

December 8, 1995

MEMORANDUM TO LEON PANETTA

From: Carol H. Rasco *CHR*

Subject: Weekly Report: December 2 - December 8, 1995

UPDATE ON KEY INITIATIVES

Immigration

Legislation: The Administration (DOL) testified this week before the House Judiciary Subcommittee on Immigration against the institution of a new large agricultural guestworker program. We understand that both Representative Lamar Smith and Senator Simpson also oppose a broad guestworker program.

Bill Gates called the Simpson legal immigration legislation an "absolute disaster." This is reflective of an outpouring of criticism from business interests. A number of these provisions are based upon the recommendations of the Jordan Commission and have been supported by the Administration. It is not yet clear whether the business community will support Simpson's modifications. Other groups have declared his family reunification restrictions to be anti-immigrant.

The Department of Justice has recommended to the White House that the Office of Legal Counsel testify next week against the birthright citizenship proposal (which would prohibit children born in the United States to illegal aliens to be citizens). The proposal appears to be clearly unconstitutional.

Republican congressional leaders have agreed to special funding, to go as high as \$3.5 billion, to reimburse states for costs of providing emergency medical treatment to illegal aliens.

Border Control: There are some signs that the upcoming months place increasing pressures on border control efforts. There has been a surge in boat interceptions, especially from Haiti. In fact, last week freighters containing the two largest single interceptions since 1981 were made. This corresponds with concern about increasing pressures at the Southwest border due to the regular seasonal increases of the upcoming months augmented by those driven by economic conditions to attempt to cross illegally.

Senator Hollings has continued to pursue his objective of having the site of the new Border Patrol training facility be in South Carolina. He claims that this is just pork and does not believe DOJ assertions that this will seriously delay the training and deployment of additional border patrol agents over the entire next year. (Hollings apparently believes that the White House pressured DOJ to select the Arkansas site instead of Charleston.)

Worksite/Interior Enforcement: The draft Executive Order concerning the employment of illegal workers by Federal contractors is in the final stages of OMB clearance. It could be finalized by the end of this week.

The Administration has accepted an invitation to testify Friday before California State Assembly Select Committee on Immigration on the Administration's work authorization verification pilot program.

Naturalization: The Attorney General gave the oath of allegiance to 3,200 new Americans (representing nearly 120 countries) at a naturalization ceremony at the U.S. Air Arena.

Doris Meissner will speak Friday with Hispanic State and local elected officials from around the country to brief them on the INS' naturalization program.

AIDS Conference

The White House Conference on HIV and AIDS was a success as more than 300 activists from the national, state and local level gathered at the White House on Wednesday. The President's speech was well received by those in attendance, and there was extensive and positive media coverage of the conference. There were also at least 50 satellite events around the country where local activists watched the conference and generated local media.

The DPC will be coordinating follow-up beginning next week to ensure that the President's commitments are fulfilled and that the suggestions of the Advisory Council and the participants are acted on as appropriate.

Crime/Drugs/Cops

COPS Office:

We have been working with the Justice Department and police groups to focus attention on the elimination of the COPS office in the budget. We drafted a letter to Rep. Schumer stating the President's commitment to vetoing this bill because of the COPS office elimination. Schumer read the letter at a press conference with police groups prior to the House vote.

The House Judiciary Crime Subcommittee also held an Oversight hearing on the COPS office this week and we worked with police groups getting support letters for the program as well as prepping the COPS office for the hearing. Joe Brann, the Director of the COPS office, was the only witness and he was very effective.

Drug Testing:

We continue to work with Rahm and the Justice Department on the President's drug testing initiative, which is ready for the President to announce.

White House Leadership Conference on Youth, Drug Use and Violence

We have been working with ONDCP on preparation for the conference, scheduled for January. I will be attending an ONDCP Regional Conference in Miami with the Attorney General on Sunday and Monday, where I will highlight the Administration's anti-drug efforts and the President's commitment to this issue.

Waivers

Waivers of J-1 Visas for Physicians in Underserved Areas:

Secretary Shalala recently wrote Secretary Glickman and Secretary Cisneros suggesting that the Administration should consider cutting back on waivers of J-1 visas for physicians who agree to serve in underserved areas. Under these waivers, foreign physicians who train in the U.S. can be permitted to stay here if they agree to work in underserved areas. HUD, Agriculture, and other agencies grant such waivers to physicians, but it is not clear whether there is a consistent Administration policy on how to grant them, and whether we ensure that the physicians who get waivers actually fulfill their commitments to underserved areas. Also, GAO has asked HUD a number of questions about their policy in granting these waivers. The DPC is following up to coordinate action among the agencies.

Disability Issues

The Budget: Representatives of the disability community gave extremely positive feedback about the meeting on the budget held at the White House last Friday; the general impression was that they were truly acknowledged as significant and effective players for the first time. They have continued to be active on the budget and supportive of the President's leadership; for example, yesterday they participated in "Save Medicaid Day" with seniors, health care and long term care groups--lining up 50 empty wheelchairs at the Capital to underscore the devastating impact of the Republican proposal.

Approximately 100 groups in the area have been invited to pick up all of the documents we have generated on our proposal, in addition to participating in the briefing OPL is organizing today on Medicare and Medicaid.

Teen Pregnancy

Private Sector Initiative: The Carnegie Corporation has set January 30 as the date for a follow-up event to the President's October meeting with private-sector leaders. At that time, the planning group, led by Belle Sawhill, hopes to announce the members of the leadership council for the new, bipartisan national campaign to reduce teen pregnancy.

Choice

"The Partial Birth Abortion Ban Bill" (HR 1833): Yesterday (Thursday, December 7), HR 1833 was passed by the Senate with a life exception, 54 to 44 (45 Republicans and 9 Democrats supported the ban, and 8 Republicans and 36 Democrats opposed.) The Boxer Amendment to allow a health exception was voted down 51-47, with 38 Democrats and 9 Republicans supporting the amendment and 7 Democrats and 44 Republicans opposing the amendment. The life exception that was added to the bill is considered by most pro-choice Members and advocates to be an extremely narrow and flawed exception.

The bill will go to Conference, where many speculate that the House will pass the life exception (Rep. Canady has publicly said that he thinks 'he can live with the Senate changes'). On Wednesday, OMB sent a SAP up similar to the ones sent to the House and the Senate in November, but strengthened with a line stating White House Counsel and the Attorney General's intent to recommend that the President veto without appropriate amendments.

Line-Item Veto

The House conferees have prepared legislative language for their compromise proposal. Paul Weinstein worked with OMB on a letter from Director Rivlin to the conferees commenting on the revised House compromise language. We generally support the compromise approach because it uses the House bill as its foundation. We expect the Senate to respond the House bill next week.

Local Flexibility/Hatfield

Paul Weinstein assisted with testimony for John Koskinen who appeared before the Senate Governmental Affairs Committee this week on the bill (S.88). We expect the Senate to markup the legislation in January. We have sent through the OMB clearance process a rewrite of S.88. Paul has met with Congressional staff on the rewrite (staff of Senators Hatfield, Dodd, Glenn, and Representative Shays.)

SOCIAL SECURITY ADVISORY COUNCIL

The Advisory Council on Social Security meets again next Thursday, December 14. There may be some press interest as the Advisory Council's final report is expected to be issued in either late December 1996 or January 1997.

SENIORS RIGHT TO WORK ACT

The House passed the "Seniors Right to Work Act" this week. The key provision of the bill is an increase in the Social Security Earnings Limit, one of the "Contract with America" provisions. Senator Dole has said the Senate will act on the legislation before Christmas.

The bill also includes the SSA REGO II initiative that eliminates SSA's role in withholding attorney fees and limits such fees to \$4,000. In our SAP, we expressed a concern about the proposal and a desire to work with Congress in "modifying the attorneys' fees provision in ways that still meet the REGO II goals." We understand that SSA is working with Senate members on a two-party alternative.

CHICAGO HOUSING AUTHORITY

As the six-month anniversary of the HUD takeover of the Chicago Housing Authority (CHA) passed last week, CHA issued a progress report on promises made and actions taken. Press coverage of the status of the CHA turn-around was overall grudgingly favorable, recognizing that while there are years of work ahead, significant steps have been taken in the past months.

EXTERNAL ACTIVITIES

Congress

- On Friday, I met with a representative from Senate Labor Committee regarding the Youth Development Bill.
- DPC staff met with Michael Myers of Senator Kennedy's staff to discuss immigration legislation, especially family reunification issues.
- On Friday, Paul Weinstein is participating in a meeting with Treasury, NEC, and White House Leg. Affairs and Senator Lieberman's staff on urban tax incentives.

Press

- On Thursday, I was interviewed by press in Boston, MA regarding family and other domestic issues at the Casey Family Conference.

Speaking Engagements

- On Tuesday, I spoke to a group of Presidential Appointees with Disabilities.
- On Wednesday, I presented Welcoming Remarks at opening session for AIDS Conference and participated in day-long conference activities.
- On Thursday, I presented the Keynote Address to the Casey Family Services Conference in Boston, MA and participated in conference workshops.
- Marion Berry spoke to the Kentucky Farm Bureau in Louisville, Kentucky, at their annual meeting. He focused on how the Republican budget will impact rural America.
- On Friday, I met with the President's Advisory Council on HIV/AIDS to discuss the steps to be taken following Wednesday's conference.

Meetings

- On Monday, I met with a representative of the state of California School-to-Work office.
- On Tuesday, I met with Secretary Riley to discuss educational issues, charter schools in particular.
- On Tuesday, I performed a site visit to the Park Morton Public Housing Project in DC.
- On Tuesday, I met with representatives from the Urban Family Institute to discuss Campus for Learners.
- On Tuesday I visited with the Commissioner of the INS.
- On Friday, I met with representatives of the Arkansas Hospital Association and the American Hospital Association.
- DPC staff participated in a meeting organized by OMB with disability groups to discuss SSI.
- DPC staff discussed immigration issues in a meeting with Asian-American group leaders and the Vice President that was organized to address immigration (family reunification) and welfare reform.
- DPC staff met with Mark Schlakman, Counsel to Governor Chiles, to discuss immigration issues in Florida.
- Brian Burke hosted a meeting with several consumer groups, including the Campaign for Fair Milk Prices, Congress Watch, Public Citizen and Public Voice, to discuss the dairy programs. They urged the administration to make far bolder changes toward eliminating milk marketing orders and price supports. They also expressed strong feelings about eliminating the sugar and peanut programs.
- Brian Burke met with the principal managers of the San Bernadeno Valley Water District and several rate payers from the District to discuss the application of the Endangered Species Act.
- Brian Burke hosted a meeting with Harvey Joe Sanner, State President of the Arkansas Agricultural Movement, to discuss his marketing loan-only farm bill proposal.
- Marion Berry met with the American Farm Bureau.

December 4, 1995

MEMORANDUM TO LEON PANETTA

From: Carol H. Rasco 

Subject: Weekly Report: November 25 - December 1, 1995

UPDATE ON KEY INITIATIVES

Education

Educational Technology

On Thursday, December 7, staff from the NEC, DPC, OSTP, Public Liaison, OVP, and the Departments of Education and Commerce will be meeting with over 50 representatives from major private sector companies and educational associations to discuss ways in which they can become active partners in the National Partnership for Technological Literacy that the President and Vice President announced on October 10 of this year. This meeting, which is a follow-up to the President and Vice President's October 10 educational technology meeting with CEOs, is another step in the Administration's efforts to encourage and support specific public-private actions that support the President's vision for technological literacy.

Group Activities on the Budget:

- Wednesday (November 29) was National Call-In Day, organized by the Committee for Education Funding. The objective of the day was to encourage individuals and organizations to make calls to key members in the Senate and the House on the current budget debate.
- Thursday (November 30) was Save Education Day, organized by the Committee for Education Funding. The objective of this rally was to bring individuals and organizational representatives together to make targeted visits and deliver crucial information to each House and Senate office on the budget.

Waivers

New York Medicaid: HHS is evaluating New York State's request for a state-wide Medicaid waiver that would enroll virtually all Medicaid beneficiaries in managed care. In October, the state rejected HHS's offer of conditional approval of another waiver request, for a more limited waiver in the city of New York. The waiver now pending would enroll 3.2 million Medicaid beneficiaries in managed care, including people with disabilities and other groups with special needs. The 120-day timeline for this waiver ended last July. HHS faces major decisions on this waiver because of its large scope, opposition by various groups, and the concurrent debate on the Medicaid here in Washington.

California Welfare Waiver Litigation: The Federal judge handling litigation over a Bush Administration welfare waiver has asked HHS whether it would consider an interim waiver that would exempt certain disabled people from work requirements that are currently imposed on them. HHS expects to agree to this request in a hearing today. The waiver that was granted by the Bush Administration cut benefits and was partially struck down several months ago by the judge (the "Beno case").

Immigration

Legislation:

The Senate Immigration subcommittee began and concluded mark-up this week on legal immigration provisions. Just prior to the mark-up we received word from Senator Simpson's staff that they were redrafting language pertaining to charging employers a fee for hiring foreign workers that would be used for funding the training of domestic workers. The Administration is supporting development of such a training fund. Simpson is responding to pressure from employers, including a well-publicized blast from Bill Gates. Simpson's modifications of the employment-based immigration requirements, including lowering the fees charged to employers from 25% to 10%, passed in mark-up. The business community is reviewing to determine whether it thinks the changes are enough.

Border Patrol:

Senator Hollings announced that he has killed the Justice Department's plan to locate a Border Patrol training facility in Arkansas instead of Charleston. If this stands and the training of new Border Patrol agents is delayed, the Administration's border control effort could be crippled. DOJ is working to try to get this worked out.

SSI

In the Social Security Administration's Reinventing Government II package, they have proposed to cut back sharply their role in administering the payment of attorneys' fees by SSI claimants. Currently, SSA sets the fee, withholds it from the claimant's check, and pays it directly to the attorney. Attorneys' groups and disability advocates allege that the proposal will reduce SSI claimants' access to lawyers. An internal Administration working group has been considering whether to revise some of the details of our proposal in order to address these concerns. Republicans on the Hill have just attached SSA's original proposal to the bill to increase the Social Security earnings limit now moving through the House.

White House Leadership Conference on Youth, Drug Use and Violence

The White House Leadership Conference on Youth, Drug Use and Violence is tentatively scheduled for January 16. The one-day conference will be held at a College or High School in Maryland. The Conference will highlight the Administration's anti-drug and anti-crime accomplishments, criticize Congressional cuts to these programs, and also provide a national platform for the President to address the Nation on the importance of preventing adolescent drug use and violence. Throughout the day, several Cabinet officials will be involved in break-out sessions with hundreds of youth representatives, parents, and community leaders from across the country, to discuss solutions to the problem of rising adolescent drug use and violence.

Disability Issues

On Friday, DPC staff organized a meeting with approximately 30 disability organizations on the budget, with participation from OMB and OPL. We updated participants on where we are in the negotiation process, reassured them of our commitment to the principles we have clearly laid out, listened to their feedback, learned more about the activities they have planned, and answered questions.

These groups were very supportive of the Administration's leadership on issues of concern to this community, and were grateful to be acknowledged as important players in this debate. They are actively organizing around the country, and are sending a message of support for the President.

Choice

"The Partial Birth Abortion Ban Bill": As you know this has passed the House and was committed to the Senate Judiciary Committee. The bill is now scheduled to come to the Senate Floor for debate on Monday afternoon (December 4), with a vote tentatively on Wednesday. There were no amendments added to the bill in the Judiciary Committee, however, it is expected that amendments for life and possibly health of the woman will be added on the Floor.

The women's groups are currently saying that they do not feel that addition of a health exception would fix the Constitutional problems with this bill.

Meeting with Choice Coalition: The Women's Office has scheduled a meeting with approximately 20 representatives of a 50-member choice coalition on Monday (December 4) with Jack Quinn and Ann Lewis. The meeting is an opportunity to discuss pending legislation, to listen to the groups' concerns, and to underscore the Administration's commitment to reproductive rights. Debbie Fine is participating in the meeting.

European Beef Hormones and GMO

The EU has refused market access to beef treated with growth promotants and also genetically modified organisms [GMO] (soybeans resistant to Roundup herbicide). EU is having a conference on the growth promotants issue this week as an effort to resolve the science and their position. We are hopeful that the conference will verify the safety of the hormones. The resolution of the issue is critical for expanded beef exports.

EXTERNAL ACTIVITIES

Press

- On Monday I met with editors from *Good Housekeeping* magazine in New York City.

Speaking Engagements

- On Monday, I spoke at the Regional EC/EZ Conference in Buffalo, NY and participated in conference activities and site visits through Tuesday.
- On Thursday, I presented the keynote address to the Western Regional Council in Phoenix, AZ.
- On Friday, I presented keynote remarks at breakfast for AIDS service providers in Phoenix, AZ.

Meetings

- On Monday, I met with the Mayor of Buffalo, New York.
- On Tuesday, I held a meeting with the Doris Meissner and Barbara Jordan.
- On Tuesday, Debbie Fine attended in my place the first meeting of the President's Interagency Council on Women, which will focus on implementing the Platform for Action from Beijing in the United States.
- On Wednesday, I participated in the INS Commissioner's Annual Conference.

June 28, 1996

MEMORANDUM TO LEON PANETTA

From: Carol H. Rasco *CHR*

Subject: Weekly Report: June 22 - June 28, 1996

UPDATE ON KEY INITIATIVES

WAIVERS

Michigan Welfare -- On Wednesday, Governor Engler submitted a new welfare reform waiver to HHS, requesting "fast-track" approval in 30 days. The next day, Republicans in both houses of Congress introduced legislation to deem the waiver approved. Also, this week, HHS approved four welfare waivers, including one from Michigan that requires teen parents to live at home and stay in school. Waivers from Illinois, Florida, and Wyoming will also be approved, bringing the new total to 67 waivers, still in 40 states.

VETERANS

Medicare Subvention -- DPC has been working with OMB, HCFA, VA, and DoD to continue to move forward the Medicare Subvention pilots. VA is currently drafting legislation for a demonstration; we expect a bill to be ready to submit to Congress next month. We expect CBO to score the demo as a cost to Medicare (could be as high as \$2 billion over 6 years); VA has agreed to offset this amount with discretionary funding.

DoD continues to work with OMB and HCFA to develop their pilot, with a deadline of early fall. An amendment was attached to the DoD authorization bill which essentially asks us to do what we're doing, with September 6 as the deadline for submitting a report on a pilot.

ADOPTION

Congressional Hearings -- At a Senate hearing Wednesday, DOJ and Interior officials testified about our opposition to a House-passed plan that would reduce tribal sovereignty over Indian adoptions, because of anecdotes about tribes belatedly overturning adoptions of part-Indian children by non-Indian parents. In the House, this measure is attached to the adoption tax credit and transracial adoption measures we strongly support. Administration officials spoke favorably of a compromise measure

endorsed by the National Congress of American Indians that would establish deadlines for tribes to intervene in adoptions and for biological parents to withdraw consent to adoptions, and would impose penalties for those who falsely assert that a child is not Indian.

Also, a House Ways and Means subcommittee held a hearing Thursday on "barriers to adoption," focusing on the concept of making "reasonable efforts" to keep families together from the 1980 Child Welfare and Adoption Assistance Act. Republican critics of family preservation charge that this language causes states to emphasize family preservation at the expense of children's safety.

IMMIGRATION

Naturalization -- The Administration continues its record-breaking naturalization pace. In cities across the country, citizenship ceremonies are at record highs. For example, the 8,000 sworn in last week was the largest class ever in San Diego. On Monday, Doris Meissner and I will participate in a naturalization ceremony in Boston and attend a luncheon in connection with the National Convention of the League of United Latin American Citizens.

Work Authorization Pilots -- DPC staff met with DOJ's Office of Special Counsel, DOL's Office of Federal Contract Compliance Programs, HHS Civil Rights Office, EEOC and INS to discuss the status of the Administration's worksite employment authorization pilots and antidiscrimination protections. The pilots presently involve employers in Santa Ana, CA. and the meatpacking industry in the mid-West. Soon they will be expanded to include some employers in South Florida, as well.

Legislation -- Due to severe preconference disagreements within the Republican party and between the House and Senate, no House conferees have been selected. Issues include whether participation by businesses in the employment verification pilots will be mandatory or discretionary; whether U.S. citizens will have to earn 200% of the poverty level to sponsor relatives for legal immigration; the asylum requirements; benefits restrictions and verification for legal immigrants; and the provision to kick immigrant kids out of school. Senator Feinstein suggested this week that while she doesn't like the "Gallegly" amendment that would kick kids out of school, she is unlikely to fight it.

In addition, the National Conference of State Legislatures, National Association of Counties, National League of Cities and the United States Conference of Mayors wrote Congress strongly objecting to a number of provisions in the immigration bill that will create huge unfunded mandates and cost-shifting to states and localities in the immigration bill.

HIV/AIDS

Regional Briefings -- AIDS Policy Director Patsy Fleming recently visited Chicago with several Federal officials as part of a continuing series of regional briefings on national AIDS policy. She met with 50 local leaders from corporate and foundation givers to AIDS programs; visited three local AIDS programs; met with the editorial board of the Chicago Tribune; and held an open town meeting. There is strong support for the Administration's efforts in AIDS policy and an increasing demand for services, especially in Southside communities, where fewer resources are available. A key issue is access to the new protease inhibitor drugs recently approved by the Food and Drug Administration. Patsy emphasized our ongoing fight to preserve Medicaid and the Administration's successful request for additional funds for the Ryan White CARE Act to help pay for those drugs and others.

The Chicago trip is the fifth in a series of eight trips to 13 cities being made with the President's Advisory Council on HIV/AIDS. Previous trips were to Dallas/Ft. Worth; New York/Newark; Miami/Ft. Lauderdale; and San Diego/San Francisco. Future trips are to Cleveland, Los Angeles, and Charlotte NC.

ENERGY AND ENVIRONMENT

New York - New Jersey Dredging -- Representatives Pallone, Torricelli and Menendez have met with environmentalists to seek support for the Administration's dredging initiative for the New York - New Jersey Harbor. This positive step was the result of extensive discussions between the staffs for the members and DPC and CEQ staff. We expect a counter-proposal within the next day or two, when we may be faced with tough decisions about whether to continue discussions or rethink our strategy of building an initiative that all sides can support.

Environmental Budget -- DPC, OMB, and CEQ staff worked to highlight anti-environmental provisions in the House Republican appropriations for EPA. Some changes were made on the floor of the House to soften those provisions.

EXTERNAL ACTIVITIES

Sunday and Monday I participated in the Vice President's Family Re-Union V: Work and Family conference in Nashville, co-hosting panels with him on Sunday and Monday. Monday I made radio calls as well as a conference call with newspaper reporters from around the country following the President's remarks at the Family Re-Union Conference.

On Tuesday, I spoke to Congresswoman Lynn Woolsey, at her request, to discuss the medical foods bill.

Wednesday, I met with Bonnie Campbell and discussed domestic violence, welfare reform and child welfare.

Thursday, I met with Ralph Smith of the Annie E. Casey Foundation regarding child welfare and attended a luncheon in honor of Efrat Rabinovich, wife of the Israeli Ambassador.

Friday, I participated in a White House panel presentation to the National Women's Political Caucus. I was also interviewed by *Children's Express* for a special edition that will appear in the Chicago Tribune the week of the Democratic National Convention.

Also, Ms. Rita Jaramillo, Deputy Director of the Administrative Operations Division, Department of the Treasury, participates in the US Department of Agriculture's Senior Executive Service Candidate Development Program. For this program, Ms. Jaramillo chose to do a one day shadowing assignment with me throughout my day, Friday.