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[10/15/1998 – 10/20/1998]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. [partial] (1 page)	10/16/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[10/15/1998-10/20/1998]

2009-1006-F

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

CREATION DATE/TIME:15-OCT-1998 02:00:43.00

SUBJECT: Class size negotiations

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

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:

Together with Kennedy, Harkin, Clay, Daschle and ED staff, I met with staff from Goodling and Gorton's office on the outstanding class size issues. The R's came with their own draft, and insisted we work off of theirs. Much of their draft was lifted from the ED draft, which they had gotten from ED earlier in the evening. So we had a common starting point to work from, and it was easy to reach agreement on the bill language reflecting the points we had previously agreed to.

However, we were unable to resolve the outstanding issues, principally because the Republicans were unwilling to make any of the concessions Elena proposed at the end of the afternoon meeting. Further, they were clearly not interested in finding common ground at the meeting; they conceded early on that they had not agreed to any of our end-of-the-afternoon proposals, and would not move from their positions at this meeting. There was one area (see below) where they were open to bringing back our idea and so we have the basis to communicate again in the morning, and agreed to. Otherwise, it is not clear how best for us to proceed.

Here is where we are on an issue-by-issue basis, starting with the simple stuff:

Private School Participation: We agreed to language on this. It essentially requires equitable participation for private school teachers in professional development, and states that the private school provisions in Title 6 now otherwise do not apply to this program.

Participation by BIA schools. Daschle's staff yielded to Gorton on the size of the set aside for BIA schools. While the 1% setaside that Gorton could live with is much lower than in other programs, no one on our side felt strongly enough to fight--nor believed it would be possible to move Gorton very far on this if we tried.

Reducing Class Size in the early grades. Kennedy feels very strongly that we not give up on our original focus on grades 1-3. We had suggested that we could live with a priority for grades 1-3 (if adequately defined, Kennedy could live with this), and we did this in three places in our bill -- the statement of purpose in the opening paragraph; the provision that describes what local district's can spend the money on, and in the

"local flexibility trigger" that allows other uses of the funds once an average class size of 18 is reached in grades 1-3. Their draft contained none of these.

While they were initially unwilling to consider any of our language, or possible modifications to it, Vic ultimately did agree to take our "trigger" proposal back to Goodling. In our judgment, this is actually the only provision with any teeth in it--if it is enacted into law it would have the effect of getting local districts to work on grades 1-3 first.

We could probably still get a decent message about this being an initiative aimed at grades 1-3 with new compromise language the Dems agreed to after the meeting. (i.e., requiring LEA's to give priority consideration to grades 1-3 because of the research showing that the impact of class size reduction is greatest in the early grades). However, we didn't think this ought to be in play until we hear back on the trigger idea--and perhaps until one of you can get a better deal from the Speaker.

Cap on Professional Development and Teacher Testing. It was my understanding from Elena that Gingrich had agreed to a 10% cap on these items together. However, the Goodling draft proposed 10% for teacher testing, and an additional 10% for professional development. They claimed that the Speaker had only been asked about professional development, and therefore the additional 10% set-aside made sense.

We could easily live with a 10% cap on professional development, and an additional 2% or so for testing. However, it did not seem like a good idea to concede to Goodling's staff a point you had already won with the Speaker. Let me know if you want me to try this one out; the Dems will be ok with it.

State Administrative Funds. Our proposal is for .5% for state administration. Kennedy's staff has been very strong on this as is Riley. The R's were unmoveable on this, and insisted on nothing on State Administration.

In my judgment, Riley and Kennedy are not going to fall on their swords on this--and we certainly shouldn't. Clay could care less; he's just being a loyal team player. While they both think that some state \$ are needed, they are digging in on this mainly because they don't want to be hounded by the head of the state school superintendent's group, who has been a staunch supporter of and good friend to both of them. And neither wants to be the first to back off. I've told Scott Fleming to talk to Riley first thing in the morning, and explain that no one here is going to fall hold this up over state administration. I will follow up with Riley as well.; he will be here for the school safety conference.

I think we should try to get Kennedy and Riley to converge on a compromise-- .025 % rather than .05%--which works out to roughly 50K per state. If we try this and the R's won't budge, both Kennedy and Riley should find it a lot easier to drop this, and to let each other off the hook.

Formula. It is our understanding there is agreement on the distribution of funds to states (the higher of Title 1 or Eisenhower for each state), on an appropriations of an additional \$100 million (bringing the appropriations to \$1.2 billion), and that the within state formula

will be worked out sometime tomorrow at your level.

I'll check in first thing in the morning.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:15-OCT-1998 08:42:40.00

SUBJECT:

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

TEXT:

have a few thoughts now that it is daylight re fehbp issue. foley

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:15-OCT-1998 10:59:55.00

SUBJECT: Supreme Court welfare reform case

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

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

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:

As you may know from the papers, the Supreme Court has accepted for expedited review Anderson v. Roe, a case challenging California's policy of providing lower welfare benefits to new state residents.

HHS and DOJ are currently reviewing the case and plan to make a recommendation to us and counsel's office as to whether we should file a brief in the case. The U.S. is not a party to the suit (only the state of California was sued), so we are not required to do anything. As you may recall, the welfare law made such two-tiered benefits an explicit state option.

Briefs would need to be filed by Nov. 7th. Harriet Rabb is currently leaning towards staying out of the case altogether (we did so on a previous case, Green v. Anderson). Other options include filing on behalf of one side (California or plaintiff) or filing a brief explaining our understanding of the statute.

Harriet sent a note to Chuck Ruff saying they are looking into this. She and Marcy Wilder of her office are working with Ed Needler at Justice.

In a week or so when Justice and HHS have gathered their thoughts, I assume we'd want to have them over here to discuss and Elena, I assume you would want to be there.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:15-OCT-1998 11:46:59.00

SUBJECT: NEAR-FINAL DRAFT of Victory Document

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

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

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

TO: Elliot J. Diringer (CN=Elliot J. Diringer/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TO: Jonathan Weiss (CN=Jonathan Weiss/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TO: Eric R. Anderson (CN=Eric R. Anderson/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

Just wanted to provide everyone another chance to comment/add/subtract on this long budget victory document and the shorter "work left to do" document. (OMB is reviewing it right now to make sure the numbers are correct.) If you have suggestions, I need them by 1:15 PM. And that's a hard deadline. Thanks.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D9]MAIL471204885.226 to ASCII,
The following is a HEX DUMP:

FF5750438A1B0000010A02010000000205000000FBEC00000002000083127510B4A4D502912910

DESPITE ALL THE PROGRESS IN THIS YEAR'S BUDGET, THERE IS STILL MUCH WORK LEFT TO DO

In the waning days of the session, the President and Congressional Democrats prevailed in making critical investments in advancing the President's agenda. However, much work remains for the future because Republicans in Congress killed, at least for now, critical priorities, including:

- * **School Modernization Tax Credits.** Beginning with his State of the Union address, the President fought all year to modernize our schools. His fully paid for tax credits would have leveraged nearly \$22 billion in bonds to build and renovate schools. In the final days of the budget negotiations, Republicans in Congress refused to even meet on the critical issue of school construction.

- * **Patients Bill of Rights.** President Clinton repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. Congressional Republicans killed this year's effort to pass a Patients Bill of Rights.

- * **Comprehensive Tobacco Legislation.** This year, President Clinton made passage of legislation to reduce youth smoking a top priority, in order to stop kids from smoking before they start through a significant price increase, measures to prevent tobacco companies from marketing to children, and critical public health prevention and education programs. Congressional Republicans opted to act as politicians instead of parents, and killed this year's effort to pass bipartisan comprehensive tobacco legislation to reduce youth smoking.

- * **Campaign Finance Reform.** At the beginning of the year, the President made passage of bipartisan, comprehensive campaign finance reform a priority for his Administration. After months of delay, the House of Representatives overcame defenders of the status quo and passed the Shays-Meehan bill. However, the Senate Republicans killed this historic legislation.

- * **Child Care Initiative.** In his State of the Union, the President proposed an historic child care initiative to make child care better, safer and more affordable for America's working families. The President's proposal included \$7.5 billion over 5 years for child care subsidies for low-income working families and tax credits to help 3 million working families pay for child care. The Republicans refused to support these critical investments.

- * **Speeding Toxic Cleanups.** President Clinton called for an additional \$650 million -- a 40 percent increase -- to accelerate Superfund cleanups with a goal of completing a total of 900 cleanups by 2001. The Republican majority refused these funds, threatening to delay cleanup at up to 171 sites across the country.

- * **Work Incentives Bill for People with Disabilities.** At the commemoration of the
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Americans with Disabilities Act last July, the President endorsed the bipartisan Jeffords-Kennedy bill that enables people with disabilities to go back to work by providing an option to buy into Medicaid and Medicare, as well as other pro-work initiatives. This bill was on the list of top Administration priorities in the final budget negotiations, but rejected by Republicans. The President will continue to fight to give people with disabilities the opportunity to work --including the critical health insurance that makes work possible.

- * **Education Opportunity Zones.** President Clinton, in his budget, called for Education Opportunity Zones to help high-poverty urban and rural communities increase student achievement by raising standards, improving teaching, ending social promotions, and turning around failing schools. The Republican majority refused to provide the requested \$200 million in funds, which would have helped about 50 high-poverty, low-achieving, urban and rural school districts.
- * **Minimum Wage.** President Clinton and Congressional Democrats called for a \$1 increase in the minimum wage over two years -- to raise the wages of 12 million workers. **For someone who works full-time, this minimum wage increase would have meant an additional \$2,000 per year. However, 95 percent of Senate Republicans voted to kill the President's minimum wage increase.**
- * **Medicare Buy-In.** President Clinton proposed providing new options for Americans ages 55 to 65 to obtain health insurance, including buying into Medicare. **This policy would not have hurt the Medicare Trust Fund. The Republican majority killed this new initiative that would have helped provide health care to hundreds of thousands of vulnerable Americans.**

PRESIDENT CLINTON, VICE PRESIDENT GORE, AND CONGRESSIONAL DEMOCRATS WIN ON THE BUDGET

October 15, 1998

Saving Social Security First

In his State of the Union address, President Clinton asked a basic question "what should we do with this projected surplus," and gave an historic four-word answer: "Save Social Security First." With our fiscal house in order, marked by the first surplus in a generation, President Clinton is determined to seize this unique opportunity to strengthen this most important program for generations to come. Protecting the surplus is a key step towards enacting Social Security reform. President Clinton defeated repeated efforts to squander the surplus and, at the end of this Congress, it remains intact.

Invests in Education and Training

In the face of House Republican efforts to slash their education budget by more than \$2 billion, President Clinton and Vice President Gore delivered on their education agenda:

NEW EDUCATION AND TRAINING INITIATIVES IN FINAL BUDGET AGREEMENT:

More High-Quality Teachers With Smaller Class Sizes. In his State of the Union address, President Clinton said, "Tonight, I propose the first-ever national effort to reduce class size in the early grades. My balanced budget will help to hire 100,000 new teachers." Throughout the year, Republicans failed to consider this important initiative. The final budget provides \$1.2 billion for the first year of the President's new initiative to hire 100,000 new, well-prepared teachers, to reduce class sizes in the early grades to a national average of 18.

GEAR-UP: College Mentoring Initiative To Help Up to 100,000 Students Prepare for College. In his State of the Union address, President Clinton urged Congress "to support our efforts to enlist colleges and universities to reach out to disadvantaged children, starting in the 6th grade, so that they can get the guidance and hope they need so they can know that they, too, will be able to go on to college." The President proposed \$140 million to get this effort started, but the House appropriations bill denied funding and the Senate provided only \$75 million. The final budget provides \$121 million for this new initiative which was authorized as part of the higher education legislation enacted on October 7th. GEAR-UP will expand mentoring efforts by States, and provide new grants to **partnerships of middle schools, institutions of higher education, and community organizations, to provide intensive early intervention services to help prepare up to 100,000 students at high-poverty middle schools for college.**

Child Literacy Initiative to Help Children Read Well By the End of the Third Grade. In 1996, President Clinton proposed an America Reads Challenge to help 3 million children improve their reading skills. In 1997, he insisted that the new initiative be included as part of the Balanced Budget Agreement. With this budget, he has won the \$260 million that he proposed to help ensure that all children can read well and independently by the end of third grade. The budget includes the legislation creating a program that is consistent with the President's America Reads proposal. The new program will provide competitive grants to States to (1) improve teachers' ability to teach reading effectively; (2) promote family literacy programs to help parents be their child's first teacher; and (3) improve the quality of tutoring programs by supporting tutor training.

Youth Opportunity Areas To Help Increase Job Opportunities for 50,000 Youth in High-Poverty Communities. As part of the Workforce Investment Bill, President Clinton created Youth Opportunity Grants to direct resources to high-poverty areas, including Empowerment Zones and Enterprise Communities, to provide comprehensive services designed to increase employment and school completion rates for disadvantaged youth. The President's FY99 budget included \$250 million for this new innovative program. While the House Republican budget did not fund this critical initiative, the final agreement includes the full \$250 million request, which will help provide job training and social services to 50,000 youth.

New Learning Anytime, Anywhere Initiative. The President's FY99 budget included a new initiative to enhance and promote distance learning opportunities -- learning outside the usual classroom settings, via computers and other technology -- for all adult learners. The final budget includes \$20 million for the Education and Labor Departments to implement this new initiative to demonstrate new high-quality uses of technology for distance learning in post-secondary education and training, and to help provide more accurate labor market information.

Teacher Recruitment and Preparation -- \$75 million. On October 7th, President Clinton signed legislation that had incorporated the President's Teacher Recruitment and Preparation proposal. While House Republicans did not fund this important initiative, the final budget provides \$75 million, which will help recruit and prepare thousands of teachers to teach in high-poverty urban and rural communities and will strengthen teacher preparation programs across the country.

Training New Teachers to Use Technology Effectively. President Clinton's FY99 budget requested \$75 million to train new teachers in how to use technology to improve student achievement. The House and Senate Republicans denied the request. The final agreement includes the full \$75 million the President requested.

Hispanic Education Action Plan To Attack Unacceptably High Drop-Out Rate. Because the high-school drop-out rate of Hispanics is unacceptably high, President Clinton's FY99 budget included the first-ever Hispanic Education Action Plan. As part of this plan, the President proposed significant increases in Title I funding and a number of other programs that enhance educational opportunity for Hispanic Americans. The final budget includes increases of \$524 million for these programs; for example, it provides a \$301 million increase for Title I; \$600 million for TRIO college preparation programs, an increase of \$70 million over FY 1998, which will provide support services for over 700,000 students; and \$50 million for Bilingual Education Professional Development -- double the FY 1998 level -- to begin to provide 20,000 teachers over five years with the training they need to teach Limited English Proficient students.

EXPANDED KEY EDUCATION AND TRAINING INVESTMENTS:

Expanded After-School Programs To Serve A Quarter of A Million Children. In his State of the Union address, President Clinton asked Congress to "dramatically expand our support for after-school programs." The President and Vice President proposed \$200 million for after-school programs in their FY99 budget. While the House Republican budget did not

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fund \$140 million of the President's and Vice President's request, which would have denied services to about 425,000 children, the final budget includes full funding for the President's and Vice President's initiative, which will serve a quarter of a million children each year.

Expanded Head Start. President Clinton proposed a \$313 million increase for Head Start to add 30,000 to 36,000 new slots for children, continuing on the path to serving one million children by 2002. The House Republican budget did not provide the President's increase and would have denied 25,000 children Head Start slots if enacted. The final budget includes the President's full increase for Head Start, which is funded at \$4.660 billion.

Summer Jobs Protected for Half a Million Youth. While House Republicans attempted to eliminate the successful Summer Jobs program, President Clinton prevailed with his request for \$871 million in funding, which will finance up to 530,000 summer jobs for disadvantaged youth.

Expanded Educational Technology -- Connecting Our Children to the Future.

President Clinton's and Vice President Gore's budget requested \$721 million -- a \$137 million increase -- for educational technology to ensure that every child has access to computers, the Internet, high-quality educational software, and teachers that can use technology effectively in the classroom. The House Republican denied the President's and Vice President's request for a funding increase, cutting funding \$43 million below last year. The final agreement includes \$729 million -- a 25-percent increase over the \$584 million funding level in FY98, including the new \$75 million initiative for training new teachers and \$10 million for new grants to public-private partnerships in low-income communities to provide residents access to computer facilities for educational and employment purposes. Education technology has always been a top priority for the President and Vice President; since 1993, they have created the Technology Literacy Challenge Fund and increased overall investments in educational technology by more than thirty-fold, from \$23 million to \$729 million this year.

Expanded Goals 2000 to Promote High Academic Standards. President Clinton created Goals 2000 in 1993 to promote high academic standards for all students and proposed a modest expansion in this year's budget. While the House Republican budget tried to cut the program in half, the final budget includes \$491 million which will help all 50 States continue raise academic standards and help at least 12,000 schools implement innovative and effective education reforms.

Improved Child Care Quality. In his State of the Union, the President proposed an historic child care initiative to make child care better, safer and more affordable for America's working families. While the budget does not include critical investments in subsidies and tax credits to help working families pay for child care, it does include the President's request of \$182 million to improve the quality of child care.

Expanded Work Study To Help Nearly One Million Students Work Their Way

Through College. President Clinton's FY99 budget included a significant expansion of the Federal Work Study program. The final budget agreement provides \$870 million -- a \$40 million increase over the FY 1998 level of \$830 million -- which will allow nearly one million students to work their way through college and keeps us on **track to the President's goal of one million students in work study by the year 2000.**

Expanded Job Training To Help 666,000 Dislocated Workers. President Clinton's FY99 budget included a significant expansion in the dislocated worker program. While the House froze job training funds for dislocated workers, the final agreement includes \$1.4 billion which will help some 666,000 dislocated workers get the training and reemployment services they need to return to work as quickly as possible. This represents an increase of \$55 million -- to help 27,000 dislocated workers -- compared to FY98. Since 1993, dislocated worker funding has been expanded by 171 percent -- helping to well more than double the number of workers served.

Expanded Charter Schools to Promote Creation High-Quality Public Schools. President Clinton's FY99 budget included \$100 million for Charter Schools to keep us on track toward the President's goal of creating 3,000 high-quality public charter schools that will educate more than half a million students by early in the next century. Charter schools are public schools started by teachers, parents and communities, that are given flexibility in decision-making, in exchange for high levels of accountability for results. The final budget provides \$100 million -- the President's 25-percent increase -- for Charter Schools and will give parents and students more choice, better schools, and greater accountability for results in public education.

Assistance to Help Over 400,000 More Students in Distressed Communities Learn Basic Skills. President Clinton proposed a \$392 million increase in Title I funding to help students in high poverty communities receive the extra help they need to master the basics to reach high academic standards. The House Republican budget proposed a freeze in Title I funding. The final budget provides a \$301 million increase, from \$7.375 billion in FY98 to \$7.676 billion in FY99. This funding will support educational services for nearly 11 million students, over 400,000 more than last year.

Largest Maximum Pell Grant Award Ever. Last year, President Clinton signed into law the largest one-year increase in Pell Grant scholarships in 20 years. This year, the final budget provides \$7.7 billion for Pell Grants, an increase of \$359 million over FY98, increasing the maximum Pell Grant award from \$3,000 to \$3,125 -- that's the largest maximum award ever, 36-percent higher than it was in 1993. This year, approximately 4 million students will receive Pell Grant awards.

Moves Forward On The Environment

In the final budget, President Clinton won important increases to combat water pollution, protect national parks and other precious lands, restore salmon and other endangered species, and develop clean energy technologies. At the same time, President Clinton forced Congress to drop special-interest riders that would have cut roads through wilderness, forced overcutting on our national forests, crippled wildlife protections, and blocked common-sense actions to address global warming.

Clean, Safe Water for America. The final budget provides \$1.7 billion -- an additional \$230 million or 16-percent increase from last year -- for the President's Clean Water Action Plan, a five-year initiative to help communities and farmers clean up the almost 40 percent of America's surveyed waterways still too polluted for fishing and swimming. In addition, the budget provides states \$2.15 billion in financing for clean water construction projects.

Preserving Precious Lands. An additional \$325 million -- a \$55 million increase from last year -- through the Land and Water Conservation Fund will be used to acquire dozens of natural and historic sites around the country, including critical winter range for Yellowstone bison, New Mexico's Baca Ranch and the last remaining private stretches of the Appalachian Trail.

Protecting Endangered Species. The final budget provides a 23-percent increase for efforts to restore threatened and endangered species, including \$5 million to provide incentives for habitat conservation on private lands.

Leading the Fight Against Global Warming. The final budget provides over \$1 billion -- a 24-percent increase from last year -- to support research investments that will reduce greenhouse gas emissions, oil consumption, and energy costs for consumers and businesses by promoting increased energy efficiency and clean energy technologies.

Defending Our Environment Against Stealth Attacks. President Clinton forced Congress to drop special-interest riders that would have rolled back hard-won environmental protections. Anti-environmental language in the budget bills would have:

- Forced overcutting of timber on national forests and accelerated logging of Alaskan rain forest.
- Allowed intrusive helicopter landings in Alaska wilderness and the first road ever carved through a designated wilderness area.
- Hindered salmon restoration in the Pacific Northwest, and allowed harmful commercial fishing in wilderness waters of Glacier Bay National Park.
- Blocked common-sense actions to reduce greenhouse gas pollution, and barred the Administration from informing the public about the threat of global warming.

Responds to the Farm Crisis at Home...

Emergency Farm Assistance. President Clinton vetoed the Agriculture Appropriations bill on October 8th "because it fails to address adequately the crisis now gripping our Nation's farm community." The final budget includes a significant increase in emergency farm assistance over the \$4.2 billion in the vetoed bill. The final budget provides total emergency assistance to farmers and ranchers of about \$6 billion -- that's 40 percent more assistance than the bill the President vetoed. The final bill increased the amount for crop loss compensation by **\$228 million, and increased the amount for economic loss compensation by \$1.4 billion, bringing the amounts for these to \$2.6 billion and \$3.1 billion, respectively.**

USDA Discrimination Claim Payments. The final budget includes an improved version of the language waiving the statute of limitations on minority farmer discrimination claims against USDA than was included in Agriculture Appropriation bill. The final version is substantially the same as the Senate-passed version drafted by Senator Robb. Unlike the vetoed version, the final bill waives the statute of limitations on claims stemming from alleged discrimination in USDA's housing loan program, as well as the farm loan program

waiver included in the vetoed bill. It also includes expedited resolution of the claims, which was not in the vetoed version, urging the Secretary of Agriculture to resolve claim cases within 180 days from when claims are filed. With this language, discrimination claims from 1981 to 1996 that had been barred by the statute of limitations will be expeditiously resolved by USDA.

...And to Financial Turmoil Abroad

Full IMF Funding To Help Address International Financial Crisis. With America's fiscal house in order, the United States is now the bulwark of economic stability in the world. Some other nations around the world, however, are experiencing major economic upheaval, hurting our exports, farmers, and ranchers. A strong International Monetary Fund is a stabilizing force in the world economy and is a critical piece of President Clinton's strategy to protect the international financial system -- and therefore the U.S. economy -- against the risk of new, escalating, or spreading crises. President Clinton fought for and won full funding of \$17.9 billion for the IMF -- a critical part of his strategy to help address the global financial crisis and to keep our economy strong. A stronger IMF will give the U.S. and its allies new flexibility in developing responses to protect the world from the spread of the financial crisis.

Fully Funds President Clinton's Child Labor Initiative. In his State of the Union address, the President pledged to send legislation to Congress to fight abusive child labor and proposed making the United States the world leader in supporting programs to reduce abusive child labor, with a 10-fold increase in our commitment to the International Programme for the Elimination of Child Labor (IPEC), from \$3 million to \$30 million a year. While the Senate, with the strong leadership of Senator Harkin, fully funded the President's request, the House failed to do so, providing only \$6 million. In the final budget, Congress agreed to the President's full request of \$30 million for IPEC. **The budget also fully funds the President's \$9 million request for domestic enforcement and a migrant youth job-training demonstration.**

Moves People from Welfare to Work and Empowers Communities

President Clinton and Vice President Gore are committed to tapping the potential of America's urban and rural communities. This budget moves forward on their vision to help revitalize America's communities:

50,000 Welfare-to-Work Housing Vouchers. President Clinton's FY 1999 Budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work. The original House bill included \$100 million, while the Senate provided only \$40 million. The final budget includes President Clinton's full request of \$283 million for 50,000 welfare-to-work housing vouchers.

Flexible Funding for Empowerment Zones. President Clinton and Vice President Gore requested mandatory funding for second-round urban and rural Empowerment Zones. The final budget includes \$60 million in this flexible funding for the next round of Empowerment Zones and 20 new rural Enterprise Communities.

Community Development Financial Institution (CDFI) Expansion. The Administration requested a major expansion of the CDFI program to continue building a national network of community development banks. The original House bill froze CDFI funding at \$80 million, while the Senate cut funding to \$55 million. The final budget increases CDFI funding from \$80 million in FY98 to \$95 million in FY99 -- a 19-percent increase.

Public Housing Reform. This legislation makes the President's landmark housing reform a reality. This bipartisan bill will allow more economic integration and deconcentration in our Nation's public housing, encourage and reward work, provide protections for those most in need, and put the Nation back into the housing business with the first new housing vouchers in five years.

FHA Loan Limit Increased. President Clinton's FY99 budget included an increase in the FHA loan limit to expand homeownership opportunities to more Americans. The final budget includes an increase in the FHA loan limit, raising the limit from \$86,317 to \$109,032 in the lowest cost areas and from \$170,300 to \$197,621 in the highest cost areas.

"Play-by-the-Rules" Homeownership Initiative. President Clinton's FY99 budget included \$25 million for the Neighborhood Reinvestment Corporation to start the "Play-by-the-Rules" homeownership initiative, which would make homeownership more accessible to 10,000 families who have good rental histories, but are not adequately served in the housing market. The final budget includes \$25 million for this new initiative.

Increased Funding for Homeless Assistance. The President proposed a major expansion of HUD's continuum of care program, designed to help homeless persons obtain health care, jobs, and permanent housing. The final budget includes \$975 million in funds for the homeless -- a \$152 million, or 18 percent, increase over last year.

HUD Fair Housing. The President proposed a major expansion of HUD's Fair Housing programs, as part of his "One America" initiative. The final budget expands HUD's Fair Housing programs from \$30 million in FY98 to \$40 million in FY99. That 33-percent increase includes \$7.5 million for a new audit-based enforcement initiative proposed by the Administration.

Regional Opportunity Counseling. The Administration requested funds to help counsel Section 8 certificate and voucher holders on their full range of housing options. While the Senate did not include any funding for this initiative, the final budget includes \$10 million for this voluntary effort to expand the housing and employment opportunities available to low-income families.

Expansion of HUD's Youthbuild Program. The Administration proposed expanding funds for Youthbuild by more than a quarter. While the original House bill provided \$35 million and the Senate provided \$40 million, the final budget includes \$42.5 million -- an increase of over 20 percent.

Cleaning Up Brownfields. The Administration proposed \$91 million for EPA's brownfield activities, such as grants for site assessment and community planning. The final budget includes the President's request of \$91 million.

— **Community Development Block Grant (CDBG) Expansion.** President Clinton's FY99 budget included an expansion of CDBG. The final budget increases funding for CDBG from \$4.675 billion in FY98 to \$4.750 billion in FY99 -- that's a \$75 million expansion this year.

— **Increased Help For Communities Suffering From Sudden and Severe Economic Dislocation.** President Clinton's FY99 budget included a 10-percent increase in funds for EDA so that they can better respond to sudden and severe economic dislocation. The final budget increases funding for EDA from \$361 million to \$393 million -- that's a 9-percent expansion this year.

— **Expansion of NADBank.** The Administration proposed providing the North American Development Bank's (NADBank) Community Adjustment and Investment Program \$37 million of paid-in capital, which would allow the Bank to leverage private capital markets to provide additional financing to trade-affected communities. The final budget includes \$10 million of paid-in capital for the NADBank.

— **\$75 Million for Welfare-to-Work Transportation Funds.** While the House and Senate provided \$50 million -- the minimum amount "guaranteed" in the transportation bill -- the final budget includes \$75 million for this competitive grant program. These funds will assist states and localities in developing flexible transportation alternatives, such as van services, to help former welfare recipients and other low income workers get to work.

— **Heating and Cooling Assistance for Low-Income Families Protected.** More than five million low-income families receive help to pay for home heating costs through this program, yet the House Republicans tried to eliminate it. The final budget includes the President's full request for funding to help low-income families pay for home heating and cooling assistance.

Advances a Strong Health and Technology Research Agenda

For six years in a row, President Clinton and Vice President Gore have proposed substantial increases in the Federal government's research and development portfolio to build a healthier, more prosperous, and productive future. In FY 1999, the President proposed, within the first balanced budget in a generation, the largest commitment to key civilian research in the history of our country as part of the "Research Fund for America." Congress agreed to support significant increases in R&D, including:

— **Expansion of National Science Foundation.** President Clinton proposed a major expansion of research and development funds for the National Science Foundation (NSF). The final budget includes a 7-percent increase -- from \$3.4 billion in FY98 to \$3.7 billion in FY99 -- in the NSF research budget to support science and engineering research across all fields and disciplines. NSF supports nearly half of the non-medical basic research conducted at universities.

— **Expansion of National Institutes of Health for Biomedical Research.** President Clinton's FY99 budget included the largest-ever dollar increase in funds for the National Institutes of Health (NIH). The final budget includes almost \$2 billion expansion of NIH research funding -- a 14-percent increase. Scientists are on the cusp of important new breakthroughs

in biomedical research, which could revolutionize the way medical experts understand, treat, and prevent some of our most devastating diseases. This increase will enable scientists to pursue a wide range of cutting edge research from Alzheimers to AIDS to genetic discoveries.

Expansion of Energy Department Science Budget. President Clinton's FY99 included an 8 percent increase in the Department of Energy's science budget, including support for the National Spallation Neutron Source. The final budget fully funds the President's request.

Funds Next Generation Internet. In his State of the Union address, President Clinton said, "I ask Congress to step up support for building the next generation Internet... And the next generation Internet will operate at speeds up to a thousand times faster than today." The final budget includes more than \$100 million funding for the Next Generation Internet, a Federal R&D initiative which will connect more than 100 universities at speeds that are up to 1,000 times faster than today's Internet, and establish the foundation for the networks and applications (e.g. telemedicine, distance learning) of the 21st century.

Expansion in Advanced Technology Program (ATP). President Clinton's FY99 budget proposed an expansion of ATP to promote cutting-edge high-technology projects. While the Senate froze funding at the FY98 level and the House cut funding by \$13 million, the final budget increases ATP funding to \$204 million -- an \$11 million increase over last year -- which will allow for about \$70 million in new awards to develop high-risk technologies that promise significant commercial payoffs and widespread economic benefits.

Improving the Public Health of America

For six years, President Clinton and Vice President Gore have been working hard to expand our Nation's health care investments, including research, prevention, and quality care for more Americans.

U *New Efforts to Prevent and Treat HIV/AIDS.* The Congress has responded to the President's and Vice President's request to substantially increase efforts to prevent and treat HIV/AIDS. Congress has provided \$1.4 billion for Ryan White Care Act activities. This funding level includes a 61-percent increase for the AIDS drug assistance program, which provides funds to States to help uninsured and underinsured people with life-saving treatments for HIV/AIDS. In addition, Congress provided about \$630 million for HIV prevention activities at the Centers for Disease Control and Prevention.

U *Historic \$130 Million Effort to Address HIV/AIDS in Minority Community.* Minority communities make up the fastest growing portion of the HIV/AIDS caseload (44 percent of all new HIV cases). Today, the final budget makes an unprecedented \$130 million investment, including \$50 million in emergency funding that will improve prevention efforts in high risk communities, and expand access to cutting edge HIV therapies and other treatment needed for HIV/AIDS, and the Department of Health and Human Services will invest \$20 million of existing resources to address this problem.

U *Critical New Investments to Protect Public Health at the Centers for Disease Control (CDC).* The Congress has responded to President Clinton's request for a \$2.4 billion investment -- a

\$222 million increase -- in public health at the CDC. This critical investment will address a host of public health challenges, including fighting emerging infectious diseases, combating new resistance to anti-biotics, and improving prevention for some of our nation's leading killers, such as diabetes, HIV/AIDS, and heart disease.

U ***New Efforts to Improve the Quality of Health Care.*** Congress has responded to the President's request for a \$25 million investment in new research at the Agency of Health Care Policy and Research (AHCPR) to improve the quality of the health care delivery system. Identifying critical health care problems and educating health plans, medical professionals, patients, and advocates about solutions can lead to important improvements in the quality of health care. For example, overuse of antibiotics has been shown to lead to resistance and cost as much as \$7.5 billion a year. AHCPR's development and dissemination of guidelines for the appropriate use of antibiotics will result in better patient care and significant health care savings.

U **Increasing Funding to Provide Health Insurance to Low-Income Children in Puerto Rico and the Territories.** Thousands of uninsured children in both Puerto Rico and the other territories will now be eligible for meaningful health care coverage for the first time under the Children's Health Insurance Program (CHIP). The territories were currently on schedule to receive an inadequate and inequitable \$10.7 million. Today, the Congress responded to the President's request and provided the territories with an additional \$153 million over five years for their new CHIP programs that will meet the needs of their uninsured children.

U **Funding the President's Commitment to Eliminate Racial Health Disparities.** Minorities suffer from higher rates for a number of critical diseases. For example, African Americans under the age of 65 have twice the rate of heart disease as whites, and Native Americans suffer from diabetes at nearly three times the average rate. The Congress has taken a critical first step in investing in the President's multi-year proposal to eliminate racial health disparities in six health areas, including HIV/AIDS, cancer, diabetes, and immunizations. The Congress has given the Administration authority to fund its proposed \$30 million grants for communities to develop new strategies to address these disparities and has granted the President's request for increases in other critical public health programs, such as heart disease and diabetes prevention at CDC, that have proven effective in attacking these disparities.

Other Highlights...

— **Reduces Backlog and Expands Alternative Dispute Resolution at Equal Employment Opportunity Commission (EEOC).** The President's FY99 budget included \$279 million -- a \$37 million increase over the previous year -- to significantly expand EEOC's alternative dispute resolution program and reduce the backlog of private sector discrimination complaints. The final budget fully funds the President's request -- providing the first real increase for EEOC in several years.

— **President Clinton's Food Safety Initiative.** The final budget provided approximately \$75

million in new funds for the President's Food Safety Initiative to help implement a far-ranging plan to improve surveillance of food borne illnesses, education about proper food handling, research, and inspection of imported and domestic foods. The new funds are part of an Administration-wide effort, led by the Department of Agriculture and the Department of Health and Human Services, to create a seamless, science-based food safety system.

More Police on the Streets. In 1994, President Clinton fought for and won a commitment to put 100,000 police officers on the street. The final budget includes funds for 17,000 additional Community Oriented Police Services (COPS) Program police officers toward the President's goal of 100,000 cops on the beat by 2000.

Increasing Law Enforcement in Indian Country. In his FY1999 budget, the President requested a \$25 million increase for law enforcement in Indian country. The final bill includes the President's full request. This funding will go to more police officers and public safety initiatives in the approximately 56 million acres of Indian lands serving more than 1.4 million residents.

Brings Financial Stability to Tennessee Valley Authority (TVA). The final budget includes \$50 million that will allow TVA to better provide for the citizens of the seven states -- Alabama, Georgia, Kentucky, Mississippi, North Carolina, Tennessee, and Virginia -- that it serves. The agreement will let TVA refinance part of its debt to compensate for the loss of Federal funds for its non-power programs. The final budget also prevents TVA from losing the Land Between the Lakes Recreation Area.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:15-OCT-1998 14:04:17.00

SUBJECT: Re: NEAR-FINAL DRAFT of Victory Document

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

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

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

TO: Elliot J. Diringer (CN=Elliot J. Diringer/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

TO: david w. beier (CN=david w. beier/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

TO: jonathan weiss (CN=jonathan weiss/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TO: eric r. anderson (CN=eric r. anderson/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

TO: eli g. attie (CN=eli g. attie/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TEXT:

Any more comments????? Please get them to me ASAP.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ingrid M. Schroeder (CN=Ingrid M. Schroeder/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:15-OCT-1998 19:31:13.00

SUBJECT: LRM #IMS443 - Signing Statement on S53 Curt Flood Act

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

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

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

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

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

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

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

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

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

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

TEXT:

Attached is a slightly revised version of the signing statement on S. 53 - Baseball Antitrust (the only difference is that we added a paragraph on Curt Flood). Since the clock on the bill has started we will need to finalize this signing statement ASAP. Therefore please provide your sign-off or any comments by 2pm, Friday, October 16th. Thanks

Draft Signing Statement for S. 53

I am pleased today to sign into law S. 53, the Curt Flood Act of 1998. This legislation is the successful culmination of bipartisan efforts to treat employment matters with respect to Major League Baseball players under the antitrust laws in the same way such matters are treated for athletes in other professional sports. I particularly want to thank Chairman Hatch, Senator Leahy, Chairman Hyde and Representative Conyers for their efforts in guiding this legislation through Congress.

It is especially fitting that this legislation will forever honor a courageous baseball player and human being, the late Curt Flood. Flood's enormous talents on the baseball diamond were matched by his courage off the field. It was 29 years ago this month that Curt Flood refused a trade from the St. Louis Cardinals to the Philadelphia Phillies. His bold stand set in motion the events which culminate in the law I am signing today. The personal and professional sacrifices made by Curt Flood have benefitted all players since then and played a major role in the current enormous popularity of our national pastime.

The Act appropriately limits baseball's special judicially-created antitrust exemption by expressly applying the antitrust laws to certain conduct of Major League Baseball. The legislation would not affect the applicability of those laws to certain matters that, it has been argued, the exemption would legitimately protect (including franchise relocation rules and the minor leagues). The Act provides that certain conduct of Major League Baseball is subject to the antitrust laws; the applicability of the antitrust laws with respect to all other conduct is unchanged. The Act in no way codifies or extends the baseball exemption.

The Act does not in any way limit the standing of the United States to bring an antitrust action. The antitrust laws protect the public's interest in the efficient operation of the free market system, thereby protecting consumers, and the United States has standing to sue to enjoin all violations.

Treating employment matters with respect to Major League Baseball players under the antitrust laws in the same way such matters are treated for athletes in other professional sports is sound policy. I know I am joined by millions of baseball fans in hoping that the Curt Flood Act of 1998 helps baseball avoid stoppages of play it has too often experienced as a result of player/owner disagreements.

----- Forwarded by Ingrid M. Schroeder/OMB/EOP on
10/15/98 07:26 PM -----

From: Ingrid M. Schroeder on 10/13/98 02:26:29 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: LRM #IMS443 - Signing Statement on S53 Curt Flood Act

Total Pages: _____

LRM ID: IMS443
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Tuesday, October 13, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Ingrid M. Schroeder (for) Assistant Director for Legislative Reference

OMB CONTACT: Ingrid M. Schroeder
PHONE: (202)395-3883 FAX: (202)395-3109

SUBJECT: Signing Statement on S53 Curt Flood Act

DEADLINE: 5pm Wednesday, October 14, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS:
DISTRIBUTION LIST

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25-COMMERCE - Michael A. Levitt - (202) 482-3151

EOP:
John THOMPSON
David J. Haun
Larry R. Matlack
Daniel J. Chenok
Steven D. Aitken
Elena Kagan
Sarah Rosen
Bruce R. Lindsey
Michelle Peterson
Robert N. Weiner
LRM ID: IMS443 SUBJECT: Signing Statement on S53 Curt Flood Act

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:
(1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
(2) sending us a memo or letter
Please include the LRM number shown above, and the subject shown below.

TO: Ingrid M. Schroeder Phone: 395-3883 Fax: 395-3109
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-3454

FROM: _____ (Date)
_____ (Name)
_____ (Agency)
_____ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet

Draft Signing Statement for S. 53

I am pleased today to sign into law S. 53, the Curt Flood Act of 1998. This legislation is the successful culmination of bipartisan efforts to treat employment matters with respect to Major League Baseball players under the antitrust laws in the same way such matters are treated for athletes in other professional sports. I particularly want to thank Chairman Hatch, Senator Leahy, Chairman Hyde and Representative Conyers for their efforts in guiding this legislation through Congress.

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Message Sent

To: _____

John E. Thompson/OMB/EOP@EOP
 David J. Haun/OMB/EOP@EOP
 Larry R. Matlack/OMB/EOP@EOP
 Daniel J. Chenok/OMB/EOP@EOP
 Steven D. Aitken/OMB/EOP@EOP
 Elena Kagan/OPD/EOP@EOP
 Sarah Rosen/OPD/EOP@EOP
 Bruce R. Lindsey/WHO/EOP@EOP
 Michelle Peterson/WHO/EOP@EOP
 Robert N. Weiner/WHO/EOP@EOP
 clrm@doc.gov @ inet

justice.lrm@usdoj.gov @ inet
dol-sol-leg@dol.gov @ inet

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 11:34:23.00

SUBJECT:

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

TEXT:

please call re fehbp. foley 61988

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 15:25:15.00

SUBJECT:

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

TEXT:

Please call re contraceptive language. Foley. 61988

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 16:02:06.00

SUBJECT:

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

TEXT:

us catholic conference called me about both our issues. foley

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 16:20:37.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Sylvia is having a 5:00 Briefing on the Omnibus which she would like you to attend in Roosevelt Room

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 17:06:56.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Reminder: 5:00 Omnibus Briefing w/ Sylvia is beginning in Roosevelt Room

Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. [partial] (1 page)	10/16/1998	P6/b(6)

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

FOLDER TITLE:

[10/15/1998-10/20/1998]

2009-1006-F
vz139

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

CREATION DATE/TIME:16-OCT-1998 18:06:09.00

SUBJECT: USCatholic Conference

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

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

TEXT:

I have received calls from them worried about the drafting of the conscience language in the Lowey amendment. I have consulted with Martha Foley, who also spoke with them, and explained that this was policy/OMB issue. I know you are overwhelmed and I apologize for bugging you on this, but it does seem to be a real concern to them. Martha has explained some of the politics to me, but I simply told them it was policy/OMB and I would try to get you to call them.

The two issues, as you might have guessed, are:

language says religious plans not religious beliefs

and concerns that doctors don't always prescribe contraceptive devices - IUDs etc. and they also give out pills in their office

The person is Richard Doerflinger

Office is 202-541-3171

Home is

P6/(b)(6)

[007]

As you know, I have dueling constituencies on this and therefore whatever you do, I'll end up with unhappy people - perfect!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 18:36:05.00

SUBJECT: Weekly Report 10/16/98

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

READ:UNKNOWN

TEXT:

Sarah may have one more health care item===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D29]MAIL430577092.226 to ASCII,
The following is a HEX DUMP:

FF57504308100000010A02010000000205000000384300000002000041F29804E75683CE4DD87B

October 17, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Education -- Budget Deal: While your victory on class size reduction and your other education initiatives was remarkable, a number of key pieces of your education agenda remains unfinished. In addition to school modernization, there are two key areas we will focus on in the near term. First, the final provision on national standards allows some test development work to continue (while banning pilot testing or implementation), and calls on NAGB and NAS to conduct additional studies in anticipation of possible Congressional consideration of this issue when NAEP is reauthorized in the next Congress.

Because the likelihood of ever getting full Congressional support is so slim, we will develop a number of additional options for how to best continue to press for national standards. Second, as we work with the Education Department on a proposal for the reauthorization of the Elementary and Secondary Education Act, we will ensure that the concepts in the Education Opportunity Zones are fully reflected in that proposal and remain a central part of our education agenda.

Health Care -- Kennedy-Jeffords Legislation: Despite our efforts, the Work Incentives Improvement Act (Kennedy-Jeffords) did not make into the final Omnibus budget appropriations bill. This bipartisan legislation, that you endorsed at the commemoration of the Americans with Disabilities Act (ADA) last July, enables people with disabilities to go back to work by providing an option to buy into Medicaid and Medicare, as well as other pro-work initiatives. The disability community believes this is the most significant legislation since the ADA. Although this bill was on the list of top Administration priorities throughout the final budget negotiations and received broad-based bipartisan support, it was rejected by Republicans because they did not want to have significant health expansions and because they thought it was too late in the process to approve such a significant piece of legislation. However, the disability community as well as the AIDS community and others are extremely appreciative that the Administration fought so hard to pass this legislation.

Health Care -- AIDS Issues in the Budget: The Omnibus bill included significant new funding for HIV/AIDS. In particular, it included \$110 million for funding to address the critical AIDS problem in the minority community. This increase, plus an additional \$20 million that HHS has agreed to allocate from existing funds, meets the Congressional Black Caucuses' full

funding request for this problem. In addition to this important victory, the Ryan White Program which provides a range of treatment and services for people with HIV/AIDS, also received a \$250 million -- or nearly 30 percent increase. The AIDS community and the CBC are quite pleased with this remarkable outcome. However, there is disappointment regarding the inclusion in the final bill of a needle exchange provision that prevents the District of Columbia from using their own funds for needle exchange programs. **We strongly opposed this provision because it strips federal funds from community-based agencies trying to stop the spread of HIV through needle exchange programs.**

Health Care -- Race and Health in the Budget: The Congress has taken a critical first step in investing in your multi-year proposal to eliminate racial health disparities in six health areas, including HIV/AIDS, cancer, diabetes, and immunizations. As you know some of these disparities are startling. For example, African Americans under the age of 65 have twice the rate of heart disease as whites, and Native Americans suffer from diabetes at nearly three times the average rate. The budget gives sufficient funding to finance the \$80 million you included in your budget request, including new grants for communities to develop new strategies to address these disparities.

Health Care -- Historic Increases in Biomedical Research. The Congress agreed to fund your proposal to increase biomedical research at the NIH with a \$2 billion expansion of NIH research funding --a 14-percent increase. This increase will enable scientists to pursue a wide range of important new breakthroughs in critical diseases, from Alzheimers to AIDS to genetic discoveries. In addition, the Centers for Disease Control also received your requested increases for new research to improve prevention efforts, including fighting emerging infectious diseases and combating new resistance to anti-biotics, and the Agency for Health Care Policy Research (AHCPR) received your requested increases to improve quality outcomes. For example, overuse of antibiotics has been shown to lead to resistance and cost as much as \$7.5 billion a year. AHCPR's development and dissemination of guidelines for the appropriate use of antibiotics will result in better patient care and significant health care savings.

Tobacco -- Medicaid Recoupment: During negotiations over the omnibus appropriations bill, the Republican Leadership proposed including language which would have waived our right to the federal share of state tobacco recoveries. They would not, however, agree to conditions requiring states to spend a portion of the funds on a menu of items and the language was therefore not included in the bill. We plan to tell the states and others that we are willing to consider this issue next year, but only **if the federal share of settlement funds to a list of specified activities along the lines of the menu negotiated in the McCain bill and preferably including tobacco control activities.**

Crime -- Prison Drug Testing/Treatment: In the budget agreement we succeeded in including legislative language to allow states to use up to 10% of federal prison funds to implement drug testing and treatment plans for prisoners and parolees. As you know, you called for this change in law in a directive on coerced abstinence that you signed last year.

Crime -- Brady Implementation: The final budget agreement ensures that the Brady National Instant Criminal Background Check System (NICS) will go on-line as planned at the end of next month. While the final compromise does not allow the FBI to charge a user fee, it appropriates 42 million dollars to pay for these checks and, more importantly it does not require the immediate destruction of records. This latter provision would have delayed implementation of the NICS by 6-8 months.

Community Empowerment -- Final Budget Agreement: The final budget agreement included almost all of the major initiatives proposed in your State of the Union and FY99 Budget. Some of the highlights include: 1) 50,000 new Welfare-to-Work Housing Vouchers; 2) the first year funding for the Round II Empowerment Zones; 3) a 19 percent increase in the Community Development Financial Institution Fund budget; 4) enactment of the landmark public housing reform legislation; 5) extension of the Work Opportunity Tax Credit (WOTC) and the Welfare-to-Work Tax Credit (WTWTC); 6) an 18 percent increase in homeless assistance; 7) a 33 percent expansion of HUD's Fair Housing programs that are part of your One America Initiative; 8) full funding for EPA's Brownfield's program; 9) and the creation of a new program to provide Individual Development Accounts (IDA) to empower individuals to save for a first home, post secondary education, or to start a new business. The enactment of the IDA legislation means that you have fulfilled, at some level, all of the promises made in *Putting People First* in the area of community empowerment.

The one initiative which Congress was unwilling to consider as part of the tax extenders legislation was your proposal to expand the Low-Income Housing Tax Credit (LIHTC). However, we believe that the ground work has been laid to secure Congressional approval next year for the LIHTC and a longer extension of the WOTC and the WTWTC. Over the next several weeks, DPC, NEC, and the Office of the Vice President will be finalizing a set of new proposals for your FY2000 budget and State of the Union that will build on the victories we achieved in this year's budget.

Welfare Reform -- Teen Birth and Pregnancy Rates: Two recent reports show continued good news regarding teen birth and pregnancy rates. CDC announced preliminary data showing a 3 percent drop in the teen birth rate from 1996 to 1997, the sixth annual decline in a row and a drop of 15 percent since 1991. The latest rate, for 1997, is 52.9 births per 1,000 girls between 15 and 19 years old. Teen birth rates declined for all racial groups, though the rate of decline for blacks was slightly less than for other groups. A new report from the Alan Guttmacher Institute shows the teen pregnancy rate dropped nearly 13 percent from 1991 to 1995 and now stands at the lowest level since 1975, at 101 pregnancies per 1,000 15- to 19-year-old girls. Researchers attribute the drop in pregnancy rates to a decline in sexual activity among teens and improved use of contraceptives. The teen pregnancy data lag several years behind the teen birth data because the pregnancy data depend on abortion data which take longer to collect. In several months, CDC will produce its own estimate of the teen pregnancy rate which will

show a similar trend but will be estimated using a slightly different methodology. CDC's report will also contain teen pregnancy rates by race and ethnicity.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-OCT-1998 21:13:37.00

SUBJECT: Status of Medicare Home Health

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

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

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

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

TEXT:

From Chris Jennings & Jeanne

As you all know, the Republicans have been pushing us to accept their proposal to fix the Medicare home health payment system problem with a set of offsets that includes increasing the income limits on Roth IRA rollovers. Per the senior staff discussion this morning, we were told that the Roth IRA provision is totally unacceptable. We subsequently worked with Treasury to develop several alternative financing packages to offer the Republicans as a substitute for the Roth IRA financing. We developed three packages, in consultation with Hill Democratic leadership and authorizing committtee staff:

1. "Cats and Dogs": This includes 7 relatively non-controversial tax offsets that have appeared in other bills and have not yet been used.
2. Limiting enrollment in the Medicare MSA demonstration: This is basically free money, since no one is signing up for this demonstration that the Republicans insisted on including in the BBA.
3. Limiting MSA plus some cats and dogs: This option increases the amount of savings that can be spent on helping home health agencies a little more. (While the home health fixes are generally accepted, some members from rural state (e.g., Grassley) are unhappy with the proposal -- extra funds can help solve this problem).

Chris and John Tallisman from Treasury briefed Bill Thomas and key Republican staff on these alternatives, and expressed our opposition to their offset. The conversations went well, but as predicted, Mr. Thomas said that the MSA provision was to him what the Roth IRA provision is to us. However, he was open to considering the cats and dogs. He did push

us on whether we could support their other tax offset: a provision that changes the tax treatment of winnings from gambling and the lottery. This is a short term saver, but, depending on how it is structured, can cost in the out years. Treasury has not yet developed a position on this policy, but it looks like a compromise may involve this particular offset.

Thus, the ball is back in the Republicans' court. Mr. Thomas was going to canvas the House Ways & Means committee, and the Senate Finance tax people were going to closely look at the offsets. Meanwhile, our Democrats appear pleased with the way this process has unfolded to date and have been supportive of our objection to the Roth IRA. As a note, the major home health agency organization wrote a letter today objecting to the offset as well.

We will let you know if we have any news over the weekend.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 10:54:44.00

SUBJECT: food safety

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Thomas L. Freedman/OPD/EOP on 10/19/98
10:53 AM -----

Mark A. Weatherly
10/19/98 09:33:29 AM
Record Type: Record

To: Thomas L. Freedman/OPD/EOP
cc:
Subject: food safety

The final bill that we read through yesterday had only the \$5 m. more for FDA. As you can see in the e-mail below, the House clerks allegedly talked to FDA and got the impression that FDA was "drowning" in food safety money. Dan Mendelson talked later to FDA, who denied saying that, but the damage was done.

----- Forwarded by Mark A. Weatherly/OMB/EOP on 10/19/98
09:19 AM -----

----- Forwarded by T J. Glauthier/OMB/EOP on 10/18/98
10:58 AM -----

Charles E. Kieffer
10/17/98 03:18:29 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: food safety

Sally Chadbourne (Obey) called this afternoon to report that the majority has changed the allocation of our \$23 million food safety addback. Tim Sanders (Skeen) and Sally report that FDA told them that they can not spend the \$9.9 million in the original allocation on food safety and that if they get it they would propose to reprogram it to other activities later in the year.

Needless to say, Tim decided to reduce the \$9.9 million to \$5 million

(allocating the balance to various USDA agencies). Their current plan is to allocate the \$23 million as follows:

FDA \$5

FSIS \$8m

Cooperative State Res, Ed and extension \$3.9 million

ARSS\$3.6

AMS \$2.8

Message Sent

To: _____

Jacob J. Lew/OMB/EOP

Sylvia M. Mathews/OMB/EOP

Daniel N. Mendelson/OMB/EOP

Elena Kagan/OPD/EOP

T J. Glauthier/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 15:24:20.00

SUBJECT: Draft immigration paper

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

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

TEXT:
Attached is a draft of immigration accomplishments.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D72]MAIL404832291.226 to ASCII,
The following is a HEX DUMP:

FF575043C8040000010A0201000000020500000060150000000200007AE42C0947D625E76C4E0B

**PRESIDENT CLINTON AND CONGRESSIONAL DEMOCRATS
WIN IMPORTANT VICTORIES FOR THE IMMIGRANT COMMUNITY
October 19, 1998**

Reducing the Naturalization Backlog. The President's FY99 budget included \$827 million in funding from the Examination Fee Account and \$486 million from the User Fee Account dedicated to providing immigration benefit and inspection services. A recent estimate of INS fee receipts has resulted in a significant reduction in anticipated fee revenue to support the Examination Fee Account and insufficient resources to address the two-year backlog of pending naturalization applications at the INS. As a result, the Administration sought an infusion of \$171 million in new resources to support naturalization activities. The Administration urged the conferees to ensure that immigration fees are used to reduce the backlog of pending citizenship applications, as well as to approve the reprogramming request. The final Omnibus appropriations package includes approval of the full \$171 million in reprogramming and does not divert any money from the INS's Exams Fee account for unrelated expenses.

Protecting U.S. Farmworkers. The Administration strongly urged the conferees to delete provisions in the Senate-passed CJS bill that would create a new agricultural guestworker program. These provisions would likely increase illegal immigration to the U.S., reduce job opportunities for legal U.S. farmworkers, and depress wages and work standards for U.S. farmworkers. We fought hard, and were successful, at getting these provisions removed from the Omnibus appropriations package.

Defeated Efforts to Dismantle the INS. Some Republicans in Congress made an effort to attach legislation to the Omnibus appropriations bill that would drastically reorganize the INS over the next six months. Though we support efforts to reform the INS and promote greater effectiveness and efficiency, we opposed going forward with such a major reorganization of this important agency without the benefit of hearings by the Judiciary Committee and consideration by the House and Senate. We strongly opposed this legislation, and successfully defeated it.

Deportation Relief for Haitians. Last year we were disappointed that Haitians were excluded from the relief granted Central Americans and Eastern Europeans in the Nicaraguan Adjustment and Central American Relief Act (NACARA). Last December, the President temporarily suspended deportation of certain Haitians for one year and called on Congress to address, through legislation, the circumstances of this group. The Haitian provisions included in the final appropriations bill will allow thousands of Haitians who were paroled into this country after the 1991 overthrow of President Aristide or who applied for asylum prior to 1996, to become legal residents of the U.S.

Visas for High-Tech Workers and Protection for U.S. Workers. The Administration and Congress reached a compromise on legislation that temporarily increases the number of H-1B visas; reforms the H-1B program to ensure that employers do not replace U.S. workers with temporary foreign workers and requires employers to recruit U.S. workers; and provides for a



user fee that will generate approximately \$250 million over three years in new investments for training and educational opportunities to U.S. workers.

Enhancing Enforcement at the Border. The final budget agreement includes the Administration's request to hire 1,000 additional Border Patrol agents, as well as funds to provide improved technology to detect illegal aliens along the Southwest Border.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 17:30:03.00

SUBJECT: Class Size Chart

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:
Attached is the final version of the chart comparing the final class size bill with our original.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D5]MAIL43705429H.226 to ASCII,
The following is a HEX DUMP:

FF575043FF0C0000010A02010000000205000000783900000002000099EB721673831C64C1A03A
A87380DFD2397E03BF796DBF8E4E214F0062823A3A6142E94E8A4237277876B7E67CC915D43A83

CLINTON VICTORY ON SMALLER CLASSES WITH QUALITY TEACHERS

PRESIDENT CLINTON'S GOAL	ADMINISTRATION'S PROPOSAL	FINAL AGREEMENT IN OMNIBUS APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
CLEAR PURPOSE	Reduce class size to 18 in the early grades	Reduce class size to 18 in the early grades	-
FIRST STEP TOWARD HIRING 100,000 TEACHERS	\$1.1 billion in first year Help school districts hire more than 30,000 teachers in the first year of a seven year-initiative to hire 100,000 teachers	\$1.2 billion in first year Help school districts hire more than 30,000 teachers in the first year.	-
TARGETING NEEDIEST STUDENTS	Targeted to high poverty students using Title 1 formula	Targeted to high poverty communities, with 80% of funds allocated by poverty and 20% by population count	-
GETTING DOLLARS TO LOCAL SCHOOL DISTRICTS	99.4% of funds to local school districts; 0% for federal administration 0.5% for costs to state of program administration and testing of new teachers or evaluation	100% to local school districts 0.0% for federal administration 0.0% for costs to state of program administration and testing of new teachers 0.0% for evaluation	-
ENSURING TEACHER QUALITY	Requires that local school districts spend at least 10% of funds on improving teacher quality New teachers must meet state certification requirements New teachers must pass state-selected competency test	Establishes 15% cap for local school district expenditures on improving teacher quality New teachers must meet state certification requirements School districts may use funds for teacher competency tests	-
ACCOUNTABILITY FOR RESULTS	Must produce annual school report card to parents and the public on student	Must produce annual school reportcard to parents and the public on student achievement and class size	-

PRESIDENT CLINTON'S GOAL	ADMINISTRATION'S PROPOSAL	FINAL AGREEMENT IN OMNIBUS APPROPRIATIONS BILL	PRESIDENT'S GOAL MET
	achievement and class size		

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 18:24:52.00

SUBJECT: Daily Update for Senior Staff Mtg. from Chris

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: Sarah A. Bianchi (CN=Sarah A. Bianchi/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 and Elena:

Health Care -- Status of FDA Commissioner Confirmation: If all goes according to plan, Jane Henney should be confirmed as the first woman and the first oncologist FDA Commissioner. Senator Nickles has indicated that he will do everything possible to clear any remaining hurdles prior to Congressional adjournment. I thought you may want to advise Senior staff tomorrow and consider whether you may want to release a POTUS & VPOTUS statement tomorrow afternoon.

Health Care -- Home Health Care Update: The Republicans agreed to drop the Roth IRA financing provision and instead fund the roughly \$1.7 billion, five year home health fix through savings equally divided from Medicare, primarily from a home health care payment reimbursement reduction, and through the gambling tax provision we discussed earlier. Although the industry and the Democrats are not completely thrilled with the home health care policy, they believe that we did everything we could to improve it and seemed to be placing most of the blame for the shortcomings of the provisions squarely at the feet of the Republicans. And certainly between doing nothing and this, our Democrats and the home health care industry opted for the compromise.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 20:34:34.00

SUBJECT: CBC Complaint

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

Congresswoman Water's office called to let me know that the Budget Message Document, "President Clinton, Vice President Gore, and the Congressional Democrats Win on the Budget, But There Is Still More Work To Do," does not indicate or reflect the Black Farmers win in the bill for the CBC nor does it reflect that the AIDS package for minorities was a CBC priority targeted for African Americans. Donna Cruise indicated that the Congresswoman and other CBC members felt strongly that since there is a reference to the Hispanic Education Initiative there should be some similar reference to accomplishments targeted for African Americans. Can we update our current document or will there be an effort to do summary sheets for different wins in the bill targeted to different groups? I thought I saw a draft document targeted for women. Should we

do something similar for African Americans and Hispanics? Please advise.
JM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-OCT-1998 20:36:10.00

SUBJECT: Miscellany

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:
EK:

This isn't too substantive, but it has some good general examples...jc3

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D80]MAIL44088529Y.226 to ASCII,
The following is a HEX DUMP:

FF575043CA040000010A02010000000205000000151E000000020000024D732A9E3F0E5B10A466

"CLEARANCE FATIGUE SYNDROME"

1. Administration Position on Child Access Prevention (CAP) Laws. On July 8, 1998, the President stood up with Suzann Wilson -- the mother of a student slain in the Jonesboro school shooting -- and called on Congress to pass federal CAP legislation that would hold adults who allow children easy access to firearms accountable for their actions. But this announcement, which received wide media attention, was almost killed by the Treasury and Justice Departments the night before the event. Despite having had more than a month to review the CAP legislation; having already recommended that states pass their own CAP laws; and having told the Rahm that the Administration could generally support a federal CAP, as long as there was room to negotiate the final language -- the Justice and Treasury Departments insisted that they would not support federal CAP legislation. Chief of Staff Bowles had to speak with Secretary Rubin just to keep this event from falling off the schedule.

2. Granting COPS Waivers for Distressed Communities. On May 29, 1998, the President announced a new COPS initiative that would target funds to high-crime, high-need neighborhoods by waiving the federal match for them. This initiative also almost never came to pass. Although the 1994 Crime Act grants the Attorney General broad waiver authority -- and a DPC-led working group had repeatedly recommended invoking this waiver authority over the past year -- the Justice Department opposed granting any waivers unless Congressional appropriators signed off first. Finally, with the help of some prominent mayors -- and a year's worth of complaining -- the Justice Department relented. Similar waivers have now been granted to different cities and to help hire police to work in schools.

3. Report on School Discipline. Several times, in anticipation of his July 98 speech to the AFT, the President asked us for a status report on the school discipline issues that he supported during the '96 campaign -- uniforms, curfews and anti-truancy programs. Despite weeks of hostile meetings with the Departments of Education and Justice, we were unable to get them to produce anything for the President's speech.

4. Recommendation on Crack Sentencing Policy. When the U.S. Sentencing Commission released its revised recommendations on crack sentences in April of '97, the President issued a statement calling on ONDCP and Justice to review these recommendations and report back to him within 60 days. However, before ONDCP and Justice could agree, General McCaffrey publicly expressed his own views and refused to work with members of the WH staff to develop a consensus Administration response to the Sentencing Commission's report. In the end, ONDCP and Justice were a month late in reporting back to the

President, and the legislative battle to build support for reasonable changes to crack sentencing policies was lost before it even started.

5. Directive on Modified Assault Weapons. On November 14, 1997, after much disagreement with the Treasury and Justice Departments, the President signed a directive asking the Treasury Department to review whether or not certain modified assault weapons could continue to be legally imported. Both agencies strongly resisted taking this action; thought the Administration would lose in court; delayed in producing the final report and recommendations; and were dead wrong. After 6 months of doing battle with Justice and Treasury, the President's decision on modified assault weapons has been strongly supported by the public, law enforcement, most of Congress -- and not challenged in federal court.

6. Southwest Border Reorganization. For more than a year now, General McCaffrey has been issuing reports and holding press conferences on how the Southwest Border needs to be overhauled -- with huge increases in border patrol agents, technology resources, and the appointment of a Senate-confirmed Border Czar. None of these proposals are official Administration policy, and they are strongly opposed by Secretary Rubin and the Attorney General. However, McCaffrey has refused to work with us and other WH staff in helping to determine a formal Administration position on these issues.

7. Teen Drug Testing and Drivers' Licenses. During the '96 campaign, the President signed a directive asking certain Cabinet Members to report back with recommendations on what the Administration could do to support drug testing for teenagers applying to get their drivers' licenses. In early '97, ONDCP and the Department of Transportation (DOT) replied that the Administration should fund a demonstration program for interested states. However, Congressional appropriators prohibited DOT from funding such demonstration program before they could get it off the ground. We have since tried to get Justice and ONDCP to fund such a demonstration with their discretionary funds, but they have been unwilling cross the appropriators and dedicate any of their funds for this purpose.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 09:08:12.00

SUBJECT: NACARA regulation

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:

I just got word from OIRA that they have signed off on the NACARA regulation. Now it is up to DOJ to publish it in the federal register (likely within the next few days). I have already called DOJ to ask that they expedite their process.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 12:30:57.00

SUBJECT: Native American budget win document

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm trying to prepare a Native American budget win document for Lynn to use at the National Congress of American Indian Conference. OMB is still looking it over, but I will get it to you to review this afternoon. If you could review it by 4:30pm today, I would appreciate it. I'm leaving this afternoon to go to the conference and would like to take it with me. I get it to you as soon as OMB gets back to me. Thanks, Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 12:59:40.00

SUBJECT: Working with ED

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:

As we discussed yesterday, there have been a number of instances in which an extraordinary effort on our part was necessary in order to get the Education Department to take steps which the President clearly wanted.

1. Giving NAGB rather than the Education Department authority to develop national tests: In a meeting with national experts shortly after the President's national standards initiative was announced in the 1997 SOTU, the President made clear that he thought that the national test should be moved out of the Education Department and placed in NAGB's hands. DPC staff regularly reiterated this view to ED in the following weeks and months. The Education Department resisted moving in this direction until Secretary Riley announced this as the Administration's position in September '97, as the battle over national testing was coming to a head and when it became clear that this step was necessary to save the tests. I believe ED resistance to this move was rooted in several institutional factors:

The statistical agency and leadership in ED had real doubts about NAGB's technical capacity to handle this job effectively, and real concerns about expanding NAGB's responsibility. Since NAGB's creation a little more than 10 years ago, there has always been a somewhat uneasy relationship between NAGB and the National Center for Education Statistics, as they try to appropriately define their respective roles and shared responsibilities for designing and conducting the National Assessment of Education Progress. Further, NAGB has a small staff, with limited technical capabilities. Putting NAGB fully in charge of the tests and eliminating any role for ED staff was a concern to those who have worked most closely with NAGB.

ED leadership was concerned that, for a variety of reasons, NAGB would slow down the schedule for developing and implementing the national tests. ED was concerned that NAGB would lack the desire and the ability to keep the test development work on the fast-track that ED had put it on, in order to meet the President's goal of implementing the test in 1999. They were right; NAGB delayed the timeline by a year, in addition to a one-year delay caused by the Congress. (although I remain convinced that if we had not taken this step, the tests would have been completely killed by the Congress a year ago. From this perspective, a delay is not so bad.

ED and DPC held different views about when we should announce our intent to place NAGB in charge of the tests. Because of NAGB's carefully defined statutory authority, it could assume full authority for the tests only if it was given this authority by the Congress. DPC pressed to announce our intent to seek Congressional authorization, and at the same time to make NAGB an official advisory group by executive action--either by the President or by the Secretary. Taking this step would have reinforced our commitment to ultimately give NAGB full responsibility for the

tests. However, ED resisted this move, arguing that it would buy us little support in the Congress.

Aggressively promoting the President's agenda of ending social promotions and intervening in failing schools. Since the President challenged states and local school districts to take these steps in March 1996, DPC has been trying to get ED to advance this agenda through nonlegislative means, such as producing reports and guidebooks that could assist in the implementation of these policies and give the President the hook to return to these issues. Ultimately, ED agreed to produce a guidebook on turing around failing schools (released last Spring and well received in the Education community) and on ending social promotions (to be completed later this Fall), but only after repeated requests and after we insisted on issuing Presidential directives to produce these guidebooks. I believe that it has been so difficult to get ED's enthusiastic action on these issues for several reasons:

Concerns about the policies themselves. Though Secretary Riley has always supported these policies on both substantive and political grounds, deeper in ED there has been scepticism to both of them. Briefly, there has been concern that the message about taking over failing schools was too negative and the research to guide such actions to limited; opposition to ending social promotion has been routed in the view--supported by research--that having students repeat a grade can increase the odds of later school failure and dropping out. It has taken some effort to convince people that the President's challenge is not simply to keep kids back, but to make sure that school systems take the necessary steps from the outset to ensure that kids get the extra help the need to meet standards and be promoted on time.

Limited staff capacity. ED has only a small number of staff with the analytic skills and substantive knowledge to produce first-rate reports on these two issues--and its staff capacity to do this has been further depleted in recent years. I am convinced that part of the problem here has been that there were simply not many people to turn a project like this over to--and those who could do it were already swamped with other high priority tasks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 15:53:34.00

SUBJECT: Native American budget wins

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:

This is a document on Native American budget wins that OMB has approved. I would like to pass this out at the National Congress of American Indians conference. Could you review this by 4:30 as I am leaving to catch a plane to the conference at 5pm? Thanks

I am just waiting for signoff from Fred DuVal on the gaming paragraph. =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D74]MAIL448763391.226 to ASCII,
The following is a HEX DUMP:

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65972434FF6A01321F7C06C2950096D8C82C579C0E8C2B6FC281F4047B0CCE014B5BC8FA7EE33A

PRESIDENT CLINTON FIGHTING FOR NATIVE AMERICANS IN THE BUDGET, BUT THERE IS STILL MORE WORK TO DO

October 20, 1998

The final FY99 budget represents a significant step forward for America, protecting the surplus until Social Security is reformed, and putting in place critical investments in education and training, from smaller class sizes to after-school care, and from summer jobs to college mentoring. While the final budget is clearly a win for President Clinton and Vice President Gore, there is still more work to do to prepare America for the 21st century. Unfortunately, Republicans blocked school modernization, Patients Bill of Rights, comprehensive tobacco legislation, child care investments, and campaign finance reform.

Budget Victories for Native Americans:

Saving Social Security First. The President's commitment to Save Social Security First held the line against several Republican efforts to drain the surplus.

Investing in Education and Training. While House Republican tried to slash their education budget by over \$2 billion, President Clinton and Congressional Democrats delivered on their education agenda:

- **More High-Quality Teachers With Smaller Class Sizes:** \$1.2 billion for the first year of the President's new initiative to hire 100,000 new teachers to reduce class size in the early grades to a national average of 18. Through smaller classes this initiative will help recruit high-quality teachers and will insure that students will receive more individual attention, a solid foundation in the basics, and greater discipline in the classroom.
 - **\$6 Million of the \$1.2 Billion is for BIA-funded schools.** The funds can be used to recruit, hire and train teachers in order to reduce class size in the early grades.
- **BIA School Construction and Repair: The final budget provides \$60 million** to replace older, unsafe, and dilapidated schools on reservations in accordance with a Congressionally-approved priority list of replacement schools and would provide for much-needed health and safety-related repairs and improvements that together comprise a roughly \$700 million backlog. In his FY1999 budget, the President requested \$87 million, which is a \$33 million (61%) increase over FY 1998, to support the Administration's initiative. The House-passed bill would have provided only \$59 million, which was \$28 million (32%) below the requested amount.
- **Ensuring the Success of Public Schools and Colleges Serving Tribes.** The final budget provides \$574 million for the operation of elementary and secondary schools, tribally controlled community colleges, and assistance to Indian children attending public schools. This represents an increase of 16 millions from FY98. The funds can be used to recruit, hire and train teachers in order to reduce class size in the early grades. These funds will assist the Nation's 30 tribal colleges, which provide 2-year degrees to over 25,000 students in 12 states. For the first time in his FY99 budget, the President singled out tribal colleges for the time in his proposed budget for the Higher Education Act.
- **After School Programs:** \$200 million to expand programs and serve a quarter of a million children.
- **Child Literacy:** \$260 million for a new literacy initiative, consistent with the President's America Reads proposal.

Hex-Dump Conversion

- **College Mentoring for Middle School Children:** \$120 million for GEAR-UP, a new mentoring initiative to help up to 100,000 low income middle school children prepare for college.
- **Education Technology:** A \$1.14 million increase over FY98 to ensure that every child has access to computers, the Internet, high-quality educational software, and teachers that can use technology in the classroom.
- **Child Care Quality:** \$182 million to improve the quality of child care for America's working families.
- **Teacher Recruitment:** \$75 million for new teacher quality programs including to recruit and prepare thousands of teachers to teach in high-poverty areas.
- **Head Start:** A \$313 million increase to fund President's request of up to an additional 36,000 slots for children and keeping on track towards one million children served by 2002.
- **Indian Head Start:** The final budget provides \$134 million for Indian Head Start -- a \$9 million increase over FY98.

Fighting Crime in Indian Country. The President's budget included key increases for law enforcement:

- **Improves Law Enforcement in Indian Country.** The final bill includes a \$109 million increase -- for the Departments of Justice and Interior -- for the President's Indian Country Law Enforcement Initiative. The initiative will improve public safety for the 1.4 million residents on the approximately 56 million acres of Indian lands. This funding will increase the number of law enforcement officers on Indian lands, provide more equipment, expand detention facilities, enhance juvenile crime prevention, and improve the effectiveness of tribal courts. **Although violent crime has been declining nationally for several years, it has been on the rise in Indian country. At the same time, police service on Indian lands has been steadily shrinking. Recognizing these facts, the President made a major commitment to improve law enforcement in Indian country**

Providing Health Care. President Clinton and Vice President Gore are committed to providing health care to the Native American population. This budget moves forward on their vision to help realize this goal.

- **Indian Health Service:** Indian Health Services saw an increase of \$140 million over FY98. This increase will assist in providing much-needed quality health care to Indian communities.
- **Indian Health Service (IHS) Contract Support Costs.** The House bill contained an objectionable provision that would allocate contract support costs (e.g., indirect costs) to tribes that have contracted and compacted their health systems on a proportional basis. The Native American community and IHS objected to this provision because some tribes would have received less funding than they received in FY 1998. At the same time, the Congress agreed to add some funding to contract support costs so that the amounts by which some tribes' payments are reduced is minimized. The Administration pursued compromise language, but at the last minute the House relented and removed the objectionable provision entirely.

Moving People from Welfare to Work and Empowering Communities. President Clinton and Vice President Gore are committed to tapping the potential of America's urban and rural communities. This budget moves forward on their vision to help revitalize America's communities.

- **50,000 Welfare-to-Work Housing Vouchers.** President Clinton's FY 1999 Budget included \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to work. The original House bill included \$100 million, while the Senate

provided only \$40 million. The final budget includes President Clinton's full request of \$283 million for 50,000 welfare-to-work housing vouchers.

- **\$75 Million for Welfare-to-Work Transportation Funds.** While the House and Senate provided \$50 million -- the minimum amount "guaranteed" in the transportation bill -- the final budget includes \$75 million for this competitive grant program. These funds will assist states and localities in developing flexible transportation alternatives, such as van services, to help former welfare recipients and other low income workers get to work.
- **Community Development Financial Institution (CDFI) Expansion.** The Administration requested a major expansion of the CDFI program to continue building a national network of community development banks. The original House bill froze CDFI funding at \$80 million, while the Senate cut funding to \$55 million. The final budget increases CDFI funding from \$80 million in FY98 to \$95 million in FY99 -- a 19-percent increase.
- **Flexible Funding for Empowerment Zones.** President Clinton and Vice President Gore requested mandatory funding for second-round urban and rural Empowerment Zones. While the House and the Senate did not provide any funding, the final budget includes \$60 million in this flexible discretionary funding for the next round of Empowerment Zones and new rural Enterprise Communities. Included in this funding is \$10 million in discretionary funds for 5 rural Zones. This funding will allow the Zones to begin implementing their development strategies to bring jobs and investment to these disadvantaged areas. Also included is \$5 million for 20 new rural Enterprise Communities with purposes similar to the round one Enterprise Communities. Tribes are eligible to receive funding.
- **Indian Housing:** The budget provides \$620 million in block grants for Indian housing, which will serve 552 tribes.

Protecting Sovereignty and Promoting Economic Development. The Administration was successful in negotiating to remove several riders on the Interior bill that would have seriously interfered with tribal sovereignty and cut funding for Indian populations. The President's negotiators made protecting tribal sovereignty and promoting economic development a priority:

- **Protecting Sovereignty:** Worked out an agreement to remove from the bill an effort to prohibit the promulgation of regulations for Class III gaming. The final bill permits these regulations to be promulgated in six months, which the Administration is confident will protect Indian gaming.

Much Work Still Left to Do:

In the waning days of the session, the President and Congressional Democrats prevailed in making critical investments to advance the President's comprehensive education agenda. Much work remains for the future because Republicans in Congress killed, at least for now, critical priorities, including:

- * **School Modernization.** Beginning with his State of the Union address, the President fought all year to modernize our schools. His fully paid for tax credits would have leveraged nearly \$22 billion in bonds to build and renovate schools. In the final days of the budget negotiations, Republicans in Congress refused to even meet on the critical issue of school construction.
- * **Patients Bill of Rights.** President Clinton repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. Congressional Republicans killed this year's effort to pass a Patients Bill of Rights.
- * **Comprehensive Tobacco Legislation.** This year, President Clinton made passage of legislation to reduce youth smoking a top priority, in order to stop kids from smoking before they start through a significant price increase, measures to prevent tobacco companies from marketing to children, and

critical public health prevention and education programs. Congressional Republicans opted to act as politicians instead of parents, and killed this year's effort to pass bipartisan comprehensive tobacco legislation to reduce youth smoking.

- × **Campaign Finance Reform.** At the beginning of the year, the President made passage of bipartisan, comprehensive campaign finance reform a priority for his Administration. After months of delay, the House of Representatives overcame defenders of the status quo and passed the Shay-Meehan bill. However, the Senate Republicans killed this historic legislation.

- × **Child Care Initiative.** In his State of the Union, the President proposed an historic child care initiative to make child care better, safer and more affordable for America's working families. The President's proposal included \$7.5 billion over 5 years for child care subsidies for low-income working families and tax credits to help 3 million working families pay for child care. The Republicans refused to support these critical investments.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Annette E. Rooney (CN=Annette E. Rooney/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:20-OCT-1998 16:24:41.00

SUBJECT: Veto Message on HR 1757 - Foreign Affairs Reform and Restructuring Act

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

TO: Carlos Del Toro (CN=Carlos Del Toro/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TO: Richard P. Emery Jr. (CN=Richard P. Emery Jr./OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

TO: Elena Kagan (CN=Elena Kagan/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: Robert D. Kyle (CN=Robert D. Kyle/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

CC: Bruce K. Sasser (CN=Bruce K. Sasser/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

TEXT:

Attached is a draft veto message for this bill, which may be received at the White House -- and vetoed -- as soon as today. The principal basis for the veto is the bill's "Mexico City" abortion provision. The draft veto message is based on input from State and NSC. Because of the possibility of Presidential action on this bill as soon as today, please give me any comments on the draft veto message by 6:00 today. Thank you.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D83]MAIL463304399.226 to ASCII,
The following is a HEX DUMP:

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3B3B3D1373512A05FF73062E25192DFF1AE6A2D110CE2A05B3F2C590194D20CA1D8F06974DB158

TO THE HOUSE OF REPRESENTATIVES

I am returning without my approval H.R. 1757, the "Foreign Affairs Reform and Restructuring Act of 1998". I take this action for several reasons, most importantly, because this legislation includes unacceptable restrictions on international family planning programs.

Current law, with which Administration policy is fully consistent, already prohibits the use of Federal funds to pay for abortion abroad and for lobbying on abortion issues. This bill would go beyond those limits. One provision would deny U.S. government funding for family planning programs carried out by foreign nongovernmental organizations (NGOs) that use their own funds to perform abortions even though the overall result of these NGO family planning programs is to reduce the incidence of abortion. Although the bill allows the President to waive this restriction, use of the waiver would also cripple many programs by limiting annual spending for international family planning to \$356 million, \$44 million below the amount available for Fiscal Year 1998.

A second provision would attempt to restrict the free speech of foreign NGOs by prohibiting funding for those that use their own funds to engage in any activity intended to alter the laws of a foreign country either to promote or to deter abortion. The bill would even ban drafting and distributing material or public statements on abortion. No waiver is provided for this restriction.

These restrictions and the funding limit would severely jeopardize the ability of the United States to meet the growing demand for family planning and other critical health services in developing countries. By denying funding to organizations that offer a wide range of safe and effective family planning services, the bill would increase unwanted pregnancies and lead to

more abortions than would otherwise be the case.

I am also deeply concerned that this legislation ties unacceptable restrictions on international family planning to payment of legitimate U.S. arrears to the United Nations and other international organizations. There are strongly held beliefs on both sides of the debate over international population policy, and issues associated with this debate should be decided on their own merit.

Congressional insistence on this linkage, and thus its failure to pay U.S. arrears, undermines U.S. leadership and ability to achieve far reaching reforms at the United Nations.

The package authorizing arrears payments linked to UN reforms was the result of good faith negotiations between the Administration and Congress more than a year and a half ago. Unfortunately, due to the passage of time, some of these conditions are now outdated and are no longer achievable. While many of the UN reform benchmarks in the package remain acceptable, significant revisions are required, and we look forward to working with Congress next year to win the payment of our arrears and an achievable package of UN reforms.

H.R. 1757 also contains a number of provisions that raise serious constitutional concerns.

These provisions include section 1809 that instructs U.S. representatives to the International Atomic Energy Agency as to positions that they must take on programs and projects in Cuba, section 1228 requiring denial of visas to certain classes of Haitians, and a part of section 1812 regarding U.S. policy on Jerusalem.

While the legislation contains important and carefully negotiated authority to reorganize the foreign affairs agencies and other basic authorities for the State Department, these important provisions have been included in the Omnibus Consolidated Appropriations Act for FY 1999,

which will be presented to me for signature shortly..

For these reasons, I am compelled to return H.R. 1757 without my approval.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 16:30:37.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I have budget document which needs your immediate sign-off; call me if you can review -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 16:41:31.00

SUBJECT: state of the union

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

TEXT:

As I mentioned to Bruce, please let me know about future deputies' meetings on SOTU policy. It is very helpful to me to get an early sense of the universe of possible policies. If you think it more productive to not have me there, I could send a designee.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 17:01:41.00

SUBJECT: Native American budget wins

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm leaving for the conference. Lynn is speaking tomorrow morning so I wanted to try to have it by then. Here is the information where to fax it to:

Fairfield Inn, Mrytle Beach
843-444-8097
FAX 843-444-8394

I won't be there until 10pm tonight. Thanks, Mary
----- Forwarded by Mary L. Smith/OPD/EOP on 10/20/98
05:02 PM -----

Mary L. Smith
10/20/98 03:51:58 PM
Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Laura Emmett/WHO/EOP
Subject: Native American budget wins

This is a document on Native American budget wins that OMB has approved. I would like to pass this out at the National Congress of American Indians conference. Could you review this by 4:30 as I am leaving to catch a plane to the conference at 5pm? Thanks

I am just waiting for signoff from Fred DuVal on the gaming paragraph.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D73]MAIL46444439A.226 to ASCII,
The following is a HEX DUMP:

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65972434FF6A01321F7C06C2950096D8C82C579C0E8C2B6FC281F4047B0CCE014B5BC8FA7EE33A

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 17:28:51.00

SUBJECT: Breast cancer paper

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:

Attached is the press paper for the First Lady's breast cancer event tomorrow that includes new cancer #s etc that I thought you would want to review.

sb ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D98]MAIL48937439W.226 to ASCII,

The following is a HEX DUMP:

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2B74C1D71A8BB5F70CADEEC6FF691FB49BBF9839FB64CB6EF698245318B09244B4DB4E32BDE81E

**FIRST LADY ANNOUNCES LARGEST INCREASE IN FUNDING FOR CANCER RESEARCH,
NEW BREAST CANCER CLINICAL TRIAL, AND OTHER NEW STEPS TO FIGHT BREAST
CANCER**

October 21, 1998

“We are facing a critical juncture in the fight against breast cancer. Our national commitment— in the form of increased federal investment, additional private support, and a dose of heart and hard work — is beginning to pay off as we witness enormous progress against the disease. With more investments at this critical time, we can truly hope for successful ways to prevent, detect, treat, and one day cure to this cancer that strikes so many women.”

First Lady Hillary Rodham Clinton

Today, in honor of Breast Cancer Awareness Month, First Lady Hillary Rodham Clinton announced: the largest funding increase in the history of the National Cancer Institute (NCI); the largest clinical trial of drugs with the potential to prevent breast cancer; and an expanded mammography outreach campaign. The First Lady also released a landmark five-year report from the Federal Coordinating Committee on Breast Cancer charting extraordinary progress in breast cancer research, prevention and treatment. The First Lady:

Announced Record Funding Increases for the National Cancer Institute. As part of the recent budget agreement, Congress passed a significant down-payment on the President’s 21st Century Research Fund. Today, the First Lady announced that the National Cancer Institute will receive a total budget of over \$2.9 billion in FY 1999, a \$375 million increase that will enable NCI to fund critical new research activities. The First Lady also note that this increase was strongly advocated for by the Vice President. Over ten percent of this increase will go to fund initiatives to increase patient participation in clinical trials; efforts to meet the President and Vice President’s challenge to translate progress into better genetics to create diagnostic techniques for every major cancer by the year 2000; and other investments to develop new early detection methods. This increase will also fund seven new breast cancer treatment clinical trials, including a trial to expand the use of Herceptin to treat breast cancer earlier. This budget will build on historic increases in breast cancer at the NCI during the Clinton Administration from \$283 million in FY 1993 to \$433 million in FY 1998. The Department of Defense will spend an additional \$135 million in FY 1999 on innovative peer-reviewed breast cancer.

Announced Largest Clinical Trial of Drugs With Potential to Reduce the Risk of Developing Breast Cancer. The First Lady also announced a new clinical trial to compare tamoxifen, a drug that has been shown to reduce the risk of developing breast cancer, to raloxifene, which researchers believe may also reduce risk, but with fewer side effects. The unique STAR trial will involve 22,000 women at increased risk of breast cancer and is scheduled to open at approximately 400 sites across the United States and Canada early next year. Underscoring the need to examine all aspects of breast cancer, the First Lady also highlighted an important trial underway at NIH examining the relationship between low-fat diet and prevention of breast cancer.

Expanded Awareness Campaign To Help Ensure Women Get Recommended Mammograms. The First Lady also unveiled an expanded outreach and education campaign to encourage women ages 65 years and older

to get regularly scheduled mammogram screenings. This year's campaign will emphasize the new mammography Medicare benefit that the President proposed and signed into law that covers annual mammograms and makes them more affordable. HHS is also expanding outreach efforts to special populations -- low-income and minority women -- who tend to have the highest breast cancer mortality rates. For example, the Health Care Financing Administration has initiated a pilot program to provide free mammogram screenings and air public service announcements in key cities targeted to minority communities, while the Food and Drug Administration has developed and distributed educational materials to underserved communities around the country.

Unveiled Landmark Report on Progress Against Breast Cancer in the Last Five Years. The First Lady also released a new report from the Federal Coordinating Committee on Breast Cancer highlighting the accomplishments in breast cancer over the past five years, since the Administration took office. This report underscores critical progress the Administration has made, including:

- A significant investment in research--reaching over \$550 million in 1998 that has led to historic advances in breast cancer, such as the identification of new breast cancer genes, and promising new treatments, such as Taxol and Herceptin;
- Improved the quality and availability of prevention tools like mammograms, through efforts such as a new Medicare mammography benefit, an unprecedented outreach campaign to encourage older women to get mammograms, as well as improvements in the quality of mammograms through the Mammography Quality Standards Act;
- Enhanced access to treatment and quality of care for women with breast cancer by increasing access to cancer clinical trials, new projects to improve detection and care among low-income and minority women; and launching
- Innovative interagency and public-private partnerships that have made remarkable strides, such as applying the latest in defense and space technology to better detect cancerous tissues and to develop less intrusive surgery methods for patients.

Highlighted That Congress Has Adjourned Without Passing Critical Legislation to Advance the Fight Against Breast Cancer. The First Lady also outlined the agenda that has yet to be finished by this Congress, including:

- **A Patients' Bill of Rights.** The Clinton Administration has repeatedly urged the Congress to pass a strong, enforceable patients' bill of rights that would assure Americans the quality health care they need. A patients' bill of rights contains critical patient protections for women with breast cancer, such as assuring access to specialists, continuity of care so that women are not required to change doctors in the middle of treatment, and an independent appeals process to address concerns that health plans are unfairly delaying or denying care.
- *Legislation to End Genetic Discrimination.* Studies show that a leading reason women do not get new genetic testing for susceptibility to breast cancer is because they worry about discrimination. To ensure that new advances in genetics are used to improve health rather than to discriminate against individuals, the President has called for legislation prohibiting health plans and employers from discriminating against individuals on the basis of their genetic information.
- **Bipartisan Initiative Authorizing Coverage of Cancer Clinical Trials for Medicare Beneficiaries.** Americans over the age of 65 make up half of all cancer patients, and are 10 times

more likely to get cancer than younger Americans. Older Americans, however, frequently cannot participate in cutting-edge cancer clinical trials because Medicare does not pay for experimental treatments. The Congress has adjourned without passing the Administration's proposal, similar to legislation supported by Senators Mack and Rockefeller, that authorizes coverage of clinical trials for Medicare beneficiaries without harming the Trust Fund.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 18:32:53.00

SUBJECT: New ideas update

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

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

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

TEXT:

We've been working to further develop the tobacco and welfare ideas we've discussed but the basic descriptions you already have haven't changed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 19:19:58.00

SUBJECT: Access to Jobs Roll-Out in Chicago 10/22

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

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

TEXT:

According to DOT staff, there's a possibility that the First Lady may be attending this event (Jen, this is when Secretary Slater will be announcing availability of the Job Access/Reverse Commute grants that we fought hard for and were included in TEA-21.) If HRC does attend, DOT will make sure there are some former welfare recipients participating who could introduce her. We've suggested they go to United Airlines for local success stories (W2W Partnership staff and United will be on one of the panels).

Also, there's a rumor that Slater is considering naming the program for Rosa Parks and Delores Juerta (sp?), so it would be something like the Rosa Parks and Delores Juerta Job Access and Reverse Commute Grants Program (try to get an acronym around that one!). There may be legal and perception issues w/ this that DOT is still sorting out.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 19:22:25.00

SUBJECT: Read this version: Job Access Roll-Out in Chicago 10/22

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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Also, there's a rumor that Slater is considering naming the program for Rosa Parks and Delores Juerta (sp?), so it would be something like the Rosa Parks and Delores Juerta Job Access and Reverse Commute Grants Program (try to get an acronym around that one!). There may be legal and perception issues w/ this that DOT is still sorting out.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 20:03:03.00

SUBJECT: tomorrow's DOJ conference

TO: Cathy R. Mays (CN=Cathy R. Mays/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:

Tomorrow is the first day of a two day conference sponsored by DOJ on nursing home fraud and abuse. The conference is not being held to discuss specific initiatives around fraud and abuse, although some may be developed subsequent to it. We anticipate that substantive initiatives may be developed following the conference from both DOJ and HHS. Should that be the case, we will determine the feasibility of holding an event around their release. While we don't anticipate much media coverage of tomorrow's conference, Eric Holder will probably do everything in his power to attract attention. (We write this only to cover us in the event that there is any media coverage.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-OCT-1998 21:47:38.00

SUBJECT: Draft --Top Ten List

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here's a top ten list of Exec. Actions plus 5 alternates. If these look like the right ones I'll run 'em back by the team leaders to see if we can do any more updates on the success of the actions.===== ATTACHMENT

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

TEXT:

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FA938CB256AD2210B5C18EAD3C2D711E533E8FE982E47D19E918B66BB40644021EA299F4B5C41E

Draft

**10 KEY EXECUTIVE ORDERS, MEMORANDUMS, AND PROCLAMATIONS
1996-1998**

1. *Protecting Patients' Rights.* Executive Memorandum, February 20, 1998. Directed Secretaries of Defense, Labor, Health and Human Services, Veterans Affairs, and the Director of the Office of Personnel Management to ensure that all Federal health plans, which serve over 85 million Americans, come into substantial compliance with the recommended protections in the Health Care Consumer Bill of Rights ("Patient Bill of Rights").

2. *Creating A National Monument.* Proclamation, September 18, 1996. President Clinton created by proclamation the Grand Staircase Escalante National Monument in Utah, thereby protecting 1.7 million acres of spectacular red rock canyon lands, artifacts from three ancient cultures, and the most remote site in the lower 48 states.

3. *Banning Imported Assault Weapons.* Executive Memorandum, November 14, 1997. In response to this memorandum, the President announced in April 1998 that the Treasury Department had found that more than 50 kinds of modified assault weapons are generally not importable because they accept large capacity military magazines. Up to 1.5 million rifles whose importation had been temporarily suspended may be affected this decision.

4. *Increasing Child Support.* Executive Memorandum, June 18, 1996. Strengthened child support operations by toughening paternity establishment requirements for applicants for welfare and by enabling states to locate, and withhold wages from, obligors who have taken a job in another state -- reforms that became law along with other tough new rules as part of welfare reform. The Clinton Administration collected a record \$12 billion in child support in 1996 through tougher enforcement, an increase of \$4 billion, or nearly 50%, since 1992. In 1996, the number of child support cases with collections also rose to 4 million, an increase of 43%, from 2.8 million in 1992.

5. *Protecting Children from Handguns.* Executive Memorandum, March 5, 1997. Required that a child safety lock device be issued to every Federal employee who carries a firearm on official duty. By October 1997, all federal agencies with law enforcement agents reported that they were in compliance with the President's directive, including approximately 30,000 Justice Department employees from the FBI, DEA, INS, and Marshals Service, and about 20,000 Treasury law enforcement personnel. Also, under the President's leadership, 8 major handgun manufacturers, who make the vast majority of handguns in the country, have agreed to provide child safety devices with each handgun sold.

Creating a Sexual Offender Registration System. Executive Memorandum, July 25, 1996. Improved the safety and protection of children through creation of a national sex offender registry. As of December 1, 1997, 20 states, representing 44.2% of the U.S. population, have contributed to the

national registry which now includes information on approximately 27,000 offenders.

Promoting Adoption. Executive Memorandum, December 14, 1996. The Memorandum directed the Department of Health and Human Services to develop a plan to double, by the year 2002, the number of children in foster care who are adopted or permanently placed each year. On February 14, 1997, HHS presented its report called *Adoption 2002*. The *Adoption 2002* report formed the basis of Administration work with Congress toward the development of the Adoption and Safe Families Act of 1997, which incorporated nearly all of the recommendations outlined in the Report and the Memorandum. The President signed the Adoption and Safe Families Act into law on November 19, 1997 less than one year after the Executive Memorandum was issued.

Encouraging Welfare-to-Work. Executive Memorandum, March 8, 1997. The President directed federal agencies to use existing hiring authority to hire individuals off the welfare rolls into available federal jobs. In April 1997, agencies identified commitments to hire a total of 10,000 individuals by 2000. To date, the federal government has hired nearly 7,100 welfare recipients, 67 percent of its planned hires.

Improving Food Safety. Executive Order, August 25, 1998. Created the President's first-ever Council on Food Safety chaired by the Secretaries of Agriculture, Health and Human Services, and the Director of the Office of Science and Technology to develop a comprehensive strategic plan for Federal food safety activities and to take the next steps to advance Federal efforts to implement a science-based strategy to improve the safety of the food supply and enhance coordination among Federal agencies.

Promoting the Use of School Uniforms. Executive Memorandum, February 23, 1996. Helped to deter school violence, promote discipline, and foster a better learning environment by promoting school uniforms. Disseminated *Manual on School Uniforms* to 15,000 school districts in 1996. In addition, 9,167 copies of the manual were distributed to persons who requested them.

OPTIONAL 5 ACTIONS

Making Public Housing Safe. Executive Memorandum, March 28, 1996. Denied admission to applicants and evicted tenants in public housing authorities (PHAs) who have engaged in illegal drug use or other criminal activities. The guidance permits PHAs to institute and enforce tough rules to protect the safety of families living in public housing. Of the 1,859 out of 3,192 (58%) total PHAs responding to the Department of Housing and Urban Development's Office of Public and Indian Housing March 1997 survey, 1,392 PHAs had implemented "One Strike" programs.

Making Tobacco Documents Available to the Public. Executive Memorandum, July 17, 1998. The Executive Memorandum directed the Secretary of Health and Human Services (HHS) to coordinate a public health review of tobacco industry documents and develop a plan to make documents more accessible to researchers and the public.

Helping Uninsured Children. Executive Order, February 18, 1998. President directed the seven Federal agencies with jurisdiction over children's programs to establish a multi-agency effort to enroll uninsured children. As a result, 10 agencies are implementing over 150 activities to educate families on enrolling uninsured children.

Ensuring Opportunity for all Children. Executive Order, April 17, 1996. Launched the "Computers for Learning" program, which is a unique partnership between federal agencies, schools, and non-profits across the country to move more than 70,000 computers into the nation's neediest classrooms.

Keeping Guns Away From Kids. Executive Memorandum, July 8, 1996. Traced approximately 93,477 guns from 27 communities (17 original sites and 10 new sites) through the use of an innovative computer software system that examines crime gun trace information and provides law enforcement officers with crucial investigative leads about the sources of these guns.