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**Subject:** Night Note 5/10  
**Sent:** Wed, 10 May 2006 20:46:23 -0500  
[Pending Issues 5-10.doc](#)  
[Policy Time Calendar 5-10.doc](#)  
[Working Group Calendar 5-10.doc](#)  
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**Please Note - This Information is Sensitive; Eyes Only**

Attached are the Pending Issues, the Policy Time Calendar for this month, the Working Group Calendar for this week and next, and the Cabinet Member Schedule for the following week.

Thanks,  
James  
x61475

May 10, 2006

MEMORANDUM FOR JOSH BOLTEN, JOEL KAPLAN, KARL ROVE, JOE HAGIN, and MIKE GERSON

FROM: STEVE MCMILLIN, JEREMY KATZ, and MYRIAH JORDAN

RE: NIGHT NOTE

**Voting Rights Act.** The Sensenbrenner reauthorization bill was reported out of the House Judiciary Committee today by a vote of 33-1, with only Mr. King voting "no." No amendments to the bill were accepted, other than one offered by Mr. Issa requiring a study on section 203 (the minority-language provisions). At the markup, Chairman Sensenbrenner indicated the bill would be on the House floor next week. In the Senate, Assistant Attorney General for Civil Rights Wan Kim testified on the Justice Department's enforcement of the Voting Rights Act. The questions he received were generally geared toward showing the need for reauthorization. Senator DeWine expressed his support for overturning *Georgia v. Ashcroft*, and asked about the practical effects of the Supreme Court's ruling in that case. Senator Cornyn emphasized that complying with Section 5 was expensive, time-consuming, and that the vast majority of the United States is not even covered by it. Senator Cornyn asked for empirical evidence showing that outcomes are different in states covered by Section 5 as opposed to states not covered by Section 5. In response, the AAG highlighted the Act's "bailout" mechanism, which allows covered jurisdictions to "bail out" of the Act's requirements. When asked by Senator Cornyn whether the AAG agreed it is important for Congress to consider the empirical question of whether Section 5 produces better outcomes, the AAG responded that the Administration supports VRA reauthorization and that a wide range of inquiry by Congress is important in considering legislation. Senator Kennedy inquired about the Department's enforcement efforts as to Section 2, which is one of the Act's permanent provisions that is not up for renewal. Further Senate hearings are scheduled for next week. If the bill could be on the floor as early as next week, OMB will need a draft SAP tomorrow. As a result of the negative reaction the AG received from Sensenbrenner yesterday regarding Administration concerns with the current draft, DPC may circulate a SAP that speaks more strongly on problems with the current bill.

**Oman FTA Movement in Congress.** Today, the House Ways and Means Committee held a mock mark-up of the Oman FTA. The Senate Finance Committee is also expected to hold their mock mark-up on the FTA next Tuesday following their hearing on Amb. Schwab's nomination that same day. The purpose of a mock mark-up is to allow Congress the ability to advise the Administration (through a non-formal mark-up of draft legislation) on the content of the final FTA legislation. Labor issues are likely to be the only area of contention for the FTA's passage and NSC is working with WH and USTR leg staff to determine the timing for introducing a final bill in Congress.

## Other Issues

- Academic Competitiveness Grants (Wilson/DPC; Jordan)
- Advanced Energy Initiative (Epifani/NEC; Katz) – The House Energy and Water Subcommittee will mark up its bill on 5/11. Expect full funding for Yucca Mountain. GNEP will probably only get \$125 million (AEI requested \$250 million). House Full Committee is tentatively scheduled for May 16<sup>th</sup> and floor action is expected around 5/25. The Senate Energy and Water Subcommittee plans to hold its mark up around the end of June. Chairman Domenici will try to fund GNEP closer to our \$250 million request. Secretary Bodman will participate in an ethanol-related event in Indianapolis with Governor Daniels on 5/11. They will highlight the expansion of flex fuel vehicles and E85 supply. Bodman will also attend a press event at the Indy 500, which uses ethanol blended fuels in its vehicles. Secretary Johanns will participate in an E85-focused event in DC on 5/11. Johanns is now riding in a flex fuel car with E85 in the tank.
- Airline Industry (Sharp/DPC; Jordan)
- Airlines Foreign Investment Rule (Sharp/DPC; Jordan) – OMB cleared DOT's Supplemental Proposed Rule on Airlines Foreign Investment on 5/1, and it has been sent to the Federal Register. DOT hopes to use this interim, non-final rule to tamp down Hill opposition to the rule and to strike the prohibition attached to the Senate Supplemental Appropriations bill.
- AHPs (Leggitt/DPC; Katz) – The Senate invoked cloture on the motion to proceed to S. 1955 by a vote of 96-2. Senators Coburn and DeMint voted no in protest of the Majority Leader's decision to prohibit all amendments. Coburn was seeking to offer an amendment to clarify that the bill allows civic and religious organizations the same benefits as small businesses in purchasing health insurance for their members. Conrad and Rockefeller did not vote. OLA expects a cloture motion for a vote on Thursday or Friday.
- *Alaska Natural Gas Pipeline (Epifani/NEC; Katz) - As part of the negotiations on the pipeline, BP, ConocoPhillips and Exxon Mobil required changes to the state production tax system. On April 25<sup>th</sup>, the Alaska Senate passed a major rewrite of the state's oil tax structure with a 22.5 percent tax rate but a 25 percent credit. Around 3:30am Tuesday the 9<sup>th</sup>, the Alaska House passed its rewrite of the state's oil tax structure with a 21.5 percent tax rate but a 20 percent credit. A 1 percent difference in the tax rate would mean \$150 million a year when the price of oil is \$70 a barrel, according to a consultant to Governor Murkowski. In addition to the tax and credit rate differences between the AK House and Senate bills, there are other differences that must be reconciled before the regular session ends at midnight the 9<sup>th</sup>. A Special Session began today to consider amendments to the Alaska Stranded Gas Development Act and the contract Governor Murkowski reached with the 3 Producers. Although a Juneau judge ordered him on Tuesday the 9<sup>th</sup> to release the contents of the deal he reached with the 3 Producers, Governor Murkowski intends to share it today.*
- Amtrak (Sharp/DPC; Jordan)
- American Competitiveness Initiative (Wilson/DPC; Jordan)
- Asbestos (Ho/DPC; Jordan)
- Avian Flu (Venkayya/HSC; Katz)
- Aviation Security (Baker/HSC; Jordan)
- BSE (Herrmann/NSC; Katz)
- Boutique Fuels (Epifani/NEC; Katz) – Bill Wehrum, Acting Assistant Administrator for Air at EPA, testified before the House Energy/Commerce committee today on boutique fuels. Also, Admin Johnson kicked-off the President's Boutique Fuels Task Force on May 4 with a conference call with Governors. Next, EPA will hold a series of meetings to provide states, industry experts, public health organizations and other interested parties the opportunity to present their views and

recommendations. Administrator Johnson intends to get a report to the President by end of June or early July.

- Boycott Countries (Shirzad/NSC; Katz) – NSC hosted a PCC meeting on 5/8 with Treasury, State, USTR and Commerce to discuss whether to include Oman and Iraq on Treasury's statutorily-required list of boycotting countries and to coordinate the Treasury list with those lists maintained by State and Commerce under separate authorities. Treasury and USTR are working to obtain further documentation from Oman conclusively establishing that Oman does not comply with the Arab League Boycott in law or practice - though most agencies do not think added justification is required. Treasury and State will also assess at the deputies level whether one of two compromise approaches are acceptable (listing Iraq w/ an explanatory footnote or omitting it, but with an explanatory footnote). Agencies were also asked to consider whether their respective lists should be further revised to remove Bahrain. NSC will host a Deputies meeting in the near future.
- *CAFE (Sharp/DPC; Katz) - Today DOT sent the Administration's legislative proposal to the Hill. The bill would give DOT the authority to reform CAFE for passenger cars as they did for light trucks, and allow trading between a manufacturer's car and truck fleets. On a party line vote this afternoon, the House Energy and Commerce Committee approved a Barton bill that gives us most of the reform authority we requested, but does not address any form of credit trading.*
- CALEA (Russell/NEC; Katz)
- California Levees (Copeland/CEQ; Jordan) – Press releases from both CA and the Army Corps went out on 5/2 both announcing the signing of the MOU that codified the interagency agreement expediting the permitting process. CEQ received no press calls, and the CA press release touted the agreement as a success, and thanked the President and the Administration.
- Campaign Finance Reform (Ho/DPC; Jordan)
- Canadian Lumber (Shirzad/NSC; Katz) – News reports are suggesting that certain parties in Canada, notably producers in British Columbia, are potentially going to try to use the negotiation of a formal text memorializing the 4/26 lumber agreement to reopen issues (particularly the distribution of the \$5 billion in duties collected by U.S. Customs). There are some indications on the part of the Canadian government that the pressure they are facing is beginning to have an impact on their willingness to conclude the text quickly. NSC is working with USTR on potential strategies for managing such a dynamic, including the possibility of a Hadley/Mulroney call, or even a call between the President and Prime Minister Harper in order to ensure that an agreement finally concluding this dispute does not slip through our grasp.
- Career Advancement Accounts (Sharp/DPC; Jordan)
- Cargo Security/TWIC (Baker/HSC; Jordan) – DHS issued a press release on 5/9 announcing the TWIC NPRM. OMB cleared the TWIC Notice of Proposed Rulemaking (NPRM) on 5/8. Although the final fee level will be set in the Final Rule, the initial estimate is approximately \$139 for most applicants. Workers who have already had a full or equivalent background check by DHS (HAZMAT drivers, Merchant Mariner License holders, and Free and Secure Trade (FAST) participants) will pay a reduced fee of approximately \$105. The Transportation Security Administration and the U.S. Coast Guard plan 4 public hearings May 31 – June 8. The public will have 45 days from the date of publication to provide comment. We expect significant media coverage and public comment.
- CDBG (Streeter/DPC; Jordan) – On 5/9, after 2 passbacks, OMB has cleared the CDBG Reform legislative proposal and HUD is finalizing the package for transmittal to the Hill. There are no substantial changes to the key reforms on the formula, performance measures, or challenge grants. HUD is planning to set a series of briefings this Friday, or possibly next week, depending on schedules.

- *Census Monitoring Board Legislation (Ho/DPC; Jordan) - DPC convened a deputies meeting to discuss the way forward on legislation proposed by Rep. Tom Davis (R-VA) that would establish a 2010 Decennial Census Monitoring Board. The Board would be similar to the one created by Congress in 1997 to oversee the 2000 decennial census. Like the 2000 board, the (unspoken) purpose of the 2010 board would be to guard against the results of the census--and the related reapportionment--being adjusted based on statistical sampling. Chairman Davis plans to markup the legislation in committee during May or June, and has been seeking the Administration's views and input on the bill. Deputies agreed the Department of Commerce should work quietly with Rep. Davis and his staff to improve and clarify the legislation, based on suggested revisions put forward by the current Census Director.*
- *CFIUS Reform (Hunter/NSC; Katz) – The House Financial Services Committee is planning a hearing Wednesday (5/17) regarding their proposed draft legislation; it is already much more favorable than the Shelby bill. The legislation was introduced to the House today, 5/10. Al Hubbard hosted a meeting on 5/9 to discuss the current state of legislation, and the interagency has provided comments to Treasury on the draft legislation. Treasury has and will continue to engage the Committee prior to Wednesday's hearing. In the Senate, Shelby has not secured floor time for his bill, and a 4/28 meeting with staff found that they are open to allowing delegations for 30-day reviews and scaling back investigations. Treasury will meet with Sarbanes staff later this week and will then work up draft amendment language to send to Shelby.*
- *CFIUS: Alcatel (France)/Lucent (US) (Hunter/NSC; Katz) – The companies met with CFIUS agencies on 4/25 to provide background on their merger. They are forming a "proxy"/independent U.S. subsidiary with a U.S. board to handle USG contracts, ie. Bell Labs. Alcatel is currently operating under a Special Security Agreement for U.S. operations. Next Steps: The companies will likely to file within the next few weeks. On 4/28, Rep. Hunter sent a letter to the President noting approval for the Dubai Holding case but that he is “skeptical whether the current CFIUS process could provide adequate, verifiable assurances that” highly classified work by Bell Labs “will be protected”. Sen. Schumer has said he is ok with the deal.*
- *CFIUS: Axalto (NL)/Gemplus (Luxembourg) (Hunter/NSC; Katz) – CFIUS decided on 5/4 to initiate a 45-day investigation of the proposed Axalto/Gemplus merger, given open questions raised during the 30-day review period. The companies were offered the opportunity to withdraw their filing to allow CFIUS to complete its analysis without putting the case on trajectory towards the President's desk. However, the companies prefer the certainty of the investigation's schedule. NSC is developing, with Treasury and lead agencies, a work plan for the investigation and recommendation to the President. Day-45 of the investigation is Monday, June 19th, and the President’s report would be due on July 5th. Axalto (NL) and Gemplus (Lux) are EU companies with U.S. subsidiaries producing smart cards used for multiple purposes including federal IDs. The transaction is valued at \$200 million.*
- *CFIUS: Dubai Holdings (Hunter/NSC; Katz)*
- *CFIUS: EADS (NL)/Dynamic Process (U.S.) (Hunter/NSC; Katz) – Day-30 is 5/19. EADS has five divisions, one of which includes Airbus. It is considered government-controlled as the France and Spain own 30 percent of the company. Dynamic, from Ill., is an IT services company with classified DOD contracts under an existing security agreement. Although there are classified contracts involved, NSC does not foresee an issue with this case as EADS already have classified contracts with the DOD. The value of the transaction is \$11 million.*
- *CFIUS: Elbit (Israel)/Sandel (U.S.) (Hunter/NSC; Katz) – CFIUS policy level staff met on 5/8 on the Elbit case. Elbit is seeking clearance to buy Sandel, which makes avionics parts for helicopters. While the intel community raised technology transfer concerns about Elbit, DOD, State and Commerce believe that Sandel's technology is not high-tech, and that there would be*

little increase of risk in the event the transaction went forward (though DOD is continuing its internal check). DOJ and DHS, however, have remaining concerns - given a negative intelligence assessment, the history of Elbit's and Israel's actions to circumvent export control laws, and fact that the acquired company's products are dual-use technologies subject to U.S. export controls. By way of background, in 2004 Elbit withdrew its filing for a sensitive acquisition based on negative intel reporting. Treasury does not believe a deputies meeting is necessary, at this point, as they see this transaction being approved, but will hold one if DHS or DOJ still have concerns. Olmert plans to visit the U.S. 5/16-18. Day 30 is 5/12; Day-45 would be 6/27. \$60 million.

- CFIUS: EMAAR Properties (UAE)/WL Holmes(U.S.) (Hunter/NSC; Katz) – Day-30 is 5/19. EMMAAR is involved in a wide range of real estate development and is considered government-controlled (the Dubai government owns 32 percent of its voting shares). WL Homes, from Newport Beach, is one of the largest private homebuilders in the U.S. We do not foresee an issue with this case. The value of the transaction is \$1.2 billion.
- CFIUS: Gerdau (Brazil)/Sheffield Steel (U.S.) (Hunter/NSC; Katz) – Day-30 is 5/18. Gerdau owns and operates steel mills throughout South America. Sheffield steel, from Oklahoma, is a regional producer with no USG contracts and no products with particular military applications. Treasury is checking whether this case has Hill sensitivities. The value of the transaction is \$198 million.
- CFIUS: QinetiQ (UK)/Ocean Systems Engineering (U.S.) (Daly/NSC; Katz) – CFIUS agencies determined not to go to investigation on this transaction involving the purchase of a U.S. software and engineering firm with classified contracts by a UK government controlled company. QinetiQ, the purchaser, has been through 5 other reviews since 2004, it currently has classified contracts with the DOD, and CFIUS agencies concluded that the acquisition did not raise national security concerns. CFIUS made this decision after CFIUS Deputies (and Sec Snow) were briefed. Treasury has briefed the Hill on 5/2 -3 and has received only mild reactions. QinetiQ, which was a R&D agency of the UK ministry of defense, was privatized in 2001. The U.K. government owns nearly 20% of the shares. Ocean Systems is a private company in California which almost exclusively serves the U.S. defense agencies. Day 30 was 5/1. The transaction value is \$53 million.
- CFIUS: Toshiba (Japan)/Westinghouse (UK) (Daly/NSC; Katz) – On 5/2, Toshiba and Westinghouse formally filed their request for a CFIUS review. Day 30 of the review is 6/1, and Day 45 of any potential investigation would be 7/17, well after PM Koizumi's visit during the week of 6/26. The DOE and the companies are near completion of a special security agreement that addresses Westinghouse's sole classified contract with the DOE and mitigates the potential for adverse actions resulting from foreign control. While we have not yet heard Congressional concerns on this merger, NSC is working with Treasury, DOE, and WH Leg on Hill and press strategies.
- *Children's Safety Act (Ho/DPC; Jordan) - With almost no fanfare, the Senate passed the Children's Safety Act last Thursday by unanimous consent. The House passed its version of the bill in November and again in March, but Senator Kennedy had placed a hold on the Senate version, insisting on provisions that would make offenses actionable as hate crimes if based on sexual orientation. After Senator Kennedy agreed to remove his hold last Thursday, Leader Frist hotlined the bill for consideration by the full Senate. The Children's Safety Act would require states to notify one another when a sex offender moves from one state to another, and make it a federal crime punishable by up to 20 years in prison for sex offenders who refuse to comply with registration requirements. The House and Senate bills will need to be conferenced, as the House version contains additional provisions addressing judicial security and other crime issues that the Senate version does not.*

- *China's Market Economy Status (Herrmann/NSC; Katz)* – In connection with an ongoing antidumping investigation, the Commerce Department is evaluating a Chinese producer's request (subsequently supported by the Chinese government) that China be found a market economy. It is commonly believed that such a determination could result in Commerce's calculation of lower dumping margins for covered Chinese products. *Commerce had planned to release its determination today (May 10) to counterbalance to Treasury's release of its foreign exchange report, but elected to hold the release based on concerns expressed by Embassy Beijing. It is possible that Commerce will release its determination during the week of May 15.*
- Civil Rights (Ho/DPC; Jordan)
- Clean Air Act (Stolpe/CEQ; Jordan)
- Climate Change (St. Martin/CEQ; Jordan) – The Climate Science Report was rolled out on 5/2 with hill briefings and a press call. NOAA scientist and lead author of the report, Tom Karl, led House and Senate committee briefings on the findings. While it is possible that this very technical report will be used by adversaries as further evidence that human behavior is contributing to rapid climate change, Hill staff appeared genuinely interested in the substance of the report. NOAA also handled the press call and CEQ handled follow up calls looking for White House comment.
- Columbia River Salmon (Schildwachter/CEQ; Jordan)
- Community Service Executive Order (Troy/DPC; Jordan)
- Cooperative Conservation (Butler/CEQ; Jordan)
- Critical Infrastructures Protection (Nielson/HSC; Jordan)
- *Drugs (Katsurinis/ONDCP; Katz)* - *ONDCP voiced concerns in a working group meeting yesterday regarding Education's proposed rigorous randomized evaluation of the student drug testing program. This issue was raised last year and OMB and Education strongly supported making a rigorous evaluation a key component of the Department's Student Drug Testing program. In FY 2005, Education announced that it would offer extra points in the program's grant competition to applicants who volunteered to participate in an evaluation. Unfortunately, the number of volunteers was too small for the evaluation to occur. As a result of their experience last year, Education has determined that in order for an evaluation to take place, participation in the evaluation will need to be mandatory for all grantees. ONDCP voiced concerns about the proposed evaluation design. Their main concerns are: Given the small number of applicants last year, requiring participation in the evaluation may lead to even fewer applicants this year; the proposed evaluation design, which maintains the random assignment for one year, may not be able to detect spillover/ peer effects in the non-tested student population; and another type of evaluation (not randomized) might produce a better evaluation. Director Walters disagrees with Education's approach and has requested further discussion of their proposed evaluation. DPC will be hosting a Deputies meeting later this week.*
- *Drug Reimportation (Leggitt/DPC; Katz)* – *At the request of Representative Northup, Emerson and Gutknecht, FDA and HHS are meeting this afternoon to discuss reimportation. These members have generally been supportive of facilitating importation of prescription drugs. They requested a meeting with WH staff but DPC and OLA felt it was preferable for them to meet with the agencies. HHS and FDA are expected to reiterate our safety and economic concerns with such legislation.*
- Endangered Species Act (Schildwachter/CEQ; Jordan) – CEQ hosted talks Friday among USDA, Interior, and environmental groups who support the proposed delisting of the grizzly bear in Yellowstone Park. The National Wildlife Federation is leading the environmental groups in support of delisting; despite a long record of contrary positions, they now support a Cooperative Conservation approach. The talks Friday clarified several technical points underpinning the delisting proposal and will improve the likelihood that the final delisting decision will sustain legal

challenges. The final delisting decision is still under review and will be for some time yet. Acting Secretary Scarlett has received a letter from Chairman Pombo with 42 Republican and 13 Democrat members urging the Administration to propose new regulations for the ESA. It lists 6 specific items to include in a rule, all of which make sense at a policy level. CEQ will work with Interior on a response that protects our objective of having Secretary-designee Kempthorne begin redefining this issue after he is confirmed.

- Eminent Domain EO (Moreland/DPC; Jordan) – A deputies meeting was convened on 4/28 to consider a DPC-drafted Executive Order that would address the Supreme Court's 2005 decision in *Kelo* by stating that (a) the federal government's exercise of eminent domain shall be available only for public use, and (b) the term "public use" shall not be construed to include economic development. Deputies were generally supportive of the proposed EO. Following informal consultations within EOP offices and with DOJ-OLC, the EO will be submitted for formal OMB clearance in approximately one week.
- Energy (Epifnai/NEC; Katz)
- *Entitlement Commission (Blahous/NEC; Katz) – Congressman Frank Wolf has reportedly reached out to experts at Heritage and Concord Coalition for drafting help on a bill to establish an entitlement commission. No word yet on what the bill would require in terms of the composition or appointment mechanism for the commission.*
- Everglades (Connaughton/CEQ; Jordan)
- Farm Bill (Hennessey/NEC; Katz)
- *FDA (Leggitt/DPC; Katz) - The FDA and CDC will hold a scientific meeting tomorrow to discuss the series of deaths resulting from infections following off-label use of the abortion drug RU-486. Four such deaths have been reported in the past two years in the US. The conference will review the available scientific evidence and discuss the link between the drug and the deadly infections. The FDA reports the NY Times plans a prominent story on the issue tomorrow in advance of the conference, and the conference will certainly also draw significant further press attention.*
- Federal Sentencing Guidelines (Ho/DPC; Jordan)
- FHA Reform (Streeter/DPC; Jordan)
- Flood Insurance Program (Kupfer/NEC; McMillin) – Senate Banking plans to markup legislation on May 16. They have asked for one final meeting with EOP staff before proceeding (they have already met recently with Treasury and FEMA/NFIP). Shelby's staff has a draft bill, but it is unclear at this time how much detail they intend to share with us at this point.
- *Florida's Herbert Hoover Dike (Copeland/CEQ; Jordan) – CEQ and OMB participated in a conference call with the Corps Of Engineers to discuss potential options for additional measures that can be taken to address issues surrounding the integrity of the dike. The Corps Of Engineers will report back next week on the results of their review and any refinements to the current plan that may have additional benefits. A positive note is that Lake Okeechobee is now lower than 14 feet in elevation which is the elevation that the COE strives to achieve prior to hurricane season.*
- *Florida Levees (Copeland/CEQ; Jordan) – CEQ and OMB participated in a conference call with the Corps Of Engineers to discuss potential options for additional measures that can be taken to address issues surrounding the integrity of the dike. The Corps of Engineers will report back next week on the results of their review and any refinements to the current plan that may have additional benefits. A positive note is that Lake Okeechobee is now lower than 14 feet in elevation which is the elevation that the COE strives to achieve prior to hurricane season.*
- Foster Care Waivers (Pardue/DPC; Jordan)
- Freedom Corps E.O. (Sayle/USAFIC; Jordan) – Freedom Corps drafted an E.O. recently encouraging volunteerism, and requiring agencies to designate one SES-level official at each agency to be a volunteer liaison. In the clearance process, the Office of Faith Based Initiatives

apparently raised the objection that they didn't want agencies to assign their Faith Based representative to take on these additional responsibilities. Freedom Corps/DPC gave in to this objection, and said they would tell the agencies not to do so. Last week, Agriculture and Labor stated their intention to make their Faith Based directors the volunteer liaison. OFBI is upset, and has drafted a letter to all Cabinet members for COS Bolten to sign. Freedom Corps suggested in response to cover the issue in detailed guidance being developed for the agencies.

- Fuel Waiver (Epifani/NEC; Katz) – The EPA received two new related requests on 5/8 to waive fuel requirements in the South Dakota-Nebraska area. The Governor of South Dakota and the Nebraska Petroleum Marketers Assn requested a waiver of the low sulfur gasoline standard requirements in SD and eastern NE because of price. SD and eastern NE are required to use low sulfur gasoline. Western NE is also but it is on a slower phase-in schedule, so their gasoline is currently cheaper. SD and eastern NE want to be able to use the cheaper western NE gasoline. EPA reports there is no shortage of gasoline in NE or SD. EPA is gathering info from state officials.
- Gangs (Ho/DPC; Jordan)
- *Good Samaritan Legislation (Butler/CEQ; Jordan) – EPA Administrator Johnson will be holding a press call 5/10 to announce transmittal of EPA's Good Samaritan Legislation. The Legislation will be introduced by request by Senator Inhofe. This is the first part of the Cooperative Conservation Legislative Package.*
- GSEs (Kupfer/NEC; Katz)
- Health Action Team (Ramthun/NEC; Katz)
- *Health IT (Leggitt/DPC; Katz) – The next AHIC meeting is 6/13. DPC staff are going to HHS on Friday to discuss the process for replacing Dr. Brailer as national coordinator of HIT.*
- Helping America's Youth (Parker/DPC; Jordan)
- HHS Vouchers (Towey/OFBI; Jordan)
- Homelessness (Pardue/DPC; Jordan)
- Housing (Streeter/DPC; Jordan)
- Houston Mayor Visit (Streeter/DPC; Jordan) – IGA arranged a meeting with Mayor White of Houston on 5/4 with DPC, HSC, HUD and FEMA so the mayor could articulate his concerns about the evacuee population living in apartments for which FEMA is reimbursing landlords. As reported in the media, about 8,000 of the 34,000 households have been receiving notices that they have been determined ineligible. The main outcome of the meeting is that FEMA will be determining, first, how many households are ineligible for a known reason and how many simply because a household did not fill out proper paperwork, and second, how many are ineligible because they are extended family living with a relative. If they can declare families eligible for continued assistance once they get needed paperwork, and if they can arrange to care for extended families under separate leases, the actual population having to leave the apartments may be smaller than currently reported. We have asked them to let us know their analysis of the population by early this week so that we all have a common understanding of how large the actual population is.
- HSAs (Ramthun/NEC; Katz) – NEC reports that eHealthInsurance, the largest online broker of health insurance, announced on 5/10 their latest findings which underscore the success of Health Savings Accounts and validate the President's main points. The findings show that for individuals and families buying HSA policies on their own through eHealthInsurance: 1. premiums dropped 17% from 2004-2005; 2. 41% of purchasers were previously uninsured; 3. 45% of purchasers earned less than \$50,000 annually; and 4. HSA policies continue to provide comprehensive benefits.
- *HUD: Secretary Jackson statement (Streeter/DPC; Jordan) – HUD issued a statement from Jackson on its web site today saying he regrets his comments about denying a contract to someone*

*who did not support the President, declaring that no one has been denied a contract on a basis of political views, and clarifying his commitment to the highest contracting standards. HUD is also distributing the statement to congressional offices that have inquired about Jackson's remarks.*

- *ICANN (Russell/OSTP; Katz) – The ICANN board voted to reject the .XXX application by a vote of 9-5. ICM (the .XXX sponsor) does have the ability under the ICANN by-laws to seek reconsideration of the decision, but it is unlikely that the outcome would change.*
- Immigration Assimilation (Ho/DPC; Jordan)
- Immigration: Refugees/Material Support (Ho/DPC; Jordan) – EOP offices worked with DOJ, DHS, and State Department on their testimony to the Hill on 5/10 on the issue of refugees/material support. NSC had to cancel their 7 am deputies call on the subject because Dr. Crouch was called to brief the President. A follow-up call had been scheduled for the rest of EOP staff to hear the guidance that came from the call, and that call went forward, even without guidance. In that call, we determined that the testimony should emphasize the two significant policy issues that are being weighed – support of refugees and prevention of terrorism. Additionally, we agreed that witnesses can oppose the proposed Leahy amendment, as it would substantially weaken provisions used in the War on Terror. If asked if they support any other legislative fix, witnesses are to say that we are continuing to look at further steps necessary to ensuring the harmonization of national security interests with the refugee program. Written guidance to this effect was issued to the agencies, along with cuts to each agency's testimony stating adverse viewpoints. DOJ has responded that the guidance was helpful to them, even though we actually cut some of the comments they originally wanted to make. Additionally, NSC planned to talk with State Department and let them know they should disavow previous email statements to the hill on this subject, and state that there has not been a determination on a legislative fix, and that we do not support the Leahy amendment (Leahy is stating that he has State Department support because of the email comments he received). DOJ organized a call on 5/9 for the three witnesses to coordinate on their testimony, but State Department backed out at the last minute.
- Immigration: No Match (Baker/HSC; Jordan) – HSC held a meeting on 5/4 to discuss disagreement over release of the DHS no match rule. OLA still thinks that this could be disruptive to proposed legislation on the Hill. DHS still feels strongly about releasing the rule, and Sec. Chertoff would like to contact Grassley and Frist to see if this rule would be problematic for them. It was agreed that OLA will contact Frist's office, and see if Frist is concerned about release of the rule.
- Immigration Reform (Ho/DPC; Jordan) – Senator Cornyn introduced the Securing Knowledge Innovation and Leaders ("SKIL") bill, co-sponsored by Senators Allard, Bennett, Enzi, Allen, and Lott. The bill, which was largely drafted by Compete America (a coalition of businesses, immigrant advocacy groups, and universities that favor high-skilled immigration), would: (i) exempt professionals who have earned an advanced degree from a U.S. university from both the H-1B and employment-based green card caps; (ii) replace the current hard H-1B cap with a market-based one that responds to yearly demand; (iii) create a new student visa that will allow those students who earn a U.S. bachelor's degree or higher to continue to work on their student visa until the processing on their employment-based green card is complete; (iv) exempt extraordinary ability workers, outstanding researchers and professors, and spouses and children of all workers from the employment-based green card cap; (v) allow for certain professionals now waiting in the green-card line to pay a fee and file for legal, permanent residency even if an immigrant visa number is not available to them; (vi) allow employers to pay a premium processing fee to expedite the processing of an immigrant petition; and (vii) provide for a pre-certification system to streamline the processing of certain nonimmigrant and immigrant petitions. The SKIL bill is a stand-alone

version of the high-skilled reforms already contained in the comprehensive immigration reform bills pending in the Senate.

- Immigration Worksite Enforcement (Baker/HSC; Jordan)
- Indian Gaming (Ho/DPC; Jordan)
- Indian Trust/Cobell (Ho/DPC; Jordan)
- Intellectual Property Rights (Shirzad/NSC; Katz)
- Iraq Consistency of Benefits (O’Sullivan/NSC; Jordan) – The debate between the State Department and OVP over Iraq consistency of benefits was addressed on 5/3 by Congress. OVP had drafted language to allow civilians working in Iraq and Afghanistan the same allowances, benefits, and gratuities as foreign services officers receive. State Department wanted such benefits for all employees serving in Iraq and Afghanistan, but OVP felt it should be only for those who commit to long-term service, at a minimum of a year or two. The language submitted covered individuals whose “duty station” is Iraq or Afghanistan, which would leave out those on Temporary Duty. The House used OVP’s language in the Supp., but reworded it slightly, to say “employees on official duty to Iraq or Afghanistan,” which does include those on TDY, and has no time limitation. The increase in benefits would still be at each agency head’s discretion.
- *Katrina: FEMA and Charter Schools (Snyder/DPC; Jordan) – The meeting Senators Alexander and Landrieu scheduled with the White House, FEMA, DHS, and Ed was put off today until Friday. DHS OGC has made a legal determination – charter schools do qualify, except in situations where they’re not responsible for repairs, such as rentals. Most importantly, they do not have to apply at SBA first. DHS OGC will provide a brief written legal opinion so everyone knows there’s a bright line legal rule for this issue. Additionally, they are re-writing their proposed letter to Landrieu regarding the proposed amendment (now stating positively that we do not need a leg fix, as we have authority to fix the situation already). DHS has also been working closely w/ Education to get info on every charter school at issue, and should, by the end of the week, be able to state the outcome on each school, and when those that qualify will get their funding. They have taken all of the Katrina charter school issues to headquarters, and are expediting the processing on those, and are contacting schools that have withdrawn their application to see if they’ll qualify now. Therefore, regional guidance won’t even be an issue for any of those schools. They will, however, issue written guidance to the regions for the upcoming hurricane season.*
- *Katrina Housing Rebuilding Plan (Streeter/DPC; Jordan) – The LA house approved the LRA’s CDBG housing plan last night, but with an added amendment, so it has been sent back to the senate. The senate has taken the amended bill today, and the LRA tells Powell’s office that it should be voted out today, but that remains to be seen. The amendment would urge the LRA not to deduct insurance proceeds from the total grant amount that homeowners receive. The LRA is confident that they can ship the plan to HUD within a day of the vote.*
- Katrina Levees (NEC; McMillin)
- Katrina Mobile Homes (Streeter/DPC; McMillin)
- Legal Reform (Ho/DPC; Jordan)
- *LNG (Epifani/NEC; Katz) – Freeport McMoran, which filed its DWPA application in February 2004, was planning to develop a 1 billion cubic foot per day offshore LNG facility, 38 miles east of Venice, Louisiana. On 5/5, Governor Blanco announced her decision to deny Freeport McMoran’s application. Freeport McMoran has decided to change their plans to a closed rack system and seek approval.*
- Lobbying Reform (Kelley/WHC; Jordan)
- Medicaid Commission (Ramthun/NEC; Katz) – The next meeting of the Commission is 5/17-18, in Dallas. Hubbard spoke with Leavitt on 5/1. Leavitt wants to rework his proposal. The current plan is for Leavitt to call Sundquist and Jeb before the May Commission meeting, as he did with

the last one. Leavitt will send his revised proposal this week and Roy and OMB (Fontenot) will begin to set out options for fiscal goals. A PCC is set up for 5/16 with Deputies meeting the following week, Principals the week after and policy time with the President on 6/1.

- Medical Liability Reform (Ho/DPC; Jordan) – The motion to invoke cloture on the motion to proceed to S. 22, the Medical Care Access Protection Act, failed 48-42 in the Senate. Republicans voting "no" were Senators Crapo, Graham, and Shelby. All Senate Democrats voted no. Senators not voting were Brownback, Burns, Coburn, McCain, Biden, Conrad, Durbin, Jeffords, Obama, and Rockefeller. The motion to invoke cloture on the motion to proceed to S.23, the Ob-GYN bill, also failed except that Senator Coburn voted yes on that bill. A Presidential statement expressing disappointment the Senate has yet again failed to move forward on medical liability reform was released on 5/8.
- Mine Safety (Sharp/DPC; Jordan) – DOL staff briefed DPC, OMB, WHC, Communications, WH Press, and COS office on an upcoming rulemaking to delay imposition of stricter diesel emissions standards in non-coal mines. A Clinton Administration midnight regulation is scheduled to take effect on May 19 (the five-year delay was built into the rule to allow new technology to develop) unless DOL acts first. The DOL rule will delay for two years the imposition of this new lower standard which DOL says is technologically infeasible and impossible to enforce (because diesel particulate cannot be accurately measured at such low levels). The two-year delay will give DOL enough time to issue a separate regulation that will change the metric so the new standard can be measured and therefore enforced. The press is likely to be critical of this rule because it will be issued between the Sago mine public hearings, which just concluded, and the investigation team's final report, expected at the end of the month. DOL is preparing talkers and Qs and As.
- MS Homeowner Compensation Plan (Streeter/DPC; McMillin)
- NASA (Russell/OSTP; Katz) – NASA briefed DeWine on 3/13 and DeWine walked out believing that "good news was imminent" for the Glenn Research Center and DeWine told Karl that he really wanted to play some part in the rolling out of this. DeWine's hope is that Glenn will be awarded the responsibility for the Crew Exploration Vehicle's (CEV) Service Module. NASA's internal decision (which we as yet do not have) will be transmitted to Administrator Griffin the week before Memorial Day and Griffin will then approve the final decision. Public announcement is tentatively scheduled for early June. Dr. Marburger spoke with Administrator Griffin on 5/5 and the Administrator said that his legislative team is beginning to plan the roll out which will happen in a couple/few weeks. NASA will have DeWine participate in the announcement.
- National Park System (Schildwachter/CEQ; Jordan)
- Native Hawaiian (Ho/DPC; Jordan)
- NCLB (Medina/DPC; Jordan)
- New Orleans Elections (Ho/DPC; Jordan)
- New Source Review (Stolpe/CEQ; Jordan)
- Northwestern Hawaiian (Kuska/CEQ; Jordan)
- Nuclear (Epifani/NEC; Katz)
- OCS (Epifani/NEC; Katz)
- Online Pharmacies (Ho/DPC; Jordan)
- Online Predators (Pardue/DPC; Jordan)
- *Part D (Ramthun/NEC; Katz) - HHS announced that almost 37 million people with Medicare now have prescription drug coverage. This number includes over 9 million individual enrollees in "stand alone" prescription drug plans and more than 1 million new enrollees in Medicare Advantage plans. In addition, 5.8 million people with Medicare are getting drug coverage through the Veterans Administration and other sources of coverage that are at least a good as Medicare --*

*bringing the total to approximately 36.9 million Medicare beneficiaries who are now receiving prescription drug coverage.*

- *Pensions (Blahous/NEC; Katz) – NEC/OLA received another update today from Grassley staff on the status of discussions between conferees. Reportedly Boehner and Grassley's positions continue to grow closer. The latest suggestion from Boehner's staff is to strengthen the House at-risk test from 60% funding to 70% funding. Boehner's objective in doing this is to reduce the need to have a powerful credit-rating-based provision in the bill. But this helps our objectives also, because this change would have a positive (if small) impact on the overall strength of the bill. Earlier today we provided Grassley and Thomas staffs with information about how many plans would be excused from the Senate "at-risk" test if a year of declining bond ratings was a prerequisite for inclusion. (Answer: depending on the year, between one-half and two-thirds of plans otherwise caught up in the Senate at-risk test would be excused if this additional trigger were added.) Grassley staff says that Boehner staff is talking increasingly in terms of ensuring that Administration concerns are satisfied. Momentum in Grassley/Thomas/Boehner discussions is accelerating, so Grassley staff is increasing estimate of the chance of completion by Memorial Day from 20% to nearly 50% based on recent events. Thomas is also reportedly meeting soon with Grassley/Baucus on the pension bill (all have been like-minded with us on getting a strong bill.) Grassley staff say that Enzi is getting "increasingly alarmed" over the apparently coalescing consensus between Grassley/Thomas/Boehner on the major issues.*
- *PEPFAR (Ho/DPC; Jordan) – DPC met with Shepherd Smith (Institutive for Youth Development) and Ray Ruddy (Gerard Health Foundation) to update them on progress being made in enforcing the President's prevention policies within PEPFAR. In particular, they and others (Jim Dobson) have expressed concern over emphasis on condom promotion rather than abstinence and be-faithful messages. DPC provided a number of example of positive developments in this area, and recent changes within the Coordinator's office at the State Department to ensure better oversight of PEPFAR implementation, including prevention and increased inclusion of faith-based organizations. Smith and Ruddy were very pleased to hear of these activities, and said that they will also reach out to Dobson to inform him of this good meeting and the positive information they received. DPC will follow up with a written response that highlights several of these examples.*
- *Port Security (Rasicot/HSC; Jordan)*
- *Postal Reform (Sharp/DPC; Jordan)*
- *Postage Rate Increase (Sharp/DPC; Jordan) – On 5/3, the Postal Service announced a request for 3 cent rate increase to become effective next May. The Board noted that their increases over the past several years have been at or below CPI - the rate of growth the Administration has proposed as a cap for postal rates in the postal reform debate - and mentioned the high price of gasoline as a significant cost driver. The proposal went to the Postal Rate Commission for review.*
- *Potassium Iodide/KI (Kaplan/OMB; Katz) – OMB will have a memo finalized on 5/10 with EOP input so that McMillin can host a Deputies meeting later this week to resolve an ongoing dispute regarding an HHS guidance to stockpile sufficient KI for distribution to populations within 20 miles of a nuclear facility (current practice is 10 miles). HSC/HHS believes proceeding with the guidance document is consistent with the law and previous policy decisions. NRC, DOE, NEC and OSTP believe expanding KI stockpiling is an inefficient and ineffective way to protect populations, and that new unnecessary regulatory burdens will hamper the approval of new nuclear plants.*
- *Prisons (Ho/DPC; Jordan)*
- *RESPA (Streeter/DPC; Jordan) – DPC and OMB met with HUD on 5/9 to review HUD's proposed forms they plan to issue with a new RESPA rule. The main idea is to standardize forms to make the home buying process easier for the homebuyer. The forms are a standardized Good Faith Estimate form that a prospective homebuyer receives while shopping for a loan, and a revised*

HUD-1 form that he/she signs at closing. DPC will be scheduling a deputies meeting next week to discuss the overall proposal.

- SBInet (Baker/HSC; Jordan)
- Section 8 Reform (Streeter/DPC; Jordan) – DPC is currently reviewing a draft rule reforming HUD's Section 8 program. Reform legislation has been stuck in committee for 3 years running. At \$20 billion, the Section 8 program at HUD is nearly 2/3 of HUD's budget and has remained largely impenetrable to the spirit of welfare reform. Some key reform measures such as setting time limits on housing assistance could be done through a rule, though one key measure on income eligibility requires statutory change. HUD believes there is a possibility that several House Financial Services members may try to move a Section 8 reform bill that would be more administrative and not achieve much reform at all. DPC met with HUD and OLA on 4/7 to discuss a way to address the statutory change we need in whatever the members might do, and then prepare a rule to drop at the end of the year to achieve our remaining reform objectives when the 109th wraps up. OLA is facilitating a meeting with the Speaker's office to engage House leadership on the issue.
- Sentencing Reform (Ho/DPC; Jordan)
- Smallpox (Venkayya/HSC; Katz)
- SPR (Epifani/NEC; Katz)
- Steroids (Ho/DPC; Jordan)
- Stem Cells/Bioethics (Levin/DPC; Jordan)
- Superfund (Stolpe/CEQ; Jordan)
- TANF (Streeter/DPC; Jordan) – DPC hosted a policy deputies meeting on 5/8 on the implementation of the newly reauthorized welfare reform (TANF) program. Rick Campanelli, Leavitt's human services counselor, represented Alex Azar, and Wade Horn gave the presentation. The discussion centered on the regulations that HHS is statutorily obligated to publish as a rule by June 30. The rule will place conditions on what counts as legitimate work-related activity, and what does not, and it will require greater accountability and oversight on the part of the States. It will be issued as an interim final rule, which will generate some resistance from States but this is necessary so that we do not delay the effort of moving people from welfare to work. There was agreement that HHS needs to do more work on its public communication strategy on the occasion of the rule's issuance, and DPC will work with HHS on this in preparation for a principals meeting next week.
- *Tax Reconciliation (Kupfer/NEC; Katz) – The House passed reconciliation today by a vote of 244-185 (15 D's in favor, 2 R's against). Senator Baucus predicted today that the conference report will pass the Senate: "I think it will pass narrowly," Baucus said at a news conference. Senate vote will take place tomorrow. OLA expects a final vote of 53-47 with the only Democrats voting with us Senator Ben Nelson and maybe Bill Nelson. OLA is going by a motion by Grassley to instruct conferees in Senate on Feb. 17 to include both AMT and Cap Gains/Dividends: D's voting Yea: Nelson, Nelson. R's voting no: Chafee, Snowe, Voinovich, Warner.*
- Tax Reform (Kupfer/NEC; Katz)
- *Telecom (Russell/NEC; Katz) – Agreement was reached between OMB and FCC on an exchange of letters on the E-Rate program (part of the Universal Service Fund). The letters indicate that the financial management of the program has improved and that with only a minor adjustment before 2008 (0.1% change in collections) it can be compliant with the Anti Deficiency Act. The letters will be exchanged tomorrow. The Senate Commerce Committee has been pushing for such an exchange of letters.*
- Title IX (Wilson/DPC; Jordan)

- *Tricare (Leggitt/DPC; Katz)* – DPC, NEC, WHC, and OMB met to formulate arguments for use on the Tricare Rx pricing issue. They determined that arguments for removing the retail pharmacy language from the Defense Authorization Act need to focus on the potential detrimental effects of such language on ongoing litigation, as well as the risk of introducing the federal price control concept into other areas of policy (like FEHBP and Medicare), which would undermine the discounts enjoyed by DoD and VA. Arguments against linking the Tricare and Medicare pricing issues, meanwhile, need to focus on the important differences between the programs and benefits in question, on the uniqueness of the Tricare benefit for military families, and on the danger that if expanded too broadly federal price negotiations would in practice turn into federal price setting (which would have extreme detrimental effects on the market). OMB and CMS will provide detailed analyses to support these points in the next few days, for use by OLA and Comms as the need arises. *OMB circulated a draft SAP today regarding the National Defense Authorization Act. OMB has substantial concerns that certain health-related provisions in the act would increase budget costs by as much as \$12 billion annually unless a corresponding reduction is made in DOD's discretionary topline.*
- WH Conference on Aging (Leggitt/DPC; Katz)
- WTO (Shirzad/NSC; Katz)
- Yucca (Epifani/NEC; Katz) – On 5/11, Acting Director of DOE Nuclear Energy, Paul Golum, will testify before the Senate Energy Committee on Yucca Mountain and Nuclear Risk Insurance.

## POLICY TIME – MAY 2006

SUN	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SAT
7	8 NO TIME	9 NO TIME	10 2:15-3:00 DPC: State of the Airline Industry (45 min)*	11 NO TIME	12 NO TIME	13
14	15 9:45-10:30 NEC: State of Auto Industry (45 min)*	16 NO TIME	17 2:35-3:20 NEC: Energy (45 min)*	18 NO TIME	19 NO TIME	20
21	22 NO TIME	23 1:30-2:15 DPC: TANF (45 min)	24 10:45-11:30 Kaplan (45 min)	25 1:05-1:50 NEC: Econ Update (45 min)	26 TBD Kaplan (45 min)	27
28	29 NO TIME  <i>MEMORIAL DAY</i>	30 TBD Kaplan (45 min)	31 TBD Kaplan (45 min)	1 TBD NEC: Medicaid (45 min)	2 TBD Kaplan (45 min)	3
4	5 TBD	6 TBD	7 TBD	8 TBD	9 TBD	10

5/10/06

**Possible May Policy Times: Avian; AMT; CFIUS Reform; Eminent Domain; Endangered Species Act; Immigration Material Support; Port Security; Voting Rights Act**  
**Regular Reports (Date of last PT): Competitiveness (3/27), Energy (4/20), and Health (4/7); Economic Update (4/10); Katrina Update (4/26)**

\* Indicates Cabinet Member Attendance

## Working Group Calendar

### WORKING GROUP CALENDAR

Monday, May 8 <sup>th</sup>	Tuesday, May 9 <sup>th</sup>	Wednesday, May 10 <sup>th</sup>	Thursday, May 11 <sup>th</sup>	Friday, May 12 <sup>th</sup>
<p><b>9:30 NEC: Weekly American Energy Initiative Action Team (JK)</b></p> <p><b>11:00 NEC: Weekly Health Care Action Team (JK)</b></p> <p>11:00 DPC: Deputies Meeting on TANF Reauthorization Regulations (MJ)</p> <p>1:15 HSC: Meeting on Hurricane Season / Katrina Lessons Learned (SM)</p> <p>2:00 DPC: Meeting on CAFE – PCC (JK)</p> <p><b>2:30 NEC: Weekly Entitlement Action Team (JK)</b></p> <p><b>3:30 DPC: Weekly ACI Action Team Meeting (MJ)</b></p> <p>5:00 NEC: Principals Meeting on OCS Revenue Sharing (JK)</p>	<p>9:15 DPC: Weekly DOT Call – PCC (MJ)</p> <p>10:00 DPC: Meeting on AHP Coalition – PCC (JK)</p> <p>11:00 DPC: Principals Meeting on Voting Rights Act (SM)</p> <p>3:00 DPC: Weekly ED Call – PCC (MJ)</p> <p>3:00 Comm: Avian/Pandemic Flu Communications Team (JK)</p> <p>5:00 NEC: Deputies Meeting on Fuel/Energy (JK)</p> <p>5:30 DPC: Weekly DOJ Call – PCC (MJ)</p> <p>5:30 NEC: Meeting on CFIUS (JK)</p>	<p>11:00 DPC: Weekly Conf Call w/ DOL (MJ)</p> <p>11:00 NSC: Conf Call on Material Support Testimony (MJ)</p> <p>5:00 NEC: Deputies Meeting on Energy/Fuel (JK)</p>	<p>9:30 NEC: Follow-Up Meeting on Energy Deputies (JK)</p> <p>10:00 DPC: Weekly Call w/ HHS (JK)</p> <p>11:00 NEC: Deputies Meeting on the Auto Industry (JK)</p> <p>3:30 NEC: Weekly Medicare Meeting – PCC (JK)</p> <p>4:00 NEC: Weekly Medicaid Meeting – PCC (JK)</p>	

## Working Group Calendar

Monday, May 15 <sup>th</sup>	Tuesday, May 16 <sup>th</sup>	Wednesday, May 17 <sup>th</sup>	Thursday, May 18 <sup>th</sup>	Friday, May 19 <sup>th</sup>
<p><b>9:30 NEC: Weekly American Energy Initiative Action Team (JK)</b></p> <p><b>11:00 NEC: Weekly Health Care Action Team (JK)</b></p> <p>1:00 DPC: Principals Meeting on TANF (SM)</p> <p><b>2:30 NEC: Weekly Entitlement Action Team (JK)</b></p> <p>3:00 DPC: Deputies Meeting on Human Services Regulation (MJ)</p> <p><b>3:30 DPC: Weekly ACI Action Team Meeting (MJ)</b></p>	<p>9:15 DPC: Weekly DOT Call – PCC (MJ)</p> <p>10:00 DPC: Deputies Meeting on Workforce Investment Act (MJ)</p> <p>2:00 NEC: Meeting on Medicaid Commission – PCC (JK)</p> <p>3:00 DPC: Weekly ED Call – PCC (MJ)</p> <p>5:30 DPC: Weekly DOJ Call – PCC (MJ)</p>	<p>11:00 DPC: Weekly Conf Call w/ DOL (MJ)</p>	<p>10:00 DPC: Weekly Call w/ HHS (JK)</p> <p>3:30 NEC: Weekly Medicare Meeting – PCC (JK)</p> <p>4:00 NEC: Weekly Medicaid Meeting – PCC (JK)</p>	

OFFICE OF CABINET LIAISON

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THURSDAY 05 / 11 / 2006

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**Secretary Leavitt**

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**Secretary Jackson**

2:00pm – 2:30pm      1 FL/WW      Meeting with Josh Bolten

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FRIDAY 05 / 12 / 2006

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**Secretary Rice & Secretary Rumsfeld**

9:45am – 10:30am      **Roosevelt Room**      President's Meeting with Former Secretaries of State and Secretaries of Defense

**Secretary Chao & Secretary Mineta**

2:35pm – 3:05pm      **East Room**      Asian Pacific American Heritage Month and President's Volunteer Service Awards

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MONDAY 05 / 15 / 2006

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**Secretary Mineta**

2:00pm – 4:00pm      **Room 164**      Office Time

**Secretary Bodman**

3:00pm – 3:30pm      1 FL/WW      Meeting with Steve Hadley

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TUESDAY 05 / 16 / 2006

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**Secretary Rice, Secretary Snow (T), Secretary Gutierrez, Secretary Bodman & Ambassador Portman**

8:35am – 8:45am      **Oval Office**      NSC Pre-Brief

*Participants:*

DOD

Gordon England, Deputy Secretary

**Secretary Rice, Secretary Snow (T), Attorney General Gonzales, Secretary Gutierrez, Secretary Bodman & Ambassador Portman**

9:05am – 9:30am

**South Lawn**

Arrival Ceremony for the Prime Minister of Australia

*Participants:*

DOD

Gordon England, Deputy Secretary

**Secretary Rice, Secretary Snow (T), Secretary Gutierrez, Secretary Bodman & Ambassador Portman**

9:35am – 9:50am

**Cross Hall**

Receiving Line

*Participants:*

DOD

Gordon England, Deputy Secretary

**Secretary Rice**

10:00am – 10:30am

**Oval Office**

Restricted Meeting with the Prime Minister of Australia

*Participants:*

State

Christopher Hill, Assistant Secretary for the Bureau of East Asian and Pacific Affairs

DOD

Gordon England, Deputy Secretary

**Secretary Rice, Secretary Snow (T), Secretary Gutierrez, Secretary Bodman & Ambassador Portman**

10:35am – 11:25am

**Oval Office**

Expanded Meeting with the Prime Minister of Australia

*Participants:*

State

Christopher Hill, Assistant Secretary for the Bureau of East Asian and Pacific Affairs

USTR

Susan Schwab, Deputy U.S. Trade Representative

DOD

Gordon England, Deputy Secretary

**Secretary Rice, Secretary Snow (T), Secretary Gutierrez & Secretary Bodman**

11:45am – 12:15pm

**East Room**

Joint Press Availability with the Prime Minister of Australia

*Participants:*

DOD

Gordon England, Deputy Secretary

**Secretary Rice, Secretary Rumsfeld, Secretary Leavitt, Secretary Spellings & Director Walters**

7:00pm – 10:00pm

**State Floor**

Official Dinner with the Prime Minister of Australia and Mrs. Howard

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WEDNESDAY 05 / 17 / 2006

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**Secretary Gutierrez (T)**

11:00am – 12:30pm      **CL Conf Room**      Gulf-Coast Recovery

*Invited Participants:*

DHS

Donald Powell, Federal Coordinator of  
Recovery and Rebuilding in the Gulf Coast  
Region

## POLICY TIME CHECKLIST

PT DATE	POLICY COUNCIL/ SUBJECT	CABINET DATE HOLD	INVITE LIST APPROVAL	INVITE SENT	PRESENTATION TO STAFF SEC.	SEATING CHART APPROVAL
		(7 DAYS OUT)	(4 DAYS OUT)	(3 DAYS OUT)	(2 DAYS OUT)	(1 DAY OUT)
MAY 15	NEC State of Auto Industry	<b>DONE</b> <i>5/4</i>	<b>ASAP</b> <i>5/9</i>	<b>ASAP</b> <i>5/10</i>	<i>5/11</i>	<i>5/12</i>
MAY 17	NEC Energy	<b>DONE</b> <i>5/8</i>	<b>DONE</b> <i>5/11</i>	<b>ASAP</b> <i>5/12</i>	<i>5/15</i>	<i>5/16</i>
MAY 23	DPC TANF	<b>N/A</b> <i>5/12</i>	<i>5/17</i>	<i>5/18</i>	<i>5/19</i>	<i>5/22</i>
MAY 24	TBD	<i>5/15</i>	<i>5/18</i>	<i>5/19</i>	<i>5/22</i>	<i>5/23</i>
MAY 25	NEC Econ Update	<i>5/16</i>	<i>5/19</i>	<i>5/22</i>	<i>5/23</i>	<i>5/24</i>
MAY 26	TBD	<i>5/17</i>	<i>5/22</i>	<i>5/23</i>	<i>5/24</i>	<i>5/25</i>
MAY 30	TBD	<i>5/18</i>	<i>5/23</i>	<i>5/24</i>	<i>5/25</i>	<i>5/26</i>
MAY 31	TBD	<i>5/19</i>	<i>5/24</i>	<i>5/25</i>	<i>5/26</i>	<i>5/30</i>
JUNE 1	NEC Medicaid	<i>5/22</i>	<i>5/25</i>	<i>5/26</i>	<i>5/30</i>	<i>5/31</i>