

**NLWJC - KAGAN**

**EMAILS CREATED**

**ARMS - BOX 006 - FOLDER 001**

**[7/7/1998 - 7/17/1998]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:23:07.00

SUBJECT: Medicare QMB/SLMB

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/07/98 10:23 AM -----

Sarah A. Bianchi  
07/06/98 09:55:04 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: Medicare QMB/SLMB

Message Sent

- To: \_\_\_\_\_
- Bruce N. Reed/OPD/EOP
  - John Podesta/WHO/EOP
  - Michelle Crisci/WHO/EOP
  - Elena Kagan/OPD/EOP
  - Elizabeth R. Newman/WHO/EOP
  - Joseph P. Lockhart/WHO/EOP
  - Michael D. McCurry/WHO/EOP
  - Nanda Chitre/WHO/EOP
  - Lori L. Anderson/WHO/EOP
  - Barbara D. Woolley/WHO/EOP
  - Jake Siewert/OPD/EOP
  - Melissa G. Green/OPD/EOP
  - Joseph C. Fanaroff/WHO/EOP
  - Ann F. Lewis/WHO/EOP
  - Stacie Spector/WHO/EOP
  - Ruby Shamir/WHO/EOP
  - Jeanne Lambrew/OPD/EOP
  - Kevin S. Moran/WHO/EOP
  - David W. Beier/OVP @ OVP
  - Toby Donenfeld/OVP @ OVP

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D74]MAIL440174780.126 to ASCII,  
The following is a HEX DUMP:

FF5750438A0E0000010A020100000002050000000634000000020000351E90C1447260EB1E0172  
1338D525B355C63E74F501FB6CE59C37104E29365A36BD28F8F6A01244CEC2E51A72295314BFB7

**PRESIDENT LAUNCHES NEW CAMPAIGN TO ENSURE THAT  
LOW-INCOME MEDICARE BENEFICIARIES RECEIVE PREMIUM ASSISTANCE  
July 6, 1998**

Today, the President announced a new outreach campaign to help millions of low-income seniors and people with disabilities get assistance in paying Medicare premiums. A study by Families USA reports that over 3 million low-income Medicare beneficiaries are not enrolled in the Qualified Medicare Beneficiary (QMB) and related programs that pay for Medicare premiums and (for some) copayments and deductibles. This assistance was expanded last year in the Balanced Budget Act. However, as this new report underscores, many eligible beneficiaries are not aware of these cost-sharing protections and others have difficulty accessing this critically needed assistance.

To address this problem, the President has requested that the Department of Health and Human Services (HHS) and the Social Security Administration (SSA) launch a multi-faceted effort to enroll eligible Medicare beneficiaries in QMB and related programs. These new initiatives, which build on existing efforts to help identify and enroll eligible beneficiaries and parallel the President's efforts on children's health outreach, include:

- **Launching major new initiatives to educate Medicare beneficiaries about premium assistance programs.** HHS and SSA will make unprecedented efforts to ensuring that beneficiaries know about these programs by distributing clear, plainly written information about these programs by:
  - **Sending written information to all 38 million Medicare beneficiaries** about this program through pamphlets that will be sent to all beneficiaries this fall.
  - **Informing every one of the 1.8 million new Medicare beneficiaries** about this program in the Medicare initial enrollment package that is sent to these beneficiaries.
  - **Including information describing this program and an eligibility screening worksheet on the new Medicare Internet site, "www.medicare.gov,"** which is used by millions of older Americans and their families, as well as others who work with the elderly and people with the disabilities.
  - **Sending program information to more than 36 million individuals receiving Social Security benefits** in the annual cost-of-living adjustment (COLA) notices this fall.
  - **Distributing 450,000 pamphlets as well as placing posters in SSA's 1,300 field offices** where millions of beneficiaries go to enroll and ask questions about these programs. SSA will direct its field office employees to reach out to the millions of beneficiaries they see every day to ensure they are informed about QMB and related programs.
- **Encouraging the use of a simplified application process.** In July, the Health Care Financing Administration (HCFA) will send a letter to State Medicaid agencies that includes

a model, simplified application as well as examples of successful outreach and enrollment programs. HCFA will encourage states to adopt simple, user-friendly procedures such as a mail-in application.

- **Creating a Federal-State-consumer advocate task force to develop new strategies to enroll eligible beneficiaries.** Beginning this month, HHS, SSA, the National Governors' Association, and advocates of the elderly and people with disabilities will collaborate to identify and implement strategies to educate beneficiaries about this program and to make it easier to enroll.
- **Targeting eligible beneficiaries through direct mailings.** This fall, HCFA will send a letter to a targeted group of beneficiaries who are likely to be eligible for these protections. The targeting population list will come from a list of beneficiaries supplied by SSA that the agency believes may be eligible. The letter will explain the program and encourage beneficiaries to apply.
- **Providing the State Insurance Counseling and Assistance Programs (ICAs) with materials to assist beneficiaries in enrolling in the premium assistance programs.** ICAs provide assistance on insurance and benefits to millions of older and disabled Americans.

These new initiatives build on an ongoing commitment by HCFA and SSA to target and enroll these vulnerable, low income Americans. For example, HCFA has provided training materials on identifying and assisting potential beneficiaries to providers, advocates and States. SSA has included information on programs in SSA pamphlets and handouts that could reach potential candidates and conducted training for staff who interact with beneficiaries.

**Background on the QMB and related programs.** The following table shows eligibility for premium and cost sharing assistance programs, which are offered in all States.

| Category  | Income (Poverty) | Annual Income (1998) |                    | Medicaid Pays For:                                    |
|---|------------------|----------------------|--------------------|---|
|   |                  | Individual           | Couple             |   |
| <b>QMBs:</b> Qualified Medicare Beneficiaries             | 0 to 100%        | Up to \$8,290        | Up to \$11,090     | Medicare Part A & B premiums, deductibles, copayments |
| <b>SLMBs:</b> Specified Low-Income Medicare Beneficiaries | 100-120%         | \$8,291 to 9,900     | \$11,091 to 13,260 | Medicare Part B premium                               |
| <b>QI-1s:</b> Qualified Individuals 1                     | 120-135%         | \$9,901 to 11,108    | \$13,261 to 14,888 | Medicare Part B premium                               |
| <b>QI-2s:</b> Qualified Individuals 2                     | 135-175%         | \$11,109 to 14,328   | \$14,889 to 19,228 | Part of Medicare Part B premium                       |

Notes: Income guidelines include a \$240 unearned income disregard; poverty thresholds are different in AK and HI. There is also an assets limit of \$4,000 for individual and \$6,000 for couples for all groups. QI programs are subject to the availability of capped funding allotments.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:27:11.00

SUBJECT: Announcements that are ready to go

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/07/98 10:27  
AM -----

Bruce N. Reed

07/06/98 01:56:18 PM

Record Type: Record

To: Ann F. Lewis/WHO/EOP, Michelle Crisci/WHO/EOP

CC:

Subject: Announcements that are ready to go

1. Tobacco E.O.: Directive to HHS and DOJ to conduct systematic review of the mountain of newly released industry documents for research that will help reduce youth smoking, make cigarettes safer, etc., and to provide an easily searchable database so that the documents are accessible for use in future research as well as future lawsuits. Ready for 7/18 radio address or 7/17 Boys/Girls Nation.

2. 25th state for CHIP. Likely to be ready week of 7/13.

3. Study on school uniforms, curfews, and truancy (7/20 in New Orleans). Education Dept. knows it has to be ready for 7/20.

4. Charter schools -- Announce that there will be 1000 charter schools when school starts this fall (Ready for AFT 7/20 or AFT/NEA 7/29.) Possible handbook for parents and teachers on how to start a charter school. (Iffy.)

5. Tobacco study -- Release Treasury report on impact of price increase on youth smoking, along with Treasury study on how few lives will be saved by the House Republican bill. Ready within 24 hours after House Repubs release full details of their skinny bill (possibly next week).

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME: 7-JUL-1998 10:28:47.00

SUBJECT: RECEIVED: VA/HUD SENATE SAP -- NEED CLEARANCE

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

TEXT:  
RETURN RECEIPT

Your Document:  
VA/HUD SENATE SAP -- NEED CLEARANCE  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/07/98 10:26:12 AM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:28:14.00

SUBJECT: Re: Products

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

TEXT:

FYI- Elena is on vacation all this week. -Laura Emmett

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:24:23.00

SUBJECT: Re: follow-up on the budget meeting

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

READ:UNKNOWN

TEXT:

Jocelyn- Elena is out all this week on vacation, but can you please cc: me on any further meeting notices. Thanks!

Laura Emmett  
65565

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:22:33.00

SUBJECT: follow-up on the budget meeting

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/07/98 10:22 AM -----

Minyon Moore  
07/05/98 03:48:23 PM  
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: follow-up on the budget meeting

I noticed that people will not be available at this time due to a pre-scheduled briefing with the President. Disregard the 11:00 a.m. time request.

HOW DOES 1:30 P.M. ON TUESDAY WORK FOR EVERYONE'S SCHEDULE?

----- Forwarded by Minyon Moore/WHO/EOP on 07/05/98 03:36 PM -----

Minyon Moore  
07/05/98 02:43:42 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Robert B. Johnson/WHO/EOP, Peter O'Keefe/WHO/EOP, Doris O. Matsui/WHO/EOP, Jocelyn Neis/WHO/EOP  
Subject: follow-up on the budget meeting

AS A FOLLOW-UP TO OUR DISCUSSIONS, I WOULD LIKE TO RECONVENE TO FINALIZE THE PLANS FOR OUR UPCOMING HOUSE REPUBLICAN BUDGET RESOLUTIONS OUTREACH MEETING. The agenda will be fairly straight forward -- (1) a unified message (2) agenda for the meeting and (3) proposed list of invitees. Tom Kahn from the hill will also be in attendance.

If everyone's schedule permit, I would like to reconvene at 11:00 am on Tuesday, July 7th. Room TBD. Please have your assistant contact Jocelyn at 67910 if this time is convenient for you. I will need to notify the Tom as soon as possible. Thanks

----- Forwarded by Minyon Moore/WHO/EOP on 07/05/98 02:31 PM -----

Minyon Moore  
07/01/98 09:11:39 PM  
Record Type: Record

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

cc: Jocelyn Neis/WHO/EOP, Robert B. Johnson/WHO/EOP, Cheryl M. Carter/WHO/EOP, Doris O. Matsui/WHO/EOP  
Subject: follow-up on the budget meeting

I spoke with Tom Kahn today re: our upcoming budget resolution briefing. We discussed the possibility of doing the budget resolution briefing on the 14th or 16th of July. We should think through how we want to max. the EZ conference sponsored by the VP's office on the 15th as we think through these dates. He also forwarded me a list of people who should be involved.

1. In order to move forward, I will need to reconcile schedules for the following individuals: Jack Lew, Gene Sperling, Bruce Reed. Were you able to discuss this concept with the AP's. In addition, Maria, Elena and Sylvia should be prepared to make themselves available. It was emphasized by Tom that Jack and Gene will definitely need to be at the meeting.

However, as I indicated in our earlier meeting - we should make sure the panelist are broad based.

2. Josh as we discussed, you will need to provide the appropriate talking points for me to convey to the OPL staffers who will be making the calls; It will only be a select few callers and probably more Senior than Jr.

3. Tom and I discussed doing a small internal meeting on Wednesday to coordinate our message and strategy. I will have Jocelyn send an e-mail to discuss availability for Wednesday.

4. I am assuming that we want to convene a larger rather than smaller group for this briefing.

How do we want to deal with the Business community? Should we brief separately (Washington rep's) or should we bring a select few into this briefing?

5. We should also make sure Intergovernmental and Political and Cabinet affairs is roped in.

6. We should discuss in this same vein our strategy around the approp. process...in particular Labor/HHS. Sec. Herman called today wanted to know what the state of play will be from the White House. I also told her to contact Jack for further instructions. So much of what she cares about and our groups is being zeroed out of the budget as we speak.

Thanks.....

Message Sent

To: \_\_\_\_\_  
Maria Echaveste/WHO/EOP  
Jake Siewert/OPD/EOP  
Joshua Gotbaum/OMB/EOP  
Elena Kagan/OPD/EOP  
Sylvia M. Mathews/WHO/EOP  
Charles M. Brain/WHO/EOP  
Jacob J. Lew/OMB/EOP  
Gene B. Sperling/OPD/EOP  
Bruce N. Reed/OPD/EOP

Message Sent

To: \_\_\_\_\_  
Maria Echaveste/WHO/EOP  
Charles M. Brain/WHO/EOP  
Linda Ricci/OMB/EOP  
Sylvia M. Mathews/WHO/EOP  
Ann F. Lewis/WHO/EOP  
Thurgood Marshall Jr/WHO/EOP  
Elena Kagan/OPD/EOP  
Jacob J. Lew/OMB/EOP  
Paul E. Begala/WHO/EOP  
Jake Siewert/OPD/EOP  
Gene B. Sperling/OPD/EOP

Message Sent

To: \_\_\_\_\_  
Maria Echaveste/WHO/EOP  
Joshua Gotbaum/OMB/EOP  
Charles M. Brain/WHO/EOP  
Linda Ricci/OMB/EOP  
Sylvia M. Mathews/WHO/EOP  
Ann F. Lewis/WHO/EOP  
Thurgood Marshall Jr/WHO/EOP  
Mickey Ibarra/WHO/EOP  
Elena Kagan/OPD/EOP  
Jacob J. Lew/OMB/EOP  
Paul E. Begala/WHO/EOP  
Jake Siewert/OPD/EOP  
Gene B. Sperling/OPD/EOP

Message Copied

To: \_\_\_\_\_  
Jocelyn Neis/WHO/EOP  
Robert B. Johnson/WHO/EOP  
Peter O'Keefe/WHO/EOP  
Doris O. Matsui/WHO/EOP  
Barbara D. Woolley/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME: 7-JUL-1998 10:32:56.00

SUBJECT: RECEIVED: Reminder -- comments on Justice testimony on S. 1529, Hate Crimes Preve

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

READ:UNKNOWN

TEXT:

RETURN RECEIPT

Your Document:

Reminder -- comments on Justice testimony on S. 1529, Hate Crimes Prevention Act -- due at  
was successfully received by:

CN=Elena Kagan/OU=OPD/O=EOP

at:

07/07/98 10:27:49 AM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:26:29.00

SUBJECT: Tuesday's Schedule

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/07/98 10:26  
AM -----

Sean P. Maloney

07/06/98 12:53:38 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Amy W. Tobe/WHO/EOP

cc: Christa Robinson/OPD/EOP, Christopher C. Jennings/OPD/EOP, Darby E. Stott/WHO/EOP

Subject: Tuesday's Schedule

Can we please have the President's briefing materials for tomorrow's events by the deadline this evening (i.e., 6:00 p.m.)? On nights like tonight, when the President's free, it's especially important to us to make sure his briefing book is available to him if he wants it. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-JUL-1998 10:21:35.00

SUBJECT: FYI

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

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/07/98 10:21  
AM -----

Phillip Caplan

07/03/98 03:24:54 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP

cc:

Subject:

I notice in your weekly that you're planning several executive actions for the President. Could you please keep me in the loop as to timing and let me see drafts as early as possible? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUL-1998 17:50:28.00

SUBJECT: EEOC

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/08/98 05:50  
PM -----

Julie A. Fernandes  
07/08/98 12:52:21 PM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP  
Subject: EEOC

Elena,  
Yesterday, Maria convened a follow-up meeting with the LCCR folks to discuss our civil rights enforcement initiatives. Wade asked for a higher profile for our civil rights enforcement package. Maria and Minyon agreed that they would try to incorporate support for the cr package (as a package) in upcoming principal events. Next week the VP is speaking at the NAACP and the FLOTUS is speaking at La Raza. These were identified as two opportunities.

Wade also indicated the LCCR's intention to draft a letter to the Congressional leadership + committee members outlining the "package" concept and expressing strong support for the increases in the President's budget. Though this sort of sets them up in a way that may make them a target ("here is all the stuff that is important to us"), they believe that it would be an important rallying tool. Wade also indicated that LCCR plans to work on getting a bi-partisan letter from members of Congress and former EEOC commissioners expressing support for the use of employment testers.

Julie

----- Forwarded by Elena Kagan/OPD/EOP on 07/08/98 05:50  
PM -----

Julie A. Fernandes  
07/08/98 01:19:48 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP  
cc: Cathy R. Mays/OPD/EOP, Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP  
Subject: H1B -- question

This afternoon, Sally is holding a meeting to decide whether the

Administration should release a statement of some kind that says that senior advisors would recommend a veto of a bill that increases the H1B cap without strong reforms and some kind of training component. As you remember, when the Abraham bill went to the Senate floor, we sent a statement that the Secretary of Labor would recommend a veto (b/c no decent reforms and no fee for training). On the House side, we have supported Smith's bill and, when it reached the full Judiciary committee, sent a letter stating that the Administration would strongly oppose any amendments to weaken the reforms. In that letter, we also stated that the bill would receive our strong support if it included a training provision and a modest reduction in the increase.

Last night, Gene had a conversation with the head of the National Association of Manufacturers and got the sense that a strong statement by the Administration of our prerequisites for supporting a bill would be helpful (i.e., if business knows that we are serious about vetoing a bill that doesn't have decent reforms or training, they will be more likely to put pressure on the Republicans to present us with a bill that includes both -- they continue to want a bill).

The question for us is would we recommend a veto of a bill that didn't include training or decent reforms. If the answer remains "yes", should we issue such a statement? Of course, we will not know exactly what the bill will look like, but it would be useful to be able to say that with no training component or no decent reforms, we would recommend a veto (that either one, on its own, wouldn't be enough). What do you think?

julie

----- Forwarded by Elena Kagan/OPD/EOP on 07/08/98 05:50 PM -----

Richard Socarides 07/08/98 01:25:06 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
 cc: Craig T. Smith/WHO/EOP, Michael D. McCurry/WHO/EOP  
 Subject: Republicans Trying To Kill Gay Order

----- Forwarded by Richard Socarides/WHO/EOP on 07/08/98 01:28 PM -----

Doug.Case @ sdsu.edu  
 07/08/98 01:56:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides  
 cc:  
 Subject: Republicans Trying To Kill Gay Order

San Francisco Chronicle, July 8, 1998  
 (<http://www.sfgate.com>)

Republicans Trying To Kill Gay Order  
 Clinton barred discrimination  
 Louis Freedberg, Chronicle Washington Bureau  
 Several Republican lawmakers, including House Majority Whip Tom DeLay,

[http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL\\_PATH=/nlcp-2/Arms404/opd/OPD\\_19940...](http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL_PATH=/nlcp-2/Arms404/opd/OPD_19940...)

are trying to block an executive order issued by President Clinton three months ago barring discrimination against gays in the federal government. The move represents the latest in a series of recent political attacks emanating from GOP circles on gays and gay rights, including continuing opposition to the nomination of San Francisco philanthropist James Hormel to be ambassador to Luxembourg. Hormel is openly gay and a leading supporter of gay causes. Clinton's executive order, which was hailed by gay advocacy groups, added sexual orientation to the federal government's policy barring discrimination

on the basis of race, color, religion, sex, national origin, disability or age. Some federal agencies had already adopted such a policy, but it was applied inconsistently across the federal government.

Conservative organizations, led by the Family Research Council, are incensed at the order and are urging Republicans to move against it. They argue that Clinton has overreached his executive authority and is trying to create ``institutional quotas'' on behalf of gays.

In response to their lobbying efforts, Representative Joel Hefley, R-Colo., will attach an amendment to a funding bill when the House reconvenes next week that would forbid the federal government from spending any money on enforcing Clinton's order. So far, there are no estimates on the cost of implementing it.

"Bill Clinton has added a new category to the nation's civil rights laws," Hefley said. "Apparently, he has decided to rule by executive order.

The last time I checked, amending federal law was Congress' job, not that of the executive branch."

He and three colleagues, including DeLay, R-Texas, sent a letter to other lawmakers arguing that ``while we do not support discrimination, we also do not believe in giving special protected status because of sexual orientation, or for most other reasons.''

Richard Socarides, a spokesman for Clinton, said the president is "disturbed" by what he described as an effort to "pass a law that permits discrimination."

He linked the attempt to block the anti-discrimination measure with the refusal of Senate Majority Leader Trent Lott to allow the full Senate to vote on Hormel. The heir to the Hormel Meat Packing Co. fortune was approved by the Senate Foreign Relations Committee in November. But Hormel's nomination has languished since then, despite pressures on Lott from scores of Democrats and key Republicans, including Senators Alfonse D'Amato of New York and Orrin Hatch of Utah, to let the philanthropist's name go forward.

'THE BIBLE IS CLEAR'

Last month, Hormel's chances seemed to diminish considerably when Lott, R-Miss., compared homosexuality with afflictions such as kleptomania and alcoholism. House Majority Leader Dick Armey, R.-Texas, promptly endorsed Lott's comments, saying, "The Bible is very clear on this."

Gay advocacy groups reacted strongly to the Republicans' move. "It is

not

coincidental that Hefley's amendment is happening with the fall elections upon us," said Tracey Conaty, a spokesperson for the National Gay and Lesbian Task Force in Washington, D.C. "It is an effort to score cheap political points against a minority community."

Conaty accused opponents of the anti-discrimination measure of "lies and deceptions" by inaccurately saying it calls for quotas on behalf of gays.

Steve Schwalm of the Family Research Council, the organization that drummed up support against Clinton's executive order, conceded that the measure does not specifically call for quotas. But he said it calls on heads

of all federal agencies to institute "affirmative programs" promoting "equal employment" of gays. "We all know that affirmative action programs result in quotas," he said.

#### GAY ACTIVISTS OPTIMISTIC

Gay advocates said they believe that they can defeat the move to overturn

the executive order. Winney Stachelberg, legislative director for the Human

Rights Campaign, the nation's largest gay advocacy organization, said surveys

taken by her organization show that there is considerable support for policies

prohibiting employment discrimination against gays. In fact, she said, the majority of lawmakers on Capitol Hill have instituted policies in their own

offices prohibiting such discrimination.

As for Hormel, Lott's office staunchly refuses to say whether the Senate

will be allowed to vote on his nomination. "It hasn't been scheduled yet, and

right now the schedule is very tight," a spokesperson said.

Senator Dianne Feinstein, D-Calif., who has been leading the lobbying effort on behalf of Hormel, said she refuses to believe that the nomination is

dead. "The majority leader has never said to me it is dead," she said, referring to Lott. "And I take him at his word."

\*\*\*\*\*  
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Message Sent

To: \_\_\_\_\_  
 Charles M. Brain/WHO/EOP  
 Michael Deich/OMB/EOP  
 Joshua Gotbaum/OMB/EOP  
 Mary L. Smith/OPD/EOP  
 Janet Murguia/WHO/EOP  
 Charles E. Kieffer/OMB/EOP  
 Virginia Apuzzo/WHO/EOP  
 Thomas L. Freedman/OPD/EOP  
 Bruce N. Reed/OPD/EOP  
 Elena Kagan/OPD/EOP  
 Martha Foley/WHO/EOP  
 Dario J. Gomez/WHO/EOP  
 Karen Tramontano/WHO/EOP  
 Tracey E. Thornton/WHO/EOP  
 Sylvia M. Mathews/OMB/EOP  
 Robert S. Weiner/ONDCEP/EOP  
 Minyon Moore/WHO/EOP  
 Barry J. Toiv/WHO/EOP

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
 id <01IZ5Q9HQ8G00026NN@PMDF.EOP.GOV>; Wed, 8 Jul 1998 13:02:06 EDT  
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 with ESMTTP id <01IZ5Q9EMS3K001DYS@PMDF.EOP.GOV>; Wed,  
 08 Jul 1998 13:02:01 -0400 (EDT)  
 Received: from mail.sdsu.edu ([130.191.25.1])  
 by STORM.EOP.GOV (PMDF V5.1-10 #29131)  
 with ESMTTP id <01IZ5Q8QBBVG00062P@STORM.EOP.GOV>; Wed,  
 08 Jul 1998 13:01:28 -0400 (EDT)  
 Received: from [130.191.242.121] ([130.191.242.121])  
 by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id JAA22356; Wed,  
 08 Jul 1998 09:56:18 -0700 (PDT)  
 X-Sender: dcase@mail.sdsu.edu  
 ===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:10-JUL-1998 13:12:40.00

SUBJECT: RECEIVED: Need clearance: S. 2271 - Property Rights Implementation Act of 1998

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

READ:UNKNOWN

TEXT:

RETURN RECEIPT

Your Document:

Need clearance: S. 2271 - Property Rights Implementation Act of 1998  
was successfully received by:

CN=Elena Kagan/OU=OPD/O=EOP

at:

07/10/98 01:03:22 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-JUL-1998 15:48:13.00

SUBJECT: FYI Patients Bill of Rights

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

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

TEXT:

FYI-

Laura

----- Forwarded by Elena Kagan/OPD/EOP on 07/10/98 01:04  
PM -----

Stacie Spector  
07/09/98 05:31:14 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Amy W. Tobe/WHO/EOP  
Subject: FYI Patients Bill of Rights

You may all know this, but I just got off our weekly call with the committees and the Hill -- and the Hill folks said they are doing 3 events that I thought you should know about as we plan for next week:

Tuesday - (T)they want to do something on Managed Care, possibly something with the American Small Business Alliance with the House and Senate.

Wednesday - (T)Mock Hill hearing with a couple of stories of witnesses they have who are doctors with stories of how HMO's would not let them treat their patients the way they recommended and the patient suffered serious health setbacks, and they have a former benefits consultant from a managed care company who got sick and then realized how health decisions were getting made.

Thursday - Releasing Families USA studies report re: ERISA study about who's not covered. Hill wants them to think further about bringing in a Governor from one of these states.

Tuesday - (the 21st) AMA is doing their yearly "fly in" to have their association people on the Hill to lobby, they believe this year the topic will be Patients B of R.

Message Sent

To: \_\_\_\_\_

Ann F. Lewis/WHO/EOP

Michelle Crisci/WHO/EOP

Elena Kagan/OPD/EOP

John Podesta/WHO/EOP

Bruce N. Reed/OPD/EOP

Stephanie S. Streett/WHO/EOP

Jennifer M. Palmieri/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:20:51.00

SUBJECT: Mike wasn't quite as positive as our Q&A

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:20  
PM -----

Cynthia A. Rice  
07/10/98 07:36:56 PM  
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Cynthia Dailard/OPD/EOP  
cc:  
Subject: Mike wasn't quite as positive as our Q&A

Q Mike, could you talk about tobacco, in terms of why, if the state attorneys general and the tobacco companies come to a settlement that does not meet federal action -- why would that be bad?

MR. MCCURRY: I didn't say it would be bad. I think that we applaud the state attorneys general and the work that they've done, and clearly understand exactly why they would want to protect the citizens of their states by wanting to recover funds from the companies to make good on the claims that they've had to pay for those who have suffered from health effects of tobacco use, tobacco addition.

But that's not the same thing as meeting the requirements of the President's approach to a national public health policy on tobacco which includes FDA jurisdiction, includes developing the kind of counterweight advertising that would discourage people from smoking, and particularly kids, that will achieve the kind of targets on reducing teenage smoking use that we want to see, and that provides some protections for rural communities. None of that are featured in the negotiations that the states have underway with the tobacco companies, and so they only are addressing part of the what is a larger problem that needs a national response.

Q -- new talks come to some kind of a settlement, does that make it harder for the President to push for what he wants -- take away some of the --

MR. MCCURRY: Not necessarily, because I think that those familiar with this would agree that you get the desired result, which is a public health policy that discourages young people from taking up the habit of smoking, only with the kind of national response foreseen in the approach that has been embedded in federal legislation, specifically through the kind of increase in price that would discourage use. And you don't get that from settlements that deal with claims with the payment of health care payments that states

have made. You get that when you embrace a new national policy.

So the work will continue and we will continue to work hard to try to break the gridlock that the industry and the Republican leadership of Congress have on the issue at the moment. They won't keep it forever because they're on the wrong side of history.

Q Are you telling the attorneys general to go ahead and make the best deal they can?

MR. MCCURRY: We understand that they're going to do what they think they have to do to protect their citizens, and that's one consequence of the Republican leaders of Congress not giving the American people what the American people want, which is a new national health care policy that protects kids from tobacco.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:21:04.00

SUBJECT: Re: are we anywehre new on bilingual education.

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:21  
PM -----

Maria Echaveste  
07/11/98 11:32:45 AM  
Record Type: Record

To: Karen E. Skelton/WHO/EOP  
cc: Michael Cohen/OPD/EOP, Mickey Ibarra/WHO/EOP, Janet Murguia/WHO/EOP,  
Maritza Rivera/WHO/EOP  
Subject: Re: are we anywehre new on bilingual education.

Karen--I thought you all had reconvened to work on the reform package. The President indicated in response to the memo that DPC sent in that he didn't really need a meeting--he just wanted to be sure that we were working on a real set of reforms, he doesn't want some mushy stuff, but real concrete ideas for getting results for these kids--I believe Mike is working on this--You had suggested that we should be expanding our consultations--cast a wider net--do you have some thoughts in mind--I think it's a good idea, I'll help in whatever way you think I can. I'll check in with Mike as to where we're at--he expects a follow up memo detailing the reform package--we obviously have to see how the House takes up this issue when they get back. talk to you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:20:02.00

SUBJECT: OMB Legislative Report - July 10, 1998

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:19 PM -----

Lisa Zweig

07/10/98 07:14:46 PM

Record Type: Record

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

cc:

Subject: OMB Legislative Report - July 10, 1998

TO: ACTING DIRECTOR JACK LEW  
COUNSELOR TO THE DIRECTOR SYLVIA MATHEWS  
ACTING DEP. DIRECTOR FOR MANAGEMENT ED DESEVE  
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JULY 10, 1998

SUBJECT: LEGISLATIVE REPORT

Late, last night, the Senate passed (96-1) S. 1882 - Higher Education Amendments of 1998, with Senator Helms casting the no vote. SAP was sent 6/16/98 strongly opposing in its current form. The following three amendments were considered:

- Failed (39-58) Kennedy amendment establishing a pilot program to auction the right to set the interest rates on student loans
- Passed (56-42) Wellstone amendment to expand educational opportunities for welfare recipients
- Approved (voice) Graham amendment to amend the need analysis calculation regarding certain veterans, educational assistance

CONGRESS -- TODAY (7/10):

SENATE:

Passed (92-0) S.Con. Res. 107 - Resolution reaffirming U.S. support for Taiwan

Passed (voice) S. Con. Res. 30 - Resolution relating to Taiwan

Passed (voice) S. Res. 237 - Resolution relating to Indonesia

HOUSE:

The House is in recess this week and will return on July 14th.

CONGRESS - MONDAY (7/13):

SENATE:

The Senate will convene at Noon on Monday morning. No roll call votes are expected before 5:45pm.

At 2:00pm, the Senate is scheduled to begin consideration of the motion to proceed to S. 2271 - Private Property Rights Implementation Act. At 5:45pm, a vote is expected on the motion to invoke cloture on the motion to proceed to S. 2271 (this vote is expected to fail, prompting the Senate to proceed to other business)

[SAP sent 7/10/98: POTUS will veto]

HOUSE:

The House is in recess and will return Tuesday, July 14th.

CONGRESS -- NEXT WEEK:

SENATE

Tuesday, July 14th and the balance of the week:

The schedule for next week is unclear. The Majority Leader has said action could occur on any of the following:

S. 2159 - Agriculture FY99 Appropriations Bill (possible - Daschle has agreed to allow debate on this bill without attaching the Democrats' managed care amendment)

[SAP pending]

S.2137 Legislative Branch Appropriations Bill (possible)

[No SAP]

If UC agreements can be reached, the Senate could consider any of the following measures:

H.R. 2614 - Reading Excellence Act

[SAP under development; support Senate passage if amended]

H.R. 2610 - National Narcotics Leadership Act of 1997 (ONDCP reauthorization)

[SAP sent 11/8/97: no objection but will seek amendments]

S. 2228 - Advisory Committee Termination and Streamlining Act of 1998

[SAP pending: support Senate passage]

H.R. 1151 - Credit Union Membership bill (likely 7/17 or 7/20)

[SAP under development]

HOUSE

Tuesday, July 14

The House will reconvene for Legislative Business at 2pm on Tuesday, July 14. No recorded votes are expected before 5pm.

Resume consideration of H.R. 2183 -the Bipartisan Campaign Integrity Act of 1997

[POTUS letter sent, 5/20: POTUS supports Shays/June/Meehan substitute]

The following bills will be considered under suspension of the rules:

o H.R. 1273 - National Science Foundation Authorization Act of 1997

[SAP sent 4/23: support]

o H.R. 2544 - Technology Transfer Commercialization Act

[SAP pending: support passage]

o S. 318 - Homeowners Protection of 1997

[SAP under discussion: support]

- o H.R. 4164 - Enforcement of Child Custody and Visitation Orders  
[SAP under discussion]

Wednesday, July 15 and the balance of the week:

The House will meet at 9:00 am and will recess immediately to receive the President of Romania. Following the meeting, the House will reconvene for Legislative Business. The House will meet at 10am on Thursday and 9am on Friday for Legislative Business.

- H.R. 3682 - Child Custody Protection Act (subject to a rule)  
[Bowles letter sent 6/17 & 7/8: Oppose unless amended]

- H.R. 3267 - The Sonny Bono Memorial Salton Sea Reclamation Act (subject to a rule)  
[SAP pending: oppose]

- H.R. 4194 VA/HUD FY99 Appropriations (subject to a rule)  
[Rules SAP pending]

- H.R. 4193 Interior FY99 Appropriations (subject to a rule)

- H.R. 4104 - Treasury-Postal FY99 Appropriations (subject to a rule, if adopted)  
[Floor SAP sent 6/24/98; Revised SAP pending]

- H.R. 2709 - Iran Missile Proliferation Sanctions Act (consideration of the President's veto)

CONGRESS - THIS MONTH  
SENATE

- S. 2260 - Commerce/Justice/State FY99 Appropriations (available)  
[SAP pending]

- S. 2132 - Defense Appropriations Bill (available)  
[SAP pending]

- S. 2237 - Interior FY99 Appropriations Bill (available)  
[SAP pending]

- S. 2168 - VA/HUD Appropriations (possible)  
[SAP sent 7/6]

- S. 1250 - NASA authorization bill (possible)  
[SAP pending: support if amended]

- S. 1301 - Consumer Bankruptcy Reform bill  
[SAP under development]

- S. 474 - Internet gambling

- S. 1619 - Blocking Children's Access to Unsuitable Material on the Internet  
[SAP pending]

- H.R. 3717 - Clean Needles Bill  
[House SAP sent 4/28/98; strongly oppose]

## Message Sent

To: \_\_\_\_\_  
jacob j. lew/omb/eop  
charles e. kieffer/omb/eop  
robert g. damus/omb/eop  
t j. glauthier/omb/eop  
joshua gotbaum/omb/eop  
joseph j. minarik/omb/eop  
william a. halter/omb/eop  
jill m. blickstein/omb/eop  
janet l. graves/omb/eop  
alan b. rhinesmith/omb/eop  
kathleen peroff/omb/eop  
ronald m. cogswell/omb/eop  
barry t. clendenin/omb/eop  
philip a. dusault/omb/eop  
richard p. emery jr./omb/eop  
robert e. barker/omb/eop  
susanne d. lind/omb/eop  
ellen j. balis/omb/eop  
alicia k. kolaian/omb/eop  
bruce w. mcconnell/omb/eop  
elisa millsap/who/eop  
james c. murr/omb/eop  
james j. jukes/omb/eop  
janet r. forsgren/omb/eop  
holstein\_e @ a1 @ cd @ lngtwy  
ingrid m. schroeder/omb/eop  
jeffrey a. weinberg/omb/eop  
brown\_ja @ a1 @ cd @ lngtwy  
constance j. bowers/omb/eop  
robert j. pellicci/omb/eop  
e. holly fitter/omb/eop  
annette e. rooney/omb/eop  
weinstein\_d @ a1 @ cd @ lngtwy  
philip r. dame/omb/eop  
todd stern/who/eop  
sylvia m. mathews/who/eop  
john podesta/who/eop  
mickey ibarra/who/eop  
douglas b. sosnik/who/eop  
shelley n. fidler/ceq/eop  
janet himler/omb/eop  
phillip caplan/who/eop  
anita chellaraj/omb/eop  
alphonse j. maldon/who/eop  
robert j. nassif/omb/eop  
melinda d. haskins/omb/eop  
robert s. fairweather/omb/eop  
janet e. irwin/omb/eop  
james b. kazal/omb/eop  
mckiernan\_k @ a1 @ cd @ lngtwy  
mark a. weatherly/omb/eop  
richard a. mertens/omb/eop  
peter g. jacoby/who/eop  
levin\_p @ a1 @ cd @ lngtwy  
kate p. donovan/omb/eop  
oliver\_a @ a1 @ cd @ lngtwy  
abramson\_k @ a1 @ cd @ lngtwy  
justine f. rodriguez/omb/eop

julie e. mason/who/eop  
brian a. barreto/opd/eop  
mary jo siclari/omb/eop  
barry j. toiv/who/eop  
hogan\_l @ a1 @ cd @ lngtwy  
toni s. hustead/omb/eop  
russell w. horwitz/opd/eop  
elena kagan/opd/eop  
eugene m. ebner/omb/eop  
steven d. aitken/omb/eop @ e  
david h. morrison/omb/eop  
rodney g. bent/omb/eop  
bruce k. sasser/omb/eop  
gary l. bennethum/omb/eop  
larry r. matlack/omb/eop  
robert m. shireman/opd/eop  
richard j. turman/omb/eop  
louisa koch/omb/eop  
david e. tornquist/omb/eop  
david j. haun/omb/eop  
francis s. redburn/omb/eop  
edward a. brigham/omb/eop  
edward m. rea/omb/eop  
andrew m. schoenbach/omb/eop  
patricia e. romani/omb/eop  
jake siewert/opd/eop  
charles r. marr/opd/eop  
rhodia d. ewell/omb/eop  
laura s. marcus/who/eop  
mathew c. blum/omb/eop  
steven l. schooner/omb/eop  
michael deich/omb/eop  
janie l. jeffers/omb/eop  
melissa n. benton/omb/eop  
carol thompson-cole/omb/eop  
kenneth l. schwartz/omb/eop  
ronald k. peterson/omb/eop  
jennifer ferguson/omb/eop  
rosemary evans/omb/eop  
m. jill gibbons/omb/eop  
ronald e. jones/omb/eop  
paul j. weinstein jr./opd/eop  
barry white/omb/eop  
kevin s. moran/who/eop  
maryanne b. green/omb/eop  
bruce n. reed/opd/eop  
robert donnelly/omb/eop  
nancy e. schwartz/omb/eop  
gene b. sperling/opd/eop  
wesley p. warren/ceq/eop  
eric r. anderson/ovp @ ovp  
robin j. bachman/who/eop  
sean e. o'connor/omb/eop  
wayne upshaw/omb/eop  
ruby shamir/who/eop  
sandra yamin/omb/eop  
allan e. brown/omb/eop  
stephen g. elmore/omb/eop  
dario j. gomez/who/eop  
jessica l. gibson/who/eop  
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peter d. greenberger/who/eop

peter a. weissman/opd/eop  
theodore wartell/omb/eop  
wendy a. taylor/omb/eop  
barbara chow/omb/eop  
donald r. arbuckle/omb/eop  
suzanne dale/who/eop  
anna m. briatico/omb/eop  
jonathan h. adashek/who/eop  
lisa b. fairhall/omb/eop  
david a. bernell/omb/eop  
sally katzen/opd/eop  
lawrence j. haas/ovp @ ovp  
ronald l. silberman/omb/eop  
roger s. ballentine/who/eop  
linda ricci/omb/eop  
judy jablow/ceq/eop  
martha foley/who/eop  
janelle e. erickson/who/eop  
michael l. goad/omb/eop  
rudman\_m @ al@cd@vaxgtwy  
victoria wassmer/omb/eop  
daniel n. mendelson/omb/eop  
gina c. moeers/omb/eop  
dianne m. wells/omb/eop  
chandler g. spaulding/who/eop  
steven d. aitken/omb/eop  
gary c. reisner/omb/eop  
wendy r. fink/omb/eop  
lisa m. kountoupes/who/eop  
john a. gribben/who/eop  
robert d. kyle/omb/eop  
jack a. smalligan/omb/eop  
jade l riley/who/eop  
Bonnie Galvin/OMB/EOP  
Elizabeth Gore/OMB/EOP  
Lisa Zweig/OMB/EOP  
Robert L. Nabors/OMB/EOP  
Adrienne C. Erbach/OMB/EOP  
Paul W. Baker/OMB/EOP  
Nancy J. Duykers/OMB/EOP  
Sylvia M. Mathews/OMB/EOP  
Marty J. Hoffmann/WHO/EOP  
Charles Konigsberg/OMB/EOP  
Charles M. Brain/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:20:30.00

SUBJECT: Senate Agriculture SAP

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:20  
PM -----

Kate P. Donovan  
07/10/98 07:23:37 PM

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: Senate Agriculture SAP

The draft Senate SAP for Agriculture FY99 Appropriations was cleared a couple of weeks ago but held pending floor action. The Senate now expects to take up the bill Tuesday (7/14). Two new sections (bolded text for your review) have been added concerning FDA/RU 486 and WIC. Please provide comments/clearance by noon, Monday (7/13). Thanks.

S. 2159 -- AGRICULTURE, RURAL DEVELOPMENT  
FOOD AND DRUG ADMINISTRATION, AND RELATED AGENCIES  
APPROPRIATIONS BILL, FY  
1999  
(Sponsors: Stevens (R), Alaska; Cochran (R), Mississippi)

This Statement of Administration Policy provides the Administration's views on S. 2159, the Agriculture, Rural Development, Food and Drug Administration, and Related Agencies Appropriations Bill, FY 1999, as reported by the Senate Appropriations Committee. Your consideration of the Administration's views would be appreciated.

The Administration appreciates efforts by the Committee to accommodate the President's priorities within the 302(b) allocation. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill, as discussed below. The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by providing savings through user fees and certain mandatory programs to help finance discretionary spending. In the recently enacted Transportation Equity Act, Congress -- on a broad, bipartisan basis -- took similar action in approving funding for surface transportation programs paid for with mandatory offsets. We want to work with the Congress on mutually-agreeable mandatory and other offsets that could be used to increase high-priority discretionary programs, including those funded by this bill. In addition, we urge the Congress to adopt the user fee proposals included in the President's budget, which would enable over \$600 million to be directed to important initiatives such as those

proposed for food safety, nutrition programs, rural development, and conservation.

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

#### Civil Rights

The Administration is working to include in the bill a provision that waives the statute of limitations for individuals who have previously filed a discrimination claim against USDA. The President is personally committed to righting any wrongs committed by USDA employees in years past, and a great many individuals who were discriminated against will have no recourse unless the statute of limitations is waived for them. We will continue to work to identify appropriate offsets for the cost of this waiver.

In a number of areas, the Committee has reduced funds to assist the most needy farmers and members of the rural community. The Committee does not provide the requested increase for the Outreach for Socially Disadvantaged Farmers program, which was a key recommendation of the Civil Rights Action Team (CRAT) report last year. With the additional \$7 million requested, USDA could support 35 projects to assist 10,000 small family farms and stem the continuing reduction in the number of minority farmers and ranchers.

Another recommendation in the CRAT report is to increase the amount of farm ownership loans, a portion of which are targeted to minority and beginning farmers. The Administration urges the Senate to provide the additional \$3 million requested for this program by the President, which would permit another 290 limited-resource farmers to finance real estate purchases. This increase could be offset by approving the request to eliminate the Forestry Incentives Program, which promotes timber production on private lands.

#### Food Safety Initiative

The Administration is deeply concerned that the Committee has not fully funded the President's request for Food and Drug Administration (FDA) and USDA activities to enhance food safety, providing only \$2.6 million out of the \$101 million the President has requested for these activities, \$96 million of which is requested in this bill. American consumers enjoy the world's safest food supply, but too many Americans get sick, and in some cases die, from preventable food-borne diseases. The President's budget increase would expand food safety research, risk assessment capabilities, education, surveillance activities, and food import inspections. We want to work with the Congress to explore user fee options within FDA and USDA that can be used to offset the cost of the needed increases in these programs as well as provide funds to modernize further the meat and poultry inspection system.

#### Food and Drug Administration: Drug Safety

The Administration would strongly oppose an amendment that may be offered that would intervene in the drug safety practices of the Food and Drug Administration (FDA) and place restrictions on scientific research that can protect women's health and offer safe medical choices. We urge the Senate not to include language that would interfere with the FDA's continued use of rigorous testing and the highest scientific standards to protect the public health. [If such language is included in the bill presented to the President, the Secretaries of Health and Human Services and Agriculture would recommend that he veto the bill.]

#### Women, Infants, and Children

The Committee bill would freeze funding for the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) at the FY 1998 level of \$3.9 billion, \$157 million below the President's request. This would only support a participation level of between 7.3 and 7.4 million women, infants, and children, and, based on FY 1998 year-end projections, would mean cutting off over 100,000 needy participants from the program. The President's request would maintain participation at 7.5 million, fulfilling the bipartisan commitment to fully fund WIC. The Administration strongly encourages the Senate to fund WIC at the President's requested level.

On language issues regarding administration of the WIC program, the Administration prefers the language included in the President's budget, in order to maintain the viability of infant formula rebates and so that funds are used to satisfy the highest priority WIC needs first. The Administration also supports transferring the Farmers' Market Nutrition Program to the Commodity Assistance Program, in order to prevent the diversion of already limited WIC resources from supporting program participation.

#### Arms Export Control Act Modification

The Administration supports section 738, which will ensure that American farmers can continue to export wheat and other commodities to India and Pakistan through USDA export assistance programs. As the President recently announced, in the sanctions the U.S. is applying toward those countries, we are attempting within the constraints of the Act to minimize the humanitarian impact on their people and adverse effects on American agriculture. Cutting off the supply of U.S. wheat would only hurt the citizens of Pakistan and India, as well as American farmers, without furthering the goal of nuclear nonproliferation.

#### Rural Development Funding

The Administration strongly objects to the Committee's blocking the mandatory Fund for Rural America from being used in FY 1999. The Fund provides additional resources for rural development and innovative agricultural research that are vitally needed to improve the quality of life in rural America and increase the productivity of U.S. farmers. The intent of Congress in creating the Fund in 1996 was to boost the overall Federal investment in these activities, not to offset discretionary spending in them. Furthermore, Congress recently extended the authority for the Fund while increasing its resources. We urge the Senate to strike this provision.

In addition, the Committee has not fully funded the President's request for the Rural Community Advancement Program (RCAP), underfunding direct loans for water and wastewater and for community facilities. These loans provide the community infrastructure needed to improve the quality of life of rural Americans, and often finance the vital ingredient for diversifying the rural economy. The Committee bill would result in an estimated 35 fewer water and wastewater facilities serving 50,000 rural residents, and 75 fewer rural health clinics, police and fire stations, and child care facilities being built. Furthermore, for the RCAP program to be adaptable to unique local economic development needs, as envisioned in its 1996 Farm Bill authorization, the Senate should strike the Committee's limitation on the flexibility to transfer funds among programs and allow the program to be implemented as authorized.

#### Food and Drug Administration

The Administration strongly urges the Congress to provide the full \$1,251 million in resources to fund the program level proposed for the Food and Drug Administration (FDA) in the President's budget. The Administration is deeply disappointed and concerned that the Committee has not funded the President's request for FDA's tobacco enforcement activities. This funding is vital to the Administration's plan to reduce youth smoking. Congress's failure thus far to pass comprehensive tobacco legislation should not prevent the Committee from providing adequate resources for these critical public health activities. We will work with the Congress to develop the appropriate means of funding.

#### Agricultural Research

The Committee bill includes over \$50 million in unrequested earmarks for lower-priority research while funding competitive grants through the National Research Initiative (NRI) at \$33 million below the President's request. The rejection of additional funds for competitive research grants for national and regional priorities, in favor of earmarked grants for more local or industry-specific requests, will slow progress toward addressing the most pressing needs of American agriculture and food consumers, and we urge the Senate to reverse this course of action. It can do so not only by reducing earmarked grants in the bill, but by reducing the \$9 million in unrequested increases for the Agricultural Research Service's buildings and facilities program. A task force created by the 1996 Farm Bill to review the Nation's agricultural research facilities comprehensively is due to report to Congress next year, and further construction should be minimized until the Administration and Congress have had the opportunity to review the report.

#### Climate Change and Clean Water Initiatives, and Conservation Programs

The Committee has not provided any of the \$7 million increase requested for additional research as part of the Administration's Climate Change Technology Initiative. These funds would support high-priority research to reduce emissions of greenhouse gases caused by agricultural practices, develop improved feedstocks that can be used to generate energy, and improve techniques to convert agricultural products to biofuels. The Administration urges the Senate to provide the necessary funding.

The Committee also has not included the Administration's requested increase of \$23 million for the Natural Resources Conservation Service (NRCS) to implement the President's Clean Water Action Plan to help State and local organizations hire watershed coordinators, document baseline conditions, and target resources to farmers requesting assistance. The Plan, developed by USDA and EPA, outlines a strategy on how to address water quality problems, including polluted runoff, in watershed areas across the Nation. The Administration urges the Senate to provide these necessary funds to the NRCS.

In addition, the Administration is concerned with reductions in the Committee bill to USDA mandatory conservation programs. The bill eliminates funds to carry out a Conservation Farm Option program, and reduces signups under the Wetlands Reserve Program by 25,000 acres, to 140,000 acres. These programs provide technical and financial assistance to farmers to enable them to manage their land efficiently while providing environmentally-beneficial improvements to wetlands, wildlife habitat, soil erosion, and water quality. Taken together, the reductions in the bill to conservation and environmental programs are objectionable, and we want to work with the Senate to restore funding in this area.

#### Other Issues

Additional funds are needed for the farm labor housing program to improve the living conditions many farm labor families endure. The Committee's level of \$16 million in direct loans is more than 50 percent below the Administration's request and, when coupled with the bill's \$3 million reduction below the request for farm labor grants, would mean that over 350 fewer housing units would be built compared with the request. We urge the Senate to increase funding to assist these needy members of our society. This could be achieved by shifting \$11.5 million from the amount in the bill that is in excess of the President's request for multi-family housing direct loans.

The Committee bill includes a \$20 million reduction to the President's request for the mandatory Emergency Food Assistance Program (TEFAP), which purchases commodities for individuals greatly in need of assistance. Given reported increases in need for food assistance through food banks and soup kitchens, the Administration is concerned that this reduction from the authorized level would mean less food will reach the most vulnerable Americans.

The Administration objects to section 721 of the Committee bill, which would limit Executive Branch review of USDA responses to congressional inquiries. Congress expects the Administration to be responsible for agency activities. This provision erodes that responsibility and is contrary to the widespread congressional view that more, not less, accountability is needed for improved management results. The Administration urges the Senate to delete the provision.

The Administration objects to section 735 of the Committee bill, which would prohibit the Food and Drug Administration (FDA) from consolidating laboratory operations. The proposed consolidation offers the opportunity for better efficiency and mission coordination, and it is part of FDA's overall streamlining goals. This provision would force FDA to spend funds on infrastructure that could otherwise be used more directly to protect public health. The Administration urges the Senate to delete this provision.

The Committee has provided none of the requested \$22 million increase for the Inspector General as part of the Administration's law enforcement initiative. This USDA initiative would save taxpayers millions of dollars lost through fraud in the food and nutrition programs, in USDA disaster, multi-family housing, and other programs, as well as improve the integrity of USDA programs. The Administration urges the Senate to increase funds for this important initiative.

The Committee bill provides funding for research on nutrition programs within the Food and Nutrition Service (FNS). The Administration is very pleased that funding for these activities is returned to the FNS, where research on nutrition programs will occur in the context of the program's administration.

Message Sent

To:

---

Sylvia M. Mathews/OMB/EOP  
Rahm I. Emanuel/WHO/EOP  
John Podesta/WHO/EOP  
Gene B. Sperling/OPD/EOP  
Sally Katzen/OPD/EOP  
Elena Kagan/OPD/EOP  
Martha Foley/WHO/EOP  
Ron Klain/OVP @ OVP  
William P. Marshall/WHO/EOP

Joshua Gotbaum/OMB/EOP  
Lisa M. Kountoupes/WHO/EOP  
Kathleen A. McGinty/CEQ/EOP  
Wesley P. Warren/CEQ/EOP  
Kerri A. Jones/OSTP/EOP  
Jeffrey M. Smith/OSTP/EOP  
Todd Stern/WHO/EOP

Message Copied

To:

---

Kevin S. Moran/WHO/EOP  
Jessica L. Gibson/WHO/EOP  
Melissa G. Green/OPD/EOP  
Michelle Crisci/WHO/EOP  
Laura Emmett/WHO/EOP  
Shannon Mason/OPD/EOP  
Jonathan H. Adashek/WHO/EOP  
Charles Konigsberg/OMB/EOP  
Elizabeth Gore/OMB/EOP  
Lisa Zweig/OMB/EOP  
Jill M. Blickstein/OMB/EOP  
Charles R. Marr/OPD/EOP  
Emil E. Parker/OPD/EOP  
Judy Jablow/CEQ/EOP  
Paul J. Weinstein Jr./OPD/EOP  
Peter A. Weissman/OPD/EOP  
Robert L. Nabors/OMB/EOP  
Adrienne C. Erbach/OMB/EOP  
Linda Ricci/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:19:26.00

SUBJECT: upcoming reproductive choice activity

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:19  
PM -----

Cynthia Dailard  
07/10/98 06:10:59 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP, Jennifer L. Klein/OPD/EOP  
cc:  
Subject: upcoming reproductive choice activity

The schedule below is from Planned Parenthood. I hear that Ag approps  
and possible RU-486 amendment in the Senate may occur Tuesday.

----- Forwarded by Cynthia Dailard/OPD/EOP on 07/10/98  
06:13 PM -----

clare\_coleman @ ppfa.org  
07/10/98 07:11:04 PM  
Record Type: Record

To: Cynthia Dailard/OPD/EOP  
cc:  
Subject: this week and next week

Here's the update:

Labor-HHS Appropriations -- HOUSE: Full Appropriations Committee  
mark-up is Tuesday, July 14. We expect Rep. Istook (R-OK) to offer an  
amendment on parental consent for Title X that is identical to the one  
Istook offered in 1997. We also may see amendments related to  
abortion provision in the Medicare+Choice program, as well as a  
broadly-drafted "anti-discrimination" amendment related to abortion  
provision.

CCPA/Teen Endangerment Act -- HOUSE: CCPA is listed on the House  
floor schedule for Wednesday, July 15. The Democratic motion to  
recommit is expected to deal with prohibiting coercion of a minor's  
abortion decision. SENATE: The Senate Judiciary Committee mark-up is  
expected to resume Thursday, July 16, at which time pro-choice members  
will attempt to amend the bill.

Treasury/Postal Appropriations -- SENATE: Full Appropriations Committee mark-up is Tuesday, July 14. We expect that Senator Reid (D-NV) will attempt to attach contraceptive coverage to the Federal Employees Health Benefits (FEHB) program. HOUSE: The bill may be on the floor on Thursday, July 16 or Friday, July 17. It is unclear whether an attempt to strike the Lowey provision adding contraceptive coverage to FEHB will be made or if Rep. Coburn (R-OK) will try to weaken the Lowey provision. Rep. DeLauro (D-CT) will attempt to strike the abortion restriction in FEHB.

#### OTHER IMPORTANT ACTION

Foreign Operations Appropriations -- HOUSE: Subcommittee mark-up of the FY 99 bill is Wednesday, July 15. It is unclear how population programs will be funded.

Civil advocacy and the RICO statute -- HOUSE Crime Subcommittee hearing on the use of RICO in the court case NOW v. Scheidler on Friday, July 17.

Ag Appropriations - SENATE: Floor consideration of this bill may be scheduled this week. It is unclear if a restriction on the FDA's ability to approve mifepristone, similar to the provision in the House bill, will be offered.

EPICC - Senate Labor and Human Resources hearing is scheduled for Tuesday, July 21.

Ban on Abortion Procedures - HOUSE: An attempt to override President Clinton's veto of the so-called "Partial-Birth" Abortion Ban has been scheduled for the House floor on Thursday, July 23. The unexpected scheduling of this override attempt was apparently in response to published reports of an incident in Arizona.

According to news reports, on June 30, 1998, a physician at A-Z Clinic in Phoenix, Arizona, began an abortion on a 17-year old woman carrying a fetus estimated to be at 23 weeks. As the procedure began, the doctor recognized that the fetus was significantly more mature than ultrasound appeared to indicate. A six-pound, two-ounce girl was delivered; the woman and baby were transferred to a local hospital. The baby had a fractured skull and facial lacerations. The identities of the woman and baby have remained confidential to date. For more information about the incident, see the media alert emailed to affiliates on July 9, 1998.

Following media reports on this incident, House sponsors of HR 1122, the so-called "Partial-Birth" Abortion Ban, announced that the House will attempt to override President Clinton's veto of HR 1122 on Thursday, July 23. There are sufficient votes in the House to obtain the two-thirds vote necessary to override a presidential veto. Action in the Senate is not expected until after Labor Day.

We have talking points on the Arizona incident prepared, if you want them.

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:12-JUL-1998 16:19:26.00

SUBJECT: RECEIVED: Senate Agriculture SAP

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

TEXT:  
RETURN RECEIPT

Your Document:  
Senate Agriculture SAP  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/12/98 04:16:26 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:19:36.00

SUBJECT: California Welfare-to-Work Grant

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:19  
PM -----

Andrea Kane

07/10/98 06:30:04 PM

Record Type: Record

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

cc:

Subject: California Welfare-to-Work Grant

DOL is ready to release California's Welfare-to-Work formula grant, which is \$190 M. It doesn't look like either POTUS or VPOTUS will be in California in the near future and DOL wants to get the grant out by the end of July so the program can get up and running. The VP's office has expressed interest in doing some kind of announcement, probably before he leaves for Russia. One suggestion from DOL was to announce it at weekly Wednesday meeting of California Dem delegation, but they don't think they could pull this off for 7/15, 7/22 would be after VPOTUS is gone, so this leaves 7/29. Other possibilities would be some kind of statement or release, and a phone call to key members/electeds. Does anyone have any other ideas for either POTUS or VPOTUS involvement?

There is an outstanding FLSA issue in CA's TANF program, but it's my understanding that DOL is satisfied with the assurances CA has made in its WTW Plan.

Message Sent

To:

Bruce N. Reed/OPD/EOP

Elena Kagan/OPD/EOP

Cynthia A. Rice/OPD/EOP

Diana Fortuna/OPD/EOP

Christa Robinson/OPD/EOP

Kris M Balderston/WHO/EOP

Karen E. Skelton/WHO/EOP

Karen Tramontano/WHO/EOP

Lynn G. Cutler/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JUL-1998 16:18:59.00

SUBJECT: WEEK AHEAD: JULY 13-19

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/12/98 04:18  
PM -----

Joseph. C. Fanaroff  
07/10/98 04:23:24 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: WEEK AHEAD: JULY 13-19

FOR INTERNAL PLANNING PURPOSES ONLY. ALL EVENTS SUBJECT TO CHANGE.

Message Sent

To: \_\_\_\_\_  
Ann F. Lewis/WHO/EOP  
Paul E. Begala/WHO/EOP  
Sidney Blumenthal/WHO/EOP  
Ann F. Walker/WHO/EOP  
Kevin S. Moran/WHO/EOP  
Ruby Shamir/WHO/EOP  
Michael Waldman/WHO/EOP  
Jordan Tamagni/WHO/EOP  
June Shih/WHO/EOP  
Lowell A. Weiss/WHO/EOP  
Antony J. Blinken/NSC/EOP  
LEAVY\_D @ A1 @ CD @ LNGTWY  
SHOWALTER\_V @ A1 @ CD @ VAXGTWY  
Thomas D. Janenda/WHO/EOP  
Glen M. Weiner/WHO/EOP  
Robin J. Bachman/WHO/EOP  
Erskine B. Bowles/WHO/EOP  
John Podesta/WHO/EOP  
Andrew J. Mayock/WHO/EOP  
Sara M. Latham/WHO/EOP  
Michelle Crisci/WHO/EOP  
Douglas B. Sosnik/WHO/EOP  
Ron Klain/OVP @ OVP  
Virginia M. Terzano/OVP @ OVP  
Eli G. Attie/OVP @ OVP  
Katharine Button/WHO/EOP  
Roberta W. Greene/WHO/EOP  
Marsha E. Berry/WHO/EOP  
Thurgood Marshall Jr/WHO/EOP

David S. Beaubaire/WHO/EOP  
Cheryl D. Mills/WHO/EOP  
Bruce N. Reed/OPD/EOP  
Elena Kagan/OPD/EOP  
Christa Robinson/OPD/EOP  
Mickey Ibarra/WHO/EOP  
Lynn G. Cutler/WHO/EOP  
Fred DuVal/WHO/EOP  
Cecily C. Williams/WHO/EOP  
Jeffrey A. Forbes/WHO/EOP  
Ellen M. Lovell/WHO/EOP  
Gene B. Sperling/OPD/EOP  
Jonathan Orszag/OPD/EOP  
Jonathan A. Kaplan/OPD/EOP  
Jake Siewert/OPD/EOP  
Maria Echaveste/WHO/EOP  
Robert B. Johnson/WHO/EOP  
Doris O. Matsui/WHO/EOP  
Craig T. Smith/WHO/EOP  
Minyon Moore/WHO/EOP  
Karen E. Skelton/WHO/EOP  
Judith A. Winston/PIR/EOP  
Claire Gonzales/PIR/EOP  
Michael D. McCurry/WHO/EOP  
Amy W. Tobe/WHO/EOP  
Joseph P. Lockhart/WHO/EOP  
Barry J. Toiv/WHO/EOP  
Nanda Chitre/WHO/EOP  
Stephanie S. Streett/WHO/EOP  
Jennifer M. Palmieri/WHO/EOP  
Aviva Steinberg/WHO/EOP  
Laura A. Graham/WHO/EOP  
Todd Stern/WHO/EOP  
Dan K. Rosenthal/WHO/EOP  
Christopher Wayne/WHO/EOP  
Beverly J. Barnes/WHO/EOP  
Karen Tramontano/WHO/EOP  
Peter Rundlet/WHO/EOP  
Virginia Apuzzo/WHO/EOP  
Michael D. Malone/WHO/EOP  
Ellen M. Lovell/WHO/EOP  
Kathleen A. McGinty/CEQ/EOP  
Susan M. Liss/OVP @ OVP  
Jennifer N. Devlin/OVP @ OVP  
Anne E. McGuire/WHO/EOP  
Julie E. Mason/WHO/EOP  
Nicholas R. Baldick/WHO/EOP  
Simeona F. Pasquil/WHO/EOP  
Linda L. Moore/WHO/EOP  
Kris M Balderston/WHO/EOP  
Lori L. Anderson/WHO/EOP  
Stacie Spector/WHO/EOP  
Elliot J. Diringier/CEQ/EOP  
Andrei H. Cherny/OVP @ OVP  
Chandler G. Spaulding/WHO/EOP  
Nathan B. Naylor/OVP @ OVP  
Charles M. Brain/WHO/EOP  
Tracey E. Thornton/WHO/EOP  
Janet Murguia/WHO/EOP  
Lawrence J. Stein/WHO/EOP

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

[http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL\\_PATH=/nlcp-2/Arms404/opd/OPD\\_19940...](http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL_PATH=/nlcp-2/Arms404/opd/OPD_19940...)

**THE WEEK AHEAD**  
**July 13 - July 19**  
*(All items are subject to change)*

**Monday (7/13):** The President and First Lady hold an event at the National Museum of American History to honor the Star Spangled Banner and launch the First Lady's "Save America's Treasures" Tour.

**Tuesday (7/14):** The President and Vice President host a "Y2K" event, make several announcements on efforts to highlight the "Y2K" problem and propose steps to address the issue.

**Wednesday (7/15):** The President holds a roundtable discussion on health care. Message: Patient's Bill of Rights (T).

**Thursday (7/16):** The President holds a health care event with Democratic leaders on Capitol Hill (T). Message: Patient's Bill of Rights.

**Friday (7/17):** The President hosts the 35th Anniversary reunion of his Boys Nation class and welcomes the current Girls Nation. Message: TBD.

**Saturday (7/18):** The President delivers his weekly radio address. Topic: TBD

**Sunday (7/19):** No Message Event scheduled

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:13-JUL-1998 20:26:55.00

SUBJECT: RECEIVED: URGENT: TRANSPORTATION APPROPS. SENATE LETTER

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

TEXT:  
RETURN RECEIPT

Your Document:  
URGENT: TRANSPORTATION APPROPS. SENATE LETTER  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/13/98 08:21:21 PM

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:13-JUL-1998 16:18:07.00

SUBJECT: RECEIVED: Update on Agriculture Senate SAP

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

TEXT:  
RETURN RECEIPT

Your Document:  
Update on Agriculture Senate SAP  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/13/98 04:11:24 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 08:31:55.00

SUBJECT: patients' bill o' rights

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/13/98 08:32 AM -----

Christopher C. Jennings

07/13/98 01:17:32 AM

Record Type: Record

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

cc: Sarah A. Bianchi/OPD/EOP, Jeanne Lambrew/OPD/EOP

Subject: patients' bill o' rights

We are semi-on-track for at least two patients' bill of rights events for the President. The first would be on Wednesday with the AMA for a roundtable discussion with patients, doctors, and perhaps nurses to document the real-life tragedies that have resulted from actions/non-actions by managed care plans. We spoke with AMA reps over the weekend and they assured us that they want to work with us to deliver a good event. (At this event, we could also announce the implementation of the Presidentially-ordererd appeals rights at the DVA.)

On Thursday, we are currently contemplating a POTUS Democratic unity event on the Hill that would likely include the release of a new Families USA report. This report documents how many Republican Governors and legislatures have already enacted many of these rights. (The report undermines charges that a PBo'R bill represents a Government take-over, all-the-while also emphasizing the need for uniformity and how far short the state-passed protections go.) It could also include the release of the CBO numbers for the Dingell-Ganske bill. (As of this writing, however, the Hill is currently targeting Tuesday for the release of the CBO numbers.)

The Hill also has asked the AMA to attend, but the association is nervous and thinks it is politically unwise to make this a Democrats-only unity event. They believe (and I agree) it undermines the success that Senator Kerrey and others have had -- as recently as on "THIS WEEK" -- in characterizing this as a bipartisan bill that the Republican Leadership and their followers are tying up. Perhaps we should suggest that Ganske and other Republicans (who we think helpful and appropriate) should come?

The Democrats on the Hill are tentatively preparing at least three events:

1. Tuesday -- The Hill Democrats have just recently concluded that it would be advisable to release the CBO numbers on the Dingell-Ganske bill on Tuesday. They thought it should be a separate news story. (I think this is an unwise decision and hope that we can push back the release of these numbers a couple of days;

I fear that an early release will be the big news story of the week and, although the numbers should be viewed fairly positively, they will not get a free ride from the the Republican Leadership OR the press.

2. Wednesday -- The Hill mock hearings appear to be locked in. Our only outstanding question is how we assure that the hearing does not coincide with the POTUS AMA event; the Hill doesn't want our event to swallow their hearing.

3. Thursday -- The Hill event with the President in conjunction with the release of the Families USA state-by-state report is getting locked down. I do think, however, that we need to discuss the potential downside of doing this with no Republicans. It could play right into the media perception that we are looking for an issue -- not a strong, bipartisan, enforceable bill. (If we decide that we would be better served by the release of the CBO numbers on Thursday, it is possible we could convince the Hill Dems to hold off until then; should we do a quick Hill consultation call later today?)

cj

Message Sent

To:

---

John Podesta/WHO/EOP  
Bruce N. Reed/OPD/EOP  
Gene B. Sperling/OPD/EOP  
Lawrence J. Stein/WHO/EOP  
Rahm I. Emanuel/WHO/EOP  
Paul E. Begala/WHO/EOP  
Ann F. Lewis/WHO/EOP  
Elena Kagan/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:13-JUL-1998 20:44:20.00

SUBJECT: RECEIVED: Labor/HHS Appropriations Letter - Need clearance

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

READ:UNKNOWN

TEXT:

RETURN RECEIPT

Your Document:

Labor/HHS Appropriations Letter - Need clearance

was successfully received by:

CN=Elena Kagan/OU=OPD/O=EOP

at:

07/13/98 08:40:51 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 16:15:03.00

SUBJECT: Re: OFCCP and testers

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

TEXT:

could you do some talking ponints and send them around? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JUL-1998 16:18:45.00

SUBJECT: Re: girls nation/tobacco

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

we have a directive to announce on industry documents; call cynthia for details. Otherwise -- assuming the state ags haven't announced a settlement -- do the standard rap: bash congress for not acting, urge them to do so, etc. If the state ags have agreed on a settlement, we should congratulate them and welcome the settlement, but then say that the job is only partly done and that congress must now do its share to reach our youth smoking goals.

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:14-JUL-1998 02:31:13.00

SUBJECT: RECEIVED: Reminder--comments on MNB199, Revised Labor Draft Bill on Trade Adjustm

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

READ:UNKNOWN

TEXT:

RETURN RECEIPT

Your Document:

Reminder--comments on MNB199, Revised Labor Draft Bill on Trade Adjustment Assistance Refo  
was successfully received by:

CN=Elena Kagan/OU=OPD/O=EOP

at:

07/13/98 08:21:42 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1998 11:31:14.00

SUBJECT:

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

TEXT:

FYI- Laura

----- Forwarded by Elena Kagan/OPD/EOP on 07/14/98 11:31 AM -----

Maria Echaveste  
07/14/98 10:33:15 AM  
Record Type: Record

To: Edward W. Correia/WHO/EOP, Elena Kagan/OPD/EOP, Dawn M. Chirwa/WHO/EOP  
cc: See the distribution list at the bottom of this message  
Subject:

In a recent report, I read that the NY Times is working on a story about the settlement agreement with the Indianapolis public schools that ended busing--Eddie, you'll remember we had received several passionate pleas from advocates complaining that DOJ was abandoning the goal of integration with this settlement--seems to me someone should find out from OCR what is being said and if what DOJ is saying is in keeping with the President's statements on PBS last week about the value of diversity and integration--thurgood, can you find out what reporter is working on this--By the way, I am not advocating that the White House get in the story--I just think we should know the focus in light of the Race Initiative.

Message Copied

To: \_\_\_\_\_  
Marjorie Tarmey/WHO/EOP  
Thurgood Marshall Jr/WHO/EOP  
Sylvia M. Mathews/OMB/EOP  
Minyon Moore/WHO/EOP  
Judith A. Winston/PIR/EOP

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:15-JUL-1998 15:55:25.00

SUBJECT: RECEIVED: Last call for comments on proposed veto message for HR 2646, Education

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

READ:UNKNOWN

TEXT:

RETURN RECEIPT

Your Document:

Last call for comments on proposed veto message for HR 2646, Education Savings for Public was successfully received by:

CN=Elena Kagan/OU=OPD/O=EOP

at:

07/15/98 03:45:08 PM

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:15-JUL-1998 12:36:24.00

SUBJECT: RECEIVED: Admin. Letter on Vacancies Bill--Comment by 2PM

TO: Stephen G. Elmore ( CN=Stephen G. Elmore/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

TEXT:  
RETURN RECEIPT

Your Document:  
Admin. Letter on Vacancies Bill--Comment by 2PM  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/15/98 12:27:54 PM

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:15-JUL-1998 12:31:54.00

SUBJECT: RECEIVED: VERY URGENT: VA/HUD HOUSE RULES SAP

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

TEXT:  
RETURN RECEIPT

Your Document:  
VERY URGENT: VA/HUD HOUSE RULES SAP  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/15/98 12:28:10 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JUL-1998 11:03:55.00

SUBJECT: Re: \*\*Senior Staff Coverage in August and September\*\*

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

TEXT:  
around all the time.

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME:16-JUL-1998 19:09:59.00

SUBJECT: RECEIVED: REVISED VA/HUD FLOOR SAP

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

TEXT:  
RETURN RECEIPT

Your Document:  
REVISED VA/HUD FLOOR SAP  
was successfully received by:  
CN=Elena Kagan/OU=OPD/O=EOP  
at:  
07/16/98 07:06:44 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JUL-1998 11:03:55.00

SUBJECT: Re: \*\*Senior Staff Coverage in August and September\*\*

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

READ:UNKNOWN

TEXT:

around all the time.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JUL-1998 11:02:39.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

gotcha! (for the first time ever)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 14:52:02.00

SUBJECT: Re: VP briefing

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

TEXT:

aok

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 08:48:22.00

SUBJECT: VP briefing

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

TEXT:

do you think one of us should go too, or is this fine?

----- Forwarded by Elena Kagan/OPD/EOP on 07/17/98 08:48  
AM -----

Julie A. Fernandes  
07/16/98 07:48:13 PM

Record Type: Record

To: Elena Kagan/OPD/EOP  
cc: Laura Emmett/WHO/EOP  
Subject: VP briefing

Elena,

The VP's office has asked me to be present at his briefing tomorrow morning at (before his meeting with the Hispanic Caucus). The Caucus has an interest in several immigration issues, but have a particular interest in naturalization backlog reduction. Please let me know if this is not o.k.

julie