

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 002 - FOLDER -008

[01/18/1997 - 01/22/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	DOB (Partial) (1 page)	01/21/1997	P6/b(6)
002. email	DOB (Partial) (1 page)	01/21/1997	P6/b(6)
003. email	Claudia Rayford-Williams to Elena Kagan. Subject: Tickets. (1 page)	01/22/1997	Personal Misfile
004. email	Claudia Rayford-Williams to Elena Kagan. Subject: Tickets. (1 page)	01/22/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
 Automated Records Management System [Email]
 OPD ([Kagan])
 OA/Box Number: 250000

FOLDER TITLE:

[01/18/1997 - 01/22/1997]

2009-1006-F

wr80

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 (ALL-IN-1 MAIL)

CREATOR: Dinah Bear (BEAR_D) (CEQ)

CREATION DATE/TIME:18-JAN-1997 14:17:00.42

SUBJECT: Meeting agenda

TO: Kris Balderston (BALDERSTON_K) Autoforward to: Remote Add
READ:NOT READ

TO: Ron Cogswell (COGSWELL_R) Autoforward to: Remote Addre
READ:NOT READ

TO: Martha Foley (FOLEY_M) (WHO)
READ:21-JAN-1997 08:50:43.48

TO: Thomas C. Jensen (JENSEN_T) Autoforward to: Remote Address
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Adresse
READ:NOT READ

TO: Christine L. Nolin (NOLIN_CL) (OMB)
READ:22-JAN-1997 09:59:16.36

TO: Jennifer M. O'Connor (OCONNOR_J)
READ:NOT READ

TO: Ruth D. Saunders (SAUNDERS_R) Autoforward to: Remote Addre
READ:NOT READ

TO: Remote Addressee (TLXA1MAIL_ \F:97205437\C:Anne Kennedy\\)
READ:NOT READ

TO: Remote Addressee (TLXA1MAIL_ \F:95140557\C:Peter Coppelman\\)
READ:NOT READ

TO: FAX (9-482-6318, Doug Hall) (TLXA1MAIL_ \F:9-482-6318\C: Doug Hall\\)
READ:NOT READ

TO: FAX (95640070, Richard Sanderson) (TLXA1MAIL_ \F:95640070\C:Richard Sanderson
READ:NOT READ

TO: FAX (96902730, Mike Gippert) (TLXA1MAIL_ \F:96902730\C:Mike Gippert\\)
READ:NOT READ

TO: FAX (92083877, Bob Baum) (TLXA1MAIL_ \F:92083877\C:Bob Baum\\)
READ:NOT READ

TO: FAX (92191792, Kris Clark) (TLXA1MAIL_ \F:92191792\C:Kris Clark\\)
READ:NOT READ

TO: Remote Addressee (TLXA1MAIL_ \F:97204732\C:Mark Gaede\\)
READ:NOT READ

TO: FAX (9-720-4732, Jim Lyons) (TLXA1MAIL_ \F:9-720-4732\C: Jim Lyons\\)
READ:NOT READ

TO: FAX (9-208-6916, Gerry Jackson) (TLXA1MAIL_ \F:9-208-6916\C:Gerry Jackson\\)

READ:NOT READ

TO: Remote Addressee (TLXA1MAIL_\F:915033266254\C:Tom Tuchman\<\
READ:NOT READ

TO: FAX (9-301-713-0658,Jason Patlis) (TLXA1MAIL_\F:9-301-713-0658\C:Jason Patli
READ:NOT READ

TO: Remote Addressee (TLXA1MAIL_\F:92085242\C:Nancy Hayes\<\
READ:NOT READ

TO: Mark A. Weatherly (WEATHERLY_M) (OMB)
READ:21-JAN-1997 08:46:47.38

TO: David J. Rostker (ROSTKER_D) Autoforward to: Remote Addres
READ:NOT READ

TO: FAX (9-514-4231,Jeremy Heep) (TLXA1MAIL_\F:9-514-4231\C:Jeremy Heep\<\
READ:NOT READ

TEXT:

There will be a regular meeting of the interagency/EOP working group this Tuesday, January 21st, at 2 pm in the CEQ conference room at 722 Jackson Place. The agenda will include:

1. Litigation report
(including alternative timber settlement report
2. Legislative report
(including House hearing in Oregon
3. New information issues/PN Forest Plan
4. Small Business Regulatory Flexibility Act
5. Agenda for meeting on 1/28/97
6. Other business

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME:17-JAN-1997 15:21:05.63

SUBJECT: toxics meeting

TO: Elena Kagan

(KAGAN_E) Autoforward to: Remote Adresse

READ:NOT READ

TEXT:

I could not go to the 3:00, but I spoke to Sally about it and will get an update after the fact. As I understand it the meeting was to discuss some of the legal issues related to the TRI regulations. When we talk gneerally about issues I would like to talk about whehter htis is something that you have a particular interest in.

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Deborah F. Kramer@EOP@LNWTWY@EOPMRX

CREATION DATE/TIME: 17-JAN-1997 16:19:00.00

SUBJECT: Please be advised that I inadvertently left DPC off the attache

TO: HOGAN_L (HOGAN_L@A1@CD) (OPD)
READ: 21-JAN-1997 08:54:30.31

TO: COHEN_M (COHEN_M@A1@CD) (OPD)
READ: 17-JAN-1997 17:05:02.21

TO: Cathy R. Mays (Cathy R. Mays@EOP@LNWTWY@EOPMRX)
READ: NOT READ

TO: Elena Kagan (Elena Kagan@EOP@LNWTWY@EOPMRX)
READ: NOT READ

TEXT:

Message Creation Date was at 17-JAN-1997 16:18:00

Ken would like Bruce and/or designees to attend the following 2 meetings on Tuesday --

There will be two meetings in Room 248 on Tuesday, January 21, 1997.

From 12:00 - 1:00: there will be a welfare-to-work meeting.

Attendees include: NEC, OMB, DOL: Tim Barnicle, Ray Uhalde, HHS: Ann Rosewater, Olivia Golden, Treasury: Michael Barr, CEA: Alicia Munnell, Phil Levine.

From 1:00 - 2:00: there will be a GI Bill meeting.

Attendees include: NEC, OMB, DOL: Tim, Ray, Lisa Lynch, ED: Trish McNeil, Ricky Takai, Jon Weintraub.

Sorry I left DPC off this list!!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Deborah F. Kramer (CN=Deborah F. Kramer/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:17-JAN-1997 16:30:08.00

SUBJECT: Please be advised that I inadvertently left DPC off the attached message..

TO: COHEN_M (COHEN_M @ A1 @ CD @ LNGTWY [EOP]) (OPD)

READ:UNKNOWN

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

READ:UNKNOWN

TO: HOGAN_L (HOGAN_L @ A1 @ CD @ LNGTWY [EOP]) (OPD)

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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Sorry I left DPC off this list!!

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:17-JAN-1997 17:58:48.02

SUBJECT: timing of ssi children announcement

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

As you think about this timing issue and events next week, you should know that Chater's last day is Friday, Jan. 31. It certainly would not be appropriate to do this after she leaves, or even in her last few days so that it appears she is running out the door as she announces it. My recommendation would be to do it Thursday or Friday of next week; or else Monday or at the latest Tuesday of the following week.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Martha Foley (FOLEY_M) (WHO)

CREATION DATE/TIME:18-JAN-1997 13:32:08.71

SUBJECT: FYI from Gordon Adams

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Adresse
READ:NOT READ

TO: Lyndell Hogan (HOGAN_L) (OPD)
READ:21-JAN-1997 08:57:18.41

TEXT:

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE:17-JAN-1997 12:05:00.00

ATT BODYPART TYPE:E

ATT CREATOR: Gordon Adams

ATT SUBJECT: AID population number

ATT TO: FOLEY_M (FOLEY_M@A1@CD)

ATT CC: Nancy A. Min (Nancy A. Min@EOP@LNGTWY@EOPMRX)

TEXT:

Message Creation Date was at 17-JAN-1997 12:05:00

Frank has decided we should go forward at \$400 m. I hope the noise level is sufficiently subdued that we can get through with this one; it does represent growth, though not what some may have hoped for. Our most likely negative reaction is likely to come from State/Global; AID has responsibility for that notification.

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: BEAR_D@A1@CD@LNGTWY (BEAR_D@A1@CD@LNGTWY [UNKNOWN]) (CEQ)

CREATION DATE/TIME:18-JAN-1997 16:07:59.00

SUBJECT: Meeting agenda

TO: WEATHERLY_M@A1@CD@LNGTWY (WEATHERLY_M@A1@CD@LNGTWY [EOP]) (OMB)
READ:UNKNOWN

TO: TLXA1MAIL_\F:9-301-713-0658\C:JASON PATLIS\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9-301-7
READ:UNKNOWN

TO: TLXA1MAIL_\F:9-208-6916\C:GERRY JACKSON\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9-208-6916
READ:UNKNOWN

TO: TLXA1MAIL_\F:97204732\C:MARK GAEDE\\@A1@CD@LNGTWY (TLXA1MAIL_\F:97204732\C:MARK
READ:UNKNOWN

TO: TLXA1MAIL_\F:92083877\C:BOB BAUM\\@A1@CD@LNGTWY (TLXA1MAIL_\F:92083877\C:BOB BA
READ:UNKNOWN

TO: TLXA1MAIL_\F:95640070\C:RICHARD SANDERSON\\@A1@CD@LNGTWY (TLXA1MAIL_\F:95640070
READ:UNKNOWN

TO: TLXA1MAIL_\F:95140557\C:PETER COPPELMAN\\@A1@CD@LNGTWY (TLXA1MAIL_\F:95140557\C
READ:UNKNOWN

TO: NOLIN_CL@A1@CD@LNGTWY (NOLIN_CL@A1@CD@LNGTWY [EOP]) (OMB)
READ:UNKNOWN

TO: David Rostker@eop (David Rostker@eop [OMB])
READ:UNKNOWN

TO: Elena Kagan@eop (Elena Kagan@eop [OPD])
READ:UNKNOWN

TO: Ronald M. Cogswell@eop (Ronald M. Cogswell@eop [OMB])
READ:UNKNOWN

TO: TLXA1MAIL_\F:9-514-4231\C:JEREMY HEEP\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9-514-4231\C
READ:UNKNOWN

TO: TLXA1MAIL_\F:92085242\C:NANCY HAYES\\@A1@CD@LNGTWY (TLXA1MAIL_\F:92085242\C:NAN
READ:UNKNOWN

TO: TLXA1MAIL_\F:915033266254\C:TOM TUCHMAN\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9150332662
READ:UNKNOWN

TO: TLXA1MAIL_\F:9-720-4732\C: JIM LYONS\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9-720-4732\C:
READ:UNKNOWN

TO: TLXA1MAIL_\F:92191792\C:KRIS CLARK\\@A1@CD@LNGTWY (TLXA1MAIL_\F:92191792\C:KRIS
READ:UNKNOWN

TO: TLXA1MAIL_\F:96902730\C:MIKE GIPPERT\\@A1@CD@LNGTWY (TLXA1MAIL_\F:96902730\C:MI
READ:UNKNOWN

TO: TLXA1MAIL_\F:9-482-6318\C: DOUG HALL\\@A1@CD@LNGTWY (TLXA1MAIL_\F:9-482-6318\C:

READ: UNKNOWN

TO: TLXA1MAIL_\F:97205437\C:ANNE KENNEDY\ \@A1@CD@LNGTWY (TLXA1MAIL_\F:97205437\C:AN
READ: UNKNOWN

TO: FOLEY_M@A1@CD@LNGTWY (FOLEY_M@A1@CD@LNGTWY [EOP]) (WHO)
READ: UNKNOWN

TO: Ruth D. Saunders@EOP (Ruth D. Saunders@EOP [OMB])
READ: UNKNOWN

TO: Thomas C. Jensen@eop (Thomas C. Jensen@eop [CEQ])
READ: UNKNOWN

TO: Kris M Balderston@EOP (Kris M Balderston@EOP [WHO])
READ: UNKNOWN

TEXT:

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6. Other business

Withdrawal/Redaction Marker Clinton Library

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001. email	DOB (Partial) (1 page)	01/21/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([Kagan])
OA/Box Number: 250000

FOLDER TITLE:

[01/18/1997 - 01/22/1997]

2009-1006-F
wr80

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]
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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)]

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- 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 (WAVES REQUEST)

CREATOR: Elena Kagan (KAGAN_E) (OPD)

CREATION DATE/TIME:21-JAN-1997 08:49:40.77

SUBJECT: **URGENT** Appt. request - harries, garth

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Adresse
READ:NOT READ

[00]

TEXT:

Date	Appointment with		
21-Jan-1997	KAGAN, ELENA		
Room No.	Bldg.	Requested by	Phone #
125	EOB	Elena Kagan	456-7594

Comments:

TIME	VISITOR'S LAST, FIRST NAME	BIRTHDATE	SOC. SEC. #
09:00am	harries garth	P6/(b)(6)	- -

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Elizabeth E. Drye (DRYE_E) (OPD)

CREATION DATE/TIME:21-JAN-1997 10:38:06.35

SUBJECT: FYI-- BNA update on FDA Reform

TO: Christopher C. Jennings (JENNINGS_C) (WHO)
READ:22-JAN-1997 07:28:46.43

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE:16-JAN-1997 09:01:00.00

ATT BODYPART TYPE:B

ATT CREATOR: Daniel J. Chenok

ATT SUBJECT: User Fee, FDA Reform Bills Head List Of Legislative Prioriti

ATT TO: Jonathan D. Winer (Jonathan D. Winer@eop@LNGTWY@EOPMRX)

ATT TO: John F. Morrall III (John F. Morrall III@eop@LNGTWY@EOPMRX)

ATT TO: Sally Katzen (Sally Katzen@eop@LNGTWY@EOPMRX)

ATT TO: Elizabeth E. Drye (DRYE_E)

ATT CC: Michael A. Fitzpatrick (Michael A. Fitzpatrick@eop@LNGTWY@EOP)

TEXT:

User Fee, FDA Reform Bills Head List Of Legislative Priorities, PhRMA Reauthorization of the Prescription Drug User Fee Act of 1992 and passage of legislation reforming the Food and Drug Administration are top priorities for members of the Pharmaceutical Research and Manufacturers of America in 1997, officials from the trade association said at a Jan. 15 briefing. Reauthorization of the user fee act fits in with the association's goal of expediting the availability to consumers of safe, effective new drugs, according to Sidney Taurel, PhRMA's chairman-elect and president and chief executive officer for Eli Lilly and Co. PhRMA has been participating in negotiations with FDA and Congress that should lead to reauthorization of the user fee act, he said.

To further the goal of expediting the availability of drugs, PhRMA also is prepared to support legislation that would "break down barriers to the dissemination of information," and efforts by the International Conference on Harmonization that would streamline drug approvals and establish common standards on drug development throughout the world, Taurel said.

Under the heading of creating an environment that promotes innovation, PhRMA's other priorities for 1997 include seeking a permanent extension of the research and development tax credit, strengthening U.S. intellectual property protections, and enforcing international property protection laws. PhRMA also will support legislation that improves the Clinton administration's ability to negotiate trade agreements as part of its goal to promote open markets and free trade, Taurel said. "We will strive to convince foreign governments that the best way to contain health-care costs is through free-market

competition," he added.

Second Phase, New Goal

Under the user fee act, FDA promised to meet certain deadlines for reviewing and approving drug applications in exchange for additional revenues generated by industry's user fees, which were dedicated to paying for the personnel and supporting activities necessary to complete the reviews in a timely fashion.

A second phase of the user fee act, known colloquially as PDUFA II, should "build on the progress already made in reducing approval times and make similar progress in cutting overall drug development times," Taurel said in a statement.

Since the first phase of the user fee act has been successful in improving review times, industry is focusing its reauthorization negotiations on lessening overall drug development times. Drug companies "are making internal improvement to speed drug development and improve the productivity of the process--and there are improvements we can make," Charles A. Heimbold Jr., PhRMA board chairman and chairman and CEO of Bristol-Myers Squibb Co., said. However, "we continue to need the support and cooperation of government to make a meaningful impact. If meetings are required between a pharmaceutical company and the FDA, they should be set promptly. Extraneous meetings should be eliminated. Written protocols on aspects of the development process should be created by the FDA. Drug development remains highly regulated and requires the closest partnership between government and industry to shorten it. We hope to do just that in 1997," Heimbold added.

Alan F. Holmer, PhRMA president, said, according to FDA, drug reviews, a period extending from the time a company files a new drug application to the time it receives FDA approval, actually have decreased from 2.5 years to 1.5 years since the user fee act was implemented. By contrast, the overall time spent on clinical development has increased from 5.5 years for drugs approved between 1990 and 1993 to 7.2 years for drugs approved in 1994 and 1995, Holmer said, citing the findings of a study by Tufts University Center for Drug Development.

The amount spent on research and development in 1997 by research-based drug and biotechnology companies will reach a new high of \$18.9 billion, PhRMA said, which represents a 11.5 percent increase from 1996. Of the total \$18.9 billion, approximately \$15 billion will be spent in the United States. Expressed as a ratio of R & D to sales, pharmaceutical companies will spend about 21.2 percent of their revenues on R & D in 1997 compared to an average of 4 percent for all industries, Heimbold said.

According to Heimbold, "countries everywhere look to the United States and its pharmaceutical industry to discover many of the new drugs and do much of the significant new research for new medicines." He pointed out that, in addition to a record level of R & D investment, research-based drug companies in 1996 introduced 53 new medicines to U.S. patients that were designed to treat more than 40 diseases, including drugs for AIDS, Alzheimer's disease, various cancers, glaucoma, and multiple sclerosis.

Reform, User Fees?

PhRMA also will concentrate its energies on ensuring passage of legislation in 1997 that would bring about improvements at FDA. The principal focus at PhRMA over the past few months has been addressing the technical issues included in the reauthorization of the user fee act, Holmer said. However, there are many other issues about improvements that could be made beyond the scope of user fees that PhRMA would like to take up with FDA, he said.

For example, PhRMA supports efforts aimed at revising the agency's policies about dissemination of information about prescription medicines. The policies governing distribution of scientific information should be less proscriptive, particularly for pharmacoeconomic data and off-label uses of approved drugs, Holmer said.

As for indications that House Commerce Committee Chairman Thomas J. Bliley

Jr. (R-Va) will tie user fee reauthorization to FDA reform, Holmer merely said the question of how these issues are approached by Congress should be left to congressional leaders. Both are high priorities for PhRMA. ``We hope they happen this year,`` he said.

Mike Collins, communications director for the House Commerce Committee, told BNA that Bliley believes the reauthorization and reform issues are ``joined at the hip`` and already has informed Health and Human Services Secretary Donna E. Shalala that user fee reauthorization will be taken up in the context of FDA reform. However, for a bill to get the president's signature, it must be both popular with the president and hugely bipartisan, so it cannot be an extreme measure, he said.

The measures introduced in the 104th Congress were not very extreme, had broad bipartisan support, and came very close to being passed, which has had a profound impact on FDA operations, according to Collins. The job should be less complicated this session, he said.

FDA

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

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:21-JAN-1997 10:45:52.32

SUBJECT: Unresolved welfare issues

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Kenneth S. Apfel (Kenneth S. Apfel@eop@LNGTWY@EOPMRX)
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TO: Christopher C. Jennings (JENNINGS_C) (WHO)
READ:22-JAN-1997 07:29:39.30

TO: Emily Bromberg (Emily Bromberg@eop@LNGTWY@EOPMRX)
READ:NOT READ

TEXT:

Although resolving the bifurcation issue should probably be our top priority this week (see the letter from NGA/NCSL/APWA), here are 2 unresolved welfare issues we are letting languish:

1. All or none: HHS prefers the "all or none" position to the "pick and choose" position, and is waiting to hear from us. I believe everyone here except Ken prefers "pick and choose." We need to resolve this, since states are making these choices. Ken and Chris were supposed to have a conversation to compare approaches here...has that happened?

2. Cost neutrality for child support pass-through waivers: we are waiting to hear from OMB on this one. HHS's position is that states that pass along the benefits to families should be allowed to continue their waivers, while those that don't should not.

Other issues:

- On bifurcation, HHS will give us paper very soon; we need to know our position. NGA is pressing hard to resolve this before its meeting.

- We need to sort out what we've done on the bucket budget-wise -- I think the budget essentially decided this.

- We need a decision on a day for children's SSI -- Ken and I think it has to be the end of this week or the beginning of next because of Chater's departure on 1/31.

- FYI, we are planning to meet w/NGA/NCSL/APWA tomorrow at 1 after a long hiatus. Should be a pleasant discussion of bifurcation.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Elizabeth E. Drye (DRYE_E) (OPD)

CREATION DATE/TIME:21-JAN-1997 11:41:25.22

SUBJECT: Approved Home Drug Test Kit

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Dennis Burke (BURKE_D) (OPD)
READ:21-JAN-1997 12:36:50.63

TO: Christopher C. Jennings (JENNINGS_C) (WHO)
READ:22-JAN-1997 07:30:38.14

TEXT:

FYI--FDA today approved "Mr. Brown's" home drug test kit. As you know, the Agency is revisiting its policy on such kits and, in the interim, is not enforcing against Sunny Cloud and others who have kits on the market. Mr. Brown's was approved under the regular FDA PMA review process. The company has been notified, and FDA/HHS will issue a press statement later today. Shalala is planning to make a statement (rare for specific device approvals), noting that the Administration has zero tolerance for kids' drug use, parents should have all tools available to them, and this will expand parents' choices. HHS is letting Rahm, WH Press, Hilley know. The President has never commented directly on this issue, but Carol sent a letter to FDA expressing his views. (In VP debate, VP held FDA's interim no-enforcement policy up as an example of FDA's enlightenment). WH Press will be prepared for any calls.

Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	DOB (Partial) (1 page)	01/21/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([Kagan])
OA/Box Number: 250000

FOLDER TITLE:

[01/18/1997 - 01/22/1997]

2009-1006-F
wr80

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 (WAVES REQUEST)

CREATOR: Elena Kagan (KAGAN_E) (OPD)

CREATION DATE/TIME:21-JAN-1997 11:51:28.18

SUBJECT: **URGENT** Appt. request - harris, scott

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

Date	Appointment with		
21-Jan-1997	KAGAN, ELENA		
Room No.	Bldg.	Requested by	Phone #
125	EOB	Elena Kagan	456-7594

Comments:

[002]

TIME	VISITOR'S LAST, FIRST NAME	BIRTHDATE	SOC. SEC. #
12:00am	harris scott	P6/(b)(6)	- -

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: FORTUNA_D@A1@CD@LNGTWY (FORTUNA_D@A1@CD@LNGTWY [EOP]) (OPD)

CREATION DATE/TIME:21-JAN-1997 12:07:04.00

SUBJECT: Unresolved welfare issues

TO: Emily Bromberg@eop (Emily Bromberg@eop [WHO])
READ:UNKNOWN

TO: Kenneth S. Apfel@eop (Kenneth S. Apfel@eop [OMB])
READ:UNKNOWN

TO: JENNINGS_C@A1@CD@LNGTWY (JENNINGS_C@A1@CD@LNGTWY [EOP]) (WHO)
READ:UNKNOWN

TO: Elena Kagan@eop (Elena Kagan@eop [OPD])
READ:UNKNOWN

TO: Bruce N. Reed@EOP (Bruce N. Reed@EOP [OPD])
READ:UNKNOWN

TEXT:

Although resolving the bifurcation issue should probably be our top priority this week (see the letter from NGA/NCSL/APWA), here are 2 unresolved welfare issues we are letting languish:

1. All or none: HHS prefers the "all or none" position to the "pick and choose" position, and is waiting to hear from us. I believe everyone here except Ken prefers "pick and choose." We need to resolve this, since states are making these choices. Ken and Chris were supposed to have a conversation to compare approaches here...has that happened?

2. Cost neutrality for child support pass-through waivers: we are waiting to hear from OMB on this one. HHS's position is that states that pass along the benefits to families should be allowed to continue their waivers, while those that don't should not.

Other issues:

- On bifurcation, HHS will give us paper very soon; we need to know our position. NGA is pressing hard to resolve this before its meeting.

- We need to sort out what we've done on the bucket budget-wise -- I think the budget essentially decided this.

I - We need a decision on a day for children's SSI -- Ken and think it has to be the end of this week or the beginning of next because of Chater's departure on 1/31.

- FYI, we are planning to meet w/NGA/NCSL/APWA tomorrow at 1 after a long hiatus. Should be a pleasant discussion of bifurcation.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 14:25:51.70

SUBJECT: Food stamps for wage supplementation

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TO: Lyndell Hogan (HOGAN_L) (OPD)
READ:22-JAN-1997 15:03:57.66

TEXT:

FYI, states no longer need waivers to use food stamp money for wage supplementation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JAN-1997 16:14:23.00

SUBJECT: RE: Education Strategy Meeting

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

READ:UNKNOWN

TEXT:

I have told them I'd check with you. We probably want to keep this meeting rather small and if we let them bring folks, education will want to add people.

----- Forwarded by Cathy R. Mays/OPD/EOP on 01/21/97
03:33 PM -----

PIZZUTO_J @ A1

01/21/97 02:53:00 PM

Record Type: Record

To: Cathy R. Mays

cc:

Subject: RE: Education Strategy Meeting

hey there Cath! hope all is well today. ... I am SO exhausted.

regarding these meetings, Ken does plan on attending and wanted to note that he will probably bring Barry White or Bob Shireman with him as well. Please let me know if it's a problem.

thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. (CN=Paul J. Weinstein Jr./OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:21-JAN-1997 16:14:33.00

SUBJECT: Review of Correspondence

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

READ:UNKNOWN

TEXT:

My suggestion would be to ask all DPC staff who are preparing Presidential Correspondence with the Correspondence Office to provide a draft to Dorothy who would then submit them to you for approval. Does that make sense? Let me know.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Molly Brostrom (BROSTROM_M) (WHO)

CREATION DATE/TIME:21-JAN-1997 18:05:52.08

SUBJECT: parting thoughts

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

PRINTER FONT 12_POINT_ROMAN

Attached is an exit memo I put together to give you some thoughts on the issues I've worked on (I'm putting a hard copy in your boxes as well). If you have any questions, I'd be glad to talk to you tomorrow (my last day).

□

January 21, 1997

TO: Bruce Reed
Elena Kagan

FROM: Molly Brostrom

RE: "My" Issues/Exit Memorandum

I wanted to give you general ideas on some of the issues on which I have worked while at the Domestic Policy Council and where I think it is important for DPC to remain involved. Attached are background and more specific thoughts for anyone who continues work in these areas.

Homelessness. At the request of the President, the Interagency Council on the Homeless became a working group of the Domestic Policy Council in 1993 (funded and housed at HUD). I think it is important to continue White House involvement with the ICH for a couple of reasons: 1) There is no other White House connection for advocates and providers. 2) The ICH is a useful body for interagency coordination and without White House involvement, the ICH will become another arm of HUD and will lose other agencies' involvement.

On the latter reason, there is increasing interest on the Hill and among advocates on ensuring that other agencies (HHS in particular) play a larger part in providing supportive services for the homeless (Lazio circulated a draft homeless bill last session that would turn HUD's Shelter

□

-Plus

□

-Care program into a rental assistance block grant to states). In addition, with increasing consolidation of homeless programs in the last couple years, it is increasingly important that "mainstream" programs (training, education, health care) reach out to and serve the homeless -- the ICH can press for and monitor this aspect. Housing. The affordable housing needs in this country are critical -- and they play a key part in the success of moving people from welfare

□

-to

□

-work -- yet have received little White House attention. I think this is an area where DPC should continue and should increase its involvement: new housing policy ideas are needed and HUD is developing some that could benefit from White House backing. At the very least, a White House contact for advocates and interest groups is important. A couple of specific items:

□

-The interest in providing Habitat access to surplus property should be monitored. Rep. Lazio's public housing bill contains a provision that would accomplish this -- HUD and HHS are supportive; they are working on amendments that would improve the Title V process. But GSA and OMB (the GSA side) are reluctant. The President has indicated he would

like this proposal to happen.

□

-Nic Retsinas' Office for Housing at HUD is developing a Homeownership Tax Credit proposal that seems promising and for which they are looking for an advocate at the White House. The proposal would aim to increase homeownership among households with incomes below the national median by making investors eligible for a \$9900 tax credit that potential low/moderate income homeowners could use towards the downpayment or mortgage. I passed on further information to Paul Weinstein.

Veterans. The Interagency Veterans Policy Group was created in 1994 to provide a forum for interagency work on veterans issues and for White House communication with veteran service organizations. DPC has been the lead, but it is co

□

-chaired with us by Cabinet Affairs and Public Liaison with OMB involvement. I don't think continued DPC involvement is critical. I do think it is important for one office to take the lead and I would suggest Cabinet Affairs with OMB providing substantive support. I believe the IVPG has played an effective role in giving access to VSOs and thus muting criticism.

Seniors. With Chris and Jen/Pauline covering Medicare and Medicaid, and NEC and OMB the primary contacts on Social Security and pensions, the other seniors issues are relatively minor (the Older Americans Act is up for reauthorization this year-

□

-these programs are very important to senior groups-

□

-Bill

White of Public Liaison and Ken Apfel's shop can cover). I do think, however, that there is potential for a DPC person to work with HHS/Administration on Aging at looking at ways the federal government can work with states and localities to prepare for an aging population. Initiatives outside Medicare and Social Security are important and can divert attention from those two sticklers.

I hope this is useful, and I wish you the very best in your work at the Domestic Policy Council.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Lyndell Hogan (HOGAN_L) (OPD)

CREATION DATE/TIME:22-JAN-1997 10:00:04.21

SUBJECT: VP's speech

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TO: Deborah L. Fine (FINE_D) (OPD)
READ:22-JAN-1997 10:00:16.02

TO: Nicole R. Rabner (RABNER_N) Autoforward to: Remote Address
READ:NOT READ

TEXT:

FYI,

The VP will still give his speech today to NARAL's national conference. Eric Schnure -- VP's speech writer -- is re-writing his speech right now. The VP is expected to talk around noon at the mayflowe.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dennis Burke (BURKE_D) (OPD)

CREATION DATE/TIME: 22-JAN-1997 11:35:03.85

SUBJECT: Abortion Clinic Violence

TO: Elena Kagan

(KAGAN_E) Autoforward to: Remote Adresse

READ: NOT READ

TEXT:

In conjunction with the on-going Federal investigations of the D.C., Atlanta, and Tulsa bombings, President Clinton has directed the Attorney General to conduct a nation-wide security assessment of reproductive health clinics through each United States Attorney's office and based on that assessment determine:

- * the need for additional U.S. Marshals manpower and resources for the security of clinics and other Justice Department resources; and
- * Report back to the President in 15 days.

In the Attorney General's response to the President, she can dedicate \$5 million out of her existing Working Capitol Fund to the U.S. Marshals to provide additional security at clinics. This amount is equal to the amount that was spent in FY 95, which was the high mark for the FACE program. In addition, the FY 98 budget submission to Congress can include language indicating that the Civil Rights Division and the U.S. Marshals Service will be seeking additional funds for their clinic violence programs.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Claudia Rayford-Williams to Elena Kagan. Subject: Tickets. (1 page)	01/22/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([Kagan])
OA/Box Number: 250000

FOLDER TITLE:

[01/18/1997 - 01/22/1997]

2009-1006-F
wr80

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

CREATION DATE/TIME:22-JAN-1997 13:57:57.00

SUBJECT: Bifurcation Meeting

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

READ:UNKNOWN

TEXT:

John Monahan just called to schedule a meeting for today or early tomorrow on the bifurcation issue -- a decision meeting. He wants to ROUND UP the HHS folks to come over here.

Pursue this? A conference call?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1997 13:58:33.00

SUBJECT: Meeting with HHS

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

READ:UNKNOWN

TEXT:

We're set for 12 noon tomorrow.

Bruce

You

Rahm

Apfel

John Monahan

Kevin Thurm

Ann Rosewater

Olivia Golden (she will probably want to bring someone)

Anna Durand

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Claudia M. Rayford-Williams (RAYFORDWIL_C) (OPD)

CREATION DATE/TIME:22-JAN-1997 15:15:33.11

SUBJECT: Tickets are here

TO: Elena Kagan

(KAGAN_E) Autoforward to: Remote Adresse

READ:NOT READ

TEXT:

I now have the tickets. I have to go back over to OEOB this afternoon, but I have to wait to hear from CHR first. If you are over here before that, I'll be here. Before I leave my desk, I'll call you.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 15:35:20.72

SUBJECT: Re: Food stamps for wage supplementation

TO: Elena Kagan

(Elena Kagan@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TEXT:

States were into getting waivers so that they could take the money that would have been spent on a person's food stamps, and instead give it to employers to supplement the person's wages. They used to need waivers to do this, and now they don't under the new law. USDA never has liked this, because they think of food stamps as a pure nutrition/food program, but it got in the bill anyway. I THINK the President has always been a fan of this approach.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Claudia Rayford-Williams to Elena Kagan. Subject: Tickets. (1 page)	01/22/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
OPD ([Kagan])
OA/Box Number: 250000

FOLDER TITLE:

[01/18/1997 - 01/22/1997]

2009-1006-F

wr80

RESTRICTION CODES

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

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RR. Document will be reviewed upon request.

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

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RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diane Regas (REGAS_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 18:12:23.90

SUBJECT: SOTU

TO: Elena Kagan

(KAGAN_E) Autoforward to: Remote Adresse

READ:NOT READ

TEXT:

FYI - My goal on an environmental message on the State of the Union is to get EPA and CEQ, and maybe even others proposing the same thing--rather than getting competing proposals that exacerbate the perennial competition among advisors. The two leading ideas in my mind are protecting children from environmental threats (an executive order we have been working on) and an environmental legislative initiative that we (including CEQ, EPA, and others) have been working on . Katie has a memo into John Hilley on the environmental legislation.

CEQ's opening idea for SOTU is "American Heritage Rivers" which is an idea to designate rivers as historically valuable and then call on everyone to help protect them. I think they are open to change, if it comes from the right quarter.

Let's talk about this in more detail when you have time. In the interim, I plan to work with staff to try to help get everyone on the same page.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Brian J. Johnson (CN=Brian J. Johnson/OU=CEQ/O=EOP [CEQ])

CREATION DATE/TIME:22-JAN-1997 18:13:06.00

SUBJECT: sotu feedback

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

TEXT:
Elena,

Got any feedback for us on Katie's SOTU ideas memo?

Brian

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Elizabeth E. Drye (DRYE_E) (OPD)

CREATION DATE/TIME:22-JAN-1997 18:40:06.64

SUBJECT: FYI

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Adresse
READ:NOT READ

TEXT:

===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE:22-JAN-1997 11:21:00.00

ATT BODYPART TYPE:E

ATT CREATOR: Julie E. Mason

ATT SUBJECT: PRESS CONFERENCE BRIEFING BOOK

- ATT TO: DRYE_E (DRYE_E@A1@CD)
- ATT TO: JENNINGS_C (JENNINGS_C@A1@CD)
- ATT TO: WEINSTEIN_P (WEINSTEIN_P@A1@CD)
- ATT TO: BURKE_D (BURKE_D@A1@CD)
- ATT TO: JOHNSON_DT (JOHNSON_DT@A1@CD)
- ATT TO: WOZNIAK_N (WOZNIAK_N@A1@CD)
- ATT TO: Karen L. Hancox (Karen L. Hancox@EOP@LNGTWY@EOPMRX)
- ATT TO: Bruce N. Reed (Bruce N. Reed@EOP@LNGTWY@EOPMRX)
- ATT TO: Cathy R. Mays (Cathy R. Mays@EOP@LNGTWY@EOPMRX)
- ATT TO: Russell W. Horwitz (Russell W. Horwitz@EOP@LNGTWY@EOPMRX)
- ATT TO: Lanny J. Davis (Lanny J. Davis@EOP@LNGTWY@EOPMRX)
- ATT TO: Adam W. Goldberg (Adam W. Goldberg@EOP@LNGTWY@EOPMRX)
- ATT TO: Michelle Crisci (Michelle Crisci@EOP@LNGTWY@EOPMRX)
- ATT TO: Elisa Millsap (Elisa Millsap@EOP@LNGTWY@EOPMRX)
- ATT TO: Stacey L. Rubin (Stacey L. Rubin@EOP@LNGTWY@EOPMRX)
- ATT CC: Phillip Caplan (Phillip Caplan@EOP@LNGTWY@EOPMRX)

TEXT:

Message Creation Date was at 22-JAN-1997 11:21:00

Clinton is holding a full-fledged press conference next Tuesday, January 28. Staff Secretary has asked for the briefing book by the weekend, so deadline for talking points is COB Friday (1/24). We can update on Monday if necessary.

BRIEFING BOOK

Same routine as usual. Please e-mail me the top 3 -5 Qs&As on your subject(s)
. McCurry wants to keep them concise and clear, and please stick to the hot
topics. If you think it necessary to include any further background info,
please add it below the Qs&As. Call me if you'd like to see an sample format.
Shouldn't be more than 1-2 pages per subject.

TOPICS/CONTACT:

(I know people have been shifting around recently - let me know if I have the
wrong person assigned.)

- political - Hancox
- crime, drugs, youth violence - Emanuel, Burke (incl. medical marijuana)
- campaign finance - Weinstein
- counsel's issues - Davis
- domestic - Reed
- foreign affairs - Johnson
- health care - Jennings
- budget - Sperling, Horwitz
- legislative agenda - Hilley

Thanks (x62712).

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

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 18:40:32.46

SUBJECT: ssi decision timing

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

TEXT:

Sorry to belabor this, but you may hear from Chater, Apfel, and others that we need to nail down now the day for the SSI children announcement. Ken really wants this discussed at the 7:30 (not sure why Raines can't raise it).

SSA thinks next Wednesday is rotten because it is so close to Chater's departure, but they will accept it. They would prefer Monday or Tuesday (day of President's press conference, as you obviously know).

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 19:06:30.54

SUBJECT: Status of bucket

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Adresse
READ:NOT READ

TEXT:

Here's a quick rundown:

- Option of total administrative fix off the table, unless OLC sees something new.
- Budget's welfare legislative fix package includes partial fix for the bucket: exempt disabled legal immigrants from SSI cuts. This leaves out the elderly.
- HHS's best admin fix thinking had 2 parts:
 - across the board 1 year delay; and
 - "medically needy" reg that will help some states.

Neither of these last 2 are in the budget so, if we want to go ahead with them, we can't talk about them till the budget's been out for a while. But we could theoretically tell the groups when the budget is released that we continue to ponder the question of admin fixes.

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Diana M. Fortuna (FORTUNA_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 19:18:38.25

SUBJECT: Definition of means tested benefit

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
READ:NOT READ

CC: Stephen C. Warnath (WARNATH_S) (OPD)
READ:23-JAN-1997 08:51:01.90

TEXT:

You should know that we are almost ready to issue a definition of the term "means tested benefit." The states and immigration advocates have been anxious to hear our interpretation of this term for months.

The practical relevance of this definition is that most legal immigrants who entered the country after 8/96 are not eligible for "federal means tested benefits" for the first 5 years after their arrival.

The agencies, DOJ's Office of Legal Counsel, OMB, DPC, and Elena in her old role worked at some length to come to the agreement that this term refers only to "mandatory" spending programs, like Medicaid, food stamps, SSI, and TAN

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Lyndell Hogan (HOGAN_L) (OPD)

CREATION DATE/TIME:22-JAN-1997 19:24:46.16

SUBJECT: Idea on women's issues

TO: Elena Kagan

(KAGAN_E) Autoforward to: Remote Addressee

READ:NOT READ

TEXT:

Something to think about...

How about letting Nicole Rabner in the First Lady's office take over women's issues and relations with Betsy Myer's office? Nicole is good, knows the issues and is looking for a larger role for herself. And, of course, the First Lady is committed to women's issues. It would probably also make Betsy Myers and the women's groups happy to have more access to the First Lady's office.

We could then pick and choose whichever issues we'd like to get involved in.

I haven't talked to Nicole, but my guess is she'd like the proposal.

What do you think?

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Alice E. Shuffield@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME:22-JAN-1997 20:24:00.00

SUBJECT: OMB Legislative Report - January 22, 1997

TO: ADAMS_G (ADAMS_G@A1@CD) (OMB)
READ:NOT READ

TO: HAAS_L (HAAS_L@A1@CD) (OMB)
READ:23-JAN-1997 11:40:42.39

TO: SMITH_CM (SMITH_CM@A1@CD) (OMB)
READ:NOT READ

TO: SCHWARTZ_K (SCHWARTZ_K@A1@CD) (OMB)
READ:NOT READ

TO: FOLEY_M (FOLEY_M@A1@CD) (WHO)
READ:23-JAN-1997 10:31:21.40

TO: PETERSON_RK (PETERSON_RK@A1@CD) (OMB)
READ:NOT READ

TO: PANERALI_K (PANERALI_K@A1@CD) (OPD)
READ:NOT READ

TO: HOLSTEIN_E (HOLSTEIN_E@A1@CD) (OPD)
READ:22-JAN-1997 20:50:03.64

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READ:NOT READ

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READ:NOT READ

TO: BROWN_JA (BROWN_JA@A1@CD) (OMB)
READ:NOT READ

TO: COOK_MY (COOK_MY@A1@CD) (OMB)
READ:NOT READ

TO: WEINSTEIN_D (WEINSTEIN_D@A1@CD) (OPD)
READ:NOT READ

TO: WEINSTEIN_P (WEINSTEIN_P@A1@CD) (OPD)
READ:NOT READ

TO: PALMIERI_J (PALMIERI_J@A1@CD) (WHO)
READ:23-JAN-1997 09:36:17.52

TO: WHITE_B (WHITE_B@A1@CD) (OMB)
READ:NOT READ

TO: MORAN_K (MORAN_K@A1@CD) (WHO)
READ:NOT READ

TO: WALKER_C (WALKER_C@A1@CD) (WHO)

READ:NOT READ

TO: WALKER_A READ:NOT READ	(WALKER_A@A1@CD) (WHO)
TO: GREEN_M READ:NOT READ	(GREEN_M@A1@CD) (OMB)
TO: SILVERMAN_S READ:NOT READ	(SILVERMAN_S@A1@CD) (WHO)
TO: REED_B READ:NOT READ	(REED_B@A1@CD) (OPD)
TO: ANGELL_J READ:23-JAN-1997 13:42:16.96	(ANGELL_J@A1@CD) (WHO)
TO: DONNELLY_RE READ:NOT READ	(DONNELLY_RE@A1@CD) (WHO)
TO: SCHAEFER_V READ:23-JAN-1997 10:21:46.53	(SCHAEFER_V@A1@CD) (OMB)
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TO: VELLENGA_T READ:23-JAN-1997 09:04:05.24	(VELLENGA_T@A1@CD) (WHO)
TO: WILLIAMS_MA	(WILLIAMS_MA@A1@CD) (WHO)

READ:NOT READ

TO: HOGAN_L
READ:23-JAN-1997 09:18:18.59

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TO: Jacob J. Lew
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TO: Scott Quehl (Scott Quehl@EOP@LNGTWY@EOPMRX)
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TO: Constance J. Bowers (Constance J. Bowers@EOP@LN GTWY@EOPMRX)
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TO: Anna M. Briatico (Anna M. Briatico@EOP@LN GTWY@EOPMRX)
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TO: Robert J. Pellicci (Robert J. Pellicci@EOP@LN GTWY@EOPMRX)
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TO: Alison C. Perkins (Alison C. Perkins@EOP@LN GTWY@EOPMRX)
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TO: Elyse H. Fitter (Elyse H. Fitter@EOP@LN GTWY@EOPMRX)
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TO: Annette E. Rooney (Annette E. Rooney@EOP@LN GTWY@EOPMRX)
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TO: Stacey L. Rubin (Stacey L. Rubin@EOP@LN GTWY@EOPMRX)
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TO: Philip R. Dame (Philip R. Dame@EOP@LN GTWY@EOPMRX)
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TO: Phebe N. Vickers (Phebe N. Vickers@EOP@LN GTWY@EOPMRX)
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TO: Barbara Chow (Barbara Chow@EOP@LN GTWY@EOPMRX)
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TO: Todd Stern (Todd Stern@EOP@LN GTWY@EOPMRX)

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TO: Elizabeth M. Toohy (Elizabeth M. Toohy@EOP@LNGTWY@EOPMRX)
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TO: Douglas B. Sosnik (Douglas B. Sosnik@EOP@LNGTWY@EOPMRX)
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TO: Karen L. Hancox (Karen L. Hancox@EOP@LNGTWY@EOPMRX)
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TO: Shelley N. Fidler (Shelley N. Fidler@EOP@LNGTWY@EOPMRX)
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TO: Janet Himler (Janet Himler@EOP@LNGTWY@EOPMRX)
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TO: Dainel C. Tate (Dainel C. Tate@EOP@LNGTWY@EOPMRX)
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TO: Anita Chellaraj (Anita Chellaraj@EOP@LNGTWY@EOPMRX)
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TO: Nicholas B. Kirkhorn (Nicholas B. Kirkhorn@EOP@LNGTWY@EOPMRX)
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TO: Lucia A. Wyman (Lucia A. Wyman@EOP@LNGTWY@EOPMRX)
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TO: Alphonse J. Maldon (Alphonse J. Maldon@EOP@LNGTWY@EOPMRX)
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TO: Robert J. Nassif (Robert J. Nassif@EOP@LNGTWY@EOPMRX)
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TO: Melinda D. Haskins (Melinda D. Haskins@EOP@LNGTWY@EOPMRX)
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TO: Robert S. Fairweather (Robert S. Fairweather@EOP@LNGTWY@EOPMRX)
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TO: Janet E. Irwin (Janet E. Irwin@EOP@LNGTWY@EOPMRX)
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TO: John A. Gribben (John A. Gribben@EOP@LNGTWY@EOPMRX)
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TO: April K. Mellody (April K. Mellody@EOP@LNGTWY@EOPMRX)
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TO: Mary E. Glynn (Mary E. Glynn@EOP@LNGTWY@EOPMRX)
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TO: Mark A. Weatherly (Mark A. Weatherly@EOP@LNGTWY@EOPMRX)

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TO: Ananias Blocker III (Ananias Blocker III@EOP@LNWTWY@EOPMRX)
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TO: Ben A. Freeland (Ben A. Freeland@EOP@LNWTWY@EOPMRX)
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TO: Peter G. Jacoby (Peter G. Jacoby@EOP@LNWTWY@EOPMRX)
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TO: Kate P. Donovan (Kate P. Donovan@EOP@LNWTWY@EOPMRX)
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TO: Angus S. King (Angus S. King@EOP@LNWTWY@EOPMRX)
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TO: Thomas C. Jensen (Thomas C. Jensen@EOP@LNWTWY@EOPMRX)
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TO: Justine F. Rodriguez (Justine F. Rodriguez@EOP@LNWTWY@EOPMRX)
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TO: Julie E. Mason (Julie E. Mason@EOP@LNWTWY@EOPMRX)
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TO: Mary Jo Siclari (Mary Jo Siclari@EOP@LNWTWY@EOPMRX)
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TO: Barry J. Toiv (Barry J. Toiv@EOP@LNWTWY@EOPMRX)
READ:NOT READ

TO: Alice E. Shuffield (Alice E. Shuffield@EOP@LNWTWY@EOPMRX)
READ:NOT READ

TO: Toni S. Hustead (Toni S. Hustead@EOP@LNWTWY@EOPMRX)
READ:NOT READ

TO: Christopher R. Ulrich (Christopher R. Ulrich@OVP@LNWTWY@EOPMRX)
READ:NOT READ

TO: Russell W. Horwitz (Russell W. Horwitz@EOP@LNWTWY@EOPMRX)
READ:NOT READ

IND_TO: Melissa G. Green (GREEN_MG) (OPD)
READ:23-JAN-1997 13:16:27.02

TEXT:
Message Creation Date was at 22-JAN-1997 20:18:00

TO: DIRECTOR FRANK RAINES
DEPUTY DIRECTOR JACK LEW
DEPUTY DIRECTOR JOHN KOSKINEN

FROM: OMB LEGISLATIVE AFFAIRS

DATE: JANUARY 22, 1997

SUBJECT: LEGISLATIVE REPORT

Yesterday, the Balanced Budget Amendment (BBA) was introduced in the Senate as S.J.Res. 1, with 62 sponsors -- all 55 Senate Republicans, plus Democrats Baucus, Breaux, Bryan, Graham, Kohl, Moseley-Braun, and Robb. The Amendment does not include the Nunn language from last year, which retained Congress's authority to determine the extent that courts can get involved in enforcement. Lott's likely intention is to add the Nunn language on the Floor if it is required to lock down a vote. The language of S.J.Res. 1 is identical to the House resolution.

Also on Tuesday, the Senate passed H.J.Res 25, Technical Amendments to the Omnibus Appropriations Act, by Unanimous Consent. In addition, Senators Murkowski and Craig reintroduced the Yucca Mountain Nuclear Waste legislation.

Hearings:

Today, the Senate Judiciary Committee held their second hearing on the Balanced Budget Constitutional Amendment. Witnesses included Senators Craig, Conrad, Dorgan, Lautenberg, Bryan, and Graham, former Senator Paul Simon, and former AARP President Gene Lehrman.

Tomorrow, Jack Lew will testify before the Senate Budget Committee on the Administration's Medicare Plan.

Director Raines will testify on the President's Budget before the following committees:

Friday, 2/7 Senate Budget Committee
Tuesday, 2/11 House Budget Committee
Wednesday, 2/26 Joint Economic Committee

CONGRESS TODAY (1/22)

SENATE:

The Senate today confirmed Madeline Albright as Secretary of State by a vote of 99-0, and confirmed William Cohen as Secretary of Defense, also by a vote of 99-0.

HOUSE:

Out of Session

CONGRESS TOMORROW (1/23)

SENATE:

The Senate will be in session on Thursday to allow Members to make remarks on nominations and to offer legislation. There will not be any votes.

CONGRESS -- LONG TERM SCHEDULE:

SENATE:

The Senate will be out of session on Friday, January 24th, but will return on Monday for a pro forma session. The week of January 27th, the Senate will continue its consideration of nominations. The Balanced Budget Amendment is expected to be on the floor most of February.

Week of January 27
Consider Nominations

Specific schedule to be determined

Week of February 3

Begin consideration of the Balanced Budget Amendment. The Senate Republican Leadership plans to vote on its passage after President's Day Recess in order to use the time to build public support.

February 14-23

President's Day Recess

March 22 - April 6

Easter Recess

HOUSE:

The House returns on February 4th, for the President's State of the Union address. They plan to be in session on the 4th, 5th, and 6th, but do not plan to have any major votes. The agenda will likely include a list of suspension bills, yet to be named.

During the week of February 10th and throughout the month, the House will likely consider the following four major items:

- 1 Term limits legislation -- Though this bill originally was placed first on calendar, Republicans now do not want to consider the legislation first because they do not want their first vote to be a loss.
- 2 Balanced Budget Constitutional Amendment -- The House will take up the bill after it is considered in the Senate.
- 3 UN Population Control Reauthorization bill
- 4 Comp Time legislation

February 14 - February 24

President's Day Recess

March 22 - April 7

Easter Recess

RECORD TYPE: PRESIDENTIAL (ALL-IN-1 MAIL)

CREATOR: Dennis Burke (BURKE_D) (OPD)

CREATION DATE/TIME:22-JAN-1997 21:50:45.75

SUBJECT: Additional ideas for the SOTU are attached

TO: Bruce N. Reed (REED_B) Autoforward to: Remote Addressee
 READ:NOT READ

TO: Elena Kagan (KAGAN_E) Autoforward to: Remote Addressee
 READ:NOT READ

TEXT:

Here are some additional ideas for the SOTU. I will keep plugging away in search of more.

===== ATTACHMENT 1 =====
 ATT CREATION TIME/DATE:22-JAN-1997 21:48:00.00

ATT BODYPART TYPE:p

ATT CREATOR: Dennis Burke

TEXT:

PRINTER FONT 12_POINT_ROMAN
 State of the Union Proposals

Crime and Drugs

Home Drug Testing Kits. The President should announce a new FDA policy on home drug testing kits -- now ready to be announced by FDA -- that overturns a restrictive policy developed during the Reagan and Bush Administrations, which kept these kits off the market. This new standard would give parents a potentially useful tool to help raise their children in a drug

□

-free home.

(Family category issue, too)

Parental Accountability. The President should encourage more states and localities to adopt Parental Accountability or Responsibility laws, so that parents are held responsible for the acts of their children.

At least 10 states passed parental responsibility laws in 1995 and six more in 1996, with additional municipal ordinances expanding the coverage of such laws. Some states have adopted or expanded civil statutes holding parents financially responsible for damage done to private or public property, the costs of incarcerating their child in a secure facility, and a growing number of states -- including Arkansas -- permit the court to order the parents to participate in community service, parenting classes, and attend the juvenile court hearings.

Shaming Sentences. The President should encourage more states and localities to support Shaming Sentences for minor offenses -- so that juveniles offenders are forced to apologize in public and

adults are morally condemned through public identification of their non

□

-violent acts.

The President should announce his continuing commitment to truth

□

-in

□

-sentencing for violent crimes and then pivot into his support for alternative sentencing when appropriate, such as shaming sentences, which instill the values of a community and deter illegal activity.

New Law Enforcement Technology. The President should announce that his Administration is ushering in a new age in police technology that will not only help prevent crime but also make policing safer.

Through this Administration's efforts, we are on the verge of a "smart gun" that can only be fired by the actual gunowner; advanced "concealed weapons technology" that will keep gun

□

-toting

criminals off our streets; "crime mapping" that will pinpoint crime patterns and reduce crime like it did in New York; and "gun shot detection" which will help locate criminals. (... and DNA technology that will locate the "real killers!!!")

Families

Child Safety Seats. The President should announce a new Federal rule -- promulgated by NHSTA -- that will standardized child safety seats for cars.

Presently, 80

□

-90% of parents with child safety seats are misusing them, putting the child's life in danger. This rule -- which DoT is ready to announce during "Child Passenger Safety Week, February 9th" -- will require a uniform attachment for child safety seats that would ensure that the seat is properly attached. Parents should have the comfort that their child is traveling safely.

No School, No Driver's License. The President should encourage more states -- like Arkansas, Tennessee, and Virginia -- to require children to be in school in order to secure a driver's license. Like his driver's license drug testing initiative, minors should not be granted the privilege to drive a car unless they earn it -- stay in school and drug

□

-free.