

NLWJC - KAGAN

EMAILS CREATED

ARMS - BOX 004 - FOLDER 008

[12/17/1997 - 1/9/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 19:03:37.00

SUBJECT: Re: Food Safety Meeting

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

READ:UNKNOWN

TEXT:

we're disinviting them. it will just be a white house meeting. so don't say anything.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 19:02:40.00

SUBJECT: Re: invite

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D63]MAIL454696057.316

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 18:59:16.00

SUBJECT: Re: Food Safety

TO: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TEXT:

you should come. sorry we forgot to ask.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 18:56:43.00

SUBJECT: Re: haitians

TO: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

there is no policy and no decision. i was as surprised by the NYT as
you. call me.

December 16, 1997

MEMORANDUM TO THE PRESIDENT

THROUGH: Sylvia Matthews

FROM: Bruce Reed
Diana Fortuna

SUBJECT: SSA Report on Implementation of Children's SSI Cutoffs

The Social Security Administration intends to release a report this Thursday on its implementation of the new definition of childhood disability for SSI. This report follows Commissioner Ken Apfel's promise, at his confirmation hearing in September, of a "top to bottom" review of SSA's process for redetermining the eligibility of children.

As you know, the welfare law tightened the definition of childhood disability for SSI, and required the Social Security Administration to redetermine the eligibility of approximately 288,000 children, out of about one million children now on the rolls. These reevaluations have led to almost 140,000 terminations to date. (At the time the welfare law was enacted, CBO estimated that 180,000 children would lose SSI; when SSA announced its interpretation of the law, it projected that 135,000 children would become ineligible.) Advocates charge that SSA has done a poor job on these reevaluations, causing eligible children to be dropped from the rolls.

The report concludes that SSA did a generally good job of redetermining eligibility for these children. The report, however, identifies three areas of concern and announces actions to address them.

First, SSA will review the cases of all children "coded" as mentally retarded who were cut from the rolls and have not appealed. This action addresses SSA's finding that some of these children may have been terminated incorrectly. Second, SSA will review a portion of every state's unappealed terminations, choosing the kinds of cases most needing review in each state and focusing heavily on states that SSA has found to have a relatively high error rate. This review will allow SSA to give special attention to states with the highest error rates, without singling them out as "bad actors." Third, SSA will offer all 70,000 families who did not appeal its termination decisions a new opportunity to do so. These actions, and the problems they address, are further described in an appendix attached to this memo.

In all, SSA will review the cases of 48,000 children dropped from the program. (Another 70,000 have appealed.) As a result of these actions, SSA now projects that approximately 100,000 children ultimately will lose SSI benefits.

With the report, SSA also plans to release case studies of a random sample of 151

children who have lost benefits. This document is intended to explain to the public what kinds of children are no longer eligible. Most of the children have mental disabilities other than mental retardation, including learning disabilities and attention deficit disorder. Over a third have improved since they were first found eligible. The majority are teenagers; only a handful are age six or younger.

Advocates will probably have a mixed reaction to the report -- generally pleased about the actions, but still arguing that SSA's regulation interpreting the statute is needlessly strict. The report does not address the latter issue. The Republican leadership in Congress has been extremely supportive of SSA's implementation of the law to date, but probably will criticize this report on the ground that it bends over backwards to restore benefits.

SSA Report on Childhood Disability Process

SSA's report examined three areas of concern raised by advocacy groups:

I. Mental Retardation

Advocates' Charge: Too many children with mental retardation were cut from the rolls.

SSA Finding: Of the 136,000 children terminated to date, 42,000 were "coded" as mentally retarded (MR). However, most of these children do not actually have MR, because until recently SSA's systems did not have all the necessary codes. Instead, most of these children have other mental disorders, such as learning disabilities or "borderline intellectual functioning" (which falls short of full-fledged MR). Some unknown subset of the 42,000 do have MR, but either their impairments are not severe enough to qualify them for SSI, or they were denied incorrectly.

Even with these terminations, approximately 350,000 children coded as MR will remain on the rolls, out of the total of one million children on SSI.

SSA Action: SSA will review all cases terminated that were coded as MR, to ensure that all those decisions were made properly.

II. State Variations in Cutoffs

Advocates' Charge: Errors in cutoffs appear likely, since termination rates varied widely by state, from 32% in Nevada to 82% in Mississippi. Also, SSA may not have acquired all documentation, such as school records, needed to judge a child's disability. Finally, some states were disqualifying too many families for failure to cooperate without making adequate efforts to reach them.

SSA Findings: SSA data show that on average 93% of termination decisions were both accurate and complete (*i.e.*, they included all required documentation). This exceeds SSA's required level of overall state performance for SSI, which is 90.6%. However, 10 states had accuracy/completion rates below 90%. Another 9 states had accuracy/completion rates below the national average. (SSA's experience is that about one-third of the errors identified in these measures will ultimately prove to be accurate decisions that simply lacked documentation.) SSA found that many inaccurate decisions stem from an overly strict interpretation of the new rules for children who exhibit maladaptive behavior.

Claims that SSA did not acquire all needed documentation were determined to be largely unfounded. However, SSA found wide state variations in the percentage of children cut off because their families did not cooperate with the redetermination. In a study of such cessations, SSA found that 68% of the cases did not include documentation that all required efforts to contact the family had been made.

SSA also performed a regression analysis to determine whether wide state-to-state variations in overall termination rates should be expected because of legitimate factors, such as the child's age and impairment and whether the child was initially added to the rolls based on the less strict criteria eliminated by the welfare law. SSA found that these factors would lead you to expect the cutoff rate to vary from 40% in Idaho to 78% in Mississippi. While this regression analysis does not fully explain the actual state-by-state variance, it does convince SSA that most of the variance among states is due not to errors, but to characteristics of the children.

SSA Action: SSA will review a portion of the decisions in all states, focusing more on states with lower accuracy rates. All cases terminated as a result of failure to cooperate will be reviewed. SSA will also provide more training on maladaptive behavior.

III. Appeal Rights

Advocates' Charge: Too few families are appealing because SSA's notice to families was confusing, and workers discouraged appeals. Also, SSA discouraged families from requesting that benefits be continued during the appeal, and didn't do enough to publicize free legal services.

SSA Finding: SSA found that its workers did not discourage appeals, although this may have occurred in isolated instances. At the same time, a survey conducted by SSA confirms that many families did not understand their appeal rights.

SSA Action: All 70,000 families of children who were terminated and did not appeal will be given a new opportunity to do so. In addition, all families of children who appealed but did not request continuation of benefits during the appeal will also be given a new opportunity to make that request. SSA will also publicize the availability of free legal services for families.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-DEC-1997 15:25:14.00

SUBJECT: Re: Single-sex schools in NYC

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

READ:UNKNOWN

TEXT:

you should have it on your schedule already; we're ahead of you over here.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-DEC-1997 13:41:19.00

SUBJECT: Re: Weekly Reports

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

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

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

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

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

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

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

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

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

CC: joshi_m (joshi_m @ a1 @ cd @ lngtwy [UNKNOWN]) (NSC)
READ:UNKNOWN

CC: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

I'm glad to know DPC is in such august company.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-DEC-1997 15:24:28.00

SUBJECT: Re: Weekly Reports

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

TEXT:
what did they threaten to do to you?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-DEC-1997 13:39:59.00

SUBJECT: Re: haitians

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

TEXT:

I think it's leaning that way, but yes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-DEC-1997 15:19:57.00

SUBJECT: Re: DPC Phone List

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

TEXT:
a bit old, isn't this?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-DEC-1997 14:57:44.00

SUBJECT: Re: WH and After School Expansion

TO: Mike_Smith (Mike_Smith @ ed.gov @ INET @ LNGTWY [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Mike -- The President has expressed a strong interest in this. We should meet on Monday. I'll have someone set it up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-DEC-1997 13:56:07.00

SUBJECT: Re: Food stamps in budget

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D98]MAIL496905255.316

Q□ó? To ASCII,

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-DEC-1997 08:29:38.00

SUBJECT: Re: Stanford

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

TEXT:
no

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 23-DEC-1997 13:13:32.00

SUBJECT: HHS Tobacco and Food Safety Budgets

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

READ: UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 12/23/97 01:13
PM -----

Jerold R. Mande

12/17/97 07:34:21 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: HHS Tobacco and Food Safety Budgets

Here is an update on HHS's tobacco and food safety budgets. I am concerned that these programs are in trouble and in need of your help to receive adequate funding in the President's FY99 budget.

Tobacco

For FY99, OMB is recommending a \$30 million increase (\$21M for CDC for state programs and \$9M for FDA). HHS is currently requesting on appeal to OMB an increase of \$120M over the FY98 level (\$74M for CDC and \$46M for FDA). FDA's increase will enable it to contract with all states to effectively enforce its tobacco rule. As you know, effective enforcement is essential to making access restrictions work. CDC will put \$49M toward state programs, \$20M toward counter advertising, and \$5M toward surveillance and research. At this funding level, CDC will provide each state with \$1 million on average, which is less than the \$1.2 million average the 16 ASSIST states currently receive. Studies indicate states need about \$10 million each to replicate the reductions in youth smoking that California and Massachusetts have achieved. I believe HHS initially requested an increase of \$136 million over FY98 for tobacco. For FY98, FDA received \$34 million for tobacco, which is an increase of \$29.1 million over FY97. CDC received \$28.4 million, which is an increase of \$7 million over FY97, however the President had requested a \$15 million increase. NIH received \$25 million for the ASSIST program the same as in FY97 (beginning in FY99 ASSIST will move to CDC -- the CDC budget request reflects the move).

Food Safety

For FY99, OMB is recommending a \$30 million increase for HHS (\$5M for CDC and \$25M for FDA). HHS is currently seeking \$44 million on appeal (\$5M for CDC and \$39M for FDA (\$22M for imports and \$17M for domestic)). I am trying to determine whether the HHS appeal is on top of the OMB \$30 million or instead of it. HHS initially requested a \$109 million increase (\$21M for CDC and \$88M for FDA (\$27M for imports and \$61M for domestic)). At OMB's currently recommended level of funding the

Administration will not be able to achieve many of goals we have already promised in the President's Food Safety Initiative. \$5 million would not enable CDC to put in place the early warning system the President promised last January, and \$25 million for FDA, depending on how it is divided between imports and domestic, either is just short of what FDA needs to implement the produce initiative the President announced in October with no new money for the programs the VP announced in May, or well short of what is needed for imports and also well short of what is needed domestically.

Message Copied

To: _____

Thomas L. Freedman/OPD/EOP

Donald H. Gips/OVP @ OVP

Toby Donenfeld/OVP @ OVP

Laura Emmett/WHO/EOP

Christopher C. Jennings/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-DEC-1997 14:18:00.00

SUBJECT: NEW DPC PHONE AND ISSUE LISTS

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

TEXT:

please print for me.

----- Forwarded by Elena Kagan/OPD/EOP on 12/23/97 02:17 PM -----

Paul J. Weinstein Jr.

12/23/97 01:22:01 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
Subject: NEW DPC PHONE AND ISSUE LISTS

PLEASE DISREGARD THE LISTS SENT EARLIER THIS WEEK. THEY HAD A COUPLE OF ERRORS. THESE LISTS ARE ACCURATE.

Message Sent

- To: _____
- BALDERSTON_A @ A1 @ CD @ LNGTWY
 - Sarah A. Bianchi/OPD/EOP
 - Michael Cohen/OPD/EOP
 - Laura Emmett/WHO/EOP
 - Cathy R. Mays @ EOP @ LNGTWY
 - Leanne A. Shimabukuro @ EOP @ LNGTWY
 - Diana Fortuna/OPD/EOP
 - Thomas L. Freedman/OPD/EOP
 - Jose Cerda III/OPD/EOP
 - Christopher C. Jennings/OPD/EOP
 - Andrea Kane/OPD/EOP
 - William R. Kincaid/OPD/EOP
 - Jennifer L. Klein/OPD/EOP
 - Jeanne Lambrew/OPD/EOP
 - Nicole R. Rabner/WHO/EOP
 - Cynthia A. Rice/OPD/EOP
 - Christa Robinson @ EOP @ LNGTWY
 - Mary L. Smith/OPD/EOP
 - Todd A. Summers/OPD/EOP
 - Neera Tanden/WHO/EOP
 - Essence P. Washington/OPD/EOP
 - Julie A. Fernandes/OPD/EOP

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D7]MAIL49971565T.316 to ASCII,

December 21, 1997

December 21, 1997

Domestic Policy Council Staff/Issue List

Issue Area	Staffer	Phone	Fax	Room Number
AIDS	Sandy Thurman	632-1090	632-1096	470 OEOB
	Todd Summers	632-1090	632-1096	808 17th Street
Adoption	Jen Klein	6-2599	6-2878	WW 2FL
	Nicole Rabner	6-7263	6-2878	WW 2FL
	Neera Tanden	6-6275	7-2878	WW 2FL
Agriculture/ Rural Development	Carl Whillock	720-2406	720-9286	1400 Independence Ave., SW, Room 216 Administration Building
Budget	Cynthia Rice	6-2846	6-7431	212R OEOB
Choice	Elena Kagan	6-5584	6-2878	WW 2FL
	Jen Klein	6-2599	6-2878	WW 2FL
Children & Families	Jen Klein	6-2599	6-2878	WW 2FL
	Nicole Rabner	6-7263	6-2878	WW 2FL
	Neera Tanden	6-6275	6-2878	WW 2FL
Civil Rights/Race Initiative	Elena Kagan	6-5584	6-2878	WW 2FL
	Julie Fernandes	6-6558	6-5581	217R OEOB
Communications/ Scheduling/Events	Christa Robinson	6-5165	6-7431	207 OEOB
Consumer Issues/ Food Safety	Tom Freedman	6-6587	6-7431	213 OEOB
	Mary Smith	6-5571	6-7431	213 ½ OEOB
Crime	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
Community Development/ Housing	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
	Paul Weinstein	6-5577	6-7028	214 OEOB
Disabilities	Diana Fortuna	6-5570	6-7431	212L OEOB
Drugs	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
Education	Mike Cohen	6-5575	6-5581	218L OEOB
	Bill Kincaid	6-2857	6-5581	220 OEOB
	Tanya Martin	6-5228	6-5581	218R OEOB
Environment	Paul Weinstein	6-5577	6-5581	214 OEOB
Health Care	Chris Jennings	6-5560	6-5557	216R OEOB
	Jeanne Lambrew	6-5377	6-7431	209 OEOB
	Sarah Bianchi	6-5585	6-5557	216 OEOB

Immigration	Julie Fernandes	6-6558	6-5581	217R OEOB
Labor	Elena Kagan	6-5584	6-2878	WW 2FL
National Service	Diana Fortuna	6-5570	6-7431	212L OEOB
Policy Planning	Tom Freedman	6-6587	6-7431	213 OEOB
	Mary Smith	6-5571	6-7431	213 ½ OEOB
	Tanya Martin	6-5228	6-5581	218R OEOB
Political/Government Reform	Paul Weinstein	6-5577	6-5581	214 OEOB
Product Liability	Elena Kagan	6-5584	6-2878	WW 2FL
Public Health	Chris Jennings	6-5560	6-5557	216R OEOB
	Jeanne Lambrew	6-5377	6-7431	209 OEOB
	Sarah Bianchi	6-5585	6-5557	216 OEOB
Tobacco	Tom Freedman	6-6597	6-7431	213 OEOB
	Mary Smith	6-5571	6-7431	213 ½ OEOB
Welfare Reform	Cynthia Rice	6-2846	6-7431	212R OEOB
	Diana Fortuna	6-5570	6-7431	212L OEOB
	Andrea Kane	6-5573	6-7431	210 OEOB

**DOMESTIC POLICY
STAFF PHONE LIST**

<u>Person</u>	<u>Phone</u>	<u>Fax</u>	<u>Location</u>
BALDERSTON, Allison	65543	65581	217, OEOB
BIANCHI, Sarah	65585	65557	216, OEOB
CERDA, Jose	65568	67028	224R, OEOB
COHEN, Michael	65575	65581	218L, OEOB
EMMETT, Laura	65565	62878	2 FL/WW
FERNANDES, Julie	66558	65581	217R, OEOB
FORTUNA, Diana	65570	67431	212L, OEOB
FREEDMAN, Tom	65587	67431	213, OEOB
GEISBERT, Donna	65594	65557	216, OEOB
JENNINGS, Chris	65560	65557	216R, OEOB
KAGAN, Elena	67928/65584	62878	2FL/WW
KANE, Andrea	65573	67431	210, OEOB
KINCAID, Bill	62857	65581	220, OEOB
KLEIN, Jennifer	62599	62878	2 FL/WW
LAMBREW, Jeanne	65377	67431	209, OEOB
MARTIN, Tanya	65228	65581	218R, OEOB
MAYS, Cathy	66515	62878	2 FL/WW
RABNER, Nicole	67263	66244	2 FL/WW
REED, Bruce	66515	62878	2 FL/WW
RICE, Cynthia	62846	67431	212R, OEOB
ROBINSON, Christa	65165	67431	207, OEOB
SHIMABUKURO, Leanne	65574	67028	224L, OEOB
SMITH, Mary	65571	67431	213 1/2, OEOB
TANDEN, Neera	66275	66244	2 FL/WW
WASHINGTON, Essence	67732	67028	224, OEOB
WEINSTEIN, Paul	65577	67028	214, OEOB

RAINES, Ashley	62023	61655	145, OEOB
COMPUTER SUPPORT	57370		
WH COMMENT LINE	61111		
WAVES CENTER	66742		

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-DEC-1997 12:00:43.00

SUBJECT: Re: INS reform chapter

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

TEXT:

Julie -- I thought I asked for you to run any suggested changes through me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-DEC-1997 16:22:38.00

SUBJECT: Re: Food Safety Ninety-Day Report

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D62]MAIL454895752.316

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-DEC-1997 15:18:46.00

SUBJECT: Re: News

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

READ:UNKNOWN

TEXT:

great. good work.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-DEC-1997 14:06:59.00

SUBJECT: Re: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions

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

READ:UNKNOWN

TEXT:

please print the attached chart.

----- Forwarded by Elena Kagan/OPD/EOP on 12/29/97 02:07
PM -----

Thomas Reilly
12/29/97 11:54:38 AM

Record Type: Record

To: Thomas Reilly/OMB/EOP

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

bcc:

Subject: Re: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions

I'm told that some of you may not have access to WordPerfect 7, so here is the same file as below saved as WP 6.1.

Thomas Reilly
12/29/97 11:38:17 AM

Record Type: Record

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

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

Subject: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions

Josh Gotbaum does not have access to his e-mail system this morning and has asked me to forward this note to all of you for him.

Attached is a table of selected Labor/HHS General Provisions related to health that will require policy decisions in order to print the FY 1999 Budget Appendix. Traditionally, the Budget shows the prior year's (i.e., FY 1998 enacted) appropriations language, and brackets language proposed for deletion, and italicizes any new or revised language.

Due to the FY 1999 Budget print schedule, we are requesting your views/comments on these General Provisions by January 5. Please let us know by then whether or not you agree with the recommendations in the attached file, or if you think we need to meet on any of these issues.

The file to the right shows:

1. The FY 1997 enacted language.
2. Our proposed language in the FY 1998 Budget.
3. The FY 1998 enacted language.
4. OMB staff and HHS (where available) recommendations for the FY 1999 Budget.

The provisions we've included are:

1. Needle Exchange - Probably the stickiest issue this year. It will require extensive consultation within the Administration. Detailed background on this issue is included below.
2. Human Embryos/cloning - The recommendation would repeat the FY 1998 Budget policy of deleting the language with a footnote saying we don't recommend addressing this issue in legislation. However, the world of cloning has changed in the past year, and we may need to rethink our position. Detailed background on this issue is also included below.
3. Abortion/Hyde Amendment - We would repeat the FY 1998 Budget policy of deleting the language with a footnote saying we'll work with Congress to address the issue. Note that while the FY 1998 enacted language was more expansive than in past years, we would still recommend returning to the FY 1998 Budget policy.
4. Family Planning - We would repeat the FY 1998 enacted language.
5. Limitation of the use of funds for promotion of controlled substances - We would repeat the FY 1998 enacted language, which is the same as was proposed in the FY 1998 Budget.

CLICK ON THE SECTIONS BELOW FOR BACKGROUND ON NEEDLES AND CLONING

NEEDLE EXCHANGE

Statutory Restrictions on the Use of Federal Funds for NEPs:

Since 1988, US Appropriations or Authorization law has placed a conditional prohibition on the use of Federal funds for the operation of needle exchange programs.

Currently, there are three statutory restrictions on the use of Federal funds for the operation of needle exchange programs:

The Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992, prohibits the use of Substance Abuse and Mental Health Services Administration Block grant funds for needle exchange programs unless the Surgeon General determines that they are effective in reducing the spread of HIV and the use of illegal drugs. The statute does, however, allow Federal research and evaluation of existing needle exchange programs.

Section 422 of the 1996 Ryan White CARE Act reauthorization places a flat prohibition on the use of Ryan White funds for needle exchange.

Sections 505 & 506 of the FY 1998 L/HHS / Ed Appropriations bill read:

505: Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

506: Section 505 is subject to the condition that after March 31, 1998, a program for exchanging such needles and syringes (referred to in this section as an "exchange project") may be carried out in a community if (1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and (2) the project is operated in accordance with criteria established by such Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs.

This limitation has been in Labor/ H appropriations language in some form since 1990. In the FY 1998 Appropriations bill, the Appropriators split the provision into two provisions and added the six-month moratorium on certification and the language requiring that the exchange programs must be operated in accordance with criteria established by the Secretary.

In the past, the Administration has worked to avoid an outright ban on the use of Federal funds for NEPs (like the current Section 505) and maintain the authority of the Secretary to certify that Federal funds can be used for such programs.

RECOMMENDATION:

There have been several studies done on the efficacy of NEPs in recent years, and there is current data available to meet the first requirement in this language (e.g. that NEPs are successful in preventing the spread of HIV), but HHS maintains that the data on the second provision (that NEPs do not encourage the use of illegal drugs) is still inconclusive. HHS is expecting the results of additional studies on NEPs in the coming year and wants to maintain the Secretary's authority to continue to evaluate the evolving scientific data on this issue and to certify that Federal funds can be used for NEPs.

To maintain maximum flexibility for the Secretary, we recommend bracketing (deleting) Section 506 and modifying Section 505 by re-proposing the language that was proposed in the FY 1998 Budget on this issue:

505: Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug unless the Surgeon General determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

[Note: The words "or syringes" were added in FY 1998 enacted language -- they were not proposed in the 98 Budget. Our recommendation would repeat "or syringes" in the FY 1999 Budget.]

ALTERNATE RECOMMENDATION:

In addition to bracketing section 506, we could add a footnote similar to that placed on the Hyde language deletions: The Administration proposes to delete this provision and will work with Congress to address this issue.

Also, rather than repeat the language in the FY 1998 Budget that gave the authority to certify NEPs to the Surgeon General to the Secretary of Health and Human Services, we could maintain the language that was made by Congress in the FY 1997 Labor/HHS/Ed Appropriations bill that gave such

authority to the Secretary of Health and Human Services. This may be something the Administration wants to consider given the upcoming confirmation hearings for Surgeon General nominee David Satcher.

Background on Human Embryos/Cloning

Both the House and Senate L/HHS bills for FY 1998 extended the FY 1996 and FY 1997 appropriations Act ban on using Federal funds on human embryo research, and modified it to include research involving "human diploid cells." NIH staff advise that in practice, this extension does not differ from the original ban on human embryo research and would have no effect on NIH's present research efforts. The words "human diploid cells" were apparently added in an attempt to address cloning.

A diploid cell is produced after fertilization occurs in humans -- it is one stage of a developing embryo. Diploid cells could theoretically be produced via somatic cell nuclear transfer, which is more commonly referred to as "cloning." The FY 1996 and FY 1997 L/HHS Acts barred Federal funding for the creation of human embryos for research purposes or performing research on human embryos that subjects them to significant risk. The prohibition on creating embryos for research purposes would, de facto, prohibit creating a human embryo through cloning technology. This is why including diploid cells in the embryo research ban does not differ practically from banning the creation of human embryos.

The FY 1998 Budget proposed to delete the embryo research ban, stating that the Administration "does not support addressing this issue in legislation." In December 1994, the President had issued a statement barring the use of Federal funds for creating human embryos for research purposes. On June 9, 1997, the President announced that he was sending proposed legislation to the Congress, the "Cloning Prohibition Act of 1997," which would prohibit any attempt to create a human being using somatic cell nuclear transfer. The Administration did not oppose the language in the FY 1998 bill in its letters or SAP's.

Observations: Last year's budget's proposal to delete this provision came before the cloning debate of last spring (e.g., Dolly).

Given the President's proposed legislation on prohibiting cloning, and the fact that SAP's did not oppose the language during the FY 1998 appropriations process, the Administration may not want to bracket the language again, even with the footnote that says the Administration does not support addressing this issue in legislation.

Message Sent

To:

Bruce N. Reed/OPD/EOP@EOP
Elena Kagan/OPD/EOP@EOP
Christopher C. Jennings/OPD/EOP@EOP
Maria Echaveste/WHO/EOP@EOP
Sandra Thurman/OPD/EOP@EOP
Janet L. Crist/ONDCP/EOP@EOP

Message Copied

To:

Joshua Gotbaum/OMB/EOP@EOP

**L/HHS/Ed. General Provisions for FY 1999 Budget
“Side-by-Side” Comparison for Selected Provisions
Titles II and V of L/HHS Bill**

**Automated Records Management System
Hex-Dump Conversion**

FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President’s Budget	FY 98 Enacted	Recommended FY 99 Language
Sec. 505. Needle Exchange	SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.	SEC. 505. Proposed transfer of authority from the “Secretary of Health and Human Services” to the “Surgeon General”.	Sec. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.	<p>OMB Staff: Repeat FY 98 Budget language.</p> <p>HHS: No position yet.</p> <p>Alternatives: (1) Give authority to Secretary as opposed to Surgeon General; (2) use footnote approach, i.e., delete provision and say the Administration will work with Congress to resolve.</p>
Sec. 506. Condition on Needle Exchange			Sec. 506. Section 505 is subject to the condition that after March 31, 1998, a program for exchanging such needles and syringes for used hypodermic needles and syringes (referred to in this section as an “exchange project”) may be carried out in a community if - (1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and (2) the project is operated in accordance with criteria established by such Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs.	<p>OMB Staff: Delete.</p> <p>Alternative: Footnote saying we will work with Congress.</p> <p>HHS: No position yet.</p>
Sec. 513. Use of funds for embryo research-- limitations	SEC. 512. (a) None of the funds made available in this Act may be used for— (1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)). (b) For purposes of this section, the term “human embryo or embryos” include any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes.	Proposed deletion with a footnote that states that the Administration does not support addressing this issue in legislation.	Sec. 513. Same as FY 97 enacted except end of last sentence changed to “...or more human gametes or human diploid cells.”	<p>OMB Staff and HHS: Repeat FY 98 Budget, i.e., propose deletion with the same footnote: “The Administration proposes to delete this provision and does not support addressing this issue in legislation.”</p>

FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President's Budget	FY 98 Enacted	Recommended FY 99 Language
Sec. 509. Appropriation limitations for abortion procedures (Hyde language)	SEC. 508. None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.	Proposed deletion with footnote that the Administration will work with Congress to address this issue.	Sec. 509. (a) None of the funds appropriated under this Act shall be expended for any abortion. (b) None of the funds appropriated under this Act shall be expended for health benefits coverage that includes coverage of abortion. (c) The term "health benefits coverage" means the package of services covered by managed care provider or organization pursuant to a contract or other arrangement.	OMB Staff and HHS: Repeat FY 98 Budget, i.e., propose deletion, and add footnote: "The Administration proposes to delete this provision and will work with Congress to address this issue."
Sec. 510. Appropriation limitations for abortion procedures (Hyde language)			(New provision) Sec. 510. (a) The limitations established in the preceding section shall not apply to an abortion - (1) if the pregnancy is the result of an act of rape or incest; or (2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. (b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds). Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).	OMB Staff and HHS: Delete provision and add footnote: "The Administration proposes to delete this provision and will work with Congress to address this issue."
Sec. 212. Appropriation of funds for entities under title X of the Public Health Service Act	SEC. 518. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless it is made known to the Federal official having authority to obligate or expend such funds that the applicant for the award certifies to the Secretary that it encourages family participation in the decision of the minor to seek family planning services.	SEC. 513 . Same as FY 97 Enacted.	Sec. 212. None of the funds appropriated in the Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.	OMB Staff: Repeat FY 98 enacted. HHS: No position yet.
Sec. 514. Use of funds for promotions of controlled substances-- limitations	SEC. 513. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made available in this Act may be used for any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of	SEC. 511. Same as FY 97 enacted.	Sec. 514. Same as FY 97 enacted and FY 98 President's Budget.	OMB Staff: Repeat FY 98 Budget language. Same as enacted.

FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President's Budget	FY 98 Enacted	Recommended FY 99 Language
	the Controlled Substances Act (21 U.S.C. 812). (b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that Federally-sponsored clinical trials are being conducted to determine therapeutic advantage.			

Automated Records Management System
Hex-Dump Conversion

Clinton Presidential Records Automated Records Management System [EMAIL]

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Hex Dump file is not in a recognizable format, has been incorrectly decoded or is damaged.

File Name: p_16251463_who_html_2.msoff

Attachment Number: [ATTACH.D57]MAIL45641526N.316

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-DEC-1997 14:49:43.00

SUBJECT: Re: Head Start Options: Cost of Doubling Early Head Start

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

TEXT:

Oh. What's the difference between doubling the set-aside and doubling the slots -- i.e., how much more does the former cost and what more do you get from doing it?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-DEC-1997 11:07:32.00

SUBJECT: Re: Head Start Options: Cost of Doubling Early Head Start

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

TEXT:

Is it your understanding that DPC, NEC, and OMB have now agreed to #5 (in the meeting in Frank's office)?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 29-DEC-1997 10:48:46.00

SUBJECT: Message Calendar : The Sequel

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

READ: UNKNOWN

TEXT:

fyi

----- Forwarded by Elena Kagan/OPD/EOP on 12/29/97 10:48 AM -----

Ann F. Lewis

12/24/97 12:15:48 PM

Record Type: Record

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

cc: Stacie Spector/WHO/EOP

Subject: Message Calendar : The Sequel

CALENDAR OF ANNOUNCEMENTS : UPDATED

as of 12/24/97

Staff assignments noted as made; Larry Haas to coordinate all press

Changes to previous memo in italics

Happy Holidays; see you in the New Year

LIHEAP: VP to announce continued funding

Perhaps to AP or regional press ?

See Klain e-mail 12/24 recommending 1/9, plus other events

12/25 story ; 12/24 release

Increase in homeless grants

Cuomo to release

POTUS statement prepared ; should be on its way out

12/27 Radio address; 12/24 tape

Expansion of Medicare benefits in balanced budget

Ann

12/28 story; 12/27 release

Food safety budget increase

Rahm to Glickman

12/29 story; 12/28 release

FEMA mitigation grants w/El Nino angle

Goal: Print and CBS

Paul to James Lee Witt

Steve Silverman

12/30 story; 12/29 leak

Increase in Ryan White funds

Major paper (NYTimes?)

Ann/Stacie to Sandy Thurman

1/1 story ; 12/31 release

Health care Quality funding

Elena to HHS

1/3 Radio address broadcast ; taped 1-2

Peace Corps Increase in next budget; also Americopr s ?

Ann/Stacie

Goal = 1/4 Sunday story

Gearan to do roll-out Sunday 1/4 or Monday 1/5 ?

1/6 story; 1/5 event or release
New deficit baseline
1/7 story; 1/6 event
Medicare expansion
1/8 event for 1/9 story :announcement of child care policies
White House venue
1/9 events ,Texas
Access to higher education, increased work-study grants
1/10 radio address ; taped 1/9
IRS reform and increased funds for customer service

To discuss: First White House Lecture by Michael Kammen (Millennium) ;
possible post New Year release

Message Sent

To:

Erskine B. Bowles/WHO/EOP
John Podesta/WHO/EOP
Franklin D. Raines/OMB/EOP
Lawrence J. Haas/OMB/EOP
Michael D. McCurry/WHO/EOP
Barry J. Toiv/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Paul E. Begala/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Elena Kagan/OPD/EOP
Rahm I. Emanuel/WHO/EOP
Gene B. Sperling/OPD/EOP

Message Sent

To:

John Podesta/WHO/EOP
Franklin D. Raines/OMB/EOP
Lawrence J. Haas/OMB/EOP
Michael D. McCurry/WHO/EOP
Barry J. Toiv/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Paul E. Begala/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Elena Kagan/OPD/EOP
Rahm I. Emanuel/WHO/EOP
Gene B. Sperling/OPD/EOP
Ron Klain/OVP @ OVP
Sylvia M. Mathews/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-DEC-1997 09:57:47.00

SUBJECT: Update on legal immigrants and the budget

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

READ:UNKNOWN

TEXT:

fyi

----- Forwarded by Elena Kagan/OPD/EOP on 12/29/97 09:57
AM -----

Diana Fortuna

12/24/97 04:15:48 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP

cc: Laura Emmett/WHO/EOP, Julie A. Fernandes/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP, Andrea Kane/OPD/EOP

Subject: Update on legal immigrants and the budget

Elena, I think you know all of this anyway, but here's what I know. The agreement is to spend \$2.5 billion on benefit restorations to legal immigrants. The initial list was:

- (1) food stamps for legal immigrant families with children, regardless of date of entry;
- (2) food stamps for refugees and asylees for 7 years instead of 5;
- (3) Medicaid/CHIP for children who entered the country after the law was signed; and
- (4) food stamps for the Hmong (a compelling group who fought in the Vietnam War).

Most of the cost (\$2 billion) is the first item.

However, immigration advocates that OMB consulted objected strenuously -- particularly Greenstein. They were delighted with the size of the package, but felt we were making a big tactical mistake by leaving out the disabled and elderly (who cost \$400 million). Our rationale for doing so was that they already benefitted from the major SSI/Medicaid restorations enacted this summer, so it's time to help a new group. Greenstein's response is that (1) the disabled/elderly are the Ag Committee's top priority and, if we don't propose this restoration, Congress will have an excuse to ignore this issue altogether; (2) we are spending a lot of money on prospective restorations for families with children that are unlikely to be enacted; and (3) the disabled/elderly are compelling enough that leaving them out entirely leaves us vulnerable as debate on this proceeds.

OMB's solution is a partial restoration for the disabled/elderly -- the non-disabled elderly over 75, and the disabled. This is paid for by deeming sponsor income for those with affidavits of support, plus some other money OMB dug up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-DEC-1997 16:37:23.00

SUBJECT: Re:

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

TEXT:
seems a bit skimpy; can we get it up a little?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-DEC-1997 16:37:52.00

SUBJECT: Re: Medicare Event

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

TEXT:
to be decided on friday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 31-DEC-1997 16:40:24.00

SUBJECT: Re:

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

TEXT:

oh. then it sounds ok. do you agree?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JAN-1998 15:53:18.00

SUBJECT: CCBG and Teachers in tobacco

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/06/98 03:53
PM -----

Barry White

01/06/98 12:54:54 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: CCBG and Teachers in tobacco

Having heard no objection, we have entered the year by year numbers into the system that I sent you last week. Together, they tie to the pre-determined annual receipts lines in the overall tobacco table.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JAN-1998 15:52:18.00

SUBJECT: Re: Senator Robb Reply

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

TEXT:
yes and yes

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JAN-1998 12:41:17.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

how did it go?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JAN-1998 15:48:04.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/06/98 03:48
PM -----

Diana Fortuna

01/06/98 01:24:05 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

bcc:

Subject: Re:

OK as far as I could tell. I hear it's a short list at this point.

Elena Kagan

01/06/98 12:41:10 PM

Record Type: Record

To: Diana Fortuna/OPD/EOP

cc:

Subject:

how did it go?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:22:09.00

SUBJECT: Re: Native American report

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

TEXT:
not unless you think i should. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:28:45.00

SUBJECT: Re: Message openings

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

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

TEXT:

I vote for trying to do this if chris is willing and able.

Christa Robinson
01/07/98 04:27:34 PM
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc:
Subject: Message openings

Scheduling is looking for events to do Monday and possibly Wednesday of next week. They don't want to announce another budget item, and would prefer a values-type announcement. Chris Jennings has the announcement for a kids outreach initiative, which sounds perfect, but I'm not positive it will be ready in time. If it can be ready, should I submit a proposal on this? Are there other ideas we should propose? Let me know if there's anything I can do to follow up on this. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:15:35.00

SUBJECT: Re: PIR Higher Ed outreach meeting

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D52]MAIL403116602.026

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:24:20.00

SUBJECT: Re: Drug Testing/Treatment in State Prisons

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

TEXT:
yes???

Jose Cerda III
01/07/98 02:36:55 PM
Record Type: Record

To: Elena Kagan/OPD/EOP, Karen A. Popp/WHO/EOP
cc: Bruce N. Reed/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP
Subject: Drug Testing/Treatment in State Prisons

EK/KP:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:19:00.00

SUBJECT: Re: Affirmative Action guidance

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

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

TEXT:

I did finally manage to look at this -- you and bill and i should talk.
(and thanks for your patience)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:23:57.00

SUBJECT: Re: Raines reaction re: yesterday's child support budget meeting

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

READ:UNKNOWN

TEXT:

we should see their paper first; that seems the courteous thing to do.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:28:00.00

SUBJECT: Ruth Kain and her role at the Medicare buy-in event

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

READ: UNKNOWN

TEXT:

i'll give you the background whenever you want.

----- Forwarded by Elena Kagan/OPD/EOP on 01/07/98 04:28
PM -----

Christopher C. Jennings

01/07/98 03:13:43 PM

Record Type: Record

To: Erskine B. Bowles/WHO/EOP

cc: Carole A. Parmelee/WHO/EOP, Jason S. Goldberg/WHO/EOP

Subject: Ruth Kain and her role at the Medicare buy-in event

I heard that at the senior staff meeting this morning people were asking how we came across Ruth Kain for the President's Medicare buy-in proposal announcement. I would like you to know about two people who deserve all the credit for this -- Sarah Bianchi and Christa Robinson of the DPC staff.

Over the Christmas/New Year's break, with very little notice for the event, we had to find someone who well fit they type of individual who best personified the type of people who would benefit from this new proposal. Since many of these individuals are sick or were unavailable during this period, it was very difficult to find a perfect candidate who could travel here and be a good spokesperson. Until the very last moment, we were all petrified we could not come through for the President and feared we might let everyone down. Here's the story:

Christa Robinson, who helps us do virtually every single one of our DPC events (whether it be crime, welfare, education, child care, food safety, health care, etc.) is in charge of targeting every "real" person we have in these events. She always does a remarkable job, but this event was special.

Christa was particularly upset about not finding the perfect candidate. She talked with group after group, individual after individual, but could not come up with the type of person our communications people (and us policy folks) wanted. It wasn't until less than 24 hours before the President's announcement that we locked in probably one of our best "real life" people ever -- Ruth Kain. And even after finding Mrs. Kain, because we thought it would be nice to have two "validators," Christa literally refused to give up on finding another candidate up until hours before the event.

Finding Ruth Kain was not easy. Our normal channels of getting help from HHS, Labor, AARP, and numerous other groups completely failed us. On Sunday evening, Sarah Bianchi -- (who as you know works directly with me and is the key individual who helps us produce every single one of our health care events), reminded me that Steve Finley of USA Today had done a very positive article on this subject months ago. In it, he mentioned a

number of people who were particularly vulnerable to the shortcomings of our current private insurance market for the 55-65 age group. Sarah suggested that I call Steve up and see if I could get him to agree to give me some of the people's names and phone numbers. (We have a longstanding positive relationship and he agreed to do so.)

Sarah then talked to Steve about every one of the candidates. She narrowed them down to the best couple of options -- one of which was Ruth Kain. Sarah gave the number to Christa and Christa talked Mrs. Kain into coming. Remember, this all happened one day before the event.

Mrs. Kain arrived yesterday morning, just a couple of hours before meeting the President. Both Christa and Sarah worked with Mrs. Kain literally minutes before the event in developing her remarkable statement. I thought it was one of the most moving arguments for a new Presidential policy that I have ever heard.

Elena and I didn't want these White House heroines to go by unknown to you. We are really fortunate to have these committed, loyal individuals on staff.

Ev

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:27:02.00

SUBJECT: Re: Ruth Kain and her role at the Medicare buy-in event

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

TEXT:
magnificent.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JAN-1998 16:21:03.00

SUBJECT: Treatment of Abortion Provisions in the President's Budget

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D58]MAIL467316602.026

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D58]MAIL467316603.026 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D58]MAIL487316604.026 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 2 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 12:29:14.00

SUBJECT: Re: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions SPEAK N

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/08/98 12:29
PM -----

JOSHUA

GOTBAUM

01/08/98 11:47:41 AM

Record Type: Record

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

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

Subject: Re: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions SPEAK NOW OR...

On 12/29, we sent to you the attached note seeking input on several sensitive L/HHS General Provision issues that we need to address to complete and print the FY 1999 President's Budget. We really need to hear from each of you by tomorrow (1/9) in order to meet the Budget print schedules. My main concern is that there may be differing views on some of these (e.g., Needle Exchange) and follow-up discussions may be necessary. If so, they would have to occur as early next week as possible.

We also sent to you yesterday morning an e-mail on the treatment of abortion provisions throughout the Budget. As requested yesterday, we'd appreciate hearing from you on these by tomorrow as well.

[This file is a WordPerfect v.6.1 version of the original table.]

Thomas Reilly

12/29/97 11:38:17 AM

Record Type: Record

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

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

Subject: Needles/Embryos/Abortion and Other Selected L/HHS General Provisions

Josh Gotbaum does not have access to his e-mail system this morning and has asked me to forward this note to all of you for him.

Attached is a table of selected Labor/HHS General Provisions related to health that will require policy decisions in order to print the FY 1999

Budget Appendix. Traditionally, the Budget shows the prior year's (i.e., FY 1998 enacted) appropriations language, and brackets language proposed for deletion, and italicizes any new or revised language.

Due to the FY 1999 Budget print schedule, we are requesting your views/comments on these General Provisions by January 5. Please let us know by then whether or not you agree with the recommendations in the attached file, or if you think we need to meet on any of these issues.

The file to the right shows:

1. The FY 1997 enacted language.
2. Our proposed language in the FY 1998 Budget.
3. The FY 1998 enacted language.
4. OMB staff and HHS (where available) recommendations for the FY 1999 Budget.

The provisions we've included are:

1. Needle Exchange - Probably the stickiest issue this year. It will require extensive consultation within the Administration. Detailed background on this issue is included below.
2. Human Embryos/cloning - The recommendation would repeat the FY 1998 Budget policy of deleting the language with a footnote saying we don't recommend addressing this issue in legislation. However, the world of cloning has changed in the past year, and we may need to rethink our position. Detailed background on this issue is also included below.
3. Abortion/Hyde Amendment - We would repeat the FY 1998 Budget policy of deleting the language with a footnote saying we'll work with Congress to address the issue. Note that while the FY 1998 enacted language was more expansive than in past years, we would still recommend returning to the FY 1998 Budget policy.
4. Family Planning - We would repeat the FY 1998 enacted language.
5. Limitation of the use of funds for promotion of controlled substances - We would repeat the FY 1998 enacted language, which is the same as was proposed in the FY 1998 Budget.

CLICK ON THE SECTIONS BELOW FOR BACKGROUND ON NEEDLES AND CLONING

NEEDLE EXCHANGE

Statutory Restrictions on the Use of Federal Funds for NEPs:

Since 1988, US Appropriations or Authorization law has placed a conditional prohibition on the use of Federal funds for the operation of needle exchange programs.

Currently, there are three statutory restrictions on the use of Federal funds for the operation of needle exchange programs:

The Alcohol, Drug Abuse, and Mental Health Administration (ADAMHA) Reorganization Act of 1992, prohibits the use of Substance Abuse and Mental Health Services Administration Block grant funds for needle exchange programs unless the Surgeon General determines that they are

effective in reducing the spread of HIV and the use of illegal drugs. The statute does, however, allow Federal research and evaluation of existing needle exchange programs.

Section 422 of the 1996 Ryan White CARE Act reauthorization places a flat prohibition on the use of Ryan White funds for needle exchange.

Sections 505 & 506 of the FY 1998 L/HHS / Ed Appropriations bill read:

505: Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.

506: Section 505 is subject to the condition that after March 31, 1998, a program for exchanging such needles and syringes (referred to in this section as an "exchange project") may be carried out in a community if (1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and (2) the project is operated in accordance with criteria established by such Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs.

This limitation has been in Labor/ H appropriations language in some form since 1990. In the FY 1998 Appropriations bill, the Appropriators split the provision into two provisions and added the six-month moratorium on certification and the language requiring that the exchange programs must be operated in accordance with criteria established by the Secretary.

In the past, the Administration has worked to avoid an outright ban on the use of Federal funds for NEPs (like the current Section 505) and maintain the authority of the Secretary to certify that Federal funds can be used for such programs.

RECOMMENDATION:

There have been several studies done on the efficacy of NEPs in recent years, and there is current data available to meet the first requirement in this language (e.g. that NEPs are successful in preventing the spread of HIV), but HHS maintains that the data on the second provision (that NEPs do not encourage the use of illegal drugs) is still inconclusive. HHS is expecting the results of additional studies on NEPs in the coming year and wants to maintain the Secretary's authority to continue to evaluate the evolving scientific data on this issue and to certify that Federal funds can be used for NEPs.

To maintain maximum flexibility for the Secretary, we recommend bracketing (deleting) Section 506 and modifying Section 505 by re-proposing the language that was proposed in the FY 1998 Budget on this issue:

505: Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug unless the Surgeon General determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.

[Note: The words "or syringes" were added in FY 1998 enacted language -- they were not proposed in the 98 Budget. Our recommendation would repeat "or syringes" in the FY 1999 Budget.]

ALTERNATE RECOMMENDATION:

In addition to bracketing section 506, we could add a footnote similar to that placed on the Hyde language deletions: The Administration proposes to delete this provision and will work with Congress to address this issue.

Also, rather than repeat the language in the FY 1998 Budget that gave the authority to certify NEPs to the Surgeon General to the Secretary of Health and Human Services, we could maintain the language that was made by Congress in the FY 1997 Labor/HHS/Ed Appropriations bill that gave such authority to the Secretary of Health and Human Services. This may be something the Administration wants to consider given the upcoming confirmation hearings for Surgeon General nominee David Satcher.

Background on Human Embryos/Cloning

Both the House and Senate L/HHS bills for FY 1998 extended the FY 1996 and FY 1997 appropriations Act ban on using Federal funds on human embryo research, and modified it to include research involving "human diploid cells." NIH staff advise that in practice, this extension does not differ from the original ban on human embryo research and would have no effect on NIH's present research efforts. The words "human diploid cells" were apparently added in an attempt to address cloning.

A diploid cell is produced after fertilization occurs in humans -- it is one stage of a developing embryo. Diploid cells could theoretically be produced via somatic cell nuclear transfer, which is more commonly referred to as "cloning." The FY 1996 and FY 1997 L/HHS Acts barred Federal funding for the creation of human embryos for research purposes or performing research on human embryos that subjects them to significant risk. The prohibition on creating embryos for research purposes would, de facto, prohibit creating a human embryo through cloning technology. This is why including diploid cells in the embryo research ban does not differ practically from banning the creation of human embryos.

The FY 1998 Budget proposed to delete the embryo research ban, stating that the Administration "does not support addressing this issue in legislation." In December 1994, the President had issued a statement barring the use of Federal funds for creating human embryos for research purposes. On June 9, 1997, the President announced that he was sending proposed legislation to the Congress, the "Cloning Prohibition Act of 1997," which would prohibit any attempt to create a human being using somatic cell nuclear transfer. The Administration did not oppose the language in the FY 1998 bill in its letters or SAP's.

Observations: Last year's budget's proposal to delete this provision came before the cloning debate of last spring (e.g., Dolly).

Given the President's proposed legislation on prohibiting cloning, and the fact that SAP's did not oppose the language during the FY 1998 appropriations process, the Administration may not want to bracket the language again, even with the footnote that says the Administration does not support addressing this issue in legislation.

Message Sent

To: _____
Bruce N. Reed/OPD/EOP@EOP

Elena Kagan/OPD/EOP@EOP
Christopher C. Jennings/OPD/EOP@EOP
Maria Echaveste/WHO/EOP@EOP
Sandra Thurman/OPD/EOP@EOP
Janet L. Crist/ONDCP/EOP@EOP

Message Copied

To: _____
Joshua Gotbaum/OMB/EOP@EOP
Charles E. Kieffer/OMB/EOP@EOP
Jacob J. Lew/OMB/EOP@EOP
Janet Himler/OMB/EOP@EOP
Barry T. Clendenin/OMB/EOP@EOP
Richard J. Turman/OMB/EOP@EOP
Mark E. Miller/OMB/EOP@EOP
Corey G. Lee/OMB/EOP@EOP
Ann Kendrall/OMB/EOP@EOP
Jill M. Pizzuto/OMB/EOP@EOP
Richard P. Emery Jr./OMB/EOP@EOP

Message Copied

To: _____
bruce n. reed/opd/eop@eop
elena kagan/opd/eop@eop
christopher c. jennings/opd/eop@eop
maria echaveste/who/eop@eop
sandra thurman/opd/eop@eop
janet l. crist/ondcp/eop@eop
joshua gotbaum/omb/eop@eop
charles e. kieffer/omb/eop@eop
jacob j. lew/omb/eop@eop
janet himler/omb/eop@eop
barry t. clendenin/omb/eop@eop
richard j. turman/omb/eop@eop
mark e. miller/omb/eop@eop
corey g. lee/omb/eop@eop
ann kendrall/omb/eop@eop
jill m. pizzuto/omb/eop@eop
richard p. emery jr./omb/eop@eop

Message Sent

To: _____
Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
Christopher C. Jennings/OPD/EOP
Maria Echaveste/WHO/EOP
Sandra Thurman/OPD/EOP
Janet L. Crist/ONDCP/EOP

Message Copied

To: _____
Charles E. Kieffer/OMB/EOP
Jacob J. Lew/OMB/EOP
Janet Himler/OMB/EOP
Barry T. Clendenin/OMB/EOP

**L/HHS/Ed. General Provisions for FY 1999 Budget
“Side-by-Side” Comparison for Selected Provisions
Titles II and V of L/HHS Bill**

**Automated Records Management System
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FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President's Budget	FY 98 Enacted	Recommended FY 99 Language
Sec. 505. Needle Exchange	SEC. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles for the hypodermic injection of any illegal drug unless the Secretary of Health and Human Services determines that such programs are effective in preventing the spread of HIV and do not encourage the use of illegal drugs.	SEC. 505. Proposed transfer of authority from the “Secretary of Health and Human Services” to the “Surgeon General”.	Sec. 505. Notwithstanding any other provision of this Act, no funds appropriated under this Act shall be used to carry out any program of distributing sterile needles or syringes for the hypodermic injection of any illegal drug.	<p>OMB Staff: Repeat FY 98 Budget language.</p> <p>HHS: No position yet.</p> <p>Alternatives: (1) Give authority to Secretary as opposed to Surgeon General; (2) use footnote approach, i.e., delete provision and say the Administration will work with Congress to resolve.</p>
Sec. 506. Condition on Needle Exchange			Sec. 506. Section 505 is subject to the condition that after March 31, 1998, a program for exchanging such needles and syringes for used hypodermic needles and syringes (referred to in this section as an “exchange project”) may be carried out in a community if - (1) the Secretary of Health and Human Services determines that exchange projects are effective in preventing the spread of HIV and do not encourage the use of illegal drugs; and (2) the project is operated in accordance with criteria established by such Secretary for preventing the spread of HIV and for ensuring that the project does not encourage the use of illegal drugs.	<p>OMB Staff: Delete.</p> <p>Alternative: Footnote saying we will work with Congress.</p> <p>HHS: No position yet.</p>
Sec. 513. Use of funds for embryo research-- limitations	SEC. 512. (a) None of the funds made available in this Act may be used for— (1) the creation of a human embryo or embryos for research purposes; or (2) research in which a human embryo or embryos are destroyed, discarded, or knowingly subjected to risk of injury or death greater than that allowed for research on fetuses in utero under 45 CFR 46.208(a)(2) and section 498(b) of the Public Health Service Act (42 U.S.C. 289g(b)). (b) For purposes of this section, the term “human embryo or embryos” include any organism, not protected as a human subject under 45 CFR 46 as of the date of the enactment of this Act, that is derived by fertilization, parthenogenesis, cloning, or any other means from one or more human gametes.	Proposed deletion with a footnote that states that the Administration does not support addressing this issue in legislation.	Sec. 513. Same as FY 97 enacted except end of last sentence changed to “...or more human gametes or human diploid cells.”	<p>OMB Staff and HHS: Repeat FY 98 Budget, i.e., propose deletion with the same footnote: “The Administration proposes to delete this provision and does not support addressing this issue in legislation.”</p>

FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President's Budget	FY 98 Enacted	Recommended FY 99 Language
Sec. 509. Appropriation limitations for abortion procedures (Hyde language)	SEC. 508. None of the funds appropriated under this Act shall be expended for any abortion except when it is made known to the Federal entity or official to which funds are appropriated under this Act that such procedure is necessary to save the life of the mother or that the pregnancy is the result of an act of rape or incest.	Proposed deletion with footnote that the Administration will work with Congress to address this issue.	Sec. 509. (a) None of the funds appropriated under this Act shall be expended for any abortion. (b) None of the funds appropriated under this Act shall be expended for health benefits coverage that includes coverage of abortion. (c) The term "health benefits coverage" means the package of services covered by managed care provider or organization pursuant to a contract or other arrangement.	OMB Staff and HHS: Repeat FY 98 Budget, i.e., propose deletion, and add footnote: "The Administration proposes to delete this provision and will work with Congress to address this issue."
Sec. 510. Appropriation limitations for abortion procedures (Hyde language)			(New provision) Sec. 510. (a) The limitations established in the preceding section shall not apply to an abortion - (1) if the pregnancy is the result of an act of rape or incest; or (2) in the case where a woman suffers from a physical disorder, physical injury, or physical illness, including a life-endangering physical condition caused by or arising from the pregnancy itself, that would, as certified by a physician, place the woman in danger of death unless an abortion is performed. (b) Nothing in the preceding section shall be construed as prohibiting the expenditure by a State locality, entity, or private person of State, local, or private funds (other than a State's or locality's contribution of Medicaid matching funds). Nothing in the preceding section shall be construed as restricting the ability of any managed care provider from offering abortion coverage or the ability of a State or locality to contract separately with such a provider for such coverage with State funds (other than a State's or locality's contribution of Medicaid matching funds).	OMB Staff and HHS: Delete provision and add footnote: "The Administration proposes to delete this provision and will work with Congress to address this issue."
Sec. 212. Appropriation of funds for entities under title X of the Public Health Service Act	SEC. 518. None of the funds appropriated in this Act may be made available to any entity under title X of the Public Health Service Act unless it is made known to the Federal official having authority to obligate or expend such funds that the applicant for the award certifies to the Secretary that it encourages family participation in the decision of the minor to seek family planning services.	SEC. 513 . Same as FY 97 Enacted.	Sec. 212. None of the funds appropriated in the Act may be made available to any entity under title X of the Public Health Service Act unless the applicant for the award certifies to the Secretary that it encourages family participation in the decision of minors to seek family planning services and that it provides counseling to minors on how to resist attempts to coerce minors into engaging in sexual activities.	OMB Staff: Repeat FY 98 enacted. HHS: No position yet.
Sec. 514. Use of funds for promotions of controlled substances-- limitations	SEC. 513. (a) LIMITATION ON USE OF FUNDS FOR PROMOTION OF LEGALIZATION OF CONTROLLED SUBSTANCES.—None of the funds made available in this Act may be used for any activity when it is made known to the Federal official having authority to obligate or expend such funds that the activity promotes the legalization of any drug or other substance included in schedule I of the schedules of controlled substances established by section 202 of	SEC. 511. Same as FY 97 enacted.	Sec. 514. Same as FY 97 enacted and FY 98 President's Budget.	OMB Staff: Repeat FY 98 Budget language. Same as enacted.

FY 1998 Enacted Section No./ Provision	FY 97 Enacted	FY 98 President's Budget	FY 98 Enacted	Recommended FY 99 Language
	the Controlled Substances Act (21 U.S.C. 812). (b) EXCEPTIONS.—The limitation in subsection (a) shall not apply when it is made known to the Federal official having authority to obligate or expend such funds that there is significant medical evidence of a therapeutic advantage to the use of such drug or other substance or that Federally-sponsored clinical trials are being conducted to determine therapeutic advantage.			

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Clinton Presidential Records Automated Records Management System [EMAIL]

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Hex Dump file is not in a recognizable format, has been incorrectly decoded or is damaged.

File Name: p_16251463_who_html_2.msoff

Attachment Number: [ATTACH.D57]MAIL45641526N.316

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:06:20.00

SUBJECT: Re: Haitians in Miami

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

TEXT:

It sounds as if this is an enforcement action: you cannot talk with INS
before clearing it with counsel's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 14:09:56.00

SUBJECT: Re: Memo Julie and I need to you to clear

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

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

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

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

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

TEXT:

Looks good to me, but (1) I think the Americorps glossery should go up front, so that he knows what Young Heroes, CityYear, etc. are as he's reading the options; (2) do we really need to give him 11 options? aren't the first five enough?; and (3) I don't think white and black are capitalized.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:19:03.00

SUBJECT: Re: Riley press

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

READ:UNKNOWN

TEXT:

Ok. Don't forget -- the second half of your assignment is yo get riley to say the words "no social promotions"

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:22:29.00

SUBJECT: Re: Phoenix policy announcement

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

TEXT:

ask jonathan orszag to ask gene whether he thinks this would be a good
idea.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:04:57.00

SUBJECT: Re: Jan. 15th policy announcement?

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

TEXT:

probably not; a note to you is on the way.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:03:40.00

SUBJECT: Re: Riley press

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

READ:UNKNOWN

TEXT:

you're the best

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 13:07:37.00

SUBJECT: Re: Phoenix policy announcement

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

TEXT:

Have you talked with nec about this? are they fine with doing it at all?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JAN-1998 14:40:20.00

SUBJECT: Re: Child Care & Disability

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

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

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

TEXT:

Not that I particularly want to have a meeting ever (I have to say that these advocates should work on their phone manner), but next week is better than this one.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JAN-1998 10:05:05.00

SUBJECT: Re: INS reform

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

TEXT:

I'll look it over and call Deich. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JAN-1998 10:53:29.00

SUBJECT: Re: OMB's latest on child support budget proposal

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

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

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

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

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

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

TEXT:

sounds generally ok, though I would say that we'll work with Congress on legislation, rather than send it ourselves.

January 9, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

SUBJECT: DPC Weekly Report

1. Child Care -- Response to Announcement: We are pleased with the response so far to your child care initiative. Children's advocates and child care experts are overjoyed at both the level of funding and the composition of the package (e.g., the ratio of subsidies to tax cuts). Hill Democrats and some moderate Republicans are enthusiastic about the package, as you heard at Thursday's congressional meeting. Governors -- including a few Republicans -- have praised the extent of state flexibility in the plan. Even conservative Republicans in Congress had a hard time attacking your proposal. Rep. Pryce, whom Speaker Gingrich asked to respond to the proposal for the House Republican leadership, admitted that you had "resisted the urge to have the federal government control child care." Some Republicans alternated between accusing you of spending too much money and claiming that they had spent even more for child care in the past.

The most serious criticism, which we knew we would face, is that the package does little to help parents who want to stay at home to care for their children. (A similar point was made in the opinion piece by David Blankenhorn appearing in the New York Time that you asked us about; as you recall, he criticizes tax cuts for child care and supports expanding the child tax credit to help parents of young children stay at home.) As you know, we can blunt this charge somewhat by coming out for an expansion of the FMLA in the State of the Union to allow more workers to stay at home for longer periods with their newborns. We are also open to discussing with members of Congress an expansion of the child tax credit, although we found such proposals too expensive to incorporate into our package. Most important, we cannot let anyone forget your record of providing families with real choices -- for example, through the child tax credit, FMLA, EITC, minimum wage, and CHIP.

2. Health -- Response to Medicare Buy-in Announcement: Your Medicare buy-in proposal provoked a great deal of comment. Some Republicans, including Senator Gramm and Rep. Bill Thomas, were extremely critical of the proposal: they argued that it would only exacerbate Medicare's financial problems. (Gramm compared Medicare to the Titanic and warned about putting extra passengers on.) The base Democrats were very pleased with the proposal -- particularly after Republicans strongly opposed it. Though liberal groups also were pleased that we are addressing this issue, they believe we must include some kind of subsidy for low-income Americans. Elite validators gave this policy mixed reviews: while uniformly

recognizing the need of this population for affordable insurance, some (including the New York Times) praised the self-financing feature of the program, while others expressed concern that the proposal would create the demand for further, less fiscally responsible subsidization.

3. Drugs -- Substance Abuse and Prisoners: The National Center on Addiction and Substance Abuse released a study on Thursday finding that drug or alcohol use helped lead to the incarceration of 80 percent of all inmates in the nation's prisons and jails. According to the report, 1.4 million prisoners (out of a total 1.7 million) were high when they committed their crimes, stole property to buy drugs, and/or had a history of drug and alcohol abuse.

As you know, the 1994 Crime Law mandates that 100 percent of all federal prisoners defined as eligible receive substance abuse treatment by 1997. According to the Bureau of Prisons, the federal prison system has met this requirement. Since 1994, we have made some form of substance abuse treatment available in every federal prison facility, tripled the total number of inmates treated in the federal system, and increased the number of residential treatment centers in federal prisons by 30 percent (from 32 to 42). In addition, legislation you offered requires states to submit comprehensive plans of testing, sanctions, and treatment by March 1998 as a condition of receiving prison construction funding.

To build on these efforts, we are preparing a directive from you to the Attorney General to: (1) require states, as part of their testing and treatment plans, to estimate current drug use in prisons and measure progress yearly; (2) draft legislation to allow states to use prison construction funds to implement their testing and treatment plans; and 3) draft legislation to require states to enact increased penalties for smuggling drugs into prisons as a condition of receiving prison construction monies. An event focusing on this directive is tentatively scheduled for Monday.

4. Drugs -- Anti-Drug Media Campaign: The anti-drug media campaign began on Thursday in Washington, D.C. -- the first city in the 12-city pilot. Anti-drug advertisements have started to air in the District during prime-time network television shows, with radio and Internet ads to commence next week. ONDCP will roll out the media campaign in the remaining pilot cities throughout the month of January. The other 11 pilot cities and rollout dates are as follows: Atlanta (1/20), Baltimore (1/13), Boise (1/13), Denver (1/16), Hartford (1/23), Houston (1/15), Milwaukee (1/21), Portland (1/22), San Diego (1/9), Sioux City (1/20), and Tucson (1/15).

5. Crime -- Brady Checks: As you know, Arkansas remains the only state that is not conducting background checks prior to handgun sales. Although Attorney General Winston Bryant issued an opinion saying that state police have the legal authority to conduct checks, Governor Huckabee has ordered the police to refuse to do so. In response, Bryant has asked the Treasury and Justice Departments to make him (rather than the state police) the designated chief law enforcement officer for the entire state; under this scheme, federally licensed dealers would refer the names of potential purchasers to the AG's office, and employees of that office would check the names in the FBI's NCIC (rather than the state police's) database. Justice and Treasury

are currently inclined to grant Bryant's request later this month. This action may provoke a strong response from Huckabee, who is currently not aware of Bryant's request.

6. Crime -- Slain Officers: The National Law Enforcement Officers Memorial Fund (NLEOMF) reported last week that the number of officers killed in the line of duty increased by nearly 40% in 1997, from 116 in 1996 (the lowest number since 1959) to 159 last year. The 1997 figure exceeds the 1990s average of 151 line-of-duty deaths per year. NLEOMF attributes the rise in deaths to: (1) an increase in firearms-related deaths (70 in 1997, as compared to 56 in 1996); (2) an unusually high number of traffic fatalities; and (3) 10 multiple-death incidents, in which a total of 22 officers were killed.

7. Welfare -- Child Support Computer Systems: We are working closely with a House-Senate group convened by Rep. Clay Shaw's staff on the child support computer systems issue you discussed with Senator Feinstein this fall. Our goal is to put in place a new system of penalties that are large enough to ensure that states develop effective computer systems, but not so large as to disrupt states' child support collection efforts. As you know, current law requires us to withhold all federal child support funds from a state without a statewide child support computer system -- a penalty we intend to retain in the legislation (at least as a threat) for egregious cases. Shaw's initial proposal, which we think makes sense, would impose an initial penalty of 4 percent of federal child support funds in the first year, with higher penalties in later years. Once a state's system is complete, it could earn back a portion of the penalty. Shaw wants to introduce legislation the first day of Congress and move it through the House by the second week of February. As always, the Senate is expected to move more slowly, but could pass the legislation by April. By then, HHS expects nine states to remain without statewide computer systems: California, Michigan, Illinois, Ohio, Pennsylvania, Indiana, Hawaii, Oregon, and New Mexico.

8. Welfare -- Welfare Recipients in College: You recently asked us about a report in the Washington Post that some college students on welfare are dropping out of school to meet new work requirements. As you know, the welfare law does not count education that is not directly related to a job toward the work participation rates. States, however, have significant flexibility to excuse college students from work, given that the required participation rate is now at 30 percent and peaks at 50 percent. In addition, welfare recipients can combine work with their studies (as most college students do), particularly if work-study jobs are available. To encourage this result, we asked Secretaries Riley and Shalala to write to the nation's college presidents in September to explain the law and stress the importance of providing work-study jobs to welfare recipients enrolled in their schools. (Most work-study jobs are only 10 hours per week, but the letter explained that this is not a legal requirement.)

9. Welfare -- Delaware Evaluation: Governor Carper released on Monday an evaluation of the state's welfare reform waiver program called A Better Chance (ABC). The program began in 1995 as one of the first comprehensive statewide waivers granted by the Administration. Initial results are encouraging: by the fourth quarter after the program started,

program participants had 24 percent higher employment, 16 percent higher earnings, and 18 percent lower average benefits than the participants in the control group. The evaluation found a fairly high rate of sanctioning: 49 percent of the participants were sanctioned at least once for failing to comply with the program's employment or family responsibility (immunization, school attendance) requirements. It is interesting to note in evaluating these results that Delaware's caseloads have not gone down as dramatically as those of many other states; the decline since January 1993 has been 21 percent. This relatively low decline may result from ABC's "make work pay" incentive that allows recipients to keep more earnings and still remain eligible for welfare.

10. Education -- California Math Standards: Proposed new math standards in California have provoked a heated debate in the last few months, pitting educators who emphasize problem solving against those who favor a more basic skills approach. The California State Board of Education last month adopted the more conservative view, over the objection of Superintendent Delaine Eastin. The head of the Education Directorate at the National Science Foundation subsequently sent a letter to the Chair of the California State Board strongly criticizing the decision and implying that it would jeopardize continued NSF funding for six Urban Systemic Improvement sites in California. The letter upset conservatives (and others), who viewed it -- in our view, correctly -- as an example of inappropriate federal intrusion in state curriculum matters. Diane Ravitch warned us immediately that it could give Bill Bennett a pretext for withdrawing his support of your national testing initiative. As a result, we worked with NSF this week to draft a letter from NSF Director Lane to the California State Board clarifying that NSF would not second-guess state standards and emphasizing the importance of basic skills. Based on recent conversations with Ravitch, we believe this step has been sufficient to prevent Bennett's reversal.

11. Education -- Urban Education Report: Education Week issued its annual report on education reform in the 50 states on Thursday, focusing on the progress in urban school districts. The study noted that approximately 40 percent of students in urban districts reached the basic level on the most recent NAEP 4th grade reading and 8th grade math and science exams in 1994 and 1996, compared to over 60 percent in each of these subjects in non-urban areas. The study also found discrepancies in resources, with urban districts spending about \$500 less per child annually than non-urban districts. The Education Week issue also detailed a dozen promising reform strategies to raise achievement in districts around the nation -- e.g., setting high standards; holding schools accountable for results and giving schools greater flexibility; creating small, more intimate schools or schools-within-schools; recruiting well-prepared teachers and providing them with continuing training and support; training principals to be effective school leaders; and promoting school choice. Your existing and planned initiatives -- including the new Education Opportunity Zones proposal that you previewed in December -- match up very well with these reform prescriptions.

12. Education -- Life-long Learning Card: You recently asked us about Bob Reich's idea of a life-long learning card -- essentially a bank card consolidating all federal education

benefits (Pell, IRAs, education tax credits and deductions, and job-training funds), against which education expenses could be credited. DPC and NEC staff have begun to look into this proposal, but we do not yet have a specific recommendation. The Education Department is currently intending to begin a pilot project by October 2000 to use bank cards to disburse federal aid to post-secondary students. Our instinct is that bank cards may be effective to deliver grants and loans, but less useful for tax credits and deductions. DPC and NEC will continue to explore this issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JAN-1998 10:47:16.00

SUBJECT: Re: OMB's latest on child support budget proposal

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

TEXT:
I agree

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JAN-1998 08:09:32.00

SUBJECT: You're right...

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

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

TEXT:

Nothing ventured, nothing gained. Let's go for it. And thanks.

PS: I suspect Melanne would also be supportive.

Domestic Policy Council
Follow-Up on Small Farmers Meeting
January 8, 1998

Working Group on Highlighting Issues in Farm Policy

The DPC is establishing a working group to research and promote issues of interest to farmers. The group will emphasize finding issues of importance to rural communities that deserve to be part of the President's public agenda. Tom Freedman of DPC will coordinate the working group, which will include representatives from USDA, NEC, CEA, Treasury and OPL.

Meetings With Tobacco Farmers and Response to Senator Robb

Bruce Reed and/or Elena Kagan will hold meetings with interested tobacco farm representatives, including Ralph Paige, to explain the Administration's position on tobacco and consider ways to meet the needs of tobacco farmers. DPC staff also has drafted a response from you to Senator Robb on his tobacco farmer proposal.