

NLWJC – KAGAN

EMAILS RECEIVED

ARMS – BOX 084 – FOLDER 001

[10/06/1998 – 10/11/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Lynn Cutler to Elena Kagan and Sally Katzen. Personal. (1 page)	10/09/1998	Personal Misfile

4

COLLECTION:

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

FOLDER TITLE:

[10/06/1998-10/11/1998]

2009-1006-F

vz138

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 09:16:43.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Rahm is looking for you 62531

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Colin Mathews (CN=Colin Mathews/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 6-OCT-1998 09:16:43.00

SUBJECT: Targeted Cities

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

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

TO: Charles.a.simon (Charles.a.simon @ usdoj.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Ricki.l.seidman (Ricki.l.seidman @ usdoj.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Ann_O'Leary (Ann_O'Leary @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Kevin_sullivan (Kevin_sullivan @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: lisa.wetzl (lisa.wetzl @ mail.va.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Kelley L. O'Dell (CN=Kelley L. O'Dell/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Ilia V. Velez (CN=Ilia V. Velez/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Cynthia M. Jasso-Rotunno (CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: gregory.king (gregory.king @ usdoj.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Shay.Bilchik (Shay.Bilchik @ usdoj.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Julie_green (Julie_green @ ed.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Sara_Strizzi (Sara_Strizzi @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Bill_Modzeleski (Bill_Modzeleski @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: Ansley Jones (CN=Ansley Jones/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

Below is a list of targeted cities developed at the satellite meeting on Friday, Oct. 2. Please review the list and return it by fax (with edits) to Michael King or Michael Grantham at 456-5558 or delivery to OEOB room 149. The best number to reach Michael King or Michael Grantham for the next two days is 456-5463.

The list below will be redistributed with your edits and suggestions at the next satellite meeting on Wednesday. Notification of the location and time of that meeting will follow. The actual contact for the day to day operations will most likely be different from the name that we portray to the public as the host of the individual satellite downlink site. It is important that you list the individual that you feel would best represent the conference to the public, such as a particular Mayor, state AG or other official. At Wednesday's meeting we can review the updated list of targeted cities and decide which of the 42 cities and states should be focused on, and who should lead those events.

Targeted Satellite Cities Contact	Public
New York City	Rudy
Cruz	
Chicago	
Los Angeles	
Miami	
Seattle	
Philadelphia	
Little Rock	
Denver	
Boston	

Portland, OR
Dallas
Atlanta
Kansas City, MO
Kansas City, KS
Paduca, KY
Springfield/Eugene, OR
Pearl, MS
Jonesborough
Richmond,
Edinburgh
St. Louis, MO
Minneapolis
Detroit
Long Beach
Cincinnati, OH
Cleveland, OH
New Orleans
San Francisco
San Jose
Baltimore
Sacramento
Portland, ME
Birmingham, AL
Omaha, NE
Milwaukee
Madison

Police Chief,

U.S. Attorney

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 10:20:59.00

SUBJECT: Harris story

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

today's POST has a John Harris story. It tests the theory that he is unable to govern because of the so-called scandal. Can I get a laundry list of issues he is focused on during this time? We need to change the ill-percieved notion that the Pres is too caught up in this muck to focus on the work he was elected to do -- which you know is not true...can you do a q&A on recent accomplishments, why this premise if false, etc...thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 10:40:21.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Reminder: Race Book Outline comments due by 6:00 tonight.

----- Forwarded by Laura Emmett/WHO/EOP on 10/06/98 10:39 AM -----

Clara J. Shin

10/06/98 10:34:09 AM

Record Type: Record

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

cc:

Subject:

Hi. I wanted to let you know that Maria is going to submit comments re: the race book outline first thing tomorrow morning. So, please let me know by 6:00 pm tonight whether Elena, Rahm, Michael, Bruce, and Ann have comments.

Cathy, let me know for sure whether Bruce's comments will mirror Elena's.

Thanks,

Clara Shin

Message Sent

To:

Laura Emmett/WHO/EOP

Michelle Crisci/WHO/EOP

Jonathan E. Smith/WHO/EOP

Joshua S. Gottheimer/WHO/EOP

Cathy R. Mays/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 11:47:29.00

SUBJECT: Q&A

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D38]MAIL41211008I.226 to ASCII,
The following is a HEX DUMP:

FF575043BA040000010A02010000000205000000760E000000020000C3EA18188590A31C4C4360

QUESTION: *Isn't there strong evidence that this scandal has eliminated the President's ability to lead this country and to get things done in Washington?*

ANSWER: No. First, the President is playing a central role in shaping the many appropriations bills that are pending in Congress. These bills contain several of the President's key priorities for this year and we are working to ensure Congress funds the President's requests in such areas as education, training, health, crime and drugs, children and families, the environment, and community empowerment. In addition, the President has signed into law several important pieces of legislation in the past three months. For example, tomorrow the President will sign the Higher Education Act Reauthorization which includes his initiative to slash the student loan interest rate. Earlier this year, he signed legislation modeled on his GI Bill for America's Workers which gives Americans new opportunities and choices to train for the jobs of the future. Other bills the President has fought for and Congress enacted include: The Credit Union Membership Access Act; the IRS Restructuring and Reform Act; and the Homeowners Protection Act.

And in those areas where Congress has not heeded the President's call for action, the President has led by taking unilateral steps to insure a better way of life for all Americans. For example, the Administration is in the process of bringing Federal health plans into compliance with the Patient's Bill of Rights.

Finally, he has also continued the job of putting 100,000 police on our streets. The Administration has now funded over 89,000 new officers and crime rates are down to their lowest level in a generation. And he has continued policies to reducing the number of guns on our streets when he banned the importation of more than fifty types of modified assault weapons.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 16:17:17.00

SUBJECT: Final One-pager on Riders

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Bruce R. Lindsey (CN=Bruce R. Lindsey/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: Karin Kullman (CN=Karin Kullman/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TEXT:

----- Forwarded by Melissa G. Green/OPD/EOP on 10/06/98
04:15 PM -----

Charles R. Marr
10/06/98 02:59:36 PM
Record Type: Record

To: Melissa G. Green/OPD/EOP
CC:
Subject: Final One-pager on Riders

Melissa -- could you blast email this -- it is to be distributed to Hill and groups. Thanks.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D60]MAIL49580408G.226 to ASCII,
The following is a HEX DUMP:

FF57504387150000010A02010000000205000000283B000000020000F16A8A3AB5CCDABE85617B

Achieving a Budget Solution

The First Step: Drop Controversial Riders

October 6, 1998

The President has proposed a budget that focuses on the basic fundamentals needed to keep the country moving forward:

- | | |
|--|---|
| <ul style="list-style-type: none">_ Saving Social Security First._ Investing in education and in a cleaner environment._ Leading the response to the global financial turmoil. | <ul style="list-style-type: none">Automated Records Management SystemHex-Dump Conversion |
|--|---|

The Congressional Majority has taken its eye off of these basic fundamentals. That is why they failed to even pass a budget resolution, despite an April 15th legal deadline. And why they sent only one appropriations bill to the President's desk before the fiscal year began. Instead of focusing on basic budget decisions and making the needed investments:

- **The Congress has loaded down the appropriations bills with scores of controversial and objectionable riders. Many of these controversial items have not been debated, hearings have not been held, and they do not belong on appropriations bills. These riders are an unnecessary distraction that pose a major obstacle to achieving a budget solution.**

The time has come to return the focus to the basic task at hand: achieving a budget solution. Dropping these controversial riders is the critical first step needed to achieve success. It is time to put progress over partisanship and to put common sense over ideology.

Examples of riders that should be dropped:

- **Assaults on the Environment -- Scores of anti-environmental riders would sacrifice public lands to private interests by mandating overcutting on national forests, carving roads through wilderness, and denying taxpayers a fair return on oil leasing on federal lands. Other riders aim to cripple wildlife protections and thwart common-sense efforts to reverse global warming.**
- **Undermining of the Brady Law -- Extraneous language would undermine the Brady law by delaying implementation of the FBI's system of computerized background checks for all gun purchasers. Brady background checks have stopped nearly a quarter of a million illegal handgun sales and its implementation should not be undermined.**
- **Denial of an Accurate Census. The statistical methods incorporated in the Census Bureau's plan, which are based on recommendations from the National Academy of Sciences, would produce the most accurate census possible and virtually eliminate the large undercounts of minorities, children, and other groups that occurred in the 1990 census. The onerous House language restrictions on the Census should be dropped.**
- **Private School Vouchers -- House language provides for the use of private school vouchers in the District of Columbia. Instead of investing additional resources in public schools, vouchers would allow a few selected students to attend private schools and would draw resources and attention**

away from the hard work of reforming public schools that serve the overwhelming majority of D.C. students. This would establish a dangerous precedent for using Federal taxpayer funds for schools that are not accountable to the public.

- **Prohibition on National Voluntary Education Testing** -- The House has included language that would prohibit the development, implementation, and administration of the tests. This would retreat from the work of raising expectations for students and schools and bring a halt to the President's efforts to help States and parents raise academic standards through a voluntary national test in the basic skills. **The House has included language that would prohibit the development, implementation, and administration of the tests unless explicitly authorized. This would bring a halt to the President's efforts to help States and parents raise academic standards through a voluntary national test.**
- *Other Education Riders Pose Serious Concerns:* The bills contain other riders that change, in unnecessary and inappropriate ways, programs that serve youth with disabilities (IDEA); programs that serve limited English proficient children; how schools protect students from inappropriate internet materials; and how grantees are held accountable for the use of certain Federal funds that address national needs.
- **Undermining of Worker Safety Efforts** -- House language would unnecessarily delay efforts to protect worker safety and should be dropped.
- **Family Planning Interference** -- Several controversial family planning riders have been added to appropriations bills. These restrictions would lead to more unintended pregnancies, abortions, and sexually transmitted diseases and should be dropped.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 16:20:35.00

SUBJECT: memo for Erskine

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

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

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:

Chris suggested adding the last paragraph, unless we want to reveal less
to Waxman, in which case the paragraph should be dropped (or revised).=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D70]MAIL42721408X.226 to ASCII,
The following is a HEX DUMP:

FF575043820E0000010A02010000000205000000DD1D000000020000E0A4EDF5CFB596B4ACDD70
DD10278A63736577734A8430EFAA906C9413D6C28EB30B279C13EF572966CC684C97598DB575EC

October 6, 1998

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed
Elena Kagan

SUBJECT: Meeting with Representative Waxman

Representative Waxman has requested this meeting to discuss Federal recoupment of Medicaid revenues. As you recently told Governor Chiles, we would relinquish our claim to state tobacco recoveries in exchange for the states agreeing to use half their money on the menu of seven items that we negotiated with the NGA as part of the McCain legislation (child care, child welfare, the maternal and child health block grant, the substance abuse block grant, the safe and drug free schools program, Eisenhower education grants, and the state match for the children's health insurance program). We oppose the NGA's current proposal to eliminate our claims outright, allowing the states to use their funds in an unrestricted manner. While it seems unlikely that this issue will be resolved this year -- and we are not actively seeking a resolution at this time -- we do want to ensure that Senator Hutchison does not succeed in adding an appropriations rider codifying the NGA proposal.

Waxman objects to any attempt to resolve the issue this year, because he believes that any such resolution would deter passage of comprehensive tobacco reform next term. If something has to be done this year, however, Waxman is likely to prefer the position of the public health groups, who are calling for 20 percent of the federal portion of the settlement funds to be spent on tobacco control. Thus, they want 50 percent of the funds for unrestricted purposes, and 40 percent for the state menu, and 10 percent for tobacco control. Waxman's staff told us that they believe it is important to reserve funds from the state settlements for federal tobacco control initiatives, in case the state settlement gives Congress less of an incentive to pass comprehensive reform next year. It is worth noting that an equally, if not more compelling, argument can be made that funds used for this purpose may provide a greater disincentive for the passage of comprehensive reform, because Republicans will claim that we already have passed a bill.

Your goals for this meeting should be to convey:

- (1) we are not actively pursuing a resolution to this issue;
- (2) we will not support any resolution unless it includes, at a minimum, a range of Democratic priorities that are agreeable to all of us;
- (3) while we understand Waxman's argument in support of reserving federal funds for tobacco control, we question whether it could actually diminish the momentum necessary to pass comprehensive reforms; and
- (4) to the extent that there is any federal recoupment, Congress may not spend the money on Democratic priorities, so we believe it is best to require states to spend all of funds in the manner that we negotiated with the NGA.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 17:11:30.00

SUBJECT: news updates for tomorrow am

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

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

TO: 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

TEXT:

1. The Senate passed the agricultural appropriations bill today without a veto proof majority, 55-43. We have threatened to veto the \$60 billion bill because its \$4.2 billion in emergency aid is \$3.1 billion less than the president wants. The bill includes about \$51 million for the President's Food Safety Initiative, \$31 million for USDA, \$20 million for FDA. when added to the \$5 million we had previously gotten for CDC it totals \$56 million out of a proposed \$101 million package.

2. Rep. Etheridge's (D-NC) staff is pushing the idea of lifting the ban on US government involvement in promoting exports of tobacco leaf. It is possible Etheridge will call Erskine. He will likely would ask Erskine for the Administration to at least stay neutral. They are faxing the language they are asking Glickman to agree to, Dallas said Glickman wouldn't do it without WH sign off.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 18:27:49.00

SUBJECT: FYI: INS Restructuring -- Abraham's Staff Contacts Lott's COS

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

It appears as if our optimism about INS reform being a dead issue was misplaced. According to OMB and DOJ, Rogers continues to push to get INS reform attached to CJS (or to a CR). Steve M. has asked Justice for their suggested amendments to Rogers's bill that would make it more acceptable to us (in case we need a compromise).

julie

----- Forwarded by Julie A. Fernandes/OPD/EOP on 10/06/98
06:45 PM -----

Steven M. Mertens

10/06/98 04:16:07 PM

Record Type: Record

To: Michael Deich/OMB/EOP, Kenneth L. Schwartz/OMB/EOP, David J. Haun/OMB/EOP, Julie A. Fernandes/OPD/EOP

cc: Theodore Wartell/OMB/EOP, Patricia E. Romani/OMB/EOP

Subject: FYI: INS Restructuring -- Abraham's Staff Contacts Lott's COS

FYI: INS restructuring has been bucked up to a leadership issue. INS talked with Abraham's staff this morning following my call on Rogers continuing attempts to get INS restructuring into CJS. Abraham's staff talked with Lott's COS on this issue and is attempting to get Hatch to call Lott personally.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 18:34:21.00

SUBJECT: Appropriations Miscellany -- Daily Bullets

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

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

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

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

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

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

TEXT:
Bruce/EK:

Per your request, here is some more info on the CJS approps:

Local Law Enforcement Block Grant -- I think the LLEBG is on OMB's list because we're generally opposed to it, period, and the draft conference report includes a permanent authorization. I don't think this is worth fighting; we've had to eat it every year anyway. Moreover, the mayors and chiefs support the LLEBG, and it actually includes some earmarks that we like (i.e., \$40 million for Boys and Girls clubs -- double last year's funding).

Brady -- This is a big problem. First, the draft language prohibits the FBI from charging a user fee for NICS and instead allocates \$42 million for its operation -- \$20 million from DOJ's working capital fund, which should be fine; and \$22 million from general appropriations, which may be fine but is costing somebody in the CJS bill. Second, the draft language requires the FBI to immediately destroy records of persons that have been cleared through NICS -- and gives persons aggrieved under this provision the right to sue. This will result in a delay of at least 6 months while the FBI reprograms the NICS -- and should be unacceptable to us.

OMB is proposing a compromise that drops the prohibition on charging a fee, deletes the \$42 million appropriation and allows the FBI to keep records for 6 months (actually, through 6/99). I agree with them that we should fight hard on this issue, and that this is a good counter offer. Ultimately, depending on our leverage, we may need to give even more. If so, here are my ideas on a bottom line:

1. On the Fee...Accept the \$42 million appropriations, but allow OMB to try and negotiate from where the \$22 million in general appropriations comes. Alternatively, we could agree to the \$20 million earmark in the working capital fund, but charge a reduced fee to make up for the rest.

2. On Records...Allow the FBI to initially keep records for up to 6 months so that NICS can be operational and on-line December 1st of this year. After this period, the FBI would be required to destroy records within 24 hours, as currently proposed by the CJS draft. NB: While the FBI believes complying with this will not be a problem, the sooner we destroy records...the less ability we have to check for straw purchasers through NICS. Thus, the longer we are able to keep records -- even days, weeks -- the more useful NICS will be as an overall law enforcement tool. This, of course, is exactly what the gunners don't want.

Some other quick observations from what I've seen...

Controlled Substances Act, State Ethics for U.S. Attorneys -- Both of these issues carried over into the proposed CJS draft and remain serious problems. DOJ has drafted language for OMB to try and water down them down.

COPS -- Fully funded, of course, and with \$180 million in earmarks -- including \$5 million for community prosecutors and \$17.5 million for COPS/Schools partnerships.

Indian Country Crime -- Funded at \$189 million -- including \$34 million for COPS, \$5 million for courts, \$10 million for at-risk youth, and some money for prisons. Pretty good, I think.

Drug Testing Initiative -- Although Drug Courts were fully funded (\$40 million), our \$85 million drug testing initiative did not make it. Since it was not included in either the House or Senate bill, I guess it is safe to assume it's dead.

Prevention -- The \$95 million at-risk youth initiative that is near and dear to the AG was included in the CJS draft bill, with \$10 million earmarked for a Safe Schools Initiative.

Juvenile Accountability Block Grant -- Same as last year. Allows 40% of the \$250 million to be used on prosecutors and specialized courts. One change: up to \$20 million of these funds could be used by states for drug testing initiatives and/or defraying the costs of processing appeals by inmates on death row.

Hope this helps...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-OCT-1998 18:40:02.00

SUBJECT: one more education item

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

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

TEXT:

Ed-Flex: The governors continue their singular focus on Ed-Flex; last week there was a bipartisan gov. letter to House and Senate leadership, urging them to include the Ed-Flex bill we support in the omnibus appropriations bill. We support this effort, but think it is most likely to happen if the R's push for block grants, and we counter with Ed-Flex. Now, Gov's Carper, Chiles and Romer have told Fred Duval they want to talk to someone here who is driving our Ed-Flex effort (but not me--they want someone who will be personally involved in the end-game negotiations on appropriations). Fred is looking for someone willing to take the call--Erskine, Jack Lew or Sylvia Mathews are on his list. I'll work on talking points for whoever gets the call.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 09:40:31.00

SUBJECT: D.C. Tobacco Amendments

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

OMB staff called me last night to check our position on two D.C. related tobacco amendments. Eleanor Holmes Norton had asked the Administration to support the first and oppose the second, which comports with positions we've taken.

1) The amendment to allow D.C. to hire a law firm on a contingency basis (which we already had told OMB we support)

2) The amendment to impose community service and fines on underage teens who smoke (which I reminded them we had already opposed in a SAP on the grounds of D.C. micromanagement, saying that while we support the objectives we should not legislate for D.C. and not all states.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 11:03:00.00

SUBJECT: Has there been a decision on HMO/medicare statement?

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

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

TO: Karin Kullman (CN=Karin Kullman/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:

If we want to do this tomorrow, Chris Jennings wants to begin Congressional calls immediately. Please let us know. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 11:20:17.00

SUBJECT: School Safety Conference Communications Strategy Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TEXT:

Thursday, October 8th at 12 noon. Ann Lewis' office. This is an internal WH meeting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Fred DuVal (CN=Fred DuVal/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-OCT-1998 11:32:46.00

SUBJECT: Ed-Flex

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

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

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

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

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

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

TEXT:

As you know, the states "going home" issues are:

1. The Enzi amendment on Indian Gaming (we are on opposite side)
2. Tobacco recoupment (I have little sense that they will make progress on this)
3. Internet Tax (We will sign any bill - weather or not it enjoys states support)
4. Cost Allocation on Medicaid (still outstanding - but the Hall of the States crowd says that the Hill Republicans are going for it and blaming it on us since it was in our budget).
5. Ed-Flex.

In short, I really need us to step up our commitment on Ed Flex - or else I probably have little positive to show my guys. Can we push this up our priorities in the closing negotiations? It is hard for me - after POTUS lead with it in the Governors Roundtable meeting at NGA last Feb. - to explain our perceived passivity (fair claim or not) on this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 11:52:42.00

SUBJECT: Medicare Statement Scheduled for tomorrow

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

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

TEXT:

Briefing: 11:15am

Statement: 11:45am

Speaking Participants: Nancy Ann, Shalala, POTUS

There will be a meeting in Ann Lewis' office at 1pm today to discuss the photo and whether we should invite Members, Seniors, or anyone at all to the statement. Feel free to come, or I will send an email afterwards.
Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 12:04:55.00

SUBJECT: Update: Child Care Legislation

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

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

TO: Martha Foley (CN=Martha Foley/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:

For those of you who may be working on Treasury-Postal and/or omnibus appropriations, I wanted to provide the following update about the "Improving Federal Child Care Act," in the hopes that, in the last days of negotiations, we may get this important bill passed.

The bill, sponsored by Jeffords in the Senate and Morella/Gilman in the House, improves federally-sponsored child care through a number of measures, including allowing agencies to provide child care subsidies to low-income federal workers and giving the General Services Administration greater oversight of federal child care facilities, specifically directing GSA to develop health and standards and holding federal facilities accountable to these standards or to state standards, which ever is more rigorous.

In the Senate, the full bill was attached by voice vote to Treasury-Postal. We understand, however, that in conference this bill may be stripped of its authorizing amendments, including this piece. In the House, the full bill was voted unanimously out of committee and headed for suspension calendar consideration, but was side-tracked by last minute objections by Reps. Hoekstra and Thomas, and Ron Haskins of the House Ways and Means Committee, who argued that the bill would be a slippery slope to national standards. Because of these objections, the House on Monday passed on suspension only the subsidy piece, which is Morella's bill, and did not consider the quality piece, which was Gilman's bill. GSA, HHS, and CDF have been working hard to convince these members of the importance of improving the quality of federal child care and holding the centers to some reasonable standards of health and safety.

As final negotiations proceed, there is likely to be a renewed attempt by Jeffords and others to attach this bill to an omnibus appropriations package, and, if possible, we should weigh in to support that effort. We should, however, support passage of the entire bill, not just the subsidy piece.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Fred DuVal (CN=Fred DuVal/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-OCT-1998 12:22:34.00

SUBJECT:

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

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

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

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

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

TEXT:

Could we get to closure on FICA this week? - it would be a timely deliverable....

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 13:14:20.00

SUBJECT: Haitians

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I just heard from DOJ that the Treasury/Postal report was reported out of conference without the Haitian language.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 13:47:25.00

SUBJECT: draft paper for tomorrow's announcement

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D93]MAIL44756318Q.226 to ASCII,
The following is a HEX DUMP:

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E2263DB2750E6C9B0F0B8BCDA64A248CB3E981E38FC428EEFEB10CE509E1816DF1E844C8DD9F3A

**PRESIDENT CLINTON ANNOUNCES NEW INITIATIVE TO HELP MEDICARE
BENEFICIARIES DROPPED BY THEIR HMOS AND TAKES STEPS TO PREVENT IT
FROM HAPPENING AGAIN**

October 8, 1998

Today, the President unveiled a three-part initiative to respond to decisions by some Health Maintenance Organizations (HMOs) to drop out of the program. The Department of Health and Human Services' preliminary analysis indicates that because of these withdrawals a relatively small number of Medicare beneficiaries currently in HMOs (one percent of the .5 million beneficiaries in managed care plans -- 50,000 enrollees) will have no managed care alternative in their area. However, the President stated his concern for any beneficiary who has lost their HMO option because of the decisions by some of these plans. Addressing the action taken by selected HMOs, the President:

- **Criticized health plans for abandoning their commitment to Medicare beneficiaries but reiterated that the Administration would not grant the industry's request to raise premiums and reduce benefits for all Medicare beneficiaries in HMOs.** The President underscored that Medicare should not -- and will not -- be held hostage to threats by HMOs to leave the program unless they can increase cost-sharing and reduce benefits to Medicare beneficiaries.
- **Initiated a new Medicare campaign to help beneficiaries understand their rights and options.** To reassure Medicare beneficiaries affected by HMO withdrawals, that they are automatically eligible for traditional fee-for-service Medicare and that the law guarantees them access to a number of Medigap policies which help fill Medicare's coverage gaps, HHS will:
 - Enlist a wide range of public and private partners that represent tens of millions of older Americans to provide their members with the information they need through newsletters, conferences, training partners, and conducting targeted information campaigns. These partners include AFL-CIO, American Association of Health Plans, American Association of Retired Persons, the Leadership Council of Aging Organizations, National Council of Senior Citizens, and National Rural Health Association, as well as the Social Security Administration, HCFA Regional Offices, and State Health Insurance Assistance Programs;
 - Post new information about plan withdrawals on the Medicare Internet cite that provides commonly asked questions and answers for Medicare beneficiaries, their families, and insurance counselors;
 - Update Medicare.gov to ensure accurate information is available for each local area on any changes in plan options, resulting from these HMO withdrawals;
 - Distribute a model letter to all health plans that have chosen to drop out of the program to help notify beneficiaries of their options.
- **Announced a new policy to encourage health plans to enter markets that have been abandoned and to expedite their approval.** HCFA will expedite its review and approval of HMOs seeking to enter markets that have been left without a managed care option. Any such applications will receive first priority for review and HCFA will seek to expedite their entrance into the market as long as they meet necessary solvency, quality, and other standards that protect beneficiaries. The President emphasized that plans that withdraw from these would not be eligible for this option this year.

- **Directed Secretary Shalala to develop new legislative options to help assure beneficiaries are protected from these types of withdrawals in the future.** The President emphasized his determination that the Administration and the Congress should work together to take all possible actions to help assure an adequate range of health plan options for beneficiaries and reduce the likelihood that beneficiaries will face this kind of turmoil in the future. To that end, he asked the Secretary to recommend specific legislative proposals to be included in the President's next budget that are designed to enhance plan participation and beneficiary protections.
- **Highlighted the need for Congress to reauthorize the Older Americans Act.** One of the most important ways that older Americans get critical information they need during times of turmoil like this one is through essential programs provided by the Older Americans Act. Today, the President sent a letter to Senator Lott and Speaker Gingrich urging them to reauthorize the Older Americans Act before Congress adjourns. **He emphasized that failure to do so would call into question our nation's commitment to the OAA and the vital services it provides to millions of older Americans.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June Shih (CN=June Shih/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 7-OCT-1998 14:45:26.00

SUBJECT: HMO-MEDICARE statement. Comments ASAP

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

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

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

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

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

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

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

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

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

TEXT:

Draft 10/7/98 1 pm

Shih

PRESIDENT WILLIAM J. CLINTON

HMO ANNOUNCEMENT

THE WHITE HOUSE

OCTOBER 8, 1998

For a generation, Medicare has been more than just a program; it is the way we as a nation have honored our parents and grandparents -- and protected our families. Strengthening Medicare for the 21st Century has been one of my administration's top priorities. Last year, we took historic action to improve benefits and extend the life of the Medicare Trust Fund to at least the year 2010. We also expanded coverage choices by giving seniors the option of enrolling in managed care programs.

Today, 6.5 million Medicare beneficiaries rely on HMOs for medical care and treatment. But in recent weeks, some two dozen of these HMOs have gone back on their word, announcing plans to drop Medicare patients by the end of the year unless they are allowed to raise premiums and reduce benefits. These decisions have brought uncertainty, fear and disruption into the lives of more than 325,000 senior citizens all across America. As they scramble to find new coverage, many will be forced to leave behind the doctors and nurses they gotten to know in their HMOs. Still others will have to stretch already-tight budgets to pay for needed prescriptions

covered by their old HMOs.

These HMOs say they are just looking after their bottom line. Well, I believe the health of our parents must be America's bottom line. I am determined to do everything in my power to make sure that no senior dropped by an HMO is stranded without the medical care and coverage he or she needs. Today, we are taking three steps:

First, we will do everything we can to ensure new HMOs quickly and efficiently enter those markets abandoned by managed care. While the overwhelming majority of seniors affected will be able to join other Medicare HMOs in their areas, more than 30,000 Americans will be left without a single Medicare managed care alternative. Beginning immediately, the Health Care Financing Administration, under the leadership of Nancy-Ann Min, will give first priority in its review and approval process to all HMOs applying to serve seniors in deserted markets.

Second, I am asking Secretary Shalala to develop new laws to make sure no one will ever have to suffer another disruption in coverage like the one we are seeing this fall. I am asking the Secretary to consider all possible legislative solutions that can be included in the next budget I send to Congress.

Finally, I am launching a comprehensive public information campaign to make sure all affected seniors understand the new options that are already available to them. We will bring together a broad public and private coalition -- from AARP to the AFL-CIO to the Social Security Administration to local offices on aging -- to help seniors understand that they are still eligible for the traditional fee-for-service program as well as our Medigap policies.

Protecting all Americans in an age of managed care is one of the most important things we can do to strengthen our nation the 21st Century. That is why I call on this Congress to pass the important health care legislation that is already on the table. We are literally out of time. In these last days before it adjourns, Congress must progress before partisanship, and act decisively to protect the American people by passing the Patients' Bill of Rights.

More than thirty years ago, Congress was able to put progress before partisanship, and passed the Medicare program. The result: Millions of older Americans have been able to live healthier and happier lives. It is one of the signal achievements of this century. Let us stay on leave behind partisanship and stay on the path of progress to keep America moving forward into the 21st Century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 15:36:59.00

SUBJECT: H2A

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

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

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

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

TEXT:

John Fraser is doing revisions to the demonstration program paper that you have (as a possible back-up offering). Barbara Chow has asked that he do two versions: one that lays out the areas where pilots are authorized (similar to the version you have) and one that just references pilots generally. John is currently in a meeting, but he will fax the revised versions to you as soon as he can.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 16:21:57.00

SUBJECT: Haitians

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

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

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

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

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

TEXT:

Contrary to my earlier report, OMB now tells me that the Hatian language is
in the Treasury/Postal conference report. I have now seen the language
and it is amnesty.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 16:35:34.00

SUBJECT: Haitians

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

There has been much confusion between DOJ and OMB. I have finally gotten solid confirmation on this: there is not Haitian language in the conference report. The Rules committee is meeting at 5pm to decide on the rule to bring the conference report to the House floor. It may come to floor as early as tonight.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 16:48:57.00

SUBJECT: Info you Requested re: Adding Tobacco Control to the McCain menu

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

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

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

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

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

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

TEXT:

This reflects our conversations with Chris and Jeanne. ===== ATTACHME
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D98]MAIL403585183.226 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000D1390000000200000A8E85FC4D34682B5FF5AF
0052ACFA8074AC4DAA1FFDF49AA1FA90AB7F48D5A6F1FE3404D61D1DA7C51328B672FA4F41AB89

October 7, 1998

NOTE TO BRUCE AND ELENA

FROM: Cynthia Rice and Cynthia Dailard
CC: Chris Jennings and Jeanne Lambrew
SUBJ: Adding Tobacco Control to McCain Menu

We have attached three versions of legislative language that could be used to add state tobacco control efforts to the McCain menu of items on which states must spend half of their settlement funds. (These edits would add an eighth option to the menu; to require a certain percentage of the restricted funds to be used for tobacco control efforts, section 452(b)(2) listed below would also have to be amended).

The options vary from least to most detailed. The first version is based on Hansen-Meehan, the second is a very slimmed down version of McCain, and the third is a somewhat slimmed-down version of the McCain language. The most detailed option is the Conrad proposal (not attached) which incorporates all the McCain language. HHS has not yet reviewed these options.

Chris has made a strong argument that we should not be the ones to propose dropping anything that was on the McCain menu, but that we should instead wait to see if others propose to do so.

Overall, an amendment would need to have the following pieces:

I. Waiver of Medicaid Recovery (To be drafted by Hill)

Should include:

- A. Requirements on State Spending as a Condition of Waiver
- B. Requirements to Contribute Share of Federal Costs as Condition of Waiver

II. Use of State Settlement Funds (See options below)

Should include:

- A. What Percent of Funds Restricted
- B. Menu of Program Upon Which Restricted Funds Can Be Spent
- C. Children's Outreach Options

III. Payfor Language (To be drafted by Hill)

Should require states to pay:

- A. Amount CBO expects federal government to recover from state tobacco settlements
- B. Amount CBO expects federal Medicaid costs will increase due to use of new Medicaid outreach options

Proposal Based on Hansen-Meehan

Add the following to the state menu listed under McCain sec. 452(b)(2)

(H) state tobacco control activities, which include:

- (i) public awareness campaigns to discourage the use of tobacco products;
- (ii) child-oriented and community-based programs to discourage the use of tobacco products; and
- (iii) tobacco use cessation programs, which are consistent with the most recent tobacco use cessation guidelines issued by the Agency for Health Care Policy Research or are approved as safe and effective for tobacco use cessation by the Food and Drug Administration.

Proposal Based on McCain

Add the following to the state menu listed under McCain sec. 452(b)(2)

(H) state tobacco control activities, which include:

- (i) a media-based counteradvertising campaign to discourage the use of tobacco products;
- (ii) state, community and school-based education and prevention programs to discourage the use of tobacco products;
- (iii) evidence-based tobacco use cessation programs, consistent with the most recent tobacco use cessation guidelines issued by the Agency for Health Care Policy Research or are approved as safe and effective for tobacco use cessation by the Food and Drug Administration; and
- (iv) activities to enforce youth access restrictions in order to reduce the sale and distribution of tobacco products to individuals under 18 years of age.

Proposal Based on McCain

Add the following to the state menu listed under McCain sec. 452(b)(2)

- (H) state tobacco control activities, which include:
- (i) evidence-based activities for tobacco use prevention and control, including state, community and school-based initiatives;
 - (ii) a statewide campaign to reduce tobacco usage through media-based (such as counter-advertising campaigns) and non-media based education, prevention and cessation campaigns designed to discourage the use of tobacco products by individuals, to encourage those who use such products to quit, and to educate the public about the hazards of exposure to environmental tobacco smoke;
 - (iii) evidence-based cessation activities, which are consistent with the most recent tobacco use cessation guidelines issued by the Agency for Health Care Policy Research or are approved as safe and effective for tobacco use cessation by the Food and Drug Administration, including:
 - (aa) evidence-based programs designed to assist individuals to quit their use of tobacco products;
 - (bb) training in cessation methods for health professionals;
 - (cc) programs to encourage health insurers and health plans to provide coverage for evidence-based tobacco use cessation interventions or therapies; and
 - (iv) implementing and enforcing a tobacco retailer licensing program in a manner that can reasonably be expected to reduce the sale and distribution of tobacco products to individuals under 18 years of age.

McCain Bill State Spending Language

SEC. 452. GRANTS TO STATES.

(a) Amounts._ From the amount made available under section 451(a) for each fiscal year, each State shall receive a grant on a quarterly basis according to a formula.

(b) Use of Funds._

(1) Unrestricted funds._ A State may use funds, not to exceed 50 percent of the amount received under this section in a fiscal year, for any activities determined appropriate by the State.

(2) Restricted funds._ A State shall use not less than 50 percent of the amount received under this section in a fiscal year to carry out additional activities or provide additional services under_

(A) the State program under the maternal and child health services block grant under title V of the Social Security Act (42 U.S.C. 701 et seq.);

(B) the State program for child care under the funding for child care under section 418 of the Social Security Act, notwithstanding subsection (b)(2) of that section;

(C) the State program for child welfare and abuse under the Federally-funded child welfare and abuse programs under title IV-B of the Social Security Act;

(D) programs administered within the State under the authority of the Substance Abuse and Mental Health Services Administration under title XIX, part B of the Public Health Service Act;

(E) the Safe and Drug-Free Schools Program under title IV, part A, of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7111 et seq.);

(F) the Department of Education's Dwight D. Eisenhower Professional Development program under title II of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6601 et seq.); and

(G) the State Children's Health Insurance Program authorized under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), provided that the amount expended on this program does not exceed 6 percent of the total amount of restricted funds available to the State each fiscal year.

(c) No Substitution of Spending._ Amounts referred to in subsection (b)(2) shall be used to supplement and not supplant other Federal, State, or local funds provided for any of the programs described in subparagraphs (A) through (G) of subsection (b)(2). Restricted funds, except as provided for in subsection (b)(2)(G), shall not be used as State matching funds. Amounts provided to the State under any of the provisions of law referred to in such subparagraph shall not be reduced solely as a result of the availability of funds under this section.

(d) Federal-State Match Rates. Matching requirements, as provided in the statutory authority for the programs described in subsection (b)(2), apply to each program listed under subsection (b)(2), except for the program described under subsection (b)(2)(B). For the program described under subsection (b)(2)(B), after an individual State has expended resources sufficient to receive its full Federal amount under section 418(a)(2)(B) of the Social Security Act (subject to the matching requirements in section 418(a)(2)(C) of such Act), the Federal share of expenditures shall be 80 percent.

(e) Maintenance of Effort. To receive funds under this subsection, States must demonstrate a maintenance of effort. This maintenance of effort is defined as the sum of

(1) an amount equal to 95 percent of Federal fiscal year 1997 State spending on the programs under subparagraphs (B), (c), and (D) of subsection (b)(2); and

(2) an amount equal to the product of the amount described in paragraph (1) and

(A) for fiscal year 1999, the lower of

(i) general inflation as measured by the consumer price index for the previous year; or

(ii) the annual growth in the Federal appropriation for the program in the previous fiscal year; and

(B) for subsequent fiscal years, the lower of

(i) the cumulative general inflation as measured by the consumer price index for the period between 1997 and the previous year; or

(ii) the cumulative growth in the Federal appropriation for the program for the period between fiscal year 1997 and the previous fiscal year.

The 95-percent maintenance-of-effort requirement in paragraph (1), and the adjustments in paragraph (2), apply to each program identified in paragraph (1) on an individual basis.

(f) Options for Children's Health Outreach. In addition to the options for the use of grants described in this section, the following are new options to be added to States' choices for conducting children's health outreach:

(1) Expansion of presumptive eligibility option for children.

(A) In general. Section 1920A(b)(3)(A)(I) of the Social Security Act (42 U.S.C. 1396r-1a(b)(3)(A)(I)) is amended

(i) by striking "described in subsection (a) or (II) is authorized" and inserting "described in subsection (a), (II) is authorized"; and

(ii) by inserting before the semicolon `` , eligibility for benefits under part A of title IV, eligibility of a child to receive benefits under the State plan under this title or title XXI, (III) is a staff member of a public school, child care resource and referral center, or agency administering a plan under part D of title IV, or (IV) is so designated by the State".

(B) Technical amendments. Section 1920A of that Act (42 U.S.C. 1396r-1a) is amended _

(i) in subsection (b)(3)(A)(ii), by striking ``paragraph (1)(A)" and inserting ``paragraph (2)(A)"; and

(ii) in subsection (c)(2), in the matter preceding subparagraph (A), by striking ``subsection (b)(1)(A)" and inserting ``subsection (b)(2)(A)".

(2) Removal of requirement that children's health insurance program allotments be reduced by costs related to presumptive eligibility determinations. _

(A) In general. Section 2104(d) of the Social Security Act (42 U.S.C. 1397dd(d)) is amended by striking ``the sum of _" and all that follows through the paragraph designation ``(2)" and merging all that remains of subsection (d) into a single sentence.

(B) Effective date. The amendment made by subsection (a) shall be deemed to have taken effect on August 5, 1997.

(3) Increased funding for administrative costs related to outreach and eligibility determinations for children. Section 1931(h) of the Social Security Act (42 U.S.C. 1396u-1(h)) is amended _

(A) by striking the subsection caption and inserting ``(h) Increased federal matching rate for administrative costs related to outreach and eligibility determinations for children. _";

(B) in paragraph (2), by striking ``eligibility determinations" and all that follows and inserting ``determinations of the eligibility of children for benefits under the State plan under this title or title XXI, outreach to children likely to be eligible for such benefits, and such other outreach-and eligibility-related activities as the Secretary may approve.";

(C) in paragraph (3), by striking ``and ending with fiscal year 2000 shall not exceed \$500,000,000" and inserting ``shall not exceed \$525,000,000"; and

(D) by striking paragraph (4).

(g) Periodic reassessment of spending options. Spending options under subsection (b)(2) will be reassessed jointly by the States and Federal government every 5 years and be reported to the Secretary.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 18:26:18.00

SUBJECT: Tomorrow am meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

My updates are just updates of my note yesterday:

1. The Administration has officially said we will veto the ag. approps bill, passed yesterday, because the disaster provisions are "totally inadequate."

2. Rep. Etheridge's (D-NC) staff is still pushing the idea of lifting the ban on US government involvement in promoting exports of tobacco leaf. They say Etheridge is still planning on calling Erskine very soon. He will likely ask Erskine for the Administration to at least stay neutral. They continue to say they are faxing the language they are asking Glickman to agree to, Dallas has said Glickman wouldn't do it without WH sign off.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 18:56:41.00

SUBJECT: Interior bill -- Native Americans

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

READ:UNKNOWN

TEXT:

There are still two issues on the table (the other three have been dropped or resolved). The two remaining issues, at this point, are the Bureau of Indian Affairs and Indian Health Service Tribal Contract moratorium and the Enzi/Sessions Amendment on Indian Gaming. The contract moratorium would interfere with tribal self-determination by prohibiting tribes that want to contract for their own health services or other services. The gaming provision prevents Interior from promulgating gaming provisions for the tribes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 19:19:57.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

please call waldman 62272

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-OCT-1998 20:31:41.00

SUBJECT: H2A -- recruitment

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

AgNet

At today's H-2A meeting, we went over the AgNet proposal that was developed by OMB. The proposal is attached.

The group agreed that AgNet should be presented as a tool to help formalize the recruitment process for growers. The key differences between this proposal and the Wyden-Graham registry are: (1) this would not replace the growers's positive recruitment requirements; (2) it would not serve as a verification system (to verify authorization to work); and (3) it requires active searching on the system by growers for workers and allows workers a way to search for growers; under the registry system, the govt. had the responsibility to match workers to growers on the system.

This system could be up and running in about a month, but would take longer to perfect. If we proposed this, we would likely want it to be evaluated after five years, to determine if it useful to growers and workers. USDA and DOL agreed that growers could be required to participate in AgNet in order to participate in the H-2A program. The success of the program rests heavily on getting the participation of large numbers of growers and workers.

Verification Issue

Though all agree that the AgNet system could prove very helpful for growers and workers, it does not solve the fundamental issue of how to better determine if workers are authorized to work. The America's Job Bank folks oppose the system being used, in part, to feed a verification system. They see AJB (and the proposed AgNet) as an information sharing network -- not as an enforcement tool of the government. No other checks of this kind are done on those who post for jobs. In fact, the AJB folks have argued that the less this looks like the government, the more likely we will get large numbers of participants. In addition, it may be problematic to require verification for workers who participate in AgNet, but not for workers who participate in other parts of America's Job Bank.

The INS does operate employment verification pilots that could be modified to effectively verify farmworkers. However, Ceci and I (and OMB) continue

to believe that the responsibility for verifying workers should remain with the grower. Thus, a grower that finds workers through AgNet would have the same responsibility to do an I-9 check as he/she has with workers recruited by other means. If the grower wants additional assurances that his/her workforce is legal, the grower can participate in the INS's employment verification pilot program.

Growers don't want to participate in the employment verification pilot program b/c if they know their workforce is illegal, they are liable for sanctions (there is an intent standard for liability in IRCA). If they find out their workforce is illegal and don't want to be sanctioned, they have to use the H2A program, which they characterize as too difficult (either b/c it is burdensome or b/c it is costly).

Thus, the real issue with verification comes back to cost.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D92]MAIL46373718C.226 to ASCII,
The following is a HEX DUMP:

FF57504393100000010A020100000002050000005542000000020000004A23C6C443A6A44EBA10B

RECRUITMENT PROPOSAL “AMERICA’S AGRICULTURAL LABOR NETWORK (AGNET)”

Problem -- Federal government recruitment assistance.

Growers are required under the H-2A program to conduct positive recruitment efforts prior to applying for foreign workers. One aspect of this requirement is to post the job opportunity with the local Employment Service office.

Unfortunately, less than 2% of agricultural job placements are through the local Employment Service office. Between June 1995 and July 1996, about 190,000 migrant and seasonal farm workers sought employment through the U.S. Employment Service State offices and only about 65,000 were actually placed in agricultural jobs. This method of placement has become increasingly ineffective for this industry which has become more reliant on using private sector intermediary labor brokers -- farm labor contractors. The Federal government should re-target its resources to more effectively aid growers and workers in finding labor and employment.

Proposal -- America’s Agricultural Labor Network (AgNet).

The majority of farm workers find employment through a kinship/friendship network. One problem with this method is that it spawns and reinforces illegal migration to the U.S.; another is that it is highly inefficient in a geographically diffuse labor market. Workers spend time trying to locate employment when they could be earning money. The Federal government could serve as an information broker by developing a system that allows growers to find workers and workers to find employment opportunities that meet their needs (e.g., location, duration, type of crop, etc.). This would benefit growers and workers by having an efficient alternative mechanism to match workers with employment opportunities.

Model -- America’s Job Bank.

America’s Job Bank (AJB) is a partnership between the U.S. Department of Labor and the state-operated public Employment Service. AJB links these state offices electronically through an Internet web site. There is no charge to employers or job seekers to use this service.

- For job seekers, AJB provides a nationwide listing of job opportunities and allows them to file a resume that enables employers to find them.
- For employers, AJB provides a quick way to list job openings, national exposure, and an easily accessible applicant pool.

Approximately 900,000 jobs are listed in AJB on an average day.¹ It takes about 72 hours to

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register with AJB and about 24 hours to list a job vacancy. These times will improve over the coming year as the software is updated.

America's Agricultural Labor Network (AgNet).

What is AgNet? America's Agricultural Labor Network (AgNet) would be an information system devoted to the agriculture industry which would contain job opportunities and worker resumes. AgNet would be based on AJB, but would be a separate web site. The two sites would be linked so basic information in AgNet is automatically placed in AJB.

The State Employment Service would serve a similar function, as in AJB, to scan listings for obvious problems prior to posting on the Internet. This provides some basic quality control. However, this is not a process for verifying an applicant's immigration status.

What information will be available in AgNet? The job listing would provide the conditions of employment including location, crop, duration of employment, wages, skills requested, and whether housing and/or transportation is provided. In addition, it would include information on how to contact the employer and the required worker disclosures. The worker resumes would include, among other things, qualifications, desired location and crop, and information on how to be contacted. The contact and hiring arrangement is between the grower, or FLC, and the worker, not the government. Examples from AJB are attached. The specific information included in the system would be modified to reflect the agriculture industry.

The system must meet the challenges of helping workers gain access to it and connecting English-speaking growers with many Spanish-speaking workers. The system will initially be in English but to address this concern will eventually be designed in Spanish as well.

Who can use it? This system would be accessible to the public generally including growers, workers, farm labor contractors, community based organizations² (CBOs), and unions. Browsing the system is anonymous. CBOs could serve as a point of contact for workers or growers. The system could be designed to have "counselor/broker accounts" to allow an organization to search for jobs for multiple workers or list jobs for multiple growers. Such a design change would likely not be available until later in 1999.

How will workers and growers gain access to the system? Given this is a low-wage industry, gaining access to AgNet will be a challenge. Some places that may be able to provide access include local libraries, CBOs, unions, State Employment Service offices, and U.S. Department of

¹ Very few of these listings are for agricultural jobs, with only 479 such listings nationwide on October 5, 1998.

² Community based organizations include churches, farm labor organizations, and agricultural grower organizations.

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Agriculture extension offices.

What are the benefits of AgNet? AgNet would be a free service provided to workers and growers. Ideally, workers would be able to plan their entire employment cycle using this system. For example, the worker could line-up jobs from Florida up to New York. This would provide more control and stability for the worker.

Growers would benefit by gaining access to a two-sided recruitment system. Now, growers file requests for workers with the Employment Service and wait for referrals -- a one-sided system. Under this system, growers would be able to search for, identify, and contact qualified, available workers in addition to listing their job openings. Also, the grower would gain exposure to a national audience of workers. With electronic posting, the grower would have complete control of his/her job postings and would be expected to suspend them once his/her jobs had been filled.

Who will own AgNet? AgNet will be owned and operated by a partnership. The partnership will consist of farm worker and grower organizations, supported by the U.S. Department of Labor and U.S. Department of Agriculture. The partnership will determine the final design of the system. Due to the time it would take to establish a partnership, initial implementation of the system will be through the current AJB partnership between the State Employment Service and the U.S. Department of Labor.

How will growers and workers learn about the system? The critical link to the success of this system is buy-in by the farm worker and grower organizations. Given most workers find jobs through word of mouth, the partnership will have to conduct extensive outreach. In addition to fliers and newspaper ads, public service announcements on Spanish radio could serve as a good median. The Federal government could also conduct outreach efforts through its programs including the U.S. Department of Agriculture extension offices.

How long will it take to set up AgNet? The system could be activated in approximately one month after initial design modifications are made. It will take additional time to implement further design changes, requested by the partnership, that reflect this industry's needs. The goal would be to have xx,000 job opportunities in AgNet by the end of January, 1999.

Who will pay for AgNet? The Federal government will provide this service through a grant to the partnership. Initial funding will be provided to the State Employment Service until the partnership is formed. Given the software for the labor network has already been developed, it will cost a minimal amount of money to activate this system. Additional customizing of the system (e.g., Spanish language version or adding the "counselor/broker" features) will cost a relatively small amount of money. There will be a separate cost for training and outreach to the various CBOs and unions.

Preliminary estimates:

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Year 1:	\$	25,000 (annual system costs)
	\$	150,000 (design changes)
	\$??? (training and outreach) *
Year 2:	\$	25,000 (annual system costs)
	\$	100,000 (additional design changes)
	\$??? (training and outreach) *
Year 3:	\$	25,000 (annual system costs)
and out-years	\$??? (national outreach)

* This funding level would provide:

- grants to CBOs and unions for equipment and advertising;
- funds for computer related training of CBOs and unions; and,
- national outreach to workers and growers.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 07:02:51.00

SUBJECT: WOMEN'S MTG

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

There will be a Women's Mtg TODAY at 9am in Room 100!!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 09:24:35.00

SUBJECT: we have a voc ed bill

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

TEXT:

See below--'ll give you a brief summary of the details as soon as I get them.

----- Forwarded by Michael Cohen/OPD/EOP on 10/08/98
09:23 AM -----

Jon_Weintraub @ ed.gov
10/08/98 07:53:00 AM

Record Type: Record

To: Michael Cohen, Cecilia E. Rouse, Kathryn B. Stack, Barry White
cc:
Subject: we have a voc ed bill

more details follow --- should be voted on tonight or tomorrow

details to follow --

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
id <01J2PYX3382800GKOX@PMDF.EOP.GOV>; Thu, 8 Oct 1998 08:11:34 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
with ESMTTP id <01J2PYX1PXDC00E2BN@PMDF.EOP.GOV>; Thu,
08 Oct 1998 08:11:32 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])
by STORM.EOP.GOV (PMDF V5.1-12 #29131)
with ESMTTP id <01J2PYWCDSXE0011OC@STORM.EOP.GOV>; Thu,
08 Oct 1998 08:10:58 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.16.166])
by vader.ed.gov (8.9.0/8.8.4) with SMTP id IAA09462; Thu,
08 Oct 1998 08:11:01 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov
(IMA Internet Exchange 2.12 Enterprise) id 0025B9CB; Thu,
08 Oct 1998 08:03:03 -0400

----- END ATTACHMENT 1 -----

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 11:49:00.00

SUBJECT:

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

TEXT:

Maria wants you to come to her office to meet w/ her & Michael right now
66594

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 12:13:28.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Immigration Mtg. w/ Maria & Michael will begin in her office at 12:15

-66594

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 12:21:35.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Pls. call Jen Klein 62599 re: childcare appropriations

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 13:30:02.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Approp. Mtg. is continuing at 1:00 at the Capitol; I have a car for you
and BR leaving at 12:45!!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 13:30:10.00

SUBJECT: family planning issues

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

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

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

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

TEXT:

As I am sure you know, the Treas-Postal appropriators dropped the FEHBP contraceptive coverage provision from the bill. The pro-choice groups are pleading that we insist on reinserting the language in the omnibus bill. (FYI.)

On the Title X front -- Just in case you don't know, the Rules committee is meeting later today and is likely to approve a rule that will allow Labor H to go to the House floor just for a vote on parental consent (the CATs are insisting on it, even though their language is already in the bill). Greenwood will offer his substitute amendment (emphasizing abstinence and encouraging parental involvement in teens' decisions re family planning), but then Istook will offer his second degree amendment which adds back in his parental consent language. The groups are begging us to insist that this language be dropped in omnibus negotiations as well.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 13:30:20.00

SUBJECT: H2A meeting on the Hill tomorrow

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

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

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

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

TEXT:

According to DOL, David Blair (Wyden's staffer) just cancelled his attendance at tomorrow's meeting. Earl is going to check whether Bob Graham's staff person whether she still intends to attend.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 13:30:28.00

SUBJECT: Testing strategy

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

TEXT:

As Bruce and I discussed, when we negotiate the testing language, we should make the following proposals:

1. Propose the Senate language, which prohibits us from field testing, administering or implementing the test with FY 99 funds, but permits pilot testing.
2. Propose a National Academy of Science Study to examine the feasibility of including a subset of NAEP test items into state and commercial tests, in order measure how well kids measure up to NAEP standards as well as state or local standards without having to administer a separate national test. (bill language for this option will be finalized shortly)
3. Propose a restriction on using FY99 funds for 6 months, for pilot tests that would produce individual scores.
4. Propose a restriction on using FY99 funds for pilot tests that would produce individual scores. This restriction would last for a full year, and would end at the end of FY99 when the appropriations bill expired.

The language for 3 & 4 is below, though the more I think about it the less option 3 makes sense to me. If in the negotiations we explain that the pilot tests NAGB is planning for April don't involve individual scores, then they will probably think the 6 month ban on something that isn't going to happen anyway is really silly.

5. Propose reducing the appropriations for test development from \$16 to \$8 million. These funds have been requested in the Education Department's Fund for the Improvement of Education (FIE) account.

Language for steps 3 and 4.

3. 6 month Restriction on Pilot Test With Individual Scores

Notwithstanding any other provision of Federal law, no funds provided to the Department of Education or to an applicable program in this Act or in any other Act in fiscal year 1999 may be used prior to April 1, 1999 for a pilot test that would yield individual student, school, school district, or state scores as part of the development of any federally sponsored voluntary national test in reading, mathematics, or any other subject, or to field test, implement or administer any such test; Provided, That the National Assessment Governing Board shall retain exclusive authority over

the development of voluntary national tests as described in Section 307 of the Department of Education Appropriations Act, 1998.

4. Restriction on Pilot Test With Individual Scores

Notwithstanding any other provision of Federal law, no funds provided to the Department of Education or to an applicable program in this Act or in any other Act in fiscal year 1999 may be used for a pilot test that would yield individual student, school, school district, or state scores as part of the development of any federally sponsored voluntary national test in reading, mathematics, or any other subject, or to field test, implement or administer any such test; Provided, That the National Assessment Governing Board shall retain exclusive authority over the development of voluntary national tests as described in Section 307 of the Department of Education Appropriations Act, 1998.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 13:30:39.00

SUBJECT: why don't my speechwriters write stuff as good as tony blair?

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

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

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

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

TEXT:

AS WRITTEN:

These HMOs say they are just looking after their bottom line. Well, I believe the health of our parents must be America's bottom line. I am determined to do everything in my power to protect older Americans dropped by their HMOs and to make sure this doesn't happen again. Today, we are taking three steps:

AS DELIVERED:

Now, these HMOs say they are looking after the bottom line. All of you who understand the Medicare program know that the reimbursement rates are different across regions and in different areas. We have tried very hard to alleviate that -- the problems with that system. And we recognize that there were problems; we have worked to alleviate them. But that wasn't what we were asked to do. We were asked just to give all HMOs permission to raise rates whether they needed to or not, without regard to how much money they were making or not. And I think that was wrong.

We have to do everything we can to protect Americans who have been dropped by their HMOs and to protect the health care options of all seniors in the future.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 14:49:23.00

SUBJECT: Section 377

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I just received a copy of a letter that MALDEF sent to Sen. Hatch requesting that he support an adjustment of the registry to prevent the deportation of those affected by Section 377. So much for not linking the two.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 15:50:48.00

SUBJECT: URGENT: DRAFT SAP FOR HR 10

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

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

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

TO: Michele Jolin (CN=Michele Jolin/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

TO: Janet L. Yellen (CN=Janet L. Yellen/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TO: Alice H. Williams (CN=Alice H. Williams/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

TO: Tracey E. Thornton (CN=Tracey E. Thornton/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: Jessica L. Gibson (CN=Jessica L. Gibson/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: Charles R. Marr (CN=Charles R. Marr/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

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

TEXT:

It is possible that HR 10 - Financial Services Act will be on the Senate floor anytime now. Please review the SAP and provide comments/clearance by cob today. This SAP should be shared with all of the principals. The position: if the bill is presented to the President in its current form, he would veto it. Thank you.

October 8, 1998
(Senate)

H.R. 10 - Financial Services Act of 1998

(Leach (R) Iowa and 3 cosponsors)

The Administration strongly opposes H.R. 10, and if the bill were presented to the President in the form reported by the Senate Committee on Banking, Housing and Urban Affairs, he would veto it.

As reported by the Senate Banking committee, H.R. 10 would harm the safety and soundness of the national banking system and would reduce the role of this Administration, and any future Administration, in banking policy -- an important area of economic policy-making. In addition, the bill in its current form would have an adverse impact on the Community Reinvestment Act (CRA) and raises a number of other significant policy issues.

H.R. 10 would deny banking organizations the choice of how to structure their business by dictating that all new principal financial activities -- for example, securities underwriting and merchant banking -- be conducted exclusively in affiliates of banks rather than subsidiaries of banks.

In addition, H.R. 10 grants the Federal Reserve exclusive regulatory authority over a new type of financial institution, the wholesale financial institution (WFI). The bill also grants the Federal Reserve unprecedented authority to contravene the judgements of other banking regulators about the banks they regulate. The current and past three chairs of the Federal Deposit Insurance Corporation have each objected to this dictate on the grounds that the subsidiary structure better protects the safety and soundness of Federally insured banks and better shields the deposit insurance funds, and ultimately the taxpayer, from loss.

The bill would also have an adverse impact on the CRA, which has helped spur billions of dollars of loans to communities across the United States. First, the transfer of new financial activities out of bank subsidiaries will take those activities out of consideration under CRA, effectively reducing funds available to meet the needs of local communities. Second, the newly created WFIs will be exempt from CRA unless the institution chooses to have a federally insured affiliate. Given that some of the Nation's largest banks may become WFIs, their assets would be lost for CRA purposes.

The Administration urges the Senate not to move forward on this controversial, exceedingly complex, and harmful legislation.

Pay-As-You-Go-Scoring

H.R. 10 would decrease direct spending and decrease receipts; therefore it is subject to the pay-as-you-go requirements of the Omnibus Budget Reconciliation Act of 1990. OMB's preliminary scoring of the bill is that it would result in a net budget savings of \$333 million over FYs 1999-2003.

Fiscal Years

(In millions of dollars)

			1999	2000
2001	2002	2003		
Changes in Outlays		-70	-70	
-70	-70	-70		
Changes in Receipts		-1	-4	
-4	-4	-4		

* * * * *

(Do Not Distribute Outside Executive Office of the President)

This Statement of Administration Policy was developed by the Legislative Reference Division (Englund), in consultation with the Departments of Agriculture (Allen) and the Treasury (Dorsey), the US Trade Representative (Papovich), Farm Credit Administration (McMahon), Office of Personnel Management (Wolf), Small Business Administration (Cupp) and HTF (Enger/Veenstra).

OMB/LA clearance:

The Departments of Commerce, Housing and Urban Development, Labor, Justice, and State did not respond to our request for views on this SAP.

On May 13, 1998, H.R. 10 passed the House with an amendment in the nature of a substitute by a vote of 214 - 213.

On September 18, 1998, the Senate Banking Committee reported H.R. 10 with an amendment in the nature of a substitute.

Administration Position to Date

On August 7, 1998, the Chief of Staff sent a letter to the Chairman of the Senate Banking Committee stating that the President will veto H.R. 10 if it includes provisions that would "stifle innovation and efficiency in the national banking system and impose needless costs on small banks." In addition, the letter opposed H.R. 10 because it would deprive national banks of power and erode Executive Branch policy-making ability.

On June 17, 1998, the Department of the Treasury testified before the Senate Banking Committee in opposition to the House-passed version of H.R. 10.

On May 7, 1998, the Treasury sent a letter to the House Leadership and relevant Committee members restating that the Secretary would recommend that the President veto the Republican Leadership's version of H.R. 10 and included a copy of the House SAP.

The House SAP on H.R. 10, issued on March 31, 1998, stated that the Administration opposed H.R. 10 because it would: (1) stifle innovation and efficiency in the national banking system; (2) undermine the Community Reinvestment Act by forcing financial innovation to occur in holding company affiliates rather than in bank subsidiaries; (3) diminish the ability of communities and consumers to benefit from the financial system; (4) eliminate advantageous features of the current thrift charter; and (5) impose needless costs on small banks. The SAP also stated that if H.R. 10 were presented to the President in the form of the Republican Leadership substitute, the Secretary of the Treasury would recommend that it be vetoed.

Provisions of H.R. 10

Time did not permit a summary of the manager's amendment to H.R. 10.

The Small Business Administration advises that H.R. 4179, the Program for Investments in Microentrepreneurs Act of 1998 (PRIME Act), will be added to H.R. 10 as part of the manager's amendment. This bill would authorize

qualified organizations to provide technical assistance and capacity building services to microenterprise development organizations and programs and to disadvantaged entrepreneurs using funds from the Community Development Financial Institutions Fund.

Pay-As-You-Go Scoring

According to HTF (Enger) and BASD (Lee), H.R. 10 is subject to the pay-as-you-go (PAYGO) provisions of the Omnibus Reconciliation Act of 1990. H.R. 10 would decrease direct spending and decrease receipts and result in a net budget savings of \$333 million over FYs 1999-2003. CBO scores the bill as resulting in a net budget savings of \$337 million over FYs 1999-2003.

Legislative Reference Division
October 8, 1998

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 16:17:10.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Pre-Brief for POTUS Budget Mtg. is starting now in Erskine's office; Bruce is going down

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 17:16:16.00

SUBJECT: URGENT: CONFEREES LETTER ON HR 3150

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

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

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

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

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

TO: Michele Jolin (CN=Michele Jolin/OU=CEA/O=EOP@EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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: Alice H. Williams (CN=Alice H. Williams/OU=CEA/O=EOP@EOP [CEA])

READ:UNKNOWN

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

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

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

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

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

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

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

TEXT:

NEC has asked that we clear the letter below on HR 3150 - Bankruptcy Reform Act of 1998 in order to be release early this evening. House Rules & Floor action is expected shortly. Position: Senior Advisers would recommend veto. Please provide comments/clearance as soon as possible. Thanks.

The Honorable Orrin G. Hatch
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

Dear Mr. Chairman:

I write to provide the Administration's views on the conference report to H.R. 3150, the Bankruptcy Reform Act of 1998.

The Senate worked on a bipartisan basis to produce a balanced bill that would have reduced abuses of the bankruptcy system and required debtors and creditors alike to act responsibly. Unfortunately, H.R. 3150, as agreed to by the Conference Committee, contains many flawed aspects of the House bill, and if this version of the bill is presented to the President, his senior advisors will recommend that he veto it.

On the central issue of means-testing, the Conference Report uses the Senate framework but would, like the House bill, impose a rigid rule that denies bankruptcy judges adequate discretion to decide whether the debtor has the capacity to repay successfully a portion of debts under Chapter 13. The bill would require a moderate income debtor to demonstrate that each monthly expense for housing, clothing, transportation, and food that exceeds a predetermined level is necessary due to "extraordinary circumstances" before that person could get their debts discharged under Chapter 7.

At the same time H.R. 3150 produces a rigid system to ensure moderate-income debtors repay their debts, it does not impose meaningful

limits on the homestead exemption -- the mechanism used by the wealthy to shield hundreds of thousands of dollars of wealth from their creditors.

The Senate bill took laudable steps to enhance consumer protections from coercive and predatory behavior by creditors. This version of H.R. 3150, however, fails to limit adequately abusive creditor practices such as coercive affirmations and violations of the automatic stay, and rolls back consumer protections. The bill would also deny consumers the most effective remedy for harm from such practices -- class action liability -- and eliminate the current authorization for punitive damages against creditors for intentional violations of borrower rights.

Finally, the bill does not include the provisions of the Senate bill that would discharge debts that could compete with child support and alimony payments after a debtor has been declared bankrupt. In addition, the bill would make nondischargeable any debt that was incurred within 90 days of bankruptcy to pay nondischargeable debt and any debt resulting from certain cash advances. This, in effect, puts some debt owed to credit card companies in competition with social priorities like child support and alimony, taxes, and educational loans. All too often pressures from an aggressive creditor trying to collect a nondischargeable debt can keep a struggling debtor from making child support and alimony payments.

The overwhelming vote on the Senate floor for the balanced legislation that body produced demonstrates that reasonable and responsible bankruptcy reform is possible. Unfortunately, H.R. 3150 as developed by the Conference Committee, does not provide such reform.

Sincerely,

Jacob J. Lew
Director

Identical Letter Sent to The Honorable Orrin G. Hatch,
The Honorable Charles E. Grassley, The Honorable Jeff Sessions,
The Honorable Patrick J. Leahy, The Honorable Richard J. Durbin,
The Honorable Henry Hyde, The Honorable John Conyers,
The Honorable George W. Gekas, and The Honorable Jerrold Nadler

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 17:34:25.00

SUBJECT: class size numbers

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

TEXT:

Education Department estimates that if we get \$500 million we could add almost 18,000 new teachers, and \$700 million would result in roughly 25,000 teachers.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 18:24:27.00

SUBJECT: Interior Bill -Native Americans

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There are three issues on the table. The issue of requiring IHS to pay out health benefits on a pro rata basis was resurrected today by the clerk of the Appropriations Committee. OMB was working to try to send out a letter on that issue. The other two issues from yesterday are still on the table. They are the Bureau of Indian Affairs and Indian Health Service Tribal Contract moratorium and the Enzi/Sessions Amendment on Indian Gaming. The contract moratorium would interfere with tribal self-determination by prohibiting tribes that want to contract for their own health services or other services. The gaming provision prevents Interior from promulgating gaming provisions for the tribes so that the tribes will not have recourse against states that do not negotiate "in good faith" on gaming. Apparently, two days ago at a bill signing in the Oval, the President said we should not give on these issues. I guess Jack Lew and Sylvia have been negotiating on the gaming issue today -- our position is that we should not give on this. I haven't heard how the negotiations went. As can be expected, the state governors are very interested in this issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 18:42:17.00

SUBJECT: Numbers you asked about

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

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

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

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

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

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

TEXT:

Bruce -- the CBO score of the Medicaid works about how I described earlier. It's based on assumptions of how many states will settle suits in the next five years, and the likelihood that HCFA will actually collect the federal share. CBO keeps these assumptions quite close to the vest, and OMB doesn't know what they are. But as the table below shows, CBO expects the federal government in the next five years to recoup about 11.4% of the federal share of the 50 state settlement dollars, which means the following scenarios would be possible:

1) Assume 25% of states would settle, and HCFA would recoup 45% of federal unds:

$$.25 \times .45 = 11.3\%$$

2) Assume 15 percent of states would settle and HCFA would recoup 75% of federal funds:

$$.15 \times .75 = 11.3\%$$

	FY 99	FY 00	FY 01	FY 02	FY 03	5 YR				
McCain Bill										
State Payments	6.2	4.4	5.0	5.1	5.5		26.2			
McCain Bill,										
Federal Share of State Payments (57%)				3.5	2.5	2.85	2.9	3.1	14.9	
Cost of Recoupment Provision			.14	.28	.36	.45	.45	1.7		
Recoupment Cost as Percentage of Federal Share				4.0%	11.2%	12.6%	15.5%	14.5		

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 20:20:41.00

SUBJECT: Education updates

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

TEXT:

1. Charters: should come up for a vote in the Senate tonight and go to the House tomorrow. No problems expected in the Senate; the only House problem we are worried about is Goodling--his staff says he doesn't want us to have any more bill signings, and may force this into the omnibus bill. Hard to know whether to take his staff seriously.

2, Literacy: Goodling's staff is telling ed. groups, as well as Broderick Johnson and Scott Fleming, that they are holding the literacy bill until they get what they want on the testing language. However, Goodling himself denies this and has told Riley and the press that he has a problem with a Judd Gregg provision that requires a set funding increase for IDEA before the reading bill can be funded. He is talking about changing the provision and sending this back to the Senate; a strategy which on its face makes no sense, and lends some support to the idea that he is diddling around with the bill until he gets what he wants on testing.

I think Brod. should push back on Goodling's staff, and tell them that linking literacy and testing, or trading one for the other, is simply unacceptable to us. Kennedy's staff, Brod. Johnson, and ED staff and I think we should call Goodling's bluff, and that he will let the literacy bill go. Kennedy is ready to go to the floor and to put out a press release attacking Goodling for tying up the bipartisan bill, and for blocking efforts to help kids learn to read by opposing higher standards and tests and better teachers and tutors.

Elena--are you seeing anything in the omnibus negotiations that suggests Goodling is making this linkage?

3. Voc-Ed bill. Is reportedly coming to the floor in the House tonight, and the Senate tomorrow. No one has yet gotten their hands on the conference report and knows in any detail what is in the bill--but the Voc. Ed folks in ED are sure we like it.

4. Ed-Flex. Our preference remains to use Ed-Flex as a bargaining chip in the negotiations over block grants. Our preferred Ed-Flex bill is one sponsored by Castle and Roemer. Goodling is now also championing Castle/Romer--but has deleted a provision that requires states to have a Goals 2000 education reform plan in order to be eligible for Ed-Flex (this provision is symbolically important to us, but we can live without it if we can't get it back in the bill). Goodling is reportedly planning on adding Ed-Flex to an Assistive Technology bill--perhaps in a move to take

it out of play in the omnibus negotiations. However, like much of what Goodling is up to, this move makes no sense, since the bill has already passed the Senate and would have to go back there if Ed-Flex is added--where it would most likely die (or get added to the omnibus).

The governors, who have been working with Castle, know nothing about Goodlings move. They think Ed-Flex is already in the Labor/HHS bill (though they don't know if that's the bill that was taken up on the floor of the House, or in the omnibus bill).

Given this confusion, right now I think we simply stick to our plan--use Ed-Flex as a bargaining chip. If we get block grants out without using Ed-Flex, and if Castle/Goodling try to add it separately, we should fight to get our Goals 2000 provision back in, but not fall on our sword if we don't succeed. We can live with the provision as is, as long as we don't look to happy about it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 20:54:47.00

SUBJECT: JJ Update

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

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

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

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

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

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

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

TEXT:

Esteemed Colleagues:

Just got off the telephone with Peter and DOJ about the juvie crime bill. DOJ is much more upbeat about the prospects of getting a workable bill than most others we've talked to; however, they had not spoken w/the Senate Dems.

Peter and I remarked that while the bill was not too offensive, it did not include enough of a victory for the President (juvie Brady, more on prosecutors/Boston, or other crime/drug proposal we've introduced) -- and was still likely to be offensive to key Dems. We gave them a list of things to float by the R's, and said they needed to check with the Senate Dems, too.

Afterwards, I received the attached e-mail from Leahy's office. Doesn't look the Senate Dems think we're as close as DOJ does. Still, we should remain vigilant; Hatch could throw an agreement into the mix at the last minute.

Jose'

----- Forwarded by Jose Cerda III/OPD/EOP on 10/08/98
08:41 PM -----

Karen_Marangi @ judiciary.senate.gov (Karen Marangi)
10/08/98 06:59:14 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:
Subject: JJ Update

Jose --- sorry I've been so hard to reach. I thought I'd try to email b/c its late and I'm also losing my voice !

negots w/ the senate repubs broke down today b/c Hatch and Sessions can't live w/a disprop. minority confinement mandate -- even one as soft as that in hr 1818. they are double checking w/their bosses but negotiations are likely off for good.

democrats in house and senate think it is essential to keep this protection. otherwise, we were getting real close to what is acceptable to us... but unlikely we'll get a bill. K

by the way, I'm sending this at 7 pm on thurs --hope it gets to you this eve.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 21:36:53.00

SUBJECT: Q&A

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Jose Cerda III/OPD/EOP on 10/08/98
09:34 PM -----

Leanne A. Shimabukuro

10/08/98 07:27:57 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: Q&A

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D74]MAIL42087038U.226 to ASCII,

The following is a HEX DUMP:

FF575043B2050000010A020100000002050000009428000000020000BE053B6BAC7E589271DE5F

**Top Cops Event
October 9, 1998
Questions and Answers**

Q. What did the President announce today?

A. The President announced approximately \$70 million in grants for communities to hire more police and for states to improve their criminal history records:

(1) \$27.4 million in COPS hiring grants. The Justice Department's Office of Community Oriented Policing Services (COPS) will award \$27.4 million in grants for 151 policing agencies across the country to hire 428 officers. This will bring the total number of officers funded under the President's COPS Initiative to over 88,500 -- keeping the COPS Initiative ahead of schedule and under budget.

(2) \$41 million to improve system of Brady background checks. The President will announce more than \$41 million in Justice Department grants for 46 states to improve their criminal history records and the Brady Law's National Instant Criminal Background Check System. The grants, provided through the National Criminal History Improvement Program (NCHIP), are funded through the President's 1994 Crime Bill. Including today's announcement, the Administration will have awarded more than \$200 million to all 50 states.

Q. Is there any more detail you can give us on the COPS grants? Are there any large departments receiving funds?

A. Today's \$27.4 million COPS grant announcement will help to fund 428 officers for 151 law enforcement agencies in 39 states and Puerto Rico. Most of the departments receiving grants are located in smaller jurisdictions. Among today's larger grantees: \$925,000 for St. Tammany Parish Sheriff's Department in Louisiana to fund 16 officers; \$3 million for Paterson, New Jersey to fund 40 officers; and \$825,000 for Oneida County Sheriff's Department, Wisconsin to fund 11 officers.

States with law enforcement agencies receiving grants today are: AL, AR, CA, CO, CT, DE, FL, GA, IA, ID, IL, KS, KY, LA, MA, MD, MI, MN, MO, MS, MT, NC, NE, NH, NJ, NM, NY, OH, OK, OR, PA, SD, TN, TX, UT, VA, WA, WI, WV, and Puerto Rico.

Q. Why are only 46 states receiving NCHIP grants? What happened to the other four?

A. Four states -- Kansas, Maryland, Minnesota, and Nevada -- either applied too late for this FY 98 NCHIP grant announcement or their applications required revisions. The

Department of Justice has reserved FY 98 NCHIP funds for these states and they will be able to receive grants once they have met their application obligations.

Q. What is the Top Cop award?

A. The "Top Cop" awards are given by the National Association of Police Organizations (NAPO) and pay tribute to law enforcement officers from across the country for outstanding service to their communities during the preceding year. This year, 34 exceptional law enforcement officers will receive the award for their heroism and devotion to duty and service in their communities. The President has honored NAPO Top Cops every year since becoming President.

Q. Can you give us more detail on the White House Conference on School Safety that you are holding next week?

On October 15, 1998, the President will host the White House Conference on School Safety. The Conference will be a day-long event in the East Room of the White House that will include participation by the President, Vice President, First Lady and Mrs. Gore; workshops; a morning panel discussion; and an afternoon session that will explore best practices and model safety strategies. The Conference will include communities recently affected by school shootings and will be linked by satellite to hundreds of communities and schools across the country.

At the Conference, the President will 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 school crime data; 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; and resources available to schools and communities to help create safe, disciplined and drug-free schools. In addition, the President will announce a number of new initiatives to help schools and communities prevent and respond to violence.

[NB: The President may sign the bills described below at the event if they pass the Congress Thursday evening.]

Q. Can you explain what the DeWine/Leahy legislation will do?

A. The Crime Identification and Technology Act of 1998:

Creates a \$1.25 billion state grant program for crime technology. The bill authorizes \$1.25 billion in grants (\$250 million each year for five years) for states to upgrade their communications technologies and criminal justice identification systems, such as

Automated Records Management System
Hex-Dump Conversion

automated fingerprint and DNA identification systems, and sex offender registries. This grant program will help in the integration of national, state and local systems so that law enforcement can share information in a timely manner.

Authorizes the Administration's National Criminal History Access and Child Protection Act. The bill also contains an Administration proposal -- which the President transmitted to Congress the day of his Child Care Conference held a year ago-- to authorize a federal-state compact for the interstate exchange of criminal history records for noncriminal purposes, such as background checks on child care and elder care workers. The Compact will help to establish a framework for the exchange of criminal history records which will help to increase the accuracy and completeness of criminal history records.

Q. What is does the bill introduced by Rep. Maloney do?

- A. The bipartisan bill, introduced by Rep. James Maloney (D-CT) and Senator Ben Nighthorse Campbell (R-CO), will help to ensure that school safety officers can be funded through the Justice Department COPS Program. This summer, the President challenged Congress to pass the Maloney bill to help provide more school safety officers for our nation's schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-OCT-1998 23:24:54.00

SUBJECT: weekly

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

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

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

TEXT:

All of the news for the weekly for the President on health care would come from an update on the budget negotiations. Key issues that I believe that he would benefit from receiving updates are: home health fixes, skilled nursing facilities, assisted suicide, needles, race and health, Pennsylvania DSH issues, and numerous CHIP fixes requested by states. However, because all of these issues remain unresolved as of this moment and will be resolved probably by Saturday evening, it would seem ill-advised to send an status report on provisions that are likely to change within the next 48 hours and be dated when the President reads them. If you like we could slightly modify this note to you and highlight issues and cite these as examples of the numerous moving parts of the budget deliberations of issues.

sb

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 08:50:10.00

SUBJECT: Charter Schools passed

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

TEXT:

in the Senate late last night, and should come to the House today.

The Voc. Ed. bill also passed in the Senate last night and is headed to the House.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 09:05:26.00

SUBJECT: Any news on Medicaid recoupment?

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:

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Lynn Cutler to Elena Kagan and Sally Katzen. Personal. (1 page)	10/09/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[10/06/1998-10/11/1998]

2009-1006-F

vz138

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

CREATION DATE/TIME: 9-OCT-1998 09:40:16.00

SUBJECT: Charters is on House calander today

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

TEXT:
and the Voc Ed bill already passed the House.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 10:33:40.00

SUBJECT: Irish

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The Walsh bill passed the Senate last night (unanimous consent).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 10:43:05.00

SUBJECT: 2:30 pm remarks -- draft

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

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

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

TO: Craig T. Smith (CN=Craig T. Smith/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: Martha Foley (CN=Martha Foley/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: Linda Ricci (CN=Linda Ricci/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: markpenn (markpenn @ ps-b.com @ inet [UNKNOWN])
READ:UNKNOWN

TEXT:

Draft 10/9/98 10:40am
Waldman/Siewert/Weiss

PRESIDENT WILLIAM J. CLINTON
STATEMENT ON THE BUDGET
THE WHITE HOUSE
October 9, 1998

Good afternoon. I have just had the opportunity to meet with Senator Daschle, Representative Gephardt and their colleagues. We have been discussing the course of the budget on Capitol Hill. And we stand united in insisting that Congress act immediately to pass a budget that honors our values and meets America's priorities.

This is a year when we should be able to make real, bipartisan progress. We have created the first balanced budget and surplus in 29 years. Our economy continues to be strong, creating jobs and broadening prosperity, despite economic turmoil abroad. We have an opportunity to maintain our fiscal discipline while making the investments we need. We can sustain this American economic renaissance.

This budget is a test of whether we will act together to advance the national interest -- whether we will invest in the education of our children, the security of our parents, the strength of our economy. Let

me make clear my priorities.

First, as I made clear in my State of the Union Address, our central budget challenge is to maintain our fiscal discipline. I have insisted that we set aside every penny of any surplus until we save Social Security first. All year long, the majority party in Congress challenged that principle, first with a \$700 billion tax plan, then with a \$80 billion plan, all draining the budget surplus. I said no. It now appears that common sense has prevailed, the surplus is secure, and America is now well-positioned to craft a bipartisan plan to save Social Security for the next generation.

Second, we must widen opportunity by investing in our children and in their schools. This budget should reduce class size by hiring new teachers ... bring discipline and learning into the lives of all our young people by fully funding after-school programs ... bring cutting edge technology to the classroom, with teachers trained to use it ... and expand Head Start. It must also teach our children to read, and support our new mentoring drive to encourage young people to go to college.

Unfortunately, when the education investment bill was finally brought to the House floor yesterday, eight days into the fiscal year, it met none of these challenges. I have instructed my budget team to return to Capitol Hill, make the case for our educational priorities, and fight for our children's future. I am confident we will prevail.

Let me add that in these closing days, it is clear that Congress will not take necessary action to modernize and build 5000 new schools. More teachers and smaller classes also demand more schoolrooms. If we do not succeed this year, we will be back next year to fight for this priority.

Third, we must strengthen our economy at a time of economic turmoil abroad by meeting our obligations to the International Monetary Fund. Every day of delay is another day of putting our prosperity at risk. I am confident Congress will do the right thing.

Fourth, we must strengthen, not weaken, environmental protections. I simply will not allow a budget that is stuffed with unrelated, controversial provisions that would cause unacceptable harm to our environment and hamstring our protection of the public health.

Fifth, we must act decisively to help America's farmers and ranchers. This year, drought, disease and international economic turmoil have hit America's farm families hard. I vetoed a farm bill that did not do enough to help America's farm families during this difficult time. And I have instructed my budget negotiators to insist on stronger emergency measures to help America's farmers and ranchers.

Sixth, we must make child care more affordable and ensure the quality and safety of care for millions of American children. Parents have a hard enough time meeting their responsibilities at home and at work -- and we must take responsibility for helping them do it.

Seventh, we must continue our successful drive to move people from welfare to work. Just yesterday, Congress passed my innovative initiative to help 50,000 families move closer to good jobs. That's a strong step in the right direction. In the coming days, we can do more to help people move from the dependency of a welfare check to the dignity of a paycheck.

Eighth, I will continue to resist extraneous and controversial provisions

that simply make it harder to meet our obligation to fund the government and invest in our people. This is no time for debate over social issue measures, such as those on family planning, that will mire this necessary bill in needless controversy.

We stand together for these priorities. They are the right priorities for the American people. And I believe that if Congress puts progress over partisanship, we can come to an agreement on a budget that maintains fiscal discipline, honors our values, and invests in our people.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 10:48:28.00

SUBJECT: NOTE: REVISED CHILD CARE LANGUAGE FROM STATEMENT

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

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

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

TO: Craig T. Smith (CN=Craig T. Smith/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: Martha Foley (CN=Martha Foley/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: Linda Ricci (CN=Linda Ricci/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: markpenn (markpenn @ ps-b.com @ inet [UNKNOWN])
READ:UNKNOWN

TEXT:

Sixth, we must take new steps and make new investments to make child care more accessible, safer and higher quality for millions of American children . Parents have a hard enough time meeting their responsibilities at home and at work -- and we must take new steps to must take responsibility for helping them do it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 12:04:38.00

SUBJECT: Child care victory

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

READ:UNKNOWN

TEXT:

Remember the compact to facilitate background checks? It passed! And the President mentioned it in today's event, see excerpt below:

Last night Congress passed a bill by a large bipartisan margin that will build on our progress -- a bill I'll sign into law later today. It will provide states with more than \$1 billion over the next five years to modernize not only their criminal records systems, but also to upgrade their communications and criminal identification systems. It will include legislation I proposed last year at the White House Conference on Child Care the First Lady and I sponsored, to help us build a new electronic information sharing partnership with state and local law enforcement to keep our child care and our child care and our elder care systems safe.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 13:54:36.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Perelli called to say Gramm called AG re: tobacco & she is meeting w/ him
@ 4:45 today! 514-2267

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 16:06:35.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Reminder: NEC Principals Mtg. is at 4:15 now in room 180 OEOB

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 17:04:16.00

SUBJECT: H2A -- phone calls

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI. I have received calls today from the AFL-CIO, Farmworker's Union, and the National Association of Hispanic Priests and Deacons, urging us to reject any compromise on H-2A. Also, according to the AFL, Delores Huerta (co-founder of United Farm Workers of America) is apoplectic about how Wyden and Graham misrepresented her in their op-ed today. She intends to respond.

I have also, in the last day or so, received letters opposing any compromise on H-2A from the Farmworker Justice Fund and the National Hispanic Leadership Agenda (that has members on its board from LULAC, PRLDEF, MALDEF, and NCLR among many others). The sense that I have gotten from these letters and messages (and conversations with DOJ legislative affairs) is that a compromise by us on this would be nuclear.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-OCT-1998 17:20:56.00

SUBJECT: weekly

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D93]MAIL46020348L.226 to ASCII,
The following is a HEX DUMP:

FF5750438C040000010A0201000000020500000008B09000000020000024B971A6365E218A0B536
0782347A761165220EFE372687F551637B1971D79946E0A176F07BDAEAE21636D3B184BEE3DD70

Health Care -- Appropriations Update. As of this writing, there are a number of controversial health issues left to be resolved in our appropriations discussions on the Hill. High visibility issues related to Medicare include, potential responses to reimbursement issues for home health care and skilled nursing facilities, as well as Pennsylvania disproportionate share hospital payments. On these issues, we are viewed by supporters as being helpful. Outstanding Medicaid and Children's Health Insurance Program (CHIP) issues include a controversial Medicaid cost savings proposal and CHIP fixes for Washington, Puerto Rico and Wisconsin. Public health issues of interest include organ allocation, needle exchange, assisted suicide, and your race and health initiative. We will keep you apprised of final outcomes of these issues when they are resolved.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Fred DuVal (CN=Fred DuVal/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-OCT-1998 17:50:54.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Gov Chiles was very encouraged after talking to Erskine on tobacco
recoupment. Sounds more optimistic than you were in the mess.....??

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul D. Glastris (CN=Paul D. Glastris/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:10-OCT-1998 20:32:51.00

SUBJECT: draft of tomorrow's ed budget statement--comments back asap please (65716)

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Tracy Pakulniewicz (CN=Tracy Pakulniewicz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Draft 10/10/98 8:30 pm

Paul Glastris

PRESIDENT WILLIAM J CLINTON
STATEMENT ON EDUCATION BUDGET
WHITE HOUSE
October 11, 1998

In only 447 more days, the 21st Century begins--a century in which the education of our nation's children will matter more than it ever has before. Yet far too many of our public schools are not ready for the 21st Century. We've all seen the news stories--about teacher college graduates who can't pass grammar tests; about schools so overcrowded they have trailers out back to handle the overflow; about classrooms with 35 or more students, all vying for a minute of attention from their stressed-out, overworked teachers.

This cannot go on. We cannot afford to wait if we are to give all of our children the first-class education they will need for the 21st Century. And yet we are waiting--for the Republican majority in Congress to bring this year's education investment bill up for a vote.

The delay must end. Congress must choose progress over partisanship, and I believe they can. Earlier this week I signed into law a strong, bipartisan bill to open the doors of college to millions. And in just the last two days Republicans and Democrats have worked together to pass strong charter school and vocational education measures, and I thank Senators Kennedy and Jeffords and Congressmen Gray and Goodling for that.

Now it is time for Congress once again to put progress ahead of partisanship and send me an education budget that I can sign tonight. That bill must make the right investments for our public schools. It must invest in more highly-trained teachers to bring class sizes down in the lower grades. It must invest in academically-enriched after school and summer school for students who are striving to meet high standards in the basics.

But most of all, this budget must invest in modernized schools for our children. We simply cannot raise students up in buildings that are falling down. Any budget that does nothing to help modernize our schools and give our children clean and safe places to learn is a budget that does not fully prepare our children for the 21st Century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dana C. Strand (CN=Dana C. Strand/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:11-OCT-1998 20:24:44.00

SUBJECT: Cancer Event Memo...

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

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

TEXT:

David Goodfriend asked me to e-mail you both to let you know that the Cancer Event Memo for Monday October 12th will not have any policy information included in it. You need not review it. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-OCT-1998 21:57:50.00

SUBJECT: Brady Language

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

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

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

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

TEXT:
Bruce/Elena/Rahm:

Per my conversations w/Bruce and Elena today, attached please find the Brady languaged you requested. OMB, DOJ and DPC have all seen it, and can live with it -- and, based on my discussion w/Handgun Control, I think they'll be fine with it, too.

In short, the language would: (1) prohibit a fee for the next fiscal year; (2) allow records to be retained for 3 months; (3) provide for a transition period through 6/99; and (4) guarantee that NICS records are used only to ensure the integrity of the system.

Jose'

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

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D93]MAIL416986488.226 to ASCII,
The following is a HEX DUMP:

FF57504301050000010A020100000002050000005E0D00000002000003DC2C7B9D94C0B8F1BC75C
E15785C6A2A2C9F7BFC8B39C1022B8E112A74600BB27CCF7B8E0E56F8D91D5F46B616C09299ABF

Brady Handgun Insta-Check System

“None of the funds appropriated pursuant to this Act or any other provision of law may be used for (1) the implementation of any tax or fee in connection with the implementation of 18 U.S.C. 922(t); (2) any system to implement 18 U.S.C. 922(t) that does not require and result in the destruction, within three months, of any identifying information submitted by or on behalf of any person who has been determined not to be prohibited from owning a firearm. Implementation of this retention limitation may be phased in over a period not to extend beyond June 30, 1999; at the end of this period all identifying information for non-prohibited individuals that exceeds the three month retention period must be destroyed. This section does not apply to State-operated systems for handgun checks. Provided further, that in implementing the NICS the following provision shall substitute for the requirement imposed on the system in 18 U.S.C. 922(t)(2)(C): “All background check information maintained in the NICS by the FBI submitted by or on behalf of a person which has been determined not to be prohibited from possessing a firearm shall be destroyed by the FBI not later than 90 days after the NICS makes such determination. Such information may be used by the FBI only for the purposes of protecting the privacy, security, and integrity of the NICS and identifying fraud in the use of the NICS. Such information may be maintained as long as needed to pursue identified cases of misuse of the NICS. A knowing violation of this provision shall be subject to the penalties provided for in 18 U.S.C. 924(a)(5). The Attorney General shall, within 90 days of the effective date hereof, promulgate regulation to implement this provision.””

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-OCT-1998 22:25:59.00

SUBJECT: Drug Bills

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

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

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

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

TEXT:

Bruce, Elena, Rahm:

Per Elena, I have skimmed the 4 drug bills put forth by the R's; here are my thoughts...

1. Mostly no big issues. In truth, there's not too much worth fighting for in these bills. The demand reduction bill, reauthorization proposal and miscellaneous resolutions, etc., don't seem to include any big surprises, we should be able to generally accept them. OMB has asked ONDCP and some of the agency folks to generally mark-up the bills with our preferred language, and Deich's thinking is whatever changes we get...fine. I agree w/that. I am not too versed on the supply bill, which mostly authorizes interdiction and international drug funds, but NSC is taking the lead on it.

2. One McCaffrey issue. McCaffrey's Chief of Staff expressed that the General, with some cleaning up, is generally okay with the bills, too. However, he strongly objects to the 3-year authorization proposed by the R's. He insists we should have 5 years and wants to be personally notified if we don't get this in negotiations....hmmm.

3. Two observations -- Goals, Legalization. The ONDCP reauthorization still includes pretty lofty goals for reducing drug use over the next 5 years. The goals are no longer binding, as in previous iterations of the bill, but I think they'll prove to be a future headache. Still, the R's are insistent, and ONDCP doesn't think we'll move them any more than we have. Also, I don't think we should make a big deal about language prohibiting the study of drug legalization. ONDCP doesn't think it precludes our ability to conduct certain research, but HHS is sure to disagree. I say mark-up the language and take what we get.

4. Two Possible opportunities. Lastly, I'm attaching language from bills that we support that I believe are worth putting into the mix. The first is our proposal to use prison funds for drug testing and intervention and to require states to raise penalties for drug trafficking into prisons. The second is an R's bill to launch a demo on teen drug testing and drivers licenses -- something we support and just can't seem to get going.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D42]MAIL45419648D.226 to ASCII,
The following is a HEX DUMP:

FF57504332040000010A02010000000205000000ED15000000020000FCB0232E6E4CD42052640F

Drug Free Teenage Drivers Act (Introduced in the House)

HR 3799 IH

105th CONGRESS

2d Session

H. R. 3799

To establish programs designed to bring about drug free teenage driving.

IN THE HOUSE OF REPRESENTATIVES

May 6, 1998

Mr. MICA (for himself, Mr. PORTMAN, Mr. HASTERT, Mr. SOUDER, Mr. MCCOLLUM, Ms. ROS-LEHTINEN, and Mr. GOSS) introduced the following bill; which was referred to the Committee on Transportation and Infrastructure

A BILL

To establish programs designed to bring about drug free teenage driving.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Drug Free Teenage Drivers Act'.

SEC. 2. DEMONSTRATION PROGRAM.

The National Highway Traffic Safety Administration shall, within 180 days of the date of the enactment of this Act, establish a demonstration program in the States to provide voluntary drug testing for all teenager applicants (or other first time applicants for a driver's license regardless of age) for a driver's license. Information respecting an applicant's choice not to take the drug test or the result of the drug test on the applicant shall be made available to the applicant's automobile insurance company. If an applicant tests positive in the drug test, the State in which the program is established--

(1) will not issue a license to the applicant; and

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Hex-Dump Conversion

(2) will require the applicant to complete a State drug treatment program and to not test positive in a drug test before reapplying for a license.

SEC. 3. INCENTIVE GRANT PROGRAM.

(a) IN GENERAL- The Secretary of Transportation shall establish an incentive grant program to States to assist the States in improving their laws relating to controlled substances and driving.

(b) GRANT REQUIREMENTS- To qualify for a grant under subsection (a) a State shall do the following:

(1) Enact, actively enforce, and publicize a law which makes it illegal to drive in the State with any measurable amount of an illegal controlled substance in the driver's

body.

An illegal controlled substance is a controlled substance for which an individual does not

have a legal written prescription. An individual who is convicted of such illegal driving shall--

(A) have the individual's driving license suspended until the individual completes the State drug treatment program referred to in subparagraph (B) and does not test positive in a drug test; and

(B) require the individual to participate in a State drug treatment program.

(2) Enact, actively enforce, and publicize a law which authorizes the suspension (for an appropriate term as determined by the State) of a driver's license if the driver is convicted of any criminal offense relating to drugs.

(3) Enact a law which provides that beginning driver applicants and other individuals applying for or renewing a driver's license will be provided information about the laws referred to in paragraphs (1) and (2) and will be required to answer drug-related questions on their applications.

(c) USE- A State may only use a grant under subsection (a) to implement and enforce the programs described in subsection (b).

SEC. 4. TECHNICAL ASSISTANCE.

The Secretary of Transportation shall provide to the States technical assistance for--

(1) training law enforcement officers in the Standardized Field Sobriety Testing

techniques to detect impaired drivers;

drug (2) expanding drug information and training by involving prosecutors in community prevention programs; and

prevention (3) promoting uniform sanctions for drug offenses, referring drug offenders to assessment and treatment programs and involving judges in community drug programs.

Drug Testing, Intervention, and Trafficking Reduction Within Prisons Act of 1998
(Introduced in the House)

HR 3606 IH

105th CONGRESS

2d Session

H. R. 3606

To provide for drug testing of and interventions with incarcerated offenders and reduce drug trafficking and related crime in correctional facilities.

IN THE HOUSE OF REPRESENTATIVES

March 31, 1998

Mr. CONYERS (for himself and Mr. BARRETT of Wisconsin) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for drug testing of and interventions with incarcerated offenders and reduce drug trafficking and related crime in correctional facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the 'Drug Testing, Intervention, and Trafficking Reduction Within Prisons Act of 1998'.

SEC. 2. ADDITIONAL REQUIREMENTS FOR THE USE OF FUNDS UNDER THE VIOLENT OFFENDER INCARCERATION AND TRUTH-IN-SENTENCING GRANTS PROGRAM.

Section 20105(b) of the Violent Crime Control and Law Enforcement Act of 1994 is amended to read as follows:

'(b) ADDITIONAL REQUIREMENTS-

`(1) ELIGIBILITY FOR GRANT- To be eligible to receive a grant under section 20103 or section 20104, a State shall--

`(A) provide assurances to the Attorney General that the State has implemented or will implement not later than 18 months after the date of the enactment of this subtitle, policies that provide for the recognition of the rights of crime victims;

and

`(B) no later than September 1, 1998, have a program of drug testing and intervention for appropriate categories of convicted offenders during periods of incarceration and criminal justice supervision, with sanctions including denial or revocation of release for positive drug tests, consistent with guidelines issued by the Attorney General.

`(2) USE OF FUNDS- Funds provided under section 20103 or section 20104 of this subtitle may be applied to the cost of offender drug testing and appropriate intervention programs during periods of incarceration and criminal justice supervision, consistent with guidelines issued by the Attorney General. Further, such funds may be used by the States to pay the costs of providing to the Attorney General a baseline study on their prison drug abuse problem. Such studies shall be consistent with guidelines issued by the Attorney General.

`(3) SYSTEM OF SANCTIONS AND PENALTIES- Beginning in fiscal year 2000, and thereafter, States receiving funds pursuant to section 20103 or section 20104 of this subtitle shall have a system of sanctions and penalties that address drug trafficking within and into correctional facilities under their jurisdiction. Such systems shall be in accordance with guidelines issued by the Attorney General. Beginning in fiscal year 2000, and each year thereafter, any State that the Attorney General determines not to be in compliance with the provisions of this paragraph, shall have the funds for which they would have otherwise been eligible to receive under section 20103 or section 20104, reduced by 10 percent for each fiscal year for which the Attorney General determines they do not comply. Any funds that are not allocated for failure to comply with this section shall be reallocated to States that comply with this section.'

SEC. 3. USE OF RESIDENTIAL SUBSTANCE ABUSE TREATMENT GRANTS TO PROVIDE FOR SERVICES DURING AND AFTER INCARCERATION.

Section 1901 of part S of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796ff) is amended by adding at the end the following:

`(c) ADDITIONAL USE OF FUNDS- States that demonstrate that they have existing in-prison drug treatment programs that are in compliance with Federal requirements, may use funds awarded under this part for treatment and sanctions both during incarceration and

after
release.!