total spending by 2002.

✓ **Protects the Environment.** The highway-transit agreement strengthens proven strategies to protect public health and the environment by increasing funding for the Congestion Mitigation and Air Quality Improvement program by 40 percent above prior ISTEA levels.

✓ **Helps Move People from Welfare to Work.** One of the biggest barriers facing people who move from welfare to work -- in cities and in rural areas -- is finding transportation to get to jobs, training programs and child care centers. To help those on welfare get to their jobs, the highway-transit agreement authorizes \$900 million over the next six years for President Clinton's welfare-to-work transportation plan. Of the \$150 million per year, \$50 million is guaranteed in FY99, rising to the full \$150 million per year guaranteed in FY2003.

✓ **Helps Disadvantaged Businesses.** The highway-transit agreement provides opportunities to disadvantaged businesses by retaining the Department of Transportation's Disadvantaged Business Enterprise (DBE) program.

✓ **Extends the Ethanol Tax Credit.** In order to provide incentives to use ethanol in gasoline and protect the environment, the highway-transit agreement extends the Ethanol Tax Credit through FY2007.

✓ **Strengthens Border Infrastructure.** The highway-transit agreement authorizes the Administration's program to target resources to border crossings to improve traffic flow and reduce illicit trade. The agreement allows highway funding to be used for Customs and INS equipment that speeds border crossings.

While the Agreement Provides Funding For Increased Safety, It Does Not Include A National Drunk Driving Standard of .08 BAC. The agreement includes a number of measures to increase safety, including incentive grants to increase seat-belt use and a strong program to make highway-rail grade crossings safer. Congress has also agreed to new provisions to target repeat drunk drivers and to ban open alcohol containers in cars. However, the President is disappointed that Congress refused to lower the national drunk driving standard to .08 percent blood alcohol content (BAC). The President will continue to work to make sure that .08 is the law in every state of the country.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 15:04:28.00

SUBJECT:

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

TEXT:

Rahm wants to release NEC/DPC Equal Pay one pager; do you want to review first? pls advise -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 17:11:51.00

SUBJECT: Internal Q&A to review on equal pay

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

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

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

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

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

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

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

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

TEXT:

Here are the draft internal Q&A for the equal pay event. ===== ATTAC
ATT CREATION TIME/DATE: 0 00:00:00.00

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**Questions And Answers on Equal Pay
June 10, 1998**

Q: What did the President announce today?

A: Today the President commemorated the thirty-fifth anniversary of President Kennedy's signing of the Equal Pay Act. The President called for passage of legislation to strengthen the laws that prohibit wage discrimination against women and released a Council of Economic Advisers' (CEA) report on the gender wage gap, which shows that although the gap between women and men's wages has narrowed substantially since the signing of the Equal Pay Act, there still exists a significant wage gap. He also announced a Department of Labor report that provides a historical perspective of the wage gap. The President was joined by Dr. Dorothy Height, President Emeritus of the National Council of Negro Women, who was at the signing ceremony of the Equal Pay Act in 1963.

Q: What are the highlights of the legislation?

A: The legislation, sponsored by Senator Daschle and Congresswoman DeLauro, seeks to improve the enforcement of wage discrimination laws and to strengthen the remedy provisions in the Equal Pay Act by permitting victims of wage discrimination to seek compensatory and punitive damages. Currently, women who are the victims of wage discrimination receive only backpay and liquidated damages, which may not fully compensate them for their loss. This change will mean that the penalties for sex-based wage discrimination will be the same as those for race-based wage discrimination. In addition, the legislation contains a non-retaliation provision that prohibits employers from penalizing employees for sharing information about their salaries with co-workers. Finally, the bill provides for training for EEOC employees on matters involving the discrimination of wages, **research on discrimination in the payment of wages, and the establishment of the "The National Award for Pay Equity in the Workplace," which will recognize and promote the achievements of employers that have made strides to eliminate pay disparities.**

Q: What does the Council of Economic Advisers' report say?

A: This report shows that **a significant gap between the wages of women and men remains today although it has narrowed substantially since the signing of the Equal Pay Act. In 1963, the year that the Equal Pay Act was signed, women earned 58 cents for every dollar men earned. Today women earn about 75 cents for every dollar men earn, a 29 percent increase over the 1963 levels. Despite these gains, there continues to be a significant gap between men's and women's wages, even after accounting for factors such as educational attainment, work experience, and**

occupational choice.

Over the last twenty years, increases in women's accumulated labor market experience and their movement into higher-paying occupations has played a major role in increasing women's wages relative to men's. Even accounting for gender differences in education, labor market experience, broad occupational and industrial distributions, the female/male pay ration in the late 1980s rose only from about 72 to 88 percent, leaving around an "unexplained difference" of about 12 percent as of the late 1980s. This "unexplained" difference may be explained, in part, by continuing discrimination.

Q: Why does the CEA report state that women earned more than 75 percent of what men earned in 1997, and recent AP and USA Today stories say that women earn 76 percent of what men earn, up from 73 percent a year ago?

A: The figures are consistent. Slight differences in numbers are due to the fact that the numbers are based on different data sources. The CEA numbers are based on workers aged 25 to 64, while those in the AP story are based on workers aged 16 and over.

Q: Why is this legislation necessary?

A: More than three decades after the passage of the Equal Pay Act and Title VII of the Civil Rights Act, women and people of color continue to suffer the consequences of unfair pay differentials. The average woman works a full year, plus three more months, just to earn the same pay that men earn in one calendar year. According to the Department of Labor, as of 1997, the average woman who works full-time earns just 74 cents for each dollar that men earn. For women of color, the gap is even wider. On average, as of 1997, black women earned only 63 cents, and Hispanic women earned only 53 cents for each dollar earned by white men. Some wage differences exist due to differing levels of experience, education, and skill. However, studies show that even accounting for differences in education, experience, and occupation, there is still a significant wage differential.

Q: Since the data show that the gender wage gap didn't start to close until the last 1970s, doesn't that mean that the Equal Pay Act had no effect?

A: The fact that the wage gap didn't start to close until sometime after the Equal Pay Act was implemented does not mean that the Equal Pay Act had no effect.

First, it can take some time for legislation, like the Equal Pay Act, to have an effect on the workforce. For example, if the Equal Pay Act made younger women know that they would be protected against discrimination, it would provide an incentive for these women to invest more in their skills -- which would have a pay-off over the long term.

Second, as the CEA report makes clear, few studies have examined the effects of the Equal Pay Act or other policies in the 1960s on the gender pay gap. Isolating the effects of a single policy change from broader social and economic changes is difficult. However, although no such studies of the effect of policies on the gender pay ratio exist, it is clear that a role for these policy changes in both the increase in the gender pay ratio and in the other changes that have served to increase the gender pay ratio cannot be ruled out.

Third, what is important now is to strengthen the Equal Pay Act so that do more to combat the negative forces of discrimination. That is why the President strongly supports the Daschle-DeLauro bill.

Q: What's wrong with the current scheme for collecting damages under the Equal Pay Act?

A: Currently, the EPA allows only for liquidated damages and backpay awards. Liquidated damages usually are awarded in an amount equal to backpay. Such awards may not fully compensate a woman for real losses, such as damages for pain and suffering. In addition, women cannot receive punitive damages for wage discrimination, no matter how intentional and egregious the employer's conduct. The legislation the Administration is endorsing today will ensure that women are fully compensated when an employer discriminates against them in setting wages.

Q: What is the Administration doing with respect to data collection?

A: The endorsed legislation contains a Sense of the Senate that the President should take appropriate steps to increase the amount of information available with respect to wage disparities, while maximizing the utility of the data and protecting individuals' privacy and minimizing burdens on reporting entities. In addition, the Administration previously announced an annual report on the pay gap, by sex, to be produced by the Department of Labor. This easy-to-access report will raise the national prominence of wage disparities and will highlight the issue every year in order to spur Americans to achieve increased equal pay.

Q: Is the Administration's policy on uncapped punitive and compensatory damages consistent with its position in other areas of the law such as tort reform?

A: Yes, this is consistent with Administration's position on tort reform. Our proposals on tort reform have never sought to cap compensatory damages, which are necessary to remedy actual harm. And except in very exceptional circumstances, we have approved the use of punitive damage awards to deter intentional misconduct.

Q: Why isn't the Administration supporting comparable worth?

A: The Daschle-DeLauro bill is a significant step forward in solving the problem of unequal pay. The Administration believes there is no excuse for not taking these obvious steps towards providing better training and fuller remedies to help ensure women receive equal pay, while building a consensus on other ways to make sure every person receives the pay they deserve. The Administration is focusing on legislation that can be passed during this congressional session.

Questions of the Federal Work Force

Q: What are some of the specific accomplishments of the Clinton Administration with respect to women appointees?

A: Here are some specific accomplishments:

- **Appointed the first women ever to serve as Attorney General (Janet Reno) and Secretary of State (Madeleine Albright). Including the Attorney General and Secretary of State, women make up 27 percent of the Clinton Cabinet. The Cabinet also include: Alexis Herman, Secretary of Labor; Donna Shalala, Secretary of Health and Human Services; Carol Browner, Administrator of the Environmental Protection Agency; Janet Yellen, Chair of the Council of Economic Advisors; and Charlene Barchevsky, United States Trade Representative.**
- **A third of all judicial nominees are women, the highest proportion ever.**
- **Nominated the second woman to serve on the Supreme Court. During his first year in office, President Clinton nominated Ruth Bader Ginsberg to the United States Supreme Court. Justice Ginsburg is only the second woman to serve on the nation's highest court.**

Q: What is the representation of women in the federal work force?

A: Women represented 42.8 percent of the Federal permanent workforce in 1997 compared to 46.4 percent of the Civilian Labor Force, a difference of a -3.6 percentage points.

Q: What is the average salary of female political employees versus that of male appointees? How does that average compare to comparable figures in the previous Administration?

A: In 1992, under President Bush, women made up 40 percent of the political ranks,

and the average female political appointee's salary was 75 percent of the average male appointee's salary. In 1997, in the Clinton Administration, the percentage of women appointees increased to 45 percent, and the average woman's salary shot up to 85 percent of the average man's.

Number and Average Salary of Political Appointments (by Gender): 1992 (Pres. Bush) Compared to 1997 (Pres. Clinton)				
Gender	92 (Bush) Appts	97 (Clinton) Appts	92 (Bush) Avg. Pay (\$)	97 (Clinton) Avg. Pay (\$)
Women	1,361	1,331	\$61,554	\$69,979*
Men	2,055	1,628	\$82,490	\$82,860*
TOTAL	3,416	2,959	NOTE: Total Political Appointments exclude Ambassadors but include Noncareer SES, Schedule C and Other.	
Percent Women	39.8%	45.0%		

* Rendered in constant (FY 1992) dollars