

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 079 - FOLDER -003

[06/19/1998 - 06/22/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 13:47:40.00

SUBJECT: Weekly Report 6/19

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

TEXT:

Cynthia says that you will be writing tobacco this week.===== ATTACHM
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D15]MAIL47595817U.126 to ASCII,
The following is a HEX DUMP:

FF575043880F0000010A02010000000205000000024700000002000098109D51F0BB09983ABC43
07E27AB2BD46F68B94A580AE844B1ED01F68A5E5093D320951B39F961E2E30CA451212C4238FA2

June 19, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Health Care -- Gore's Family Conference: Next week, the Gores' will be hosting their annual family conference on the subject of health. You and the Vice President will be announcing a new Executive Directive on children's outreach and a multi-faceted national health initiative for older Americans, which includes: new preventive benefits for Medicare beneficiaries; a national Internet site for Medicare beneficiaries; and a new nationwide public/private Medicare council with over 80 organizations to ensure older Americans have the information they need to select health plans and to encourage prevention and wellness. To highlight the new Medicare preventive benefits, the First Lady will also announce a new public service announcement on osteoporosis, featuring her and Mrs. Gore. You will also renew your call to pass a patients' bill of rights and reiterate your commitment to continue to push Congress to pass comprehensive, anti-tobacco legislation.

Drugs -- Drug Courts: In response to your interest in drug courts, we are working with Rahm Emanuel on preparing to time the release of Justice Department drug court grants for an event the week of July 6. Approximately 150 jurisdictions will receive \$27 million in grants to help plan, implement, enhance, or evaluate drug courts. Some of the cities receiving grants include San Francisco, Omaha, Little Rock, Washington, D.C., and Atlanta. The drug court grants could be announced at the event to launch the national roll out of the youth anti-drug media campaign tentatively scheduled for July 9.

Drugs -- PRIDE Survey: On Thursday, the National Parents' Resource Institute for Drug Education (PRIDE) released the findings of its survey on teen drug use for the 1997-98 school year. The annual PRIDE report is a survey of 154,350 students grades 6-12. Overall, drug, alcohol, and tobacco use by teens dropped -- the first across-the-board declines since the 1990-91 school year. The key exception to the declines were students in the 12th grade, who reported slight increases in their use of cigarettes, cocaine, uppers, and downers. However, for the first time in the 11 years of the PRIDE survey, cigarette use by junior high students fell (from 32% in 1996-97 to 29% in 1997-98). Marijuana use among both junior and senior high students also fell from last year's levels (from 15% to 13%, and from 36% to 33%, respectively).

Drugs -- Pulse Check: On June 25, ONDCP will release Pulse Check, its biannual report on the use and distribution of illicit drugs in 30 cities. The information contained in Pulse Check is gathered from ethnographers, law enforcement officials, and drug treatment providers. Some of the report's key findings include: (1) methamphetamine has continued its spread eastward and is now considered an emerging drug in Baltimore, and Columbia, MD; (2) heroin use is stable or rising, with young users who snort or smoke the drug increasing across the country; (3) crack is failing to attract new users, although powder cocaine use is rising among the affluent in a few areas; and (4) marijuana use is widespread, crossing economic and social groups. Director McCaffrey is planning to unveil Pulse Check with DEA Administrator Tom Constantine and NIDA Director Alan Leshner.

Crime -- Modified Assault Weapons: This week in the Senate Treasury-Postal FY 99 appropriations markup, we successfully fought off an attempt to undermine the Administration's recent decision to bar the importation modified assault weapons. Opponents of the Administration's decision had previously attempted to offer an amendment -- which was later withdrawn -- to grandfather more than a hundred thousand of these weapons into the country. To prevent such a broad-based amendment from passing, the Administration helped craft an amendment that passed to reimburse importers for a limited number firearms that were already in or en route to bonded warehouses (roughly 2,000-3,000 weapons). The weapons will then be destroyed.

Crime -- Drunk Driving/Zero Tolerance: As you know, the zero tolerance for underage drinking and driving provision you signed into law in 1995 required states to adopt this tough standard by October 1, 1998. On June 29, South Carolina will become the 50th state to enact a zero tolerance law. We would note, however, that Delaware's zero tolerance law does not fully comply with the federal standard and needs to be amended.

Education -- Teacher Education: Sen. Bingaman has proposed an amendment to the Higher Education Bill to be taken up by the Senate next week, that would impose new accountability requirements on teacher education programs. The bill would require teacher education programs to publish the pass rate for students on state teacher certification tests and would ultimately cut off student financial aid to students in programs with less than a 70% pass rate. The amendment has the strong support of the NEA, is opposed by the higher education community, and by Sens. Jeffords, Kennedy, Coats and Dodd. We have been working with Bingaman and Kennedy to try to find an approach that retains the strong accountability emphasis without penalizing students for the low quality of their program.

Education -- Charter Schools: The Senate Human Resources Committee will mark-up a bill to expand the charter schools program when the Senate returns from the July 4th recess. The House passed a similar bipartisan bill last summer, which you supported. We are working with Sen. Kennedy to bolster his support for this bill, and to ensure that it provides incentives both for the more rapid expansion of charter schools and for strong accountability measures.

Welfare Reform -- U.S. Conference of Mayors Report: At its meeting in Reno on Friday, the USCM is releasing a report called "The Welfare Challenge Facing America's Cities." The report presents the results of a 125-city survey of mayor's views on welfare reform. The tone of the report is more positive than the report they released last June. They take a pragmatic view: while many mayors are concerned about the impact of welfare reform, they are working hard to facilitate the transition from welfare to work for their residents. They see some cause for optimism after the first 18 months, but also see the challenge of creating enough jobs and connecting people to those jobs. They cite concerns about adequate child care, transportation, skills training, and affordable housing near employment.

The report also estimates low-skills job gaps in many urban counties, based on projections by Regional Financial Associates, an economic consulting firm. RFA compared the number of low-skilled job seekers with the projected growth in low-skill jobs over the next five years, and concluded that there could be two job seekers for every low-skilled job. Specifically, the number of welfare recipients needing jobs over this period could exceed the number of jobs available by 353,000.

Projecting job gaps is difficult, and it appears that this study, like most similar studies, ignores the fact that some welfare recipients are already working and that they can take advantage of turnover in the labor market--not just new jobs. While the magnitude of the gap is hard to validate, the study does underscore important regional variations. In areas such as Fort Worth, Las Vegas, Little Rock, Miami, Phoenix, and San Francisco, projected job growth exceeds the expected number of job seekers; in areas including Detroit, Providence, Newark and Cleveland, the projected ratio of low skill jobs seekers to jobs is at least 10 to 1.

Nevertheless, the implication is that we need to work hard to ensure that welfare recipients can access employment opportunities created by our growing economy. We are already spurring economic development in urban areas, through our Community Empowerment Fund, Community Development Financial Institutions, and a second round of Empowerment Zones. Our welfare-to-work transportation initiative and welfare-to-work housing vouchers will both go a long way to address this issue, as will the \$3 billion in welfare to work grants we secured in the Balanced Budget Act and the Welfare to Work Partnership's successful welfare to work hiring efforts.

Welfare Reform -- Federal Agencies to Issue Guidance to States on Civil Rights and Welfare Reform: After meeting with civil rights leaders several months ago, Secretary Shalala agreed to issue guidance to states on how civil rights laws apply to welfare reform, particularly the new parts of the welfare law relating to work and the time limit. As a result, HHS, DOJ, EEOC, DOL, and other agencies have finished draft guidance that they will share in the coming weeks with civil rights groups, states, and advocates. We share HHS's view that a user-friendly

guide for states and caseworkers would be useful at this time. However, we want to ensure that states understand that these requirements are not new, and not misinterpret the guidance as imposing new requirements.

The guidance does include our first interpretation of how states may run afoul of the law in issuing exemptions to the five-year time limit. Our civil rights experts are in agreement that our guidance should say that **a racially neutral criterion that excludes a disproportionately greater number of minorities than non-minorities is permissible, so long as there is a substantial and legitimate justification for this criterion and there is no comparably effective alternative that excludes fewer minorities.** We are working with HHS to ensure a smooth roll-out of this draft with the states.

Immigration -- Agricultural Guestworkers: On March 12th, the House Judiciary Subcommittee on Immigration approved legislation sponsored by Rep. Bob Smith (R-OR) that provides for a new pilot program for the employment of temporary foreign agricultural workers. The bill includes provisions that would weaken or eliminate many of the worker protections provided for in the existing program (the H2A program). In a letter to the subcommittee, the Secretary of Labor stated that if the bill were presented to you, she would recommend a veto. However, in response to concerns expressed by growers and members of Congress (including Sens. Wyden and Graham and Rep. Bishop) about inefficiencies in the current H2A program, we initiated an inter-agency process to develop a streamlined proposal. We anticipate that several of the regulatory reforms contained in this proposal will be in place by the next growing season. Also, we intend to explore what substantive reforms we could effect to address the longstanding concerns by domestic farm workers that the H2A program does not adequately protect their interests.

Food Safety Initiative -- Senate Update: Of the Administration's proposed \$96 million food safety initiative for USDA and FDA, we received only \$16.8 million in the House Appropriations Committee and only \$2.6 million in the Senate. On Monday, the Senate is expected to begin voting on the Agriculture bill. Sens. Leahy, Harkin, and Daschle are willing to work with us to offer amendments, but have indicated that they will only do so if we present an offset. On Thursday, we suggested an offset involving user fees which was rejected by Harkin's staff. OMB is working to develop some other possible offsets. In order to highlight the problem of food safety and to shine light on some non-legislative solutions that the Administration has already undertaken, the DPC is working on a possible event for Wednesday. Because summer is the most dangerous time of year for food safety, we believe that the July 4th radio address may be an appropriate time to raise the budget and other food safety issues that are currently pending in Congress. In addition to your FY1999 budget, there are other legislative proposals involving food safety currently pending. These proposals include mandatory recall for meat and poultry, civil fines for violations, and increased FDA inspection authority for imported foods.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 10:22:44.00

SUBJECT: Chicago Gang Ordinance

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

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

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

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

TEXT:
EK, Rahm, Bruce:

You may already know this, but Bill Marshall called to tell me that the President signed off on the decision memo from Counsel's office, and that the brief will be filed today...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 15:18:57.00

SUBJECT: tobacco insert

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

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

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

TEXT:

This goes atop the President's remarks to the Family Conference. Any thoughts? I'll wait to hear from you.

Jeff
6-2796

Before I begin, I want to emphasize what previous speakers have said: there is no family health issue more important than protecting our children from tobacco. We have been working for some time now to forge an honorable, bipartisan compromise. But last week, in a brazen act of partisan politics, the Republican leadership chose tobacco companies over American families. The bill they killed not only gave parents a fighting chance against tobacco advertising that targets our children; it would also have protected kids from drugs, and given low- and middle-income families a tax break by ending the marriage penalty. So this was not just a pro-tobacco vote; across the board, it was an anti-family vote.

The political guardians of tobacco companies will not succeed in clouding the debate or changing the subject from the health of our children. And they will not convince me that this battle is over, because we're going to keep on fighting it until we win it for our children. I still welcome all members of Congress to join in passing meaningful, bipartisan legislation that curbs youth smoking. But one thing I will not do is participate a charade that fails to protect our kids and instead gives political cover to the allies of the tobacco lobby. I will veto anything less than honest, serious legislation. Because our children deserve no less.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 17:34:51.00

SUBJECT: Team Leaders Meeting

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: Michael Cohen (CN=Michael Cohen/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: Jennifer L. Klein (CN=Jennifer L. Klein/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: Cynthia A. Rice (CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

CC: Essence P. Washington (CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

We will be having the Team Leaders Meeting on Monday, June 22, at 9:00 a.m.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 17:57:53.00

SUBJECT: Revised Radio Address

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

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

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

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

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

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

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

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

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

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

TEXT:

Draft 6/19/98 6:00pm
Jordan Tamagni

PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS ON PROSTATE CANCER
JUNE 20, 1998

Good morning. Tomorrow is Fathers Day, the day we pay tribute to the irreplaceable role fathers play throughout the lives of their children. There is no greater responsibility -- and there is no greater reward -- for any man than raising a child. For me, there has been no job, not even the presidency, more important than being a father.

I want to talk to you today what we are doing to protect our fathers, our grandfathers, and all men from one of the greatest health threats they face: prostate cancer. This year, nearly 200,000 people will be diagnosed with prostate cancer -- and 40,000 will die from it. In fact, every year, as many men die from prostate cancer as women die from breast cancer.

For far too long, too little was known about prostate cancer. Too little was said about it, out of embarrassment and fear. Because of this, too little was done about it, as precious research dollars were spent on other problems.

For five years now, we have worked hard to increase public awareness about prostate cancer -- and to find a cure. Since I first took office, we have increased funding for prostate cancer research at the National Institutes of Health by 100%. This year alone, we are funding more than 450 critically important research projects on prostate cancer, ranging from prevention to detection to treatment. Last year, scientists at the Human Genome Project and Johns Hopkins University located the first gene known to predispose men to prostate cancer. Prostate cancer is the first disease being studied by the Cancer Genome Anatomy Project, a very exciting new program we recently launched at the NCI. We are closing in on this silent killer.

But as far as we have come, we know that many questions about prostate cancer remain unanswered. We do not fully understand the role of environmental and dietary factors in prostate cancer. We do not fully understand why the disease progresses at such varying rates in different men. We do not yet know why prostate cancer disproportionately affects African American men. And we do not yet know how to eliminate the risks of treatment for prostate cancer that discourage too many men from seeing their doctors.

The only way we will ever answer these questions -- and the only way we will ever beat prostate cancer -- is by continuing to invest in research. Today, I am pleased to announce that the Department of Defense is awarding \$60 Million in grants to some of the most promising research projects in the country. These grants will fund innovative new studies to determine the causes of prostate cancer, new methods of prevention and detection, and most of all, ground breaking new treatments that will save lives.

These grants are an important step in our fight against prostate cancer. But we must press on. This year, as part of historic legislation to protect our children from tobacco, I proposed to make the largest commitment in history to fund cutting edge cancer research. My proposal would also allow people on Medicare to participate in cancer clinical trials. This will be especially important for prostate cancer, which overwhelmingly affects men over 65. The more older men are able to participate in these trials, the more we will learn about this disease,

and the faster we will be able to find a cure.

But three days ago, a Republican minority in the Senate bowed to enormous pressure by the tobacco industry and voted against this legislation ... against protecting our children from tobacco ... against our families ... against increased cancer research ... against saving lives. And the American people won't stand for it.

This Fathers Day, as we celebrate how much fathers mean to their children, we should also renew our commitment -- as fathers, as parents, and as Americans -- to our families, by insisting that Congress join together in passing comprehensive bipartisan tobacco legislation that protects our children and strengthens our nation.

Thanks for listening.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 13:06:27.00

SUBJECT: Will Work for Information

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

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

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

TEXT:

Still awaiting tobacco language for prostate cancer radio address; or awaiting notification of changed topic and background materials (to say nothing of late night assistance). Thanks; I know how busy you all are.

Here is latest draft.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D9]MAIL42863817Y.126 to ASCII,
The following is a HEX DUMP:

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29D70ED2AC6B0BB883A92747872C26A09ABA5BBAC39A251CBED70F5CCE88ACB5C11AC901D4144A

Draft 6/19/98 11:30am
Jordan Tamagni

**PRESIDENT WILLIAM J. CLINTON
RADIO ADDRESS ON PROSTATE CANCER
JUNE 20, 1998**

Good morning. Tomorrow is Fathers Day, the day we pay tribute to the lasting role fathers play in the lives of their children.

I want to talk to you today what we are doing to protect our fathers, our grandfathers, and all men from one of the greatest health threats they face: prostate cancer. This year, nearly 200,000 people will be diagnosed with prostate cancer -- and 40,000 will die from it. In fact, every year, as many men die from prostate cancer as women die from breast cancer.

For far too long, too little was known about prostate cancer. Too little was said about it, out of embarrassment and fear. And because of this, too little was done about it, as precious research dollars were spent on other problems.

For five years now, we have worked hard to increase public awareness about prostate cancer -- and to find a cure. Since I first took office, we have increased funding for prostate cancer research at the National Institutes of Health by 100%. This year alone, we are funding more than 450 critically important research projects on prostate cancer, ranging from prevention to detection to treatment. Last year, scientists at the Human Genome Project and Johns Hopkins University located the first gene known to predispose men to prostate cancer. And prostate cancer is the first disease being studied by the Cancer Genome Anatomy Project, a very exciting new program we recently launched at the NCI. We are closing in on this silent killer.

As far as we have come, we know that many questions about prostate cancer remain unanswered. We do not fully understand the role of environmental and dietary factors in prostate cancer. We do not fully understand why the disease progresses at such varying rates in different men. We do not yet know why prostate cancer disproportionately affects African American men. And we do not yet know how to eliminate the risks of treatment for prostate cancer that discourage too many men from seeing their doctors.

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These grants are an important step in our fight against prostate cancer. But we must press on. This year, as part of historic legislation to protect our children from tobacco, I proposed to make the largest commitment in history to fund cutting edge cancer research. My

proposal would also allow people on Medicare to participate in cancer clinical trials. This will be especially important for prostate cancer, which overwhelmingly affects men over 65. The more older men are able to participate in these trials, the more we will learn about this disease, and the faster we will be able to find a cure.

But three days ago, the Republican minority voted against my proposal to increase cancer research when it voted against protecting our children from tobacco. [TOBACCO INSERT TK]

Thanks for listening.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Janet Murguia (CN=Janet Murguia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:19-JUN-1998 21:50:57.00

SUBJECT: Re: INS reform

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

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

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

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

TEXT:

I spoke with Reyes, Becerra, and Guitierrez separately on this yesterday and have been in touch with Alan Erenbaum (INS/Leg). This is what I've gathered: Reyes is actually a little nervous about the reaction to the proposal but felt that Rogers was driving action on this and on him very hard in order to get it up at his Commerce, Justice, State Mark up next week. The fact is that Rep. Lamar Smith is not excited about doing this either but Rogers is really pressuring him to act before the approps. mark-up as well. So late Wednesday evening they came up with the modified Reyes proposal. Reyes told me he believes its better to go with this proposal than with the Rogers proposal and feels like he has made a significant contribution by pulling Rogers off his original bill. Becerra and Guitierrez both understand the shortcomings in Reyes' proposal but really wanted the Administration and groups to take the lead on highlighting these problems first. Reyes has actually said that he's not totally comitted to the proposal and wants to see what reaction he gets from the Administration, Hispanic Caucus and the groups. But the fact is that the most important response for him will be what the rest of the Hispanic Caucus has to say about the proposal. Becerra and Guitierrez have agreed to talk to Reyes over the weekend. I know that Peter Jacoby was also trying to ensure that Gephardt speak with Reyes to pull him off as well. We should try to meet on Monday (or earlier) both internally and with the groups. Should I set this up or do you want to? Let me know.
Janet.

----- Forwarded by Janet Murguia/WHO/EOP on 06/19/98
08:26 PM -----

Maria Echaveste
06/19/98 09:49:15 AM
Record Type: Record

To: Julie A. Fernandes/OPD/EOP
cc: Janet Murguia/WHO/EOP, Peter G. Jacoby/WHO/EOP
bcc:
Subject: Re: INS reform

Julie--thanks for the info--i just learned that markup of Smith's naturalization bill in full committee is scheduled for Tues--the groups will try to get it postponed--unclear what will happen--we need to regroup --can you find out from INS what they know and what their plan is--?

Julie A. Fernandes
06/19/98 09:45:37 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP
cc: Peter G. Jacoby/WHO/EOP, Elena Kagan/OPD/EOP, Janet Murguia/WHO/EOP
Subject: Re: INS reform

Maria,

I spoke with Marisa Demeo from MALDEF late yesterday. The advocates had a conference call last night to determine next steps. All of the groups oppose the Reyes bill. When he first introduced it, he said he would add additional provisions (chiefly dealing with the services side of the operation) before it moved forward. However, as we can see, he has not done that.

The CHC is on the fence. Becerra and the rest of the caucus signed on to the original bill, and it will take a lot of convincing to persuade them not to go with Reyes. Right now, the CHC is trying to set up a meeting for today before 2pm to discuss their position. Neither Reyes nor Becerra will be in town on Monday. The groups convinced the caucus to invite INS to their meeting today so that they could be briefed on the Administration's plan and why it is better for their constituents. Becerra has indicated that if the groups can come forward with specifics about what makes the bill bad (including policy and politics), the caucus could be persuaded. Also, Reyes's staff has indicated that he might be willing to lift the Administration's proposal on services into the bill + create a Director of Services equivalent to the Director of the Bureau of Enforcement..

According to Marisa, Smith is scheduled to mark this up on Tuesday. Rogers will then take this as a signal to allow him to make this part of his CJS appropriations package. MALDEF is very concerned about the CHC. If they support this bill, it will really move.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Robert J. Pellicci (CN=Robert J. Pellicci/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:19-JUN-1998 11:09:48.00

SUBJECT: Justice Letter on Child Custody/Abortion

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: JENNINGS_C (JENNINGS_C @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)

READ:UNKNOWN

TO: Laura S. Marcus (CN=Laura S. Marcus/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: Sarah A. Bianchi (CN=Sarah A. Bianchi/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TO: KAGAN_E (KAGAN_E @ A1 @ CD @ LNGTWY [UNKNOWN]) (OPD)

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Yesterday, I circulated for review and comment a Justice Department letter on HR 3862, the Child Custody Protection Act, which would make it illegal to transport minors across state lines for the purpose of avoiding state parental involvement laws. The letter is to be transmitted prior to the House Committee on the Judiciary's markup of HR 3862, which is scheduled to resume on Tuesday, June 23rd. JUSTICE WOULD LIKE CLEARANCE OF ITS LETTER TODAY.

Please let me know by 1:00 p.m. today if you are going to have any comments to the Justice letter. NOTE: The Justice letter was promised to the Committee in Chief-of-Staff Bowles' June 17th letter to Rep. Hyde on this legislation.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 17:43:17.00

SUBJECT: Next Week

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

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

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

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

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

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

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

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

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

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

Jennell (Jennell [UNKNOWN])
READ:UNKNOWN

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

TEXT:

I will be out of the office next week, and I'm terribly sorry for what now seems like bad timing. (Originally POTUS was leaving for China after the Family Conf., so there wouldn't be any events.) The work on the Family Conference will be done by today. Here's contact info. on the other events next week.

NOTE: We are not the lead on any of these events.

1. FDA Announcement -- Tuesday or Wednesday
Bob Nash's office is the lead Staff Contact. CONTACT: Walker x6-2866

Briefing: Nash's office will draft it -> Chris/Sarah will contribute
->Elena will edit -> and Nash's office will submit it.

Press Paper: Chris/Sarah will compose -> Elena will edit -> Laura will

and Q&A submit it.

*Bruce should be listed on Briefing memo. Bruce and Chris should attend briefing.

2. AG Research Bill Signing - Tuesday
Legislative Affairs is the lead on this. CONTACT: Dario Gomez x6-1720

Briefing - Leg. Affairs will do the briefing --> Diana will contribute -->
Leg. Affairs will submit it.

Press Paper - Leg. Affairs/OMB will draft -> Diana will contribute ->
Leg. Affairs will submit.

EVENT: Rose Garden Ceremony at 10:30am.

Speaking Program: Glickman, Legal Immigrant, Farmer, and the
President.

3. Deadbeat Parents Bill Signing - Wednesday
Leg. Affairs is the lead. CONTACT: Peter Jacoby/Jennell - x6-6493

Briefing - Leg. Affairs will draft -> Diana/Cynthia Rice will contribute
-> Elena will edit -> Leg. Affairs will submit.

Press Paper and Q&A- Diana will draft -> Elena will edit -> Laura will
submit.

* Bruce will be listed on briefing memo, and Bruce and Diana
should attend briefing.

EVENT: Oval Office Statement at 9:45 am.

Speaking Program: VP, Mother, POTUS.

Members of Congress and advocates will stand beside the
President.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 17:51:27.00

SUBJECT: Radio

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

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

TEXT:

[...] Please make edits as you see fit... remember, it's Father's Day

These grants are an important step in our fight against prostate cancer. But we must press on. This year, as part of historic legislation to protect our children from tobacco, I proposed to make the largest commitment in history to fund cutting edge cancer research. My proposal would also allow people on Medicare to participate in cancer clinical trials. This will be especially important for prostate cancer, which overwhelmingly affects men over 65. The more older men are able to participate in these trials, the more we will learn about this disease, and the faster we will be able to find a cure.

But three days ago, a Republican minority in the Senate bowed to pressure by the tobacco industry and voted against this legislation ... against protecting our children from tobacco ... against our families ... against increased cancer research ... against saving lives. For that, they will have to answer to the American people.

This Fathers Day, as we celebrate how much fathers mean to their children, we should also renew our commitment -- as fathers, as parents, and as Americans -- to our families by insisting that Congress join together in passing comprehensive bipartisan legislation that protects our children and strengthens our nation.

Thanks for listening.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 09:54:48.00

SUBJECT: H2A -- meeting summary

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

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

TEXT:

Elena,

At yesterday's H2A meeting, it was decided that the Labor Department will draft a NPRM that includes the following six regulatory reforms:

Require employers' H2A labor certification applications to be submitted 45 (rather than 60) days prior to the employers' "date of need."

Reduce the deadline for employer-provided housing to be available for inspection from 30 to 15 days prior to the employers' "date of need."

Growers will no longer be required to use a registered farm labor contractor (FLC or "crew leader") as a source of U.S. workers if the FLC has a demonstrated history of employing illegal or unauthorized workers or of other labor abuses.

Eliminate requirement that certified H2A employers provide notice of H-2A workers' departure for the place of employment.

INS to delegate H2A petition approval authority to DOL.

DOL will issue petition approval for replacement of certified H2A workers upon proof of the worker's repatriation.

These last two reforms impact the INS, so they will also need to do rulemaking. Sally gave them (DOL and DOJ/INS) a deadline of COB Thursday (June 25th) to give us drafts of these rules.

Also, the Labor Department will draft a letter to Sen. Coverdell that expresses our intentions on these reforms. This letter will also commit the DOL to initiating a process to address the more substantive areas of concern with the program. This last statement will likely signal to growers and farmworker advocates that we are planning to take on the wage and housing issues. We should see a draft of this letter tomorrow (Friday).

The general sense was that these reforms (particularly #5) will adequately respond to growers' concerns re: timeliness in the processing of H2A applications. Our hope is that the letter's signal on the housing and wage issues will indicate that we see this rulemaking as a first step and that we intend to tackle the more difficult parts of the program that need reform soon.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 08:24:39.00

SUBJECT: weekly

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D14]MAIL40358517X.126 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A020100000002050000006209000000020000E843A7D7937C19DF1F40A1
A8895FCAD5AE4C19E9B64F6E37E1A876FDBF37A782AB2F583F29320DEC645430538603559C2D66

Gore's Family Conference. Next week, the Gores' will be hosting their annual family conference on the subject of health. You and the Vice President will be announcing a new Executive Directive on children's outreach and a multi-faceted national health initiative for older Americans, which includes: new preventive benefits for Medicare beneficiaries; a national Internet site for Medicare beneficiaries; and a new nationwide public/private Medicare council with over 80 organizations to ensure older Americans have the information they need to select health plans and encourage prevention and wellness. To highlight the new Medicare preventive benefits, the First Lady will also announce a new public service announcement on osteoporosis, featuring her and Mrs. Gore. You will also renew your call to pass a patients' bill of rights and reiterate your commitment to continue to push Congress to pass comprehensive, anti-tobacco legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUN-1998 09:17:17.00

SUBJECT: Another change . . .

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

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

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

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

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

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

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

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

TEXT:

Today's meeting to discuss strategy on the FICA/Workfare ruling is
rescheduled for

2:30 p.m. in Bruce Reed's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Martha Foley (CN=Martha Foley/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-JUN-1998 15:29:47.00

SUBJECT:

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I gather there were a lot of discussions about the Lowey amendment recently. As the person who is handling all appropriations issues for WH/LA and in particular, the Treasury Postal bill, I need to be included in such discussions. I would also like to see the paper that is being developed before it goes because I have had discussions on this with Pelosi and the chairman's people (Livingston).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1998 12:27:28.00

SUBJECT: Family Conference Press Paper

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D58]MAIL454933370.126 to ASCII,
The following is a HEX DUMP:

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3D54ABB2848F2A0E9602B0A446D1F77B66FE484CB1ECC20D9D7C1FB1BBD9EEF2FCD25B2E73E88B

PRESIDENT CLINTON AND VICE PRESIDENT GORE ANNOUNCE NEW INITIATIVES TO IMPROVE HEALTH FOR CHILDREN AND OLDER AMERICANS AT FAMILY REUNION CONFERENCE HOSTED BY VICE PRESIDENT AND MRS. GORE

June 22, 1998

Today, at the seventh Family Reunion Conference in Tennessee hosted by Vice President and Mrs. Gore, the President and Vice President announced a series of new initiatives to improve health for older Americans and children, and to make the health care system more responsive to the needs of families.

Children: issued an Executive Memorandum that directs eight Federal agencies to implement over 150 new initiatives to help enroll the millions of uninsured children eligible for but not enrolled in health insurance programs; **Older Americans:** developed a multi-faceted national health initiative for older Americans, which includes: new preventive benefits for Medicare beneficiaries; a national Internet site; and a new nationwide public/private National Medicare Alliance Network with over 80 organizations to ensure older Americans have the information they need to select health plans and encourage prevention and wellness; **Families:** renewed the call on Congress to pass a patients' bill of rights.

CHILDREN: SIGNED EXECUTIVE DIRECTIVE TO IMPLEMENT OVER 150 NEW FEDERAL COMMITMENTS TO ENROLL ELIGIBLE BUT UNINSURED CHILDREN. Over 4 million uninsured children are eligible for but not enrolled in Medicaid, and as the new Children's Health Insurance Program is implemented, even more families will have children who are eligible for state or federal health insurance programs. Today, the President signed an Executive Memorandum that cuts across jurisdiction and traditional agency inflexibility by directing eight Federal agencies -- ranging from HUD to SSA to the Education Department -- to implement over 150 new Federal initiatives to help sign up the millions of uninsured children eligible for but not enrolled in health insurance programs. This action illustrates how a responsive and flexible government can meet the evolving needs of families. The initiatives include:

- **Sending letters to 350,000 federal workers, including Head Start teachers, school nurses, child support workers, and community health center directors** asking them to ensure that all of the families they work with whose children are eligible for Medicaid or CHIP are enrolled in these programs.
- **Working With National Organizations and Programs That Reach Millions of Families to Help Enroll Children in Health Insurance Programs**, including educating grandparents through the Medicare program, holding a conference with Historically Black Colleges to identify new strategies, and ensuring that sites, including 15,000 public housing projects, 400 IRS walk-in centers, and 113 job centers, have information for families about how to enroll children in health insurance.
- **Releasing a New Guide to Help Child Care Workers Enroll Uninsured Children.** Child care centers are one family-friendly setting where parents can learn about insurance programs they may be eligible for. There are already many efforts underway to link child care centers with the health needs of the millions of children in child care. Today, the Department of Health and Human Services is releasing a new child care handbook "Child Care and Medicaid: Partners for Healthy Children" to ensure that child care workers understand how to identify and enroll families with uninsured children.

OLDER AMERICANS: ANNOUNCED NEW NATIONAL CAMPAIGN TO IMPROVE HEALTH OF OLDER AMERICANS. One of the greatest concerns for families is the health of older family members. Today, the President and Vice President:

- **Implemented Historic New Preventive Benefits for Medicare Beneficiaries.** The President and Vice President announced that starting July 1st, for the first time, Medicare will cover two critical preventive benefits -- bone mass measurement tests to detect osteoporosis and diabetes education. The President signed into law these new benefits -- as well as a series of preventive benefits to detect cancer, which were implemented earlier this year -- as part of the historic Balanced Budget Act of 1997. These benefits underscore how Medicare is trying to encourage better health outcomes for families.
- **Launched a New Internet Site for Medicare Beneficiaries.** Families need good information to help make the best health care decisions for older family members. Today, the President and Vice President launched a new nationwide Internet site (Medicare.gov) so that families can understand the options and services Medicare provides. This information will be even more critical as the historic changes the President enacted as part of the Balanced Budget Act of 1997 are implemented this fall. These reforms give beneficiaries new plan choices that will improve care for older Americans, but also have the potential to cause confusion.
- **Created a Nationwide Public/Private Medicare Education Alliance Network, including over 80 National Organizations, to Ensure Families Are Informed Health Care Consumers.** The President and Vice President announced that over 80 organizations, including the AFL-CIO, American Association of Retired Persons, Older Women's League, National Rural Health Association, and American Association of Family Physicians, are joining with the Health Care Financing Administration, Administration on Aging, and National Institutes of Health to launch a new National Medicare Alliance Network that will work to ensure that families have the information they need to make critical health decisions including: ensuring that Medicare beneficiaries learn of the new preventive benefits and other prevention and wellness strategies; understand new plan options so they can select the health plan that best meets their needs; and know the consumer protections available under Medicare.

FAMILIES: MAKING THE HEALTH CARE SYSTEM MORE RESPONSIVE TO THE NEEDS OF FAMILIES

- **Renewing Call on Congress to Pass a Patients' Bill of Rights.** The President also urged Congress to stop delaying and pass a patients' bill of rights to ensure that all families have the patient protections they need in a rapidly changing health care system. This patients' bill of rights should contain a range of protections, including guaranteed access to needed health care specialists, access to emergency room services when and where the need arises, and access to a meaningful **internal and external appeals process for consumers to resolve their differences with their health plans and health care providers.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUN-1998 21:36:57.00

SUBJECT: bilingual memo

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

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

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

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

TEXT:

Attached is a revised memo, as we discussed. Once you are comfortable with it, it should be circulated for quick comment to:

- Janet Murguia
- Broderick Johnson
- Mike Smith (and Ann O'Leary in his office)
- Karen Skelton
- Maria Echeveste
- Morley Winograd
- Barbara Chow

We need feedback from POTUS before he leaves for China (assuming he's not going to deal with this once he departs). Otherwise we are going to have a very tough time dealing with House Dems, as they look to us while developing their strategy for dealing with Riggs. I think this means that somehow, we need to get this to POTUS by COB Monday. ===== ATTAC
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D94]MAIL45765337N.126 to ASCII,
The following is a HEX DUMP:

FF57504326060000010A0201000000020500000088620000000200001F2F10075D888B26D3B153
4D87BEA8B603506A3E17F563133AF5AF0133468B318D6D8D6D6EE5971FA5ED110E960A62915B6B

DRAFT

June 20, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
LARRY STEIN (DO YOU WANT TO INCLUDE HIM ON THIS MEMO AS
REQUESTED BY JANET?)

SUBJECT: Bilingual Education

On June 4, the House Education and Workforce Committee reported H.R. 3982, the English Fluency Act, introduced by Rep. Frank Riggs. This bill raises many of the same programmatic issues and political dynamics as the Unz Initiative in California. The purpose of this memo is to update you on this proposal and the development of an Administration alternative, and to present you with options for how to proceed.

I. Overview of Riggs Bill

The bill would eliminate the existing Bilingual Education and Emergency Immigrant Education programs and would (1) distribute funds through a block grant that is not targeted toward school districts with the highest quality programs and greatest funding need; (2) require states to withdraw funding from local programs in cases where students do not master English within two years and set a 3-year limit for serving any individual student, though it would not provide any extra help for students or corrective action for programs that need it; (3) not require States to maintain their own efforts; and (4) eliminate professional development programs designed to prepared qualified ESL and bilingual education teachers. The bill also seeks to sharply curtail the enforcement powers of the Education Department's Office of Civil Rights by voiding existing voluntary compliance agreements between OCR and local school districts with regard to educating LEP students and by requiring OCR to publish -- and the Congress to ratify -- new guidelines and compliance standards for Title VI enforcement. These provisions would weaken enforcement of Title VI of the Civil Rights Act of 1964 and result in increased litigation.

II. Development of Administration Alternative

We are finalizing an alternative bill based on the principles you approved and Secretary Riley articulated in his statement of opposition to the Unz Initiative. This bill would amend (rather than replace entirely) the existing bilingual education program. Specifically, it would require participating school districts to (1) establish a goal of preparing LEP students to enter successfully regular English classrooms in not more than three years, (2) conduct annual assessments of student's English proficiency; (3) provide additional help for students not on track

to English proficiency; (4) develop a corrective action plan, to be approved by the Secretary, if a significant percentage of students do not meet the 3-year goal.

To ensure accountability for results, districts that fail to make adequate progress after implementing a corrective action plan would not receive additional funding. Districts that make outstanding progress toward the three year goal would receive an additional 2-4 years of funding.

In addition, the bill would guarantee local flexibility by removing the existing cap on funding for programs that do not use the students native language, and would remove the competitive priority currently given to programs designed to maintain native language while helping students learn English.

This bill would be a solid first step to reform federal programs to help students become proficient in English. The Education Department is working on a more thorough approach as part of its planning for the reauthorization of ESEA next year. This approach would include a more thorough overall of the bilingual education program, as well as an effort to make Title 1 a more effective tool for helping LEP students learn English.

In addition to this legislation, we believe a broader set of steps is necessary. The poor performance of Hispanic and other students with limited English proficiency in mastering English and in other academic subjects is not solely or primarily the result of bilingual education; it has as much to do with the overall quality of their schools and teachers, and the level of support they receive from the broader community. The Bilingual Education Program is not the only federal resource at your disposal to strengthen efforts to help students learn English. Our efforts, and the national debate, should not be focused solely on "fixing" one part of the problem.

Therefore, in preparation for the FY 2000 budget we are developing a larger package of initiatives. We are working to get the package ready for you to announce in the near future. Though there is still additional work to be done to put this package together, we expect that the final version will address the following elements:

- **A Legislative Proposal.** You would transmit the Education Department's amendments to the Bilingual Education Act, and also announce that next year you will propose changes to Title 1 to make it a more effective vehicle for helping students become proficient in English. This is important because more LEP students are served under Title 1 than by federal bilingual education programs. If you chose not to send legislation this session, you would instead announce your intention to transmit legislation to overhaul bilingual education next year, and give enough detail so that the underlying principles are clear and your announcement is credible.
- **A Directive to Identify National and International Models of Best Practice.** You would direct the Secretary of Education to produce and widely disseminate a report by next Fall that would identify places in the U.S. and internationally that help students

become proficient in English (or another 2nd language as appropriate) within 3 years.

- **An Initiative to Strengthen Teaching for LEP Students.** The existing bilingual education program provides strong support for the recruitment, preparation and continued training of bilingual and ESL teachers. We are exploring ways to strengthen this component. Options include further funding increases, additional incentives to attract teachers to the field, and the creation of mentoring programs for beginning teachers.
- **A Community-Based Initiative.** We are exploring how best to promote community based efforts to provide extra help for LEP students to learn English through after-school tutoring, Saturday programs, and other approaches. We are looking for ways to build on our work on America Reads, the 21st Century Learning Program, and High Hopes to accomplish this.
- **An R&D Initiative.** We intend to propose an R&D initiative that can point the way for how best to strengthen practice. This might include studies and demonstrations of best practices for students of different ages (ranging from the early grades to 18-24 year olds with little formal schooling), exploration of how technology can improve the delivery of services and the assessment of language proficiency, and other areas with the potential for high impact.
- **A Proposal to Help English Speaking Students Learn Foreign Languages.** This package provides an important opportunity to broaden the debate about bilingual education by recognizing the value of bilingualism in a global economy. In particular, we are looking at ways to provide incentives and support for more schools to provide foreign language instruction in the early grades, when students are best equipped to learn a second language.

III. Congressional Dynamic

H.R. 3892 was reported out of committee on a straight party line vote (22-17). While the bill will certainly move in the House, there is no hint of movement on the Riggs bill in the Senate.

In the House, the bill may well proceed on two parallel tracks: as a rider to the Labor-HHS-Education Appropriations bill, and as a free-standing bill. The Appropriations bill will be marked up in subcommittee on June 24, and the Riggs bill will be incorporated into it. Subcommittee Democrats view the appropriations bill as so fundamentally flawed that they do not plan on offering any amendments to try and improve it. The bill will provide approximately \$2 [Jon--check figure with Chow or Frost] billion less than you have requested for overall education spending; make significant cuts in Administration priorities such as Goals 2000, and contain a number of unacceptable riders including a prohibition on national testing and the creation of one or more block grants out of existing programs.

House Democrats have not yet finalized a strategy for this bill at the full committee and when it comes to the floor. It appears likely that any amendments offered will be designed to promote a unified Democratic message rather than to materially improve the bill. We do not expect the Hispanic Caucus to mount an effort to strip Riggs from the bill.

It is also likely that the Riggs bill will come to the floor as a free-standing measure shortly after the recess. Few Members have focused on this prospect yet, and the extent to which Democrats are prepared to oppose Riggs without the cover of an alternative bill to reform bilingual education is simply not clear. Mr. Gephardt's office will be alerting members this week to the prospective floor vote. However, their preferences may not become clear until they return from recess.

Notwithstanding the success of the Unz Initiative, Committee Democrats (including moderates such as Reps. Roemer and Kind, and Hispanic Caucus Members Reps. Martinez, Romero-Barcelo, Hinojosa and Sanchez) did not feel compelled to offer an alternative to Riggs's bill during markup. However, as the prospect of a floor vote brings things into focus, this could change. Rep. Roemer now believes an alternative would be important. Leaders of the Hispanic Caucus, including Caucus Chairman Becerra and Education Committee Member Hinojosa, have quietly acknowledged that, for the greater good of the Democratic Caucus, such a floor alternative might become necessary. However, up until now they have been adamantly opposed to a floor alternative, and remain to be convinced that one is necessary for a successful floor strategy. In addition to their own apprehensions, Hispanic Caucus members are under substantial political pressure from bilingual advocates to steer clear of an alternative.

IV. Legislative Options

In order to proceed we must determine when and under what conditions to transmit legislation to reform bilingual education. There are two basic options.

Option 1. Transmit An Administration Bill Independent of House Democrats

Sending up a bill in the near future would demonstrate your clear commitment to reforming bilingual education, and would position you in the reasonable center of the emerging national debate, between those such as Unz and Riggs who are proposing extreme and punitive approaches on the one hand, and those who are defending the status quo that was rejected by a large margin of the public, at least in California. From this point of view, it will be important to transmit the bill as soon as possible in the event that the Riggs bill reaches the floor, or otherwise captures press attention as it moves forward. It will provide House Democrats with a ready-made alternative to Riggs if they feel the need for one. Even if this bill is not introduced or does not garner much support among Democrats, by staking out a clear and independent Administration position now, you can have a significant impact on next year's debate, when legislation to reform bilingual education is more likely to reach your desk.

There are significant legislative down sides to introducing an Administration bill now, if

House Democrats have otherwise concluded that they neither want nor need an alternative bill. In particular, introducing an alternative at this time would be perceived by the Hispanic Caucus as jumping the gun strategically, and preempting meaningful consultation regarding the substance of an alternative. It would generate a hostile reaction from the Caucus, and is likely to recreate the same divisions among House Democrats we saw last year on national testing. The prospects that the Black Caucus would ally itself with the Hispanic Caucus and Republicans in opposition to your bill are high. Under these circumstances, there is a good chance that your proposal would not find a Democratic sponsor, or if introduced and allowed to come up on the floor as an alternative to Riggs, would be defeated by a large, bipartisan margin. Opposition by the Hispanic and Black Caucus would almost certainly spill over into renewed opposition to continued funding for the national test (though the prospects of support from the two caucuses is slim at best in any event), and perhaps to other legislative battles as well.

Further, there is the outside chance that sending up an Administration alternative that lacks support from Democrats could push Riggs to seek to narrow the differences between his approach and yours. He has indicated privately that he does not see large differences between his approach and the principles outlined in the Administration's opposition to Unz, and that he is ultimately prepared to drop the civil rights enforcement provisions in his bill. If Riggs were to modify his bill in order to more closely reflect the principles in ours, we would have a difficult time opposing his bill and would risk infuriating Democrats if we cut a deal with him.

Option 2. Defer to the Congressional Democrats on the Timing of Transmittal

An alternative course of action would be to proceed immediately to consult with members of the Hispanic Caucus and other Democrats on the shape of an alternative bill, using the Administration bill as the starting point, and making our 3-year goal and strengthened accountability as nonnegotiable principles which must be incorporated into any legislation we would support. While there is no guarantee that Democrats in general and the Members of the Hispanic Caucus in particular will endorse our approach, we can gain leverage in these negotiations by making clear that a veto threat to Riggs remains dependent upon the introduction of an alternative consistent with our principles. We can also make clear that we will transmit a reauthorization bill next year that is fully consistent with these principles.

If we determine together with House Democrats that an alternative is strategically necessary when the bill comes to the floor or is taken up by the appropriations committee, we could then introduce a bill consistent with our principles that would unite, rather than divide Democrats. Alternatively, if House Democrats either do not want an alternative when the Riggs bill or the Appropriations bill reaches the floor, or will not support an approach based on our principles, we can reassess our position at that time and either send up our own alternative or choose to wait until next year's reauthorization.

This approach is more likely to unite the Democrats over a potentially divisive issue, keep them united for the larger education and other battles over the coming months, and enable those

of us in the Administration to focus our time and energy on fights with Republicans rather than on infighting within the Democratic Caucus.

There are clear down sides to this approach as well. It places a large measure of control over the timing and, to some extent the content, of your own proposal in the hands of Members who do not share your views about the need or way to reform bilingual education. Consequently, the chances are high that you would not transmit legislation at all this year, and you would therefore be unable to position yourself or to effectively define the debate.

Recommendation: Your advisors are split on this issue. On policy grounds, Bruce Reed favors Option 1, though he recognizes that your final determination may depend more upon political than policy calculations. **[this is the language you and Bruce wanted a few weeks ago]** Maria Echeveste, Janet Murguia, Mickey Iberra and Karen Skelton recommend Option 2. **[need to determine Riley's and Stein's position--though if their staff are any guide, they will go for Option 2]**

_____ Option 1	_____ Option 2	_____ Discuss
Send Now	Defer to House Democrats on Timing	

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUN-1998 15:48:17.00

SUBJECT: Ideas for July / August

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

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

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

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

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

TEXT:

Attached is our list of ideas on health. We did not divide them up into DPC and NEC ideas, since we worked on them together (presumably, there is some process for coordinating the ideas).

Please call Chris or myself with questions.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D96]MAIL43997337K.126 to ASCII,
The following is a HEX DUMP:

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CC0B88F82725749F82A5C3CC1C6BEFCD12604AA370D33B1B21A8AF4B281F64003BB6C3E2F9DF47

HEALTH IDEAS

Release New Executive Order Authorizing OPM to terminate FEHBP Insurance Plans Who Are Out of Compliance with Kennedy-Kassebaum Law. To provide additional enforcement teeth for both states and HCFA, this policy would allow FEHBP to take actions, up to and including termination in the plan, against insurers who have discriminated against sicker patients. Although there have not been any new reports of problems in this area, this action would be characterized as reducing the likelihood that we will see additional marketing and other administrative abuses.

Release new HHS Report on Long-Term Care and Announce Policy Initiative(s). A new report from HHS shows that millions of American families care for chronically ill elderly relatives and friends, and this is a significant strain on families. The President could announce an initiative to encourage private long-term care insurance by offering it through Federal Employees' Health Benefits Plan and by explaining to new Medicare beneficiaries that Medicare does not cover long-term care and that they should consider private insurance. In addition, if we are willing to consider proposals with budgetary effects, we could announce a new respite care tax credit (still in the early stages of policy development).

Approve the 25th State Children's Health Insurance Program. As of June 19, 20 states have had their plans approved; In early July, we anticipate that we will approve the 25th CHIP plan, achieving the half-way target. The states that have been approved have estimated that they will be covering 2.5 million children when their plans are fully implemented. We could release another progress report, maybe bring in the Governors, or bring in families who have already been helped by the program.

Enhance Welfare-to-Work Commitment by Giving States Option to Maintain Health Insurance for Working Adults. We will hopefully be able to bridge an impasse about publishing the "100-hour rule" reg. This will allow the states who did not have an 1115 welfare waiver before welfare reform to have the option of expanding coverage to two-parent families under Medicaid.

Announce Outreach Effort for Low-Income Medicare Beneficiaries. A new report, to be released by Families USA in early July, will show that about 3.9 million beneficiaries -- nearly half who are eligible -- do not get premium assistance under Medicaid. We could announce or release an executive directive to order HCFA, SSA, and Administration on Aging implement new outreach and enrollment initiatives (this could either be a proactive initiative or at least to inoculate ourselves against a report that is likely to receive a great deal of attention).

Announce and Promote Policies for People with Disabilities. We have been working on administrative and legislative policies to encourage de-institutionalization for people who would rather reside in the community. There also has been legislation on "return to work;" we could offer policies that are affordable and paid-for in this context. These actions could be announced on July 26, the anniversary of the Americans with Disability Act (note: the Vice President has

tentatively agreed to unveil a wheelchair at the FDR Memorial that day), or the President can highlight new State Medicaid options created in the Balanced Budget Act at the National Governors' Association conference in early August.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUN-1998 17:24:05.00

SUBJECT: tobacco statements

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

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

TEXT:

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

TEXT:

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2A1B6587ABB76A95D46446519214F07F48E595A6FBB6455E2BA40EB0EA91957CCA0D77C6D65C7

Revised Final 06/21/98 5:00pm
Jeff Shesol

PRESIDENT WILLIAM J. CLINTON
REMARKS TO THE FAMILY REUNION CONFERENCE
NASHVILLE, TENNESSEE
June 22, 1998

Acknowledgments: First Lady; VP and Mrs. Gore; members of the roundtable

Before I begin, I want to emphasize what previous speakers have said: no family health issue is more important than protecting our children from tobacco. We have been working for some time now to forge an honorable, bipartisan compromise. A majority of the Senate stands ready to make progress by passing meaningful legislation. But last week, in a brazen act of partisan politics, the Republican leadership chose tobacco companies over American families. The bipartisan bill they blocked would not only give parents a chance against tobacco ads that target children. It would also protect kids from drugs, and give low- and middle-income families a tax break by ending the marriage penalty. It would [improve child care and] make an important investment in cancer research. **So this was not just a pro-tobacco vote; across the board, it was an anti-family vote.**

The congressional leadership will not succeed in clouding the debate or changing the subject from the health of our children. And they will not convince me that this battle is over, because we're going to keep on fighting it until we win it for our children. I urge all members of Congress to join in passing comprehensive legislation that curbs youth smoking. But one thing I will not do is participate a charade that fails to protect our kids and instead gives political cover to the allies of the tobacco lobby. I will not settle for anything less than honest legislation. Because our children deserve no less.

In many ways, this is a moment of great opportunity for America. Our economy is strong and social problems are on the mend. Families are more secure. For five years now, our administration has fought to give America's families more options for affordable health care. We've helped Americans keep health coverage when they change jobs. And we've proposed a patients' bill of rights to ensure that all families have the protections they need in a changing health care system. Families benefit only when we put their interests above special interests -- just as we are trying to do with the tobacco bill -- so I urge Congress to act to protect patients' rights before the end of this session.

America is making great progress in protecting the health of all our family members, from the oldest to the youngest. Previous speakers described the steps we're taking to fulfill our sacred obligation to older Americans. I want to take a moment to explain what we're doing for younger Americans -- our most precious responsibility as parents, and as a nation.

Last year, we made a historic investment in our children's health that will give up to 5 million uninsured kids access to the medical coverage they deserve. In my balanced budget for

1999, I have proposed to give states the funds and flexibility to enroll hard-to-reach children -- because millions of them, though eligible for Medicaid, remain without coverage. And, as recent studies have shown us, uninsured children are more likely to be sick as newborns; less likely to be immunized; and less likely to receive treatment for recurring illnesses, like ear infections or asthma. Without treatment, those conditions can have lifelong consequences.

Every family knows: there is no concern greater than a child's illness; there is no priority greater than a child's health. That is why, four months ago, I asked eight federal agencies to find new ways to help provide health care for children. And today, I am signing an Executive Memorandum directing those agencies to implement more than 150 initiatives, from information for schools and child care centers to partnerships with job centers and Head Start. Working together, we can enroll the millions of uninsured children in Medicaid or our new Children's Health Insurance Program.

As the health care industry evolves, families' needs also change. So must the government that works to meet their needs. The federal commitments I am enacting today give government a new flexibility -- cutting across agency lines, forging relationships with private organizations, pooling resources to protect the most vulnerable Americans. This is more than good policy; it is a fundamental obligation to our families. As we approach the 21st century, I am confident we will fulfill that responsibility -- and have healthier and stronger families, and a healthier and a stronger America.

I would now like to open the roundtable for discussion, and I look forward to hearing all your perspectives.

Draft 06/21/98 4:30pm
Jeff Shesol

PRESIDENT WILLIAM J. CLINTON
DEPARTURE STATEMENT ON TOBACCO LEGISLATION
THE WHITE HOUSE
June 22, 1998

In a few moments I will be leaving for the Vice President's Family Reunion Conference in Nashville, where I will speak about the health care concerns American families face. Before I depart, I want to make clear: one of the most important health issues our families face is youth smoking. 3,000 children a day start smoking, and 1,000 of them will die early because of it. That is why, three years ago, through the FDA, we began to act to end the practice of tobacco companies marketing to our children. And that is why, for the past year, we have been working to forge an honorable, bipartisan compromise that protects our children from the dangers of tobacco.

A majority of the Senate stands ready to join us in making progress; but last week, the Republican leadership placed partisan politics -- and tobacco companies -- above America's families. Their vote was not just pro-tobacco; it was anti-family. The bipartisan bill they blocked would not only protect families from tobacco advertising that targets children; it would also protect kids from drugs, and give low- and middle-income families a tax break by ending the marriage penalty. It would [improve child care and] make an important investment in cancer research.

The congressional leadership seems willing to walk away from its obligation to America's children. But this issue is too important to walk away. I will continue to do everything in my power to protect the health of our children. And while we wait for Congress to heed the call of America's families, I am today asking the Department of Health and Human Services to produce the first-ever annual survey on the brands of cigarette that teenagers smoke, and which companies are most responsible for this problem. Parents, quite simply, have a right to know. Public health officials can also use this new information to reduce youth smoking. Once this information becomes public, the tobacco companies will no longer be able to duck their responsibilities -- and neither will Congress. From now on, the new data will help to hold tobacco companies accountable for targeting our children.

Again, I urge Congress to pass a comprehensive, bipartisan bill -- rather than a watered-down bill, written by the tobacco lobby, that aims not to save the lives of children but to save the political lives of the congressional leadership. America's children deserve better than that, and I will continue to do everything I can to ensure that they receive it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUN-1998 14:10:46.00

SUBJECT: Treasury price study

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Gruber is revising his Treasury paper slightly on Monday morning so it will stand alone better as a "Treasury study" -- so we'll be ready with it whenever we need it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUN-1998 14:06:08.00

SUBJECT: Gruber info on Hatch lookbacks

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

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

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

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

TEXT:

Gruber ran into one of Hatch's staffers this weekend, and got some general info on their lookback surcharges:

They have no company specific, only industry-wide, but the industry wide are fairly large (starting at \$100 m per point, then \$200 m, then \$300 m with a cap of \$5 billion in early years rising to \$10 billion later). But they are all abateable, i.e., the burden of proof is on the Secretary, which they think is necessary to avoid constitutional problems.

Today, Sen. Feinstein said on CNN that they plan to release their bill next week. Bruce, did you get any more detail on their bill at your meeting?

I'll get DOJ ready to say why surcharges don't need to be abateable to be constitutional and get those revised numbers from OMB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 14:31:21.00

SUBJECT: Reminder--comments on LRM MNB 191 are due.

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

READ:UNKNOWN

TO: Susanne D. Lind (CN=Susanne D. Lind/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Daniel J. Chenok (CN=Daniel J. Chenok/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Edward M. Rea (CN=Edward M. Rea/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Sarah S. Lee (CN=Sarah S. Lee/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Justine F. Rodriguez (CN=Justine F. Rodriguez/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This is a reminder that your comments on the subject testimony are due.

Please provide all comments no later than 4:00 p.m. today. If we do not hear from you, we will assume you have no comments.

Please call (5-7887) if you have any comments or questions. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jocelyn Neis (CN=Jocelyn Neis/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUN-1998 09:29:11.00

SUBJECT: Re: Minyon Moore requests a meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Thursday after 1:30 or Friday around 3:00 would work.

Cathy R. Mays

06/22/98 09:21:24 AM

Record Type: Record

To: Jocelyn Neis/WHO/EOP

cc:

Subject: Re: Minyon Moore requests a meeting

He's leaving town next week -- how's this week?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 11:42:23.00

SUBJECT: Income/Poverty mtg 6/25

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Paul Bugg (CN=Paul Bugg/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

TO: Joseph J. Minarik (CN=Joseph J. Minarik/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Satish Narayanan (CN=Satish Narayanan/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Lisa D. Branch (CN=Lisa D. Branch/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Just a reminder: there will be a income/poverty meeting this Thursday
June 25th at 11:00am in Sally's office, Room 231.

If you need additional information please call me at 6-2800.

See you there!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUN-1998 09:03:11.00

SUBJECT: NC7295: Ruling: Gays can be in Calif National Guard

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

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 06/22/98
09:03 AM -----

rwockner @ netcom.com
06/21/98 08:28:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides
cc:
Subject: NC7295: Ruling: Gays can be in Calif National Guard

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SAN FRANCISCO CHRONICLE, June 20, 1998
901 Mission St., San Francisco, CA, 94103
(Fax 415-896-1107) (E-MAIL:
chronletters@sfgate.com) (<http://www.sfgate.com>)

Ruling on Gays and State National Guard

A San Francisco judge struck down as unconstitutional yesterday a state regulation that bars gays and lesbians who would be ineligible for the U.S. military under its ``Don't Ask, Don't Tell'' policy from serving in the California National Guard.

It appears to be the first state ruling to address a state National Guard's implementation of the Clinton administration's ``Don't Ask, Don't Tell'' policy toward gays and lesbians in the military, lawyers for the plaintiff in the case said.

Yesterday's ruling by San Francisco Superior Court Judge David Garcia was issued as part of an anti-discrimination lawsuit filed last year by a former lieutenant in the California National Guard who was discharged after he told his supervisor that he was gay.

The judge ruled that the lawsuit will proceed as a class action whose members will include all gay, lesbian and bisexual members of the California National Guard who face discharge if their sexual orientation becomes known.

Lawyers for the plaintiff said the ruling will prevent the California National Guard from hiding behind federal military regulations to justify discrimination on the basis of sexual orientation.

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

TEXT:

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21 Jun 1998 20:30:59 -0400 (EDT)

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21 Jun 1998 20:30:37 -0400 (EDT)

Received: (from rwockner@localhost)
by netcom17.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id RAA07357; Sun,
21 Jun 1998 17:28:58 -0700 (PDT)

=====
END ATTACHMENT 1

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 16:13:28.00

SUBJECT: Executive Order on Native American education

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

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

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

CC: 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:

Attached is a draft of the executive order on Native American education, along with a cover note to Jack Lew, to start the OMB vetting process on this order. Please review it. It would be helpful to send this to OMB as soon as possible because Mac Reed, who shepards the order through the process, will be out of the office for the first two weeks of July, and we would like to have the process completed by July 17. We hope to announce this order, along with some economic development policies being developed by Julie, on August 5 at the Native American Economic Development Conference. ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D66]MAIL46075737X.126 to ASCII,
The following is a HEX DUMP:

FF575043C10C0000010A020100000002050000005C16000000020000C1FC6F7E8B5633724E4914
59DFE9C67E8A204681B4308A918D128CDDE598EC597C0177C9121A457DE8B513481D7C8B1A44FC

DRAFT June 22, 1998 4:30 PM

**EXECUTIVE ORDER: AMERICAN INDIAN AND ALASKA NATIVE
EDUCATION**

Preamble:

The Federal Government is committed to improving the academic performance and reducing the dropout rate of American Indian and Alaska Native students. To help fulfill this commitment consistent with tribal traditions and cultures, this Executive Order focuses special attention on five goals: (1) improving reading and mathematics, the two gateway subjects for academic success; (2) increasing high school completion and post-secondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse; (4) creating strong, safe, and drug free school environments conducive to learning; and (5) expanding the use of science and educational technology.

Improving educational achievement and academic progress for American Indian and Alaska Native students is vital to the national goals of preparing every student for responsible citizenship, continued learning, and productive employment. On the 1994 National Assessment of Educational Progress (NAEP), over half of 4th grade American Indian and Alaska Native students scored below the basic level in reading proficiency and almost half scored below the basic level in math. According to the National Center for Education Statistics (NCES), American Indians and Alaska Natives have among the highest dropout rates and lowest college attendance rates of any group. Schools that serve American Indian and Alaska Native students often do not provide college preparatory classes in all subjects and fail to meet their unique educational needs.

The Federal Government has a special historic responsibility in the education of American Indian and Alaska Native students, which includes the following: (1) providing operational support to tribal and federal schools; (2) supplementing state and local support for public schools educating children on Indian trust-status lands through Federal Impact Aid program; (3) assisting tribal governments to develop their capacity to provide for the education of their members; and (4) assisting schools in addressing these students' unique educational and culturally-related academic needs so that they can achieve the same high education standards as all students.

To achieve its purposes, this order calls for a comprehensive and coordinated strategy across all related agencies at the federal level; collaboration with tribal, state, and local governments at the regional level; and the identification and demonstration of effective practices in school at the local level.

Order:

The United States has a unique legal relationship with Indian tribal governments as set forth in the Constitution of the United States, treaties, statutes, executive orders, and court decisions. Since the formation of the Union, the United States has recognized Indian tribes as domestic

dependent nations under its protection. In treaties, our Nation has guaranteed the right of Indian tribes to self-government. As domestic dependent nations, Indian tribes exercise inherent sovereign powers over their members and territory. The United States continues to work with Indian tribes on a government-to-government basis to address issues concerning Indian tribal self-government, trust resources, and Indian tribal treaty and other rights.

Therefore, by the authority vested in me as President by the Constitution and laws of the United States of America, in affirmation of the unique political and legal relationship of the Federal Government with tribal governments, and in recognition of the unique educational and culturally-related academic needs of American Indian and Alaska Native students, it is hereby ordered as follows:

Section 1. Federal Strategy. In order to meet the five goals of this order, a comprehensive federal response is needed to address the fragmentation of government services available to American Indian and Alaska Native students and the complexity of intergovernmental relationships in the education of those students. The purpose of the federal activities described herein is to build toward the development of a long term, comprehensive federal Indian education policy that will accomplish the following goals of this order: (1) improve reading and mathematics; (2) increase high school completion and post-secondary attendance rates; (3) reduce the influence of long-standing factors that impede educational performance; (4) create strong, safe, and drug-free school environments conducive to learning; and (5) expand the use of science and educational technology.

Subsection A. Interagency Task Force. There shall be established an Interagency Task Force to oversee the planning and implementation of this executive order. The Task Force shall confer with the National Advisory Council on Indian Education (NACIE) in carrying out the activities of this order. The Task Force, in conjunction with the NACIE, shall consult with representatives of American Indian and Alaska Native tribes and organizations, including the National Indian Education Association (NIEA) and the National Congress of American Indians (NCAI), to provide advice on the implementation of activities of the Executive order.

Subsection B. Composition of the Interagency Task Force. The membership of this Task Force shall include, but not be limited to, representatives of the Departments of Agriculture, Commerce, Defense, Education, Energy, Health and Human Services, Housing and Urban Development, Interior, Labor, Transportation, and Treasury, as well as the Environmental Protection Agency, the Corporation for National Service, and the National Science Foundation. Within 30 days, each participating department and agency shall appoint a senior official who will be responsible for management or program administration to serve as a member of the Task Force. The official shall report directly to the agency head or designee on agency activity under this order. To the extent permitted by law and regulation, each agency shall provide appropriate information in readily available formats as requested by the Task Force. The Assistant Secretary of Elementary and Secondary Education of the Department of Education and the Assistant Secretary of Indian Affairs of the Department of the Interior shall co-chair the Task

Force.

Upon invitation of the Secretaries of Education and of the Interior, other agencies may participate in the activities of the Task Force.

Subsection C. Interagency Plan. The Task Force shall, within 90 days, develop a federal interagency plan with recommendations for immediate consideration in the fiscal year 2000 budget request, including the identification of initiatives, strategies, spending goals and ideas for future coordinated interagency action supportive of the goals of this order.

Subsection D. Agency Participation. To the extent consistent with law, each participating agency shall adopt and implement strategies to maximize the availability of the agency's education-related programs, activities, resources, information and technical assistance to American Indian and Alaska Native students. In keeping with the spirit of the 1994 Executive Memorandum and the 1998 Executive Order on federal agency consultation with tribal governments (E.O. 13084), each participating agency of the Task Force shall consult with tribal governments on their education-related needs; research needs and priorities; and how the agency can better accomplish the goals of this order. Within six months, each participating agency shall report to the Task Force regarding the strategies developed to ensure participation and consultation.

Subsection E. Interagency Resource Guide. The Task Force shall identify, within relevant federal agencies, all education-related programs that support the goals of this order. Within twelve months of this order, the Task Force, in conjunction with the Department of Education, shall develop, publish, and widely distribute a guide that contains these resources.

Subsection F. Research. The Secretary of Education, through the Office of Educational Research and Improvement and the Office of Indian Education, in accordance with the Department of Education Organization Act (20 U.S.C. 2423c), and in consultation with NACIE and the member agencies of the Task Force, shall develop and implement a comprehensive research agenda that supports the goals of this order. The agenda shall support the efforts of schools, tribal communities, states, and families to promote high achievement, problem-solving abilities, and motivation among American Indian and Alaska Native students. Such an agenda shall include plans for ensuring: (1) reliable, consistent, complete, and accurate information on the academic status and progress of American Indian and Alaska Native students; (2) data collection and analysis that is representative of regional, cultural, and linguistic diversity among American Indian and Alaska Natives; (3) reporting that is in a variety of formats and in a language that is appropriate to a variety of American Indian and non-Indian audiences, including practitioners, policy makers, data users, and the general public; (4) a comprehensive and ongoing evaluation of the impact on academic achievement and retention of research-based educational practices and school-wide reform programs, including those emphasizing the role of the native language and culture in curriculum and instruction; (5) that high priority needs identified through the above mechanisms be addressed through coordinated interagency support of research and demonstration efforts in schools serving American Indian and Alaska Native students; and (6) appropriate time lines and strategies

for the implementation of plans. Within twelve months, the Secretary of Education shall report to the Interagency Task Force the development of a comprehensive research agenda including implementation time lines and strategies adopted.

Subsection G. Comprehensive Federal Indian Education Policy. The Task Force shall, within two years, develop a comprehensive federal Indian education policy to support the accomplishment of the goals of this order. The policy shall consider ideas within the Comprehensive Federal Indian Educational Policy Statement proposal developed by NIEA and NCAI and be designed to: (1) improve federal interagency cooperation; (2) ensure access to information on federal programs and resources; (3) encourage intergovernmental collaboration; and (4) assist tribal governments in meeting the unique educational needs of their children, including the need to preserve, revitalize, and use native languages and cultural traditions. The Task Force shall develop recommendations to implement the policy including budget requests and ideas for future coordinated interagency action. As appropriate, participating agencies of the Task Force may develop memoranda of agreement with one another to enable and enhance the ability of tribes and schools to provide and coordinate the delivery of federal, tribal, state, and local resources and services to meet the social, educational, and health-related needs of American Indian and Alaska Native students.

Section 2. Regional Partnership Forums. In conjunction with the Interagency Task Force, the Department of Education and the Department of the Interior shall convene, within eighteen months, a series of regional forums of federal, tribal, and state government interagency representatives to identify promising practices and approaches on how to share information, provide assistance to schools, develop partnerships, and coordinate intergovernmental strategies supportive of accomplishing the goals of this order. A report on each forum shall be submitted to the Task Force, which shall include any recommendations related to intergovernmental relations supportive of accomplishing the goals of this order.

Section 3. School Pilot Sites. The Department of Education and the Department of the Interior shall identify up to eight Bureau of Indian Affairs-funded schools and public schools with significant concentrations of American Indian and Alaska Native students, which shall receive comprehensive technical assistance in support of the goals of this order. A special team of technical assistance providers, including federal staff, shall be convened to provide assistance to these schools. Special attention shall be given to accomplishing Comprehensive School Reform Demonstration Programs where applicable and comprehensive service delivery that connects and utilizes diverse federal agency resources. The team shall disseminate the effective and promising practices of the school pilot sites to other local education agencies educating American Indian and Alaska Native students. The team shall report to the Task Force on the accomplishments and recommendations for improvement of its technical support to local education agencies.

Section 4. Administrative Support. The Department of Education shall provide appropriate administrative services and staff support for the Task Force. With the consent of the Department of Education, other agencies participating in the Initiative shall provide

administrative support to the Task Force consistent with statutory authority and shall make use of section 112 of title 3, United States Code, to detail agency employees to the extent permitted by law. The Task Force shall report annually the accomplishments of this order to the Director of the Office of Management and Budget (OMB).

Section 5. General Provisions. This order is intended only to improve the internal management of the Executive Branch and is not intended to, and does not, create any right or benefit, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies or instrumentalities, its officers or employees, or any other person. This Executive Order is not intended to preclude, supersede or replace or otherwise dilute any other Executive Order related to American Indian and Alaska Native education.

June 23, 1998

MEMORANDUM FOR JACK LEW

THROUGH: MAC REED

FROM: BRUCE REED
 ELENA KAGAN

SUBJECT: EXECUTIVE ORDER ON NATIVE AMERICAN EDUCATION

This is a formal request that you process the attached executive order pursuant to Executive Order No. 11030, as amended. Please process this order by **Friday, July 17, 1998**.

This executive order is designed to improve the academic performance of American Indian and Alaska Native students in grades K-12. The order focuses special attention on the following five goals: (1) improving reading and mathematics; (2) increasing high school completion and post-secondary attendance rates; (3) reducing the influence of long-standing factors that impede educational performance, such as poverty and substance abuse; (4) creating strong, safe, and drug-free school environments conducive to learning; and (5) expanding the use of science and educational technology. This executive order was developed at the initiative of the National Congress of American Indians (NCAI), the National Indian Education Association (NIEA), the National Advisory Council on Indian Education (NACIE), and the Native American Rights Fund (NARF).

If you have any questions regarding this order, you can contact Mary Smith at 456-5571. Thank you for your assistance.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 11:25:17.00

SUBJECT:

TO: PETER (Pager) #JACOBY (PETER (Pager) #JACOBY [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Pls call ASAP on DOJ letter. Bill 6-6219

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Constance J. Bowers (CN=Constance J. Bowers/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:22-JUN-1998 17:37:48.00

SUBJECT: Revised ED letter on substitute to HR 3248 (ED. block grants/ \$ to classro

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

TO: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

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

TO: Mary I. Cassell (CN=Mary I. Cassell/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

TO: ocl@ios.doi.gov (ocl@ios.doi.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

TO: Leslie S. Mustain (CN=Leslie S. Mustain/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

TO: US@2=TELEMAIL@5=JMD@7=Deborah@6=Clifton@mrx@lngtwy (1=US@2=TELEMAIL@5=JMD@7=Deb
READ:UNKNOWN

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

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

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

CC: Rosalyn J. Rettman (CN=Rosalyn J. Rettman/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

CC: James C. Murr (CN=James C. Murr/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Daniel I. Werfel (CN=Daniel I. Werfel/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Justin D. Sullivan (CN=Justin D. Sullivan/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Robert G. Damus (CN=Robert G. Damus/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TEXT:

This letter replaces the draft sent to you 6/19/98 (revised LRM CJB221) for the Wed., June 24th H. Committee markup of HR 3248. It addresses a substitute bill prepared by Rep. Goodling that would replace the original (Rep. Pitts') bill -- the revised bill text was also circulated earlier today. The letter now asserts that the President's senior advisers would recommend he veto HR 3248. (Further explanation of how the substitute bill differs from the bill as introduced appears for your information in a note below the letter.)

*** Please provide any comments by 12:00 noon, Tuesday, June 23rd ***

Revised Draft 6/22/98

Honorable William Goodling
Chairman
Committee on Education and the Workforce
United States House of Representatives
Washington, DC 20515

Dear Mr. Chairman:

I am writing to express my strong objections to H.R. 3248, the "Dollars to the Classroom Act," both to the bill as originally introduced by Representative Pitts and to a substitute version that I understand you will propose. This legislation would convert a wide array of Federal education programs into block grants. The President stated last fall that such a step is unacceptable, and that he would use his veto power to prevent this approach from becoming law. If H.R. 3248 were presented to the President, his senior advisers would recommend that he veto it.

The issue here is not about who controls public education -- we all agree that that responsibility rests at the local and State levels. At stake, rather, is whether the Federal Government will maintain its long-standing, bipartisan commitment to helping local communities strengthen accountability, raise standards, and improve student achievement, by providing assistance that focuses on our neediest children and schools and on activities in which national leadership can play a critical role.

The American people rightly look to the Federal Government to focus its efforts not on general aid to school districts, which H.R. 3248 would provide, but for leadership on national priorities, such as helping States and school districts raise educational standards for all students, improving the quality of teaching, bringing the benefits of technology to our Nation's students, and increasing the availability of after-school programs.

This Administration has worked diligently to eliminate unnecessary regulations and take other steps to promote State and local flexibility in carrying out these targeted efforts. At the same time, we have supported strong accountability mechanisms, such as the Government Performance and Results Act of 1993, that ensure program effectiveness and results that justify continued support by the taxpayers. Block grants would replace these worthy efforts with general aid, providing no focus, no accountability for results, and no rationale for ongoing support. I am also very concerned about language in the pending substitute that would provide broad authority to waive Federal requirements, now afforded to 12 States with comprehensive education reform plans, to all States. While I am a strong supporter of flexibility at the State and local levels, including expansion of the current "Ed-Flex" authority to additional States, this proposal lacks the essential ingredient of accountability, connected to high standards and high expectations for all children, that must go hand in hand with such a broad waiver authority.

The Office of Management and Budget advises that there is no objection to the submission of this report from the standpoint of the Administration's program and that enactment of H.R. 3248 would not be in accord with the President's program.

Yours sincerely,

Richard W. Riley

Notes for Executive Branch reviewers of draft letter from Sec. Riley:

A few more comments on the Goodling substitute:

(1) The block grant provisions are a lot more straightforward than in the Pitts original. Instead of putting Congress through the exercise of appropriating funds under numerous current programs and then diverting those funds to block grants, the substitute would simply repeal (most of) those programs, and create a new program that, notwithstanding its long list of authorized activities, is pretty hard to distinguish from general aid.

(2) The list of blocked programs is a little bit shorter. Goodling has deleted OERI research and dissemination and Safe and Drug-Free Schools from the hit list. This changes the examples we'll use in the

Secretary's letter, but not the overall points on the Administration's objections to block grants.

(3) Title I. The Pitts version had a provision that, while difficult to interpret with confidence, could have been read to let LEAs use 95 percent of their Title I funds for any classroom activities they found appropriate, without regard to any of the normal Title I provisions. This provision is not in Goodling's version. Goodling's version, however, has an equally puzzling provision (section 202, p. 30) that amends the schoolwide programs authority (ESEA, sec. 1114). It looks like it would eliminate the poverty thresholds, thus allowing an LEA to run a schoolwide program in any Title I school. (I can't follow the literal bill language, but it's hard to see what else they might have in mind.)

(4) Waivers. Goodling's bill adds a waiver authority in Title II of the bill. Having repealed Title III of Goals 2000, his bill would then resurrect, almost word for word, the current waiver provisions in section 311 of Goals 2000. He would make every State eligible for Ed-Flex authority (only 12 States can have it now), while removing any connection to an approved State plan under Goals 2000 as a condition of attaining Ed-Flex status. I've added a paragraph to the Secretary's letter expressing concern over this lack of accountability.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 12:20:46.00

SUBJECT:

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

TEXT:

Child Custody Mtg will be in Ann Lewis' office at 1:15 -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 09:08:15.00

SUBJECT: departure statement -- final

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

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

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

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

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

TEXT:

Final 06/22/98 9:00am

Jeff Shesol

PRESIDENT WILLIAM J. CLINTON
DEPARTURE STATEMENT ON TOBACCO LEGISLATION
THE WHITE HOUSE
June 22, 1998

In a few moments I will be leaving for the Vice President's Family Reunion Conference in Nashville, where I will speak about the health care concerns American families face. Before I depart, I want to make clear: one of the most important health issues our families face is youth smoking. 3,000 children a day start smoking, and 1,000 of them will die early because of it. That is why, three years ago, through the FDA, my administration began to act to end the practice of tobacco companies marketing to our children. And that is why, for the past year, we have been working to forge an honorable, bipartisan compromise that protects our children from the dangers of tobacco.

A majority of the Senate stands ready to join us in making progress; but last week, the Republican leadership placed partisan politics -- and tobacco companies -- above America's families. Their vote was not just pro-tobacco-lobby; it was anti-family. The bipartisan bill they blocked would not only protect families from tobacco advertising that targets children; it would protect kids from drugs, and give low- and middle-income families a tax break by redressing the marriage penalty. It would also make an important investment in cancer research.

The congressional leadership seems willing to walk away from its obligation to America's children. But this issue is too important to walk away. We will continue to move forward on every regulatory front to protect the health of our children. By the end of the year, the FDA's operation to enforce its ban on tobacco sales to minors will be active in

nearly every state in America. And while we wait for Congress to heed the call of America's families, I am instructing the Department of Health and Human Services to produce the first-ever annual survey on the brands of cigarettes teenagers smoke, and which companies are most responsible for this problem. Parents, quite simply, have a right to know. Public health officials can also use this new information to reduce youth smoking.

The tobacco companies' automatic and angry dismissal of this new survey shows their continued disregard for children's health and parents' concerns. But once this information becomes public, tobacco companies will no longer be able to dodge accountability -- and neither will Congress. From now on, the new data will help to hold tobacco companies accountable for targeting our children.

Again, I urge Congress to pass a comprehensive, bipartisan bill -- rather than a watered-down bill, written by the tobacco lobby. The congressional leadership must put families' interests above big tobacco's selfish interests. America's children deserve better, and I will continue to do everything in my power to ensure they receive it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 16:40:27.00

SUBJECT: Juvie/FOP

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

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

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

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

TEXT:

Rahm, Bruce, Elena:

I've heard that Senators Hatch, Feinstein, Torreceli, the FOP and perhaps some other R's, will be doing a press event tomorrow at 2pm to announce their support for a slightly modified version of S. 10 -- Hatch's juvie bill. None of us have seen the language, but DOJ seems to think it's still along way from where we need to be on some of the more controversial issues (records, separation, etc.), though it should include more money for our courts and prosecutors proposals and some prevention funds. We'll have to wait and see what the bill looks like.

Biden's folks think this is generally bad for our negotiating position on juvie in the Senate -- losing FOP, two key dems. However, they also think that, unless the new draft addresses the concerns of the hard-right, pro-gun R's, its prospects are no better than the current version of S. 10.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUN-1998 17:43:29.00

SUBJECT: draft memo

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:

Here is a draft that Chris and I worked on. Please call with questions, and let me know when you are through editing.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D68]MAIL434068378.126 to ASCII,
The following is a HEX DUMP:

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D50B1D89160823C20492435804E883D03FBE6A34DA128C6C4EAAE9A05A1119542075ED752654FB

June 22, 1998

MEMORANDUM TO THE PRESIDENT

FROM:

RE: Position on amendments to require health plan coverage of contraceptives

Later this week, an appropriations bill may come to the floor with an amendment, sponsored by Congresswomen Lowey, that would require contraceptive coverage by all plans participating in the Federal Employee Health Benefits Plan (FEHBP). At the same time, Senator Snowe is considering introducing on the Senate floor a bill that would require this coverage by all health plans. The Lowey amendment was passed by the House Appropriations Committee last week (28 to 26). Your advisors (DPC, Women's Office, Communications, OMB) generally agree that we should support the Lowey amendment, but either be silent on or oppose the Snowe bill. The difference in position reflects our concern about benefits mandates; supporting this one makes it difficult to defend against others and could affect the debate on the Patient Bill of Rights. However, since we typically make coverage decisions for Federal programs, our support for the Lowey amendment can be described as appropriate and consistent with our position on contraception and that FEHBP should serve as a model for other plans to voluntarily follow.

BACKGROUND

Most health plans cover some type of prescriptive contraceptives. An estimated 93 percent of HMOs cover at least one prescription contraceptive, and about 40 percent cover all five of the most commonly used methods: the pill, diaphragm, IUDs, Norplant and Depo-Provera. The plans that participate in FEHBP are fairly representative of most plans: 90 percent cover some type of contraception and about 20 percent cover all five methods. The cost of requiring plans to cover prescription contraceptives may be negligible. CBO, when assessing the Lowey amendment, found that the cost of the coverage would be fully offset by the reduction in the cost of childbirth.

While the health benefits of contraceptive coverage are clear, the legislation raises some difficult issues. First, the policy community usually opposes mandating particular benefits because coverage decisions can become political rather than substantive. It makes opposing benefits mandates that are politically popular but poor policy (e.g., a particular medical device) difficult. Second, Republicans would almost inevitably charge that this mandate is reminiscent of the "micromanagement benefit design approach" taken within the Health Security Act. This

concern relates more to a private mandate than the FEHBP proposal, since FEHBP is a government program and we generally have a say in defining its benefits. Third, contraceptive coverage, like abortion, has its own set of politics that distinguishes it from other coverage decisions. Some would argue that this calls for a greater Congressional and Administration role than for other types of health benefits.

Taking these concerns into account, your advisors recommend that we support the Lowey amendment but oppose or remain silent on the Snowe bill. While this appears contradictory, we believe that there is a valid distinction between our support for the policy and our methods for implementing it. Specifically, our policy position is that it is an important benefit that all plans should cover, but that the best way to promote such coverage is through example (FEHBP) and voluntary compliance (no private mandate). While this does not fully satisfy the women's groups, it also does not completely undercut our ability to limit the extent to which the political process interferes in benefits coverage decisions. Furthermore, we think that, with our support, the Lowey amendment could pass, whereas the Snowe bill has very low odds of support in a conservative Congress. Given the number of battles in Congress this year, we think that we should use our political capital sparingly.

If you agree with our recommendations, we recommend that HHS and OPM convey this policy position, given its sensitive nature.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jocelyn Neis (CN=Jocelyn Neis/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUN-1998 09:24:22.00

SUBJECT: Minyon Moore requests a meeting

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

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

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

TEXT:

Minyon would like to meet with you to discuss her transition as the new director of Public Liason. Do you have any time available next week?

Please email or call me at 67910.

Thank you.