

NLWJC - KAGAN

EMAILS CREATED

ARMS - BOX 013 - FOLDER 004

[1/9/1998 - 2/24/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Laura Emmett re: Request for Mtg (1 page)	02/17/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/09/1998-02/24/1998]

2009-1006-F

bm115

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JAN-1998 13:27:52.00

SUBJECT: Re: bilingual ed

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

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

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

TEXT:
you bet.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JAN-1998 13:28:54.00

SUBJECT: Re: Presidential Message - Roe v. Wade

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

READ:UNKNOWN

TEXT:

i was under the impression that ann lewis had drafted something. did i
make this up?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JAN-1998 17:29:14.00

SUBJECT: Re: bilingual ed

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

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

TEXT:
yes, of course.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-JAN-1998 17:36:38.00

SUBJECT: Time Change - Meeting with Erskine re: Benchmarking

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

TEXT:

jason -- i know nothing about this issue. could I get whatever paper is going in to erskine? thanks much.

----- Forwarded by Elena Kagan/OPD/EOP on 01/12/98 05:36 PM -----

June G. Turner 01/12/98 05:30:31 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: Time Change - Meeting with Erskine re: Benchmarking

The Benchmarking meeting is now at 1:15 pm Tuesday in the Roosevelt Room. I apologize for the short notice.

There will be a Benchmarking meeting with Erskine on Tuesday, January 13 at 2:00 pm in the Roosevelt Room.

Invited Attendees:

- Erskine Bowles
- Sylvia Mathews
- John Podesta
- Frank Raines
- Chuck Ruff
- Janet Yellen
- Gene Sperling
- John Hilley
- Elena Kagan
- Doug Sosnik
- Paul Begala
- Rahm Emanuel
- Maria Echaveste
- Mike McCurry
- Sally Katzen
- Ann Lewis
- Dawn Chirwa
- Rob Weiner
- Richard Hayes
- Minyon Moore

Message Sent

To: _____
Charles F. Ruff/WHO/EOP
Gene B. Sperling/OPD/EOP
Paul E. Begala/WHO/EOP

Douglas B. Sosnik/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Maria Echaveste/WHO/EOP
John L. Hilley/WHO/EOP
Michael D. McCurry/WHO/EOP
Elena Kagan/OPD/EOP
Ann F. Lewis/WHO/EOP
Franklin D. Raines/OMB/EOP
Sally Katzen/OMB/EOP
Dawn M. Chirwa/WHO/EOP
Robert N. Weiner/WHO/EOP
Richard L. Hayes/WHO/EOP
Janet L. Yellen/CEA/EOP
Minyon Moore/WHO/EOP

Message Copied

To: _____
Carole A. Parmelee/WHO/EOP
Sara M. Latham/WHO/EOP
Ora Theard/WHO/EOP
Peter A. Weissman/OPD/EOP
Eleanor S. Parker/WHO/EOP
Michelle Crisci/WHO/EOP
Miriam H. Vogel/WHO/EOP
Marjorie Tarmey/WHO/EOP
Virginia N. Rustique/WHO/EOP
Lori L. Anderson/WHO/EOP
Laura Emmett/WHO/EOP
Ruby Shamir/WHO/EOP
Wendy A. Taylor/OMB/EOP
Phyllis Kaiser-Dark/OMB/EOP
Angelique Pirozzi/WHO/EOP
Alice H. Williams/CEA/EOP
Janet L. Graves/OMB/EOP
Terri J. Tingen/WHO/EOP
Debra A. Schiff/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JAN-1998 15:20:50.00

SUBJECT: Re: Resend on FLOTUS race event

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

TEXT:

I'm generally not in favor of the FLOTUS announcing policy unless it's in one of her areas (e.g., child care). I'd go for a promising practice instead.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-JAN-1998 13:33:53.00

SUBJECT: Terry Edmonds Farewell Party

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

TEXT:

please schedule

----- Forwarded by Elena Kagan/OPD/EOP on 01/13/98 01:33 PM -----

Jordan Tamagni
01/13/98 01:27:29 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: Terry Edmonds Farewell Party

Please join us to wish Terry Edmonds well
in his new role at the
Social Security Administration

The White HouseMess
January 16, at 4:00pm
RSVP
202-456-2777

Message Sent

To: _____
Erskine B. Bowles/WHO/EOP
John Podesta/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Ann F. Lewis/WHO/EOP
Bruce N. Reed/OPD/EOP
Gene B. Sperling/OPD/EOP
Douglas B. Sosnik/WHO/EOP
Craig T. Smith/WHO/EOP
Michael D. McCurry/WHO/EOP
John L. Hilley/WHO/EOP
Franklin D. Raines/OMB/EOP
Sidney Blumenthal/WHO/EOP
Maria Echaveste/WHO/EOP
Mickey Ibarra/WHO/EOP
Victoria Radd/WHO/EOP
Capricia P. Marshall/WHO/EOP
Bob J. Nash/WHO/EOP
Stephanie S. Streett/WHO/EOP
John H. Gibbons/OSTP/EOP
Todd Stern/WHO/EOP
Betty W. Currie/WHO/EOP

D. Stephen Goodin/WHO/EOP
Debra A. Schiff/WHO/EOP
Ann F. Walker/WHO/EOP
Jake Siewert/OPD/EOP
Andrew Friendly/WHO/EOP
Kirk T. Hanlin/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Stephen B. Silverman/WHO/EOP
Minyon Moore/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Barry J. Toiv/WHO/EOP
Elena Kagan/OPD/EOP
Antony J. Blinken/NSC/EOP
Eli G. Attie/OVP @ OVP
Virginia M. Terzano/OVP @ OVP
Julia M. Payne/WHO/EOP
Brenda M. Anders/WHO/EOP
Laura D. Schwartz/WHO/EOP
Woyneab M. Wondwossen/WHO/EOP
Sharolyn A. Rosier/WHO/EOP
Jeffrey M. Smith/OSTP/EOP
Thomas A. Kalil/OPD/EOP
Thomas L. Freedman/OPD/EOP
Christopher C. Jennings/OPD/EOP
Diana Fortuna/OPD/EOP
Cynthia A. Rice/OPD/EOP
Stacie Spector/WHO/EOP
Kevin S. Moran/WHO/EOP
Alphonse J. Maldon/WHO/EOP
Phillip Caplan/WHO/EOP
Sean P. Maloney/WHO/EOP
Carolyn E. Cleveland/WHO/EOP
Barbara A. Barclay/WHO/EOP
Debra S. Wood/WHO/EOP
Paul K. Engskov/WHO/EOP
Nicholas R. Baldick/WHO/EOP
Jeffrey A. Forbes/WHO/EOP

Message Copied

To:

Jason S. Goldberg/WHO/EOP
Sara M. Latham/WHO/EOP
June G. Turner/WHO/EOP
Michelle Crisci/WHO/EOP
Ruby Shamir/WHO/EOP
Cathy R. Mays/OPD/EOP
Peter A. Weissman/OPD/EOP
Katharine Button/WHO/EOP
Christopher J. Lavery/WHO/EOP
Lori L. Anderson/WHO/EOP

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_i1246207_who_html_1.msoff

Attachment Number: [ATTACH.D93]MAIL47026421J.026

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JAN-1998 09:08:47.00

SUBJECT: Re: Benchmarking Meeting

TO: Richard L. Hayes (CN=Richard L. Hayes/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

I have a hectic schedule today, but I'd like to be involved. Laura Emmett keeps my schedule. Thanks.

The following is a brief summary of the key outstanding issues regarding potential Administration support of the Workplace Religious Freedom Act.

1. **Statutory Model.** The Senate Bill is modeled after the Americans with Disabilities Act. The Administration proposal is based upon Title VII. Both approaches would accomplish essentially the same goal -- the ratcheting up of the protection currently afforded religious exercise under Title VII. There is a significant dispute, however, as to which approach would best accomplish that result. The religious groups' argument in favor of the ADA model is political. Although the ADA approach initially raised concerns within the small business community (because of compliance issues), the religious groups now represent that business supports the ADA model because it offers a familiar regulatory scheme. Similarly, the groups contend that business would oppose legislation that introduces a set of unfamiliar standards.

Administration objections to the ADA model are based upon a number of separate considerations. First, there is concern that the use of ADA language would lead to the watering down of ADA standards because courts would be reluctant to enforce religious accommodations to the same degree that they enforce accommodations for the disabled. Second, DOJ argues that ADA language may raise issues under the establishment clause because its emphasis on special accommodation suggests that it would create a preference for religion rather than merely redress discrimination against religion. Third, DOJ believes that, because the Administration's proposal is more clearly based on anti-discrimination concerns, it could more easily be enacted pursuant to Congress' Section V powers which would allow plaintiffs to collect damages from the states.

2. **Premium Pay.** Under the Senate Bill, private sector employers would be excused from their obligation under the FLSA to pay overtime to an employee for work in excess of 40 hours when that employee works those overtime hours to make up for time taken off for religious observance. The Department of Labor opposes this provision because it is inconsistent with the Administration's opposition to current Congressional proposals that would allow employees to opt for compensatory time in lieu of premium pay. The religious groups have countered that an existing federal statute (5 U.S.C § 5550a) requires that federal employees who take time off for religious observances are not entitled to overtime pay and that it would therefore not harm Administration policy to allow a similar rule to apply to the private sector for the limited purpose of accommodating religious observance. DOL argues, however, that the analogy is inappropriate because the regulation of federal overtime and private sector overtime raise distinct considerations. For example, other than that provided in section 5550a, the rights of federal employees to overtime pay are far greater than that allowed employees in the private sector.

3. **Effect on Seniority Rights.** The Senate Bill would allow for the accommodation of religious employees to supersede other employees' seniority rights in certain limited circumstances (i.e. when an employee with seniority rights voluntarily agrees to exchange shifts or jobs with the religious employee who would not otherwise be entitled to accede to the senior employees' shift or job.) The religious groups strongly support this provision believing that employers have consistently hidden behind collective bargaining agreements in denying religious accommodations. Labor objects on policy grounds and DOJ is concerned that to accommodate only religious employees in this context would raise establishment concerns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-JAN-1998 18:17:28.00

SUBJECT: Re: time poll

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

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

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D89]MAIL427176915.026
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:21-JAN-1998 19:00:13.00

SUBJECT: Final Welfare to Work Housing Voucher documents

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D54]MAIL483196025.026

? To ASCII,

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.D54]MAIL493196026.026 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.D54]MAIL493196027.026 to ASCII,

The following is a HEX DUMP:

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

===== ATTACHMENT 3 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D54]MAIL404196028.026 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JAN-1998 19:12:56.00

SUBJECT: Housing assistance by race/ethnicity

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

TEXT:
please print

----- Forwarded by Elena Kagan/OPD/EOP on 01/21/98 07:13 PM -----

Andrea Kane
01/21/98 04:21:27 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Housing assistance by race/ethnicity

Here's a spreadsheet I did summarizing HUD data showing race/ethnicity of those receiving housing assistance, those eligible for but not receiving, and those with worst case housing needs and not receiving. This is the basis for the one pager that specialty press office sent to Spanish language newspaper.

The information is from "Characteristics of HUD-Assisted Renters and Their Units in 1993", prepared by Duane T. McGough, Housing and Demographic Analysis Division, HUD Office of Policy Development and Research, dated May 1997. If anyone wants the actual tables, let me know.

Message Sent

To: _____
Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
WEINSTEIN_P @ A1 @ CD @ LNGTWY
Cynthia A. Rice/OPD/EOP
Francis S. Redburn/OMB/EOP
Julie A. Fernandes/OPD/EOP
Jose Cerda III/OPD/EOP
Emil E. Parker/OPD/EOP

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D91]MAIL47700702N.026 to ASCII,
The following is a HEX DUMP:

00001A00021004000000000001900000720002000010A00000000000000001F0008000000013006
0019001F00080000020130000010001F00080000030130040010001F0008000004013003001000

Unmet housing need among minority populations

(in thousands)

	<u>Assisted (1)</u>	% of TOTAL	Eligible but <u>not assisted (2)</u>	% of TOTAL	Worst case needs and <u>not assisted (3)</u>	% of TOTAL
Black	1625	40.08%	2656	22.62%	1104	22.77%
White	2183	53.85%	8279	70.52%	3354	69.17%
White Hispanic	314	7.75%	1555	13.25%	710	14.64%
White Non-Hispanic	1869	46.10%	6725	57.28%	2644	54.53%
Other	246	6.07%	805	6.86%	391	8.06%
TOTAL (B+W+O)	4054		11740		4849	
Total Hispanic	418	10.31%	1852	15.78%	871	17.96%
Black H (Total H - WhiteH)	104	2.57%	297	2.53%	161	3.32%
Black NH (B-BH)	1521	37.52%	2359	20.09%	943	19.45%
Black NH +Total Hispanic	1939	47.83%	4211	35.87%	1814	37.41%

1993 numbers from American Housing Survey, provided by HUD

(1) receiving public housing, project-based Section 8, and tenant-based Section 8

(2) income 50% or less of median income

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 15:49:47.00

SUBJECT: IMPORTANT Clarification: Education Policy Rollout

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

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

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

TEXT:

I'll call him. He's right that I owe him a call.

----- Forwarded by Elena Kagan/OPD/EOP on 01/22/98 03:49
 PM -----

edley @ law.harvard.edu
 01/22/98 12:25:00 PM

Record Type: Record

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

cc:

Subject: IMPORTANT Clarification: Education Policy Rollout

Clarification to the earlier email below: I don't mean to be critical of Elena -- I know she's got many more important things to do than yack with an interloping schmoozer. Life is complicated. But I'm trying to do what you've asked me to do.

Also: forgot to send this to Minyon before.

Sylvia:

I've heard rumblings about impending rollout of the "no social promotions" education policy within the next few days.

I have had no success contacting Elena to learn details or give feedback on this policy. I have tried email, voice mail, hallway greeting, and conversation with her secretary. I don't feel that I have standing to call yet again and be a pest.

HOWEVER: Like the Voluntary National Test of 4th and 8th grade students, there are serious substantive and political pitfalls. The VNT was flawed from the start, which I told everyone who would listen, and which is one reason the liberals and minority caucuses decided to get in bed with the GOP to attack the policy. It's not about standards, its about safeguards to prevent abuses of powerless poor and minority kids. (And, let me add, when in June and July I raised these issues with Secretary Riley and the President, they expressed a great deal of concern, both substantive and political. If indeed they had been presented with the information and perspective I offered prior to adopting the VNT, they either dudn't recall it, had not been given a fair sense of the weight of those concerns, or gave me Academy Award performances.)

The basic substantive question is whether the safeguards are merely hortatory (my suspicion) or are central and mandatory. I am fearful, because on a wide range of social welfare issues, the Administration has been very reluctant to impose regulatory strings.

It is also important to anticipate and answer the objections many moderate and liberal researchers will raise. For example, students who fall 2 years behind their age cohort in grade have something like a 98 percent HS drop out rate; does that matter, and if so, how is your concern reflected in the design of this policy?

Sylvia, I made a mistake in not making earlier, vigorous objections to all the visibility the White House bestowed on Abigail Thernstrom, when other more responsible conservative voices are available. Then, in a box, I felt the need to go on the record with reporters expressing my dismay. That was an awkward thing for me to do, and I'm sure many at the White House resented it. But I felt compelled to do it, since I'm not on the staff and the terms of our arrangement were that I would keep my own voice, but be judicious. My work with the National Research Council and civil rights groups on the VNT began before consultancy with you on the race initiative.

This rollout of a social promotion policy I know virtually nothing about holds the potential to create a third and far more serious problem for me, because the issue goes to the core of opportunity issues about which I care so deeply. I hope we can find a process that will get me comfortable with whatever you are planning to do, and thereby avoid the problem of deciding (together) whether I need to resign.

cc: Elena, Maria, Minyon

Message Sent

To: _____
 Elena Kagan
 June G. Turner
 Maria Echaveste
 Minyon Moore
 Sylvia M. Mathews

===== 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 V5.0-4 #6879)
 id <01ISOECI2DWG0179Y8@PMDF.EOP.GOV>; Thu, 22 Jan 1998 12:26:20 -0500 (EST)
 Received: from storm.eop.gov (storm.eop.gov)
 by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISOECGP37K00C9H2@PMDF.EOP.GOV>; Thu,

22 Jan 1998 12:26:19 -0500 (EST)
 Received: from law.harvard.edu ([140.247.200.68])
 by STORM.EOP.GOV (PMDF V5.1-7 #6879)
 with ESMTTP id <01ISOEBT8WDA00004R@STORM.EOP.GOV>; Thu,
 22 Jan 1998 12:25:50 -0500 (EST)
 Received: from CEHome.law.harvard.edu (ip215.westford.ma.pub-ip.psi.net)
 by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA087969938; Thu,
 22 Jan 1998 12:25:38 -0500
 X-Sender: edley@pop.law.harvard.edu

http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL_PATH=/nlcp-1/Arms405/who/WHO_1998...

X-Mailer: QUALCOMM Windows Eudora Pro Version 3.0.2 (16)
===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 13:49:22.00

SUBJECT: Re: Encyclopedia entry

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D84]MAIL44560522I.026

The following is a HEX dump of the file:

**PRESIDENT CLINTON'S PROPOSALS:
HEALTH CARE THAT STRENGTHENS AMERICA'S FAMILIES**

Passing Comprehensive Bipartisan Tobacco Legislation That Reduces Teen Smoking and Changes the Way Tobacco Companies Do Business. Every day 3,000 young people start smoking and 1,000 of them will die prematurely from a tobacco-related disease. Moreover, 90 percent of adults who smoke began before the age of 18. The President called on Congress to pass comprehensive national bipartisan legislation that includes five key principles: (1) it must mandate the development of a comprehensive plan to reduce teen smoking, including raising the cost of cigarettes by \$1.50 per pack if that is what it takes to stop children from smoking; (2) it must affirm the FDA's full authority to regulate tobacco products; (3) it must include measures to hold tobacco companies accountable, especially for marketing products to children; (4) it must include concrete measures to improve public health, from investing in research to reducing second hand smoke to expanding smoking cessation; and (5) it must protect the financial well-being of tobacco farmers and their communities from the loss of income caused by our efforts to reduce smoking.

Creating a Historic "21st Century Research Fund" With an Unprecedented 50 Percent Increase in Biomedical Research at the National Institutes of Health (NIH) over five years, including an unprecedented \$1.15 billion increase in FY1999. Scientists are on the cusp of important new breakthroughs in biomedical research which could revolutionize the way medical experts understand, treat, and prevent some of our most devastating diseases. New imaging technologies are giving new insights into the structure of disease and revolutionary progress in genetics are charting new ways to conquer diseases, such as cancer, Alzheimer's, AIDS, and brain tumors. The President's budget contains a historic upfront investment in biomedical research and, for the first time, proposes a sustained investment in NIH over five years which results in a 50 percent increase. Under the President's proposal, over \$20 billion would be dedicated to biomedical research the NIH in 2003.

Protecting Patients Through a Consumer Bill of Rights and Genetic Screening Protections. The President called on Congress to pass Federally enforceable consumer health care protections before it adjourns this fall. This health care bill of rights should contain a range of protections, including guaranteed access to needed health care specialists **to ensure that patients are provided appropriate high quality care**, access to emergency room services when and where the need arises, an assurance that medical records are confidential, and access to a meaningful **internal and external appeals process for consumers to resolve their differences with their health plans and health care providers. The nation's health care system has changed dramatically, as more than 100 million Americans are now in managed care plans. This legislation will ensure that whether Americans have traditional health insurance or managed care, that they are assured quality care. Moreover, to ensure that new advances in genetics are used to improve health rather than to discriminate, the President has called for legislation that ensures that genetic screening is not used to discriminate in health insurance and employment.**

Providing New Options for Americans Ages 55 to 65 to Access Health Insurance, Including Buying Into Medicare. Americans ages 55 to 65 are one of the most difficult-to-insure populations: they have less access to and a greater risk of losing employer-based health insurance; and they are twice as likely to have health problems. The President's proposal gives this vulnerable population three new options to access health insurance by: (1) allowing Americans ages 62 to 65 to buy into Medicare, through a premium that ensures that this policy is self-financed; (2) providing vulnerable displaced workers 55 and over access to Medicare by offering those who have involuntarily lost their jobs and their health care coverage a similar Medicare buy-in option; and (3) giving Americans 55 and over who have lost their retiree benefits after they retire access to their former employers' health insurance.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JAN-1998 08:36:29.00

SUBJECT: UPDATE of Congressional SOTU rollout

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/26/98 08:37 AM -----

JANET MURGUIA

01/24/98 08:57:52 PM

Record Type: Record

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

cc:

Subject: UPDATE of Congressional SOTU rollout

Message Sent

To: _____

- Bruce N. Reed/OPD/EOP
- Elena Kagan/OPD/EOP
- Jason S. Goldberg/WHO/EOP
- John Podesta/WHO/EOP
- Sylvia M. Mathews/WHO/EOP
- Douglas B. Sosnik/WHO/EOP
- Craig T. Smith/WHO/EOP
- Ann F. Lewis/WHO/EOP
- Stacie Spector/WHO/EOP
- Ann F. Walker/WHO/EOP
- Paul E. Begala/WHO/EOP
- Rahm I. Emanuel/WHO/EOP
- Carole A. Parmelee/WHO/EOP
- Franklin D. Raines/OMB/EOP
- Gene B. Sperling/OPD/EOP
- Jacob J. Lew/OMB/EOP
- Maria Echaveste/WHO/EOP
- Mickey Ibarra/WHO/EOP
- Minyon Moore/WHO/EOP
- Robert M. Shireman/OPD/EOP
- Michael Cohen/OPD/EOP
- Erskine B. Bowles/WHO/EOP
- Michael D. McCurry/WHO/EOP
- Amy W. Tobe/WHO/EOP
- Monica M. Dixon/OVP @ OVP
- Kay Casstevens/OVP @ OVP
- Sara M. Latham/WHO/EOP

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

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

Hill Briefings on the State of the Union

MONDAY

- 10:00 am House Policy Staff - Legislative Directors, Administrative Assistants, and select Committee Staff
Cannon Caucus Room, Rm 345
White House Participants: Reed/Kagan, Sperling/Lew, Begala, Murguia
- 11:30 am Senate Policy Staff - Legislative Directors, Administrative Assistants, and select Committee Staff
562 Dirkson Senate Office Building
White House Participants: Reed/Kagan, Sperling/Lew, Begala, Murguia
- 1:00 pm Congressional Hispanic Caucus
Member Conference Call
White House Participants: Murguia, Sperling, Raines, Riley, Reed, Echaveste, Ibarra, Shireman, Cohen
- 1:30 pm New Democrats Coalition (Co-Chairs Roemer, Dooley, Moran plus approx. 20 to 30 Members)
2168 Rayburn House Office Building (Gold Room)
White House Participants: VPOTUS, Kay Casstevens, Dave Thomas, Rick Gonzales, Janet Murguia
- TBD pm Congressional Black Caucus
Member Conference Call
White House Participants: Raines, Sperling, Kagan, Moore, Murguia (alert-- Mathews/Bowles)
- TBD pm Congressman Gary Condit, Blue Dog Coalition Chair
Phone call
White House Contact: Bruce Reed or Monica Dixon
- TBD pm Congresswoman Patsy Mink, Asian Pacific Caucus Chair
Phone Call
White House Contact: Janet Murguia
- TBD pm Congressman Bernie Sanders, Progressive Caucus Chair
Phone Call
White House Contact: Erskine Bowles

TUESDAY

TBD AM/PM Targeted Members and Senators

Phone Calls

White House Participants: Cabinet Secretaries and Senior Staff

[Assignments on Monday]

2:00 pm House and Senate Democratic Leadership Members

US Capitol, S-214 (Daschle's Conference Room)

White House Participants: TBD

5:00 pm House and Senate Democratic Press Secretaries

US Capitol, SC-5

White House Participants: Lewis, McCurry, Weiss-Tobey, Begala, Murguia

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-JAN-1998 15:12:06.00

SUBJECT: SOTU Attendance Instructions

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/27/98 03:12 PM -----

Laura A. Graham
01/27/98 12:11:47 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: SOTU Attendance Instructions

The following staff members have been approved to attend the SOTU speech and will be receiving floor passes this afternoon by the Office of Legislative Affairs. Please make sure that your principals follow these specific instructions for tonight to ensure that the evening runs smoothly. If you do not receive your ticket and are on the below list please let me know asap. If you have any other questions please do not hesitate to call me at x62349. Thanks for your help!

- 1) You must have a floor pass to attend. If you have not been approved and do not have a floor pass than you will not be allowed inside the Capital, so please do not get into the motorcade.
- 2) For those who have passes, please report to the Diplomatic Reception Room NO LATER THAN 8:10 PM to meet the motorcade. Upon request from the Hill, you must travel to the speech in the President's motorcade.
- 3) Upon arrival at the Capital, staff members will meet you and escort you to the appropriate area inside.
- 4) Upon completion of the President's speech, you are welcome to return to the White House in the motorcade. Again, staff will be available to direct you.

Staff List
 John Podesta
 Sylvia Mathews
 Sandy Berger
 Gene Sperling
 Melanne Verveer
 Bruce Reed
 Jack Lew
 Susan Liss
 Cheryl Mills
 Kris Engskov
 Rahm Emanuel
 Doug Sosnik
 Paul Begala

Sidney Blumenthal
Goody Marshall
Stephen Silverman
Ann Lewis
Michael Waldman
Jordan Tamagni
Bruce Lindsey
Dan Tarullo
Capricia Marshall
Mickey Ibarra
Virginia Apuzzo
Craig Smith
Bob Nash
Michael McCurry
Maria Echaveste
Stephanie Streett
Todd Stern
Katie McGinty
Jack Gibbons
Nancy Hernreich
Lanny Bruer
Jim Steinberg
Tony Blinken
Charles Ruff
Janis Kearny
Elena Kagan
Barbara Chow
Debi Schiff
Betty Currie
Carolyn Huber
Vicki Radd
Paul Tuchman
Janet Murguia
Don Goldberg
Martha Foley
Lucia Wyman
Al Maldon

Message Sent

To:

John Podesta/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Cheryl D. Mills/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Paul E. Begala/WHO/EOP
Sidney Blumenthal/WHO/EOP
Thurgood Marshall Jr/WHO/EOP
Stephen B. Silverman/WHO/EOP
Ann F. Lewis/WHO/EOP
Michael Waldman/WHO/EOP
Jordan Tamagni/WHO/EOP
Bruce R. Lindsey/WHO/EOP
Daniel K. Tarullo/OPD/EOP
Capricia P. Marshall/WHO/EOP
Mickey Ibarra/WHO/EOP
Virginia Apuzzo/WHO/EOP
Craig T. Smith/WHO/EOP
Bob J. Nash/WHO/EOP
Michael D. McCurry/WHO/EOP

Maria Echaveste/WHO/EOP
Stephanie S. Streett/WHO/EOP
Todd Stern/WHO/EOP
Kathleen A. McGinty/CEQ/EOP
John H. Gibbons/OSTP/EOP
Nancy V. Hernreich/WHO/EOP
Antony J. Blinken/NSC/EOP
Charles F. Ruff/WHO/EOP
Elena Kagan/OPD/EOP
Barbara Chow/OMB/EOP
Debra A. Schiff/WHO/EOP
Betty W. Currie/WHO/EOP
Carolyn Huber/WHO/EOP
Victoria Radd/WHO/EOP
Paul A. Tuchmann/WHO/EOP
Janet Murguia/WHO/EOP
Donald Goldberg/WHO/EOP
FOLEY_M @ A1 @ CD @ LNGTWY
Lucia A. Wyman/WHO/EOP
Alphonse J. Maldon/WHO/EOP
Susan M. Liss/OVP @ OVP
Jacob J. Lew/OMB/EOP
Gene B. Sperling/OPD/EOP

Message Copied

To:

Sara M. Latham/WHO/EOP
June G. Turner/WHO/EOP
Michelle Crisci/WHO/EOP
Terri J. Tingen/WHO/EOP
Eleanor S. Parker/WHO/EOP
Ruby Shamir/WHO/EOP
Kevin S. Moran/WHO/EOP
Elisabeth Steele/WHO/EOP
Dominique L. Cano/WHO/EOP
Laura K. Demeo/WHO/EOP
Marjorie Tarmey/WHO/EOP
Melissa M. Murray/WHO/EOP
Kristen E. Panerali/OPD/EOP
Laura D. Schwartz/WHO/EOP
Suzanne Dale/WHO/EOP
Christopher J. Lavery/WHO/EOP
Darby E. Stott/WHO/EOP
Lori L. Anderson/WHO/EOP
Mary Morrison/WHO/EOP
Michael V. Terrell/CEQ/EOP
Carolyn E. Cleveland/WHO/EOP
Edward F. Hughes/WHO/EOP
Jennifer C. Poole/NSC/EOP
HILLIARD_B @ A1 @ CD @ LNGTWY
Stacey L. Rubin/WHO/EOP
Jeffrey A. Forbes/WHO/EOP
Rebecca A. Cameron/WHO/EOP
Peter A. Weissman/OPD/EOP
Cathy R. Mays/OPD/EOP
Katharine Button/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 27-JAN-1998 15:11:46.00

SUBJECT: URGENT

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 01/27/98 03:12
PM -----

Kevin S. Moran
01/27/98 01:54:28 PM
Record Type: Record

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

Two important changes. If at all possible please use this version
outside the White House. k

Message Sent

To: _____
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
VINCA S (Pager) #LAFLEUR
Thomas D. Janenda/WHO/EOP
Glen M. Weiner/WHO/EOP
Robin J. Bachman/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
Stephen B. Silverman/WHO/EOP
Katherine Hubbard/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
Emily Bromberg/WHO/EOP
Fred DuVal/WHO/EOP
Sky Gallegos/WHO/EOP
Cecily C. Williams/WHO/EOP
Jeffrey A. Forbes/WHO/EOP
Susan A. Brophy/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
D. Stephen Goodin/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
Karen E. Finney/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
Victoria Radd/WHO/EOP
Peter Rundlet/WHO/EOP
Audrey T. Haynes/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
Suzanne Dale/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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D63]MAIL47547562K.026 to ASCII,
The following is a HEX DUMP:

FF5750437E050000010A020100000002050000000B3F0000000200002083ED9C49984808F5481F

http://172.28.127.30:8082/ARMS/servlet/getEmailArchive?URL_PATH=/nlcp-1/Arms405/who/WHO_1998...

**TALKING POINTS
STATE OF THE UNION ADDRESS**

January 26, 1998

**THE PRESIDENT'S STATE OF THE UNION ADDRESS IS A CONCRETE PLAN OF ACTION
THAT IDENTIFIES OUR PRIORITIES AND APPROACHES TO KEY ISSUES**

- **We have a unique moment in time to prepare America for the 21st Century. Under President Clinton's leadership, America has achieved an unprecedented period of peace and prosperity:**
 - the strongest economy in a generation;
 - the first balanced budget in a generation;
 - crime rates at their lowest levels in 24 years;
 - welfare rolls down by 4.3 million people;
 - unemployment at its lowest level in more than two decades;
 - deficit cut by more than 90 percent;
 - unrivaled world leadership.
- **This is an opportunity for action. The President's State of the Union address will challenge us to use this unique moment in time as an opportunity to prepare for the next century. It builds on the new kind of government President Clinton is creating -- a leaner, more flexible government. One that does not try to do everything. One that gives Americans the tools and conditions needed to make the most of their own lives.**
- **At the center of President Clinton's vision for a stronger America are three goals:**
 - an economy that honors opportunity;
 - a society rooted in responsibility;
 - and, a nation that lives as a community.

**HERE IS HOW THESE GOALS FIT INTO PRESIDENT CLINTON'S VISION OF
A STRONGER AMERICA IN THE 21ST CENTURY:**

- **An Economy that offers more opportunity. The President will outline a plan for building a stronger, more prosperous America. Central to his strategy is:**
 - **Driving the budget deficit down to 0. During the first 5 years -- by making tough choices and fiscally responsible policies -- President Clinton took the nation's budget deficit down from \$290 billion to \$23 billion. This year, President Clinton will make history and give the American people their first balanced budget in 30 years.**
 - **Reserving any budget surplus until Social Security is reformed. President Clinton is deeply committed to ensuring that Social Security remain a viable,**

effective program, providing retirement security for all Americans in the 21st century. That is why he is calling on Congress to secure Social Security for future generations as a first priority.

- **Investing in the American people through education and training.** Education is the key to opportunity. Tomorrow, President Clinton will ask us to make our public elementary and secondary schools the best in the world -- by raising standards, raising expectations and raising accountability. He will call for:
 - voluntary national testing;
 - 100,000 new teachers in grades 1-3;
 - a School Construction Tax Cut to help rebuild, modernize, and build new schools;
 - a mentoring program;
 - continued college access expansion, so that every American who wants to can go to college.
- **Tearing down trade barriers to open new markets for American products and workers.** The President's plan seeks to renew his negotiating authority to open even more foreign markets to American goods and services. When countries hurt by economic instability are willing to undertake serious efforts to put their own economic houses in order, the President's plan calls for responsible action to give them a chance to implement their reforms. It also includes initiatives to enable all Americans to share in the prosperity of the global marketplace. Building on the funding for training we have provided to dislocated workers, the President will challenge Congress to pass the GI Bill for Workers to give workers a simple grant so they can move more quickly to newer, better jobs.
- **A Society that Acts Responsibly.** The President is intent on helping create a society that acts responsibly. To enforce this commitment, the President's plan will:
 - **Continue moving people from welfare to work.** Challenge thousands more businesses to join the 3000 companies already in our welfare-to-work partnership.
 - **Health Care Consumer Bill of Rights.** The President called on Congress to pass federally enforceable consumer health care protections before it adjourns this year. This Health Care Bill of Rights should contain a range of protections, including guaranteed access to needed health care specialists to ensure that patients are provided appropriate high quality care and access to emergency room services when and where they need it.
 - **Access to affordable, quality health care.** Providing new options for Americans ages 55 to 65 to obtain Health Insurance, including opportunities to buy into Medicare.
 - **An historic child care initiative.** To improve child care for America's working families the President is proposing approximately \$20 billion over five years for child care, including elements to help working families

and imagine the future.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-JAN-1998 10:35:28.00

SUBJECT: Sally Katzen

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

TEXT:

please schedule

----- Forwarded by Elena Kagan/OPD/EOP on 01/27/98 10:35
AM -----

Wendy A. Taylor 01/27/98 09:44:51 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Sally Katzen

Message Sent

To:

All OMB Users
Sarah A. Bianchi/OPD/EOP
Lisa M. Brown/OVP @ OVP
Bradley M. Campbell/CEQ/EOP
Lynn G. Cutler/WHO/EOP
Toby Donenfeld/OVP @ OVP
Shelley N. Fidler/CEQ/EOP
Clifford J. Gabriel/OSTP/EOP
John H. Gibbons/OSTP/EOP
Donald H. Gips/OVP @ OVP
Peter G. Jacoby/WHO/EOP
Christopher C. Jennings/OPD/EOP
Elena Kagan/OPD/EOP
Ron Klain/OVP @ OVP
Linda Lance/CEQ/EOP
Rachel E. Levinson/OSTP/EOP
Randall W. Lutter/CEA/EOP
William P. Marshall/WHO/EOP
Kathleen A. McGinty/CEQ/EOP
Adele C. Morris/CEA/EOP
Janet Murguia/WHO/EOP
John Podesta/WHO/EOP
Victoria Radd/WHO/EOP
Sara M. Latham/WHO/EOP
Sarah J. Reber/CEA/EOP
Barry J. Toiv/WHO/EOP
June G. Turner/WHO/EOP
Wesley P. Warren/CEQ/EOP
Robert N. Weiner/WHO/EOP
Paul J. Weinstein Jr./OPD/EOP
Morley A. Winograd/OVP @ OVP
Janet L. Yellen/CEA/EOP
Jonathan A. Kaplan/OPD/EOP
Tracey E. Thornton/WHO/EOP
Karen Tramontano/WHO/EOP
Stephen B. Silverman/WHO/EOP

Kris M Balderston/WHO/EOP
FOLEY_M @ A1@CD@LNGTWY
Lucia A. Wyman/WHO/EOP
Maria Echaveste/WHO/EOP
Doris O. Matsui/WHO/EOP
Phillip Caplan/WHO/EOP
Todd Stern/WHO/EOP
Michele Jolin/CEA/EOP
John L. Hilley/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JAN-1998 16:55:24.00

SUBJECT: Re: budget rollout

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D65]MAIL44421792M.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: 2-FEB-1998 19:03:12.00

SUBJECT: bill analysis

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

TEXT:

please print with attachments

----- Forwarded by Elena Kagan/OPD/EOP on 02/02/98 07:04
PM -----

Thomas L. Freedman
02/02/98 05:38:31 PM
Record Type: Record

To: Elena Kagan/OPD/EOP, Jerold R. Mande/OSTP/EOP
cc: Laura Emmett/WHO/EOP, Mary L. Smith/OPD/EOP
Subject: bill analysis

NIH analysis of Feinstein bill and side by side.
----- Forwarded by Thomas L. Freedman/OPD/EOP on 02/02/98
05:37 PM -----

Rachel E. Levinson 02/02/98 04:18:14 PM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP
cc:
Subject: bill analysis

just got it.
----- Forwarded by Rachel E. Levinson/OSTP/EOP on
02/02/98 04:17 PM -----

Skirboll @ odltml.od.nih.gov
02/02/98 03:27:06 PM

Record Type: Record

To: levinson
cc: wraub @ osaspe.dhhs.gov
Subject: bill analysis

Here is our analysis of the Feinstein Bill and a side by side on all of the Bill be know about to date. (Bill the analysis of the Feinstein bill is slightly changed from the earlier version.) Please let us know if there is anything else you need.

lana

SCIENTIFIC ANALYSIS OF CLONING BILL PROPOSED BY SENATOR FEINSTEIN

A BILL

To prohibit any attempt to create a human being using somatic cell nuclear transfer, to provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in human beings, and for other purposes.

The phrase "attempt to create a human being" could be interpreted by certain factions as an attempt to create an embryo, although this distinction is cleared up in the prohibitions section.

SECTION 1. Short Title

This Act may be cited as the "Prohibition on Cloning of Human Beings Act of 1998".

This title is succinct and accurate, unlike the titles of other bills, such as the "Human Cloning Prohibition Act" which could imply prohibition of inadvertent twinning of some infertility treatments.

SEC. 2. Findings

This section accurately recounts the findings of the NBAC on cloning.

SEC. 3. Purposes.

It is the purpose of this Act to—

- (1) prohibit any attempt to create a human being using somatic cell nuclear transfer cloning; and
- (2) provide for further review of the ethical and scientific issues associated with the use of somatic cell nuclear transfer in humans.

Once again, the phrase "attempt to create a human being" could be interpreted by certain factions as an attempt to create an embryo.

SEC. 4. Definitions.

In this Act:

- (1) Cloning— the production of a precise genetic copy of a molecule (including DNA), cell, tissue, plant, animal or human.

Some scientists might argue that cloning is not a "precise" genetic copy, due to the invariable mistakes made in replicating DNA, and some would argue that a human is an animal, but this definition does not pose any negative implications for research.

(2) Nucleus– the cell structure that houses the chromosomes, and thus the genes.

Accurate for the purposes of this Act, but there are genes outside of the nucleus (mitochondrial genes.)

(3) Oocyte–the female germ cell, the egg.

Would this definition include immature oocytes? If it did not, this could possibly allow somatic cell nuclear transfer to create a human being to take place with an immature oocyte.

(4) Somatic cell–a mature, diploid cell.

Not entirely clear what “mature” means. If it means “differentiated” this would allow somatic cell nuclear transfer to create a human being using an undifferentiated embryo cell, which could allow for treatment of infertility due to mitochondrial diseases.

(5) Somatic cell nuclear transfer–transferring the nucleus of a somatic cell of an existing or previously existing human child or adult into an oocyte from which the nucleus has been removed.

This language could allow (if one does not consider an embryo an existing human child) the use of this technology to treat infertility due to mitochondrial defects. Perhaps a small point of semantics, but does “transferring the nucleus of a somatic cell” include the fusion of a somatic cell with an oocyte? This is how Dolly was created. Perhaps could clarify by adding “or fusion of a somatic cell with an oocyte from which the nucleus...”

SEC. 5. Prohibition.

It shall be unlawful for any person or other legal entity, public or private, to implant or attempt to implant the product of somatic cell nuclear transfer into a woman’s uterus.

This prohibition clearly states the scientific intent of the legislation, and avoids the question of when life begins or what “creating a human being” really means. It also clearly prohibits an act or an attempt at action, which is easy to assess, rather than an “intent” to act. This would protect researchers and others from being second-guessed about their intentions. This would allow the private sector to use somatic cell nuclear transfer technology to develop therapeutic cell lines for the treatment of many disorders via tissue transplantation. If the definition of somatic cell is interpreted as a differentiated diploid cell, and if “existing human child” is not interpreted to include an embryo, this would also allow the use of this technology to treat infertility due to mitochondrial diseases. One possible concern is that this would not prohibit attempts to implant such a product to an animal’s uterus.

SEC. 6. Protected Biomedical Research.

Nothing in this Act shall be construed to restrict areas of biomedical and agricultural research or

practice not expressly prohibited in this Act, including research or practices that involve—

(1) the use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues; or

(2) the use of somatic cell nuclear transfer techniques to create animals.

The inclusion of the phrase “or practices” protects activities such as animal husbandry or IVF that may not be considered research. Allowing the use of this technology “to clone molecules, DNA, cells, and tissues” would allow the private sector to pursue this technology to develop therapeutic tissues as mentioned above. Allowing the use of this technology to create animals will allow the continuation of a thriving research base in animal husbandry and transgenic animals for the production of therapeutic products and animal models. However, as mentioned previously, one could argue that a human being is an animal.

SEC. 7. Penalties.

(a) In General—Any person who intentionally violates the provision of section 5 shall be fined the greater of \$250,000 or 2 times the gross pecuniary gain or loss resulting from the violation.

(b) Civil Actions—If a person is violating or about to violate the provisions of section 5, the Attorney General may commence a civil action in an appropriate Federal district court to enjoin such violation.

(c) Forfeiture—any property, real or personal, derived from or used to commit a violation or attempted violation of the provisions of section 5, or any property traceable to such property, shall be subject to forfeiture to the United States in accordance with the procedures set forth in chapter 46 of title 18, U.S. Code.

(D) Authority—The Attorney General shall have exclusive, nondelegable enforcement authority under this Act.

(E) Advisory Opinions—The Attorney General shall, upon request, render binding advisory opinions regarding the scope, applicability, interpretation, and enforcement of this Act with regard to specific research projects or practices.

This section uses phrases such as “attempted violation.” The prohibition already includes the attempt to implant the product to a uterus. Would this then allow civil actions or forfeitures of “attempts at attempts” and would this lead to the difficult question of intentions on a researcher’s part?

SEC. 8. Cooperation with Foreign Countries.

It is the sense of Congress that the President should cooperate with foreign countries to enforce mutually supported restrictions on the activities prohibited under section 5.

SEC. 9. National Bioethics Advisory Commission Report.

Not later than 4 ½ years after the date of enactment of this Act, the National Bioethics Advisory Commission shall prepare and submit to the President a report concerning—

(1) the state of the science of somatic cell nuclear transfer;

(2) the ethical and social issues associated with the potential use of this technology in

humans; and

(3) the advisability of continuing the prohibition established in the Act.

The Commission is authorized to continue for the 10-year period described in section 12 to prepare such a report and for other purposes as established in Executive order 122975 and subsequent amendments to such Order.

Suggest adding provisions for additional review by NBAC after the initial report, particularly since the first report may still find insufficient scientific evidence of safety. Language could state "Not later than 4 ½ years after the date of enactment of this Act, and at intervals after that as necessary,..." Perhaps could broaden the nature of the report to include the state of the science of cell and tissue therapies to further investigate the potential for this technology. "Executive order 122975" may include a typo--NBAC's Website states the EO number as 12975.

SEC. 10. Right of Action.

Nothing in this Act shall be construed to give any individual or person a private right of action.

SEC. 11. Preemption of State Law.

The provisions of this Act shall preempt any state law which prohibits or limits research or practices regarding somatic cell nuclear transfer, human cloning, cloning of molecules, DNA, cells, or tissues, the use of somatic cell nuclear transfer techniques to develop animals, or related research.

This would prohibit poorly written State laws from prohibiting the cloning of DNA, cells or tissues (as a recent Florida bill would have done) or from prohibiting the private sector from investigating this technology for the development of therapeutic tissues or cells.

SEC. 12. Effective Date.

This Act shall be effective for the 10 year period beginning on the date of enactment of this Act. The prohibitions contained in this Act shall terminate at the expiration of such 10-year period.

COMPARISON OF PROPOSED CLONING LEGISLATION

Bill Number	(White House)	(Feinstein)	HR 922	HR 923	S 368	S 1574
Title	Cloning Prohibition Act of 1997	Prohibition on Cloning of Human Beings Act of 1998	Human Cloning Research Prohibition Act	Human Cloning Prohibition Act	Human Cloning Prohibition Act of 1998	Human Cloning Prohibition Act
Sponsor	William Clinton (Not yet sponsored)	Dianne Feinstein (D-CA)	Vernon Ehlers (R-MI)	Vernon Ehlers (R-MI)	Christopher (Kit) Bond (R-MO)	Ben Nighthorse Campbell (R-CO)
Findings	NBAC Report	NBAC Report	none	none	none	Congress finds that the Federal Govt has a moral obligation to the nation to prohibit the cloning of humans.
Purposes	To prohibit any attempt to create a human being using somatic cell nuclear transfer cloning; and to provide for further review of the ethical and scientific issues associated with its use.	To prohibit any attempt to create a human being using somatic cell nuclear transfer cloning; and to provide for further review of the ethical and scientific issues associated with its use.	To prohibit the obligation or expenditure of Federal funds to conduct or support any project of research that includes the use of a human somatic cell nuclear transfer technology to produce an embryo.	To prohibit the cloning of humans.	To prohibit any attempt to create an embryo using human somatic cell nuclear transfer, protect research	To prohibit the cloning of humans.
Definitions	Cloning ⁱ ; Somatic cell ⁱⁱ ; Somatic cell nuclear transfer ⁱⁱⁱ	Cloning ^{iv} , Nucleus ^v , Oocyte ^{vi} , Somatic cell ^{vii} , Somatic cell nuclear transfer ^{viii}	Human somatic cell nuclear transfer ^{ix} , Somatic cell ^x	none	Embryo ^{xi} , Human somatic cell nuclear transfer ^{xii} , Oocyte ^{xiii} , Somatic cell ^{xiv}	Clone & Cloning ^{xv}
Prohibitions	Unlawful for any public or private individual or entity to perform or use somatic cell nuclear transfer with the	Unlawful for any person or other legal entity, public or private, to implant or attempt to implant the product of somatic cell	Prohibition against obligation or expenditure of Federal funds to conduct or support any project of research that includes the use of	Prohibition against the use of a human somatic cell for the process of producing	Unlawful for any person or entity, public or private, to knowingly use human somatic cell	Unlawful for any person to clone a human being or conduct research for the purpose of cloning a

Bill Number	(White House)	(Feinstein)	HR 922	HR 923	S 368	S 1574
	intent of introducing the product into a woman's womb or in any other way creating a human being.	nuclear transfer into a woman's uterus.	a human somatic cell nuclear transfer technology to produce an embryo.	a human clone.	nuclear transfer to produce an embryo or to knowingly purchase or sell an ovum, embryo, or fetus for that purpose, or obligate or expend Federal funds on research that includes that purpose.	human being or otherwise creating a human embryo; no Federal funds may be obligated or expended to knowingly conduct or support any project of research for the above purposes.
Protected Research	The use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues; or the use of somatic cell nuclear transfer techniques to create animals.	The use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, and tissues; or the use of somatic cell nuclear transfer techniques to create animals.	The use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, other than human embryo cells, or tissues; or the use of somatic cell nuclear transfer techniques to create animals other than humans.	none	The use of somatic cell nuclear transfer or other cloning technologies to clone molecules, DNA, cells, other than human embryo cells, or tissues; or the use of somatic cell nuclear transfer techniques to create animals other than humans.	none
Preemption of State Laws	none	Preempt any state law which prohibits or limits research or practices regarding somatic cell nuclear transfer, human cloning, cloning of molecules, DNA, cells, or tissues, the use of somatic cell nuclear transfer techniques to develop animals, or related research.	none	none	none	none

Bill Number	(White House)	(Feinstein)	HR 922	HR 923	S 368	S 1574
Penalties Specified	Fines (the greater of \$250,00 or 2X gross gain or loss), Civil Action by the AG, forfeiture of property derived from or used to commit act.	Fines (the greater of \$250,00 or 2X gross gain or loss), Civil Action by the AG, forfeiture of property derived from or used to commit act.	none	Civil money penalty not to exceed \$5,000.	Fines, up to 5 years in prison, forfeiture of property from or used to commit violation.	Civil money penalty not to exceed \$5,000 for each violation; ineligibility for Federal funds for 5 years after violation.
Effective Date	Date of Enactment--Applies to acts performed within 5 years after that date.	Act is effective for the 10 year period after the its enactment and will terminate at the expiration of 10 years.	none mentioned	none mentioned	none mentioned	none mentioned
Provisions for Review	Review by NBAC 4 ½ years after enactment, on the state of the science of somatic cell nuclear transfer, the ethical and social issues associated with the potential use of this technology in humans, and advisability of continuing the prohibition established in the Act.	Review by NBAC 4 ½ years after enactment, on the state of the science of somatic cell nuclear transfer, the ethical and social issues associated with the potential use of this technology in humans, and advisability of continuing the prohibition established in the Act.	Review by NRC in agreement with the Director of NSF, not later than 5 years after the date of enactment, on the impact that the implementation of the Act has had on research and recommendations for any appropriate changes to the Act.	none	Review by Directors of NSF and NIH in agreement with NRC, not later than 5 years after enactment, on the impact that the implementation of the Act has had on research and recommendations for any appropriate changes to the Act.	None
Status	Legislative package was transmitted to Congress on June 9, 1997.		The bill was introduced on March 5, 1997, and jointly referred to the House Committees on Commerce, and Science. Hearings on substitution held July 22, 1997. Marked-up and passed out of the House Science Committee July	The bill was introduced on March 5, 1997, and jointly referred to the House Committees on Commerce, and Science.		The bill was introduced on January 27, 1998 and referred to the Senate Committee on Labor and Human Resources.

Bill Number	(White House)	(Feinstein)	HR 922	HR 923	S 368	S 1574
			29, 1997.			

PREPARED BY OSP

- i. Cloning--the production of a precise genetic copy of a molecule (including DNA), cell, tissue, plant, animal or human.
- ii. Somatic cell--any cell of the body other than germ cells (eggs or sperm.)
- iii. Somatic cell nuclear transfer--the transfer of a cell nucleus from a somatic cell into an egg from which the nucleus has been removed.
- iv. Cloning--the production of a precise genetic copy of a molecule (including DNA), cell, tissue, plant, animal or human.
- v. Nucleus--the cell structure that houses the chromosomes, and thus the genes.
- vi. Oocyte--the female germ cell, the egg.
- vii. Somatic cell--a mature, diploid cell.
- viii. Somatic cell nuclear transfer--transferring the nucleus of a somatic cell of an existing or previously existing human child or adult into an oocyte from which the nucleus has been removed.
- ix. Human somatic cell nuclear transfer-- transferring the nucleus of a human somatic cell into an oocyte from which the nucleus has been removed or rendered inert.
- x. Somatic cell--a cell of an embryo, fetus, child, or adult which is not and will not become a sperm or egg cell.
- xi. Embryo--The developing organism from the time of fertilization, or from the time of the single cell stage at the inception of growth and development of an organism, until significant differentiation has occurred.
- xii. Human somatic cell nuclear transfer--transferring the nucleus of a human somatic cell into an oocyte from which the nucleus has been removed or rendered inert.
- xiii. Oocyte--the mature female germ cell, the egg.

xiv.Somatic cell—any cell of an embryo, fetus, child, or adult that is not a germ cell or is not destined to become a germ cell.

xv.Clone & Cloning—the practice of creating or attempting to create a human being by transferring the nucleus from a human cell from whatever source into a human cell from which the nucleus has been removed for the purpose of, or to implant, the resulting product to initiate a pregnancy that could result in the birth of a human being.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-FEB-1998 17:41:27.00

SUBJECT: NEC Deputies Meeting

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/06/98 05:41
PM -----

Phyllis Kaiser-Dark
02/06/98 02:31:20 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Sandra L. Via/OMB/EOP, June G. Turner/WHO/EOP, Kristen E.
Panerali/OPD/EOP, Sara M. Latham/WHO/EOP
Subject: NEC Deputies Meeting

Sally Katzen has offically begun her duties as Deputy Director of the NEC today. She would like to have a one hour meeting with other NEC deputies as a meet/greet, review process, review agenda(s) totally unstructured meeting. We have reserved room 180, on Tuesday, February 10 at 5:00pm.

Please respond by e-mail or phone (395-4852) to provide your clearance information.

Message Sent

To: _____
summers @ 6221800@fax
KHiggins @ 2197659@fax
mallett @ 5011262@fax
lane @ 5011262@fax
MDowney @ 3663937@fax
FHansen @ 4013764@fax
MSmith @ 4013095@fax
EMoler @ 5866828@fax
DRobinson @ 7082706@fax
SEizenstat @ 6479763@fax
KThurm @ 6907755@fax
Frankel @ 3956958@fax
Frank @ 3956958@fax
fisher_richard @ ustr.gov@INET@LNGTWY
Jacob J. Lew/OMB/EOP
Sylvia M. Mathews/WHO/EOP
John Podesta/WHO/EOP
Daniel K. Tarullo/OPD/EOP
Shelley N. Fidler/CEQ/EOP
Elena Kagan/OPD/EOP
Jeffrey A. Frankel/CEA/EOP
Alvarez @ 2056802@fax
lang @ 3954549@fax
Jsteinberg @ 4569490@fax

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-FEB-1998 08:19:47.00

SUBJECT: Please Join us

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

TEXT:

please schedule

----- Forwarded by Elena Kagan/OPD/EOP on 02/09/98 08:19
AM -----

Jason S. Goldberg
02/07/98 03:12:05 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Please Join us

Please join Erskine B. Bowles, Sylvia Mathews, John Podesta, and the Chief of Staff's Office as we bid farewell and thank you to Victoria Radd.

DATE: Tuesday, February 10, 1998
TIME: 6:30 p.m.
WHERE: The Chief of Staff's Office

Message Sent

To: _____
Kevin S. Moran/WHO/EOP
Elizabeth R. Newman/WHO/EOP
Debra A. Schiff/WHO/EOP
Betty W. Currie/WHO/EOP
Russell W. Horwitz/OPD/EOP
Peter O'Keefe/WHO/EOP
LEAVY_D @ A1 @ CD @ LNGTWY.
Kay Casstevens/OVP @ OVP
Michael W. Williams/WHO/EOP
Eli G. Attie/OVP @ OVP
Virginia M. Terzano/OVP @ OVP
Nicholas R. Baldick/WHO/EOP
Janet L. Yellen/CEA/EOP
Kathleen A. McGinty/CEQ/EOP
Shelley N. Fidler/CEQ/EOP
Jonathan A. Kaplan/OPD/EOP
Nelson W. Cunningham/WHO/EOP
Steven J. Ronnel/WHO/EOP
Mary Morrison/WHO/EOP
Katherine Hubbard/WHO/EOP
David S. Beaubaire/WHO/EOP

Karin Kullman/WHO/EOP
ELKON_N @ A1 @ CD @ LNGTWY
Charles W. Burson/OVP @ OVP
Susan M. Liss/OVP @ OVP
Jacob J. Lew/OMB/EOP
Sally Katzen/OMB/EOP
novick_robert @ ustr.gov @ INET @ LNGTWY
leamond_nancy @ ustr.gov @ INET @ LNGTWY
ziegler_jay @ ustr.gov @ INET @ LNGTWY
Carole A. Parmelee/WHO/EOP
Jason S. Goldberg/WHO/EOP
Demond T. Martin/WHO/EOP
Dawn L. Smalls/WHO/EOP
Sara M. Latham/WHO/EOP
Beverly J. Barnes/WHO/EOP
Andrew J. Mayock/WHO/EOP
June G. Turner/WHO/EOP
Laura S. Marcus/WHO/EOP
Terri J. Tingen/WHO/EOP
Michelle Crisci/WHO/EOP
Peter Rundlet/WHO/EOP
Nelson Reyneri/WHO/EOP
Virginia Apuzzo/WHO/EOP
Paul E. Begala/WHO/EOP
Sidney Blumenthal/WHO/EOP
Maria Echaveste/WHO/EOP
John H. Gibbons/OSTP/EOP
Mickey Ibarra/WHO/EOP
Ron Klain/OVP @ OVP
Ann F. Lewis/WHO/EOP
Bruce R. Lindsey/WHO/EOP
Thurgood Marshall Jr/WHO/EOP
Michael D. McCurry/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Bob J. Nash/WHO/EOP
Bruce N. Reed/OPD/EOP
Craig T. Smith/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Gene B. Sperling/OPD/EOP
Todd Stern/WHO/EOP
Stephanie S. Streett/WHO/EOP
Daniel K. Tarullo/OPD/EOP
Michael Waldman/WHO/EOP
Emily Bromberg/WHO/EOP
Phillip Caplan/WHO/EOP
Lynn G. Cutler/WHO/EOP
Fred DuVal/WHO/EOP
Nancy V. Hernreich/WHO/EOP
Robert B. Johnson/WHO/EOP
Elena Kagan/OPD/EOP
KERRICK_D @ A1 @ CD @ LNGTWY
Joseph P. Lockhart/WHO/EOP
Ellen M. Lovell/WHO/EOP
Capricia P. Marshall/WHO/EOP
Doris O. Matsui/WHO/EOP
Cheryl D. Mills/WHO/EOP
Minyon Moore/WHO/EOP
Janet Murguia/WHO/EOP
Marsha Scott/WHO/EOP
Stephen B. Silverman/WHO/EOP
Karen E. Skelton/WHO/EOP
Stacie Spector/WHO/EOP
Barry J. Toiv/WHO/EOP

Karen Tramontano/WHO/EOP
Lanny A. Breuer/WHO/EOP
Meredith E. Cabe/WHO/EOP
Virginia R. Canter/WHO/EOP
Dawn M. Chirwa/WHO/EOP
Adam W. Goldberg/WHO/EOP
William P. Marshall/WHO/EOP
Sally P. Paxton/WHO/EOP
Robert N. Weiner/WHO/EOP
Jonathan R. Yarowsky/WHO/EOP
Kris M Balderston/WHO/EOP
BAKER_JA @ A1 @ CD @ LN GTWY
Melinda N. Bates/WHO/EOP
Robert S. Bell/OMB/EOP
BENJAMIN_D @ A1 @ CD @ LN GTWY
Antony J. Blinken/NSC/EOP
Lael Brainard/CEA/EOP
Charles H. Cole/WHO/EOP
Anne M. Edwards/WHO/EOP
Jeffrey A. Forbes/WHO/EOP
Thomas L. Freedman/OPD/EOP
Donald Goldberg/WHO/EOP
Kirk T. Hanlin/WHO/EOP
Jennifer L. Klein/OPD/EOP
Robert D. Kyle/OPD/EOP
VINCA S (Pager) #LAFLEUR
Sean P. Maloney/WHO/EOP
Linda L. Moore/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Jake Siewert/OPD/EOP
Richard Socarides/WHO/EOP
Jordan Tamagni/WHO/EOP
Tracey E. Thornton/WHO/EOP
Dominique L. Cano/WHO/EOP
Eleanor S. Parker/WHO/EOP
Ruby Shamir/WHO/EOP
Michelle Crisci/WHO/EOP
Virginia N. Rustique/WHO/EOP
Suzanne Dale/WHO/EOP
Scott R. Hynes/OVP @ OVP
Melissa M. Murray/WHO/EOP
Elisabeth Steele/WHO/EOP
June G. Turner/WHO/EOP
Lori L. Anderson/WHO/EOP
Ana M. Duque/WHO/EOP
Laura K. Demeo/WHO/EOP
Ora Theard/WHO/EOP
Edward F. Hughes/WHO/EOP
Terri J. Tingen/WHO/EOP
Peter A. Weissman/OPD/EOP
Russell W. Horwitz/OPD/EOP
Mary Morrison/WHO/EOP
Karin Kullman/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Kristen E. Panerali/OPD/EOP
Katharine Button/WHO/EOP
Paul A. Tuchmann/WHO/EOP
Melissa J. Prober/WHO/EOP
Angelique Pirozzi/WHO/EOP
Katherine Hubbard/WHO/EOP
Carolyn E. Cleveland/WHO/EOP
Carole A. Parmelee/WHO/EOP
MITSLER_E @ A1 @ CD @ LN GTWY

Ron Klain/OVP @ OVP
Dawn L. Smalls/WHO/EOP
Sara M. Latham/WHO/EOP
Beverly J. Barnes/WHO/EOP
Andrew J. Mayock/WHO/EOP
Laura S. Marcus/WHO/EOP
Karen C. Fahle/WHO/EOP
Rajiv Y. Mody/WHO/EOP
Jonathan E. Smith/WHO/EOP
Eli G. Attie/OVP @ OVP
Virginia M. Terzano/OVP @ OVP
Cathy R. Mays/OPD/EOP
Elena Kagan/OPD/EOP
Laura Emmett/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-FEB-1998 16:00:05.00

SUBJECT: Re: Varmus Qs and As

TO: Lucia A. Wyman (CN=Lucia A. Wyman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

I just talked to HHS and think we should defer to them. Thanks.

Talking Points on the Conrad Bill

- The President wants to sign a comprehensive tobacco bill that meets his five principles -- and most important, that includes a significant price increase to reduce youth smoking.
- The Conrad bill meets each of the President's five principles. The President is proud to support it and would gladly sign it.
- By introducing this very strong bill, Sen. Conrad has taken an important step toward the enactment of comprehensive tobacco legislation. His bill adds to the momentum for comprehensive legislation, and serves as a challenge to all other Members to work toward this goal.
- Of course, the President will also support other bills that meet his principles, whether introduced by Democrats or Republicans. His Administration will work with as many Members as possible on the issues involved in comprehensive legislation.
- The President, however, will not support piecemeal tobacco legislation. In particular, he will not support a bill without the significant price increase necessary to reduce youth smoking.

Q: Is the Administration adopting the Conrad bill as its own?

- The Conrad bill is a very strong bill; we support it; and we think it deserves broad congressional support. We'll get behind any bill that meets the President's five principles. We want to work with as many Members as we can, from both sides of the aisle, to adopt comprehensive tobacco legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-FEB-1998 11:35:05.00

SUBJECT: Re: NGA Message Meeting

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

READ:UNKNOWN

TEXT:

I'm out tomorrow too (traveling with the POTUS). We'll try to figure something out -- maybe Bruce will go himself.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-FEB-1998 12:25:08.00

SUBJECT: Re: NGA Message Meeting

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

READ:UNKNOWN

TEXT:

i'll tell him

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-FEB-1998 10:14:39.00

SUBJECT: paper for drug strategy radio address

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D97]MAIL409373446.026

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.D97]MAIL419373447.026 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.D97]MAIL439373448.026 to ASCII,

The following is a HEX DUMP:

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

===== ATTACHMENT 3 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D97]MAIL459373449.026 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-FEB-1998 10:14:53.00

SUBJECT: paper for drug strategy radio address

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

TEXT:

please print

----- Forwarded by Elena Kagan/OPD/EOP on 02/14/98 10:15 AM -----

Leanne A. Shimabukuro
02/13/98 08:51:46 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Jose Cerda III/OPD/EOP, Elena Kagan/OPD/EOP, Robert F. Housman/ONDCP/EOP, Charles A. Blanchard/ONDCP/EOP
Subject: paper for drug strategy radio address

Attached: 2-pager on announcement, Q&A, and accomplishments document.
Please let Jose' or me know if you have any questions. Thanks!

Message Sent

To: _____
Darby E. Stott/WHO/EOP
Joshua Silverman/WHO/EOP
Megan C. Moloney/WHO/EOP
Julia M. Payne/WHO/EOP
Christa Robinson/OPD/EOP
Michelle Crisci/WHO/EOP
Anne H. Lewis/OPD/EOP
Sylvia M. Mathews/WHO/EOP
Robin J. Bachman/WHO/EOP
June Shih/WHO/EOP

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D0]MAIL46047344H.026 to ASCII,
The following is a HEX DUMP:

FF575043570D0000010A02010000000205000000FE270000000200008AEA2D2194F84F4F91E769
45E3B76928A99BCBC9E01D7586282871497BC66857CC02F5F0E0993E7591EA13C596643F6D2B4E
BBDC7868EF7479857F378DACEE8EDDDC770FF86A0EAECEB21CF009CCC66ABF1C2ADFCB62F376F2
BC8B8DE0351AA9F8FE5EEBA2D25E416F0B1CD8A59FA2F9AC24C3FF794615F3E4DCBE455626BEE4
6652D6CE389082B34A6C47FF19CA3E765DD25D6A609AC8E31B4178FDF74E8A4C44310CC74AF569
298CB8DB1F5EA0495FD40291F31B71B697271B2FA4ACF728FC11B24FCCE62A0BCA389B0FC42660
E9809AB73BF429F46C2ADF5128DE78EC1852F022BD4107199F1DAAD239FB1AD46C9863EBE1887E

The 1998 National Drug Control Strategy

February 14, 1998

The National Drug Control Strategy's Five Goals

- | | |
|---------|--|
| Goal 1: | Educate and enable America's youth to reject illegal drugs as well as alcohol and tobacco. |
| Goal 2: | Increase the safety of America's citizens by substantially reducing drug-related crime and violence. |
| Goal 3: | Reduce health and social costs to the public of illegal drug use. |
| Goal 4: | Shield America's air, land, and sea frontiers from the drug threat. |
| Goal 5: | Break foreign and domestic drug sources of supply. |

Announcement: In his radio address to the nation, President Clinton released: (1) the 1998 National Drug Control Strategy, a comprehensive ten-year plan to reduce drug use and availability by half -- a historic new low. The plan is backed by a \$17 billion counter-drug budget -- the largest ever presented to Congress, with an increase of a billion dollars over last year's budget; and (2) the results of a Department of Justice study showing that Administration efforts to test and treat federal prisoners are working. The study found that prisoners who participated in the Bureau of Prisons residential testing and treatment program were 73% less likely to be re-arrested and 44% less likely to use drugs again.

Protecting America's Kids. The first goal of the Strategy is to educate and enable kids to reject drugs. Although current studies show that youth drug use rates may have started to decline, they remain unacceptably high. The Strategy gives parents the tools and support they need to teach their children that drugs are wrong, and can kill you. That is why the largest percentage increase in drug funding (15%) is for programs that target youth, including:

- \$195 Million National Youth Anti-Drug Media Campaign to make sure that when kids turn on the television, surf the "net," or listen to the radio, they learn about the dangers of drugs.
- \$50 Million for School Drug Prevention Coordinators to improve and expand the Safe and Drug-Free Schools program by hiring more than 1,000 new prevention professionals to work with schools in preventing drug use.

Shielding Our Borders. The Strategy will shut the door on drugs at the border by committing more manpower and resources to fighting drugs. The Strategy includes:

- \$163 Million for Border Patrol to hire 1,000 new Border Patrol officers and for "force multiplying" technology.
- \$54 Million for Advanced Technology for the Customs Service to deploy advanced technologies, such as X-ray systems and remote video surveillance.

- \$75.4 Million to Support Interdiction Efforts in the Andean region and Caribbean and to train Mexican counterdrug forces.

Strengthening Law Enforcement. The Strategy calls for increasing the safety of our citizens by reducing drug-related crime and violence. New initiatives include:

- \$38 Million to Crack Down on Methamphetamine and Heroin by hiring 100 new DEA agents, expanding the Administration's anti-methamphetamine initiative, and targeting heroin traffickers.

Breaking the Cycle of Drugs and Crime. The study released by the Department of Justice today confirms that the President's policy of coerced abstinence -- or testing and treating drug offenders -- is working. *The study found that of 1,866 prisoners in 30 different federal prisons, those that participated in a comprehensive drug testing and treatment program were 73% less likely to be re-arrested and 44% less likely to use drugs again in the first six months after their release.* That is why the Strategy calls for new funds to help states and local jurisdictions adopt coerced abstinence policies. It includes:

- \$85 Million to Promote Coerced Abstinence to help state and local governments implement drug testing, treatment, and graduated sanctions for drug offenders.

Closing the Treatment Gap. Drug dependence exacts an enormous cost on individuals, families, businesses, communities, and the nation. Treatment can help to end this dependence and reduce the destructive consequences of drug use. This year's strategy includes:

- A \$200 Million Increase for Substance Abuse Block Grants to help states close the treatment gap.

Enhancing Multinational Cooperation. The Strategy calls for continued U.S. leadership and assistance to strengthen the international anti-drug consensus, including:

- \$45 Million for International Programs for the Department of State to support nations involved in interdiction and counterdrug law enforcement.

1998 National Drug Strategy
Questions and Answers
February 14, 1998

1998 National Drug Strategy

Q. What is the President announcing today? What are the highlights of the new strategy?

A. In his radio address to the nation, President Clinton released the 1998 National Drug Control Strategy, a comprehensive ten-year plan to reduce drug use and availability by 50% -- to a historic new low. The ten-year plan is backed by a \$17 billion counter-drug budget, the largest ever presented to Congress, with an increase of a billion dollars over last year's budget.

Protecting Kids:

- \$195 Million National Youth Anti-Drug Media Campaign to make sure that when kids turn on the television or surf the "net," they learn about the dangers of drugs.
- \$50 Million for School Drug Prevention Coordinators to improve and expand the Safe and Drug-Free Schools program by hiring more than 1,000 new prevention professionals to work with schools in preventing drug use.

Strengthening Our Borders:

- \$163 Million for Border Patrol to hire 1,000 new Border Patrol officers and for "force multiplying" technology.
- \$54 Million for Advanced Technology for the Customs Service to deploy advanced technologies, such as X-ray systems and remote video surveillance.
- \$75.4 Million to Support Interdiction Efforts in the Andean region and Caribbean, and to train Mexican counterdrug forces.

Strengthening Law Enforcement:

- \$38 Million to Crack Down on Methamphetamine and Heroin by hiring 100 new DEA agents, expanding the Administration's anti-methamphetamine initiative, and targeting heroin traffickers.

Breaking the Cycle of Drugs and Crime:

- \$85 Million to Promote Coerced Abstinence to help state and local governments implement drug testing, treatment, and graduated sanctions for drug offenders.

Reducing the Supply of Drugs and Enhancing Multinational Cooperation:

- \$45 Million for International Programs for the Department of State to support nations involved in interdiction and counterdrug law enforcement.

Closing the Treatment Gap:

- \$200 Million Increase for Substance Abuse Block Grants to help states close the treatment gap.

Q. Doesn't your budget fall short of what is needed to implement your strategy and the corresponding performance measures?

A. No. The President's FY 99 budget supports the goals and objectives of the National Drug Control Strategy through increases in areas identified as funding priorities. The proposed FY 99 anti-drug budget is \$17.1 billion-- \$1.1 billion, or seven percent more than in FY 98. Our budget provides increases for all five goals of the Strategy, including drug treatment and prevention, domestic law enforcement, interdiction, and international programs. The budget provides the largest increase (15%) for the first goal of the national Strategy: to educate and enable our youth to reject illegal drugs as well as alcohol and tobacco.

Moreover, the budget is structured to enable the federal government to work with its State, local, foreign, and private partners in making progress towards the targets and performance measures contemplated in the Strategy and the performance measurement system. The performance measures should be viewed as goals for the nation -- not just the Federal government alone.

Q. What is the Strategy?

A. By law, the Office of National Drug Control Policy must provide the Congress with an annual report of the President's national drug control strategy and budget. There have been eight prior versions of the strategy.

Q. What are the performance measures?

A. The performance measures respond to a public call for results-oriented government. This means increased accountability and improved performance from our total drug control efforts. At the core of the performance measurement system are twelve targets that define specific results to be achieved by the *Strategy's* five goals. Over the long term, the performance measures will show the effectiveness of specific Federal, state, and local counterdrug programs.

The primary targets are a 50% reduction of drug use and availability, and at least a 25% reduction in damaging drug use consequences (e.g., crime rates associated with drug trafficking, health and social costs) over the next 10 years.

These targets were developed in consultation with federal drug-control agencies and reviewed by state and local agencies as well as drug-control experts.

Q. What makes you think you can cut drug use in half even over a ten-year period? Did you pick a ten year marker since President Clinton will no longer be in office by that time?

A. We believe that we can cut drug use in half over ten years in large part because we have already done so. From 1979 to 1996, the number of people using drugs dropped by 49 percent, and the number using cocaine dropped by 70 percent. The critical part of meeting this goal is preventing the next generation of young people from ever starting to use drugs. If we can do this, we will achieve the goal.

The ten-year marker reflects the fact that there is no quick fix to America's drug problem. Studies show that drug use patterns occur within generational cycles -- drug use falls off, and unless there is ongoing education, young people forget the dangers of drugs. The ten-year focus reflects the need for an enduring commitment. It is important to note that the performance markers include interim benchmarks -- to check on the efficacy of our efforts before the end of the ten-year period.

Prison Drug Testing/Treatment

Q. What does the Justice Department study say about the effectiveness of prison drug treatment?

A. According to a study from the Federal Bureau of Prisons (BOP), Federal inmates who participated in the BOP residential drug abuse treatment program during their incarceration were less likely to be re-arrested or to become involved in further drug use following their release. The study involved 1,866 inmates at more than 30 institutions.

Specifically, the study found that Federal inmates who completed the residential substance abuse treatment program were 73 percent less likely to be re-arrested and 44% less likely test positive for drugs in the first 6 months after release than similar inmates who did not receive this treatment.

Q. What is the residential drug abuse treatment program in the federal prison system?

A. The residential drug abuse treatment program is a comprehensive program that gives inmates up to 500 hours of treatment while in prison, and includes participation in community transitional services when the inmate is transferred to a halfway house prior to release. The treatment focuses on individual responsibility and changing future behavior. Currently, the BOP operates 42 residential treatment programs, with an annual capacity of over 6,000 participants.

Q. What has the Administration done to address the prisoner drug problem?

A. Last month, the President signed a directive to the Attorney General calling on her to take the necessary steps to:

- (1) Require states to determine the level of drug use in their prisons and report annually on their progress.
- (2) Give states the flexibility to use their federal prison funds for drug detection, offender testing, and drug treatment.
- (3) Work with states to enact stiffer penalties for drug trafficking into and within correctional facilities.

Moreover, the President's FY 99 budget will include \$197 million for a series of initiatives to promote coerced abstinence and treatment in the criminal justice system -- including \$85 million for a new drug testing and sanctions program for states and localities.

In addition, the President has taken numerous other actions to combat the problem of drug abuse by offenders involved in the criminal justice system including: doubling the number of federal arrestees drug tested in 24 judicial districts; fighting to launch a \$1 billion initiative to spread Drug Courts across the country; and expanding drug testing, intervention, and treatment in Federal prisons through his budgets and the 1994 Crime Act.

Q. Besides treatment, what are you doing about the drug problem in federal prisons?

A. Under the leadership of Attorney General Reno, the federal Bureau of Prisons is carrying out model programs in drug testing, drug treatment, and drug detection.

Drug Testing. In 1997, federal inmates were subject to 127,460 drug tests. Two percent of tests were positive, as compared to the 9 percent average for state correctional systems. Prisoners testing positive for drugs are appropriately punished and follow up tests are scheduled regularly to ensure they stay clean. Drug testing of correctional officers, and other selected employees is also an established policy in the Federal Bureau of Prisons.

Drug Detection. Innovative drug detection technology is being piloted at Bureau institutions. The Office of National Drug Control Policy is working with the Bureau to provide the states with information on the best ways to keep drugs out of prisons.

**PRESIDENT CLINTON:
FIGHTING DRUGS AND PROTECTING OUR COMMUNITIES**

A RECORD OF SUCCESS

- **Overall Drug Use is Down.** From 1979 to 1996, the number of people (12 and older) regularly using drugs in America has plummeted 49 percent, from 25.4 million to 13 million people. Similarly, the number of cocaine users has dropped 70 percent in the last decade (from 5.7 million in 1985 to 1.7 million in 1996).
- **Youth Drug Use Is Beginning to Reverse.** For the first time since 1992, illicit drug use among 12 to 17 year-olds has declined. Between 1995 and 1996, teen drug use fell from 10.9 percent to 9 percent.
- **Crack Use is Declining.** The most recent data from the Drug Use Forecasting Program show a decline in crack use by arrestees across the nation -- a good indication that the crack epidemic that began in 1987 has finally begun to abate.
- **Good News on Methamphetamine.** Meth use is down in the eight cities that had been suffering the highest increases in use: 52 percent drop in Dallas; 20 percent drop in San Jose; 19 percent in San Diego; 34 percent in Portland; and over 40 percent in Denver, Omaha and Phoenix.
- **Cocaine Production Decreasing.** In 1997, cocaine production in the Andean region, the primary cocaine producing area, decreased by as much as 100 tons from the previous year.
- **Spending on Drug Consumption is Down.** The most recent data shows the amount Americans spend buying illegal drugs is down roughly 37 percent from 1988 to 1995 -- a total decline of \$34.1 billion.
- **Drug-Related Crime in Decline.** According to the FBI, in 1992, there were 1,302 murders related to narcotics. By 1996, that number hit a low of 819.

HISTORIC AND HIGH PROFILE ANTI-DRUG STRATEGY

- *The Largest Anti-Drug Budgets Ever.* Year-in and year-out, President Clinton has proposed the largest anti-drug budgets ever. **Between 1996 and 1998, resources for drug control increased by 19 percent, from \$13.5 billion in FY 1997 to \$16 billion in FY98. The President's FY99 drug budget is \$17.1 billion, including increases of \$256 million for youth drug prevention, \$364 million for domestic law enforcement, and \$189 million for interdiction.**
- *Developed a Comprehensive National Drug Control Strategy.* For the first time ever, the *1998 Strategy* provides a ten-year plan to reduce drug use and its consequences in the United States by 50 -- to historic lows. This *Strategy* will reduce illegal drug use through law enforcement, prevention, treatment, interdiction and international efforts. This *Strategy* is backed by a five-year budget and performance benchmarks.

BUILDING HEALTHIER FUTURES FOR OUR CHILDREN AND COMMUNITIES

- **Targeting Young People with a \$195 Million National Anti-Drug Media Campaign.** The President is launching a massive national media campaign to motivate America's youth to reject illegal drugs and substance abuse. This unprecedented \$195 million paid media campaign relies on high-impact, anti-drug television and radio advertisements aired during prime-time. In June, the campaign will go nationwide.
- *Strengthening and Expanding the Safe and Drug-Free Schools and Communities Act.* President Clinton expanded the Drug-Free Schools Act into the Safe and Drug-Free Schools Act of 1994, making violence prevention a key part of this program. The Safe and Drug-Free Schools Program provides support for violence and drug

prevention programs to 97 of the nation's school districts. Schools use these funds to keep violence, drugs and alcohol away from students and out of schools.

STOPPING DRUGS FROM CROSSING OUR BORDERS

- **Put More Manpower and Resources into Fighting Drugs at the Border.** The number of Border Patrol agents guarding our Southwest Border has doubled-- from 3,389 in FY93 to 6,213 at the end of FY97. The number of Customs agents working on the Southwest Border has grown 16% from 2,000 in FY93 to 2,311 in FY97. The number of DEA, FBI, INS enforcement officers/agents and US marshals on the Southwest Border have also increased. Spending on Southwest Border counter-drug efforts has increased: Customs up 72 percent (FY93-97); FBI up 21 percent (FY93-97); DEA up 30 percent (FY93-97); INS up 96 percent (FY93-97); and US Attorneys up 45 percent (FY93-97). The FY99 budget adds to this 1,000 new Border Patrol agents, and \$54 million to Customs for advanced inspection technologies.
- **Keeping Drugs Off the Street -- Border Seizures Are Up.** The Clinton Administration has increased seizures of marijuana by 86 percent -- from 787,523 pounds in FY92 to 1,462,940 pounds in FY96. And seizures of heroin are up 32 percent -- from 1,157 kilograms in FY92 to 1,532 kilograms in FY96.

WORKING INTERNATIONALLY TO PROTECT AMERICANS AT HOME

- **Unprecedented Cooperation with Mexico to Fight Drugs.** President Clinton and President Zedillo have signed two first-ever, historic counter-drug agreements: a binational drug Threat Assessment and a binational Counter-Drug Alliance, and are developing a historic bilateral counter-drug strategy.
- **Standing Tough. Confronted with insufficient efforts to combat drugs and drug cartels, the Clinton Administration decertified Colombia -- sending a strong message about our commitment to fighting drugs.** Last year, the Clinton Administration successfully implemented "Zorro II," an effort to shut down a cocaine trafficking partnership between the Cali mafia and a major Mexican mafia trafficking organization.
- **Building a Hemispheric Commitment to Fight Drugs.** The Administration is working through the Summit of Americas Narcotics Action Plan, the 1996 Anti-Drug Strategy in the Hemisphere, and the 1997 OAS Anti-Drug Strategy to build a hemispheric strategy to combat drug use, production, trafficking and money laundering.

MAKING STREETS SAFE

- **Developed a Comprehensive Strategy to Combat the Trafficking and Abuse of Methamphetamine.** The President fought for and signed a methamphetamine strategy that increases penalties for trafficking in meth, and toughens the penalties for trafficking in those chemicals used to produce meth.
- **Mandatory Comprehensive State Drug Testing Plans for Prisoners and Parolees.** President Clinton fought for and signed legislation requiring states to submit drug testing plans for prisoners and parolees which would send them back to prison if they get back on drugs.
- **Putting 100,000 More Police on Our Streets.** The President's plan represents the federal government's biggest commitment ever to local law enforcement.
- **Expanded the High Intensity Drug Trafficking Areas Program (HIDTA).** Under the Clinton Administration's leadership, the number of designated High Intensity Drug Trafficking Areas -- which provides additional resources and federal law enforcement assistance to help drug-plagued communities combat drug trafficking -- has expanded significantly from 5 to 22 HIDTAs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-FEB-1998 10:14:39.00

SUBJECT: paper for drug strategy radio address

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D97]MAIL409373446.026

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.D97]MAIL419373447.026 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.D97]MAIL439373448.026 to ASCII,

The following is a HEX DUMP:

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

===== ATTACHMENT 3 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D97]MAIL459373449.026 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-FEB-1998 10:14:53.00

SUBJECT: paper for drug strategy radio address

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D0]MAIL45047344G.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.D0]MAIL46047344H.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.D0]MAIL47047344I.026 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 2 =====
===== ATTACHMENT 3 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D0]MAIL49047344J.026 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 3 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-FEB-1998 16:38:14.00

SUBJECT: Mtg on proposed Non-Discrimination Executive Order

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/17/98 04:38 PM -----

Richard Socarides 02/17/98 03:31:40 PM

Record Type: Record

To: Dawn L. Smalls/WHO/EOP
cc: Elena Kagan/OPD/EOP
Subject: Mtg on proposed Non-Discrimination Executive Order

As we discussed, John asked that we set up a meeting (1/2 hour), at the end of this week, to discuss positioning on DPC's proposed executive order banning sexual orientation discrimination in the federal civilian workforce.

He suggested we include the following, "and some others":

- John
- Richard
- Rahm
- Bruce Reed and/or Elena

I would also think about including:

- Sean Maloney (he's coordinating for staff secretary)
- Sylvia
- Ann Lewis
- Maria Echaveste
- Amy Tobe or press rep
- Ginny Apuzzo
- Ron Klain or VP rep
- Laura Marcus
- Chuck Ruff or rep

Thanks. R

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-FEB-1998 16:34:29.00

SUBJECT: Request for Mtg

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D60]MAIL42559674N.026
The following is a HEX dump of the file:

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Laura Emmett re: Request for Mtg (1 page)	02/17/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/09/1998-02/24/1998]

2009-1006-F
bm115

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-FEB-1998 14:55:52.00

SUBJECT: David Sarasohn, Oregonian

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D56]MAIL41850684L.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:20-FEB-1998 16:35:23.00

SUBJECT: CFR

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/20/98 04:35
PM -----

Jennifer R. Muller @ OVP
02/20/98 02:39:17 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: CFR

The next Campaign Finance Reform Taskforce meeting will take place on
Monday, February 23 at 3 pm in the Ward Room

Message Sent

To: _____
Peter G. Jacoby/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Paul E. Begala/WHO/EOP
William P. Marshall/WHO/EOP
Lisa M. Brown/OVP @ OVP
Marjorie Tarmey/WHO/EOP
Glen M. Weiner/WHO/EOP
Michael Waldman/WHO/EOP
Thomas D. Janenda/WHO/EOP
Craig T. Smith/WHO/EOP
Lynn G. Cutler/WHO/EOP
Donald H. Gips/OVP @ OVP
Morley A. Winograd/OVP @ OVP
Lisa M. Mallory/OVP @ OVP
Stacie Spector/WHO/EOP
Ann F. Lewis/WHO/EOP
Thomas L. Freedman/OPD/EOP
Charles W. Burson/OVP @ OVP
Jim Kohlenberger/OVP @ OVP
Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP

Message Copied

To: _____
Paul J. Weinstein Jr./OPD/EOP
Christopher J. Lavery/WHO/EOP
Ruby Shamir/WHO/EOP
Cathy R. Mays/OPD/EOP
Rachael E. Sullivan/OVP @ OVP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1998 16:22:13.00

SUBJECT: Bye-bye Stephen

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

TEXT:

please schedule

----- Forwarded by Elena Kagan/OPD/EOP on 02/23/98 04:21
PM -----

Rebecca A. Cameron
02/23/98 10:06:32 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Bye-bye Stephen

Please join us as we bid farewell to
Stephen Goodin
as he heads off to
the Big Apple

State Dining Room
Tuesday, February 24, 1998
4:00 pm - please be on time!
Please RSVP to me!

Message Sent

To: _____
Lori L. Anderson/WHO/EOP
Brenda M. Anders/WHO/EOP
Virginia Apuzzo/WHO/EOP
Kris M Balderston/WHO/EOP
Nicholas R. Baldick/WHO/EOP
Douglas J. Band/WHO/EOP
Beverly J. Barnes/WHO/EOP
Melinda N. Bates/WHO/EOP
Nancy V. Hernreich/WHO/EOP
David S. Beaubaire/WHO/EOP
Paul E. Begala/WHO/EOP
Anthony R. Bernal/WHO/EOP
Marsha E. Berry/WHO/EOP

Jill M. Blickstein/OMB/EOP
Antony J. Blinken/NSC/EOP
Sidney Blumenthal/WHO/EOP
Ananias Blocker III/WHO/EOP
Erskine B. Bowles/WHO/EOP
Emily Bromberg/WHO/EOP
Daniel W. Burkhardt/WHO/EOP
Katharine Button/WHO/EOP
Rebecca A. Cameron/WHO/EOP
Phillip Caplan/WHO/EOP
Laura K. Capps/WHO/EOP
Cheryl M. Carter/WHO/EOP
Dawn M. Chirwa/WHO/EOP
Nanda Chitre/WHO/EOP
Barbara Chow/OMB/EOP
Carolyn E. Cleveland/WHO/EOP
Michael Cohen/OPD/EOP
Brenda B. Costello/WHO/EOP
Kelly Craighead/WHO/EOP
Michelle Crisci/WHO/EOP
Betty W. Currie/WHO/EOP
Nelson W. Cunningham/WHO/EOP
Lynn G. Cutler/WHO/EOP
Michael Deich/OMB/EOP
Stephen C. Donehoo/ONDCP/EOP
Raymond E. Donnelly III/WHO/EOP
Fred DuVal/WHO/EOP
Maria Echaveste/WHO/EOP
Anne M. Edwards/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Paul K. Engskov/WHO/EOP
Karen E. Finney/WHO/EOP
Jeffrey A. Forbes/WHO/EOP
Diana Fortuna/OPD/EOP
Ben A. Freeland/WHO/EOP
Jeremy M. Gaines/WHO/EOP
Sky Gallegos/WHO/EOP
Grace A. Garcia/PIR/EOP
Kara Gerhardt/WHO/EOP
Jason S. Goldberg/WHO/EOP
Laura A. Graham/WHO/EOP
Kirk T. Hanlin/WHO/EOP
Nancy V. Hernreich/WHO/EOP
Russell W. Horwitz/OPD/EOP
Katherine Hubbard/WHO/EOP
Carolyn Huber/WHO/EOP
Mickey Ibarra/WHO/EOP
Marilyn R. Jacanin/WHO/EOP
Thomas D. Janenda/WHO/EOP
Christopher C. Jennings/OPD/EOP
Jon P. Jennings/WHO/EOP
Michele Jolin/CEA/EOP
Elena Kagan/OPD/EOP
Thomas A. Kalil/OPD/EOP
Jonathan A. Kaplan/OPD/EOP
Sally Katzen/OPD/EOP
Jennifer L. Klein/OPD/EOP
Karin Kullman/WHO/EOP
Robert D. Kyle/OPD/EOP
Sara M. Latham/WHO/EOP
Christopher J. Lavery/WHO/EOP
Lisa J. Levin/WHO/EOP
Ann F. Lewis/WHO/EOP

Bruce R. Lindsey/WHO/EOP
Ellen M. Lovell/WHO/EOP
Ira C. Magaziner/OPD/EOP
Sean P. Maloney/WHO/EOP
Laura S. Marcus/WHO/EOP
Thurgood Marshall Jr/WHO/EOP
Capricia P. Marshall/WHO/EOP
Demond T. Martin/WHO/EOP
Julie E. Mason/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Doris O. Matsui/WHO/EOP
Andrew J. Mayock/WHO/EOP
Cathy R. Mays/OPD/EOP
Barry R. McCaffrey/ONDCP/EOP
Kelli R. McClure/WHO/EOP
Michael D. McCurry/WHO/EOP
Kathleen A. McGinty/CEQ/EOP
Anne E. McGuire/WHO/EOP
Patricia A. McHugh/WHO/EOP
Estela Mendoza/WHO/EOP
R. Scott Michaud/WHO/EOP
Elisa Millsap/WHO/EOP
Cheryl D. Mills/WHO/EOP
Mona G. Mohib/WHO/EOP
Megan C. Moloney/WHO/EOP
Linda L. Moore/WHO/EOP
Minyon Moore/WHO/EOP
Kevin S. Moran/WHO/EOP
Mary Morrison/WHO/EOP
Janet Murguia/WHO/EOP
Jonathan Murchinson/WHO/EOP
Sam Myers/WHO/EOP
Bob J. Nash/WHO/EOP
David W. Neslen/WHO/EOP
Peter O'Keefe/WHO/EOP
Jonathan Orszag/OPD/EOP
Peter R. Orszag/OPD/EOP
Jennifer M. Palmieri/WHO/EOP
Emil E. Parker/OPD/EOP
Carole A. Parmelee/WHO/EOP
Julia M. Payne/WHO/EOP
Charles J. Payson/WHO/EOP
Angelique Pirozzi/WHO/EOP
John Podesta/WHO/EOP
Edward Prewitt/WHO/EOP
Jaycee A. Pribulsky/WHO/EOP
Nicole R. Rabner/WHO/EOP
Franklin D. Raines/OMB/EOP
Bruce N. Reed/OPD/EOP
Nelson Reyneri/WHO/EOP
Christa Robinson/OPD/EOP
Steven J. Ronnel/WHO/EOP
Dan K. Rosenthal/WHO/EOP
Stacey L. Rubin/WHO/EOP
Charles F. Ruff/WHO/EOP
Peter Rundlet/WHO/EOP
Evan Ryan/WHO/EOP
Laura E. Schiller/WHO/EOP
Jamie B. Schwartz/WHO/EOP
Laura D. Schwartz/WHO/EOP
Marsha Scott/WHO/EOP
Brooks E. Scoville/WHO/EOP
Sondra L. Seba/WHO/EOP

Ruby Shamir/WHO/EOP
Thomas A. Shea/WHO/EOP
June Shih/WHO/EOP
Jake Siewert/OPD/EOP
Joshua Silverman/WHO/EOP
Stephen B. Silverman/WHO/EOP
Karen E. Skelton/WHO/EOP
Craig T. Smith/WHO/EOP
Richard Socarides/WHO/EOP
Patricia Solis-Doyle/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Stacie Spector/WHO/EOP
Gene B. Sperling/OPD/EOP
Elisabeth Steele/WHO/EOP
Aviva Steinberg/WHO/EOP
Todd Stern/WHO/EOP
Cheri L. Stockham/WHO/EOP
Darby E. Stott/WHO/EOP
Stephanie S. Streett/WHO/EOP
Jordan Tamagni/WHO/EOP
Neera Tanden/WHO/EOP
Marjorie Tarmey/WHO/EOP
Daniel K. Tarullo/OPD/EOP
James M. Teague/WHO/EOP
Tracey E. Thornton/WHO/EOP
Terri J. Tingen/WHO/EOP
Amy W. Tobe/WHO/EOP
Barry J. Toiv/WHO/EOP
Karen Tramontano/WHO/EOP
June G. Turner/WHO/EOP
Michael Waldman/WHO/EOP
Ann F. Walker/WHO/EOP
Setti D. Warren/WHO/EOP
Christopher Wayne/WHO/EOP
Lowell A. Weiss/WHO/EOP
Paul J. Weinstein Jr./OPD/EOP
Maria A. Westfried/WHO/EOP
Daniel Wexler/WHO/EOP
Kim B. Widdess/WHO/EOP
Cecily C. Williams/WHO/EOP
Judith A. Winston/PIR/EOP
Barbara D. Woolley/WHO/EOP
Lucia A. Wyman/WHO/EOP
Janet L. Yellen/CEA/EOP
Eli G. Attie/OVP @ OVP
Matthew L. Bennett/OVP @ OVP
Lisa A. Berg/OVP @ OVP
Paul J. Cusack/OVP @ OVP
Michael B. Feldman/OVP @ OVP
Donald H. Gips/OVP @ OVP
Elizabeth Harrington/OVP @ OVP
Ansley Jones/OVP @ OVP
Ron Klain/OVP @ OVP
Jim Kohlenberger/OVP @ OVP
Heather M. Marabeti/OVP @ OVP
Nathan B. Naylor/OVP @ OVP
Jonathan H. Schnur/OVP @ OVP
Jonathan Spalter/OVP @ OVP
David R Thomas/OVP @ OVP
Elisabeth Steele/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Debra A. Schiff/WHO/EOP
Joseph P. Lockhart/WHO/EOP

Clinton Presidential Records Automated Records Management System [EMAIL]

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File Name: p_c5426671_who_html_1.msoff

Attachment Number: [ATTACH.D10]MAIL43766245D.026

Clinton Presidential Records Automated Records Management System [EMAIL]

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

File Name: p_c5426671_who_html_2.hex

Attachment Number: [ATTACH.D10]MAIL44766245E.026

Clinton Presidential Records Automated Records Management System [EMAIL]

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

File Name: p_c5426671_who_html_3.hex

Attachment Number: [ATTACH.D10]MAIL46766245F.026

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1998 14:41:29.00

SUBJECT: Q&A on Press Reports of H-1B Policy Discussion

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

TEXT:

could you do this?

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/98 02:41
PM -----

Reed Gary <reed-gary @ dol.gov>
02/24/98 01:50:18 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: Q&A on Press Reports of H-1B Policy Discussion

You mentioned that you had done a Q&A on how to respond to press inquiries regarding the NY Times (and today's Wall St. Journal) article on the H-1B policy deliberations. I assume that we should be saying much of the same thing to Congressional inquiries. Could you send me a copy of your Q&A so that I could put it in Ray Uhalde's briefing book?

I will send to you and others several other Q&A's that we are preparing for Ray later this afternoon for your review and input.

Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1998 14:40:35.00

SUBJECT: Re: Gil Gallegos

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

TEXT:

i"m viewless. is this just on hold right now?

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/98 02:40
PM -----

Karen Tramontano
02/24/98 01:06:20 PM
Record Type: Record

To: Carole A. Parmelee/WHO/EOP
cc: Elena Kagan/OPD/EOP, Christa Robinson/OPD/EOP, Michelle Crisci/WHO/EOP
Subject: Re: Gil Gallegos

I don't think a meeting is a good idea -- Erskine has nothing to tell him
-- I am going to talk w/ Elena to get her views. thanks

INFORMATION

Draft February 24, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: GENE SPERLING, BRUCE REED

RE: ADMINISTRATION POLICY ON SKILLED TEMPORARY FOREIGN WORKERS

We are providing you with this informational memo on the "H1-B visa" issue because the *New York Times* recently ran a story on the basis of a leaked internal Administration options memo, and because this is an important topic to Silicon Valley companies. You will be interacting with high-tech CEOs during your California trip later this week, and may get asked about this. A suggested Q&A is attached.

Current U.S. law permits 65,000 H1-B visas each year for skilled temporary foreign workers. The computer and health care industries are the primary users of the H1-B program. The annual 65,000 visa cap was met for the first time in FY 1997. We expect to reach the limit again in May or June, several months before the end of the current fiscal year. Accordingly, the cap is likely to become a legislative issue in this session of Congress.

The information technology (IT) industry, along with Senator Abraham, Representative Zoe Lofgren, and other members of Congress, support either the removal of or a significant increase in the H1-B cap. Unions, other worker organizations, Senator Kennedy, Congressman Dingell, and other members of Congress are likely to oppose any increase.

A DPC/NEC working group with representatives from Labor, Commerce, State, and INS has started to meet to develop Administration policy on:

1. Steps we can take to work with industry and institutions of higher education to address the shortage of workers with IT skills;
2. Reforms of the H1-B program (e.g. a prohibition against laying off U.S. workers to replace them with foreign workers); and
3. Whether or not to increase the H1-B cap from its current level of 65,000.

We have tentatively decided that our focus should be on partnering with industry to upgrade the skills of American workers, and not on proposing an increase in the cap at this point. For example, we successfully addressed concerns about the shortage of shipbuilder workers in Louisiana by bringing together industry, labor, and state and local elected officials. We ultimately determined that rather than a 10,000 worker shortage, the industry needed less than 1,000 temporary foreign workers.

As part of an overall package -- industry commitments to upgrade worker skills and reform of the H1-B visa system -- the interagency group is willing to consider an increase in the H1-B cap if it is truly necessary. However, we do not think that it makes any tactical sense to start with this as our publicly stated position. Furthermore, even a 20,000 to 35,000 increase in the H-1B cap is not likely to solve the problem, given the projected growth in demand for workers with IT skills.

Our next step is to meet with high-tech industry executives to develop an "action plan" that builds on a series of announcements that the Departments of Commerce, Education and Labor made at a January 1998 conference in Berkeley, California.

Q. Mr. President, will your Administration grant more visas to high-skilled foreign workers who are in demand by high-tech industries?

We have made no decision on this issue. In reviewing our options, my Administration's first priority will be to ensure that American workers have the skills they need to fill these jobs, and that they have priority over any foreign workers with similar training. The growing demand for workers with high-tech skills shows how critical my agenda for life-long learning is -- HOPE scholarships to open the doors of college, tax credits for employer investment in life-long learning, and making sure that all of our children are technologically literate.