

NLWJC - KAGAN

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[07/18/1998 - 07/21/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Laura Emmett to Elena Kagan at 18:33 re no subject (1 page)	07/20/1998	Personal Misfile
002. email	Laura Emmett to Elena Kagan at 20:09 re no subject (1 page)	07/20/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[07/18/1998-07/21/1998]

2009-1006-F

kc175

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUL-1998 10:13:19.00

SUBJECT: POTUS AFT BRIEFING

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

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

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

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

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

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

TEXT:

Attached is the draft briefing for the President's remarks before the AFT Convention. I'd like to get it in to Staff Secretary within the next hour. Please give me your comments. Thanks===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D20]MAIL45080540U.226 to ASCII,
The following is a HEX DUMP:

FF57504348060000010A02010000000205000000571C00000002000024B4AF57599407863774F1

July 17, 1998

**75TH CONVENTION
AMERICAN FEDERATION OF TEACHERS**

DATE: July 20, 1998

LOCATION: Ernest N. Morial Convention Center

TIME: 11:00 a.m.

STAFF CONTACT: Karen A. Tramontano

I. PURPOSE

You will be addressing the American Federation of Teachers' Bi-Annual Convention. In your remarks you will discuss the importance of school discipline and school safety. You will also announce a White House Conference on School Safety and highlight some of the school safety policies promoted by the Administration--school uniforms, tough truancy laws, community-based curfews and zero tolerance for guns. You will call on Congress to support your education agenda: improving and reforming K-12 education by raising standards for students and teachers; strengthening accountability; expanding public school choice; reducing class size; modernizing public schools, investing in technology; expanding after-school learning and ending social promotions.

II. BACKGROUND

AFT will be voting to elect new officers and a new executive council. Sandy Feldman will be re-elected President and Ed McElroy will be re-elected Secretary-Treasurer. Nat LaCour will be elected to a newly created Executive Vice President position. LaCour is also a member of the White House Commission on Presidential Scholars.

On Friday, Sandy Feldman called on state and local elected officials to stop issuing emergency credentials to teachers. She also outlined a 7 point plan to improve teacher quality that includes the following: incentives for experienced but ready-to-retain teachers to remain in the classrooms; incentives for teachers to become certified in additional fields; flexible scheduling and part-time teaching opportunities for retired teachers; recruiting paraprofessionals with college credits and supporting their efforts to become teachers; raising teachers' salaries and returning qualified supervisors and administrators to the classroom.

The biggest convention issue for AFT was the AFT/NEA merger vote. Three weeks ago, delegates to the NEA Representative Assembly voted against the merger proposal--60% to 40%. Nonetheless, AFT Convention delegates will vote on the merger proposal. Additionally, the delegates will vote on whether authority should be given to local and state bodies to merge voluntarily with NEA local and state affiliates.

III. PARTICIPANTS

Pre-brief

Doug Sosnick
Karen Tramontano
Michael Cohen

Event Participants

You will be addressing an audience of approximately 3000 delegates. These delegates are mostly public school teachers. The audience will include other school related personnel who work in public education like school nurses, bus drivers, cafeteria workers and other public employees. Secretary Herman who will be receiving an award from AFT will be on stage.

IV. PRESS PLAN

Open Press

V. SEQUENCE OF EVENTS

- YOU will be greeted upon arrival by Sandy Feldman, Ed McElroy and Nat LaCour
- YOU will proceed to a pipe & drape holding area to meet briefly with the officers
- YOU will proceed to a photo-receiving line to greet approximately 50 members of AFT's Executive Council
- YOU will be accompanied to the stage by the officers with an off-stage announcement
- YOU will be introduced by Sandy Feldman
- YOU will make remarks
- YOU will work a rope-line and then depart.

VI. REMARKS

To be provided by speech writing

VII. ATTACHMENTS

AFT Press Release outlining President Sandy Feldman's address

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUL-1998 10:19:48.00

SUBJECT: CORRECTION TO 1-PAGER

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

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

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

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

TEXT:

Turns out there was a problem with the education section at the end of the previous draft--it was an incomplete version, and we made some changes in the speech subsequently. This is now a corrected version. Sorry for the confusion.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D30]MAIL48380540I.226 to ASCII,
The following is a HEX DUMP:

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FF92814AC304F15069D8EC7CB43EF2CC100D2B58B44707BD83192AE5CB702AF5A635784D49E0F7

Promoting Discipline and Safety in Schools

July 17, 1998

In his speech to the AFT today, the President will discuss the importance of school discipline and safety to the nation. He will announce a White House Conference on School Safety and highlight some of the school safety policies promoted by the Administration -- school uniforms, tough truancy laws, community-based curfews, and zero tolerance for guns.

White House Conference on School Safety

- **National School Safety Day.** The President will proclaim October 15, 1998, National School Safety Day and host a White House meeting that will be linked by Satellite to schools across the country and specifically include the communities impacted by the recent wave of school shootings.
- **First Annual Report on School Safety.** The President will also issue the first Annual Report on School Safety, which will include: an analysis of all existing national school crime data and an overview of state and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use, and class disruption; actions that parents can take locally to combat school crime, including a local safety checklist; and resources available to schools and communities to help create safe, disciplined, and drug-free schools.

Promoting School Discipline

- **Spreading school uniform policies across the country.** Since President Clinton highlighted school uniforms in 1996, a large number of schools have adopted uniform policies. This includes some of the nation's largest school districts -- New York City, Dade County, San Antonio, Houston, Chicago and Boston. In New York City alone, more than half a million elementary school students will be wearing uniforms by fall of 1999.
- **Improving school attendance and safety in Long Beach, CA:** In the 1995-96 school year -- the third year school uniforms were required -- attendance at the Long Beach Unified School District K-8 schools reached the highest point ever recorded during the 17 years the district compiled these statistics. With excused absences for illness added in, attendance exceeded 99%. And between the 1993-94 school year (before uniforms were required) and the 1996-97 school year, total school crime drop 76%.
- **Keeping kids off the street and in school.** Community curfews are designed to help keep children out of harm's way, enhance community safety, and give parents an important tool to impart discipline, respect, and rules. A recent survey by the U.S. Conference of Mayors showed that 276 of 347 cities surveyed -- or 80% -- had youth curfew laws, up from 70% in 1995. And in New Orleans, a community-supported curfew -- combined with summer jobs and recreational programs for youth -- helped cut

juvenile crime during curfew hours the year after it was implemented.

- **Taking on Truancy.** In 1996, at the President's direction, the Education Department issued a guidebook to the 15,000 school districts nationwide, outlining the core components of a comprehensive truancy prevention policy and highlighting model initiatives. Since then, the Department has also provided grants to local school districts to develop innovative truancy prevention programs.
- *Enforcing Zero Tolerance for Guns in Schools.* In October 1994, President Clinton signed into law the Gun-Free Schools Act, and issued a Presidential Directive later that month to enforce "zero tolerance" for guns in schools -- if a student brings a gun to school, that student will be expelled for a year. In school year 1996-97, the U.S. Department of Education estimates that, under zero tolerance policies, 6,093 students were expelled from public schools for bringing a firearm to school.

Challenging Congress to Strengthen Public Schools

President Clinton will call on Congress again to support his efforts to improve and reform K-12 education by raising standards for students and teachers, strengthening accountability, and expanding public school choice. The President has proposed the strategic investments necessary to ensure that our children are prepared for the 21st century, by reducing class size, modernizing our schools, investing in technology, expanding after-school learning opportunities, raising standards and ending social promotions. The President will criticize the Congress for the steps it has recently taken that short-change our schools and sell our students short, by cutting \$2 billion from his request for education investments, and in the process scaling back needed initiatives on education reform, on raising educational achievement for our children, and on providing focused help for students who need it most. He will also call on Congress to support efforts to

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUL-1998 18:33:29.00

SUBJECT: more patients' bill of rights q&as

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

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

TO: Karen Tramontano (CN=Karen Tramontano/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: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=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: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

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The following is a HEX DUMP:

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8CB83F63B91ED7A8F5F57C86EA7675BD07E71C1F1B0D16A12573CBF3A16185FC63B2377FB09894

MORE PATIENTS' BILL OF RIGHTS Q&AS

July 18, 1998

Q: The Republican and Democratic proposals are not that different. Aren't you just playing politics with this issue?

A: No bill is acceptable if it excludes over 100 million Americans, and that is exactly what the proposal Republicans released this week does. We thought one thing that everyone agreed on was that all Americans should have basic patient protections. However, the Senate Republican proposal only applies to Americans in self-insured plans, excluding most Americans in small businesses and millions of other Americans from being assured these important protections. Friday's *USA Today* editorial said it best: there are "100 million reasons the GOP health plans fails."

Both the House and Senate Republican proposals also have many other weaknesses. For example, they do not assure that patients can see oncologists or heart specialists when they need to; they do not limit or require disclosure of financial incentives for doctors; and they do not compensate patients who are maimed or who die as a result of a wrongful health plan action. Although, by any definition, the Republican plans fall short, the President remains hopeful and committed to passing a strong patients' bill of rights this year.

Q: By requiring any bill to allow individuals to sue their HMOs, aren't you raising the bar to make it impossible for Republicans to pass legislation this year so you can call them the "do-nothing" Congress?

A: We are not raising any bar. The Administration has consistently stated that a right without a remedy is not a right at all. The right to sue in state courts is certainly one approach, but we continue to be open to other meaningful approaches that ensure recourse for patients who have been maimed or who have died as a result of health plan actions.

As was reported just last week, judges across the country believe that their hands are tied by the current law. They have explicitly stated that Congress should remove the statutory barriers of ERISA that prevent consumers from seeking a meaningful remedy when they are injured because of their health plans' actions.

Q: But the President said on Thursday that you have to have the right to sue?

A: No. The President said that any patients' bill of rights should give "patients a right to sue or some other enforceable legal right that patients' need." This is consistent with what the Administration has consistently said in testimony and in statements by Administration officials.

Q: Do you support the state-enforced remedies in the Democratic bill?

A: The bipartisan Dingell-Ganske bill enforcement mechanism through the state courts is certainly one viable approach. As I have stated before, we are open to considering other meaningful approaches to ensure that these patient protections are real.

Q: What are other approaches that the Administration would except?

A: There are other meaningful approaches beyond state court enforcement approaches. Some have suggested some type of Federal court approach. However, the devil is always in the details, and I am certainly not going to engage in negotiating the specifics on this show. However, the Administration's position is clear: those Americans who are maimed or who die because of a health plans' actions must get some type of remedy.

It is important to remember that HMOs are one of the few entities in this country that cannot be held accountable for wrongful actions. Americans harmed by bad apple physicians or sloppy manufacturers can be compensated. For some reason, current law assures that HMOs are not held accountable. We simply believe that is unacceptable.

Q: Isn't this going to lead to a proliferation of lawsuits? Is that really what we need in this country -- more lawsuits?

A: We believe that having a strong internal and independent external appeals process in place will address almost all patients' grievances and that very few cases will ever make it into the courts. That is why all of the independent analyses of the Dingell-Ganske enforcement approach have been scored as costing between a dime and a dollar per month.

There is no question that this is small price for such an important protection. Under current law, let's say that a patient is denied a critical mammography test recommended by her doctors and she is later diagnosed with stage two breast cancer. Even if it is determined that the HMO was clearly at fault, the patient can only be compensated for the cost of the test -- not for any subsequent treatment she will need and not for pain and suffering. We believe that patients who are maimed or die because of action of their health plans ought to have some type of real compensation.

Q: Some claim that millions of Americans will lose health coverage as a result of the patients' bill of rights. Is this true?

A. Such claims are flawed, widely exaggerated scare tactics used by insurers and other special interests to try to stall and kill this important legislation. There are absolutely no independent, credible reports that these basic patient protections are going to significantly increase the number of uninsured. The multi-million dollar, industry-sponsored ad campaigns that are scaring Americans with these unfounded claims are based on flawed assumptions that the patients' bill of rights will significantly increase health care costs.

However, there are numerous independent analyses that these patient protections would not have a dramatic impact on the cost of health care coverage. A new analysis by the Congressional Budget Office shows that the patients' bill of rights will have only minimal effects on premiums. They estimate that these protections will increase health care costs by \$7 per month. In most cases, the cost to the individual would be only about \$2 per month.

There is no reason to believe that this type of increase is going to cause millions of Americans to lose their health care coverage. Moreover, for good health plans that already provide these basic protections, it should cost almost nothing.

Also, the Kaiser Foundation has estimated that patient protections would increase health insurance premiums less than one percent (less than \$3 per family per month), and another Kaiser study released last week even found that allowing patients to sue their health plans would only increase premiums between three and 13 cents a month.

Finally, the over 150 consumer and health care provider organizations around the nation that are supporting passing a strong, enforceable patients' bill of rights are also extremely concerned about the number of uninsured. They certainly would not be such strong advocates of legislation if they had those concerns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-JUL-1998 21:04:54.00

SUBJECT: Re: school violence paper

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

READ:UNKNOWN

TEXT:

thank you elena! bb

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-JUL-1998 23:31:38.00

SUBJECT: late term abortion

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Audrey T. Haynes (CN=Audrey T. Haynes/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI, just in case you have not all heard this, the AMA left a message advising me that the House is planning on bringing up one of their "partial birth" initiatives for a vote sometime on or around this Wednesday. Soon after resolution on this issue, they will bring up their version of the Patients' Bill of Rights -- probably no later than Friday. I am, of course, focusing on the latter issue because Newt Gingrich is planning on meeting with Nancy Dickey, the President of the AMA, on these and other issues this week.

As you will recall, the AMA was and is taking the opposite position we are vis a vis the late-term abortion issue. I am trying to make sure they do not get soft on us re the Patients' Bill of Rights.

cj

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 09:26:00.00

SUBJECT:

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

TEXT:

Julie returned your call- 66558

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 09:27:50.00

SUBJECT: Updated Approps Calendar

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

TO: Todd A. Summers (CN=Todd A. Summers/OU=OPD/O=EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Leanne A. Shimabukuro (Leanne A. Shimabukuro @ EOP @ LNGTWY [OPD])

READ:UNKNOWN

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

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

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

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

TO: Christa Robinson (Christa Robinson @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

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

TO: Cathy R. Mays (Cathy R. Mays @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

TEXT:

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
07/20/98 09:26 AM -----

Kate P. Donovan
07/17/98 08:12:17 PM

Record Type: Non-Record

To: See the distribution list at the bottom of this message
cc: Wesley P. Warren/CEQ/EOP, Lisa M. Kountoupes/WHO/EOP
Subject: Updated Approps Calendar

Don't pay attention to the 1,2,3 in the top row - my computer wasn't
getting along with me so I gave up (rather than be charged for destruction
of property). Hope this is useful.

Message Sent

To: _____
Dario J. Gomez/WHO/EOP
Jade L Riley/WHO/EOP
Janelle E. Erickson/WHO/EOP
Laura Emmett/WHO/EOP
Paul J. Weinstein Jr./OPD/EOP
Melissa G. Green/OPD/EOP
Michelle Crisci/WHO/EOP
Kevin S. Moran/WHO/EOP

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D42]MAIL416557406.226 to ASCII,
The following is a HEX DUMP:

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8DC664AD9E8279B2F76C5AC2DE4D70E2816EE1D0D290122AC8C423F61ACBBC862951AB637E65E4
DC42A672ECB1E3D3EFF7E94A1EE77B32C8D748858DCB1F042883E07FE9B97983957426D14E2A2A
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```

1998

July

1998

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Updated 7/17			1	2	3	4
19 Week of 7/20: E&W Conf. MilCon Conf.	20 H.Rules Interior S.Floor LegBr S.Floor C/J/S	21 H.Floor VA/HUD H.Floor Interior SAC ForOps SAC DC	22 HAC Trans HAC For Ops H.Floor VA/HUD H.Floor	23 H.Sub. DC H.Floor C/J/S S.Floor Trans	24 H.Floor C/J/S	25
26 Week of 7/26: Agric Conf LegBr Conf S.Floor	27 H.Floor Trans	28	29	30 HAC D.C. H.Floor ForOps	31	(August 6: H. DC Floor)

HAC = House Appropriations Full Committee
(tbd)
SAC = Senate Appropriations Full Committee
(9/15)

L/HHS/ED: H.Floor
S.Sub.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 10:17:59.00

SUBJECT: URGENT: C/J/S SENATE FLOOR SAP

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

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

TO: Kerri A. Jones (CN=Kerri A. Jones/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

TO: Ron Klain (CN=Ron Klain/O=OVP@OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

CC: Judy Jablow (CN=Judy Jablow/OU=CEQ/O=EOP@EOP [CEQ])

READ:UNKNOWN

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

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

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

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

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

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

CC: Victoria A. Wachino (CN=Victoria A. Wachino/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

CC: Jill M. Blickstein (CN=Jill M. Blickstein/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

TEXT:

The Senate plans to begin consideration of the C/J/S FY99 Appropriations bill later this afternoon. Please review the draft and provide comments/clearance no later than 3pm today. Thanks.

S. 2260 -- COMMERCE, JUSTICE, STATE, THE JUDICIARY,
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1999
(Sponsors: Stevens (R), Alaska; Gregg (R), New Hampshire)

This Statement of Administration Policy provides the

Administration's views on S. 2260, the Commerce, Justice, and State, the Judiciary, and Related Agencies Appropriations Bill, FY 1999, as reported by the Senate Appropriations Committee. Your consideration of the Administration's views would be appreciated.

The Administration appreciates efforts by the Committee to accommodate certain of the President's priorities within the 302(b) allocation. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill.

The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the recently enacted Transportation Equity Act, Congress -- on a broad, bipartisan basis -- took similar action in approving funding for surface transportation programs paid for with mandatory offsets. We want to work with the Congress on mutually agreeable mandatory and other offsets that would be used to increase high-priority discretionary programs, including those funded by this bill. In addition, we hope that the Committee will reduce funding for lower priority and unrequested discretionary programs, and redirect funding to programs of higher priority.

The Administration appreciates the Committee's support for many of the President's priorities within the bill. For example, we appreciate the Committee's funding of law enforcement programs in general and the COPS program in particular. Funding COPS at the requested level of \$1.4 billion is consistent with the Balanced Budget Agreement and would enable us to achieve the goal of hiring 100,000 additional police officers by the year 2000. However, the Administration is deeply concerned about the funding level for certain important programs, and has additional concerns about other aspects of the bill. These concerns are discussed below.

Small Business Administration

The Administration strongly objects to the Committee mark of \$94 million to administer the Small Business Administration's (SBA's) Disaster Loan Program, a 43-percent reduction from the President's request. Such a drastic reduction in funding to originate and service disaster loans would severely curtail SBA's ability to respond to the needs of victims of natural disasters. We also urge the Senate to provide for additional disaster loans.

In addition, the Administration has serious concerns about the Committee mark of \$265 million for SBA's Salaries and Expenses account, \$16 million below the request. A cut of this magnitude could require SBA to reduce its staffing by up to 300 staff years, which would require furloughs and/or reductions-in-force, jeopardizing SBA's ability to accomplish its mission.

Equal Employment Opportunity Commission

The Administration strongly urges the Senate to fully fund the President's request of \$279 million for the Equal Employment Opportunity Commission (EEOC), \$25 million above the Committee mark. The additional resources are essential, and would allow EEOC to reduce the backlog of pending complaints and implement much-needed reforms in the way all complaints are managed, including an enhanced alternative dispute

resolution program. We look forward to working with Congress to provide funding for EEOC and other programs included in the President's civil rights enforcement initiative.

Department of Commerce

The Administration appreciates the Committee's support for the Department of Commerce overall, and in particular its full funding of the President's request for the Decennial Census, the Nation's single largest statistical operation. However, the Administration remains concerned about funding for a number of high priority programs, including:

Statistics initiatives that are necessary to upgrade the Nation's core statistical infrastructure, particularly efforts to improve our current measurements of the Gross Domestic Product, Poverty Rate, and other fundamental economic indicators crucial to sound private and public sector decision-making. Increased funding is also vitally important to maintain the full development of the Continuous Measurement program, which will provide critical demographic data about the Nation's communities every year.

The Advanced Technology Program (ATP) and its support of cutting-edge research. A \$39 million cap on new award grants is a 58-percent cut below the request. Also within the National Institute of Standards and Technology, the absence of full funding for the new Advanced Measurement Laboratory would result in insufficient funds to complete this facility, and no funds are provided for the Climate Change Technology Initiative.

The Clean Water and follow-on weather satellite initiatives, for which funding levels are inadequate to fulfill existing contract obligations and would jeopardize NOAA's ability to combat non-point source pollution and ensure satellite continuity. The satellite allowance would necessitate delayed launch vehicle delivery, elimination of technology development currently underway to replace fifteen-year-old instruments, and a restructuring of the converged satellite program -- a complex and carefully negotiated multi-agency system.

The National Information Infrastructure Grants Program, which provides seed money for innovative projects that deploy, use, and evaluate advanced information technology, would be severely curtailed with the Committee's 50-percent reduction.

The Economic Development Administration (EDA), which has achieved impressive results in creating jobs, leveraging private sector dollars, and increasing local tax bases. A reduction to EDA's Title IX (emergency relief) and defense conversion programs would adversely affect EDA's ability to help distressed communities deal with the burdens imposed by industry down-sizing and international trade agreements.

Department of Justice

We appreciate the Committee's continued support for law enforcement and other Department of Justice activities. However, the Administration is concerned about non-hiring set-asides in the COPS program and the Committee's action in a number of other areas:

Winstar. The Administration strongly opposes the Committee's approach to funding for Winstar, which would require substantial reductions to the non-Winstar related activities of the litigating divisions, including Civil Rights. We believe that the large, one-time litigation costs

arising out of the savings and loan rescue are appropriately borne by the Federal Savings and Loan Insurance Corporation (FSLIC) Resolution Fund (FRF). The Administration is working with the Banking Committees to provide permanent funding for Justice's Winstar costs from the FRF Fund.

Immigration and Naturalization Service. The bill would use \$166 million in receipts from the Immigration and Naturalization Service's (INS's) Immigration Examination and User Fee accounts to pay for expenses not directly related to fee activities. Without these receipts there would be insufficient resources to support fee-related activities -- in particular, funds to process pending naturalization applications and reduce the citizenship application backlog.

The Committee mark of \$2.4 billion for the INS is \$350 million below the Administration's request. This level would jeopardize the Administration's bipartisan border management and enforcement strategy. We strongly urge the Senate to fully fund the border infrastructure and technology, detention support, and interior enforcement initiatives requested by the President.

Protection Against Chemical and Biological Weapons. We appreciate the Committee's support of the Administration's effort to combat terrorism involving the use of chemical and biological weapons. However, we believe that the levels proposed in the President's June 8th budget amendment reflect the appropriate balance among all aspects of antiterrorism activities. In particular, we hope that the Senate will provide the \$49 million that the Administration has requested for bomb squad equipment in direct appropriations.

Juvenile Justice Block Grant. While juvenile justice programs are an important element of effective law enforcement, the new \$100 million block grant program recommended by the Committee would authorize a broad and unfocused range of spending. Rather than funding the block grant, we urge funding for targeted activities, such as the community prosecutors program, prosecutorial initiatives, and youth violence courts.

Drug Testing. The Committee bill does not provide the \$85 million requested for the drug testing and intervention program. Systematic drug testing is a proven, cost-effective means of using the coercive power of the criminal justice system to move non-violent offenders into drug treatment programs, and should be funded.

Counterdrug Strategy. Report language that directs the Attorney General to create a new interagency counterdrug strategy is inappropriate. The Director of National Drug Control Policy is mandated by statute to perform this function; it should not be transferred to the Attorney General. The Administration strongly opposes this report language.

Controlled Substances Act. The Administration has serious concerns about sections 118 and 119 of the Justice General Provisions, which would weaken the Drug Enforcement Administration's authority to regulate the flow of drugs classified as controlled substances. The proposed provisions would allow relief for recordkeeping and reporting violations. Careless, negligent, or unknowing violations create an opportunity to divert drugs to illicit channels just as do knowing or intentional violations, which are properly subject to misdemeanor penalties under current law.

Critical Infrastructure Protection. The Committee bill provides only \$19 million of the \$34 million requested to reimburse agencies for expenses related to protection of the Nation's critical infrastructure. In

particular, the Committee's funding level excludes \$6.6 million needed to create a national plan for protecting the Nation's infrastructure, including funds for core staff in the Critical Infrastructure Assurance Office.

Narrowband Communications. The Administration is disappointed that the Subcommittee has not provided the \$86 million requested to establish a fund for the consolidation and coordination of the Department's conversion to narrowband communications systems.

Bureau of Prisons/Abortion. The Administration urges the Senate to strike section 102 of the Committee bill, which would prohibit the Bureau of Prisons from funding abortions except in cases of rape or where the life of the mother is endangered. The Department of Justice believes that there is a great likelihood that this provision would be held unconstitutional.

Legal Services Corporation

The Administration commends the Committee for increasing the funding level for the Legal Services Corporation (LSC) to \$300 million, \$13 million above the FY 1998 enacted level. The recent Supreme Court ruling that interest on lawyer trust accounts (ILTAs) cannot be used to support civil legal services eliminates a funding source that provided LSC programs with more than \$57 million last year. It is vitally important that the Congress fully fund the President's request of \$340 million to ensure equal access to the judicial system.

International Affairs Programs

The Administration appreciates the Committee's support for the Department of State accounts that fund diplomatic and consular activities and, in particular, funding the request for the State Department's information technology modernization effort, including year 2000 (Y2K) activities. However, the Committee's cuts and unrequested earmarks in the Diplomatic and Consular Programs and Salaries and Expenses accounts, totaling over \$30 million, would prevent the Department from meeting expected wage and price increases, covering critical overseas staffing gaps, and addressing other infrastructure shortfalls.

While the Administration is encouraged by the Committee's recognition of the Department's overseas facility requirements, we urge the Senate to restore the \$90 million reduction to the Security and Maintenance of United States Missions account and to provide full funding of the President's request for urgently needed embassy facilities in Beijing and Berlin. The Administration appreciates the Committee's support for funding the Arms Control and Disarmament Agency's activities, particularly in light of recent events in South Asia.

The Administration appreciates the steps the Subcommittee has taken to fund the request for arrearage payments this year. The Administration wants to work with the Congress to ensure that these funds are available in a timely fashion to retain our influence in these organizations and to identify reform measures that further U.S. interests. However, we oppose the bill's authorization requirement that is intended to subject this important foreign policy measure to the unrelated issue of family planning policy. There is legitimate disagreement over this issue, but none of the U.N. and related international organizations arrears payments are related to this issue. Therefore, it is wholly inappropriate to hold the payment of U.S. arrears

hostage to the family planning issue.

Further, the Committee bill significantly underfunds, by about \$75 million, the annual assessed contributions to these organizations. This would increase arrears again and further inhibit chances for the reforms that we are all seeking. In addition, the Committee has imposed a number of certification requirements and conditions before payments by the United States to these organizations can be made. The consequence of these provisions would likely be the loss of vote of the United States in the United Nations and other international organizations. This would seriously diminish the ability of the United States to influence issues before the U.N. General Assembly such as selection of future Secretaries General and resolutions affecting the Middle East.

Finally, the Administration strongly opposes section 403 and urges the Senate to strike it from the bill. This provision would reduce funding for arrears payments by 25 percent of the total expenditure of the United States made to respond to efforts by Iraq to block United Nations weapons inspections. The decision of the United States to incur these critically important expenditures was made on the basis of our own national security interests.

The Administration is very concerned that funding for the United States Information Agency's overseas information and broadcasting programs has been reduced by \$80 million below the President's request. The funding level of \$427 million for International Information Programs is \$34 million below the President's request, \$24 million of which results from the omission of funding for overseas administrative costs. For broadcasting programs, the Committee mark is \$46 million below the President's request. A reduction of this magnitude would require a personnel reduction-in-force, eliminate broadcast language services, and defer necessary capital and technical radio modernization improvements. We urge the Senate to provide funding for core information and broadcasting programs at the President's requested level. Finally, earmarks placed on the Educational and Cultural Exchanges program should be removed.

This bill also contains provisions that raise serious constitutional concerns. For example, Section 405 regarding Vietnam unconstitutionally constrains the President's authority with respect to the conduct of diplomacy, in addition to containing objectionable elements beyond those contained in similar provisions from previous years. In addition, Section 613 on Haiti would limit the President's unfettered constitutional authority to "receive ambassadors and other public ministers."

Federal Communications Commission (FCC). Federal Communications Commission (FCC). The Administration urges the Senate to provide funding for the FCC's scheduled move to the Portals complex. Absent this funding, the FCC's ability to implement the mandates of the Telecommunications Act of 1996 and to carry out critical mission operations may be severely impaired.

Exxon Valdez Settlement Funds. The Administration strongly objects to a provision of section 619 that would require certain Exxon Valdez settlement funds to be spent only for grants for marine research and community and economic restoration. This language is contrary to the Clean Water Act and a court-ordered consent decree that require that the State and Federal natural resource trustees determine how these funds should best be used.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 10:46:21.00

SUBJECT: guidance on today's medical privacy story

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

TO: Kevin S. Moran (CN=Kevin S. Moran/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: 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:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D17]MAIL45303840D.226 to ASCII,
The following is a HEX DUMP:

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213148D5D23DE7188F68D628875C70162796F875AB34371C5823FD3634FE57C3A640C6DF111BA6
3A78FC8D73FC5B77899BC5B001FF674C32C1FF4DFBB8F8DAB465215A00532F23B87A6D9B38EA5A

Q: Is it true that the White House is secretly preparing to give a medical I.D. to every American?

A: No. To the contrary, we do not want to do anything in this area until we have held public hearings on this issue and until there are federal privacy protections in place.

As directed by the Congress through the Health Insurance Portability and Accountability Act of 1996 (Kassebaum-Kennedy), we are looking into adopting standards for providing for unique health identifiers to help improve electronic transfer of health and billing information.

In response to the law, HHS has already made regulatory proposals to create identifier numbers for employers and providers, and is developing proposals for insurers. However, providing a health identifier number for each individual is a far more complex issue and raises serious privacy concerns.

For that reason, we have delayed any movement so that we can develop consensus as to how to proceed in this area. The only action we have taken to date is to establish a process so that we can fully consult with all parties, particularly consumers. We intend to hold hearings on this issue in short order even before we issue a proposed rule.

We would advise against implementing individual identifiers before establishing comprehensive privacy protections. Last fall, the Secretary of HHS made recommendations for Federal privacy protections, and we have continually called on Congress to pass legislation in this area. The HHS Advisory Commission has advised against implementing these protections before we have established privacy protections. However, we will consult with all interested parties as to how best to proceed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 11:38:20.00

SUBJECT: Rural agenda

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

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

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

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

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

TEXT:

As you know, Podesta pushed to have a Thursday presidential event on rural issues. NEC clearly wants to take the lead on the event, but does not have a clear picture of what to announce.

The most likely scenario is we end up pushing for the rural agenda items that are currently pending in Congress. These could include: funding the Fund for Rural America; the Disaster Assistance plan done last week; rural school construction and food safety. In addition, we can talk about telemedicine, long distance learning, the transportation bill and push for free trade (maybe saying something on sanctions). This is what I talked about with Greg Frazier, Glickman's COS. Sperling may have a different picture, if so, Sally and Jon Kaplan haven't said.

If this sounds ok, I'll push it at the 1 pm meeting. I mentioned to Paul we will would need the telemedicine and school construction pieces put together by Chris and Mike. There was a rumor Sperling was coming to the meeting (they scheduled it so he could attend).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 11:59:38.00

SUBJECT: Q&A for Rural Teleconference

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

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

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

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

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

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

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

TEXT:

I need your q&a for the rural teleconference scheduled for Thurs by COB tomorrow (tuesday). Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 12:03:01.00

SUBJECT: FYI on Head Start Reauthorization

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Last Thursday, Cong. Riggs introduced a problematic, partisan Head Start reauthorization bill scheduled for mark-up in full committee this Wednesday. (The Senate already marked up its reauthorization bill, which, after negotiation, is both bipartisan and consistent with the President's budget and policy.) HHS is drafting a letter from Shalala to the House Ed and Workforce Committee outlining our significant concerns with the bill as introduced, which include:

- (1) Bill is inconsistent with the President's budget request (underfunded);
- (2) Bill restricts Head Start expansion, denying Head Start services to tens of thousands of children and curtailing expansion of Early Head Start (it significantly increases the quality set-aside for expansion dollars (from 25% in current law to 75% in FY 1999), and mandates full-day, full-year services for all kids currently in Head Start before any expansion to new kids);
- (3) Bill opens up Head Start to vouchers (by enabling the Secretary to provide certificates to parents for comparable services);
- (4) Bill increases Governor authority; and
- (4) Bill includes partisan provisions such as repeal of the Davis-Bacon requirement, and attacks on bilingual education.

Bruce, HHS may request that in the coming days you call Dems (such as Cong. Roemer) to express our strong concerns, if you are willing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ronald E. Jones (CN=Ronald E. Jones/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:20-JUL-1998 12:48:54.00

SUBJECT: DOJ Letter for expedited clearance

TO: Jefferson B. Hill (CN=Jefferson B. Hill/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

TO: Christopher D. Carroll (CN=Christopher D. Carroll/OU=CEA/O=EOP@EOP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

You will receive shortly a draft DoJ letter on HR 2592, the Private Trustee Reform Act., which the Department had previously opposed. The letter transmits compromise language worked out with Congressional staff and private trustees.

DoJ has been asked to send this letter for tomorrow's markup of HR 2592 by the full Judiciary Committee.

If I do not hear from you by 5:00 PM today, I will assume you have no

objection to the proposed letter.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 13:15:39.00

SUBJECT: Kiddie Mac Mtg

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

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

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

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

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

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

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

TEXT:

We have set up a mtg on Kiddie Mac with appropriate Hill staff (Maloney, Baker, D'Amato and Kohl staff) as well as agency liaisons for 4:00pm on Thursday, July 23 in 472 OEOB. Please let me know if you/your principle will be able to attend.

(We will also be scheduling a conference call on Wednesday to discuss the mtg. I will forward details to you when I receive them).

Relevant Agency Staff:
Penny Rostrow, Treasury Leg Affairs
622-1910

Ed Demarco and Scott Frame, Treasury Office of Government Sponsored
Entitites
622-8355

Gus Fauscher, Treasury Office of Economic Policy

622-0714

Nancy Libson, HUD Leg. Affairs
708-0005 (NOTE: Nancy will also identify and bring a HUD policy official
TBD)

John Gray, SBA Office of Capital Access
205-6657

Mary Bourdette, HHS Leg. Affairs
690-6311

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 13:29:54.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Joe is going to brief very soon & they want tobacco guidance - how do
Q&A's look? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 13:52:43.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Todd Summers just sent over Q&A's on AIDS Protest today for your review
ASAP for press -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 14:58:04.00

SUBJECT: Rural Agenda

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

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

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

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

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

TEXT:

Gene is evidently going up to the Hill at 5:30 with Larry and Frazier from
USDA to talk rural agenda. Either of you might want to go. Here is
Kaplan's first cut on a memo. I suggested we add rural housing, food
safety, rural welfare to work, highway funds, and 2 possible new
announcements: \$10 million for rural housing, and a Texas disaster
announcements. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D59]MAIL41208270V.226 to ASCII,
The following is a HEX DUMP:

FF5750439A150000010A02010000000205000000BA47000000020000A2B6FCB0F2BCDA1CAE2A87

PRESIDENT CLINTON ANNOUNCES RURAL ACTION PLAN FOR AMERICA

Five and A Half Years of Progress. For five and a half years, President Clinton and Vice President Gore have worked to expand opportunity for rural Americans and farm families. We have strengthened crop insurance, provided critical disaster assistance to ranchers who have lost livestock, doubled our use of export credits from last year, improved our school lunch programs by buying surplus commodities, and worked to diversify the sources of enterprise and income in rural America. [EXPAND TO INCLUDE RURAL, NOT JUST AG]

But rural America still faces challenges -- with the economic crisis in Asia weakening some of our best customers for farm products, with strong world crop production bringing prices down, and with farmers facing floods and fires and drought and crop disease.

A TEN-POINT ACTION PLAN FOR RURAL AMERICA

1. *Implementing the Wheat Purchase Initiative.* On Saturday, President Clinton acted within his full authority as President to take immediate steps to help our family farmers and to reduce crop surpluses at home. This week, the United States government will begin to purchase more than 80 million bushels of wheat, which could lift prices as much as 13 cents a bushel. With this wheat, the President has instructed Secretary of Agriculture Dan Glickman to launch a new food aid initiative to press the world struggle against hunger.

Secretary Glickman, working with our Agency for International Development, will use the authority granted to him by Congress to oversee substantial donations of U.S. wheat to countries where the need is greatest -- places such as Sudan and Indonesia. Donations will also be made to private humanitarian groups. It is good for American farmers, good for our economy and it's the right thing to do.

2. *Exempting Food Exports from U.S. Sanctions Policy.* President Clinton recently stated support for legislation that would exempt Federal government financing of US food exports from economic sanctions required by the nuclear non-proliferation law. This was in response to the harmful potential effect to overseas consumers and US farmers of wheat from the sanctions on Pakistan, the market for 7 percent of US wheat. But more congressional action must follow. We should expand eligibility for direct and guaranteed loans, extend marketing loans when crop prices are low or transportation problems make marketing difficult, give farmers more flexibility to plant other crops when their primary crops fail. And above all, we must keep the market for our products growing by paying our dues to the International Monetary Fund so that we can stabilize and help to reform Asian economies that are such important customers for America's farmers, and for our other exporters who are responsible for 30 percent of the remarkable growth we've enjoyed since 1993.

3. *Promoting an Aggressive Regional Approach to Free Trade.* The Clinton Administration has put in place a comprehensive approach to opening agricultural markets in each of our key export markets. NAFTA opened Mexico and Canada to U.S. exports; now, exports are up ___ percent [CK]. We have established an agricultural negotiating group in the FTAA talks and important discussions on specific agricultural products in APEC. And for the first time ever under the

Transatlantic Economic Partnership, we have a mechanism in place to facilitate cooperation with Europe on a range of issues, including approval of genetically modified organisms.

4. *Enforcing Our Trade Agreements.* This administration has brought and won a number of important agricultural disputes, including the European Union's restrictions on hormone grown beef, bananas and pork in the Phillippines. We have been aggressive in using every tool at our disposal to ensure that agreements made are agreements kept.

5. *Protecting Universal Service.* [KALIL TO ADD] President Clinton has set a goal of connecting all rural clinics and hospitals to the "information superhighway." In 1996, he signed the Telecommunications Act, which expanded the definition of universal service to include rural health care providers (hospitals, clinics, community health care centers, local health departments, and medical schools). These institutions are now applying for universal service support, which will be available starting January 1, 1998. The program (administered by an independent corporation established by the FCC) is designed to ensure that rural health care providers pay no more than their urban counterparts for telecommunication services. This will help improve the quality of care in rural America by allowing patients to receive advice from the best specialists in the country.

6. *Carrying Over EEP Balances.* The Administration will soon propose legislation to "sweep" unused balances in USDA's Export Enhancement Program (EEP) into other programs such as PL480 Title I in the last quarter of a fiscal year. This will enable unnecessary and distorting subsidies for commercial exports to fund additional sales of US crops. The Administration's FY 1999 Budget already proposes that unused balances be carried over into subsequent years to expand U.S. exports.

7. *Improving Education in Risk Management for Farmers.* Farmers' ability to manage risk remains low. Relatively few producers forward contract their crops, though futures markets originated as a way for farmers to avoid risk. USDA needs to improve its education and outreach in risk management, perhaps linked with the long-distance learning initiative. More funding could be made available for pilot options programs, including a new initiative for dairy producers.

8. *Establishing a Fund for Rural America.* If we're calling for funding for the Fund for Rural America, we should also call for letting the funding go forward for the \$120 m. in annual ag research provided in the Ag Research bill the President signed a couple weeks ago. This would echo the President's comments at the signing, and reinforce the message that we think research has a vital role in moving ag forward into the 21st century. [???/Challenge Congress to move forward]

9. *Crop Insurance/Adjustment Assistance.* The economic risk being faced in some rural regions, such as North Dakota, reveals shortcomings of the current Federal crop insurance regime. The problem is less crop price than crop yield, and an actuarially-sound insurance program must raise premiums and lower coverage in response to multi-year disease or weather problems. Without abandoning Administration policy by reinstating permanent crop disaster authority (a controversial, unnecessary step), the Administration could propose: (1) a program of short-term (5 years) retirement of formerly-productive farmland now beset with physical problems such as excess moisture; (2) indemnity payments for losses due to disease, perhaps through crop insurance subsidies in an auxiliary program. These payments might be designed as adjustment assistance, to

enable producers in marginal agricultural regions to re-educate or retool. [????/Challenge House to move forward]

10. Whole Farm Insurance. USDA is exploring the feasibility of a Whole Farm Coverage Insurance Program, based on the farmer's income tax information. The appeal of such a product is that producers could insure their whole farm, not just individual crops as under the current program.

Whole farm insurance could also potentially address the problem of insuring minor crops and livestock. However, there are a number of rating issues that need to be addressed and USDA lacks legal authority to insure livestock under permanent programs. USDA hopes to pilot a program in 1999.

11. Pushing for Rural School Modernization. Almost one-half of the nation's 80,000 public elementary and secondary schools are located in rural or small town areas. According to the U.S. General Accounting Office, 30 percent of those rural and small town schools (educating 4.5 million children) have at least one building in need of extensive repair or replacement. We must move forward this year with a comprehensive effort to address the needs of rural schoolchildren.

12. Building a Digital Library for Rural America. The goal of this initiative is to dramatically increase the quantity, quality and accessibility of networked information related to agriculture and rural development by leveraging USDA's existing investment in research and education at our nation's land-grant colleges. [Distance Learning??]

13. Advancing Telemedicine. USDA is committed to making advanced telecommunications services such as the Internet available to more rural families. From 1992 to 1996, USDA more than doubled the amount of loans for advanced telecommunication facilities. Last year, it loaned \$380 million for 79 rural telecommunications projects providing service to 211,000 rural households and businesses. Provided almost \$17 million in loans and grants for distance learning and telemedicine projects in 1997 to expand educational and medical opportunities to America's rural communities. Since 1993, the DLT program has funded 192 projects in 41 states.

14. Promoting Economic Development in Rural America. The Clinton Administration, working with Congress, has invested more than \$175 million in the nation's three rural empowerment zones and 33 rural enterprise communities (EZ/ECs) since 1995, creating or saving over 7,000 jobs. And more than 700,000 rural citizens now receive additional services in the EZ/EC's as a result of USDA loans, grants, and programs. [ADD rural loans/access to capital; Mary Smith checking with USDA; Kaplan checking with SBA and CDFI for ideas]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 14:58:05.00

SUBJECT: Waxman's being interviewed by the networks re: GOP airline flights

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

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

TO: Cynthia Dailard (CN=Cynthia Dailard/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:
I'll fax' over the complete report to you, fyi --

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 14:58:06.00

SUBJECT: I hear the House GOP leadership is meeting tomorrow re: tobacco

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:

I asked Marti Thomas of the Treasury Dept to keep her ear to the ground re: House action on tobacco. She's hearing that the GOP leadership is meeting tomorrow to discuss tobacco -- maybe their bill will shortly follow?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 17:22:09.00

SUBJECT: Rural agenda version II

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

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

TEXT:

Here's the latest version for Thursday. The headings don't work, and we should look to see what specific items should be included in the agenda.=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D64]MAIL45095570U.226 to ASCII,
The following is a HEX DUMP:

FF57504355120000010A020100000002050000005D55000000020000261DDCC6CA75A365D845CA
47C37C47D78D22EA2ED1BF9173B77380F106A60A1708E0FE81A88070647FFA6CD986DEA26EF0BC

PRESIDENT CLINTON ANNOUNCES RURAL ACTION PLAN FOR AMERICA

Five and A Half Years of Progress. For five and a half years, President Clinton and Vice President Gore have worked to expand opportunity for rural Americans and farm families. The Administration has worked to strengthen crop insurance, provided critical disaster assistance to ranchers who have lost livestock, doubled our use of export credits from last year, improved our school lunch programs by buying surplus commodities, and worked to diversify the sources of enterprise and income in rural America. **[EXPAND TO INCLUDE RURAL, NOT JUST AG]**

But rural America still faces challenges -- with the economic crisis in Asia weakening some of our best customers for farm products, with strong world crop production bringing prices down, and with farmers facing floods and fires and drought and crop disease.

A FOUR-POINT ACTION PLAN FOR RURAL AMERICA

EXPANDING THE RURAL ECONOMY

- ***Implementing the Wheat Purchase Initiative.*** On Saturday, President Clinton acted within his took immediate steps to help our family farmers and to reduce crop surpluses at home. He directed the Secretary of Agriculture to purchase more than 80 million bushels of wheat, which could lift prices as much as 13 cents a bushel. With this wheat, the President will launch a new food aid initiative to press the world struggle against hunger. Secretary Glickman, working with our Agency for International Development, will oversee substantial donations of U.S. wheat to countries where the need is greatest -- places such as Sudan and Indonesia. Donations will also be made to private humanitarian groups. It's good for American farmers and good for our economy.
- ***Exempting Food Exports from U.S. Sanctions Policy.*** President Clinton signed into law an exemption for US food exports from economic sanctions required by the nuclear non-proliferation law. This law will allow American farmers to sell wheat to Pakistan, the market for 7 percent of US wheat. But, Congress should do more to give us the broadest possible flexibility.
- ***Fighting for Full Funding of the IMF to Shore Up America's Customers Around the World.*** We must keep the market for our products growing by paying our dues to the International Monetary Fund so that we can stabilize and help to reform Asian economies that are such important customers for America's farmers, and for our other exporters who are responsible for 30 percent of the remarkable growth we've enjoyed since 1993.
- ***Promoting an Aggressive Regional Approach to Free Trade.*** The Clinton Administration has put in place a comprehensive approach to opening agricultural markets in each of our key export markets. NAFTA opened Mexico and Canada to U.S. exports; now, exports are up __ percent [CK]. We have established an agricultural negotiating group in the FTAA talks and important discussions on specific agricultural products in APEC. And for the first

time ever under the Transatlantic Economic Partnership, we have a mechanism in place to facilitate cooperation with Europe on a range of issues, including approval of genetically modified organisms.

- ***Enforcing Our Trade Agreements.*** This administration has brought and won a number of important agricultural disputes, including the European Union's restrictions on hormone grown beef, bananas and pork in the Philippines. We have been aggressive in using every tool at our disposal to ensure that agreements made are agreements kept.
- ***Carrying Over EEP Balances.*** Congress has consistently refused to fully fund our efforts to enhance the ability of American business to export their farm products around the world. We are now looking at ways to ensure that the Export Enhancement Program has ("EEP") is flexible enough to move balances lefty at the end of the year into other programs to fund additional sales of US crops. The Administration's FY 1999 Budget already proposes that unused balances be carried over into subsequent years to expand U.S. exports.
- ***Announcing New USDA Initiative on Rural Development.*** Today, President Clinton is announcing that USDA is (1) awarding more than \$10 million in loans and grants for rural housing; (2) targeting \$237 million in existing funding into the Northern Great Plains Initiative; and (3) providing \$1 million in rural business enterprise grants. [WHAT ARE DETAILS ON THESE?] [Texas may be a disaster area]
- ***Increasing Access to Capital in Rural America.*** The Clinton Administration, working with Congress, has invested more than \$175 million in the nation's three rural empowerment zones and 33 rural enterprise communities (EZ/ECs) since 1995, creating or saving over 7,000 jobs. And more than 700,000 rural citizens now receive additional services in the EZ/EC's as a result of USDA loans, grants, and programs. [ADD info from USDA, SBA and CDFI]

IMPROVING EDUCATION AND PROTECTING UNIVERSAL SERVICE IN RURAL AMERICA

- ***Protecting Universal Service.*** President Clinton strongly supports universal service, a long-standing goal of ensuring that all Americans have access to affordable telephone service. Without universal service, telephone rates would be prohibitively expensive for many Americans living in rural areas. The President also supports the e-rate, which would expand universal service to include schools, libraries, and rural health care providers. Unfortunately, some members of Congress have introduced legislation which would repeal the e-rate and undermine universal service. The President urges the Congress to join him in supporting universal service.
- ***Pushing for Rural School Modernization.*** Almost one-half of the nation's 80,000 public elementary and secondary schools are located in rural or small town areas. According to the U.S. General Accounting Office, 30 percent of those rural and small town schools (educating 4.5 million children) have at least one building in need of extensive repair or replacement. We must move forward this year with a comprehensive effort to address the needs of rural

schoolchildren.

- ***Building a Digital Library for Rural America.*** The goal of this initiative is to dramatically increase the quantity, quality and accessibility of networked information related to agriculture and rural development by leveraging USDA's existing investment in research and education at our nation's land-grant colleges.
- ***Developing Distance Learning.*** President Clinton has proposed legislation that would make it easier for Americans to gain access to new skills using distance learning. In its proposal for reauthorization of the Higher Education Act (HEA), the Clinton Administration is seeking to broaden opportunities for distance learners by: including computers in the "cost of attendance" for purposes of financial aid; allowing institutions that offer more than 50 percent of their courses using distance learning to be eligible for student aid; and providing grants to "virtual universities" and other experiments with distance learning with a program called "Learning Anytime, Anywhere Partnerships."

PROMOTING HEALTH AND WELFARE FOR RURAL AMERICA

- ***Advancing Telemedicine.*** The President has set a goal of connecting all rural clinics and hospitals to the "information superhighway." In 1996, he signed the Telecommunications Act, which expanded the definition of universal service to include rural health care providers (hospitals, clinics, community health care centers, local health departments, and medical schools). The program (administered by an independent corporation established by the FCC) is designed to ensure that rural health care providers pay no more than their urban counterparts for telecommunication services. This will help improve the quality of care in rural America by allowing patients to receive advice from the best specialists in the country.
- ***Improving Food Safety.*** The President's Food Safety Initiative is a comprehensive plan for improving food safety, including education, new technology, standards and more inspectors to make sure all food, including food that is imported, is safe. Congress should fund this \$101 million initiative when it is raised in Agricultural Appropriations conference.
- ***\$3 Billion to Help Move More People from Welfare to Work.*** Because of the President's leadership, the 1997 Balanced Budget Act included the total funding requested by the President for the creation of his \$3 billion welfare-to-work fund. The Department of Labor is committed to ensuring that roughly 30 percent of these grants are provided to rural areas. This program will help states and local communities move long-term welfare recipients, and certain non-custodial parents, into lasting, unsubsidized jobs. These funds can be used for job creation, job placement and job retention efforts, including wage subsidies to private employers and other critical post-employment support services.

A STRONG AGRICULTURAL POLICY FOR AMERICA'S FARMS

- ***Improving Education in Risk Management for Farmers.*** Farmers' ability to manage risk

remains low. Relatively few producers forward contract their crops, though futures markets originated as a way for farmers to avoid risk. USDA needs to improve its education and outreach in risk management, perhaps linked with the long-distance learning initiative. More funding could be made available for pilot options programs, including a new initiative for dairy producers.

- ***Establishing a Fund for Rural America.*** [If we're calling for funding for the Fund for Rural America, we should also call for letting the funding go forward for the \$120 m. in annual ag research provided in the Ag Research bill the President signed a couple weeks ago. This would echo the President's comments at the signing, and reinforce the message that we think research has a vital role in moving ag forward into the 21st century.] *[??/?/Challenge Congress to move forward]*
- ***Crop Insurance/Adjustment Assistance.*** The economic risk being faced in some rural regions, such as North Dakota, reveals shortcomings of the current Federal crop insurance regime. The problem is less crop price than crop yield, and an actuarially-sound insurance program must raise premiums and lower coverage in response to multi-year disease or weather problems. Without abandoning Administration policy by reinstating permanent crop disaster authority (a controversial, unnecessary step), the Administration could propose: (1) a program of short-term (5 years) retirement of formerly-productive farmland now beset with physical problems such as excess moisture; (2) indemnity payments for losses due to disease, perhaps through crop insurance subsidies in an auxiliary program. These payments might be designed as adjustment assistance, to enable producers in marginal agricultural regions to re-educate or retool. *[??/?/Challenge House to move forward]*
- ***Whole Farm Insurance.*** USDA is exploring the feasibility of a Whole Farm Coverage Insurance Program, based on the farmer's income tax information. The appeal of such a product is that producers could insure their whole farm, not just individual crops as under the current program. Whole farm insurance could also potentially address the problem of insuring minor crops and livestock. However, there are a number of rating issues that need to be addressed and USDA lacks legal authority to insure livestock under permanent programs. USDA hopes to pilot a program in 1999.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Laura Emmett to Elena Kagan at 18:33 re no subject (1 page)	07/20/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[07/18/1998-07/21/1998]

2009-1006-F
kc175

RESTRICTION CODES

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

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

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.
PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
RR. Document will be reviewed upon request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maria E. Soto (CN=Maria E. Soto/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-JUL-1998 18:55:32.00

SUBJECT: FICA/workfare notice

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

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

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

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

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

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

CC: Shannon Mason (CN=Shannon Mason/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:

There will be a meeting tomorrow Tuesday, July 20, at 12:00pm re:
FICA/workfare notice in Mickey's Office.

Participants are:

Bruce Reed
Elena Kagan
Fred Duval
Karen Tramontano
Diana Fortuna
Cynthia Rice

Thank you.

Maria
6-7060

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maria E. Soto (CN=Maria E. Soto/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-JUL-1998 19:31:28.00

SUBJECT: Re: FICA/workfare notice

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

READ:UNKNOWN

TEXT:

Elena- I am sorry, his name must have fallen through the cracks. I will call his office right now. Thank you for pointing this out. Maria

Elena Kagan

07/20/98 07:13:15 PM

Record Type: Record

To: Maria E. Soto/WHO/EOP

cc:

Subject: Re: FICA/workfare notice

sorry, but John podesta has to come to this meeting (in fact, we should make it in his office to make sure he'll be there. Without john, it's worse than useless.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 20:05:49.00

SUBJECT: URGENT: DC Appropriations Letter

TO: Carol Thompson-Cole (CN=Carol Thompson-Cole/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Kerri A. Jones (CN=Kerri A. Jones/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

TO: Ron Klain (CN=Ron Klain/O=OVP@OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

CC: Judy Jablow (CN=Judy Jablow/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

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

CC: FARRAR_J@A1@CD@VAXGTWY (FARRAR_J@A1@CD@VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

CC: Victoria A. Wachino (CN=Victoria A. Wachino/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

CC: Jill M. Blickstein (CN=Jill M. Blickstein/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

TEXT:

Tomorrow, the DC Appropriations bill will be marked up by the Senate Full Committee. Therefore, we need your comments/clearance by 10am tomorrow morning. Thanks.

The Honorable Ted Stevens
Chairman
Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the District of Columbia Appropriations Bill, FY 1999, as reported by the Subcommittee. As the Committee develops its version of the bill, your consideration of the Administration's views would be appreciated.

While the Administration appreciates the support of the Subcommittee in developing a bill that provides sufficient Federal funding to implement successfully the National Capital Revitalization and Self-Government and Improvement Act of 1997, we are deeply concerned about a number of provisions of the Subcommittee bill, as described below. We urge the Committee to approve a bill that addresses the Administration's concerns.

Economic Development Initiative

The Administration requested \$100 million for an economic development initiative for the District of Columbia. We appreciate the Subcommittee's action in providing \$25 million to continue the implementation of management reform initiatives in the District. However, the Administration strongly opposes section 157 of the Subcommittee bill, which would repeal D.C. Council legislation authorizing the establishment of the National Capital Revitalization Corporation (NCRC). The Administration believes that an independent economic development corporation is essential in order to ensure effective management coordination and oversight of projects in the District. The Administration strongly urges the Committee to strike section 157 and to fully fund the request of the President and the District to capitalize the NCRC with \$50 million in FY 1999. In addition, the Administration urges the Committee to provide \$25 million for transportation improvements related to the Washington Convention Center project, which also will foster economic development in the downtown area.

Abortion

The Administration strongly opposes the abortion language of the Subcommittee bill, which would prohibit the use of both Federal and District funds to pay for abortions except in those cases where the life of the mother is endangered or in situations involving rape or incest.

The Administration continues to view the prohibition on the use of local funds as an unwarranted intrusion into the affairs of the District and would support an amendment, if offered, to strike this prohibition.

Public Education System

We are concerned that the bill does not provide enough funding to support educational services for all the students who wish to attend D.C. charter schools. We look forward to working with the Committee and with the D.C. Public Schools to ensure that there is adequate flexibility to allow all eligible charter schools and their students to receive sufficient funding.

The Administration is committed to working with the Senate to produce a bill that will assist the District in its continued efforts toward financial recovery. We look forward to working with the Senate to address our mutual concerns.

Sincerely,

Jacob J. Lew
Acting Director

Identical Letter Sent to The Honorable Ted Stevens,
The Honorable Robert C. Byrd, The Honorable Lauch Faircloth
and The Honorable Barbara Boxer

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Laura Emmett to Elena Kagan at 20:09 re no subject (1 page)	07/20/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[07/18/1998-07/21/1998]

2009-1006-F
kc175

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JUL-1998 21:04:23.00

SUBJECT: URGENT: Interior FY99 Appropriations SAP

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

TO: RUDMAN_M@A1@CD@VAXGTWY (RUDMAN_M@A1@CD@VAXGTWY [UNKNOWN]) (NSC)
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TO: Todd Stern (CN=Todd Stern/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

TO: Kerri A. Jones (CN=Kerri A. Jones/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP@EOP [CEQ])
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TO: Joshua Gotbaum (CN=Joshua Gotbaum/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TO: Ron Klain (CN=Ron Klain/O=OVP@OVP [UNKNOWN])
READ:UNKNOWN

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

CC: Rosemary Evans (CN=Rosemary Evans/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

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

CC: Peter A. Weissman (CN=Peter A. Weissman/OU=OPD/O=EOP@EOP [OPD])
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CC: Judy Jablow (CN=Judy Jablow/OU=CEQ/O=EOP@EOP [CEQ])
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CC: Charles R. Marr (CN=Charles R. Marr/OU=OPD/O=EOP@EOP [OPD])
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CC: Michelle Crisci (CN=Michelle Crisci/OU=WHO/O=EOP@EOP [WHO])
READ:UNKNOWN

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

CC: FARRAR_J@A1@CD@VAXGTWY (FARRAR_J@A1@CD@VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

CC: Victoria A. Wachino (CN=Victoria A. Wachino/OU=OMB/O=EOP@EOP [OMB])
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CC: Robert L. Nabors (CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

CC: Jill M. Blickstein (CN=Jill M. Blickstein/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

TEXT:

Below is the draft House Floor SAP for the Interior FY99 Appropriations bill. The House is expected to take up the bill around 10am Tuesday morning. Therefore, we need your comments/clearance no later than 9:30am Tuesday. Thanks.

H.R. 4193 -- DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1999
(Sponsors: Livingston (R), Louisiana; Regula (R), Ohio)

This Statement of Administration Policy provides the Administration's views on H.R. 4193, the Department of the Interior and Related Agencies Appropriations Bill, FY 1999. Your consideration of the Administration's views would be appreciated.

The Administration urges the House to pass a clean bill that does not attempt to roll back environmental protections and circumvent the proper public process by attaching riders to appropriation bills. Regrettably, the Committee bill under-funds priority programs and includes damaging riders, such as the provision concerning the Interior Columbia Basin Ecosystem Management Project. In addition, it is our understanding that, if adopted, the rule for consideration of the bill will permit a single Member to strike all funding for the National Endowment for the Arts. Based on these concerns, if the Committee bill, as modified by the rule and associated motion, were presented to the President, the President's senior advisers would recommend that he veto the bill.

The Administration appreciates efforts by the Committee to accommodate certain of the President's priorities within the 302(b) allocation such as funding for national park operations. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. As a result, a variety of critical programs are under-funded. The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the Transportation Equity Act, Congress -- on a broad, bipartisan basis -- took similar action in approving funding for surface transportation programs together with mandatory offsets. The Administration urges the Congress to consider such mandatory proposals for other priority discretionary programs.

Below is a discussion of our specific concerns with the Committee bill. We look forward to working with the House to resolve these concerns as the bill moves forward.

Departments of the Interior and Agriculture

The Administration appreciates the Committee's funding of maintenance programs, particularly those for health and safety, in Interior's land management agencies. However, the Administration strongly objects to inadequate funding provided by the Committee for high priority programs within the Department of the Interior and the Department of Agriculture, including Committee actions that would:

reduce by more than half the \$270 million requested from the Land and

Water Conservation Fund to protect our national parks, forests, refuges, and public lands, with Everglades land acquisition funds cut by 75 percent. This drastic reduction in funding would prevent the Administration from making significant land acquisitions such as Cumberland Island National Seashore in Georgia and West Eugene Wetland in Oregon;

provide no funding for the Millennium program protecting artifacts of our National heritage (see discussion below);

deny most of the requested \$128 million increase for Interior and the Forest Service to implement the Clean Water Action Plan;

fail to provide the requested \$15 million for the Disaster Information Network providing enhanced data to protect Americans;

deny \$29 million of the \$36 million increase requested for the Endangered Species funding, including landowner incentive grants;

fail to provide requested increases for the Bureau of Indian Affairs education operations and construction, the Indian Country law enforcement initiative, and the land consolidation pilot project and other trust system reforms;

provide little or no funding elsewhere in California for hazardous fuels reduction due to excessive funds made available to the "Quincy Library Group," in California;

make significant reductions to the Forest Service's Wildlife and Fisheries Management, Rangeland Management, and Watershed Improvement programs, which would limit rangeland vegetative restoration and limit watershed improvements with approximately 12,250 fewer watershed acres protected or restored; and,

eliminate the Forest Service's Stewardship Incentive Program and significantly reduce its Forest Legacy Program. Both of these programs support local communities and private landowners and effectively leverage Federal funds.

Forest Service General Administration. The rule would shift \$67 million from General Administration to wildland fire suppression. This is unnecessary since the Committee mark is at the request level and a \$250 million contingency is available for use if necessary. Such a transfer would deprive individual national forests of important on-the-ground natural resource management capability, delay needed Forest Service computer system and financial accountability improvements, and unwisely eliminate key agency leadership positions.

Priority Land Acquisition Funding. The Administration objects to the Committee's continued inaction on the promised congressional release of the \$362 million appropriated from the Land and Water Conservation Fund in FY 1998. As requested by Congress, the Administration has submitted a list of proposed land acquisitions. In response, the Committee has not only held back the FY 1998 Title V funding but also has funded some items on the Administration's list with FY 1999 funding, resulting in critical acquisitions planned for both years being delayed and unfunded.

Millennium Program. The Administration strongly urges the House to provide funding in FY 1999 for the "Millennium Program to Save America's Treasures." The Committee has failed to provide any funding for this

important effort. The President's budget requests \$50 million to increase the Historic Preservation Fund to make a special effort to preserve our history and culture as we enter the new millennium. This program is designed to leverage Federal, State, and private funding to have the greatest collective impact on our rapidly deteriorating national treasures.

Purchaser Road Credit Program. The Administration fully supports the Committee's decision to eliminate the Purchaser Road credit program. The Committee bill includes a provision that would ensure that the value of road construction by purchasers continues to be included in calculations for the Payments to States. To permit increased certainty and better local planning more directly, we urge the House to adopt the Administration's proposal to provide a high, fixed level of payments to States.

Timber Sales. The Administration objects to the increase of \$12 million over the request for timber sales in order to produce 3.6 billion board feet, 200 million board feet over the budget estimate.

Language Provisions

The Administration strongly objects to certain language in the Committee bill, including provisions that would:

unwisely terminate the Interior Columbia Basin Ecosystem Management Project in six Northwest States, forcing individual amendments to 74 land management plans;

remove 75 acres in Florida from the coastal barrier protection system, providing taxpayer subsidies for private development of environmentally fragile barrier islands;

prevent the BIA and the Indian Health Service from entering into any new or expanded self-determination "Section 638" contracts or self-governance compacts with tribes, contrary to our government-to-government policy;

prohibit improvements -- even planning or design of improvements -- to Pennsylvania Avenue in front of the White House;

transfer the jurisdiction over the valued Land Between The Lakes National Recreation Area from the Tennessee Valley Authority, where it has been successfully managed for over sixty years, to the U.S. Forest Service, a disruptive change that would involve additional transition costs without improving service; and,

impose an excessive, strictly defined, road easement across the Chugach National Forest in Alaska, thereby preventing the Government from making modifications to protect the environment while authorizing environmentally damaging management practices and undermining an ongoing discussion to determine the most appropriate road corridor based on a 1982 agreement.

Indian Health Service (Department of Health and Human Services)

The Administration is concerned that the Committee has not included a \$10 million increase requested for prevention and treatment of alcohol/substance abuse and breast/cervical cancer, which is part of an HHS-wide effort to reduce health disparities in minority populations. The Administration intends to work with the Congress to fund these important initiatives within funds available for the Indian Health Service. The

Administration is also concerned that the Committee has included authorizing language, without hearings or tribal consultation, that would require contract support costs to be distributed to tribes and tribal organizations on a pro-rata (proportional) basis.

Department of Energy

The Administration strongly objects to the House's severe reduction to the Department of Energy's Energy Conservation program. While the Committee mark appears to be \$18 million higher than the FY 1998 enacted level (\$630 million vs. \$612 million), it includes \$43 million for a program that previously has been funded in the Fossil Energy R&D account. The House's funding for the programs traditionally included in the Energy Conservation Account is \$587 million, a cut of \$25 million from the FY 1998 level and a reduction of \$222 million from the President's request of \$809 million. Within this reduction, particularly severe damage is done to the Partnership for a New Generation of Vehicles (PNGV), for which the Committee mark is \$14 million (roughly 10 percent) less than the current appropriation and \$45 million below the request.

These cuts would eliminate all of the Administration's requested increase in Energy Conservation for development of technologies to improve industrial, transportation, and building efficiencies and to reduce carbon emissions. The inclusion of several special-interest earmarks in the Committee Report also would reduce the President's ability to gain maximum benefit from the available funds. The inclusion of the \$43 million in the Energy Conservation account to fund a utility-scale turbine program that would continue to be managed by the Fossil Energy program is an inefficient management practice that would dilute accountability and should be avoided.

The Committee mark eliminates all of the funding requested for the Energy Information Administration to work on carbon emissions accounting and analysis (\$2.5 million), and eliminates all of the requested increase in Fossil Energy R&D for high-priority carbon sequestration research (\$10 million). The President's budget also requested \$36 million for payment to the State of California for the Retired Teachers System, which is not included in the Committee mark. The Administration prefers that this payment be appropriated consistent with P.L. 104-106.

The Administration would like to work with the Congress to restore funding to these important Department of Energy programs as the bill moves through the process.

National Foundation on the Arts and Humanities

The Administration appreciates the Full Committee's restoration of funding for the National Endowment for the Arts (NEA). The Administration strongly objects to striking NEA funding and strongly supports the amendment to restore such funding. We urge the House to provide funding for NEA and NEH at the President's requested level of \$136 million each and for the Institute for Museum and Library Services at the requested level of \$26 million.

Smithsonian Institution

The Committee's \$397 million overall funding level for the Smithsonian, which is \$22 million less than the Administration's request, would prevent the Institution from addressing current pressing needs. The Administration is concerned with the lack of support for the Smithsonian's

National Museum of the American Indian. The Administration encourages the Committee to provide the \$16 million request for the construction of the Museum on the Mall, as well as the full \$11 million requested for the programs and operations of the Cultural Resources Center. In addition, the Administration urges that the \$3 million request for digitization of Smithsonian exhibits be restored.

John F. Kennedy Center for the Performing Arts

The Administration urges the House to provide the full \$33 million requested for the Kennedy Center. In particular, we ask that the Committee provide the full construction request of \$20 million, which is also included in the Administration's pending authorization bill.

Holocaust Museum

The Administration urges the House to provide the full \$32.6 million requested for the Holocaust Museum.

Infringement on Executive Authority

There are several provisions in the Committee bill that purport to require congressional approval before Executive Branch execution of aspects of the bill. The Administration will interpret such provisions to require notification only, since any other interpretation would contradict the Supreme Court ruling in *INS vs. Chadha*.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maria E. Soto (CN=Maria E. Soto/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1998 08:49:48.00

SUBJECT: FICA/workfare notice-CHANGED TO 11:30 am

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

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

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

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

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

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

CC: Shannon Mason (CN=Shannon Mason/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:

Today's FICA/Workfare notice meeting has been changed to 11:30 am in order to accommodate John Podesta's schedule. The meeting will still be in Mickey's Office.

Thank you.
Maria
6-7060

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1998 09:03:58.00

SUBJECT: Justice Testimony on HR4049 Reg. Fair Warning Act

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

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

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

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

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

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

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

TO: Bruce W. McConnell (CN=Bruce W. McConnell/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

TO: John F. Morrall III (CN=John F. Morrall III/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TO: Jefferson B. Hill (CN=Jefferson B. Hill/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

TEXT:

This is a reminder that comments on the Justice testimony opposing HR4049, Regulatory Fair Warning Act, are due at 10:00 this morning. (See LRM MJG298) Thank you.

The bill would require that an agency give a regulated community adequate notice of its interpretation of an ambiguous rule. Agencies and courts would be barred from imposing penalties based on rules or policies that are not clearly known to the regulated community. Specifically, it would prohibit a civil or criminal sanction from being imposed by an agency or court if: a rule or regulation is not available to the public or known to the regulated community; a rule or regulation does not give fair warning of what is prohibited or required; or officials have been misleading about what a rule prohibits/requires.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maria E. Soto (CN=Maria E. Soto/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1998 09:42:51.00

SUBJECT: Re: FICA/workfare notice-CHANGED TO 11:30 am

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

READ:UNKNOWN

TEXT:

Thanks for the heads up but Bill is out of town. Is there anyone else in
this office you recommend should be there? Thank.

Elena Kagan

07/21/98 09:17:31 AM

Record Type: Record

To: Maria E. Soto/WHO/EOP

cc:

Subject: Re: FICA/workfare notice-CHANGED TO 11:30 am

you know, it just occurred to me that bill marshall (from the counsel's
office) should be there too.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1998 10:05:31.00

SUBJECT: Poverty Measures Update

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

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

TEXT:

At the NEC, DPC, OMB meeting yesterday, OMB presented their preliminary estimates of potential impact of revised poverty measure on key programs, including Medicaid, food stamps, and some of the grant programs such as Title I, Head Start, CHIP. I'm sending over hard copies of their paper. There are lots of caveats on the estimates, but this is as far as OMB staff feel they can go without involving agencies. The estimates do show that changes in the poverty measure would have substantial impacts on eligibility for the entitlement programs, unless there are corresponding changes in poverty guidelines or eligibility rules. In the grant programs there could be a lot of distributional changes among states. These estimates have definitely helped focus the discussion on options related to whether to change the poverty measure and if so, how. The plan is to revise and expand the draft memo on whether or not to benchmark to include some broader options and to schedule another principals meeting for 1st week of August. There is growing interest in possibly decoupling an alternative poverty measure used for statistical purposes from the guidelines used to set program eligibility. NEC is aiming to get a draft memo out for review by end of the week. OMB has also confirmed that Census' current plan is to highlight 3 alternative poverty measure series, all benchmarked to the 97 official measure. They would then publish multiple series, some not benchmarked in the Appendix of their report.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1998 10:07:30.00

SUBJECT: nursing home paper

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

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

TO: Karen Tramontano (CN=Karen Tramontano/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: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=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: Melissa G. Green (CN=Melissa G. Green/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D51]MAIL472424807.226 to ASCII,
The following is a HEX DUMP:

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Q&As on Nursing Home Quality
July 20, 1998

Q: Aren't you just announcing this new initiative to preempt an upcoming report from the General Accounting Office that will sharply criticize your record on enforcing nursing home quality?

A: No. From the moment we received a report late last year about problems in California nursing homes, the President asked the incoming HCFA Administrator, Nancy-Ann DeParle, to review these problems and to make recommendations on how the Federal Government could best respond. Administrator DeParle has since made improving the quality of nursing homes one of her top priorities.

In the course of HCFA's review, it learned more about the nature of the problems in nursing home care and developed recommendations to address them. Today, we are announcing these new recommendations.

Q: If this is a priority for your Administration, how come these problems are still occurring five years after you have taken office?

A: Taking action to help ensure that nursing homes are delivering high quality care has always been a high priority for this Administration. When the Republicans threatened to eliminate Federal standards for nursing homes in 1995, the President stood strong against these proposals. In 1995, the President also implemented the strongest regulations on nursing home enforcement in history, including stepping up on-site inspections and helping nursing homes find and fix problems. The President is taking tough new actions again today to improve the quality of our nursing homes further and is committed to taking even stronger actions in the future if they are needed.

Q: Isn't a big part of the problem the fact that nursing homes are not adequately reimbursed? In fact, last year's Balanced Budget Act cut reimbursement rates and eliminated the Boren Amendment, which explicitly required adequate reimbursement.

A: While reimbursement no doubt plays some role in the quality of care, we believe that nursing homes are being adequately compensated. In fact, the new Medicare payment policies give nursing homes greater flexibility to provide the treatment that residents need. It creates financial incentives for nursing homes to provide high-quality care and become better managers, and holds them more accountable for the care they provide.

Under the old, cost-based system, there was no incentive for efficiency or careful management. The payment changes in the Balanced Budget Act are similar to those adopted for hospitals in the 1980s, which have resulted in quality care and better management. Having said this, we will be closely monitoring reimbursement levels to ensure they are adequate to deliver high quality services.

Q: Aren't you thwarting the traditional legislative process by consistently issuing

executive actions that bypass the Congress?

- A:** As you will note, today we are not only taking administrative actions, but also sending up a legislative proposal to provide HCFA with additional needed authority over nursing homes. The best way to make progress in this area, as in so many others, is to do so in partnership with Congress. But where we can take executive action to improve the health and well-being of Americans, this President offers no apologies and will continue to act where appropriate to achieve that end.

PRESIDENT CLINTON ANNOUNCES INITIATIVE TO IMPROVE THE QUALITY OF NURSING HOMES

July 21, 1998

Today, the President announced tough new legislative and administrative actions to improve the quality of nursing homes. These actions include: ensuring swift and strong penalties for nursing homes failing to comply with standards, strengthening oversight of state enforcement mechanisms, developing a national registry to track and identify individuals with a record of abusing residents, and implementing unprecedented efforts to improve nutrition and prevent bed sores.

Background on Nursing Homes. About 1.6 million older Americans and people with disabilities receive care in approximately 16,700 nursing homes. Since the Health Care Financing Administration (HCFA) put new regulations in place in 1995, the health and safety of nursing homes has improved. For example, the inappropriate use of physical restraints has been cut by more than half and the number of nursing home residents receiving hearing aids is up 30 percent. But HCFA's ongoing review, as well as the report that HHS is transmitting to Congress today, shows that tougher enforcement is needed to ensure high quality care in all nursing homes. In response, the President is announcing a tough new initiative to crack down on poor quality nursing homes and ensure high quality care.

The President Is Sending Legislation to Congress This Week That Calls for:

- **New Criminal Background Checks.** An important way to improve the quality of nursing homes is to prevent personnel who have a history of resident and abuse from entering the system in the first place. The legislation the President is proposing would require nursing homes to conduct criminal background checks on all potential personnel.
- **National Abuse Registry.** Once inadequate personnel have been identified, they should be kept out of the system for good. The new legislation would establish a national registry of nursing home employees convicted of abusing residents.
- **Improved Nutrition and Hydration.** Currently, too few nursing home staff are available to help feed residents. To improve nutrition in nursing homes, this legislation would allow more categories of nursing home employees to receive training in and then to perform crucial nutrition and hydration functions.
- **Reauthorization of the Nursing Home Ombudsman Program.** The President also called on Congress to reauthorize the nursing home ombudsman program run by the Administration on Aging, which provides consumers with critical information on poor-quality nursing homes, including records of abuse and neglect.

The President Also Announced New Administrative Actions To Improve the Quality of Nursing Homes. Today, the President announced a series of new penalties, new inspections, and tougher oversight that HCFA will implement immediately, including:

- **Immediate Civil Monetary Penalties on Nursing Homes That Violate Federal Standards.** To crack down on inadequate providers, HCFA will direct enforcement authorities to impose civil monetary penalties immediately upon finding that a nursing home has committed a serious or chronic violation. Under current practice, enforcement officials often give nursing homes numerous opportunities to come into compliance, rather than imposing immediate sanctions.
- **Tougher Nursing Home Inspections.** Starting today, HCFA will take several steps to strengthen states' inspection of nursing homes, such as:
 - Staggering survey times: The report that HCFA is transmitting to Congress finds that nursing home inspections are too predictable, allowing inadequate nursing homes to prepare for inspections. Enforcement officials will now stagger survey times and conduct some surveys on weekends and evenings.
 - Targeting chains with bad records: Federal and State officials will target nursing home chains that have a poor record of compliance with quality standards, to ensure these nursing homes receive frequent inspections.
 - Prosecuting egregious violations: HCFA also will work with the HHS Office of Inspector General and Department of Justice to refer egregious violations of quality of care standards for criminal or civil investigation and prosecution when appropriate.
- **Stronger Federal Oversight of State Nursing Home Enforcement Mechanisms.** HCFA will increase its oversight of state surveyors and take new tough actions against states that are failing to enforce standards adequately. It will:
 - Terminate Federal nursing home inspection funding to states with continual poor records. The report being released by HCFA finds that some states have cited few or no nursing homes for substandard care. In states where oversight is clearly inadequate, HCFA will terminate state contracts and contract with other entities to conduct Federally-required inspections.
 - Increase oversight of state inspections. HCFA will increase its review of the surveys conducted by the states to ensure thorough oversight, as well as provide additional training and assistance to state enforcement officials.
 - Ensure that nursing homes are in compliance with standards before lifting sanctions. HCFA will increase oversight of state enforcement officials to ensure that they will not lift sanctions until after an on-site visit has verified compliance.
- **Preventing Bed Sores, Dehydration, and Malnutrition.** HCFA will implement new oversight

to ensure that nursing homes take actions to prevent bed sores, dehydration, and malnutrition. State surveyors will be required to monitor these activities and to sanction nursing homes with patterns of violations. HCFA also will work with the Administration on Aging, the American Dieticians Association, clinicians, consumers, and nursing homes to develop best practice guidelines to prevent malnutrition, dehydration, and bedsores.

- **Publishing Survey Results on the Internet.** To increase accountability and flag repeat offenders for families and the public, HCFA will, for the first time, post individual nursing home survey results on the Internet.
- **Implementing New Efforts to Measure and Monitor Nursing Home Quality.** In June 1998, HCFA began collecting information on resident care through a national automated data system, known as the Minimum Data Set. This information will be analyzed to identify potential areas of inadequate care in nursing homes and to assess performance in critical areas, such as nutrition, avoidable bed sores, loss of mobility, and use of restraints. This assessment will help HCFA and state surveyors to conduct thorough evaluations of nursing homes and detect problems early.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1998 11:00:20.00

SUBJECT: Choice letter

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

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

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

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

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

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

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

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

TEXT:

Based on Martha's email, and assuming no one has info to the contrary, and based on the general sense of yesterday's meeting--have we concluded that this letter should not be sent? Please advise.

----- Forwarded by Maria Echaveste/WHO/EOP on 07/21/98
10:55 AM -----

Martha Foley
07/20/98 05:46:12 PM
Record Type: Record

To: Maria Echaveste/WHO/EOP
cc:
Subject:

I made the call to the Hill that I promised to make, re the pending draft letter. I explained the context re vote this week, etc, etc. The response was that the environment on this issue is quite fragile right now, what do we expect to accomplish?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1998 11:45:11.00

SUBJECT: Draft One-pager

TO: Christa Robinson (CN=Christa Robinson/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

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

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Promoting Values and Fighting Crime

July 22, 1998

Recognizing the important role that civic, community, and faith-based organizations can play in reducing crime, President Clinton will unveil a new Values-Based Violence Prevention Initiative. Specifically, Justice Department will make \$2.2 million in grants available to 16 community-based collaboratives -- including religiously-affiliated organizations -- that target youth violence, gangs, truancy, and other juvenile problems by promoting common-sense values and responsibility.

Value-Based Violence Prevention

Building on the Boston model. The Values-Based Initiative stems from the successful approach taken in Boston, where local law enforcement joined forces with preachers and other faith organizations to protect youth from violence and give them alternatives to crime. The whole community worked together -- from the district attorney, to the federal prosecutor, probation officers, police, social service workers and neighborhood ministers -- to combat gangs and prevent juvenile crime. The result: juvenile crime plummeted and youth homicides with firearms came to a halt.

Linking stronger values to less violence. Values are a strong predictor of violent crime. The initial findings of a long-term study on violence in Chicago neighborhoods found that communities with strong sense of shared values that were reinforced by adults had 40% less crime than those that did not. In fact, a community's willingness to work together to reinforce certain behaviors and maintain order was a better predictor of crime rates than other factors, such as poverty or race.

A comprehensive response to youth violence. The initiative builds on existing Administration efforts to reduce juvenile crime. Cities taking part in this Values-Based Initiative are already participating in the President's Youth Crime Gun Interdiction Initiative, Anti-Gang COPS initiative, and Justice's Weed and Seed program. Today's initiative will help more cities replicate the Boston model by enhancing these efforts with the involvement of community-based groups -- including religiously-affiliated organizations -- to reach out to at-risk youth, instill values, and improve public safety.

Expanding partnerships in 16 cities. The initiative will provide grants of \$135,000 for gang intervention, truancy prevention, mentoring, drug and alcohol abuse, conflict resolution, job training, and other activities. The 16 cities selected for the demonstration are: Salinas, CA; Los Angeles, CA; Washington, DC; Miami, FL; Chicago, IL; Indianapolis, IN; Baltimore, MD; Detroit, MI; Kansas City, MO; Hempstead, NY; Portland, OR; Philadelphia, PA; Charleston, SC; San Antonio, TX; Richmond, VA; and Seattle, WA.

Fighting for a Tough, Smart Juvenile Crime Bill

The President continues to call on Congress to enact his Anti-Gang and Youth Violence Strategy -- to allow more communities to achieve Boston's success in attacking juvenile crime. The President's strategy includes money for prosecutors, courts, and probation officers to promote and enforce tough standards for juveniles, as well as funds for community-based anti-gang prevention similar to today's initiative.