

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 014 - FOLDER -004

[07/21/1997 - 07/22/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Mona Mohib to Ananias Blocker et al. re: Party Invite (4 pages)	07/21/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[07/21/1997-07/22/1997]

2009-1006-F

bm28

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura K. Capps (CN=Laura K. Capps/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 11:15:16.00

SUBJECT: Terry Edmonds

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Michael Waldman (CN=Michael Waldman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Can you please include Terry in your tobacco mtgs? From now on, he will be writing the tobacco remarks and should be kept up to date with the proceedings.

Please call me if this is a problem. 6-2554

Thanks,

Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 10:16:05.00

SUBJECT: Meeting on Education

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:

This is just not working for today - - everyone's schedule just don't mesh! Can you send me times that your principal is free tomorrow? Thanks.

Sylvia would like to have a meeting on Education on Monday. I've reserved the Roosevelt Room for Monday at 10:00am.

Please confirm your attendance. Thanks

Attendees:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 19:20:56.00

SUBJECT: Legal Immigrants

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jack A. Smalligan (CN=Jack A. Smalligan/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Diana Fortuna (CN=Diana Fortuna/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:

Two of our friends in the legal immigrant advocacy community (Josh Bernstein of the National Immigration Law Center and Michael Hill of Catholic Charities) called me tonight to:

1) Express their dismay over the GOP conferees choosing the House provisions over the Senate provisions. They said some of their allies will likely denounce the move. Apparently an organization of Soviet Jews will be in town Wednesday and Thursday this week.

2) They put on our radar screen that if somehow we do not enact a reconciliation bill before the August recess, Congress will need enact a temporary extension of SSI and Medicaid benefits. They said notices will go out September 8th for cut-offs October 1st, so to avoid unnecessary panic among legal immigrants, a temporary extension would need to happen before the August recess or immediately thereafter.

Withdrawal/Redaction Marker

Clinton Library

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RR. Document will be reviewed upon request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nancy L. Brandel (CN=Nancy L. Brandel/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:21-JUL-1997 11:23:25.00

SUBJECT: Welfare to Work Mtg.

Time:2-3pm

Date: Monday, July 21

Rm: 248 OEOB

Subject: Welfare to Work, Immigrants and othe Issues and the Senate Finance Offer

Please call Nancy- 59131 to confirm your attendance.

Thanks

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

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

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

CC: Jack A. Smalligan (CN=Jack A. Smalligan/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

CC: Keith J. Fontenot (CN=Keith J. Fontenot/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP [OMB])
READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 16:15:50.00

SUBJECT: random ideas/questions

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The following questions are not very important, just points of curiosity:

1. Licensing: can we do anything to impose penalties on underage youths who buy cigs? Suspend drivers license? Take away fake ID?
2. Why did we back away last year from zero-tolerance tobacco policies at schools?
3. For July 30, do we have a good list of ETS restrictions in various states and cities?
4. Do bus lines allow smoking?
5. Koop Kessler envisions an executive order to promote global adoption of US domestic tobacco control policies (see appendix 3, p. E5). Is this feasible? Does it mean anything?
6. KK also calls for strict penalties for tobacco smuggling. (appendix 3, p. E7). Does that make sense?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 10:53:09.00

SUBJECT: Religious Freedom Meeting

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

READ:UNKNOWN

TO: TANDEN_N (TANDEN_N @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Laura K. Capps (CN=Laura K. Capps/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Mark Hunker (CN=Mark Hunker/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Mary Morrison (CN=Mary Morrison/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lisa M. Brown (CN=Lisa M. Brown/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: William P. Marshall (CN=William P. Marshall/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

It seems as if the Religious Freedom event will be held at a slightly later date, so today's 4pm meeting in Ann Lewis' office will be postponed as well.

Sorry for any inconvenience.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 10:02:10.00

SUBJECT: NGA Message Mtg.

TO: Cynthia A. Rice (CN=Cynthia A. Rice/OU=OPD/O=EOP @ EOP [OPD])
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: 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: Craig T. Smith (CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [WHO])
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: Cecily C. Williams (CN=Cecily C. Williams/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TEXT:

There will be another meeting tomorrow, 7/22/97, at 9:30am in Ann Lewis' office (GFL, WW) to discuss message for the upcoming meeting of the National Governors' Association, which will be held July 27 - 30 in Las Vegas. Please let me know if you will NOT be able to attend the meeting tomorrow. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 08:39:48.00

SUBJECT: NYT Editorial

TO: Angus S. King (CN=Angus S. King/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: Joseph P. Lockhart (CN=Joseph P. Lockhart/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Beverly J. Barnes (CN=Beverly J. Barnes/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: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Judith_Winston (Judith_Winston @ ed.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

TO: Katherine Hubbard (CN=Katherine Hubbard/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: Robert B. Johnson (CN=Robert B. Johnson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

TO: Thurgood Marshall Jr. (CN=Thurgood Marshall Jr./O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Rob_wexler (Rob_wexler @ ed.gov @ inetKevin S. Moran/WHO/EOP [UNKNOWN])
READ:UNKNOWN

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

TEXT:
FYI.

Richard Socarides pointed out this interesting editorial in today's NYT for the working group to see. Kevin Moran captured it electronically. (Thanks to you both.)

The New York Times

July 21, 1997

EDITORIAL NOTEBOOK / By BRENT STAPLES

Forty Acres and a Mule

Bill Clinton has earned a boat-load of scorn since suggesting that he might apologize for slavery, as some in Congress have suggested. Critics from both left and right argue that such an apology would be trivializing, empty, arrogant and racially divisive. The dominant view, typified by the columnist Charles Krauthammer, is that there is essentially nothing to discuss, since the Civil War closed the issue and the slavers and the enslaved are long since dead. But all the noise suggests the issue is very much alive. The terms of Emancipation are nearly as explosive today as during the 1860's, when they dominated public consciousness and nearly tore the Government apart.

The facts of the period have been papered over in myth. These days, every school child thinks that Abraham Lincoln freed the slaves at one fell swoop -- and for moral reasons. In fact, the Emancipation Proclamation freed only the slaves in rebellious states. Lincoln himself

called it a military tactic, acknowledging that moral issues were in no way involved.

The slavers and the enslaved are certainly gone from the scene. But African-American families that have shown even a casual interest in history can give chapter and verse on relatives who were born in slavery or just afterward and the costs they paid. In the Staples family, for example, mine is the first generation to come of age without a flesh and blood former slave somewhere at the extended family table.

That people in their 40's have this experience makes the issue a current one indeed.

My maternal great-grandmother, Luella Holmes Patterson, was born of a former slave and her master -- and shipped off the plantation when the wife got wind of her. As a grade schooler, I visited Luella often in Hollins, Va. A few towns away lay the farm of my paternal great-grandfather, John Wesley Staples, who was conceived in slavery as well and born July 4, 1865, at the dawn of Emancipation. He died 10 years before my birth but was remembered to me in stories and pictures. As recently as 10 years ago, he and his wife, Eliza, were

the subject of a pamphlet, written for a family reunion.

John Wesley met Emancipation with his whole life still in front of him. But among his neighbors and in-laws were ex-slaves who came to freedom landless and old or simply broken by the experience. My uncle Mack, who will be 80 in December, remembers them well.

When I asked him about the apology brewing in Congress, Uncle Mack could barely contain himself: "They can keep the apology. What good is it? They promised us 40 acres and the mule. None of our people ever got that."

"Forty acres and a mule," of course, is a rallying cry from 1865. It originated during Sherman's March to the Sea. Overwhelmed by black families that abandoned the plantations to follow him, Sherman issued Special Field Order 15, declaring the Georgia Sea Islands and a

strip of South Carolina rice country as black settlements. Each family was to get 40 acres and the loan of an Army mule to work it. Other generals and Federal officials followed Sherman's lead, realizing that land was the only hedge against starvation and renewed bondage.

The confiscations were in accordance with Federal law. If sustained and accelerated, the land grants would have created black capital and independence almost immediately and precluded much of the corrosive poverty that still grips the black South. President Andrew Johnson was nearly impeached, in part for obstructing Congress on Reconstruction. Meanwhile, he canceled Special Field Order 15, returning land to white owners and condemning blacks to de facto slavery.

In many places, the eviction process was long and bloody. As the ex-slave Sarah Debro said of the period: "Slavery was a bad thing, and freedom, of the kind we got with nothing to live on, was bad. Two snakes full of poison. One lying with his head pointing north, the other

with his head pointing south. . . . Both bit the nigger and they was both bad." My father and uncles grew up steeped in accountings like this one.

For 250 years African-Americans were deprived of freedom, basic education and the right to accumulate wealth, which they could have passed on to their descendants.

This history would have left a wound in any case. But the wound is open and running because the country refused to atone materially when it had the chance. In that sense, at least, my Uncle Mack is right about the apology.

No amount of talk can alter the past.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 15:51:47.00

SUBJECT: McCurry's Daily Briefing

TO: Alicia H. Munnell (CN=Alicia H. Munnell/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

TEXT:

Below find today's Q&As on the race initiative from McCurry's briefing (I included Alicia and Elena on this e-mail to alert them to the new study referenced in first question):

Q On another issue, there's a new study out today that says there's been a change in the racial culture in the deep South. What's the President's feelings on that, especially with this race initiative and Thursday with his two stops at the NABJ and the NAACP?

MR. MCCURRY: A change in the culture?

Q The racial culture in the last 30 years since --

MR. MCCURRY: That's a report that's been issued? I'm just not familiar with it.

Q Yes, the University of Illinois --

MR. MCCURRY: I'm not familiar enough with the report to comment on it, but I'm sure, depending on how it's been generated or who generated it, if it's got some serious thinking in it, it will be of interest to the President's advisory board.

Q And also, do you think that the word "tolerance" is not race-relations-friendly in using the race initiative --

MR. MCCURRY: I've heard -- no one has suggested that the President's call for tolerance is anything but encouragement to all Americans to be respectful of the views of others, even though you might not necessarily share those views, as the word implies.

Declining Minority College Admissions and Enrollments (DRAFT --July 21, 1997)

Question: Are you concerned about reports of declining enrollments of minority students in postsecondary education, such as in California and Texas?

Answer: These trends are disturbing and completely unacceptable. Educational opportunity is the touchstone of the American dream, and these declines raise a serious concern that the doors of college education are being closed to minority students. In addition, diversity in education helps prepare all our students to be productive citizens in the 21st century, so these developments should concern every American.

Question: What is your administration doing to address this problem?

Answer: We are working on several fronts to address this issue:

Support for Affirmative Action and Enforcement of Federal Civil Rights Law

- We will continue to intervene in litigation in support of appropriate affirmative action programs. The Department of Education is looking for a good opportunity to challenge the Hopwood decision, and the Department of Justice has filed a brief challenging California's Proposition 209.
- In response to a complaint, the Office for Civil Rights (OCR) has indicated that it will investigate the current admissions policies at the three University of California law schools to determine if they violate federal civil rights law by discriminating against minority students.
- OCR is also conducting a review of the Texas higher education system to ensure that Texas has eliminated all remnants of its former de jure segregated system.

Support for Creative, Race-Neutral Means to Achieve Diversity in Higher Education

- Secretary Riley, Education General Counsel (and now Executive Director for the President's Race Panel) Judy Winston, OCR Director Norma Cantu, and others in the Administration have been pressing higher education officials to maintain and expand diversity, and offering assistance to them to do so. For example, we have called on colleges and universities burdened by new legal restrictions to develop new and creative approaches to achieving diversity, such as aggressively recruiting in secondary schools with high percentages of minority students and forming educational partnerships with such schools.
- We strongly encourage those who share our concerns about these trends to

help us make the case for affirmative action and at the same time get involved in state and local efforts in California and Texas to find effective alternative routes to achieve diversity in higher education -- for example, to review and weigh in on the recent draft report of the University of California's Outreach Task Force, and to follow closely the implementation of Texas' new law that guarantees state university admission to the students in the top percentage of every high school's graduating class.

Support for Efforts to Improve K-12 Education in Disadvantaged Communities and to Open the Doors Wide to College

- Through the new, \$350 million initiative to recruit and prepare high quality teachers for poor urban and rural areas that the President announced last week, through greater access to technology such as the E-rate, and through other initiatives such as Goals 2000 and increased Title I funds for extra help in basic and advanced skills for disadvantaged students, this Administration has been working hard to raise K-12 achievement for all students and help them prepare for college and high wage jobs.
- The President's proposed budget would open the doors to college through the largest increase in Pell Grants in 25 years, a large increase in work-study funding, and our tax proposal to make the 13th and 14th years of college virtually universal and help people pay for two additional years of college.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 19:21:19.00

SUBJECT: Needle Exchange Q & A
This looks good to me.

I am concerned that our current Q & A on needle exchange is obsolete.The question th

Q: What does the Administration plan to do about lifting the ban on federal funding

A: We firmly believe that we must do everything possible to address the twin epidem

Let me know what you think.

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

READ:UNKNOWN

TEXT:

----- Forwarded by Sylvia M. Mathews/WHO/EOP on 07/21/97
07:12 PM -----

Sandra Thurman 07/21/97 05:40:07 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

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

Subject: Needle Exchange Q & A

I am concerned that our current Q & A on needle exchange is obsolete.The question the President is most likely to be asked is as follows:

Q: What does the Administration plan to do about lifting the ban on federal funding of needle exchange programs?

A: We firmly believe that we must do everything possible to address the twin epidemics of HIV and substance abuse. We have overwhelming evidence that needle exchange programs reduce the rate of HIV transmission. However, there is still considerable discussion with regard to their impact on drug use. Until we can make the case that these programs do not encourage drug use our chances are marginal, at best, of averting a negative Congressional backlash. We do not want to find ourselves in a worse position on this issue than where we started. We are continuing to work with Congress, the research community, and AIDS advocacy groups to protect ther waiver authority of Secretary Shalala to decide this issue on the basis of public health.

Let me know what you think.

Message Copied

To:

Michelle Crisci/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Sarah A. Laskin/OMB/EOP
Sylvia M. Mathews/WHO/EOP
John Podesta/WHO/EOP
Bruce N. Reed/OPD/EOP
June G. Turner/WHO/EOP
Richard Socarides/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 09:44:35.00

SUBJECT: Meeting on Education

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:

How is everyone for 2:00 pm today - - and the meeting will probably last an hour. Meeting will be in Sylvia's office.

Sylvia would like to have a meeting on Education on Monday. I've reserved the Roosevelt Room for Monday at 10:00am.

Please confirm your attendance. Thanks

Attendees:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 16:11:07.00

SUBJECT: SSI

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

READ:UNKNOWN

TEXT:

Did you get a copy of the Jonathan Stein memo? What do you think we should do to respond?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 14:20:06.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Books

Liberal Racism

By Jim Sleeper

Viking; 195 pages; \$21.95

Mighty White of You

Jim Sleeper's Liberal Racism.

By Sean Wilentz

J

Jim Sleeper has made his reputation as a contrarian liberal writer on racial politics. In his first book, *The Closest of Strangers*, which was published in 1990, Sleeper attacked what he saw as a guilt-ridden, condescending, and hypocritical orthodoxy about race among New York City's well-to-do white liberals. Looking in depth at New York politics since the 1950s, Sleeper explained how New York's liberals had come to blame the hardships of Harlem and Brownsville entirely on racist municipal bureaucrats, racist landlords, and racist employers, as well as on the preponderance of the city's white ethnic middle and working classes (who were, many liberals presumed, inherently racist).

It was, Sleeper contended, a simplified view of urban poverty and race relations, but also a seductive one. Liberal race dogma encouraged whites living in affluent portions of Manhattan and Brooklyn to romanticize low-income blacks, elevating themselves (at the expense of other white New Yorkers) as paragons of social virtue and progressive politics. It also led many high-minded reformers to develop a knee-jerk sympathy for grass-roots leaders who excoriated white people.

In truth, Sleeper argued, ritualistic incantations about black victimization severely underestimated the moral and physical decay of the inner city, and they slighted the afflictions that some poor blacks visited on themselves and on their hard-working neighbors and relatives. In combination with the race-baiting theatrics of figures such as Al Sharpton, orthodox racial liberalism had poisoned New York's race relations, Sleeper claimed, and foreclosed any possibility of an effective reformist political initiative from below.

Although he was tough on many leading liberal writers and politicians, Sleeper, who is an editorial board member at *Dissent* magazine as well as a longtime Manhattan journalist, remained a self-declared man of the left. In *The Closest of Strangers*, he took care to criticize conservatives for their race-baiting and for their hypocritical promotion of colorblind policies that would abandon impoverished blacks to their misery. Still, Sleeper's iconoclastic book, like his columns for *Newsday* and the *New York Daily News*, offended many readers, black and white, who quickly stigmatized him as a closet right-winger, a tool of the Republican Party and a racist.

Since then, Sleeper has become a little less lonely. Several white liberal and left pundits, including Todd Gitlin and Michael Tomasky, have assailed the theory and the practice of multiculturalism in ways that are congruent with Sleeper's attacks on liberal racial thinking. Even more significant, some important left-of-center black professors and intellectuals,

including Randall Kennedy, Gerald Early, and (the often misunderstood) Stanley Crouch have registered their intense discomfort with the prevailing terms of racial debate.

In recent years, these black liberals and social democrats have arrived at what might be called a transracial understanding of American culture and politics. Influenced by the writings of Ralph Ellison and Albert Murray, transracialism is staunchly integrationist. Without denying the harsh realities of persisting racial inequality, it promotes a broad identification with humanity over narrow racial solidarities. By challenging the political and cultural sanctity of "blackness" (and, it must be added, of "whiteness," too), and by regarding America as a mulattoized culture of multicultural individuals, transracialists contradict the melodramatic racialist mystique that began to govern the American left during the Black Power enthusiasms of 30 years ago. Transracialists have yet to formulate a specific body of policy recommendations; so far they have devoted themselves mainly to elaborating a philosophy of politics and culture. But they could well be establishing a seat of reason from which such programs could arise. In *Liberal Racism*, Sleeper restates many of the key transracial arguments, as well as many of his criticisms of orthodox liberalism, in an all-out assault on what he sees as the deep-seated racism of much modern "anti-racist" thinking.

Sleeper has pitched *Liberal Racism* at a much higher level of generalization than he did *The Closest of Strangers*. Not that he has forsaken his New York interests. (He devotes, for example, an entire chapter of *Liberal Racism* to what he calls the "mindless diversity" and the "disingenuous" racialist views of the *New York Times* under the regime of Arthur Sulzberger Jr.) But *Liberal Racism* also assesses national political issues such as race-based congressional districting and the nationwide spread of Afrocentrism, both of which Sleeper opposes. Although he evaluates numerous New York-based writers and activists, Sleeper also chastises such figures as Louis Farrakhan, Congresswoman Maxine Waters of California, and Martin Luther King Jr.'s son Dexter for contributing, Sleeper says, to the country's racial paranoia. And he includes a chapter in praise of Randall Kennedy and the ex-neoconservative sociologist Glenn Loury, neither of whom is a New Yorker.

Unfortunately, although *Liberal Racism*'s scope is broad, much of its analysis is thin and unpersuasive. The first half of the book touches on an assortment of topics, from blacks in academia to urban crime, and tries to assemble Sleeper's opinions into a philosophical whole. But Sleeper's efforts at sweeping cultural criticism are frustrating and scattershot. He does begin, usefully, by defining liberal racism as a distinctive progressive mind-set, characterized by a patronizing attitude toward nonwhites, a belief in the existential primacy of racial differences, and a deep psychological discomfort in the presence of blacks. "Some white liberals," he smartly observes, "insulated from honest give-and-take with blacks and hobbled by guilt and fear of the unknown, seem so wary of such encounters that they construct intricate latticeworks of racial rectitude and noble stereotypes to mask their own fears."

Quickly, though, Sleeper's portrayal of the pathos and tragedy of American liberals' racial misapprehensions gives way to ad hominem polemics that are long on outrage but short on substance. For example, Sleeper denounces the law professor Derrick Bell and the philosopher-preacher Cornel West as "skilled race pros," "black retainers" of the liberal racist establishment and "impresarios of racial theater"—but he fails to support his charges with anything resembling coherent discussions of Bell's and West's writings and political activities.

Bell and West are certainly vulnerable on various counts, including Bell's tendentious contributions to "critical race theory" and West's

strange public embrace of Farrakhan during the Million Man March. But for Sleeper, it is sufficient to gesture to snippets from Bell's and West's commentaries (and to quote at length from a self-important message that West has left on his Harvard voice mail) in order to condemn them. Similarly, Sleeper upbraids the New York Times—and, in particular, Sulzberger, Howell Raines, and Frank Rich—on the basis of in-group anecdotes and a limited sample of columns and editorials. He thus undercuts his own best intention, which is to develop a powerful intellectual and political alternative to those he criticizes. In the second half of *Liberal Racism*, Sleeper settles down and writes informatively about particular stories and the personalities behind them. (In other words, he returns to his strengths as a professional newspaperman.) The results are much more credible. Sleeper makes some shrewd remarks about the long-term decline of the Roots phenomenon, and about what he calls author Alex Haley's "Faustian bargain" in fabricating an uplifting African-American myth. On a more positive note, in his chapter on Randall Kennedy and Glenn Loury, Sleeper quotes from his subjects at length. Here, at last, he begins to elaborate a compelling alternative to current liberal thinking, one that combines stalwart integrationist principles with a deep concern about the wretched conditions of millions of black Americans. In these passages, he sounds as if he considers himself part of a hopeful intellectual and political trend, and not, as he so often does early in the book, an embittered voice in the urban wilderness.

Sleeper concludes with a heartfelt plea "to acknowledge that this country's redemption has not and will not come through making race the organizing principle of our polity and civic culture." This is splendid. Along with several other remarks that appear in *Liberal Racism*, it retrieves some of the rugged racial idealism of Martin Luther King Jr. and the early Student Nonviolent Coordinating Committee. Sleeper's book will have done a service if it stimulates readers to read more thorough and convincing critiques of liberal thinking, including Kennedy's excellent, newly published study, *Race, Crime, and the Law*. On its own, however, *Liberal Racism*, with its blend of bombast and acuity, amounts to an uneven manifesto.

Jim Sleeper addresses affirmative action and race relations in the May/June 1995 issue of the *New Democrat*, writing, "We have transmuted racism, not diminished it" (www.dlcppi.org/tnd/9505/sleep.htm). To read more by the new transracial thinkers, try the February 1997 *Atlantic Monthly*, in which Gerald Early reviews recent books on integration (www.theatlantic.com/issues/97feb/integ.htm), or the May 1997 issue, in which Randall Kennedy writes about "My Race Problem" and Ours" (www.theatlantic.com/issues/97may/kennedy.htm). Slate's "Strange Bedfellow" looks at Clinton's race initiative (www.slate.com/StrangeBedfellow/97-06-21/StrangeBedfellow.asp). Sean Wilentz is professor of history and director of the program in American studies at Princeton University.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 16:57:50.00

SUBJECT: Unions

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

READ:UNKNOWN

TEXT:

Good meeting. OPM was very pleased. On cessation and bargaining, simple language changes -- (1) affirming agency heads discretion to fund cessation programs and (2) clarifying that areas of flexibility can be subject to collective bargaining -- would go a long way to addressing their concerns. We could be more directive (e.g. agency heads SHOULD CONSIDER funding smoking cessation programs). Should I draft some specific language with OPM?

Re. indoor air -- that's messy. I refrained from seeking empathy for my 4 years breathing the air at Waterside Mall. Do you want me to check into what we might say, if anything, on the issue? I highly doubt it will make sense to put anything in the EO itself.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 18:07:20.00

SUBJECT: Immunization

TO: Christopher C. Jennings (CN=Christopher C. Jennings/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

There are other data in the MMWR that show that disease incidence for some diseases is actually up. My thought is to have the President allude to that in his remarks, i.e. we still have a long way to go, still have disease, but not explain in detail. The disease is mostly among adults, especially those who enter the country as adults.

Do you both agree with this approach?

Also, Elena, we are not announcing child care conference, right?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 10:21:07.00

SUBJECT: Higher Education Commission

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: Bob J. Nash (CN=Bob J. Nash/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Do we have one? I just received a call saying that Dodd is interested in being on the commission. Do you have any ideas about what was being referred to? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 09:44:29.00

SUBJECT: Meeting on Education

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:

The Education Meeting will not be at 10:00 today. I will be back with you to reschedule.

Sylvia would like to have a meeting on Education on Monday. I've reserved the Roosevelt Room for Monday at 10:00am.

Please confirm your attendance. Thanks

Attendees:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 11:22:44.00

SUBJECT: Possible message events during POTUS vacation

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

READ:UNKNOWN

TEXT:

Elena -- Ann asked me to try to get a sense of things that could be announced, released, etc. during the POTUS's vacation -- reports that Cabinet could release, things of that sort.

Is someone in your shop able to compile such a list or memo for me or Ann?

Many thanks,

Eli

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 13:29:31.00

SUBJECT: nga policy resolutions

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

READ:UNKNOWN

TEXT:

have you had a chance to look at the NGA Policy Resolutions. Do you think we will have the DPC responses by cob today?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Laura K. Capps (CN=Laura K. Capps/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 19:18:30.00

SUBJECT: Re: Terry Edmonds

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

READ:UNKNOWN

TEXT:

I'm sure you are right. quite a process. thanks for keeping Terry in the loop. I'll be in touch with Laura and Elizabeth.

Laura

DRAFT

Talking Points

Domestic Partnership Benefits for Same-Sex Couples

Socarides 7-21-97

- I understand that many private sector employers are beginning to offer some type of benefit in this area and that the law that recently took effect in Hawaii provides certain benefits to same-sex couples. I also know that the DNC recently instituted such a policy. And Barney Frank has talked to me about legislation he intends to introduce which would provide these benefits for federal employees.
- I had previously asked Bruce Reed, my domestic policy adviser, to look at these issues and he is doing so while at the same time monitoring the developments in the private sector.
- While I'm sympathetic to many of the concerns raised, I think we will have to monitor for a time how these policies work in practice and take a hard look at what's happening in the private sector and in communities which have instituted such policies.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Phyllis Kaiser-Dark (CN=Phyllis Kaiser-Dark/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:21-JUL-1997 16:52:38.00

SUBJECT: Brady Decision Meeting

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

READ:UNKNOWN

TO: William P. Marshall (CN=William P. Marshall/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Sally Katzen (CN=Sally Katzen/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

TEXT:

Sally Katzen is hosting a meeting with Randy Moss (DOJ) to discuss the Brady decision on Thursday, July 31, 10:00am, Rm. 350. Please let me know if this time conflicts on your calendar (x54852). Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ashley L. Raines (CN=Ashley L. Raines/OU=OA/O=EOP [OA])

CREATION DATE/TIME:21-JUL-1997 11:21:19.00

SUBJECT: South Court Gate Closed

TO: HEMBREE_K (HEMBREE_K @ A1 @ CD @ LNGTWY [UNKNOWN]) (OA)
READ:UNKNOWN

TO: Bessie M. Weaver (CN=Bessie M. Weaver/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

TO: WHCACDR (PR_U=WHCACDR @ PR_L=WHHQ399 @ MRP @ OPUS @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

TO: Leon S. Fuerth (CN=Leon S. Fuerth/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Ron Klain (CN=Ron Klain/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: DAVIES_G (DAVIES_G @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

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

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

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

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

TO: MCLARTY_T (MCLARTY_T @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)

READ:UNKNOWN

TO: Bruce R. Lindsey (CN=Bruce R. Lindsey/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: FRANKEL_J (FRANKEL_J @ A1 @ CD @ LNGTWY [UNKNOWN]) (CEA)
READ:UNKNOWN

TO: Jodie R. Torkelson (CN=Jodie R. Torkelson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

TO: KERRICK_D (KERRICK_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

TO: Gene B. Sperling (CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: John L. Hilley (CN=John L. Hilley/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Nancy V. Hernreich (CN=Nancy V. Hernreich/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Ira C. Magaziner (CN=Ira C. Magaziner/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP @ EOP [CEQ])

READ:UNKNOWN

TO: Thurgood Marshall Jr (CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: SWILD (PR_U=SWILD @ PR_L=WHMOEOEB @ MRP @ OPUS @ LNGTWY [UNKNOWN])
READ:UNKNOWN

TO: Deputy Chief O'Malley (Deputy Chief O'Malley @ 4562788 @ fax [UNKNOWN])
READ:UNKNOWN

TO: PLUMMER_DJ (PLUMMER_DJ @ A1 @ CD @ LNGTWY [UNKNOWN]) (GSA)
READ:UNKNOWN

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

TO: Lorraine A. Voles (CN=Lorraine A. Voles/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: John Podesta (CN=John Podesta/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: Joseph P. Lockhart (CN=Joseph P. Lockhart/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: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Stephen B. Silverman (CN=Stephen B. Silverman/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: T J. Glauthier (CN=T J. Glauthier/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

TO: LISS_S (LISS_S @ A1 @ CD @ LNGTWY [UNKNOWN]) (VPO)
READ:UNKNOWN

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

TO: John H. Gibbons (CN=John H. Gibbons/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: YELLEN_J (YELLEN_J @ A1 @ CD @ LNGTWY [UNKNOWN]) (CEA)
READ:UNKNOWN

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

TO: CLARKE_R (CLARKE_R @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

TO: Daniel K. Tarullo (CN=Daniel K. Tarullo/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

TO: Christopher C. Jennings (CN=Christopher C. Jennings/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TO: Jacob J. Lew (CN=Jacob J. Lew/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

TO: Gary Walters (Gary Walters @ 4566255 @ fax [UNKNOWN])
READ:UNKNOWN

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

TEXT:

The USSS is still experiencing problems with the South Court Gate which has caused it to be up and down over the last week. The manufacturer has been called in today to assess the problem. We will let you know when the gate is operational again.

The USSS will place a sign on West Executive Avenue when the South Court

Gate is closed directing you to the Southwest Gate to exit West Executive Avenue. If the gate cannot be fixed today, this sign will be in place.

Please call Management and Administration with any questions at x62861. We apologize for any inconvenience.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barbara D. Woolley (CN=Barbara D. Woolley/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-JUL-1997 18:48:01.00

SUBJECT: American College of OBGYNs - Policy on Abortion - Update

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

ACOGs Executive Board recently met to reaffirm position.

"continues to affirm the legal right of a woman to obtain an abortion prior to fetal viability. ACOG is opposed to abortion of the healthy fetus that has attained viability in a healthy woman. Viability is the capacity of the fetus to survive outside the mother's uterus. Whether or not this capacity exists is a medical determination, may vary with each pregnancy and is a matter for the judgment of the responsible attending physician."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 11:09:34.00

SUBJECT: So my sense is that ...

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

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

READ:UNKNOWN

TEXT:

we're not making an effort to get the disability EO out for this week --
that the September 10 meeting with the disability community is now the
goal. Is that right?

Welfare Reform Conference Issues

7/21/97

Automated Records Management System
Hex-Dump Conversion

Benefits for Legal Immigrants: The President has stated that he will not sign legislation that does not provide disability and health benefits to legal immigrants who are or become disabled. If resources are available, we strongly urge the conferees to adopt all the Senate provisions regarding legal immigrants.

Administering Agency for \$3 Billion Welfare to Work Program: We insist that the \$3 billion welfare to work program be administered by the Department of Labor and operated through DOL's local Private Industry Councils (PICs), as done in the House bill.

Minimum Wage, Worker Protections, and Required Hours per Week of Work for Workfare. We insist on dropping all language in House bills which dilutes current law minimum wage enforcement, worker protections, and welfare reform work requirements.

Privatization of Medicaid and Food Stamp Operations. We insist that the conferees drop the House provisions allowing states to privatize all Medicaid and Food Stamp operations.

SSI State Supplements: We strongly oppose the House provision, which would repeal the current law maintenance of effort requirements which prevent States from lowering or eliminating State supplemental SSI payments.

Worker Displacement. We strongly urge the conferees to adopt the Senate anti-worker displacement language and apply it to the entire Temporary Assistance for Needy Families welfare reform program.

\$3 Billion Welfare to Work Program: Distribution of Funds. We strongly prefer the distribution of funds as reported out by the House Ways and Means committee: 50% of funds by formula, 50% by competitive grants; no small state minimum for formula grants; 65% of competitive funds set-aside for 100 cities with the largest poverty populations.

Welfare to Work Performance Bonus: We strongly prefer an alternative which improves upon the Senate performance bonus in which Governors would use a share of their discretionary funds and the Secretary of Labor would use a share of competitive funds to reward high-achieving welfare-to-work programs.

\$3 Billion Welfare to Work Program: Community Service as Allowable Use. We prefer the language passed by the House and Senate which allows funds from the \$3 billion program to be used for "job creation through public or private subsidies" but not language which may be added in conference allowing "community service/work experience."

Food Stamp Work Slots: The Administration endorses the Senate reimbursement structure and the House provisions for maintenance of effort in order to ensure that the maximum number of work slots are created.

Vocational Education: We urge conferees to drop all provisions changing how vocational education is counted toward the work requirements.

TANF Transfers to Title XX: We urge conferees to drop the House provisions.

Medicaid Benefits for Children Losing SSI Benefits: The Agreement calls for restoration of these benefits,

and we urge the conferees to adopt the Administration's budget proposal which does so.

Automated Records Management System
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William R. Kincaid (CN=William R. Kincaid/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:21-JUL-1997 18:55:32.00

SUBJECT: clinical programs

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

READ:UNKNOWN

TEXT:

We have the draft of the Higher Ed Act provisions on graduate education to clear by Thursday morning. If we are going to raise objections to the termination of the law school clinical programs, now would be the time. Have you had a chance to check this out/think this through any more?

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 11:52:02.00

SUBJECT: Re: Rvw of Connerly Letter

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

READ:UNKNOWN

TEXT:

Thanks for your input. It's duly noted and a "final" draft will be part of the discussion at tomorrow's aff action meeting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-JUL-1997 11:34:35.00

SUBJECT: Tuesday Education Meeting

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:

This is the best compromise I can come up with. Tuesday, July 22 at 2:30 pm in Sylvia's office.

Please confirm your attendance. Thanks

Attendees:

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

BILINGUAL EDUCATION

Background

In June, Californians may face a new ballot initiative to abolish bilingual instruction for public school children in the state, requiring that most instruction be conducted only in English. The idea has support from many conservatives and some in the Latino community, as well as other minority groups, who are frustrated with what they see as an ineffective approach to learning English. However, the ballot initiative is vehemently opposed by many other Latinos, who strongly support bilingual instruction and see the initiative as an attack cut from the same cloth as Propositions 187 and 209.

The Administration has strongly supported the federal bilingual education program, which funds local programs designed to provide help to kids so they can become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help ensure that resources are available to help children learn English well, we proposed a 27% increase in bilingual education, and succeeded in including it as one of the areas protected in the balanced budget agreement.

Q's and A's

Does the Administration support bilingual education?

The Administration strongly supports the federal bilingual education program, which funds local programs designed to help kids become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help ensure that resources are available to assist children to learn English well, we proposed a 27% increase in the program, and worked successfully to include bilingual education as one of the protected areas in the balanced budget agreement.

Does the Administration plan to intervene in California or campaign on behalf of bilingual education?

The measure has not yet qualified for the ballot so this question is premature. We will be getting more information on the initiative as events develop. However, the Administration supports the approach of the federal program, which permits a variety of different strategies for English language instruction, and thinks that a range of options for meeting the needs of children should continue to be available to local communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 16:06:00.00

SUBJECT: Here's the POTUS memo for your review

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena indicated we wanted to get it in tonight if possible. Terry Edmonds and Emily Bromberg have asked to see it first.

I've made it double spaced, to make editing easier.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 18:41:12.00

SUBJECT: Material for Waters meeting -- whenever it may ultimately be

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is a paper with some talking points:

There appears to be another, fairly major option for addressing Waters' problem without a change in the law -- but we may not want to talk it up. States can choose to define these households as "child-only" cases under TANF, as Wisconsin has. The time limit does not apply to child-only cases. This trick has a more limited utility in getting around work requirements -- it allows you to exempt the grandparent from work, but child-only households are still counted in the denominator for the purposes of meeting the work requirements, so you have to make it up somewhere else in the caseload.

States are free under TANF to create a child-only category for whatever slice of the population they wish, e.g., grandparents, those over a certain age, or even parents. Presumably a state pays a lower benefit to a child-only case than to a two-person family, but that is not required. So TANF may encourage states to create more child-only categories -- although there will be a countervailing political pressure to be tough on work.

As CEA noted in its weekly report to the President last week, child-only cases are already a large and growing part of the caseload, increasing from 9.6% in 1988 to 21.5% in 1996. The cause is unclear. Child-only cases include households where the parent is on SSI, where the parent is an illegal alien, or where the parent has been sanctioned, as well as cases where the caretaker was a relative not eligible for AFDC.

By the way, Frank Raines is apparently interested in this as well, and has talked to Waters. Therefore, Keith wants to come or send someone to the Waters meeting. ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D1]MAIL40367620L.216 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A020100000002050000007E1500000002000003302112136302D555830E2
74C24AE3C89E58296DED4A5B56DE2FAEEA4FCA9EED26ED607B75776322D7ECA91661338A16130C
954503EDDB2CBC18EA272D5AAD0814956BF7F3323AF85C4275FEF1F006F603B42107337FAA1DF2

Grandparent/Family Caregiver Exemption from Welfare Work Requirements and Time Limits

Summary of Grandparent and Family Caregiver Support Act: Would prohibit states from applying work requirements and time limits to grandparents and other family members caring for children on public assistance.

Talking Points

- In welfare reform, we agreed to give states the discretion to identify their most vulnerable populations -- battered women, people with AIDS, those too disabled to work, grandparent caregivers -- and decide who would be exempt from time limits and work requirements.
 - The law allows states to exempt up to 20% of the caseload from time limits. The maximum work requirement is 50% of the caseload beginning in 2002. States also have some discretion to use state-only programs to help this group. [Note: we shouldn't overemphasize this, since we've wanted to close this loophole.]
- In the current reconciliation debate, the Administration is opposing a number of proposals to weaken the work requirements. These include:
 - a reduction in required work hours for states whose benefits can't support payment of the minimum wage; and
 - broadening the amount of vocational education that counts toward the work requirements.
- There is also a real risk that this proposal would encourage parents to give their children over to grandparents or other relatives' care.

Unrelated Note: The welfare law requires the Census Bureau to collect census data on grandparents who are primary caregivers for their grandchildren, with the Commerce Secretary required to take action to make this possible within 90 days after the law was signed. I am trying to learn if Commerce has done this, but I don't believe this would yield any data until the year 2000 census.

**PRESIDENT AND FIRST LADY ANNOUNCE RECORD
CHILD IMMUNIZATION LEVELS**

Today, the President and the First Lady announced that childhood immunization rates for 1996 have reached an historic high. According to new data from the Centers for Disease Control and Prevention (CDC), 90 percent or more of America's toddlers in 1996 received the most critical doses of each of the routinely recommended vaccines--surpassing the goal set by the President when he launched his Childhood Immunization Initiative (CII) in 1993. The President also announced a new child care initiative and a new collaborative to establish registries to help meet our goal to further improve our children's immunization rates for the year 2000.

Achieving the President's Goals by Reaching Record Child Immunization Levels. The Childhood Immunization Initiative set an ambitious goal of ensuring that at least 90 percent of all toddlers received the most critical doses of each of the routinely recommended vaccines. CDC's National Immunization Survey, which surveys parents of preschoolers nationwide, reports that the nation has met these goals and national infant immunization rates are at an all-time high. CDC reports that:

- Over 90 percent of two-year olds received the recommended doses of vaccines for diphtheria, tetanus, measles, polio and *Hemophilus influenzae*, the virus causing a form of meningitis -- exceeding the 1996 goal of reaching at least 90 percent, for these most critical doses.
- The increases since 1992 have been substantial. For diphtheria and tetanus, immunization rates for toddlers increased from 83 in 1992 to 95 in 1996; polio rates increased from 72 to 91 ; measles rates, (usually delivered in a vaccine that also protects against mumps and rubella), rates increased from 83 to 91 ; and *Hemophilus influenzae* type B rates increased from 28 to 92 .
- Most children now receive the Hepatitis B Vaccine, which was not even recommended for infants until in 1991. Eighty-two percent of two-year-olds received Hepatitis B vaccine, surpassing the 1996 goal of 70 percent.

Childhood Immunization Initiative Has Helped Rates Reach Unprecedented Highs. In response to disturbing gaps in the immunization rates for young children in America, President Clinton launched the CII shortly after taking office in 1993. The CII addresses five areas: (1) improving the quality and quantity of vaccine delivery service; (2) reducing vaccine costs for families; (3) increasing community participation, education and partnerships; (4) improving systems for monitoring diseases and vaccination; and (5) improving vaccines. This national initiative coordinates efforts at all levels of government, in the private business community, and among volunteer organizations to protect children from disease through sustained, routine immunization.

Other Clinton Administration Efforts to Increase Childhood Immunization Rates: In addition to the CII, the Clinton Administration has taken other steps to increase child immunization, such as: (1) granting welfare reform waivers to 17 states to allow them to require parents to immunize their children appropriately as a condition of receiving assistance; (2) permitting states to develop individual responsibility plans as part of the welfare bill for welfare recipients to require them to immunize their children; (3) forming partnerships between state and local immunization programs and WIC to encourage parents receiving WIC nutrition benefits to immunize their children; (4) awarding CDC funds to four state education agencies to deliver immunization services to preschool-aged children in elementary school-based health centers; (5) creating a joint HUD, HHS and AmeriCorps pilot program in four cities -- Chicago, Kansas City, Philadelphia and Little Rock -- to boost immunization rates among children living in public housing; and (6) forging a partnership with AmeriCorps to provide volunteers to do a wide range of immunization outreach activities.

Taking the Next Step to Increase Child Immunization Rates: Meeting More Ambitious Goals by 2000. While child immunization rates are at an all-time high, almost 1 million children under age 2 are missing one or more recommended shots. Therefore, the President and the First Lady mark the milestone of 1996's unprecedented child immunization rates with firm resolve to continue efforts to raise these rates even further. More than 78 percent of two-year olds in the United States received their full series of shots as recommended up from 55 percent in 1992. This is an historic high. By the year 2000, the President hopes that at least 90 percent of two-year olds receive the *full* series of vaccines.

New Initiatives to Help Reach Our Next Goal. Today, the President and the First Lady announced new actions to expand on the Administration's comprehensive strategy to ensure that even more children receive the necessary vaccinations.

Ensuring that Children in Child Care Settings Are Properly Immunized: Today, President Clinton proposed new child care regulations which will help children in child care receive the immunizations they need on time. The new rule requires that all children in federally subsidized child care be immunized according to state public health agency standards. This regulation will particularly reach those children in child care arrangements that are legal but exempt from state licensing requirements, such as home-based care.

Establishing Integrated State and Community-Based Immunization Registries:

Immunization registries are crucial in helping parents and doctors maintain up-to-date information on the immunization status of their patients and children and ensure that proper vaccines are given on schedule. Today, the President directed the Secretary of Health and Human Services to convene a meeting -- with federal, state and local government officials, health care providers and organizations, vaccine

manufacturers, information system specialists, and civic leaders -- to identify and address the technical and policy issues involved in establishing state or community-based registries capable of transferring information between each other.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 11:39:08.00

SUBJECT: Draft Agenda for weekly welfare meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: 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:

Weekly Welfare Strategy Meeting

7/22/97

I. Budget Strategy:

A. What can we do given latest GOP leadership offer --

HHS Jurisdiction
FLSA Exemption
All States Privatization
House Legal Immigrants provisions, etc.

B. Still Need --

HHS reaction to DOL "garnishing" Nickles substitute
Revised DOL paper/legis language on independent state

grievance process

II. NGA Speech

III, August 12th in St. Louis

IV. August 22nd report -- HHS, CEA, DPC meeting tomorrow afternoon

Recommendations on Crack Cocaine Sentencing

July 22, 1997

Announcement

- Today, the President stated that he had accepted a recommendation from the Attorney General and Drug Director to reduce the disparity between crack and powder cocaine sentences from a ratio of 100 to 1, to a ratio of 10 to 1. Specifically, the recommendation calls for increasing the trigger for 5-year mandatory drug penalties from 5 grams to 25 grams for crack cocaine -- and dropping the trigger from 500 to 250 grams for powder cocaine. The President has asked the Attorney General and Drug Director to consult and work with Members of Congress on this matter.

Background

- Current federal law requires a 5-year mandatory sentence for trafficking in 500 grams of powder cocaine, but imposes the same sentence for only 5 grams of crack cocaine.
- On May 1, 1995 the U.S. Sentencing Commission proposed equalizing penalties for crack and powder cocaine at 500 grams -- substantially reducing the penalties for crack. President Clinton proposed and signed legislation which rejected these recommendations and directed the Sentencing Commission to submit new recommendations that retained tougher sentences for crack..
- On April 29th, the Sentencing Commission issued a revised report that proposed reducing the triggering amount for 5-year mandatory drug penalties for crack from the current 5 grams to between 25 and 75 grams -- and decreasing this trigger for powder from the current 500 grams to between 125 and 375 grams.
- In response, the President asked the Attorney General and Drug Director to review the Sentencing Commission's recommendations and report back to him in 60 days. He also reiterated the Administration's position that -- while some adjustment to cocaine penalties is warranted -- our sentencing laws should continue to reflect that crack is a more dangerous form of cocaine and that tougher sentences are appropriate. Moreover, our cocaine sentencing policy should ensure that federal law enforcement resources target mid- and high-level drug traffickers.
- On July 3rd, the Attorney General and Drug Director recommended that the President support reducing the disparity between crack and powder cocaine sentences by: (1) increasing the trigger for 5-year mandatory drug penalties from 5 to 25 grams for crack; and (2) dropping the trigger from 500 to 250 grams for powder. This revised structure maintains tough sentences for serious drug offenders; properly focuses federal law enforcement efforts on mid- and high-level drug traffickers; addresses perceptions of unfairness with the current disparity; and continues to reflect that crack -- because it is more likely to be associated with violence -- is more a dangerous form of cocaine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-JUL-1997 19:17:14.00

SUBJECT: VP ideas...

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

READ:UNKNOWN

TEXT:

Elena -- in my soon-to-be-new capacity in the VP's office, I'm casting around for good announcements, reports, etc. that the VP could do between now and mid-August -- and will always be interested in anything from now on (realizing that this no longer gets the same priority as POTUS announcements)... In particular, he's going to have a few opportunities to talk about urban policy in early August (including his own Urban League speech 2 days after POTUS)...

Any thoughts?

Many thanks,

Eli

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 11:28:53.00

SUBJECT: Re: The Trip of the President to Lake Tahoe, Los Angeles, Las Vegas

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

READ:UNKNOWN

TEXT:

We should probably try to send Cynthia, since the Pres will spend two nights in LA. If you want to go instead, that would be great too -- Vegas is a drag, esp. in the summer, but Tahoe would be nice even for just an afternoon.

It's partly a political trip, so they might be reluctant to send anyone at all, which could mean they'd say no to Cynthia but yes to you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William R. Kincaid (CN=William R. Kincaid/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:22-JUL-1997 21:04:06.00

SUBJECT: fyi -- House passed voc-ed bill

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

READ:UNKNOWN

TEXT:

----- Forwarded by William R. Kincaid/OPD/EOP on 07/22/97
09:03 PM -----

Jon Weintraub @ ed.gov

07/22/97 08:49:00 PM

Record Type: Record

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

cc:

Subject: action on hr 1853

Forward Header

Subject: action on hr 1853

Author: Jon Weintraub at WDCC01

Date: 7/22/97 8:26 PM

The House passed hr 1853 by a vote of 414-12, after accepting an amendment by Rep Klink by voice vote with both sides concurring. The Klink amendment was on accountability and would require states to make their report to the Secretary public at the state level in the same manner that the Secretary is required to make the reports from all states public.

The House defeated a motion by Rep Mink to hold harmless spending on sex equity activities by a vote of 207-214. The House also defeated [207-220] her motion to recommit the bill with instructions to report the bill back to the House with her amendment in it.

The House also defeated, 188-230, an amendment by Rep Kennedy which would have permitted [not mandated] the local use of funds to hire a workplace coordinator at each school receiving voc ed funds.

Senate action on the education portions of the multi-titled bill will

occur in September. Tomorrow, it is my understanding as of several days ago that their intention was to mark-up the Job Corps and national program portion of the job training title.

Message Sent

To:

Kenneth S. Apfel
Ananias Blocker III
Constance J. Bowers
Michael Cohen
William R. Kincaid
Larry R. Matlack
S. A. Noe
Robert M. Shireman
Kathryn B. Stack
Barry White

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ILJUKBP6V4001HDM@PMDF.EOP.GOV>; Tue, 22 Jul 1997 20:57:13 -0400 (EDT)
Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ILJUK8W6OG001TTN@PMDF.EOP.GOV>; Tue,
22 Jul 1997 20:57:10 -0400 (EDT)
Received: from vader.ed.gov ([165.224.217.43])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTP id <01ILJUJMPV6003DIF@STORM.EOP.GOV>; Tue,
22 Jul 1997 20:56:34 -0400 (EDT)
Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])
by vader.ed.gov (8.8.5/8.8.4) with SMTP id UAA29984; Tue,
22 Jul 1997 20:54:43 -0400 (EDT)
Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)
id 3d556510; Tue, 22 Jul 1997 20:54:41 -0400
Content-description: cc:Mail note part
===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 11:29:49.00

SUBJECT: q&A on WSJ article

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:

Q: The Wall Street Journal reports today that the Administration task force reviewing the settlement will recommend that the President support it with relatively few changes. Can you confirm that?

A. No. The task force reviewing the settlement -- led by Secretary Shalala and Bruce Reed -- has not yet finished its work or made recommendations to the President. The President has personally reached a final conclusion on only one part of the settlement: the requirement that the FDA find that there will not be a black market before mandating any product changes. That is an unreasonable requirement, which will too greatly limit the FDA's ability to make tobacco products safer or less addictive.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 18:50:38.00

SUBJECT: Re: SSI

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

TEXT:

Stein's memo suggests several administrative actions SSA could take to make it more likely that families take advantage of their appeal rights. These include calling families, particularly those who are appealing but not exercising their right to have benefits continue during the appeal; telling families how to get pro bono legal services; allow more "good cause" extensions to the appeals deadlines; giving state agencies the names of those cut off so they can assist them.

Some of these sound like good ideas, but they are clearly the types of things that SSA should make the call on. So we think we need to ask them what they think. I can call them if you want.

In terms of a formal response to Stein, we are simply cc'd, so originally I didn't think we needed to respond. But Sylvia's note suggests perhaps we should. If SSA takes some of these actions, I'm not crazy about taking credit for them and undercutting SSA, since among other things that will encourage him to come to us for help. If you were looking for something symbolic, we could make a more formal request of SSA to evaluate these ideas....

In my experience, pushing SSA a bit to look at suggestions like this can be productive.

Elena Kagan
07/21/97 07:32:22 PM
Record Type: Record

To: Diana Fortuna/OPD/EOP
cc:
Subject: SSI

what's my answer to this question?

----- Forwarded by Elena Kagan/OPD/EOP on 07/21/97 07:34 PM -----

Sylvia M. Mathews
07/21/97 04:11:02 PM
Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: SSI

Did you get a copy of the Jonathan Stein memo? What do you think we should do to respond?

MEMORANDUM FOR THE PRESIDENT

From: Sandy Thurman
Date: July 21, 1997
Subject: Update on HIV/AIDS Issues for Your Meeting Tomorrow with Gay/Lesbian Leaders

This memorandum is to provide you with a quick update on current HIV/AIDS issues for your meeting tomorrow with gay and lesbian activists.

Background - While the AIDS groups are grateful for the support the Administration has given them in the past, there is considerable anxiety and doubt regarding our ongoing commitment to this issue. This concern began when AIDS programs (including the Ryan White CARE Act) were not included on a small list of discretionary programs that were listed as protected programs in the balanced budget agreement (neither were many other important programs). The community interprets this action to mean that the issue has been "de-prioritized." In addition, following the release of guidelines for AIDS treatment which advocated more aggressive use of triple drug combinations, the Administration did not request any additional dollars in the 1998 budget for AIDS Drug Assistance Programs (ADAP). (However, it should be noted that we have continually supported increases in ADAP, including 2 budget amendments last year and have always indicated our willingness to consider additional requests for this program.) All this, combined with delays in receiving the report the Vice President requested on Medicaid expansion to people with HIV (due to indications from HCFA that there is no way to make this budget neutral), and that little visible progress has been made on removing the restrictions on federal funding for needle exchange programs, has made the AIDS community a little irritated with us.

We have been working nonstop with the AIDS groups on these issues. The bottom line is, while we have pending issues, it has been a pretty extraordinary year so far for the AIDS community.

Decrease in the AIDS Death Rate -On July 14, the CDC released new figures showing a 19% decrease in the number of AIDS deaths in the first nine months of 1996, compared with the same period of 1995. In contrast with earlier data, the number of deaths due to AIDS among women decreased 7%, and mortality numbers dropped for all racial groups and categories of HIV transmission. The CDC attributed these findings to greater access to medical care and the development of effective therapies for HIV and associated opportunistic infections. AIDS advocates noted that as AIDS death rates drop, there are increasing numbers of individuals

living with HIV who require access to these lifesaving interventions. Clearly, our investment in the AIDS epidemic is beginning to pay off as a significant achievement, given increasing AIDS deaths and infections worldwide. ***It is important to note, however, that there is no evidence that the number of new HIV infections is slowing indicating that prevention and education efforts must be reinforced.***

Funding Issues - In the House Appropriations subcommittee mark-up, the full \$40 million increase in the Administration's FY 1998 budget request for the Ryan White CARE Act programs was provided, with some reallocation of the increases among Ryan White programs. In addition, the mark up included a \$132 million increase for ADAP in the Chairman's mark. No formal budget amendment was sent forward by the Administration for this, given the size of the offset. You may want to take this opportunity to formally support this increase. OMB asserts that this increase is going to happen anyway, so we might as well take credit for it. The community will obviously appreciate your support.

The House subcommittee increased funds for AIDS prevention by \$5 million (\$12 million below budget request) and AIDS research by \$73 million (\$33 million above budget request). The Senate Labor/HHS subcommittee's 602B allocation is \$200 million below the House's, making it less likely that the Senate will fund AIDS programs at the House levels. In VA/HUD, the Housing Opportunities for People With AIDS (HOPWA) program has been funded at the budget request of \$204 million (an \$8 million increase).

Model Clinical Practice Guidelines for Treatment of HIV Infection - On June 19, an independent panel of experts convened by HHS and the Kaiser Family Foundation published treatment guidelines for antiretroviral therapy in adults and adolescents. The draft guidelines address a critical need among providers as to how to best to use new AIDS drugs most effectively. The guidelines recommend a more aggressive approach to treatment using triple drug combinations at earlier stages of HIV infection to avert immune system damage.

While the draft of these guidelines is not technically a government document, issues of payment for this new standard of care clearly confront us. HHS has stressed that the responsibility for HIV treatment is shared one by the federal government, states, private and non-profit sectors and individuals each playing an important role. The additional \$132 million in ADAP funding included in the House Appropriation's subcommittee is a good start towards trying to address expanding demand for these new therapies.

Medicaid Expansion for HIV Infection - On April 9, the Vice President requested that HHS report to him on the feasibility of a Medicaid demonstration project expanding Medicaid eligibility to people with HIV infection prior to the onset of full-blown AIDS. Currently, over 50% of people with AIDS depend on Medicaid for their health care. New AIDS therapies like the protease inhibitor drugs have been effective in delaying disability and reducing hospital costs for many people. This has raised speculation about whether the question if earlier access to drug therapies and primary care would prove cost-effective for Medicaid as well as other public spending for services to people with HIV/AIDS.

HHS briefed the Vice President's office in late May/early June and is now working to address budget concerns. HHS will likely submit a report to the Vice President in the next few weeks. The report will likely say that it would be feasible to do a demonstration program limited to several sites but with capped enrollment. This demonstration, however, would not be budget neutral, and thus would represent a break in our longstanding budget neutrality criteria in Medicaid waivers. There are some at HHS and OMB who believe that it would be preferable for the Administration to support full legislation to change the Medicaid program to cover this population earlier rather than break our budget neutrality standard. However, this proposal would be quite expensive.

Needle Exchange Programs - The House Appropriations subcommittee for Labor, Health and Human Services marked up their bill on July 15, preserving the authority of the Secretary of HHS to lift the restrictions on use of federal funds for needle exchange programs. HHS does not expect a challenge to this at full committee next week, it is pursuing a strategy of watchful waiting, maintaining a low profile for as long as possible. Most of the AIDS groups accept this strategy as long as the Secretary's authority is not endangered. We held a meeting at the White House last week with the AIDS groups and HHS to facilitate communication on this issue.

BILINGUAL EDUCATION

Background

In June, Californians may face a new ballot initiative to abolish bilingual instruction for public school children in the state, requiring that most instruction be conducted only in English. The idea has support from many conservatives and some in the Latino community, as well as other minority groups, who are frustrated with what they see as an ineffective approach to learning English. However, the ballot initiative is vehemently opposed by many other Latinos, who strongly support bilingual instruction and see the initiative as an attack cut from the same cloth as Propositions 187 and 209.

The Administration has strongly supported the federal bilingual education program, which funds local programs designed to provide help to kids so they can become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help insure that ensure that resources are available to help children learn English well, we proposed a 27% increase in bilingual education, and succeeded in including it as one of the areas protected in the balanced budget agreement.

Q's and A's

Does the Administration support bilingual education?

The Administration strongly supports the federal bilingual education program, which funds local programs designed to help kids become proficient in English. The program permits a variety of different approaches to helping students master English, including both bilingual and English immersion instruction. To help ensure that resources are available to assist children to learn English well, we proposed a 27% increase in the program, and worked successfully to include bilingual education as one of the protected areas in the balanced budget agreement.

Does the Administration plan to intervene in California or campaign on behalf of bilingual education?

The measure has not yet even been introduced so this question may be premature. We will be getting more information on the initiative as events develop. However, the Administration supports the approach of the federal program, which permits a variety of different strategies for English language instruction, and thinks that a range of options for meeting the needs of children should continue to be available to local communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 12:51:51.00

SUBJECT: Breast Cancer Stamp

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:

We have been asked for our position on a bill that would raise postage to 33 cents and dedicate the additional money to breast cancer research.

Josh Gotbaum, Chris and I tend to think we should remain silent, since we generally oppose adding postage for particular causes but don't like to oppose anything related to breast cancer. The other option is to oppose it but only on the grounds that we generally oppose this type of thing.

Any thoughts?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 20:48:00.00

SUBJECT: No news at the 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: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

For the first time in months, we really had nothing to discuss. We were all in the same place on the budget (no one knows anything); we spoke some about the upcoming events.

One issue is on the horizon: apparently the FY 1997 state by state child care allocation was done using the best data at the time; now better data reveals that some states got more money than they should have and others less. An administrative solution would be for states who "owe" money to have a year or two to pay it back. HHS wants to propose a legislative solution, which would deem this year's distribution to be correct, and start with the new formula next year. OMB has concerns. Paper will be shared soon. Emily Bromberg's bottom line: no one says a peep to anyone until after the NGA meeting, to avoid complaining governors.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 10:24:34.00

SUBJECT: National Teacher's Association (NEA)

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Heads-up. I thought you would want to be alerted to the message sent below.

----- Forwarded by Mickey Ibarra/WHO/EOP on 07/22/97

10:14 AM -----

Minyon Moore

07/22/97 09:34:26 AM

Record Type: Record

To: Sylvia M. Mathews/WHO/EOP

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

Subject: National Teacher's Association (NEA)

I received a call from Mary Elizabeth Teasly from the NEA yesterday indicating that they rec'd dozens of calls from their members inquiring about the President's new teachers education proposal that was announced at the NAACP. They didn't know the President was going to make this announcement and was blind-sided in the press. I remember raising this with one of my colleagues. For those who don't know, the NEA has been a major supporter of the President dating back to the '92 campaign. They are often called to rally the troops on behalf of the President and Vice-President. Sylvia I suggested to Mary that she give you a call for more details.

Message Copied

To:

Elena Kagan/OPD/EOP

James T. Edmonds/WHO/EOP

Richard Socarides/WHO/EOP

Maria Echaveste/WHO/EOP

Mickey Ibarra/WHO/EOP

Craig T. Smith/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 12:51:15.00

SUBJECT: Urban League address

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

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

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

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

TEXT:

Wanted to let you know that I ran into Hugh Price's WA Office director (Tom McAlpine) and asked him more questions regarding the Urban League conference and what was happening on the day the President speaks. I also asked what was there conference theme . Since we indicated in yesterday's Sr. staff meeting that this wouldn't be billed as a race and reconciliation (which is good) I thought we needed to know there focus. I recall someone mentioning the POTUS could speak about education. That's great and it should be weaved into overall message. Here is the theme of the conference and the line up for that Monday. THEME:
 ECONOMIC EMPOWERMENT: The Next Civil Rights Frontier

Monday, August 4, 1997

9:30 a.m.	Morning Speaker Earl Graves topic: Show me the Money, Economic Empowerment is not black or white -- it is green
12 noon	Luncheon Speaker Frank Raines topic: Government 's role in advancing economic empowerme nt in community
3:00 p.m	POTUS (the President will say everything or leave Gephardt and Kemp room to fill the gaps)

4:00 p.m. Congressman Dick Gephardt
 (economic empowerment)

5:00 p.m. Jack Kemp
 (economics empowerment)

FYI: Vice-President Gore addresses the group on
Wednesday
hope this helps as you move forward...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 12:55:37.00

SUBJECT: Summary of Calif. welfare issues

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

TEXT:

Karen Skelton asked for a paragraph on what's happening in California on welfare, in preparation for a meeting that Erskine is having tomorrow with Democratic members of Congress from California, so we threw the following together:

Recent Action in California on Welfare Reform:

California, which has 22% of the nation's welfare recipients, is struggling to pass a welfare reform plan that would implement the federal law in that state. It is part of a battle over the state budget and a new tax cut just proposed by Governor Pete Wilson.

Two weeks ago, Democrats in the legislature passed a fairly tough plan. Gov. 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.

Key differences are as follows: 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 looking for a job 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 are now negotiating with the Governor and Republican legislators, but it is not clear when or whether an agreement will emerge.

California Democrats' Current Concerns on Welfare:

- o Rep. Pete Stark has been a persistent critic of the President's signing of the federal welfare law.
- o Rep. Maxine Waters has a bill to exempt grandparents taking care

of children from the
welfare law's work requirements. The Administration has advised
her that we can not
support her proposal because we oppose weakening the work
requirements, but we
are meeting with her to discuss other possibilities for assisting
grandparent caregivers.
o Rep. Lynn Woolsey, who was once on welfare herself, has proposed
that the child support
system, which is now state-based, be federalized, with the IRS
doing the collections.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 21:01:43.00

SUBJECT: Byrd rule update

TO: Charles Konigsberg (CN=Charles Konigsberg/OU=OMB/O=EOP [OMB])
READ:UNKNOWN

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

TO: Keith J. Fontenot (CN=Keith J. Fontenot/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

TO: FOLEY_M (FOLEY_M @ A1 @ CD @ LNGTWY [UNKNOWN]) (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: Lisa M. Kountoupes (CN=Lisa M. Kountoupes/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

TO: Kenneth S. Apfel (CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

TEXT:

Tonight, Joan Huffer of Senator Dachle's staff gave me an update of their discussions with Senate Parliamentarian Bob Dove (I believe she'd already filled you in, Barbara).

1) Dove says he believes FLSA violates the Byrd rule and does not expect to see anything that would change his mind.

2) Dove believes the new version of the privatization provision does not violate the Byrd rule. He told this directly to Senator Phil Gramm based on the fact that the new provision had a cost and covers all states. Huffer thinks there are still grounds on which the provision violates the Byrd rule, and will try to argue them tomorrow, but believes Dove won't want to reverse himself on a statement he made directly to Senator Gramm.

3) Huffer spoke to one of Dove's assistants on the House vocational

education provision. The assistant will recommend to Dove that he rule it violates the Byrd rule.

4) SSI State Supplement. When Huffer told Dove that CBO couldn't decide if the provision had a small cost or a small savings, Dove told Huffer he thinks it violates the Byrd rule. Now CBO has apparently changed its mind and plans to assign a small cost. Huffer will go back to Dove with this new news tomorrow and try to persuade him it shouldn't matter.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JUL-1997 11:30:49.00

SUBJECT: Re: Higher Education Commission

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

TEXT:

I sent this to sylvia

----- Forwarded by Bruce N. Reed/OPD/EOP on 07/22/97
11:31 AM -----

Michael Cohen
07/22/97 10:38:21 AM
Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: Elena Kagan/OPD/EOP
Subject: Re: Higher Education Commission

The Higher Education Commission was created by Congress (if I remember correctly, as part of the supplemental approps bill). It has six members appointed by Congressional Republican leaders, four by Congressional Democrats, and one by Riley. Riley appointed Barry Munitz, chancellor of the California State University System. The Democratic appointments are Walter Massey, president of Morehouse College, and Blanche Touhill, chancellor of U of Missouri/St. Louis (Gephardt appointees), Clare Cotton, president of the assoc. of independent colleges and universities in Mass., and Robert Burns, professor at S. Dakota State (Daschle appointees).

The purpose of the commission is to study the rising cost of attending college. It is scheduled to report 4 months after its first meeting, in time for having an impact on reauthorization of the Higher Education Act.

When originally proposed by Buck McKeon, we suspected the purpose was to produce a report arguing that HOPE would lead to tuition increases. I no longer expect it to take that focus.

**Crack Cocaine Sentencing -- Updated Question/Answer
July 22, 1997**

Q: Mr. President, today's New York Times reports that you have received a recommendation from the Attorney General and Drug Director to reduce the disparity between sentences for crack and powder cocaine. What is their recommendation, and have you accepted or acted on it?

A: As you know, on April 29th the U.S. Sentencing Commission issued a report recommending that the disparity between sentences for crack and powder be narrowed. I asked the Attorney General and Drug Director to review the Commission's report and make a recommendation to me. They did, and their recommendation was that the trigger for 5-year mandatory drug penalties should be increased from 5 to 25 grams for crack -- and dropped from 500 to 250 grams for powder cocaine. I think this is a sensible recommendation. It makes good law enforcement sense, and its fairer. So I have accepted this recommendation -- and asked the Attorney General and Drug Director to work with Members of Congress on this matter.