

NLWJC - KAGAN

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[10/31/1997 - 11/03/1997]

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Bruce Reed to Elena Kagan re: Roll Out (1 page)	11/03/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[10/31/1997-11/03/1997]

2009-1006-F

bm57

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]

Nancy-Ann Min DeParle's Confirmation. The Republican Leadership has stepped up their political gamesmanship on Nancy-Ann Min DeParle's nomination to be the Administrator of HCFA. They are holding up a final confirmation vote over the 'Kyl amendment', which would amend a compromise in the Balanced Budget Act. The BBA provision allowed physicians to charge Medicare beneficiaries whatever fee they wished if beneficiaries voluntarily agreed to waive Medicare payments on their behalf. Senator Kyl wishes to repeal the provision which forbids physicians from serving any Medicare beneficiaries for two years whose services are paid for by the program if they opt for these contracts.

The implications of the underlying compromise BBA provisions and the Kyl amendment to it are quite complicated, but some accommodation may eventually be possible. However, the White House and HHS feel strongly that we should not signal any willingness to consider modifying this provision or even testify before the Congress (the Finance Committee has been instructed by Senator Lott to hold a hearing on the subject) before Nancy-Ann is confirmed. We believe that any responsive move by the Administration would only reward this kind of hostage-taking strategy. At least as important, it would make us vulnerable to significant criticisms from the Democratic base and all credible aging advocacy organizations, who strongly oppose the Kyl amendment. Opponents of the amendment fear that this provision would open the door to a two-tier Medicare program which would both reduce access to needed care by allowing physicians to pick and choose patients and create major fraud opportunities for physicians who contracted out beneficiaries but still bill Medicare for their services.

Vice President's Participation at NIH Ground Breaking. Next Tuesday the Vice President will join Dr. Varmus, Donna Shalala, Senator Mark Hatfield (R-OR), and many others in dedicating a new building for clinical research on the campus of NIH that will be named for the Senator--a longstanding advocate of NIH during his years as Senate Appropriations Chair. We are currently working with NIH and HHS to determine whether there is any modest announcement that the Vice President can make. We have, however, decided to delay any announcement of the Medicare cancer clinical trials initiative that we have referenced to you previously. We are still getting final cost estimates and reviewing possible financing estimates for this proposal. Moreover, if you decide to pursue the initiative, we think it might be significant enough to announce at a Presidential event on the progress we are making on the war against cancer. Parenthetically, since 80 percent of men with prostate cancer are over age of 65, the NCI has indicated coverage of these trials will represent a major contribution in our increasing commitment to diagnose, treat, and eventually cure this disease.

Kassebaum-Kennedy Implementation. We held an interagency meeting (HHS, Treasury, Labor) to follow up on your concern about recent reports that insurance companies are giving insurance agents incentives not to enroll high risk individuals. HHS informed us that while they had no sure way of determining how widespread the problem was, state insurance commissioners had informed them that the publicity surrounding the issue had clearly served to significantly curtail these activities. Despite encouraging reports, we pushed HHS to determine if there are actions that we can take to ensure nationwide compliance with the law. They reported that we may be able to take administrative/regulatory action to address this issue by sending a notice to all states that underscores our interpretation of the law and advises the states to enforce it

accordingly. This notice would strongly emphasize the Federal Government's commitment to enforce the law if the states drop the ball, through the back-up authority the statute provides. We told HHS we wanted to send out the notice no later than December (assuming they confirm we have the authority to do so).

Medicaid and Tobacco. This past week, the White House reached an agreement with HHS and the Justice Department on a letter to be sent to all states on these issue of tobacco settlements and the Federal Government's claim to our part of the Medicaid dollars recaptured by the states. The letter, which is scheduled to be sent on Monday, has been written in a generic, non-threatening tone that, in essence, lays down the legal marker that the Justice Department and HHS felt they needed. However, it also explicitly recognizes that upcoming national legislation may well address the difficult Medicaid recoupment allocation issue. In preparation for the letter's release, we met with Governor Chiles' office to advise them of the legal and political bind we felt we were in with regard to this issue. Although his staff indicated that Governor Chiles would probably prefer no letter, his Deputy Attorney General informed us that the type of letter we are planning to send sounded quite reasonable. They all seemed pleased that it would be a generic, low-profile letter. We will carefully and quietly roll out the release of this letter and make sure that appropriate parties (NGA, APWA and the Hill) are notified.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:31-OCT-1997 13:31:09.00

SUBJECT: Re: Today's 11 a.m. meeting

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

READ:UNKNOWN

TEXT:

Clarification: He's an NEC guy Vicki asked to have come in her place. You were great in that meeting, separating wheat from chaff....

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-OCT-1997 17:38:11.00

SUBJECT: SSI meeting with Sylvia on Monday

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

READ:UNKNOWN

TEXT:

Monday at 1pm, Ken Apfel will present his tentative plans for the "30-day top-to-bottom review" of SSA's reevaluation of children under the new disability standard, which he promised at his confirmation hearing last month. Here is a briefing of what they will say and my comments.

Overall, it's pretty good but will still disappoint advocates. However, it is hard to satisfy them without reopening major issues that shouldn't be reopened.

Ken's report will end up taking more like 6-7 weeks -- it looks like late next week or early the next.

SSA will agree to re-review the cases of 17,000 mentally retarded children dropped from the rolls. Apparently the number of such cases has been overstated at 40,000 because SSA coded many cases as MR inappropriately. Nevertheless, they are concerned about why they have dropped 17,000, since children who meet a clinical diagnosis of MR should remain eligible.

In response to reports from advocates that staff discourage families from appealing, or from exercising their right to continue benefits during an appeal, SSA will send new notices to the 75,000 children denied to date whose families did not appeal or did not exercise their right to continuing benefits, explaining their rights to them. SSA will also announce it has retrained its workers on this issue.

In response to charges that the variation in cut-off rates among states demonstrates that the new standard is being implemented inconsistently, SSA will announce that it has rational explanations for most of the variations. (Nationwide 43% of kids reviewed were cut off, but that varies from 18% to 65% depending on the state.) However, in 6-8 states where they aren't uncertain, they will re-review all the cases.

Advocates charge that some states are cutting off too many kids because of "failure to cooperate," when in fact the states are not trying hard enough to work with families who may have trouble understanding the notice. In response, SSA will re-review all 10,000 of these cases.

Generally, SSA has refused to consider changes to the underlying reg as part of this 30-day process, because they will have a more elaborate process for that, and because they do not want to stir false hopes that they will reconsider the underlying standard -- which is what the advocates want most. However, SSA is considering announcing one minor change to the reg as part of the 30-day review. It has to do with splitting cognitive and communication impairments into two separate categories, allowing more children to qualify.

All of these are good actions, and they are reasonably significant. However, the advocates will still be disappointed because it doesn't change the underlying reg, and also because they were hoping Ken would agree to a moratorium on case reviews while all this work is being done. SSA is strongly opposed to a moratorium, arguing it will send too hopeful a signal and allow a backlog to start to build up, but I am not totally convinced on their reasoning.

On numbers, SSA originally estimated they would cut off 135,000 kids. The actual rate is running somewhat below that. With these changes, SSA expects that the number of kids cut off would drop to 100,000. I'm not sure strategically whether to make a big deal of that when this is released -- that would please the advocates, but could annoy congressional Republicans. On the other hand, the Republicans have been extremely supportive of everything we have done so far, so maybe a bit of criticism from them wouldn't be awful at this point, especially since these are just procedural, not policy changes.

I'm pretty sure OMB is fine with this from a money and policy standpoint.

Finally, you sent me a note from the advocate Jonathan Stein complaining that HCFA is implementing the provision to grandfather Medicaid for these children that we got in the balanced budget act unfairly: by allowing states to require children to reapply. I haven't quite untangled this, but if we can make it better, perhaps it could be part of the report.

P.S. I should note that the President said on September 10 in a meeting with advocates that he was asking SSA for a report on all this in 30 days. When Ken said the same thing but with a later start point, we told advocates we would fold it all into one report. So this report would presumably go to the President and the world simultaneously. The alternative of sending it first to us and then to the world does not seem smart.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:31-OCT-1997 13:29:27.00

SUBJECT: Re: Today's 11 a.m. meeting

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

READ:UNKNOWN

TEXT:

He's Vicki Radd's person.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:31-OCT-1997 12:09:17.00

SUBJECT: Economic Growth 1-Pager

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

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

TO: Elliot J. Diringier (CN=Elliot J. Diringier/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

TO: Roberta W. Greene (CN=Roberta W. Greene/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: Andrei H. Cherny (CN=Andrei H. Cherny/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Michael V. Terrell (CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TO: Jonathan H. Schnur (CN=Jonathan H. Schnur/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Robert M. Shireman (CN=Robert M. Shireman/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: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Daniel C. Tate (CN=Daniel C. Tate/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Roger V. Salazar (CN=Roger V. Salazar/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Virginia M. Terzano (CN=Virginia M. Terzano/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

READ:UNKNOWN

TO: Minyon Moore (CN=Minyon Moore/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: Joseph M. Wire (CN=Joseph M. Wire/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Jonathan Prince (CN=Jonathan Prince/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

TO: Peter O'Keefe (CN=Peter O'Keefe/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Michael D. McCurry (CN=Michael D. McCurry/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: Julie E. Mason (CN=Julie E. Mason/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: G N. Lattimore (CN=G N. Lattimore/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

TO: Steven A. Cohen (CN=Steven A. Cohen/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Ruby Shamir (CN=Ruby Shamir/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: Christopher R. Ulrich (CN=Christopher R. Ulrich/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

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

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

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

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

TO: Anne H. Lewis (CN=Anne H. Lewis/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TO: Jeffrey A. Forbes (CN=Jeffrey A. Forbes/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: Christopher J. Lavery (CN=Christopher J. Lavery/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Aviva Steinberg (CN=Aviva Steinberg/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: Beverly J. Barnes (CN=Beverly J. Barnes/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Ronda H. Jackson (CN=Ronda H. Jackson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Jordan Tamagni (CN=Jordan Tamagni/OU=WHO/O=EOP @ EOP [UNKNOWN])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Thomas A. Kalil (CN=Thomas A. Kalil/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: Katherine Hubbard (CN=Katherine Hubbard/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: Lawrence J. Haas (CN=Lawrence J. Haas/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

TO: Karen E. Finney (CN=Karen E. Finney/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: Michael Deich (CN=Michael Deich/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: Brenda B. Costello (CN=Brenda B. Costello/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Cheryl M. Carter (CN=Cheryl M. Carter/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: Rebecca A. Cameron (CN=Rebecca A. Cameron/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

*STRONG GROWTH, STRONG EXPORTS, STRONG INVESTMENT, AND LOW INFLATION:
THE ECONOMY UNDER PRESIDENT CLINTON
October 31, 1997*

TODAY'S GDP DATA SHOW THAT THE AMERICAN ECONOMY CONTINUES TO ENJOY STRONG GROWTH WITH LOW INFLATION. OVER THE PAST YEAR, THE ECONOMY HAS GROWN AN IMPRESSIVE 4 PERCENT -- BOOSTED BY \$125 BILLION IN NEW EXPORTS.

- **4.0 Percent Growth Over Past Year.** Over the past year, the economy grew a strong 4 percent -- the fastest rate in nearly a decade. In the third quarter of 1997, the economy expanded at a 3.5 percent annual rate. And since President Clinton took office, growth has averaged 3.0 percent per year -- relative to 1.3 percent per year under President Bush and 2.4 percent per year during the Reagan-Bush years.
- **Exports Up \$125 Billion Over Past Year.** Over the past year, exports have grown 15 percent -- that's \$125 billion more in American exports, helping to create high-paying American jobs.
- **Investment is Booming.** In the third quarter, Investment in business equipment rose 22 percent in at an annual rate, after rising 23 percent in the second quarter. That's the first time investment has grown by more than 20 percent for two quarters in a row in almost 15 years. And since President Clinton has taken office, investment has grown more than under any President since John F. Kennedy.
- **Private-Sector Growth is Strong.** Over the past year, the private sector grew an impressive 4.7 percent. This means that since President Clinton took office, the private sector of the economy has grown by 3.6 percent per year, compared to 3.0 percent under President Reagan and 1.3 percent under President Bush.
- **Inflation Remains Low.** Inflation as measured by the GDP price index was 1.9 percent over the past year, down from 2.4 percent during the previous 12-month period.

IN RECENT WEEKS, WE HAVE HAD MORE GOOD NEWS FOR THE AMERICAN ECONOMY:

- **Since President Clinton took office, the deficit has been cut from \$290 billion to \$23 billion -- a 92% drop.**
- **The Homeownership rate hit its highest level in American history.**
- **The economy has now produced over 13 million new jobs and the unemployment rate is below 5% for the first time in 24 years. All the while, inflation remains low and stable.**

EXPERTS AGREE THAT THE AMERICAN ECONOMY IS STRONG

- **Alan Greenspan, 7/22/97:** "The recent performance of the economy, characterized by strong growth and low inflation, has been exceptional -- and better than most anticipated."
- **Martin Zimmerman: Chief Economist, Ford Motor Co.:** "The U.S. economy is in remarkable shape." [Wall Street Journal, October 31, 1997]
- **Fortune, 6/9/97:** "Business is booming, inflation is falling, jobs are plentiful, and American industry is way out in front. The U.S. economy is stronger than it's ever been before."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-OCT-1997 11:24:21.00

SUBJECT: Murray thought

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

TEXT:

In the TANF reg, could we use the scaled-back DV definition for time limit exemptions -- ie, states could only exempt from time limits women w/medical evidence of recent abuse? Would that be narrower than where you are now?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-OCT-1997 18:51:40.00

SUBJECT: Please call Bill 6-2857

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

READ:UNKNOWN

TEXT:

National Testing. On Wednesday, Obey proposed a compromise testing provision for the Labor/HHS/Education Appropriations bill, with the agreement of Porter, Specter, and Harkin. The provision placed NAGB in charge of test development, but prohibited implementation of the tests without specific authorization. It also prohibited the use of the tests for high stakes purposes, such as promotion decisions. We had indicated to Obey in advance that this would be unacceptable to us; the other conferees also knew of our objections.

With help from Bingaman, Kennedy, and Dorgan, we have secured a letter with 37 signatures expressing support for a veto if you choose to exercise that option. We had hoped this demonstration of resolve would enable us to make changes to Obey's plan in order to create an acceptable compromise. However, the conferees have not been willing to entertain any such changes.

At the same time, Goodling and his conservative supporters have denounced this proposal because it permits us to continue to develop the tests. Though the appropriations conferees completed their work Thursday night, Gingrich has not yet let them file the conference report. Goodling has advanced several alternative proposals, all of which block the continued development of the tests and are completely unacceptable.

We are pursuing several strategies over the next several days. First, we will continue to try and make changes to the conference report to produce one that you can sign. We have been working with Lott's staff toward this end. If this is not possible because of pressure from Goodling, we would prefer that the conferees adopt one of Goodling's proposals, allowing the clearest rationale for a veto. Finally, we will be meeting with Lott and Gingrich's staff to explore compromises that they can support and which will meet our requirements, either to be included in the conference report or, more likely, to be put in play after a veto.

October 31, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Tobacco: Congressional Movement on Tobacco -- Senator Hatch announced Wednesday that he wants to introduce a "discussion bill" enforcing a national tobacco settlement before Congress adjourns for the year. Hatch said the bill would be modeled on -- but not identical to -- the deal negotiated between the tobacco industry and the state attorneys general. Hatch said his goal was to craft a bill that could have bipartisan support. Senator Kennedy may also offer a bill before Congress adjourns next month. Senator Lautenberg and James Hansen (R-UT) introduced a tobacco bill Wednesday that would cost \$494 billion. The proposal gives cigarette makers no relief from lawsuits, which was presumably their reason for entering into the June 20th settlement. A bill introduced last week by House members Chris Cox (R-CA), Scott McInnis (R-CO) and Paul McHale (D-PA) would limit fees paid to attorneys involved in the June 20th settlement to \$150 per hour plus expenses.

Education: National Tests -- DPC and legislative affairs staff are continuing to work with appropriators and House and Senate leadership to find a suitable legislative compromise.

Education: Charter Schools and Vouchers -- On Friday the House passed a special rule linking the bipartisan Riggs-Roemer charter schools bill with the HELP voucher bill, also sponsored by Rep. Riggs. The rule, which passed 214 to 198, provides for separate consideration of the two bills, but would automatically add the voucher bill to the charter bill once both have passed the House. Although Speaker Gingrich spoke in favor of the rule, it was opposed by 8 - 10 Republicans, with 2 Democrats voting to approve the rule. Earlier this week OMB issued a SAP warning that if the charter bill were amended to include the voucher provisions, senior advisors would recommend a veto. Further House action is scheduled for Tuesday.

Education: Indian Education — DPC staff met with Bureau of Indian Affairs and Department of Education staff to review a proposed Executive Order on Native American K-12 education and to identify other possible Indian education initiatives.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-NOV-1997 13:00:39.00

SUBJECT: DC schools construction

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

READ:UNKNOWN

TEXT:

I am not sure if you received my written note asking you if you would like for me to get Silverman working on this one. Unless you would like to do this another way, or have something in train, will talk to Steve on Monday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 1-NOV-1997 15:01:56.00

SUBJECT: Washington Post on Federal DP Benefits Bill

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

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 11/01/97
03:01 PM -----

Doug.Case @ sdsu.edu
10/31/97 07:39:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides, Paul J. Yandura

cc:

Subject: Washington Post on Federal DP Benefits Bill

WASHINGTON POST
October 31, 1997

Domestic Partner Benefits
By Mike Causey
Washington Post Staff Writer

The "domestic partners" of U.S. government workers -- regardless of sex or marital status -- would be eligible for health insurance coverage through the federal employee health program under a bill introduced by Rep. Barney Frank (D-Mass.). It also would make them eligible for lifetime survivor benefits under the federal pension program.

Frank is one of the few openly gay members of Congress.

His proposal has been endorsed by the American Federation of Government Employees, the National Treasury Employees Union and the American Federation of Government Employees.

The federal health program -- the nation's biggest company-style plan -- covers more than 10 million current and former federal workers, spouses and families. In some cases, ex-spouses can be covered (if they pay the full premium), as can dependent grandchildren. But unmarried couples aren't eligible for family coverage. Taxpayers pay about 72 percent of the total premium for insured workers and retirees.

Frank said Uncle Sam trails "progressive" private firms that extend benefits to domestic partners. He said it is time for the government to "recognize that people who live in committed relationships, regardless of their sexual orientation or marital status, ought to be eligible for the same basic set of benefits, including health care coverage, life insurance, health insurance and compensation for work injuries." Under the Frank bill, the extended health and retirement coverage would go to:

Same- or opposite-sex couples (if one of them worked for the government or Postal Service) who are "living together, in a committed, intimate relationship."

Couples who are responsible for each other's welfare and financial obligations.

Those domestic partners would get the same health and life insurance benefits and retiree survivor benefits as the spouse of a federal employee or retiree.

To be eligible, couples would have to submit an affidavit of eligibility for benefits to the Office of Personnel Management. It would certify, under oath, that the couple were in a committed domestic relationship and were living together.

Fourteen other House members (all Democrats), including Del. Eleanor Holmes Norton (D.C.), are co-sponsoring the bill.

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===== 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 <01IPGV9VKTDC00F1H8@PMDF.EOP.GOV>; Fri, 31 Oct 1997 19:39:30 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IPGV9SBGTS00PQH6@PMDF.EOP.GOV>; Fri,

31 Oct 1997 19:39:25 -0500 (EST)

Received: from mail.sdsu.edu ([130.191.25.1]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTTP id <01IPGV93WSA4002J4J@STORM.EOP.GOV>; Fri, 31 Oct 1997 19:38:53 -0500 (EST)

Received: from [130.191.242.121] ([130.191.242.121]) by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id QAA24500; Fri, 31 Oct 1997 16:37:39 -0800 (PST)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-NOV-1997 11:42:23.00

SUBJECT: Domestic Partners

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

READ:UNKNOWN

CC: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Where did this come from?

WASHINGTON POST, November 2, 1997 (Excerpt)
1150 15th Street NW, Washington, DC, 20071
(No Fax - letters by mail only, print run 838,902)
By Mike Causey
Washington Post Staff Writer
Domestic Partners

Look for the White House to quietly oppose a bill by Rep. Barney Frank (D-Mass.) to extend federal health and retirement benefits to the unmarried domestic partners of federal workers and retirees. Officials say money is the

reason Uncle Sam will object to providing coverage to live-in, unmarried couples, straight or gay. The issue:

Federal workers contribute to their retirement plans. But the amounts don't begin to cover the costs of paying retirees and survivors lifetime benefits that are indexed to inflation. Also, Uncle Sam (meaning taxpayers) pays 72 percent of the total health premium of workers and retirees.

Extending those benefits to a larger group would be costly to both systems.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 11:40:15.00

SUBJECT: Welfare to Work

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

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

TO: Cathy R. Mays (CN=Cathy R. Mays/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:

FYI. Cynthia and I will go. I thought you may also want to be there.

----- Forwarded by Christa Robinson/OPD/EOP on 11/03/97
11:50 AM -----

Ruby Shamir

11/03/97 11:32:48 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Lori L. Anderson/WHO/EOP, Mary Morrison/WHO/EOP, Darby E. Stott/WHO/EOP
Subject: Welfare to Work

Ann Lewis will have a message meeting today at 5:30pm to discuss the
Welfare-to-Work Event in Wichita.

Eli Segal, Kate Carr and a few other Welfare to Work people will be there
as well. Thanks.

Message Sent

To:

Stacie Spector/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Elisa Millsap/WHO/EOP
Cecily C. Williams/WHO/EOP
Christa Robinson/OPD/EOP
Anne E. McGuire/WHO/EOP
Cynthia A. Rice/OPD/EOP
Diana Fortuna/OPD/EOP
Michael Waldman/WHO/EOP
Jordan Tamagni/WHO/EOP
Amy W. Tobe/WHO/EOP
Linda L. Moore/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 18:14:35.00

SUBJECT: DC Schools Case Settlement

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael Cohen (CN=Michael Cohen/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: David_Frank (David_Frank @ ed.gov @ inet [UNKNOWN])

READ:UNKNOWN

CC: Tanya E. Martin (CN=Tanya E. Martin/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

The DC Schools reached a settlement today with the parents group that filed the lawsuit on school building conditions (Parents United). It seems a little unclear how much discretion the judge has in whether or not to accept the settlement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michele Cavataio (CN=Michele Cavataio/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME: 3-NOV-1997 18:14:49.00

SUBJECT: "At the Tables"

TO: Aimee C. Jimenez (CN=Aimee C. Jimenez/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Marjorie A. Black (CN=Marjorie A. Black/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

TO: Thurgood Marshall Jr (CN=Thurgood Marshall Jr/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: Robert Wexler (CN=Robert Wexler/OU=PIR/O=EOP [PIR])
READ:UNKNOWN

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

TO: Bob J. Nash (CN=Bob J. Nash/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: Robert B. Johnson (CN=Robert B. Johnson/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: Michael Wenger (CN=Michael Wenger/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Peter Rundlet (CN=Peter Rundlet/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

TO: Lin Liu (CN=Lin Liu/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

TO: Claire Gonzales (CN=Claire Gonzales/OU=PIR/O=EOP [PIR])
READ:UNKNOWN

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

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

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

TO: mbyrne (mbyrne @ law.harvard.edu @ inet [UNKNOWN])
READ:UNKNOWN

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

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

TO: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Jon P. Jennings (CN=Jon P. Jennings/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: edley (edley @ law.harvard.edu @ inet @ lngtw [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TO: Jacinta Ma (CN=Jacinta Ma/OU=PIR/O=EOP @ EOP [PIR])

READ:UNKNOWN

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

TO: Judith A. Winston (CN=Judith A. Winston/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

TO: Michael J. Sorrell (CN=Michael J. Sorrell/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

TO: susan m. liss (CN=susan m. liss/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

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

CC: John M. Goering (CN=John M. Goering/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

CC: Grace A. Garcia (CN=Grace A. Garcia/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

CC: David Campt (CN=David Campt/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

CC: Tamara Monosoff (CN=Tamara Monosoff/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

TEXT:

As most of you heard at today's meeting, we are trying to come up with a new name for Race Initiative "At the Table" sessions. Some proposals are:

- One America: Bringing It Home
- Bridging Divides: President Clinton's Conversations on Race
- In the Conversation: American Voices on Race
- Voices on Race
- One America: Conversations that Bring us Together

We would welcome your creative ideas. Also, attached is a memo about the "At the Table" proposal in case you want to know more. We would welcome comments on it, as well.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D43]MAIL44518660S.316 to ASCII,
The following is a HEX DUMP:

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November 3, 1997

MEMORANDUM FOR JUDY WINSTON AND SYLVIA MATHEWS

FROM: Michele Cavataio for the Cabinet Affairs Working Group

SUBJECT: Race Initiative "At the Table" Update

This memo summarizes our proposal for an *At the Table*-type initiative for the President's Initiative on Race (PIR). While this proposal is a work-in-progress, this memo outlines the development of the proposal to date: its goals, objectives, title, resources, press strategy, participants, audience, and kick-off strategy. We would like to have your approval to move forward. The Working Group has met three times and involved former staff from the White House Women's Office who developed the original concept. Our goal is to send out the first round of Administration appointees over the Thanksgiving holiday.

There are 8 issues where we would welcome your suggestions:

1. *Goals.* The objectives of this effort are to:

- Hear about the issues that are important to the American people in their communities
- Inform the American people of the Race Initiative. (We will give out documents which highlight PIR and Administration activities and accomplishments on this issue to participants.)
- Activate the Administration's appointees in the PIR effort and better utilize them as the eyes and ears of the Administration. (They put a human face on the PIR, the Federal government, and this Administration that provides every roundtable participant with a unique and personal contact with those entities.)
- Bring information back to the Administration
- Identify community efforts and community leaders to support the PIR

2. *Name of event.* The Women's Office is going to restart their *At the Table* effort so they have asked that we distinguish it from the PIR effort. We have come up with the following suggestions for a new name which we will share with the WH and PIR communications staff for their input:

- One America: Bringing It Home
- Bridging Divides: President Clinton's Conversations on Race

- In the Conversation: American Voices on Race
 - Voices on Race
 - One America: Conversations that Bring us Together
3. *Attendance.* As of June 20, 1996, the Women's Office organized approximately 800 *At the Tables*, averaging 10-30 women in more than 40 states. We have not calculated a participant goal, but believe that the PIR roundtables could be larger due to the larger scope of the PIR. The PIR would seek at least as many roundtables with the same average number of participants. In general, roundtables will vary. For example, someone like Secretary Herman could handle a larger roundtable (30-100) in which elected officials (e.g., local officials, Senators) and others are invited. A Schedule C, on the other hand, would most likely have a smaller roundtable (e.g., 10) in a home. Among other variables, these roundtables will make a special effort to focus on youth. We could, for example, encourage appointees to return to their colleges and high schools to conduct the roundtables. The roundtables will also be non-partisan -- Independents, Republicans, Democrats and others will be encouraged to participate.

We discussed the issue of ensuring diversity among participants in each roundtable. While we felt that diverse participation was an advantage in the roundtables, we felt that we should still encourage participation with non-diverse groups because many neighborhoods and towns lack diversity. We agreed that we would encourage diversity but permit the appointees to assemble the people that are available to them.

4. *Appointees to participate in the first round.* The goal for attendance is to seek as many appointees as possible to participate in one or more of these sessions. We believe that the kick off over Thanksgiving could be a test effort using some of the more experienced appointees. We are planning to invite the Federal Agency liaisons to the PIR, surrogate speakers (appointees) who have been identified by Cabinet Agencies, and a few Cabinet members to participate in the first round. We would also like to have the President and Vice President commit to participating in roundtables as part of the kick off announcement. (In fact, the President has already done some sessions if you include the meeting with white ethnic groups and the coming meeting with black farmers.) We would like to enlist 50-100 senior appointees for the first round. We would ask them to assemble their own roundtables, but we would help support them by providing contacts and other resources. The second round, which would take place over the

Christmas and Hanukkah holiday, could include more SubCabinet and Schedule C's. The roundtables will continue after the holidays, but we believe the holidays will provide an opportunity for a big initial push that will generate significant interest and press.

5. *Materials, training, and feedback report.* The Women's Office put together a packet for *At the Tables*, which provided appointees a tool for setting them up, holding them and reporting back to the Women's Office. We believe that the Race Initiative can adopt all of the materials that the Women's Office used with some edits and additions. The main piece that is missing is a document which gives some guidance on how to get the conversation started and includes help on setting ground rules and managing conflict. Given the emotional nature of race issues, we believe that it is important to provide information which helps ensure the smoothest session possible. Included in the materials will be a form for appointees to report their findings, identify leaders and describe community efforts. These reports will be collected and synthesized into on-going reports to the President and could be included in the President's Report to the American People. We plan to provide all materials for review and obtain approval for our effort from the Counsel's Office. In addition to providing materials, we would like to invite the appointees for a briefing / training to prepare for their roundtables.
6. *Questions to pose at the roundtables.* The Working Group has made some effort to identify suggested questions for use at the roundtables. After careful consideration, we believe that rather than have a full-fledged, interactive dialogue on race, the mission of the sessions should be to bring back information to the President about what Americans care about and want him to do about race issues. Thus, we believe that the dialogue should be directed by a general question which elicits responses from participants about their own communities and experiences but does not try to direct the conversation to a specific race issue or area. One possibility is:

When was the last time that issues around race relations affected you or your community? Are you aware of any positive efforts in your community to address these issues? What do you want the President's Race Initiative to know and to focus attention on?

Given the potential volatility of discussing race issues, an open question such as

this may take the conversation in many directions. However, the advantage of this sort of question is that when a dialogue becomes heated, the moderator can keep returning to the mission which is to bring back information and advice to the President.

7. *Press Strategy.* The press that this project is able to generate is of great value as we believe that it will inform many people of the existence of the PIR. The Women's Office received a commitment from Family Circle, which has a readership of 26 million, to do a feature piece on the *At the Table* concept. The PIR, which again has a broader scope, could receive significant press coverage with the right planning. We will work with WH, PIR and agency communications offices to maximize the coverage, but we will need assistance to ensure appropriate coverage of events.
8. *Resources.* *At the Tables* were a major project undertaken by the Women's Office which had a very limited staff. We understand that they had one person dedicated to the project full-time with other staff providing significant help at certain intervals (e.g, recruiting appointees through brown bag lunches at agencies, reviewing the incoming reports, writing reports.) We will probably need to dedicate one person full-time for the near-term and receive significant support from several offices.

cc: Working group members - Jon Jennings, Bibb Hubbard, David Beaubaire, Carrie Wofford, Tamara Monosoff, David Campt, Grace Garcia, John Goering

Dawn Chirwa, Counsel's Office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 12:17:27.00

SUBJECT: Rep. Levin may call Bruce today re: FICA/FUTA

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

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:

wants to know what's next...Levin's been hearing from Carper and Chiles pushing him to do something -- they are being very persistent -- Levin wants to check in with Bruce to see what we think the legislative possibilities are for the rest of the session and what we can do administratively. All this per Eric Gould.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 10:39:08.00

SUBJECT: Drug Policy Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Stacie Spector (CN=Stacie Spector/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As I mentioned in the meeting this morning, McCaffrey has told Stephen Silverman that he would prefer to do the Drug Policy meeting in December, instead of November 12.

Stacie, Stephen and I talked after the meeting, though, and learned that McCaffrey was not aware of the interest in doing this meeting before Zedillo. Stephen is going to go back to McCaffrey to see if it is possible to do the meeting in November and Communications is calling a message meeting for tomorrow afternoon to resolve this matter.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 13:51:48.00

SUBJECT: Hilley/Adoption mtg., 5pm, Tues., 11/4

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

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

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

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

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

TEXT:

John is meeting tomorrow @ 5pm in his office re: Adoption. Are you available to attend?

Attending:

Jack Lew

Janet Murguia

Barbara Chow

Jennifer Klein

Mary Bourdette, HHS

DRAFT

November 3, 1997

Newt Gingrich
Speaker of the House
U.S. House of Representatives
Washington, D.C.

Dear Newt:

Earlier this year, I transmitted to Congress legislation designed to promote fair and equitable treatment for individuals with pending immigration cases, including those who fled persecution and civil war in Central America and received protection in the United States. My Administration's legislation also aimed to assist the fledgling democracies of Central America which cannot easily absorb their nationals at this time.

I am very pleased that legislation currently under consideration in Congress makes substantial progress toward these objectives. I am **deeply** concerned, however, that this legislation, unlike my original proposal, **inappropriately** distinguishes among **nationals from different countries, including those from Central America. Moreover, the legislation as contemplated** requires continued retroactive application of certain provisions in the 1996 immigration law, and does not allow for an adequate transition to the law's new rules.

In addition, I strongly urge the Congress to provide similar treatment to Haitians as to Central Americans. In recent weeks, Members of Congress and representatives of the Haitian community have highlighted the compelling plight of thousands of Haitians in the United States. Their experiences parallel those of Central Americans in many ways. Most of these Haitians fled the persecution and civil strife that followed the military overthrow of President Aristide's government in September 1991. The Bush Administration brought them to the United States in 1991-93 after it found them to have a credible fear of persecution in Haiti. These Haitians have made vital contributions to their communities and established deep roots in the United States. Providing them with an opportunity to gain permanent status in the U.S. is not only equitable, but also critical to helping Haiti establish a strong and lasting democracy -- a goal to which the United States continues to devote substantial energy and resources.

I hope that you will move quickly to correct these problems in the legislation under consideration and act on it before before the Congress adjourns.

Domestic Violence and the Five Year Time Limit

Tentatively Agreed-to Definition:

A “good cause domestic violence waiver” is defined in § 270.30 as one that is: “granted appropriately based on need as determined by an individualized assessment; temporary, for a period not to exceed six months [they can, however, be renewed]; and accompanied by an appropriate services plan designed to provide safety and lead to work.”

Our Proposal:

The Secretary shall not grant reasonable cause exceptions to penalties to states that exempt more than 20 percent of their caseload from the five year time limit due to the granting of good cause domestic violence waivers.

Their Proposal

Adds these new sections regarding domestic violence and time limits:

Insert #1: “States must grant good cause domestic violence waivers appropriately, which, in the context means there must be a need to exceed the time limit for a given family. We do not expect that many such cases will arise; however, we recognize that there are instances where an extension is necessary. For example, if a recipient suffers a recurrence of domestic violence toward the end of the five-year period, the State must waive the time limit in order to provide the services she now needs.”

Insert #2: “A State must grant good cause domestic violence waivers appropriately, in accordance with the criteria specified at §270.30. If a State fails to meet the criteria specified for “good cause domestic violence waivers” specified at §270.30, the Secretary will not grant reasonable cause under this paragraph.”

A Possible Counter-Proposal

Option #1: Revise Insert #2 as follows:

“A State must grant good cause domestic violence waivers appropriately, in accordance with the criteria specified at §270.30. The need for the waiver, as defined in §270.30, must specifically apply to the need for a time limit extension; the Secretary will not automatically consider the granting of a good cause domestic violence waiver for work participation to be sufficient grounds for a time limit extension. If a State fails to meet the criteria specified for “good cause domestic violence waivers” specified at §270.30, the Secretary will not grant reasonable cause under this paragraph.”

Option #2: Revise Insert #2 as follows:

“A State must grant good cause domestic violence waivers appropriately, in accordance with the criteria specified at §270.30. The need for the waiver, as defined in §270.30, must specifically apply to the need for a time limit extension; the Secretary will not automatically consider the granting of a good cause domestic violence waiver for work participation to be sufficient grounds for a time limit extension. Because the Secretary does not expect many such cases to arise, she will not grant reasonable cause under this paragraph for more than 20 percent of the good cause domestic violence waivers granted by the State for work participation, and she will not grant reasonable cause for waivers ~~if a State fails to meet the criteria specified for “good cause domestic violence waivers” specified at §270.30, the Secretary will not grant reasonable cause under this paragraph.”~~

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 19:46:26.00

SUBJECT: Re: Drug Policy Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

EK:

I agree w/McCaffrey here. The current date (11/12) would have us doing a drug meeting during Zedillo's, which would only fuel some of the drug-related issues we have w/Mexico. My guess is that's why the General wants to move this. Also, I mentioned it to Rahm tonight, and he thought it seemed like a bad idea, too.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sean P. Maloney (CN=Sean P. Maloney/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-NOV-1997 09:22:41.00

SUBJECT: The President's Trip to Texas

TO: Jon P. Jennings (CN=Jon P. Jennings/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Peter G. Umhofer (CN=Peter G. Umhofer/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TO: Marjorie Tarmey (CN=Marjorie Tarmey/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: Darby E. Stott (CN=Darby E. Stott/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: Joshua Silverman (CN=Joshua Silverman/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: John Podesta (CN=John Podesta/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: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

TO: Cynthia M. Jasso-Rotunno (CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

TO: Shelley N. Fidler (CN=Shelley N. Fidler/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

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

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

TO: Carolyn E. Cleveland (CN=Carolyn E. Cleveland/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: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Jonathan H. Adashek (CN=Jonathan H. Adashek/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Beth A. Viola (CN=Beth A. Viola/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

TO: Michael V. Terrell (CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

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

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

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

TO: Sarah J. Reber (CN=Sarah J. Reber/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

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

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

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

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

TO: Megan C. Moloney (CN=Megan C. Moloney/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Katherine Hubbard (CN=Katherine Hubbard/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: Laura A. Graham (CN=Laura A. Graham/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Paul K. Engskov (CN=Paul K. Engskov/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

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

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

TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

On Thursday, November 6, 1997, the President will travel to Houston, Texas to attend the dedication ceremonies of the George Bush Presidential Library.

Deadlines for the President's trip book are as follows:

Texas Background Memos: DUE TUES., NOV. 4 AT 6PM

- Political Memo
- Economic 1-Pager
- CEQ Hot Issues
- Cabinet Affairs Hot Issues
- Accomplishments

TX Event Memos: DUE WED., NOV. 5 AT 6PM

- Dedication Ceremony
- Bush Luncheon

Please call or e-mail me if you have any questions. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mary L. Smith (CN=Mary L. Smith/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-NOV-1997 14:24:21.00

SUBJECT: Time Lines for the Hate Crimes Conference

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Richard Socarides (CN=Richard Socarides/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena -- Just to keep you updated

1.

Attached is the one-pager that Richard drafted that we would like to give to the press people today. Let us know what changes or edits you have. Also after you have reviewed this document, we would like to put this up on the White House website.

2. Accomplishments document. Neera Tanden is drafting the accomplishments document, which she will have for us tomorrow. We would like to give the accomplishments document to the press people by COB tomorrow, Tuesday, November 4,

3. Pre-Briefing memorandum for the President. We are meeting with DOJ and Education today at 6:30 p.m. to finalize what the deliverables for the Conference will be. Please come to the meeting if you would like. In any event, once we have solidified what initiatives are ready for announcement and in what form, I will have the pre-brief memo to you by tomorrow afternoon so that we can give it to the Staff Secretary tomorrow night, Tuesday, November 4. Michael Deich has requested to see a copy of this memo, so that he can review the policy announcements portion of the memo.

4. President's Panel. We thought that, in addition to the other seven people you have seen for the President's panel discussion, we needed a local prosecutor. We thought we might add Dick Devine from the Cook County State Attorney's Office in Chicago. This would make 8 people for the panel. What do you think?

5. Briefing Book. We will have the briefing book to you by Wednesday evening. It needs to be reviewed by Thursday afternoon at the latest, because there is printing involved. The Cabinet Secretaries will be briefed on Friday.

Let me know if you need anything else. Mary

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

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

DRAFT

THE CLINTON/GORE ADMINISTRATION: GETTING TOUGH ON HATE CRIMES

President to Announce Significant New Law Enforcement and Prevention Initiatives

“Hate crimes ... leave deep scars not only on the victims, but on our larger community. They weaken the sense that we are one people with common values and a common future. They tear us apart when we should be moving closer together. They are acts of violence against America itself. And even a small number of Americans who harbor and act upon hatred and intolerance can do enormous damage to our efforts to bind together our increasingly diverse society into one nation realizing its full promise.”

“As part of our preparation for the new century, it is time for us to mount an all-out assault on hate crimes, to punish them swiftly and severely, and to do more to prevent them from happening in the first place. We must begin with a deeper understanding of the problem itself.”

President Clinton, Radio Address to the Nation, June 7, 1997

THE WHITE HOUSE CONFERENCE ON HATE CRIMES November 10, 1997

On November 10, 1997, the President will convene the first ever White House Conference on Hate Crimes, a day long event to be held at The George Washington University. At the Conference, the President will announce significant law enforcement and prevention initiatives which the Administration will be taking to get tough on hate crimes and hate crime perpetrators. The Conference will also examine the positive actions some communities are already taking and which we all can take to do more to prevent hate crimes from happening in the first place and to make certain they are treated seriously when they do occur.

A hate crime is the embodiment of intolerance -- an act of violence against a person or property. Perpetrators of hate crimes pick their targets for no reason other than a victim's race, color, gender, national origin, religion, sexual orientation or disability (although various federal, state and local laws define hate crimes somewhat differently). The crime is a manifestation of the perpetrator's hate.

Every year, tens of thousands of Americans are victims of hate crimes -- and it is suspected that many more go unreported. Teenagers and young adults account for a significant proportion of the country's hate crimes -- both as perpetrators and victims. Each one of these crimes tears at the fabric of our communities and our democratic society, creating fear and inter-group tensions, ultimately affecting all of us.

The Conference is an important element of the President's Initiative on Race, although it will also examine hate crimes motivated by characteristics other than race.

CONFERENCE PARTICIPANTS:

The President, Vice President, Attorney General and Secretary of Education will be joined by other members of the Cabinet, selected state and local officials and approximately 350 leaders from the law enforcement, civil rights, anti-violence, youth, education and religious communities.

Hate crimes survivors will also attend. Participants will include representatives from all 50 states. Thousands more will participate at satellite-linked events across the country. Members of the President's Advisory Board on Race will participate at various satellite locations.

CONFERENCE SCHEDULE:

The President will host a breakfast for Conference participants at the White House and then will officially open the Conference at George Washington University with a major policy address. After his remarks, the President will chair a panel discussion in which the Vice President, the Attorney General, the Secretary of Education and seven other distinguished Americans will join.

In the afternoon, Members of the Cabinet and other senior Administration officials will chair ten separate, concurrent working sessions which will examine various aspects of the issue. Thereafter, the Attorney General will make remarks at a closing plenary session and she will chair a closing panel during which ideas and themes from the ten working sessions will be explored. Participants will then attend a closing reception at the United States Holocaust Museum.

CONFERENCE LOCATION; OTHER DETAILS:

The Conference will be held at the Cloyd Heck Marvin Center at the George Washington University, 800 21st Street, NW, Washington, DC. It is by invitation only and invitations are non-transferable. The President's remarks will begin at approximately 11:30am (Eastern Standard Time) and will be followed by the panel discussion he will chair. The closing panel and remarks by the Attorney General will commence at approximately 4:15pm. The event is open press, except for the working sessions beginning at 2:30pm, which are closed press. Press inquires should be directed to (202) 456-7150.

FOR MORE INFORMATION:

Contact the White House Conference on Hate Crimes at (202) 456-6350.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mary L. Smith (CN=Mary L. Smith/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-NOV-1997 15:45:35.00

SUBJECT: Secretary Shalala at Hate Crimes Conference

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Ann Rosewater from HHS just called me --she wanted to know if it was mandatory for Secretary Shalala to be there. She implied that if we were a little more adamant, she might be able to change her schedule. What do you think? Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 11:35:57.00

SUBJECT: Mtg wi/ Welfare to Work Partnership today

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

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

Bruce-- I guess this means you don't need to call Eli today....I will attend this, reinforce that we need commitments from Wichita business leaders. Anything else I should say?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 11/03/97
11:36 AM -----

Ruby Shamir
11/03/97 11:32:48 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Lori L. Anderson/WHO/EOP, Mary Morrison/WHO/EOP, Darby E. Stott/WHO/EOP
Subject: Welfare to Work

Ann Lewis will have a message meeting today at 5:30pm to discuss the Welfare-to-Work Event in Wichita.
Eli Segal, Kate Carr and a few other Welfare to Work people will be there as well. Thanks.

Message Sent

To: _____
Stacie Spector/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Elisa Millsap/WHO/EOP
Cecily C. Williams/WHO/EOP
Christa Robinson/OPD/EOP
Anne E. McGuire/WHO/EOP
Cynthia A. Rice/OPD/EOP
Diana Fortuna/OPD/EOP
Michael Waldman/WHO/EOP
Jordan Tamagni/WHO/EOP
Amy W. Tobe/WHO/EOP
Linda L. Moore/WHO/EOP

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Bruce Reed to Elena Kagan re: Roll Out (1 page)	11/03/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[10/31/1997-11/03/1997]

2009-1006-F
bm57

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

CREATION DATE/TIME: 3-NOV-1997 15:12:02.00

SUBJECT: revised potus memo on tests

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

READ:UNKNOWN

TEXT:

Bruce and I discussed the earlier draft of the memo, and I've changed it accordingly. We thought it would be a good idea for you to look at this before it goes--hopefully soon.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Thomas L. Freedman (CN=Thomas L. Freedman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 3-NOV-1997 12:34:24.00

SUBJECT: Civil Rights Initiative

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Susan Carr is sending a draft civil rights cross-cut to you and Michael Deich this afternoon. She is putting a place holder in for our across the board enforcement provision. I tentatively asked for a \$100 million special fund to do the new things (mediation, technology, compliance) we discussed. Other than that, we could add \$84 million to the total if we just gave the lead agencies what they asked for. Susan's draft is recommending \$39 million of what the agencies asked for. The total budget of the agencies is \$574 (the biggest being EEOC at \$240 million FY'98 enacted). The agencies have been slow getting back to us, but OMB wants to sit down with Raines middle of next week so we need to have a justifiable figure soon...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 12:45:02.00

SUBJECT: SSI meeting
e

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

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

CC: Sandra L. Via (CN=Sandra L. Via/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

CC: Phyllis Kaiser-Dark (CN=Phyllis Kaiser-Dark/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

CC: Jill M. Blickstein (CN=Jill M. Blickstein/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

TEXT:

Due to traffic problems, Ken Apfel and his staff will be about 15 minutes late. The meeting will begin about 1:15pm

The SSI meeting that was previously scheduled for Monday, Oct. 27 is now scheduled for 1:00 pm MONDAY, NOVEMBER 3 in Room 248.

Attendees:

- Sylvia Mathews
- Jack Lew
- Ken Apfel
- Brian Coyne
- Susan Daniels
- Sally Katzen

Diana Fortuna
Elena Kagan
Bill White
Barry White
Emil Parker
Nelson Reyneri

Work Penalties Structure

Assume a state with a block grant of \$100 million with a \$5 million or 5 percent top penalty for missing the work participation rate, 95% of caseload in single parent families and 5% in two parent families, an overall participation rate of 30 percent, and a two parent rate of 75 percent.

	OVERALL PARTICIPATION RATE		TWO PARENT PARTICIPATION RATE	
	HHS Revised Proposal	Possible Counteroffer	HHS Revised Proposal	Possible Counteroffer
<i>Step #1: Establish Penalty based on Degree of Non-Compliance</i>				
Example A: If state did not achieve 90% of the work participation rate (e.g. participation rate was lower than 27% for overall caseload and 67.5% for two parent):	The penalty is \$4.5 million. [The smaller of \$4.5 million or \$4.75 million, i.e., the smaller of (\$5 million x .9) or (\$5 million x .95, the percent of caseload that is non-two parent families)]	The penalty is \$5 million. ¹ [Full penalty imposed if state falls below 90% threshold].	The penalty is \$.5 million [The larger of \$.5 million or \$.25 million, i.e. the larger of (\$5 million x .1) or (\$5 million times .05, the percent of caseload that are two parent families)]	The penalty is \$.25 million [Equal to \$5 million times .05, the percent of the caseload that are two parent families.] ²
Example B: If state achieved 95% of the work participation rate (e.g. 28.5% for overall and 71.25% for two parent):	The penalty is \$2.25 million. [The maximum penalty -- in this case \$4.5 million -- is reduced in half because state achieved half the difference between the required rate and the threshold.]	The penalty is \$2.5 million. [The maximum penalty -- in this case \$5 million -- is reduced in half because state achieved half the difference between the required rate and the threshold.]	The penalty is \$.25 million. [The maximum penalty -- in this case \$.5 million -- is reduced in half because state achieved half the difference between the required rate and the threshold.]	The penalty is \$.125 million. [The maximum penalty -- in this case \$.25 million -- is reduced in half because state achieved half the difference between the required rate and the threshold.]
<i>Step #2: Consider Reasonable Cause</i>				

¹ If state fails overall and two parent rate, the maximum total penalty shall be \$5 million.

² HHS argues that although this option is simpler and, one could argue, fairer to states with very small two parent caseloads, their minimum 10 percent penalty would be better because it would a) signal that we're serious about two parent work rates, and b) not discourage states from adopting pro-family welfare policies which increase the number of two parent families on the rolls.

	OVERALL PARTICIPATION RATE		TWO PARENT PARTICIPATION RATE	
	HHS Revised Proposal	Possible Counteroffer	HHS Revised Proposal	Possible Counteroffer
The Secretary may waive the penalty if she determines the state had reasonable cause, defined in the regulation as:	Failing because of: 1) Granting of good cause domestic violence waivers; 2) Natural disasters; 3) Formally issued federal guidance that was incorrect 4) "Isolated, non-recurring problems on minimal impact that are not indicative of a systemic problem" 5) Due to provision of assistance to refugees in a federally-approved alternative project.	Same	Same	Same
<i>Step #3: Enter into Corrective Compliance Plan</i>				
A state may accept the penalty or file within two months a corrective compliance plan. The state shall not be penalized while under the plan, which may last no longer than six months. Such plans must include:	1) A complete analysis of why the state did not meet the requirements; 2) A detailed description of how the state will correct or discontinue, as appropriate, the violation in a timely manner; 3) The milestones, including interim process and outcome goals, the State will achieve to assure it comes into compliance within the specified time period; 4) A certification by the Governor that the state is committed to correcting or discontinuing the violation in accordance with the plan.	Same	Same	Same
<i>Step #4: After Corrective Compliance Plan, Secretary Can Reduce Penalty</i>				

	OVERALL PARTICIPATION RATE		TWO PARENT PARTICIPATION RATE	
	HHS Revised Proposal	Possible Counteroffer	HHS Revised Proposal	Possible Counteroffer
To receive a reduced penalty, the state must have:	1) Had a natural disaster or regional recession, to which failure was attributable;	Same.	Same.	Same.
	2) Made substantial progress towards correcting or discontinuing the violation	<p>Option 2a): A state shall have its penalty reduced by the percentage by which it increased its participation rate (e.g., a state that increased its participation rate from 20 to 24 percent shall reduce its penalty by 20 percent (4/20));</p> <p>Option 2b) A state shall have its penalty reduced by the percentage that it reduced the gap between its participation rate before the plan and the required rate (e.g., a state that increased the overall rate from 20 to 24 percent shall reduce its penalty by 40 percent (4/10));</p> <p>Option 2c): A state that increased its participation rate by 25 percent or more shall have its penalty reduced at the discretion of the Secretary.</p> <p>Option 2d) A state that did not achieve 90 percent of the participation rate shall receive the full penalty. A state that achieved 90 percent of the participation rate shall have its penalty reduced at the discretion of the Secretary.</p>	2) Made substantial progress towards correcting or discontinuing the violation.	<p>Option 2a): A state shall have its penalty reduced by the percentage by which it increased its participation rate (e.g., a state that increased its participation rate from 20 to 24 percent shall reduce its penalty by 20 percent (4/20));</p> <p>Option 2b) A state shall have its penalty reduced by the percentage that it reduced the gap between its participation rate before the plan and the required rate (e.g., a state that increased the overall rate from 20 to 24 percent shall reduce its penalty by 40 percent (4/10));</p> <p>Option 2c): A state that increased its participation rate by 25 percent or more shall have its penalty reduced at the discretion of the Secretary.</p> <p>Option 2d) A state that did not achieve 90 percent of the participation rate shall receive the full penalty. A state that achieved 90 percent of the participation rate shall have its penalty reduced at the discretion of the Secretary.</p>