

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 014 - FOLDER -001**

**[07/11/1997 - 07/14/1997]**



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-JUL-1997 13:14:43.00

SUBJECT: Potential HHS fallback position on displacement

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Monahan tells me that HHS may surface a fallback option on displacement:

They may propose that anti-displacement rules should be limited to those whose employment is subsidized by TANF or the \$3 billion. But they would not apply if the person were getting TANF help for child care or transportation. In the latter case, other employees then could not bring a grievance against their hiring.

Sounds pretty reasonable to me. I wonder if it discourages wage subsidies, and encourages states to spend money on support services rather than direct employer subsidies....



July 12, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed  
Elena Kagan

RE: DPC Weekly Report

**1. Welfare -- Children's SSI Cut-offs Begin:** This month, SSA will begin to cut off SSI benefits for children who do not meet the new definition of childhood disability under welfare reform. Time Magazine ran a story on the issue this week, and ABC World News Tonight is expected to cover this in the coming weeks. The law called for SSA to complete eligibility reviews of 260,000 children by August 22, with 135,000 expected to ultimately lose benefits. However, Congress is likely to give SSA another 6 months to complete the process, which is behind schedule. Under the budget agreement, these children would have their Medicaid benefits grandfathered. The Senate, however, failed to include this provision, while the House has made it a state option. We are endeavoring to get the full budget agreement in this area.

**2. Welfare -- Teen Parents and Welfare:** Last Thursday, before you taped the radio address, you told us about a friend who had hired a welfare recipient who turned out not to be ready for the workplace. The same day, several newspapers had articles about the New Chance project for teen mothers, all with conclusions like the *Wall Street Journal's* "Welfare Services Seem Little Help to Teen Mothers." We thought we'd take a closer look at what we know about whether programs like these help teen parents become self sufficient.

We looked at three well-known, rigorously evaluated programs for teen parents, including the New Chance study. Our most interesting finding is that the two studies in which the program group had significantly better outcomes than the control group are ones which included sanctions and penalties, in some cases along with support services. New Chance, on the other hand, was a voluntary program, which offered employment and support services but did not sanction individuals for not meeting program expectations. The teen mothers in New Chance were not more likely to hold jobs or leave welfare than the teens in the control group, partly because both groups improved over time.

However, the two programs with sanctions, Ohio's LEAP program and the Teenage Parent Demonstration project, both had significantly better results than the voluntary New

Chance program. The LEAP program, for example, required teen mothers to stay in school and offered financial rewards in addition to sanctions (although no specific services). After three years, teens in LEAP had an employment rate of 33 percent compared with the control group's 28 percent, and 17 vs. 12 percent had left welfare. (We expect to have updated results from LEAP within the month.) The Teenage Parent Demonstration program, which required teen parents to stay in school and to use services or face sanctions, also showed success. The program increased school enrollment levels by from 29 to 42 percent and the teens' employment rate from 43 to 48 percent.

These results show that it is very difficult to turn around the lives of teen parents on welfare. They also indicate that requiring teen parents to stay in school and providing sanctions and services to help them do so, as the new welfare law requires, works better than simply providing services.

**3. Welfare -- White House Hiring of Welfare Recipients:** We are pleased to tell you not-yet-announced news that the Executive Office of the President has achieved its goal, set in April, of hiring six welfare recipients. One of them is working for the Domestic Policy Council. We are saving this announcement for an appropriate time, and trying to ensure that such an announcement won't jeopardize the privacy of these workers.

**4. Welfare -- Speech to the National Governors' Association:** After reading Secretary Shalala's memo on how states are using extra funds from the welfare block grant available from falling welfare caseloads, you asked if you should do a letter to the governors on the topic. We suggest you send such a letter as part of the speech to the National Governors' Association you're scheduled to give on July 28th. We recommend that in that speech you expand upon the challenge you issued in last week's radio address, for "every state to take the money they save from lowering their caseloads and use it -- for child care, for transportation, to subsidize the training and wage help that people need to move from welfare to work."

**5. Welfare --California and New York State Welfare Plans:** California and New York have about one-third of the nation's welfare recipients between them, but state politics have long stymied welfare reform plans in each state. This week, there was legislative activity in both states.

**In California, Democrats in the legislature finally passed a fairly tough plan. Governor Wilson, however, immediately vetoed the first of the four bills sent to him, criticizing it with very strong rhetoric, and legislative leaders then withdrew the remaining bills. The Democratic legislature voted to limit each period of welfare receipt to 24 months, but Wilson prefers 12 months for all new recipients. Democrats oppose Wilson's plan to cut benefits by 15 percent after a family has been on the rolls for six months. The Democrats' bill would permit mothers with infants to stay at home, while Wilson wants women to start job search when their children are 12 weeks old. Democrats voted for a partial state takeover of the state general assistance program, but Wilson has proposed to**

eliminate the state requirement that counties provide general assistance. Democrats were unable to muster enough votes to pass plans to make up for federal cuts in food stamps and SSI. Democrats are now negotiating with the Governor and Republican legislators, but it is not clear when or whether an agreement will emerge.

In New York, state legislative leaders appear to be close to an agreement with Governor Pataki, after years of impasse. The Governor recently signaled that he will drop or soften features of his original plan, such as decreasing welfare benefits over time and converting the state's general assistance program from cash to vouchers. A significant increase in child care spending appears likely. The resolution of the issue is bound up with the overall state budget and other end-of-session issues.

**6. Service -- Upcoming High School Service Events:** Next Friday, as part of an event with Girls Nation, you are scheduled to announce that 1,600 high school students across the country have been named the first "National Service Scholars" and awarded \$1,000 scholarships, in the first year of a program you announced last year at Penn State. These high school juniors and seniors were selected by their principals based on outstanding service records. The federal government, through the Corporation for National Service, puts up \$500 per scholarship, with civic organizations and other groups invited to match that amount. Groups that have stepped forward to match these first 1,600 scholarships include the Kiwanis, Rotary, VFW, Junior Leagues, Chambers of Commerce, PTAs, the Miss America organization, and the American Legion. Sallie Mae agreed to provide the match for all high schools in D.C., while the Minnesota state legislature voted to provide funds for every high school in the state next year. The goal is to institute this scholarship in as many of the 20,000 high schools in the country as possible. We are drafting a letter for you to send to all high school principals advising them of this opportunity.

In addition, that same day the Rev. Tony Campolo and an organization called "Youth for Christ" are holding a rally on the Mall with 25-30,000 young people, each of whom has pledged to serve 3 hours a week for the next 6 months in their communities. They are largely high school students and from Christian denominations ranging from Roman Catholic to Pentacostal. A similar event in Los Angeles in June drew 11,000 young people. Campolo invited General Colin Powell to attend, but he is apparently out of the country.

*Elena: I included the next item because I've heard about 2 media stories on it in the past few days. He's pretty familiar with the issue.*

**7. Crime -- Brady Follow-up:** On Wednesday, July 16th, the Attorney General and Secretary of the Treasury will host a meeting for law enforcement representatives from the national organizations and the 23 Brady states. We hope to accomplish the following: (1) to brief law enforcement on the Supreme Court's decision and issue guidance on how they can continue to conduct background checks; (2) to get county and/or state law enforcement agencies

to agree to do background checks for the handful of local jurisdictions that have stopped doing them; and (3) to discuss and seek support for legislation that makes clear that states, unless expressly prohibited by state law, have the authority to conduct background checks. This legislation is necessary because the NRA is challenging the authority of 19 of the 23 Brady states to continue to conduct Brady checks. As you know, the attorneys general in Arkansas and Ohio are claiming that they do not have the authority under state law to do Brady checks.

**8. Crime – Recommendations on Crack Cocaine Sentencing:** We have met with the Justice Department and ONDCP to discuss how to unveil their recommendations on crack cocaine sentencing. At the recommendation of Senators Biden and Kennedy, our initial goal has been to keep the Senate Judiciary Committee from taking up ill-advised amendments to simply drop the threshold for powder cocaine during the mark-up of the juvenile crime bill. To this end, Justice has spoken with Senator Abraham, and it looks as if he will not offer his amendment. Afterwards, Justice and ONDCP will take the lead in reaching out to members of the Judiciary Committees, the Black Caucus and law enforcement representatives. If they can build enough support for their recommendations, we will try and offer attach to the juvenile crime bill when it is considered on the floor of the Senate this fall.

**9. Crime – Youth Handgun Tracing/Interdiction:** At the Saturday, July 19th radio address you will release a 1-year report by the Treasury Department on the 17-city Youth Handgun Tracing initiative. Participating cities will, for the first time, have an unprecedented amount of information about where the guns used to commit crimes in their communities come from. The report's general findings include:

- 4 out of 10 crime guns recovered by police are from youth (17 and under) or juveniles (18 to 24);
- more than half of all crime guns are semiautomatic pistols, and more than 70 percent are handguns, generally;
- at least a quarter of the crime guns that police recover from juvenile and youth come from legitimate retail sales and are rapidly diverted to the black market; and
- while thousands of guns are available, crime guns are constrained to a relatively small number of makes and models in each city.

Additionally, you will announce a \$12-15 million expansion of the initiative that includes: more funds for ATF agents to investigate gun crimes in these cities; 5 to 10 new cities to participate in the tracing of crime guns; and additional resources to train participating state and local enforcement agencies.

**10. Education -- NAACP Speech:** Your speech to the NAACP will provide an opportunity to discuss education issues in the context of your race initiative. This will enable you to discuss the importance of national standards and tests as a tool for improving learning for all students, to highlight the steps the Administration has already taken to provide the tools to help students -- especially those in urban and rural areas with large concentrations of high poverty and minority students -- reach challenging standards, and to frame the issues that will be addressed and steps that will be in the future to continue to provide all students with the preparation they need.

The speech will also provide the opportunity to announce a new, concrete step to improve urban education. DPC is working with the Education Department to complete the development of a new initiative for recruiting, preparing and retaining teachers in urban and poor rural communities. Part of the Education Department's proposal for the reauthorization of the Higher Education Act, this program will provide funds to strengthen teacher training programs which place large proportions of their graduates in urban or poor rural communities, and will also enable institutions of higher education to provide scholarships to talented and diverse students who will commit to teach in urban and poor rural areas for three years after graduation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-JUL-1997 16:13:51.00

SUBJECT: Update on affidavit of support and means tested benefits

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Wow -- progress on this since yesterday's note to you -- DOJ and HHS met with Lamar Smith today, and it went as well as could be expected. They also briefed some Democrats. So now the only remaining issue is the remaining legal snag in the affidavit of support, and people think that's getting resolved. So the best guess is this will go public the week after next.

----- Forwarded by Diana Fortuna/OPD/EOP on 07/11/97  
04:07 PM -----

Diana Fortuna  
07/10/97 11:45:20 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP

cc: Cynthia A. Rice/OPD/EOP

Subject: Affidavit of support and means tested benefits

You've asked me about the timing and status of the decision on means tested benefits, as well as the timing of the affidavit of support rule that Sally Katzen wrote that interesting note about. Here's the wonderful story:

Means-tested is ready to go. But there are now 2 holdups to getting these 2 out.

1. DOJ feels very strongly that it should not send out major interpretations of the welfare law on immigration without first meeting and "consulting" with Rep. Lamar Smith. There is about .000005% chance that he would like our interpretation, tell us anything we don't already know, or change our minds, but DOJ has been very firm on this. So we are waiting for this meeting to get scheduled and occur, and then to let a respectable number of days pass before taking our action.
2. On the affidavit of support, a final snag has arisen in the last few days on the definition of "state means tested benefits" that OLC says was raised by the Brady Law decision. DOJ and INS met today to iron this out; I don't know the resolution yet. I am trading calls with David Ogden to suggest to him that time is of the essence.

Finally, HHS feels very strongly that means-tested should be announced at the same time as the affidavit, so there will be one day of attention to this rather than two. Therefore they are very reluctant to schedule the meeting with Smith until they know that the affidavit issue is resolved.

So the schedule is:

1. settle state means tested definition issue in affidavit of support (punting is a possibility)
2. meet with Smith
3. issue both a few days later

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock ( CN=Andrew J. Mayock/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:11-JUL-1997 17:00:46.00

SUBJECT: Needle Exchange

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Sylvia asked that I e-mail you on this issue also:

Where do we stand regarding needle exchange?

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock ( CN=Andrew J. Mayock/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:11-JUL-1997 16:59:51.00

SUBJECT: EEOC

TO: edley ( edley @ law.harvard.edu @ INET @ LINGTUY [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Sylvia asked that I e-mail you folks on this issue:

On the need to consider how to set up a process to lower/eliminate the backlog of EEOC cases (i.e. Cong. Wynn's proposal), what are your thoughts and we do we proceed?

Many thanks.



## RECONCILIATION ITEMS THAT WEAKEN WORK REQUIREMENTS

### I. FLSA/Minimum Wage

- Work Activities Permitted -- The House proposal would allow states whose benefits levels don't support the minimum wage for the required number of hours to count work activities that current law does not permit them to count.

To get up to 20 hours a week, states could count any of the following activities, none of which count under current law:

- (1) job skills training directly related to employment;
- (2) education for those with no high school diploma;
- (3) job search and job readiness assistance in excess of 6 weeks (current law: the first 6 weeks always count as work); and
- (4) vocational educational training in excess of 12 months (current law: the first 12 months always count as work).

To go from 20 to 30 hours a week, states could count any items from this same list of activities; but current law already permits activities (1) and (2) to count for hours over 20.

- Deducting child support retained by the state -- In defining the maximum number of hours of workfare participation per month, the House bill deducts child support retained by the state from welfare and food stamp benefits before dividing by the minimum wage. This is intended to prevent women from having to "work off" their own child support, but it raises a number of difficult fairness questions.

**Special Note on Nickles Amendment** -- This amendment is intended to ameliorate one consequence of the Labor Department's minimum wage guidance. Applying either to current law or to the House bill, it says that regardless of minimum wage requirements, states may issue sanctions against recipients. The question is whether current law already permits this, and DOL and HHS are investigating this question. For example, it may be that sanctions can be viewed as "wage garnishments" deducted after payment of the minimum wage.

One easy solution that the agencies may offer is to allow a sanction to be imposed, but at the same time to cut the hours of work required. We have to decide if that solution is unacceptable to us. We have taken no position on the Nickles amendment to date.

### II. 20% Vocational Education Limit

- Current law is arguably somewhat murky on this issue. It says that "not more than 20% of individuals in all families...may be determined to be engaged in work" because of vocational education or high school attendance by teen parents. The liberal interpretation (which the Education Department urged us to embrace publicly without success) is that the cap is 20% of the entire caseload. The conservative interpretation is that the cap is 20% of those engaged in work. Therefore, measuring whether the reconciliation proposals weaken the work requirement depends on what interpretation you start with.

Since teen parents attending high school “share” the 20% cap with vocational education, and teen parents are 6% of current caseload, many argue that this leaves little or no room for vocational education. (According to CRS, one-third of teen parents have diplomas, so teen parents attending high school are 4% of current caseload -- or less, since many don’t actually attend school.)

The proposals vary widely in terms of the percent of the caseload that can be in vocational education and still count as working -- from 2% to 20%.

- **Percent of Caseload that can be in vocational education and count as working:**
  - House Education and Workforce (strict interpretation of current law):
    - FY98: 20% cap applied to the 30% required to work = 6%; less 4% teen parents = 2%
    - FY02: 20% cap applied to the 50% required to work = 10%; less 4% teen parents = 6%
  - House Ways and Means (strict interpretation, but increase cap to 30% and take out teens):
    - FY98: 30% cap applied to the 30% required to work = 9%
    - FY02: 30% cap applied to the 50% required to work = 15%
  - Liberal Interpretation of Current Law (20% of total caseload, teens part of cap):
    - FY98: 20% cap applied to total caseload, less 4% teen parents = 16%
    - FY02: same = 16%
  - Senate (liberal interpretation, plus take out teens):
    - FY98: 20%
    - FY02: 20%

### III. Domestic Violence Exemption

This Senate amendment would allow states to grant waivers from the 5-year time limit for victims of domestic violence in excess of the 20% cap now in the law. In addition, it would require HHS to exclude recipients with such waivers in computing state work participation rates and penalties.

The House has no such provision. We have not yet taken any position on this amendment.

- Current Law -- States may exempt up to 20% of the monthly caseload from the 5-year time limit for reasons of hardship “or if the family includes an individual who has been battered or subjected to extreme cruelty.”

In addition, states have an option to certify that they have and enforce standards to identify and provide services for recipients with a history of domestic violence; and to wave program requirements “such as time limits..., residency requirements, child support cooperation requirements; and family cap provisions” when it would endanger, penalize, or put at risk such victims.

- Senate Amendment (Murray) --

- States shall not be subject to any numerical limitation in granting domestic violence waivers.
- HHS must exclude recipients granted domestic violence waivers by a state when it determines whether a state has complied with work participation rates and enforcement of the time limit, as well as whether penalties should be imposed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jerold R. Mande ( CN=Jerold R. Mande/OU=OSTP/O=EOP [ OSTP ] )

CREATION DATE/TIME:11-JUL-1997 17:32:01.00

SUBJECT: FTC comment on proposed settlement.

TO: Elizabeth Drye ( CN=Elizabeth Drye/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Bruce N. Reed ( CN=Bruce N. Reed/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

WASHINGTON, July 11 (Reuter) - Federal Trade Commission Chairman Robert Pitofsky said on Friday that the agreement between the tobacco industry and state attorneys general, as it is written, may permit price-fixing by cigarette companies.

Pitofsky told a small group of reporters that the tobacco agreement includes an anti-trust exemption. ``The exemption is written in such a way that I believe -- maybe they didn't intend it this way -- it could cover price-fixing,'' Pitofsky said.



**Tobacco** -- We are making good progress on our review of the tobacco settlement. Secretary Shalala and I met this week with Drs. Koop and Kessler, Attorneys General Moore and Gregoire; and leading public health and tobacco control groups. In internal meetings, we've identified the major legal and policy issues, have analyzed the economic effects of the settlement, and are developing options in key areas. Next week we will meet with the tobacco industry, tobacco farmers, and additional public health experts. Donna and I will also consult with members of Congress, beginning with a Senate democratic task force chaired by Senator Conrad.



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June 30, 1997

SECTION: NATIONAL AFFAIRS; Opinion; Pg. 38

LENGTH: 809 words

HEADLINE: The GOP's Welfare Gut Check

BYLINE: BY MICKEY KAUS

### **Will Republicans sabotage their own reform?**

IN THE NEXT WEEK OR TWO CONGRESS will decide the fate of welfare reform. Welfare reform? Isn't that last year's story? Well, yes. Last year Congress passed a reform that was the most significant legislation of Bill Clinton's first term -- and just about the only revolutionary act of Newt Gingrich's "revolution." So far, the law seems to be working: caseloads are plummeting nationwide.

Yet now, when nobody's looking, those soft-headed, entitlement-loving politicians in Congress are busy undermining the 1996 reform, gutting its work requirements and imposing Washington-knows-best restrictions that ensure states will not be able to put large numbers of recipients to work.

Typical. Except for one thing: the members of Congress doing the undermining are Republicans in Republican-led committees in a Republican Congress.

It is, as Gingrich would say, frankly bizarre. You'd think the GOP would jealously protect last year's achievement. The 1996 law abolished the main federal welfare program and gave the money in a "block grant" to states to spend on aid programs of their own devising. To prod governors in the right direction, the law required states to have a rising percentage of their caseloads working -- 50 percent by 2002. Wisconsin has been leading the way, with an ambitious program to require all recipients to work, in last-resort "community service" jobs if necessary.

If you wanted to subvert this successful (so far) scenario, what would you do? Not launch a frontal assault on the popular reform. Instead, you'd just change a few crucial details. Two, in particular:

You'd quietly eviscerate the work requirements: Fifty percent of the caseload must be "working" in 2002. Sounds tough. But let's look at the math. Under the original reform, states get credit for any caseload drop since 1995 -- already about 15 percent. Then there's a credit for recipients with part-time jobs -- about 4 percent of the caseload. Plus the "mothers with kids under age one" loophole (you don't want to know the details), which is good for another 3

percent. That's a total of 22 percent right off the bat.

And, this past week, Republican committees in the House and the Senate opened up new loopholes. Under the House Ways and Means plan, states could count as "working" teenage parents in school -- about 7 percent of the caseload. And, in 2002, states could put another 15 percent of the caseload into classrooms and count that as "work," too. Add up all those numbers and you realize that the average state could, without getting any additional recipients working, achieve a "work" percentage of 44 percent. If the caseload drops 6 more points, most states wouldn't have to require a single soul to work.

You'd push recipients into meaningless jobs: At least states like Wisconsin that want to put recipients to work can do it, right? Don't be so sure. In the current budget debate, three key GOP-led congressional committees, with Republican votes, have approved union-inspired restrictions that would make it very hard to give "workfare" participants work worth doing.

Workfare has always been a threat to government employees, who worry that cheap workfarers will take their jobs. The 1996 law said existing workers couldn't be fired and replaced with welfare recipients. That seems only fair. But the new "antidisplacement" restrictions would ban a welfare recipient from doing a task if it would "infringe in any way upon the promotional opportunities" of existing workers, or be "inconsistent" with union work rules.

The practical effect, as Wisconsin Gov. Tommy Thompson argued in a letter of protest, will be to let unions block workfare assignments "at will." Governors will be forced to place workfarers far away from anything existing workers are already doing, which is to say anything visibly useful. No fixing up parks, no cleaning up subway stations. Instead, recipients will be pushed into the amorphous nonprofit sector, into makework and fake-work. That's what happened in the last big public-jobs program, CETA. The government wound up paying people to do things like "checking on" cars in a housing project.

Don't be fooled by the showy congressional debate over whether workfarers should get the minimum wage. The "antidisplacement" provisions are the real nub of the current welfare fight. There are signs GOP House leaders are finally waking up to the threat to last year's reform. But, with the welfare changes passed by committees in both houses, it may be too late. And the two sets of changes, read together, do make strange and brilliant sense: the union-inspired restrictions make it hard for states to require work; the new loopholes tell them they don't really have to. The end result could be a welfare system a lot like the one we thought Congress replaced in 1996.

GRAPHIC: Picture, Bending welfare as we know it: Bowing to union pressure, Republicans construct new obstacles to 'workfare'



## **Suspension of Deportation for Central Americans July 11, 1997**

### **Questions and Answers**

**Q. What did the Attorney General announce yesterday regarding Central American migrants?**

A. The Attorney General announced the Administration's three-part course of action relating to a humanitarian form of relief called "suspension of deportation." The 1996 Immigration Act severely restricts eligibility for suspension of deportation-- traditionally available to deportable aliens who have resided in the United States for 7 years, could show good moral character, and that deportation would cause extreme hardship.

These actions are aimed primarily at fulfilling the President's promise to ease the harsh effects of the new law on Central Americans-- many of whom came to the U.S. in the 1980's fleeing civil wars and political persecution. The three-part course of action is as follows:

1. The Attorney General has decided to vacate and take under review a controversial administrative decision, Matter of N-J-B, that made it much more difficult for individuals to qualify for suspension. While she reviews the decision, the Attorney General has ordered the INS not to deport anyone who would have been eligible for suspension but for that decision.
2. Next week, the Administration will send a legislative proposal to Congress that will provide for a more fair and humane transition to the new, more restrictive rules governing suspension. Under the legislation, applicants for suspension who were in the administrative pipeline before April 1, 1997 will be required to meet the standards that applied prior to the effective date of the new law. Suspension applications filed after April 1 of this year will continue to be subject to the tighter criteria.
3. If Congress is unwilling to pass the proposed legislation, the Administration is prepared to consider other available administrative options to protect certain Salvadorans, Guatemalans and Nicaraguans who would have qualified for suspension but for the new rules.

**Q. Why is the Administration taking this course of action?**

A. As the President learned during his recent trip to Central America, peace and democracy are still fragile in that region. The sudden return of tens of thousands of Central Americans, who have been living in the U.S. for many years, could jeopardize these important accomplishments. The President believes that it is vital to the national security to assist in any

way he can in bringing stability to that part of the world.

The Administration also recognizes that many of these individuals, after years of being authorized to remain in the United States, have developed important ties to the country and should be treated fairly in light of the recently-passed legislation.

**Q. Isn't this basically a huge new amnesty program?**

A. Not at all. The Administration's approach would only ensure that those people with immigration cases already in the pipeline prior to April 1 are able to benefit from the old suspension rules in effect prior to that date. Those who apply for suspension will still have to meet several legal requirements and appear before an immigration judge who has the discretion to grant or deny the application. Not all individuals who apply for suspension will qualify.

**Q. How many people are affected by these decisions?**

A. The Immigration and Naturalization Service (INS) estimates that as many as 280,000 people might be eligible to appear before an immigration judge to request suspension. Of this number, INS estimates that about 160,00 might actually decide to apply for suspension. However, because suspension is decided on a case-by-case basis, it is extremely difficult to estimate how many people will be given this remedy under our proposal.

**Q. Isn't the government being sued right now on some of these issues (the Tefel case)? What will this mean for cases currently in litigation?**

A. This question would be best answered by the Attorney General. It is our understanding that the Department of Justice is currently reviewing its posture in these cases in light of this announcement. The government's position will be made clear in the very near future.

**Q. What has been the response by the Hill?**

We have just begun to notify members of Congress of our proposal. Over the past few months, we have received requests from over 125 Members and Senators asking us to look at what we could do administratively or legislatively about this problem. We will continue to work with them for a just and proper resolution to this matter.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-JUL-1997 16:57:30.00

SUBJECT: genetics briefing

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

READ:UNKNOWN

CC: Sarah A. Bianchi ( CN=Sarah A. Bianchi/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

I will have the briefing on the genetics event for you tomorrow by noon for you to review. We should turn it in by 2pm. Is that okay? In addition to the briefing, Sarah is doing a one page fact sheet, executive summary, and Q&A for the press office by COB today -- so you can look at them tonight or tomorrow morning. Sarah will get those drafts to you, but please give me the edits. Thanks. Page me if you have any concerns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock ( CN=Andrew J. Mayock/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:11-JUL-1997 12:05:14.00

SUBJECT: CEA memo / report

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Have you received any word from CEA on the report that was due last Wednesday?

If we had something on paper that we could share with the Advisory Board on Monday that would be very helpful to 1) show them that we are actively working at this (which is EBB's keen interest) and 2) reinforce the primary role of the White House as initiative-driver. I realize it is just a list, but I think that would help greatly.

Please let me know what you've heard. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lynn G. Cutler ( CN=Lynn G. Cutler/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:11-JUL-1997 14:25:38.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I have a request from Los Angeles County for paper on the tobacco issue.  
Do you have anything that we can give them? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi ( CN=Sarah A. Bianchi/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:11-JUL-1997 19:32:00.00

SUBJECT: Genetic One Pager

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

READ:UNKNOWN

TO: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Rahm I. Emanuel ( CN=Rahm I. Emanuel/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Michelle Crisci ( CN=Michelle Crisci/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D75]MAIL40370719F.116 to ASCII,  
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## PREVENTING INSURANCE DISCRIMINATION BASED ON GENETIC INFORMATION

Today, the President pledged his commitment for bipartisan legislation in the Congress to prohibit health plans from discriminating on the basis of genetic information. Senator Jeffords, Chair of the Labor and Human Resources Committee and Senator Frist, Chair of the subcommittee and a physician, also announced that they share the President's commitment in passing a bipartisan bill that is consistent with the goals laid out in the HHS report.

**The Progress and Promise of Genetic Testing.** Genetic testing has the potential to identify hidden genetic disorders and spur early treatment. Tests for genetic predisposition to certain diseases and conditions -- such as Huntington's disease and certain types of breast cancer -- are already available and more genetic tests are on the horizon.

**Genetic Discrimination: The Perils of This Progress.** But genetic testing also can be used by insurance companies and others to discriminate and stigmatize groups of people. Studies have shown that:

- 22 percent of people in families where someone has a genetic disorder report that they have been discriminated against by an insurance plan.
- 85 percent of Americans report that they are extremely concerned with the possibility that their genetic makeup will be used to discriminate against them or a member of their family.

**Building on Kassebaum-Kennedy.** Kassebaum-Kennedy took steps to prohibit genetic discrimination by preventing insurers from using genetic information as a "pre-existing condition" and denying or limiting coverage in group markets. However, Kassebaum-Kennedy falls short in three areas. It does not: (1) prevent health plans in the individual market from denying coverage on the basis of genetic information; (2) assure that premiums settings are in no way based on genetic information both in the group and individual market; and (3) prevent health plans from disclosing genetic information to insurers, to plan sponsors, and other entities regulated by state insurance laws, such as life, disability, and long-term care insurers.

**State laws are insufficient.** Nineteen states have already enacted laws to restrict the use of genetic information in health insurance and many others have introduced legislation. However, state legislation is insufficient to solve this problem. First, private sector employer sponsored health plans, which covers half of all Americans, are exempt from state insurance laws due to ERISA preemption. Second, current state laws generally focus on genetic tests rather than a broader definition of genetic information such as family history, medical records, and physical exams. Finally, the variability among state bills will lead to a lack of uniformity across the nation as to whether and how genetic information may be used by health plans.

**Building on the existing bipartisan commitment to the President's challenge.** Several bills have been introduced in this Congress which prohibits health plans from requesting or using genetic information to deny health care coverage or raise premiums. The bipartisan legislation introduced by Rep. Louise Slaughter, H.R. 306, addresses the three major gaps left by the HIPAA legislation and represents a strong foundation for this much-needed reform. It has already attracted over 150 cosponsors. The HHS report released today recommends building on this legislation and enacting a bill that protects all

Americans from the threat of genetic discrimination.

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barry White ( CN=Barry White/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:11-JUL-1997 13:06:41.00

SUBJECT: Welfare to Work S&E budget amendment

TO: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Emil E. Parker ( CN=Emil E. Parker/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

Barry White ( CN=Barry White/OU=OMB/O=EOP [ OMB ] )

READ:UNKNOWN

TEXT:

The President's FY 1998 Budget presumed the \$3 billion program would be administered by DOL, and included as "proposed for later transmittal" a DOL Salaries and Expenses discretionary appropriation of \$6.2 million, for 75 FTE and related expenses.

"Later transmittal" proposals go up to Congress as budget amendments when the substantive program (in this case welfare to work) is enacted, or about to be, and are usually timed so as to be on the record when the appropriations subcommittees mark up their bills for the year, lest they not be considered due to lack of timely transmittal.

The L/HHS/ED appropriations subcommittee markups are both next week. The \$6.2 million for DOL is going up today or in the next day or so, as part of a larger package of budget amendments. It is being treated as a routine transmittal, no fanfare.

I wouldn't raise it in any of the Hill meetings we are having with authorizers, it could be distracting, but I wanted to be sure you folk all were aware of it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa Y. Cook ( CN=Melissa Y. Cook/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:11-JUL-1997 15:07:19.00

SUBJECT: LRM #MYC129 -- VA Report on HR 1703, Department of Veterans Affairs Employ

TO: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: Justin D. Sullivan ( CN=Justin D. Sullivan/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Alice E. Shuffield ( CN=Alice E. Shuffield/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TO: David J. Haun ( CN=David J. Haun/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Could you please let me know by COB TODAY (JULY 11th) if you have any comments VA's report on HR 1703, "Department of Veterans Affairs Employment Discrimination Prevention Act " (LRM #MYC129)? If I do not hear from you by then, I will assume that you do not have any comments on this report.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:11-JUL-1997 10:08:56.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I'm going to be out of the office this afternoon, but I'm wondering if you spoke with Janet and got some direction. Let me know if you need me to do anything today. Thanks.



**NAACP Speech:** Your speech to the NAACP will provide an opportunity to discuss education issues in the context of your race initiative. This will enable you to discuss the importance of national standards and tests as a tool for improving learning for all students, to highlight the steps the Administration has already taken to provide the tools to help students -- especially those in urban and rural areas with large concentrations of high poverty and minority students -- reach challenging standards, and to frame the issues that will be addressed and steps that will be in the future to continue to provide all students with the preparation they need.

The speech will also provide the opportunity to announce a new, concrete step to improve urban education. DPC is working with the Education Department to complete the development of a new initiative for recruiting, preparing and retaining teachers in urban and poor rural communities. Part of the Education Department's proposal for the reauthorization of the Higher Education Act, this program will provide funds to strengthen teacher training programs which place large proportions of their graduates in urban or poor rural communities, and will also enable institutions of higher education to provide scholarships to talented and diverse students who will commit to teach in urban and poor rural areas for three years after graduation.



MEMORANDUM FOR THE ATTORNEY GENERAL AND SECRETARY OF THE  
INTERIOR

Subject: Law Enforcement in Indian Country

I am proud of this Administration's progress in reducing violent crime and improving public safety for our Nation's citizens. Our efforts are making an important difference. Nationwide, the violent crime rate has dropped approximately 17 percent since 1992, and the homicide rate has declined about 22 percent.

Unfortunately, during the same time period life has become more violent for the 1.2 million Indian citizens who live on or near reservations. Homicide rates, for example, have increased to levels that often surpass those in large American cities. Numbers alone, however, cannot convey the tragic impact of such violence on Indian families and their communities.

This and other information you have provided to me make clear that we need to refocus on this growing problem. While some tribal governments have developed strong law enforcement programs, many others have encountered significant difficulty in doing so. Many Indian citizens receive police, investigative, and detention services that lag far behind even this country's poorest jurisdictions.

The Federal government has taken steps to address this problem. The Administration has sought increased Department of Interior funding and tribal control of law enforcement programs on Indian lands. This year, the Federal Bureau of Investigation (FBI) established an Office of Indian Country Investigations in its Violent Crimes Section, allocating additional agents to Indian Country. The FBI also initiated a nationwide outreach training program for Indian Country law enforcement officers. We have created additional tribal liaison positions in the United States Attorney's Offices in Indian Country, intended to improve our ability to bring offenders to justice. Through our Community Oriented Policing Services Program, we have assisted tribal law enforcement agencies in hiring officers in Indian Country.

Yet, law enforcement in Indian Country remains a serious problem. For these reasons, consistent with the spirit of my 1994 memorandum on government-to-government relations and tribal self-governance, I hereby request the Attorney General and Secretary of the Interior to work with tribal leaders to analyze law enforcement problems on Indian lands. By October 31, 1997, the Departments of Justice and Interior should provide options for improving public safety and criminal justice in Indian Country. To the extent that these options might affect the Departments' budgets, they should be included in your 1999 budget submissions and should be consistent with the funding targets of the Bipartisan Balanced Budget Agreement.

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## Directive on Law Enforcement in Indian Country

### Background

- **There is a federal responsibility for law enforcement in Indian Country.** Approximately 1.2 million Indian citizens live on lands governed by federally recognized tribes. The federal government generally has jurisdiction over major crimes committed on Indian lands.
- **There is a crisis in public safety and law enforcement in Indian Country.** While violent crime is falling nationwide, it is rising on American Indian reservations. Since 1992, homicides have risen over 80% in Indian Country, while decreasing by about 16% nationwide. The homicide rate for Indians is the highest of any ethnic group and more than double the rate of the white population.
- **Law enforcement resources in Indian Country are inadequate and have been dwindling.** There are only half as many officers per capita in Indian Country as in the rest of the United States. Resources for the Bureau of Indian Affairs, which funds law enforcement for Indian Country, have decreased since 1992. In contrast, other federal law enforcement agencies have received funding increases during this period.

### President Clinton's Directive

- **Making improved law enforcement on Indian Country a priority.** The Executive Memorandum, which may be signed next week, directs the Attorney General and Secretary of the Interior to analyze the law enforcement problem in Indian Country and to submit options to the President by October 31 to improve public safety on these lands.
- **Continuing Government-to-Government Relations with tribes.** In keeping with the President's 1994 Memorandum on government-to-government relations with tribes, the memorandum requests that the Attorney General and the Secretary of the Interior work with tribal leaders during the process.
- **Building a consensus to solve the problem.** Upon receiving the President's directive, the Attorney General and Interior Secretary will work with agency representatives, tribal leaders, and experts to develop the set of options to be submitted to the President on how best to address criminal justice problems in Indian Country.

### Clinton Administration's Accomplishments

- In addition to seeking increased funding for the Interior Department, and tribal control of law enforcement programs on Indian lands, the Clinton COPS Program has helped tribal law enforcement agencies to hire officers in Indian Country.
- This year, the FBI established an Office of Indian Country Investigations in its Violent Crimes Section, allocating additional agents to Indian Country. The FBI also initiated a nationwide training program for Indian Country law enforcement officers.

MEMORANDUM FOR THE ATTORNEY GENERAL  
THE SECRETARY OF DEFENSE  
ALL FEDERAL LAW ENFORCEMENT AGENCIES

SUBJECT: Registration Of Sex Offenders Adjudicated in Federal or  
Military Courts

A recent Justice Department report found that on any given day, 60%, or over 140,000 of the 234,000 convicted sex offenders under the care of corrections officials, are living in the community on either probation or parole. We have taken steps to guard our communities against repeat offenses by these sex offenders by enacting the "Jacob Wetterling Act," "Megan's Law" and the "Pam Lychner Act." Among other things, these important pieces of legislation require States to make public relevant information about released child molesters and sexually violent offenders.

We have also worked to ensure that the information gathered in all 50 States is available on a nationwide basis. Last June, I directed the Justice Department to develop a national sexual predator and child molester registration system-- which for the first time would link together the sex offender registration systems being developed in all 50 states. The FBI recently announced that its interim national sex offender registry had become operational. Once complete, this system will allow arresting officers and others to immediately identify an individual as a convicted sex offender and indicate where that person is registered.

Much still needs to be done to make this system an effective tool in combating and preventing sex crimes. The new national registry will only be as good as the quality of the information on sex offenders that it contains. We must forge a close partnership between the FBI, other federal agencies, and state law enforcement agencies in ensuring that accurate and up-to-date information on the whereabouts of sex offenders is timely loaded into the system and available to those who need it.

Some states have already risen to this challenge and are loading their sex offender information into the national system. Other states are moving rapidly toward that objective. But, for the system to work, all states must work together. We have called upon every state to load its information on sex offenders into the national registration system as soon as possible.

At the same time, it is important that sex offenders adjudicated in federal or military courts are registered, including those released from federal or military prisons, or placed on probation. The potential danger to the public from a released child molester or sexually violent offender whose whereabouts are unknown to the authorities is the same, regardless of whether the offender was

convicted in a state, federal, or military court.

I am accordingly directing the Attorney General and the Secretary of Defense to maximize the use of current administrative options to ensure that: (1) federal and military authorities notify the appropriate state authorities concerning the release to their areas of sex offenders adjudicated in federal or military courts; (2) sex offenders adjudicated in federal or military courts are required to register in the states where they reside; and (3) complete and current information on released sex offenders adjudicated in federal or military courts will be included in the registries of the states where they reside and in the national sex offender registry. I am also asking the Attorney General and the Secretary of Defense to report, within 60 days, on any legislative changes that would be needed to realize these objectives fully and to allow the national sex offender registry to completely realize its important potential. Finally, I encourage federal and state cooperation with Indian tribes toward the inclusion of sex offenders who have been adjudicated through tribal justice systems.

[WILLIAM J. CLINTON]

## **Clinton Administration: Protecting Children from Sex Offenders Registration of Federal and Military Sex Offenders Initiative**

### **Questions and Answers**

**June 24, 1997**

**Q. What is the President announcing today?**

A. Building on the Clinton Administration's record of protecting our children from sex offenders, the President directed the Attorney General, the Secretary of Defense, and all federal law enforcement agencies to ensure that federal and military sex offenders are registered, both in the state in which they live and in the national sex offender registry.

The President's directive instructs the Attorney General and Secretary of Defense to maximize the use of administrative options to ensure that:

- federal and military authorities notify state authorities concerning the release of sex offenders from their facilities;
- federal and military sex offenders are required to register in states where they reside; and
- complete and current information on released federal and military sex offenders will be included in appropriate state registries and the national sex offender registry.

President Clinton has also asked the Attorney General and the Secretary of Defense to report back to him within 60 days on any legislative changes that would be needed to fully implement the directive.

**Q. Aren't these sex offenders already required to be registered?**

A. Under current law, states are encouraged but not required to register federal and military sex offenders. States do have the legal authority to require released federal and military offenders to register, just as they can require offenders convicted in other states to register if they move in. Today's directive to the Attorney General and the Secretary of Defense, and all federal law enforcement agencies will help ensure that federal and military sex offenders are registered, both in the state in which they live and the national sex offender registry.

**Q. How many sex offenders are out of jail or prison and on the streets?**

A. A recent Justice Department report found that on any given day, about 60% of the 234,000 convicted sex offenders under supervision of corrections officials are living in the community, either on probation or parole. That is why the Clinton Administration has made protecting our children from sex offenders a national priority.

**Q. How many federal and military sex offenders will be affected by the directive?**

A. Using available data from the Department of Justice and the Department of Defense, the annual number that could be affected is estimated to be about 340 sex offenders. In 1995, there were about 150 federal sex offenders either on probation or who had completed their probation that year. The Department of Defense estimates that over the next 12 months, an estimated 190 military sex offenders will be released from military facilities.

**Q. What is the status of the national sex offender registry the President announced last year? Is it readily accessible to law enforcement?**

A. In June 1996, President Clinton directed the Attorney General to establish a national sexual predator and child molester registration system to help link together the sex offender and notification systems being developed in all 50 states.

The national sex offender registry became operational in February-- allowing law enforcement agencies to search the FBI's criminal history record database to determine whether an individual is a registered sex offender, and if so, where he or she is registered.

Earlier this month, the Attorney General sent letters to all 50 governors asking them to load their state information into the national sexual predator registry. All states must join us to make this national registry a success. Close partnerships must be formed between the FBI and other law enforcement agencies to ensure that accurate and up-to-date information on the whereabouts of sex offenders is loaded into the system available to those who need it.

**Q. What else has this Administration done to protect communities and children from sex offenders?**

A. The Clinton Administration has a strong record of support for protecting our children and families from sexual predators. In 1994, President Clinton signed the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act ("Wetterling Act"), as part of the 1994 Crime Act. That Act encourages states to establish effective registration systems for convicted child molesters and other sexually violent offenders.

In May 1996, the President signed Megan's Law, which amended the Wetterling Act to

require states to release relevant information that is necessary to protect the public concerning registered sex offenders. Prior to the enactment of Megan's Law, the Wetterling Act permitted, but did not require, such disclosure. Building on these laws, in October 1996, the President signed the Pam Lynchner Act, which strengthens the Wetterling Act's registration requirements.

**Q. Isn't there legislation moving through the Congress which would basically accomplish what is in the President's directive?**

A. While pending legislative proposals include provisions regarding offenders adjudicated in federal and military tribunals, the proposals do not fully and adequately address the issue. The legislative proposals provide principally that such offenders must register in accordance with the laws of the state in which they reside, and that federal and military authorities must ensure the offenders are notified of the registration obligation. We support the objectives of these proposals. However, there is no assurance that states will require them to register. At present, most states do not have such a requirement.

The President's directive would help make these registration systems more effective by: ensure that notification by federal and military authorities to the appropriate state authorities concerning the release in their areas of sex offenders adjudicated in federal and military courts; requiring that offenders register in the state where they reside and a requirement that...

Moreover, there are aspects of the directive which we anticipate can be done administratively-- without any legislation. These measures could be put into effect more expeditiously than passing new legislation.

**Clinton Administration: Protecting Children from Sex Offenders  
Registration of Federal and Military Sex Offenders Initiative  
June 24, 1997**

**Announcement**

- Today, President Clinton directed the Attorney General, the Secretary of Defense, and all federal law enforcement agencies to ensure that federal and military sex offenders are registered, both in the state in which they live and in the national sex offender registry. Today's directive is an important step that builds upon the Clinton Administration's record of protecting our children from sex offenders.

**Background**

A recent Justice Department report found that on any given day, about 60% of the 234,000 convicted sex offenders under the care of corrections officials are living in communities, either on probation or parole. Over the last few years, the Clinton Administration has made protecting our children from sex offenders a national priority.

- The 1994 Clinton Crime Act required sex offenders to register in the state in which they live; increased penalties for sexual abuse offenses and certain offenses against youthful victims; and broadened pretrial detention for serious sex offenses cases.
- In May 1996, President Clinton signed Megan's Law to ensure that communities are notified when sex offenders are in their midst. In June 1996, President Clinton directed the Attorney General to establish a national sexual predator and child molester registration system. This computerized system will help link together the sex offender and notifications systems being developed in all 50 states.
- The national sex offender registry became operational in February-- allowing law enforcement agencies to search the FBI's criminal history record database to determine whether an individual is a registered sex offender, and if so, where he or she is registered. Close partnerships must be formed between the FBI and other law enforcement agencies to ensure that accurate and up-to-date information on the whereabouts of sex offenders is loaded into the system and available to those who need it.

**Today's Measure**

- The directive instructs the Attorney General and Secretary of Defense to ensure that:
  - 1) federal and military authorities provide appropriate state authorities with information concerning the release of sex offenders from their facilities;
  - 2) federal and military sex offenders are required to register in the states where they reside; and
  - 3) complete and current information on released federal and military sex offenders will be included in appropriate state registries and the national registry.
- In addition, President Clinton has asked the Attorney General and the Secretary of Defense to report back to him within 60 days on any legislative changes that might be needed to fully implement the directive.



TO:

FROM:

As we approach the anniversary of the ADA, we would like to move forward on a good idea that has been floating around for some time -- expanding the Defense Department's "CAP" program. It has minor budget implications.

The Defense Department's Computer Accommodations Program ("CAP") purchases equipment for DOD employees with disabilities to allow them to keep working if they become disabled, or for new employees just joining the workforce. By using a central \$2 million fund for such purchases, individual offices do not have to bear the cost within their own budgets, and are less likely to be deterred from hiring a person with a disability. CAP is also able to get better prices on equipment through its bulk purchases and expertise. It has a showroom to help employees try out appropriate adaptive devices (CAP makes the decision on what equipment is purchased, not the employee). It has provided over 9,000 accommodations since its inception in 1990.

This program is a good example of how employers and employees are taking advantage of new (and increasingly cheap) technology, such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems, that allow people with disabilities to work.

For some time, the Administration's appointees with disabilities have been pushing the idea of expanding the CAP program to cover all Federal employees, not just those at Defense. This is a particular priority for Tony Coelho, chair of the President's Committee on Employment of People with Disabilities. The idea was presented to Erskine when he met with the appointees several months ago, and he felt it was a promising idea.

OMB staff believe that a centralized fund is unnecessary because agencies are already obligated under current law (Section 504 of the Rehab Act) to provide such accommodations today. However, many do not, and a centralized fund has many advantages.

Defense has estimated that it would cost \$8 million a year to expand CAP government-wide, but this is definitely overstated since CAP now serves the entire Defense Department for \$2 million a year. A more realistic range is \$2 - 5 million a year. While having DOD perform this service for all federal employees is a bit unusual, they have a great deal of expertise at this task and they are ready to take on the added responsibility.

If we were to announce this in connection with the ADA, the appointees with disabilities would view this as a positive step but would not be exceptionally grateful for it, since they view it as overdue and are also hoping that we will be able to come to an agreement on an executive order on employment of people with disabilities. We are continuing to work on that possibility.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 18:37:38.00

SUBJECT: Re: work regs

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This was a pre-unveiling, nothing has gone to Katzen yet, and there will be a lot of issues to slog through. I haven't sent you the grandfathering waivers stuff yet; I will today. HHS wants the reg to say that states can use the exemptions and time limits from their waivers instead of the law's; Bruce noted he remembered the resolution very differently in Leon's office. We have a bit of time on this.

Elena Kagan

07/12/97 06:16:12 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Diana Fortuna/OPD/EOP

cc:

Subject: work regs

where are we on these? I know i missed a meeting last week. Diana, you asked me after that meeting about grandfathering waivers and said you'd send me some materials to jog my memory. Do I have those somewhere? And are there any other issues? And does Sally Katzen now have this reg, or are we doing a kind of pre-OMB review first?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sylvia M. Mathews ( CN=Sylvia M. Mathews/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:12-JUL-1997 20:00:07.00

SUBJECT: Re: contraception legislation

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

READ:UNKNOWN

TEXT:

ty



**Health Care Budget Reconciliation Developments.** The House and Senate Committees of jurisdiction (Ways and Means, Commerce, and Senate Finance) sent preliminary counteroffers to one another at the end of the week. While no issues have been finally resolved, Thursday's overwhelming support (over 400 votes) for the Sense of the House Resolution to reject the 65-67 eligibility age increase has apparently removed this provision from any serious consideration. The income-related premium and the home care copayment still remain potentially viable, although the latter is losing steam.

We are advising Democrats and Republicans that you support income-relating the Medicare premium, but only if your administrative concerns (Treasury, not HHS administration) and policy design concerns (e.g., reducing maximum premium payment from 100 percent to 75 percent of Part B program costs to reduce the incidence of well-to-do elderly leaving the program) are adequately addressed. Although Senator Domenici and many other policy-oriented Members have explicitly or implicitly acknowledged the advantages of your approach, many Republicans are not as yet interested in considering any premium administered through the Tax Code.

There are numerous other important and controversial Medicare issues still in play. They include: (1) Medical Savings Accounts, (2) the House-passed medical malpractice provisions (which we believe will be struck either in conference or through the Byrd rule) and (3) the provisions that allow physicians to "balance bill" (charge over Medicare approved rates) in certain circumstances. This latter issue is being hotly criticized by some House Democratic Members. While we believe we have a chance to "Byrd" rule some of these "balance billing" provisions, it is quite likely we will not prevail on every one of these issues.

In Medicaid, as we suspected, the last-second controversy and time commitment will be on the allocation of the disproportionate share hospital (DSH) payments. On Thursday, Senator Domenici and Congressman Spratt asked the Administration to help co-chair a DSH study group to help determine alternative formulas. They are particularly concerned about excessive cuts coming from high DSH states. Our first meeting with them will be either Monday or Tuesday; in the end, because the low-DSH states do not want to be shifted-back any of the burden, there may be a great deal of pressure to simply find some additional money to reduce the overall DSH cut.

On the children's health front, it looks as though attention will focus on three major questions: (1) How many dollars will be invested -- \$16 billion without a tobacco tax or \$24 billion with one; (2) What will be the benefits package -- the House is apparently still insisting on a provision that dedicates at least some of the funding to go to direct services and NOT explicit coverage expansions, as well as insisting on a much less significant package of benefits than the Senate passed; and (3) How do we set up state accountability provisions (to ensure dollars do not replicate current state spending) without imposing excessive and undue bureaucratic requirements on the states.

**Genetic Screening.** We have worked this week on preparing for Monday's genetic screening event. During the event, you will be releasing a new HHS report that documents both the potentials and perils of the use of genetic screening. The report will cite survey data that concludes that more than one-fifth of people in families where someone has a genetic disorder report that they have been discriminated against by an insurance plan. It also includes specific legislative recommendations designed to prevent health insurers from using genetic screening information to discriminate against people who may be predisposed to a particular illness. You are scheduled to conclude the event by challenging the Congress to pass bipartisan legislation that prohibits such discrimination -- legislation that is totally consistent with the recommendations by the report you are releasing.



## PREVENTING INSURANCE DISCRIMINATION BASED ON GENETIC INFORMATION

Today the President pledged his commitment to enacting bipartisan legislation in this Congress to prohibit health plans from inappropriately using genetic screening information to deny coverage, set premiums, or to distribute confidential information. In so doing, he released a new report from the Department of Health and Human Services that summarizes the promise and perils of genetic screening. He also announced that the Republican Chair of the Senate Labor and Human Resources Committee, Senator Jim Jeffords, and the Public Health and Safety Subcommittee Chair, Senator and Doctor Bill Frist, have indicated their support for passing a bipartisan bill that is consistent with the goals and general recommendations of the HHS report.

**The Progress and Promise of Genetic Testing.** Genetic testing has the potential to identify hidden genetic disorders and spur early treatment. Tests for genetic predisposition to certain diseases and conditions -- such as Huntington's disease and certain types of breast cancer -- are already available and more genetic tests are on the horizon.

**Genetic Discrimination: The Perils of This Progress.** But genetic testing also can be used by insurance companies and others to discriminate and stigmatize groups of people. Studies have shown that:

- Over one-fifth of people in families where someone has a genetic disorder report that they, or a member of their family, had been discriminated against by an insurance plan.
- 85 percent of Americans report that they are extremely concerned with the possibility that their genetic makeup will be used to discriminate against them or a member of their family.

**Building on Kassebaum-Kennedy.** Kassebaum-Kennedy took steps to prohibit genetic discrimination by preventing insurers from using genetic information as a "pre-existing condition" and denying or limiting coverage in group markets. However, Kassebaum-Kennedy falls short in three areas. It does not: (1) prevent health plans in the individual market from denying coverage on the basis of genetic information; (2) assure that premiums settings are in no way based on genetic information both in the group and individual market; and (3) prevent health plans from disclosing genetic information to insurers, to plan sponsors, and other entities regulated by state insurance laws, such as life, disability, and long-term care insurers.

**State laws are insufficient.** Nineteen states have already enacted laws to restrict the use of genetic information in health insurance and many others have introduced legislation. However, state legislation is insufficient to solve this problem. First, private sector employer sponsored health plans, which cover half of all Americans, are exempt from state insurance laws due to ERISA preemption. Second, current state laws generally focus on genetic tests rather than a broader definition of genetic information such as family history, medical records, and physical exams. Finally, the variability among state bills will lead to a lack of uniformity across the nation as to whether and how genetic information may be used by health plans.

**Building on the existing bipartisan commitment to the President's challenge.** Several bills have been introduced in this Congress which prohibits health plans from requesting or using genetic information to deny health care coverage or raise premiums. The bipartisan legislation introduced by Rep. Louise Slaughter, H.R. 306, addresses the three major gaps left by the HIPAA legislation and represents a strong foundation for this much-needed reform. It has already attracted over 150 cosponsors. The HHS report released today recommends building on this legislation and enacting a bill that protects all Americans from the threat of genetic discrimination.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa Green ( CN=Melissa Green/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 16:36:42.00

SUBJECT:

TO: ELENA (Pager) #KAGAN ( ELENA (Pager) #KAGAN [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

please call sperling's office. 6-2807. Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 11:35:09.00

SUBJECT: Just got the attached from Vicki Radd...

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I am doing an update for you on the status of the disability executive order today, complete with a draft. Do you want me to forward it to you so you can forward to Vicki, or do you want me to send it to you both simultaneously?

Actually, I'll run through the basic situation now: negotiations with DOL and the appointees have just fallen off track. The EO sets up a task force led by DOL to investigate how to improve employment of people with disabilities. The disabled appointees have a specific agenda they want enacted (e.g., tax credits, major funding for personal assistance services, being tough on states that won't give disabled people on welfare accommodations so they can work). Therefore, they want the EO to include several bullets that are veiled references to these ideas, to set the stage to get them seriously considered. They also want to include 2 specific ideas -- taking the Defense Department's computer accommodations program government-wide, at a cost of \$2-6 million; and having BLS and Census devise and implement monthly reporting of the unemployment rate of people with disabilities, which may cost money (Tony Coelho has been negotiating this with the agencies for some time.) My view of this approach is that it is fairly modest for this group; and that meeting the appointees' desire for real change will be challenging for DOL.

However, DOL (Seth Harris and staff) is getting cold feet about the specifics, and they just proposed a much vaguer revision -- far enough over the line that the disabled appointees regard it as a waste of time. DOL is new to disability issues -- Reich never focused on them, but Herman is apparently interested -- but they are uncomfortable about being saddled with a specific agenda they don't yet know or share. Seth is going to talk to Kitty about this, and I suspect she will want to be very cautious.

I'm not sure what to do next, especially with the ADA 7/25 date looming (although not clear what event we have). According to John Lancaster (Tony Coelho's good executive director at the President's Committee on Employment who is shepherding this through and whom you've met), he and Marca Bristo feel it's worth missing the ADA to get this right, but Judy Heumann thinks we should keep pushing. Seth feels strongly that it's unrealistic to have this settled by ADA. I am spending part of this afternoon doing a compromise draft that we could put into circulation through Mac Reed/OMB if you think it is a good idea to keep this moving. I assume if we don't get it into circulation this week, we can't be ready by the 25th.

By the way, you had asked me how we get the Defense Dept. CAP thing to happen. It is strictly an OMB question. Carol Rasco pushed it very

ineffectively with them. Convincing Frank or Jack is not easy, so it's probably more realistic that Erskine's office would just tell them he wants to do this and they should find a way. I will send you a short rationale for why this is a good idea.

----- Forwarded by Diana Fortuna/OPD/EOP on 07/12/97 10:53 AM  
-----

Victoria Radd  
07/12/97 10:36:37 AM  
Record Type: Record

To: William H. White Jr./WHO/EOP, Diana Fortuna/OPD/EOP  
cc:  
Subject: Disabilities Executive Order

Ann Lewis told me yesterday that we were working on a possible E.O. in anticipation of the ADA signing. Can either of you please send or e-mail me a copy of any draft? If possible, I'd also appreciate knowing where we are in the process as well.

Many thanks,

V.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sylvia M. Mathews ( CN=Sylvia M. Mathews/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:12-JUL-1997 19:59:13.00

SUBJECT: Re: Waters

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

READ:UNKNOWN

CC: Minyon Moore ( CN=Minyon Moore/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Thanks Elena. Did the meeting occur while I was gone?

Elena Kagan

07/06/97 01:43:23 PM

Record Type: Record

To: Minyon Moore/WHO/EOP, Sylvia M. Mathews/WHO/EOP

cc:

bcc:

Subject: Re: Waters

We did, and then we unaccountably let it slip. It seems as if someone canceled a meeting on the subject (to be attended by DPC, HHS, and Waters staff) and then it was never rescheduled. We will make sure to make contact her office again on Tuesday. As you know, both we and HHS have substantial policy concerns about her proposal, but we should be giving her every opportunity to make her case.

Minyon Moore

06/30/97 09:38:38 AM

Record Type: Record

To: Sylvia M. Mathews/WHO/EOP

cc: Elena Kagan/OPD/EOP

Subject: Waters

I hope by now Elena has made contact with her office. I remember forwarding two e-mails asking her to follow-up even if there was no resolve. Please check with her. Let me know if you find out anything. I haven't heard one way or the other..

On the note of the children, thanks for pushing me to do that. Boy were they excited. I will definitely show you the pictures.

----- Forwarded by Minyon Moore/WHO/EOP on 06/30/97 09:34 AM -----

Sylvia M. Mathews  
06/28/97 12:15:35 PM  
Record Type: Record

To: Minyon Moore/WHO/EOP  
cc:  
Subject: Waters

Do you know where we are on the grandmothers exemption? (Can you tell that I am trying to catch up?) Hope you had a good time with your family. What beautiful little ones. I want to see the pics.



July 12, 1997

**GENETIC SCREENING EVENT**

DATE: July 14, 1997  
TIME: 2:30 pm - 3:40 pm  
LOCATION: The East Room  
FROM: Bruce Reed  
Maria Echaveste

**I. PURPOSE:**

(1) To highlight your commitment to enacting bipartisan legislation to prohibit health plans from inappropriately using genetic screening information to deny coverage, set premiums, or distribute confidential information; (2) To receive a new report from HHS on the promise and perils of genetic screening; and (3) To announce that the Republican Chair of the Senate Labor and Human Resources Committee, Senator Jim Jeffords, and the Public Health and Safety Subcommittee Chair, Senator and Doctor Bill Frist, have indicated their support for passing a bipartisan bill consistent with the goals and recommendations of the HHS Report.

**II. BACKGROUND:**

Genetic testing has the potential to identify hidden genetic disorders and spur early treatment. Tests for genetic predisposition to certain diseases and conditions -- such as Huntington's disease and certain types of breast cancer -- are already available and more genetic tests are on the horizon.

While progress in genetics can help millions of Americans, we know that genetic testing can be used by insurance companies and others to discriminate and stigmatize groups of people. Genetic information has been used to discriminate against people in the past. Studies have shown that 85 percent of Americans are still extremely concerned with the possibility that their genetic makeup will be used to discriminate against them or a member of their family. Twenty-two percent of people in families where someone has a genetic disorder report that they have been discriminated against by an insurance plan.

Nineteen states have already enacted laws to restrict the use of genetic information in

health insurance and many others have introduced legislation. However, state legislation is insufficient to solve this problem for three reasons: (1) private sector employer sponsored health plans, which covers half of all Americans, are exempt from state insurance laws due to ERISA preemption; (2) current state laws generally focus on genetic tests rather than a broader definition of genetic information such as family history, medical records, and physical exams; and (3) the variability among state bills will lead to a lack of uniformity across the nation as to whether and how genetic information may be used by health plans.

Kassebaum-Kennedy took steps to prohibit genetic discrimination by preventing insurers from using genetic information as a "pre-existing condition" and denying or limiting coverage in group markets. However, HIPAA falls short in three areas. It does not: (1) prevent insurers in the individual market from denying coverage on the basis of genetic information; (2) assure that premiums settings are in no way based on genetic information both in the group and individual market; and (3) prevent insurance companies from disclosing genetic information to other insurers, to plan sponsors, and other entities regulated by state insurance laws, such as life, disability, and long-term care insurers.

### *III. PARTICIPANTS:*

The Vice President  
Secretary Shalala  
Congresswoman Louise Slaughter  
Mary Jo Ellis Kahn, breast cancer survivor.

[Mary Jo's mother was diagnosed with breast cancer. She was the mother of 5 children and died at the age of 47. Her four daughters knew they were at increased risk of breast cancer because of their mother's history. Mary Jo was diagnosed with breast cancer at age 39 and her older sister was diagnosed at age 42. The two younger sisters then decided to both undergo preventive mastectomies. This was before the development of the breast cancer gene BRCA1 was discovered in 1994, however, Mary Jo feels that the option of seeking genetic testing before considering the option of preventive mastectomies will only be realistic if there is no chance of insurance discrimination.]

#### Audience

The audience consists of Members of Congress and 150 representatives of organizations endorsing Congresswoman's Slaughter's legislation, including breast cancer and consumer groups. Members of the working groups of the Human Genome Research Institute and the National Action Plan on Breast Cancer will also be in attendance.

*Pre-Event Meet and Greet*

- Mary Jo Ellis Kahn and family.
- Dana Glover, a fellow Arkansan, who at the age of 28 developed third stage breast cancer. She had a mastectomy, and it was discovered that she had genetic mutated gene. She wrote to the White House several times and received no response, but when you saw her letter you asked that she be invited to the White House for an event.

**IV. SEQUENCE OF EVENTS:**

- You will be announced onto the stage with other participants.
- The Vice President will make welcoming remarks and introduce Secretary Shalala.
- Secretary Shalala will make remarks and introduce Congresswoman Slaughter.
- Congresswoman Slaughter will make remarks and introduce Mary Jo Ellis Kahn.
- Mary Jo Ellis Kahn will make remarks and introduce you.
- You will make remarks and then depart.

**V. PRESS COVERAGE:**

Open

**VI. REMARKS:**

Prepared by Jordan Tamagni.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 13:27:38.00

SUBJECT: FYI Maria Echaveste would almost certainly cosign a memo on CAP if you dec

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Diana Fortuna/OPD/EOP on 07/12/97  
01:27 PM -----

Diana Fortuna  
07/12/97 01:25:02 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Cynthia A. Rice/OPD/EOP, Laura Emmett/WHO/EOP

Subject: Draft memo on expanding Defense Dept's CAP program

If we want to push OMB to expand the DOD computer accommodations to the whole government, here is a draft memo explaining what the program is and why it should be expanded. I know I can't make it happen by talking to OMB, so if we want to do it, we have to convine Frank/Jack or, more likely, get Vicki to do something, given that Erskine made positive noises about it when he met with the appointees. At the moment, it's in the draft executive order.

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

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D50]MAIL407194294.116 to ASCII,  
The following is a HEX DUMP:

FF5750435F040000010A020100000002050000009610000000020000C1C3FB621C4193373D3FCD  
F38DBC863F92AA3FB99DEC08278C06DEE8A1A162788626981B22BED48610E732536212B8E1DD13  
9ED1E088F58E2784046DBD98FAFF987525C07E33DA05096CD071F274857D37356651B722FCF32C  
0B68835172791539070CE00F93029308462ED7EAA01E4290001F5CC4DB9F9B9812902E88AEB94B  
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E262C873144D58A777A0579CDFDA9CB02E09DF8E4AA33C95F7EB262235F9429EFA25484F4818C4  
E44754633EE2D96C5D5F35B39CDBB45AE6C5916E3F0120C30EF984004DBFF9630222A1F11B7950  
885A4ED9AC6825C82824F430FF0CD6A7F5C7B9CF3574D1DC2A781C2CDA4C8BCF3A8968F47E543A

TO:

FROM:

As we approach the anniversary of the ADA, we would like to move forward on a good idea that has been floating around for some time -- expanding the Defense Department's "CAP" program. It has minor budget implications.

The Defense Department's Computer Accommodations Program ("CAP") purchases equipment for DOD employees with disabilities to allow them to keep working if they become disabled, or for new employees just joining the workforce. By using a central \$2 million fund for such purchases, individual offices do not have to bear the cost within their own budgets, and are less likely to be deterred from hiring a person with a disability. CAP is also able to get better prices on equipment through its bulk purchases and expertise. It has a showroom to help employees try out appropriate adaptive devices (CAP makes the decision on what equipment is purchased, not the employee). It has provided over 9,000 accommodations since its inception in 1990.

This program is a good example of how employers and employees are taking advantage of new (and increasingly cheap) technology, such as computers for the blind that talk and listen, and alternative computer keyboards for people with dexterity problems, that allow people with disabilities to work.

For some time, the Administration's appointees with disabilities have been pushing the idea of expanding the CAP program to cover all Federal employees, not just those at Defense. This is a particular priority for Tony Coelho, chair of the President's Committee on Employment of People with Disabilities. The idea was presented to Erskine when he met with the appointees several months ago, and he felt it was a promising idea.

OMB staff believe that a centralized fund is unnecessary because agencies are already obligated under current law (Section 504 of the Rehab Act) to provide such accommodations today. However, many do not, and a centralized fund has many advantages.

Defense has estimated that it would cost \$8 million a year to expand CAP government-wide, but this is definitely overstated since CAP now serves the entire Defense Department for \$2 million a year. A more realistic range is \$2 - 5 million a year. While having DOD perform this service for all federal employees is a bit unusual, they have a great deal of expertise at this task and they are ready to take on the added responsibility.

If we were to announce this in connection with the ADA, the appointees with disabilities would view this as a positive step but would not be exceptionally grateful for it, since they view it as overdue and are also hoping that we will be able to come to an agreement on an executive order on employment of people with disabilities. We are continuing to work on that possibility.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 12:29:20.00

SUBJECT: just fyi, I forwarded to Ann Lewis DOJ's proposal for a PSA on the ADA...

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

READ:UNKNOWN

TEXT:

as you requested, but haven't heard anything back.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 19:18:41.00

SUBJECT: Draft response to 10 Senators on children's SSI cuts

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Below for your review is a draft response from Bruce to 10 Senators who wrote the President to complain that SSA's regulation to implement the children's SSI cuts is too strict and does not reflect what Congress intended. The Senators are Conrad, Chafee, Kennedy, Harkin, Rockefeller, Jeffords, Baucus, Leahy, Dodd, and Daschle.

I took advantage of the opportunity to note that the Senate has failed to include our budget agreement proposal to grandfather Medicaid for these children.

Please let Cynthia know of any changes in my absence.

July 14, 1997

Dear Senator --:

Thank you for your letter to the President regarding the children's SSI provisions of the welfare reform law.

The Administration is working to implement the new law fairly and effectively, including the children's SSI provisions. The President has asked the Social Security Administration to ensure that the eligibility review process now underway allows eligible children to demonstrate that they meet the new definition of childhood disability, and that all appropriate appeal rights are provided to affected families. The Administration believes that SSA's regulation is entirely consistent with the Congress's intent in the welfare reform law.

As you know, as part of the balanced budget agreement, the President fought for and won inclusion of his proposal to grandfather Medicaid coverage for all children now on the rolls who do not meet SSA's new definition of childhood disability. The House reconciliation bill allows, but does not require, states to provide Medicaid benefits for these children, while the Senate bill does not include this proposal at all. The Administration urges the conferees to conform to the budget agreement in this critical area and guarantee continued Medicaid benefits for these 30,000 children.

Thank you for your letter on this critical issue.

Sincerely,

Bruce Reed  
Assistant to the President  
for Domestic Policy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 12:02:08.00

SUBJECT:

TO: ELENA (Pager) #KAGAN ( ELENA (Pager) #KAGAN [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Please look at briefing for Monday on your email now. Thanks. Christa  
6-5165.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:12-JUL-1997 11:40:20.00

SUBJECT: Meeting with Rep. Waters' staff on grandparents

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We need to start setting this meeting up! Should Laura just schedule for this Tuesday or Thursday with Jen, Cynthia, Elena if possible, and Carol Williams and Mary Bourdette? I am turning into a pumpkin for a week starting today, so I guess Cynthia will be stuck following up with you all.

Laura: Katherine Atkins is Rep. Waters' staffer and she is at 225-2201.

----- Forwarded by Diana Fortuna/OPD/EOP on 07/12/97

11:37 AM -----

Diana Fortuna

07/10/97 03:36:15 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP, Jennifer L. Klein/OPD/EOP

cc: Laura Emmett/WHO/EOP

Subject: Meeting with Rep. Waters' staff on grandparents

I've followed up with Rep. Waters' staff, Katherine Atkins, to tell her that we would very much like to meet with her to discuss grandparents.

To remind Jen of the genesis of this issue, Waters has a bill to exempt grandparents who take care of kids on welfare from the welfare law's work requirements. HHS has told her (nicely) that we can't support that, and that we think the law has sufficient flexibility to take this population into consideration. However, her staff has now asked if we are interested in discussing other approaches or initiatives to supporting this group, and Elena asked me to send back a very clear "yes" signal to her, which I have done.

Unfortunately, Rep. Waters would really like the meeting to be next week, ideally Tuesday or Thursday. We need to decide which of us should go, both from DPC and from HHS. I am assuming we need you or Nicole, Jen, to be there to talk about the issue. I asked Atkins what agenda she envisions for the meeting -- she said she'd like to discuss what areas we have identified as needing work, and what initiatives we may be undertaking. She said perhaps we would undertake some activities together.

Please let me know your thoughts on who should attend. Elena, do you want to try to come? We need to start setting this up on Friday, either by Laura or by our new support person, Linda Cooper. From HHS, is it still Carol Williams? Elena, I assume you would be anxious to make this work for Waters at the time she wants. (I'm out next week, so I'd like to get this set.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 08:50:39.00

SUBJECT: Speaking to APWA Conference

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Bruce, you passed along to me an invitation to appear on a panel at next week's meeting of the state welfare directors. At first, I assumed I'd do it; now I'm reconsidering whether it's a good idea.

It's not that I mind appearing on a panel with Robert Rector and Bob Greenstein about the goals of welfare reform; it's that I'd hate to have the White House put on the spot on workfare, minimum wage, worker protections, privatization, etc. just as we're immersed in delicate negotiations. The Administration will be well represented elsewhere at the conference (by Olivia Golden and others).

I can still get out of this. I think I should. Do you?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael A. O'Mary ( CN=Michael A. O'Mary/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 18:02:21.00

SUBJECT: Women's Meeting This Week

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lynn G. Cutler ( CN=Lynn G. Cutler/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Lucia F. Gilliland ( CN=Lucia F. Gilliland/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Tracey E. Thornton ( CN=Tracey E. Thornton/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: June G. Turner ( CN=June G. Turner/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Suzanne Dale ( CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Kevin S. Moran ( CN=Kevin S. Moran/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Sondra L. Seba ( CN=Sondra L. Seba/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

CC: Nicole R. Rabner ( CN=Nicole R. Rabner/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TEXT:

Kim is still travelling with the First Lady, so I will be Ellen's temporary assistant until the end of this week.

There will be a Women's Meeting this week on Thursday at 9am in Room 100. (Celinda Lake has had to postpone her presentation, but we will be meeting as usual.) Please let me know if you will be able to attend.

Thanks,

Michael



July 14, 1997

MEMORANDUM TO THE PRESIDENT

FROM: Michael Cohen

SUBJECT: Hispanic Concerns about National Tests

Over the past several weeks, DPC, OPL and Education Department staff have met with representatives of MALDEF, the Hispanic Congressional Caucus and other leaders from the Hispanic community to discuss their concerns regarding the national testing initiative.

**Concerns of Hispanic Groups:** The primary concern is that the 4th grade reading test will be given only in English. The Hispanic groups argue that there should be a Spanish-language version of the reading test as well. They have advanced several arguments for this position.

The first is that a Spanish-language version is necessary in order to enable Limited English Proficient (LEP) students to demonstrate their reading comprehension skills in their native language. For many students, a reading comprehension test in English would be a measure of proficiency in English rather than a true measure of reading skills, skills which are transferrable to any other language. Thus, the test will unfairly underestimate the reading comprehension skills of LEP students. The groups have pointed out that current Title 1 policy requires local school districts to test students in the language that enables them to best demonstrate proficiency in the subject area being tested. The Administration' plan for the 8th grade math test includes an English/Spanish bilingual version; the plan for the 4th grade reading test should be brought into line with Title 1 requirements and our 8th grade policy.

The Hispanic groups also argue that giving the reading test in English only will lead to the exclusion of many LEP students from the test, thereby eroding accountability for their performance. Further, they argue that this policy will lead teachers to prematurely emphasize the acquisition of English in ways that will be detrimental over the longer run to the same students' ability to master other subject areas.

**Administration Position:** In our discussions, White House and Education Department staff have made three basic points.

First, the purpose of the test is in fact to test student skills in being able to read in English, not in their first language. English is the language of school instruction and the language students must master to succeed in the larger society, and it is reasonable to expect students to learn to read in English, and to test their proficiency against that standard.

Second, we are looking into ways to minimize the difficulties testing in English will pose for LEP students. Among the steps we have discussed specifically include:

- **Development of appropriate criteria for including and excluding students from the test:** Education Department policy is that students who have not been instructed in English for at least three years may be exempted from the English reading test. Inclusion criteria may be further refined at the local level. Such refinements will include provisions for parent input into inclusion decisions, the definition of instruction in English, and procedures for deciding a student's participation in the test.
- **Development of accommodations that will support the inclusion of LEP students in the test.** These might include providing LEP students with extra time; testing in one-on-one or small group sessions; help with the test directions.
- **An R&D effort on the assessment of LEP students.** The focus of investigation will be address issues such as when testing in a second language yield meaningful results, and what accommodations are most appropriate for LEP students.
- **Development of strategies to help Hispanic parents use the test as tool for school improvement.** These strategies include disseminating information about the test in languages used in the community, checklists that parents can use to determine if their school is preparing students for the test, and technical assistance to school districts about the test.
- **The Department of Education will work with states to ensure that tests in languages other than English used for Title I are of comparable rigor to the Voluntary National Test.**

Third, we have indicated that we are open to continuing to discuss and consider the issue. At the same time, we have pressed the Hispanic groups to recognize that it is quite appropriate to expect all students, including those from LEP backgrounds, to learn to read well in English, and test students against this standard.

Preliminary discussions with bilingual education and assessment experts, as well as with superintendents in urban school systems with large LEP populations underscore the importance of addressing this concern, but also underscore the diversity of views on the subject. In addition, we are mindful of the strong reactions we could provoke against the entire testing initiative if the test appears to be a tool for lowering expectations for LEP students. The Education Department is developing a set of options (including continuing our current policy with no change, as well as several that might provide a Spanish language version of the test as long as students also took the reading test in English as well).

If this issue is raised during your meeting, we recommend that you indicate awareness of their concerns, indicate that the Education Department and Domestic Policy Council staff are examining the issue, and avoid making specific commitments.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 17:46:37.00

SUBJECT: I understand Melissa faxed a draft speech outline to Elena

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Could you fax a copy over to me? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Suzanne Dale ( CN=Suzanne Dale/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 16:00:04.00

SUBJECT: NGA Message Mtg.

TO: Craig T. Smith ( CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Elisa Millsap ( CN=Elisa Millsap/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Victoria Radd ( CN=Victoria Radd/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jonathan A. Kaplan ( CN=Jonathan A. Kaplan/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Fred Duval ( CN=Fred Duval/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Christopher J. Lavery ( CN=Christopher J. Lavery/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Lisa J. Levin ( CN=Lisa J. Levin/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Cecily C. Williams ( CN=Cecily C. Williams/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Kevin S. Moran ( CN=Kevin S. Moran/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

There will be a meeting tomorrow, 7/15/97, at 10:00am in Ann Lewis' office (GFL, WW) to discuss message for the upcoming meeting of the National Governors' Association. The NGA Meeting will be held July 27 - 30 in Las Vegas. Please let me know if you will NOT be able to attend. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sylvia M. Mathews ( CN=Sylvia M. Mathews/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 20:06:42.00

SUBJECT: Re: Waters

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

READ:UNKNOWN

TEXT:

Thanks Elena. Please let me know what happens/

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner ( CN=June G. Turner/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 16:04:53.00

SUBJECT: Meeting on Educational Standards

TO: Terri J. Tingen ( CN=Terri J. Tingen/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Ruby Shamir ( CN=Ruby Shamir/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michelle Crisci ( CN=Michelle Crisci/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Michael Cohen ( CN=Michael Cohen/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Kevin S. Moran ( CN=Kevin S. Moran/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Sylvia would like to have a meeting tomorrow on Educational Standards at 12:30 pm. I will get back with you tomorrow morning and let you know the location.

Please confirm your attendance. Thanks

Attendees:

Sylvia  
Rahm  
John Podesta  
Elena/Bruce  
Ann Lewis  
Don Baer  
Doug Sosnik  
Mike Cohen

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Patricia E. Romani ( CN=Patricia E. Romani/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:14-JUL-1997 18:17:24.00

SUBJECT: am phone call re. Indian Law

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: David J. Haun ( CN=David J. Haun/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Daniel M. Tangherlini ( CN=Daniel M. Tangherlini/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

is canceled; will call you in am to reschedule time (hopefully sometime tomorrow) with Elena and Michael and DOJ folks; pat

(call was originally set for 8:45 am.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Larry R. Matlack ( CN=Larry R. Matlack/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:14-JUL-1997 11:41:32.00

SUBJECT: BYRD

TO: Diana Fortuna ( CN=Diana Fortuna/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Maureen H. Walsh ( CN=Maureen H. Walsh/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Jeffrey A. Farkas ( CN=Jeffrey A. Farkas/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Barry White ( CN=Barry White/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Attached is a revised list of Byrd Rule welfare-to-work issues Chuck is taking up to the Hill, hurriedly amended this morning to capture, we think, the results of the Saturday meeting with the Ds. As Chuck's note says, we can reach him if there's anything fatal in here. Let any of us know if there are significant problems you believe need to be raised, serious omissions, or other issues that we should consider.

----- Forwarded by Larry R. Matlack/OMB/EOP on 07/14/97  
11:28 AM -----

Charles Konigsberg

07/14/97 11:04:00 AM

Record Type: Record

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

cc:

Subject: BYRD

Message Creation Date was at 14-JUL-1997 11:04:00

FOLLOWING IS A REVISED BYRD LIST, BASED UPON COMMENTS RECEIVED THIS MORNING.

I WILL BE MEETING WITH BUDGET STAFF AND WH/LA FOR THE NEXT COUPLE HOURS TO FINALIZE THE LIST. IF YOU IDENTIFY ANY OTHER PROBLEMS WITH THE LIST, PLEASE

PAGE ME. THANKS.

7/14/97

DRAFT - POSSIBLE BYRD RULE VIOLATIONS

[Note: the following is not intended to be a comprehensive list; it is limited to identifying which of the objectionable reconciliation provisions (i.e. objectionable on policy grounds) may also violate the Byrd Rule.]

o Privatization (Food Stamps and Medicaid): House Passed Bill (Section 1003, Food Stamps; and Sec. 3457, Medicaid). Background: The House bill permits any State to contract with a private sector entity to conduct income verification and eligibility determinations for Food Stamps and Medicaid. The Senate includes no such provisions (dropped per Byrd rule). The Administration strongly opposes the provisions in the House bill and urges the Conferees to drop them from consideration. Nature of Byrd violation: the provision does not affect federal revenues or outlays.

o Welfare-to-Work:

--Senate Section 5822(a)(2)(c) --Nonapplication of any minimum wage requirements with respect to individual sanctions. (i.e., the Nickles amendment.)

--(FLSA) House sections 5004 and 5005, and 9004, 9005 -- make people in workfare and community service activities not employees for purposes of FLSA; and counts items other than cash and food stamps for minimum wage (no budget effect)

--Temporary Assistance for Needy Families (TANF) Work Activity Rules: Would limit vocational and educational training as a work activity in TANF; House Passed Bill (sections 9003, 5002), Senate Passed Bill (Sec. 5905(k)). Background: The House bill includes two sets of provisions --one from the Ways and Means Committee and the other from the Education and Workforce Committee --which narrow the base of eligible recipients against which the cap on vocational education in TANF applies. (The Ways and Means Committee also excludes teen parents in school from the cap and sets the cap at 30 percent of the narrower base, while the Education and Workforce Committee makes no other changes.) The Senate bill maintains the existing base against which the cap on vocational education applies, but removes teen parents who attend school

from  
the 20 percent cap on vocational education. The Agreement did not address making changes in the TANF work requirements regarding vocational education and educational services for teen parents. The Administration voiced concerns about these provisions in several letters and urged Conferees to drop them from consideration. Nature of Byrd Violation -- no effect on Federal budget

--TANF transfers to title XX: House Passed Bill (Section 9002).  
Background: The provisions reported by the House would allow States to divert TANF funds away from welfare-to-work efforts to other Title XX social service activities. (The Senate included no such provisions.) The Agreement did not address making changes in the TANF transfer provisions. The Administration voiced concerns about these provisions in several letters and urged Conferees to drop them from consideration. Nature of violation: The provision does not effect federal revenues or outlays.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 13:06:50.00

SUBJECT: Mtg tomorrow at 2:00

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

READ:UNKNOWN

TEXT:

Would you like to send Jose?

----- Forwarded by Laura Emmett/WHO/EOP on 07/14/97 01:08  
PM -----

Marjorie Tarmey  
07/14/97 09:41:36 AM

Record Type: Record

To: Laura Emmett/WHO/EOP

cc:

Subject: Mtg tomorrow at 2:00

Maria has agreed to meet with 8 people from Redford, Texas re the death of Esequiel Hernandez Please ask Elena if she would like someone from DPC to attend.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 16:27:18.00

SUBJECT: I responded to OMB's request for comments on their latest side-by-side

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

-- so you don't have to -- will fax you my changes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 19:38:14.00

SUBJECT: Information for Levin meeting (Tuesday at 11:00)

TO: Virginia N. Rustique ( CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Bruce N. Reed ( CN=Bruce N. Reed/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Agenda

Janet suggested on Saturday that we have an agenda to try to keep the meeting on course. Attached is one we could use (it's written fairly neutrally -- no mention of positions or fallback options).

Goals of this Meeting

In my mind, our goals are to:

- 1) Make sure Levin et. al. understand how the formula will drive funds to the neediest areas, and why competitive funds, while desirable for other reasons, won't be as desirable. Ray Uhalde is preparing a one-pager to use to help explain this. He promised me a fax tonight to review.
- 2) Ensure that Levin et. al. understand the strong effort we are making to strike the provisions in the House bill which undermine the minimum wage, worker protections, and the work requirements. Seth Harris will be about 10-15 minutes late, so I put this 2nd on the agenda so he'll be there.

Janet -- will you want to raise the effort to get 41 Senate signatures to help us gain leverage in conference?

Elena, the staff already understand that we consider the work rates part of the parcel to strike, but the members may need to hear it from us.

Also, we may wish to raise the Nickles amendment here. DOL is preparing options which they could describe verbally (I've described them in the attached). It's premature to hand out paper, but I believe we need to alert them that "strike Nickles" is not our first choice (although it is DOL's).

- 3) Stress that we want the Senate anti-displacement provisions applied to



## ISSUES

- A. Administering Agency: Dept. of Labor/local Private Industry Councils (PICs)
- B. Distribution of Funds to High Poverty/High Unemployment Areas
  - 1. Targeting of Formula
  - 2. Percent of Funds Awarded on Competitive Basis
- C. Minimum Wage, Worker Protections, and Required Hours Per Week of Work
  - 1. Sections 5004 and 5005 of House-passed bill
  - 2. Nickles Amendment in the Senate
- D. Anti-Displacement
  - 1. Grievance/Appeals Process
  - 2. Remedies
  - 3. Types of Protections
- E. Allowable Uses
- F. Performance Bonus

## Possible Options

### Grievance --Independent State Agency

- 1) User Unemployment Compensation System (3 person independent board)  
Problem: they don't know labor law
- 2) State EEOs  
Possible problems:  
Not always independent of governor  
Won't know health and safety law
- 3) Let states choose between #1 and #2

### Remedies

- 1) For anti-displacement, use Senate provisions
- 2) For gender and religion, use remedies provided by laws already covered in TANF  
(Age Discrimination Act, Rehabilitation Act, Americans with Disabilities Act, and  
Title VI of Civil Rights Act)
- 3) ?Working on health and safety ideas designed to correct hazard

### Nickles

- 1) "States can sanction, but recipients must receive minimum wage" i.e. can sanction through fines only.
- 2) State can sanction through fines but if penalty would result in less than the minimum wage, the person could choose to have a deduction or to write a check (this resolves some issue with state employees)
- 3) Garnishment - State can sanction by reducing the amount of a person's pay, as long as the person making the decision to sanction cannot be the employer or the employer's employer. They believe this preserves the principle of FLSA while allowing all government agencies except the welfare agency to hire workfare recipients and sanction them through their paycheck.
- 4)(a) Allow states to do either #1 or #3
- 4)(b) Option #2, but person making the decision to sanction cannot be the employer or the employer's employer

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 08:42:50.00

SUBJECT: I have the key to Diana's office while she's away if we need to get in

TO: Joshua Silverman ( CN=Joshua Silverman/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:14-JUL-1997 11:15:13.00

SUBJECT: Re: Meeting with Rep. Waters' staff on grandparents

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Can you try to set this up for Wednesday?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sanders D. Korenman ( CN=Sanders D. Korenman/OU=CEA/O=EOP [ CEA ] )

CREATION DATE/TIME:14-JUL-1997 08:58:19.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

Elena,

I am in all day. My phone is 395-4597.

Sandy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 10:28:49.00

SUBJECT: Reminder--LRM MNB7 Comments Due

TO: Robert W. Schroeder ( CN=Robert W. Schroeder/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Jonathan D. Breul ( CN=Jonathan D. Breul/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Maya A. Bernstein ( CN=Maya A. Bernstein/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Richard H. Kodl ( CN=Richard H. Kodl/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Harry G. Meyers ( CN=Harry G. Meyers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Janet Himler ( CN=Janet Himler/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jennifer C. Wagner ( CN=Jennifer C. Wagner/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jose Cerda III ( CN=Jose Cerda III/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Norwood J. Jackson Jr ( CN=Norwood J. Jackson Jr/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Mathew C. Blum ( CN=Mathew C. Blum/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Courtney B. Timberlake ( CN=Courtney B. Timberlake/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Joseph F. Lackey Jr. ( CN=Joseph F. Lackey Jr./OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Larry R. Matlack ( CN=Larry R. Matlack/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TO: Jeffrey A. Farkas ( CN=Jeffrey A. Farkas/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Alan B. Rhinesmith ( CN=Alan B. Rhinesmith/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

CC: Hang T. Tran ( CN=Hang T. Tran/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

CC: Janet R. Forsgren ( CN=Janet R. Forsgren/OU=OMB/O=EOP @ EOP [ OMB ] )

READ:UNKNOWN

CC: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TEXT:

This is a reminder that comments on the above-referenced LRM (the SAP on S. 462, the Public Housing Reform and Responsibility Act of 1997), are due.

Please provide any comments no later than noon today. If we do not hear from you, we will assume you have no comments. If you have any questions, I can be reached at 395-7887. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-JUL-1997 19:01:04.00

SUBJECT: Draft Agenda for Weekly Welfare Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Elisabeth Stock ( CN=Elisabeth Stock/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Weekly Welfare Meeting

July 15, 1997

Draft Agenda

#### Events

1) July 23rd Immunization Report

Announce immunization part of child care reg, among other things.

2) July 28th Speech to NGA

Melissa Skolfield has provided us with an unofficial outline of ideas.

John Monahan is promising child care statistics and state examples for child care,

transportation, and work.

Announcements?

3) Report for August 22nd

Sanders (Sandy) Korenman of CEA has agreed to work on a report comparing the

number of low skilled jobs being created by our economy (using BLS data) and

the number of people the welfare law will require to work.

We need HHS to agree to task some people to work on this.

#### Legislative Strategy

1) FLSA and Privatization: Leg Affairs to coordinate Byrd rule letter? (Ask Janet for update.)

2) Dept. of Labor/PICs: Are the mayors weighing in? What can we do ourselves?

3) Community Service as an Allowable Use: Add language that all allowable

uses

must have a strategy to ensure recipient moves promptly into private sector employment

4) Nickles Amendment: Options

5) Grievance Procedures and Remedies (anti-displacement and anti-discrimination): Options

Regulations

1) When will we have a copy of the proposed work regulation?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner ( CN=June G. Turner/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 13:15:40.00

SUBJECT: Meeting at 5:30 pm today

TO: Robert N. Weiner ( CN=Robert N. Weiner/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TO: Cheryl D. Mills ( CN=Cheryl D. Mills/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: James T. Edmonds ( CN=James T. Edmonds/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

TO: Douglas B. Sosnik ( CN=Douglas B. Sosnik/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Donald A. Baer ( CN=Donald A. Baer/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

CC: Debra A. Schiff ( CN=Debra A. Schiff/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

As discussed earlier today, Sylvia would like to have a meeting today at 5:30 pm in the Roosevelt Room to discuss the NAACP Speech & Black Journalist Q&As.

Please confirm your attendance. Thanks.

Attendees:

Sylvia Mathews  
Rahm Emanuel  
Elena Kagan  
Bruce Reed  
Ann Lewis  
Don Baer  
Doug Sosnik  
Andrew Mayock  
Minyon Moore  
Maria Echaveste  
Terry Edmonds  
Carolyn Curiel  
Cheryl Mills  
Rob Weiner  
Dawn Chirwa

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner ( CN=June G. Turner/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 17:18:11.00

SUBJECT: Leg Sub Group Meeting of AA

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Ananias Blocker III ( CN=Ananias Blocker III/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Peter G. Jacoby ( CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Alphonse J. Maldon ( CN=Alphonse J. Maldon/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Tracey E. Thornton ( CN=Tracey E. Thornton/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Melissa Green ( CN=Melissa Green/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Marjorie Tarmey ( CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Trooper Sanders ( CN=Trooper Sanders/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

CC: Angelique Pirozzi ( CN=Angelique Pirozzi/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

Debra A. Schiff ( CN=Debra A. Schiff/OU=WHO/O=EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Correct me if I'm wrong - - but I understand from the AA meeting today there will be a "spin-off" Leg Affairs Sub Group meeting. I've reserved the Roosevelt Room from 2:15-3:00 pm for this meeting tomorrow (Tuesday, July 15). I hope that everyone can make it.

Attendees:

Sylvia Mathews  
Gene Sperling  
Tracey Thornton  
Janet Murguia  
Richard Hayes  
Peter Jacoby  
Maria Echaveste  
Andy Blocker  
Al Maldon  
Susan Liss  
Andy Mayock  
Elena Kagan/Bruce Reed

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-JUL-1997 20:59:22.00

SUBJECT: Re: Information for Levin meeting (Tuesday at 11:00)

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Cynthia, I think your agenda looks fine and agree with your points in the e-mail. I mentioned to Elena that I will likely be late to the Rep. Levin Mtg. since the President will be meeting with the bipartisan Congressional leadership and budget agreement Members of interest tomorrow at 10am. I'll try to get there as soon as I can but I think you can carry it with the rest of the team. Hopefully Saturday's session will have proven helpful in getting through this meeting. Please explain my absence if appropriate. Maybe you and I can chat by phone in the morning. Thanks. Janet.