

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 021 - FOLDER -005

[12/16/1997 - 12/17/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001.	Thomas Freedman to Elena Kagan re: EEOC Process reforms (partial) (1 page)	12/16/1997	P6/b(6)
002. email	Sally Katzen to Elena Kagan re: Invite (1 page)	12/17/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[12/16/1997 - 12/17/1997]

2009-1006-F
ch195

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]

Children's SSI Terminations -- Sample of 151 Cases

Diagnosis at Termination	Number of Children	Percent of Total
Learning Disabilities	31	21%
Attention Deficit Disorder	30	20%
Various Mental Disorders (e.g., Conduct Disorder, Adjustment Disorder, Affective Disorder, Developmental Delays, Developmental Disorders, Personality Disorders, Oppositional Defiant Dis., Relational Disorder)	21	14%
Borderline Intellectual Functioning	12	8%
Mental Retardation	10	7%
Physical Disabilities (other than asthma)	9	6%
Asthma	7	5%
Speech Delay	4	3%
None	3	2%
Subtotal	127	84%
Failure to Cooperate	24	16%
TOTAL	151	100%

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 18:18:11.00

SUBJECT: Look at this email re: child support options (earlier one included some ol

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: Andrea Kane (CN=Andrea Kane/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

TEXT:

OMB has sent to HHS for comment three child support options, saying "a decision has been made to include the following items on a list of potential proposals for the FY 1999 budget."

All the options would convert child support enforcement funding into a block grant and require states to impose a \$25 collection fee on non-custodial parents from non-welfare families (states could pass legislation to reduce or increase this fee).

Converting funding to a block grant may discourage state spending to collect support for families, since states will have to pay 100% of any "extra" costs. The fee collection position is a reversal for the Administration, which has apparently opposed such fees in the past, and would likely to be opposed by women's and other advocacy groups (who believe that since so many non-custodial parents don't pay the full amount owed, families will end up with \$25 less per month in child support, since the fee will be deducted from the less-than-full-amount paid).

The options would also let states keep all the collections from welfare families and, as in current law, would distribute incentive funds based on performance.

Three Specific Options: Within this framework, OMB has proposed three options:

Option #1 would set the block grant at a level to save about \$300 million, the amount that states would collect through the new \$25 fees. In other words, since states would collect \$300 million in fees, the federal government would reduce its contribution to the states by \$300 million.

Option #2 would set the block grant at a level to save about \$1.8 billion.

Option #3 would set the block grant at a level to save about \$3.0 billion.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:43:59.00

SUBJECT: COPS

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

READ:UNKNOWN

TEXT:

BR:

Pursuant to your question last week as to whether or not we need to do more on COPS, I've changed my mind. We should take the lead in pulling together the new Associate AG, OMB and others and pushing them to aggressively resolve whatever issues we have. We shouldn't wait for them to come up w/answers. DOJ and OMB have already made clear that their interests are much narrower than ours here -- and we need to instill a little COPS religion into them again. I'll work w/John Hart in setting up a meeting for just after the New Year.

I heard that the new Associate AG met w/Rahm recently, and -- based on DOJ's "settle for 70,000 cops" attitude -- suggested that he was ready to work w/Rahm on an "exit strategy" for the 100,000 cops. You can imagine Rahm's response. Our meeting will give the new Associate AG an opportunity to redeem himself.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 15:15:24.00

SUBJECT: Civil Rights Enforcement 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:

OMB called to ask if we are asking for \$72 million for the initiative now and what we think that includes. Also attached is Susan Carr's calculation of where OMB is: about \$75 million.

----- Forwarded by Thomas L. Freedman/OPD/EOP on 12/16/97
03:11 PM -----

Susan M. Carr

12/16/97 11:31:37 AM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP

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

Subject: Civil Rights Enforcement Initiative

My latest number is \$74.533, which rounds to \$75 million!

\$55.4 m	OMB Director's Review Crosscut, approved increases
2.0 m	Addback for Civil Rights Commission appeal
8.0 m	Addback for Fair Housing appeal
9.0 m	Addback to EEOC for mediation (DPC request)
.133 m	Addback to Labor OCR for additional FTEs (DPC request)

\$74.533 million

Message Copied

To: _____

Michael Deich/OMB/EOP

Theodore Wartell/OMB/EOP

Patricia E. Romani/OMB/EOP

Alan B. Rhinesmith/OMB/EOP

Francis S. Redburn/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 11:02:10.00

SUBJECT: Outreach to Groups on Civil Rights

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:

I spoke with Maria E. about reaching out to Wade Henderson and/or other leaders about our enforcement plan. She said she would give him a call and tell him generally where we are at, but that we should wait to sit down with them until the beginning of next year.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 12:25:13.00

SUBJECT: Federal Welfare Hiring

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

CC: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

As you know, we get monthly numbers of each federal agency's welfare hires from the Office of Personnel Management -- the latest numbers (from Oct. 22nd) show 2,098 hires. In addition, the agencies submitted narrative reports for FY '97 to the Vice President. Andrea and I met with the NPR staff, and we'd like to propose to:

1) Prepare one page summaries of each agency's accomplishments, to release at the one year anniversary of the Presidential executive order (March 8th). Or would you prefer to have them for the State of the Union?

2) Hold a DPC meeting in January, possibly attended by the VP, so that selected agencies can share what's worked for them.

What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Deich (CN=Michael Deich/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:16-DEC-1997 11:10:50.00

SUBJECT: Re: HUD Increases for EDI/Community Empowerment Fund and Homeless Assistan

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

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

CC: Joslyn G. Mack (CN=Joslyn G. Mack/OU=OMB/O=EOP [OMB])
READ:UNKNOWN

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

CC: Patricia E. Romani (CN=Patricia E. Romani/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

TEXT:

I've spoken with Jon Orszag who agrees that it's appropriate to put in the ranges noted below rather than a point estimate.

FRANCIS S.
REDBURN
12/16/97 09:25:22 AM

Record Type: Record

To: Joshua Gotbaum/OMB/EOP, Barbara Chow/OMB/EOP
cc: See the distribution list at the bottom of this message
Subject: HUD Increases for EDI/Community Empowerment Fund and Homeless Assistance

Michael Deich asked me to confirm the following 1999 BA increases for HUD. They are shown as ranges because we are not yet settled on technicals:

1. For EDI/Community Empowerment Fund: \$300 to \$400 million.
- 2, For Homeless Assistance (including 32,000 housing vouchers earmarked for the homeless): an increase of \$259 million to \$327 million over 1998 level of \$823 million.

Message Copied

To: _____

Michael Deich/OMB/EOP
Alan B. Rhinesmith/OMB/EOP
Theodore Wartell/OMB/EOP
Patricia E. Romani/OMB/EOP
Janet Himler/OMB/EOP
Jill M. Pizzuto/OMB/EOP
Joslyn G. Mack/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:16-DEC-1997 14:15:29.00

SUBJECT: Central American WH mtg. -- TIME CHANGE

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

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

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

The time for the Thursday meeting re: implementation of Central American provisions of the recent immigration legislation has changed to 1:15pm in Rm211. I hope you can all make it. Please let me know if you can't.
Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:00:08.00

SUBJECT: DPC/NEC memo questions

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

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

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

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

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

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

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

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

CC: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP@EOP [OPD])
READ:UNKNOWN

TEXT:

On Technology: The NEC had been carrying \$150 m as late as last Saturday, a figure related to our mark of \$500 m for the Technology Literacy Challenge, the largest of the many current technology programs. The \$142 m is a new calculation based on the TLC being smaller, at \$475 m, but we have no decision to reduce TLC that way. Once we work out with Education and the NEC what the TLC and other technology programs numbers are, and what the actual program content of the Teachers in technology thing may be, this one will settle down. For now, use: "About \$150 million". [there are other items in the memo with ranges or estimates for the numbers, so this won't stick out.]

On Pell grants: We understand from an e-mail from Bob Shireman (NEC) that he wants to change policies, and this is what changes the amount available from the Pell re-estimate from \$220 m to \$184 m. We need to discuss the reasons for his desired policy change, and we will, but they ought not be assumed in the memo to the President at this time. I suggest language like:

"Re-estimates to the cost of Pell grants may make as much as \$220 million available for other purposes within our current totals, while still providing for the \$100 increase in the Pell maximum award. The additional funds could be used to modify other Pell grant policies, to augment the After School initiative, to increase Head Start, or for other education and training programs. We are working on options."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 17:34:43.00

SUBJECT: Community-Based Prosecutors and Justice

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

TEXT:
BR/EK:

The green eye shades at OMB called to make sure the new \$50 million "OMB Add On" in the budget was our community prosecutors/justice initiative, and that we would settle for that amount. I told them yes, and that I thought BR had actually suggested that funding level as a compromise.

Hope I'm right. Hope we got/get the money. Hope the crime rates keep coming down. Hope the Veep will appreciate what we're doing for him now on this issue.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:16-DEC-1997 20:13:46.00

SUBJECT: Haitians

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:

According to Peter Jacoby, he spoke with you this afternoon about tomorrow's NYT article re: Haitians and DED. I also was made aware of this late this afternoon. My understanding of the sequence of events is: Peter, John Morton (DOJ) and Scott spoke yesterday re: whether Holder would be attending the hearing in Miami. Morton said that Holder would not attend. Peter then suggested that Holder write a letter to Abraham, discussing the Department's recommendation re: DED. Abraham's office then indicated that they did not want a letter (b/c they did not want to get in on the internal debate within the Administration). Either late yesterday or this morning, DOJ decided that the AG should write a letter to the President recommending how he should do DED if he decided to do it. They thought of this as a vehicle for notifying people of the DOJ recommendation + where the Administration was leaning. I'm not sure when in all this it was decided that the Admin. was leaning toward DED (though maybe you and Peter discussed this earlier). Somehow, the NYT got a hold of the information about the AG's recommendation to do DED and decided to write a front page story that would include a discussion of the internal (both WH and DOJ) debate about which way to go.

Scott faxed me a revised copy of the letter from the AG to the President this afternoon around 5pm. The cover sheet referenced a conference call at 5:30. After not receiving a call, I called Scott at about 5:40, and heard all that had been going on.

The upshot of all of this is that the NYT is running an article in the morning stating that the President is considering (maybe even leaning towards) DED for the Guantanamo + long-time asylum seeking Haitians. According to Scott (who listened to the first five paragraphs over the phone), there is some discussion of internal stuff, but that it all sounded deliberative, not negative. Also, the DOJ is finalizing this "recommendation" letter from the AG to the President that speaks more generally of DED for long term asylum seekers and "parolees." This group would include both Guantanamo and a previously undisclosed 7000 "parolees" who came to this country illegally, were in proceedings, and then were taken out of proceedings and given an opportunity to apply for relief. The total number of Haitians in the class is about 41,000 (29,000 asylum seekers + 22,000 parolees - 10,000 overlap), though it is unclear how many would have actually been eligible for deportation within the next year (thus how many would be effected by a DED). Also, NSC is drafting a memo to the President recommending DED + is drafting some q & as.

I will be in Fairfax tomorrow until about 5pm at the Advisory Board meeting. I told Scott I would call mid-day to try to keep on top of this, and that he could page me if something comes up.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:32:58.00

SUBJECT: NEC Principals Meeting

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

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

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

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

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

TEXT:

The NEC is thinking about holding a principals meeting on Thursday afternoon. They want to know if we have anything to put on their agenda.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 12:45:54.00

SUBJECT: Adv Bd Mtg -- today at 1;30

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 12/16/97
12:45 PM -----

Ruby Shamir

12/16/97 09:09:41 AM

Record Type: Record

To: Richard Socarides/WHO/EOP

cc:

Subject: Adv Bd Mtg

----- Forwarded by Ruby Shamir/WHO/EOP on 12/16/97 09:07
AM -----

Ruby Shamir

12/15/97 05:13:05 PM

Record Type: Record

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

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

Subject: Adv Bd Mtg

Ann Lewis will have a meeting on Tuesday at 1:30pm to finalize message for the Advisory Board Meeting. Thanks.

Message Sent

To:

Richard Socarides/WHO/EOP

Amy W. Tobe/WHO/EOP

Michele Cavataio/PIR/EOP

Stacie Spector/WHO/EOP

Jennifer M. Palmieri/WHO/EOP

Minyon Moore/WHO/EOP

Julie A. Fernandes/OPD/EOP

Dario J. Gomez/WHO/EOP

Lynn G. Cutler/WHO/EOP

Jon P. Jennings/WHO/EOP

Robert B. Johnson/WHO/EOP
Jena V. Roscoe/WHO/EOP
Beverly J. Barnes/WHO/EOP

Message Copied

To:

Mona G. Mohib/WHO/EOP
Darby E. Stott/WHO/EOP
Lori L. Anderson/WHO/EOP
Angelique Pirozzi/WHO/EOP
Laura Emmett/WHO/EOP
Terri J. Tingen/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:46:06.00

SUBJECT: Re: Southwest Border

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

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

TEXT:

Who knows what EB and POTUS told McCaffrey, or what he heard. But that sounds fishy to me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:16-DEC-1997 10:34:46.00

SUBJECT: Central Americans WH meeting

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

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

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

On Thursday, December 18th at 11am, we will hold a meeting to finalize the WH position on implementation of the NACARA as applied to Salvadorans and Guatamalans. The meeting will be in Room 211. Please let me know if you can't make it. Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 18:16:23.00

SUBJECT: OMB Child Support Options

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: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

TEXT:

OMB has sent to HHS for comment three child support options, saying "a decision has been made to include the following items on a list of potential proposals for the FY 1999 budget."

All the options would convert child support enforcement funding into a block grant and require states to impose a \$25 collection fee on non-custodial parents from non-welfare families (states could pass legislation to reduce or increase this fee).
Converting funding to a block grant may discourage state spending to collect support for families, since states will have to pay 100% of any "extra" costs. The fee collection position is a reversal for the Administration, which has apparently opposed such fees in the past, and would likely to be opposed by women's and other advocacy groups (who believe that since so many non-custodial parents don't pay the full amount owed, families will end up with \$25 less per month in child support, since the fee will be deducted from the less-than-full-amount paid).
The options would also let states keep all the collections from welfare families and, as in current law, would distribute incentive funds based on performance.

Three Specific Options: Within this framework, OMB has proposed three options:

Option #1 would set the block grant at a level to save about \$300 million, the amount that states would collect through the new \$25 fees. In other words, since states would collect \$300 million in fees, the federal government would reduce its contribution to the states by \$300 million.

Option #2 would set the block grant at a level to save about \$1.8 billion.

Option #3 would set the block grant at a level to save about \$3.0 billion.

Current Structure: Currently, the federal government pays 66 percent of general child support costs incurred by the states. States must provide the federal government with a share of child support collections from non-custodial parents of welfare families (to recoup the costs of welfare payments made to those families). The federal government also pays states incentive payments based on performance. Overall, the federal government loses money on child support enforcement and the state governments gain money.

Block Grant Proposal: Raines's proposal would provide states with a block grant for operating expenses and require them to maintain their current spending in exchange for being able to keep all the collections from welfare families. In addition, the feds would distribute incentive funds based on performance. The block grant amount could be set so that overall, the federal government saves money compared to current spending (OMB has drafted two versions, one which saves \$1.8 billion, and the other which saves almost \$3.0 billion, although a revenue neutral proposal could be structured). OMB envisions that while this option would provide states with less money to collect child support, they could easily make up the difference by add a fee to the child support collected from non-custodial parents of non-welfare families.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001.	Thomas Freedman to Elena Kagan re: EEOC Process reforms (partial) (1 page)	12/16/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[12/16/1997 - 12/17/1997]

2009-1006-F

eh195

RESTRICTION CODES

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

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

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]

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]

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.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:12:58.00

SUBJECT: Re: EEOC process reforms

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:

I've talked to Danny Werfel and Susan Carr who are handling this at OMB to suggest this may need to be on a fast track for mid-January. Danny says that is achievable. EEOC voted to approve sending over the regs Monday, Ellen Vargyas says they will be sent over this week. EEOC will be coming in to brief OMB the beginning of January. Agencies are sending in their criticisms already.

[redacted] P6/(b)(6)

[redacted] P6/(b)(6) Ellen suggests that Sally Katzen will be the ultimate person to deal with on this. I'll call her unless you want to.

[001]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 22:37:13.00

SUBJECT: John Hope Franklin ltr

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:
Elena,

I am faxing a letter (from John Hope Franklin to the President) to you at 6-2878 tonight. In the letter Franklin makes recommendations to the President (p.2) regarding civil rights enforcement and data collection. The Race Initiative intends to make this letter public at tomorrow's (Wednesday's) advisory board meeting, and Sylvia wanted you to look at what Franklin proposes to be sure that you are okay with it. (By this, I think she means that we can be responsive to his concerns, even if we can't do exactly what he suggests). Please call me (6-1984) or send a note indicating whether you have any concerns about making this letter public, or anything contained within the substance of the letter.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 18:51:27.00

SUBJECT: Senior Staff Coverage/Leave for the holidays

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Please let me know asap your holiday information so I can notify the Chief of Staff office. Thanks!

----- Forwarded by Laura Emmett/WHO/EOP on 12/16/97 06:51 PM -----

Dominique L. Cano

12/16/97 06:35:21 PM

Record Type: Record

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

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

Subject: Senior Staff Coverage/Leave for the holidays

I will be collecting information on senior staff office coverage for the upcoming holidays: December 22 - January 2. The Chief of Staff has requested a complete list of senior staff (Assistants to the President and Deputy Assistants to the President only) who will be working, as well as the names of those senior staff on call and how they may be reached during the holidays.

Please submit your names to me as soon as possible. We will be submitting this information to the Chief of Staff on Friday afternoon.

Also, please remind any staff members who plan to take time off for the holidays that they are required to take annual leave for those days that are not federal holidays.

Remember to provide the WHCA Signal Switchboard with information on how senior staff may be contacted during the holidays.

Thank you.

Message Sent

To:

Lori L. Anderson/WHO/EOP
Carolyn E. Cleveland/WHO/EOP
Cynthia M. Jasso-Rotunno/WHO/EOP
Ruby Shamir/WHO/EOP
Kevin S. Moran/WHO/EOP
Mary Morrison/WHO/EOP
Stacey L. Rubin/WHO/EOP
Lisa J. Levin/WHO/EOP
Lisa M. Williams/WHO/EOP
Marjorie Tarmey/WHO/EOP
Laura Emmett/WHO/EOP
Gay L. Joshlyn/OPD/EOP
Patricia A. McHugh/WHO/EOP
Virginia N. Rustique/WHO/EOP
Edward F. Hughes/WHO/EOP
Suzanne Dale/WHO/EOP
Betty W. Currie/WHO/EOP
Miriam H. Vogel/WHO/EOP
Demond T. Martin/WHO/EOP
Carole A. Parmelee/WHO/EOP
Jason S. Goldberg/WHO/EOP
Ana M. Duque/WHO/EOP
Huma M. Abedin/WHO/EOP
Scott R. Hynes/OVP @ OVP
CEARLEY_V @ A1 @ CD @ LNGTWY

Message Copied

To:

Virginia Apuzzo/WHO/EOP
Ashley L. Raines/OA/EOP
Kelli R. McClure/WHO/EOP
Michael D. Malone/WHO/EOP
Brooks E. Scoville/WHO/EOP
Douglas Matties/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:16-DEC-1997 20:26:00.00

SUBJECT: Tomorrow's Board meeting

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:

Sylvia and Rahm are reviewing a letter from Dr. Franklin to the President that the PIR wanted to release tomorrow. In the letter, Franklin recommends three policy items: (1) more money for enforcement in the FY99 budget, with a focus on creating partnerships with States and localities; (2) more money for data collection; and (3) implementing the initiatives announced at the Hate Crimes Conference. They are in contact with Lin Liu at the Race Initiative, and will let her know whether this is o.k. I am faxing you the letter.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 11:16:19.00

SUBJECT: EEOC vetting

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:

Maria spoke with Wade H. She said he sounded fine, although he would like to see where the \$'s are allocated and is interested in non-monetary problems like EEOC structure. She still thinks sitting down early next year and confidentially sharing our plans makes sense.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-DEC-1997 10:01:53.00

SUBJECT: Southwest Border

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

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

CC: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:
BR/EK:

FYI -- General McCaffrey has scheduled a Southwest Border meeting w/ the whole spectrum of military and enforcement types for 2pm in his office. While we're not invited, DOJ and Treasury called to ask me about his claim that the President and Erskine have tasked him to get his border review effort up and running. The AG and Ray Kelly will be there. So too will reps from FBI, DEA, INS, DOD, Customs, and others. I don't think any WH types were invited.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 17:51:53.00

SUBJECT: Hill Meetings

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

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

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

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

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

TEXT:

I've just learned from Mary Bourdette that OMB has been meeting with hill staff on child care. I'm concerned that we should be having only one set of Administration-hill meetings (as we have all planned). Janet, can you see what's going on? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes (CN=Julie A. Fernandes/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:17-DEC-1997 18:53:13.00

SUBJECT: Central American Mtg. -- NEW DAY AND TIME

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

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

The meeting re: implementation of the Central American provisions of the new immigration law will be on Friday, December 19th at 10am. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 18:48:49.00

SUBJECT: Summary of Meeting with Women Leaders on Child Care Initiative

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

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

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

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

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

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

CC: Audrey T. Haynes (CN=Audrey T. Haynes/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

The following is a brief summary of our meeting with women leaders on the Child Care Initiative (CCI). Present at the meeting were 20 leaders from women's, religious, and children's organizations. The groups presented three major goals for the CCI:

1. Enhancing quality so that all children receive educationally sound, nurturing and safe care.
2. Expanding access to high quality, affordable early childhood programs for working parents.
3. Improving training and pay, so that providers are well qualified and financially able to pursue and remain in the child care profession.

A number of shared recommendations were voiced by participants including:

1. CCI must be a priority initiative with sufficient funding and resources attached to ensure it's success.
2. CCI must be supported by a budget commitment of at least 20 billion.
3. A mandatory funding stream and a mechanism that directs funding for improving safety, quality and affordability is required.
4. The link between the Welfare to Work and the CCI is critical because sustaining success at work depends on the availability of safe, quality and affordable child care for working poor parents.
5. Improve family friendly workplace policies like expanding Family and Medical Leave to cover workers of mid-size companies and employees who have not worked long enough with one employer to be eligible, and finding mechanisms for insurance type funding of paid family leave should be part of the CCI.
6. Increase funding for the Child Care and Development Block Grant so that states can serve low income families.
7. Improve the Dependent Care Tax Credit by making it refundable, adjusting the sliding fee scale to serve the neediest parents, and increasing the claim amount to reflect the real cost of care.
8. Strengthen the child care infrastructure which includes strong licensing standards and enforcement, training, resource and referral and adequate compensation for child care staff. Key infrastructure strategies suggestions include: sufficient staff to monitor and inspect programs, scholarships for caregivers pursuing a early childhood education degree, increased reimbursement for programs meeting high quality standards, and improved compensation and benefits to attract and retain qualified staff.
9. Provide tax credit for businesses who increase and improve child care opportunities for workers and communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 19:32:26.00

SUBJECT: Final Report from IWG on Native Americans

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

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

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

TEXT:

In her recent letter to the President, Angela Oh suggested that we create something along the lines of an Indian Affairs Council, which is something that Pres. Johnson created. The President noted that he thought we should pursue this idea. In so doing, I have come to learn that by an Executive Order in 1994 an IWG on Native Americans and Native Alaskans was created, and that you all are currently reviewing the final draft of a report to Erskine or the President that summarizes the relevant activities of the agencies vis-a-vis the tribal nations.

In order to be responsive to Oh's suggestion and the President's interest, Sylvia asked me to find out what the status of your review is. My sense is that she is interested in seeing it completed as soon as practicable so that we may respond to Angela.

Do I understand everything correctly? Can you give me an update on where we are? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrea Kane (CN=Andrea Kane/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:17-DEC-1997 16:53:36.00

SUBJECT: Blair visit

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

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

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

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

TEXT:

Just had a lengthy and enlightening conversation with Cecilia Calvo at W2W Partnership. She is a wealth of information about what's going on in U.K. re: welfare reform, having recently led a group of high level British officials on a tour to NY, Washington, St Louis and Milwaukee and spending several weeks in Britain learning about what they are doing. She says that the most immediate focus is a 'New Deal' for 18-24 year olds, starting in 12 pilot sites in January and going national in April. The program targets unemployed youth who will be called in once they have received assistance for 6 months. They will come into a job center, meet with a 'New Deal' advisor, get an assessment, and if determined job ready, go to work. If not, they will go through 12 weeks of Strive-like job readiness, including assessment for substance abuse and learning disabilities, then go to one of four steps: unsubsidized job, long-term training, voluntary sector (sort of like work experience), or work in the environmental sector. This is largely a male population, not single parents.

Given this focus, we may want to reconsider some of the site visit options, or at least ask people in the four states if they have suggestions for programs focusing on a similar population. Cecilia is sending me some info about some Americorps/welfare reform partnerships in Florida and NY. She said her visit to YouthBuild in St Louis was also good. At the same time, she says Blair et al remain very interested in how to operate effective job centers and private sector involvement. Seems to me the question is to what extent we want to highlight the youth issue, since the population the Brits are targeting is not really a primary focus of our welfare reform initiatives. Do you have any thoughts on this?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 21:03:07.00

SUBJECT: State of the Union and AmeriCorps

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:

I feel like we ought to have AmeriCorps in the State of the Union but not sure yet what to propose we say beyond the boring "Congress should reauthorize AmeriCorps/It's a priority for me." I'll try to get more constructive.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 13:25:21.00

SUBJECT:

TO: SARAH (Pager) #BIANCHI (SARAH (Pager) #BIANCHI [UNKNOWN])
READ:UNKNOWN

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

TEXT:

FYI -- chris j cannot make the 2pm AIDS meeting in Erskine's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME:17-DEC-1997 16:05:10.00

SUBJECT: Food Safety

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

READ:UNKNOWN

TEXT:

Elena: Heard there was a DPC food safety meeting tomorrow at 6:00 pm with OIRA, NPR, FDA, FSIS, etc. What's up? Cliff

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 18:57:55.00

SUBJECT: Food Safety Meeting

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:

FYI. We're getting a lot of calls from folks at HHS/USDA asking about the topic of the food safety meeting tomorrow.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 15:03:18.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Has there been any progress on single-sex schools? Just let me know if there is anything new. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 12:24:03.00

SUBJECT: haitians

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

TEXT:

I would really liked to have known about the deportation exemption for Haitians before reading it in the NY Times. As you know, this is a Florida issue, and the Governor deserved a heads-up on this. His Chief of Staff was not very happy with me this morning. And I am a little concerned that he will find out that the groups knew and he did not. Chiles supports the action (he is on the record for the Meeks bill), but wants more info. I assume we would all agree that his public support of our action is helpful. Is there something I can send him? If not, Elena, can you call me and talk me through the policy? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 20:53:33.00

SUBJECT: Groundhog Day

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

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

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

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

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

TEXT:

Gen. Powell will press the President and the other principals to participate in something called "Groundhog Job Shadow Day" on February 2. This is a partnership between our very own School to Work Office, America's Promise, Junior Achievement, and others. The idea is to get as many people as possible across the country to agree to have a youth shadow them at work that day, to learn about the world of work. Powell is doing it; he talked Tom Brokaw into doing it; some federal agencies have climbed on board to some extent (Transportation, Justice, and Education to date). I don't know how big it will be and I'm checking with Jen Palmieri to see if it's out of the question schedule-wise. (I think the budget is released that day....) It's a cute idea, maybe too cute, but it might catch on. Ray Chambers asked me today if the President will participate, so I think they will press hard on it. Any reaction one way or the other?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME:17-DEC-1997 15:45:03.00

SUBJECT: Meeting with Foundation Executives Thursday, December 18, 1997 1-4pm
Roosevelt Room

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

TO: Peter Rundlet (CN=Peter Rundlet/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: Maria Echaveste (CN=Maria Echaveste/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: Roberta W. Greene (CN=Roberta W. Greene/OU=WHO/O=EOP @ EOP [WHO])
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

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

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

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

TEXT:

Attached is an agenda and a list of Foundation executives who will be meeting with White House and PIR staff to discuss how we can work together. These Foundations have funded new and innovative race relations initiatives nationwide, particularly in the area of national conversations around race and the identification of leaders in various sectors who have developed promising practices.

The suggested agenda will guide the discussion. Please let me know if you have questions.

We will inform Foundation representatives that some individuals are unable to stay throughout the duration of the meeting. Thanks. Audrey Hutchinson

**Joint Meeting - President's Initiative on Race
and Multi-Foundation Funders
Thursday, December 18, 1997
1:00 pm, Roosevelt Room**

AGENDA

1. Introductions

(foundation representatives and Initiative staff describe framework of mutual interest)

2. Update from the President's Initiative: recent developments

In particular, how is the President's Initiative defining its mission and its projected actions and outcomes?

3. Explore possible links between foundation activities and Initiative work. In the areas of public policy, conversation around race, and promising practices, we might discuss the following questions:

- What is being done?
- How do we measure success?
- How do we make the connection between dialogue and promising practices?
- What else needs to be done?
- How do we develop a large pool of promising practices to highlight in this next year?
- How do we create a process to identify, evaluate, and replicate the strongest promising practices?
- How can the foundations and the Initiative work together to highlight the work being undertaken this year?

4. Leadership

What can foundations do to effectively support leadership around race in communities? How could we further support our grantees?

5. Research

What type of research do the foundations currently support and what are the plans for the future?

6. Next steps

What can foundations do to advance the work after this year?

**Joint Meeting - President's Initiative on Race
and Multi - Foundation Funders
December 18, 1997**

Foundation Attendees

Ms. Angela Blackwell
Senior Vice President
The Rockefeller Foundation

Ms. Dayna Cunningham
Assistant to the Senior Vice President
The Rockefeller Foundation

Mr. Jon Funabiki
Program Officer, Media, Arts, and Culture
The Ford Foundation

Ms. Denise Gray-Felder
Director of Communications
The Rockefeller Foundation

Mr. Alan Jenkins
Program Officer, Human Rights and International Cooperation
The Ford Foundation

Mr. Ceasar McDowell
President, Civil Rights Project
Blackside Productions

Mr. Craig McGarvey
Program Director
James L. Irvine Foundation

Ms. Marcia Smith
Program Officer, Governance and Civil Society
The Ford Foundation

Mr. Robert Sherman
Program Officer, Effective Citizenry
The Surdna Foundation

Mr. Niles Runningwater
Program Assistant, Media, Arts, and Culture
The Ford Foundation

Ms. Lori Villarosa
Associate Program Officer
C.S. Mott Foundation

SUBJECT: CREATING A SINGLE FOOD SAFETY AGENCY

The current food safety system is criticized for its fragmentation, lack of coordination, inconsistencies in inspection coverage, non-uniform enforcement authorities, and inefficient distribution of resources. A single agency that combined the food safety programs of USDA, HHS/FDA, and the seafood inspection activities of the Department of Commerce could address these concerns. A single food safety agency would:

- Eliminate many unnecessary activities, such as overlapping research and duplicate inspection of establishments that produce products regulated by different agencies;
- Improve the coordination of Federal responses to foodborne illness outbreaks by eliminating gaps in regulatory coverage, avoiding conflicting actions, and ensuring a comprehensive Federal response; and
- Allow for better allocation of scarce Federal food safety resources based on the risk that different commodities pose to public health (e.g., over twice as much is spent on meat and poultry inspection as on inspection for all other foods), and better responses to changing consumption patterns and emerging food safety issues.

This single food safety agency could be either: (1) a new, stand-alone food safety agency, or (2) under the auspices of an existing department. Given the need for this agency to have a clear public health mission, if placed in an existing department, HHS would be the most appropriate home. USDA's mission is broader than HHS' and encompasses an industry promotion responsibility, which could conflict with a food safety agency's regulatory responsibilities.

Option 1: Create a new stand-alone agency

- Would highlight food safety issues; food safety issues would be the agency's top priority.
- Would limit interest group opposition. The meat and poultry industry, and therefore the Agriculture Committees, strongly oppose moving food safety activities into HHS because they fear this might result in undesirable changes or rapid streamlining of the inspection system and because they believe USDA is better positioned to take a "farm-to-table" approach to food safety. (Note: USDA and FDA share the same appropriations subcommittee.)
- Would limit Federal agency opposition. USDA opposed a proposal included in the first National Performance Review (NPR) report to consolidate the food safety functions within FDA; HHS would likely oppose a similar consolidation of food safety activities within USDA.
- Is consistent with a recent legislative proposal of Senators Durbin and Torricelli and Representatives Fazio and Pallone.

Option 2: Consolidate food safety programs within HHS

- May appear to reduce the Federal bureaucracy rather than enlarge it.
- May allow for better coordination and the leveraging of resources among all agencies with public health mandates.
- Would have direct cabinet access through the HHS Secretary.
- Is consistent with the 1993 NPR proposal to form a single food safety agency.
- May have lower administrative costs than creating a new, independent agency because it would be able to share the overhead resources of HHS.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 22:29:09.00

SUBJECT: Disability executive order

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

READ:UNKNOWN

TEXT:

I think we are finally getting close on this, since OMB may actually include a budget of a couple million dollars for the task force it sets up. The appointees with disabilities are now mounting a letter-writing campaign to Raines, but I'm not sure it's even necessary -- Larry Matlack says he thinks it will happen.

(The next problem will be the expectation on the part of the appointees that this should be in the State of the Union. I am assuming that will be virtually impossible, but maybe I'm thinking too small.... Anyway, they will take it as an affront that even when they have a big issue, they're not on the radar screen.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Todd A. Summers (CN=Todd A. Summers/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:17-DEC-1997 12:49:11.00

SUBJECT:

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:

Sean Maloney wrote Sandy asking about a response to a letter from Bob Fogel, a Chicago lawyer who is on the President's AIDS Council. You had sent us a copy of the letter, and I had sent back a draft response. Did you get it? Did a letter go out to him?

Thanks!

Todd

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Sally Katzen to Elena Kagan re: Invite (1 page)	12/17/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[12/16/1997 - 12/17/1997]

2009-1006-F
ch195

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: Todd A. Summers (CN=Todd A. Summers/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:17-DEC-1997 16:26:00.00

SUBJECT: Draft Letter from POTUS to Robert Fogel on Needle Exchange

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

READ:UNKNOWN

TEXT:

Elena -

Here's the text of the draft letter to Bob Fogel we sent up earlier, in case you need it. We're getting pushed to get out the response this week, so I would appreciate it if you'd clear it soon. Heard the meeting with EB went ok.

Thanks,

Todd

=====

October 31, 1997

Robert Fogel
Hilfman and Fogel
33 North Dearborn Street, Suite 1700
Chicago, IL 60602

Dear Mr. Fogel:

Thank you for your recent letter outlining your concerns regarding the Administration's progress in addressing the AIDS epidemic.

I, too, take the concerns you have raised quite seriously. The rising incidence of HIV infection among those who use illegal intravenous drugs, their partners, and their children is a major factor in the continued growth of the AIDS epidemic. However, this nation is staggering under an epidemic of drug addiction which also must be addressed with rigor and resolve.

Let me assure you that we will continue to support retention of Secretary Shalala's current authority to rescind the current restriction on the use of federal funding for needle exchange programs. This is an important issue that should be resolved by public health experts and scientists and not subjected to political manipulation.

I appreciate the passion which you and other members of the Presidential Advisory Council on HIV/AIDS bring to the debate. My commitment to ending this epidemic, as well as responding to the needs of those already living with HIV and AIDS, still remains firm. The AIDS epidemic must be stopped, and I will take all measures within my authority to achieve that end.

Sincerely,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 15:06:30.00

SUBJECT: Principals' Meeting on Food Safety at USDA

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

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

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

TEXT:

I attended the principals' meeting on Food Safety at USDA today. There were three basic topics: (1) reports from public meetings; (2) timing of the report to the President; and (3) meeting on the Hill scheduled for Monday.

1. Reports from public meetings. The comments in the 6 public meetings with the growers and the state health departments were pretty favorable. In fact, it was emphasized that not one of the growers was opposed to the development of the guidance in general. The comments were just that the timing seemed like it was happening very quickly; that the growers hoped that they could actively participate and that it would be a bottom-up process rather than a top-down process; and that, to the extent that we develop product-specific guidance, that they want to contribute to this process. It seems that the concern regarding the product-specific guidance is addressed adequately, at this initial stage in the process, in the draft report.

On the international front, there was a public meeting in Washington that staff of many of the embassies attended. The international community seems fine with it as well, but, again, they would like to participate and would like to conduct more research.

One other item that growers asked about was the President's position on country of origin labeling.

2. Report to the President. The report on the progress of the development of the Good Agricultural Practices (GAPs) and Good Manufacturing Practices (GMPs) is due to the President on January 2, 1997. I am sending you an outline of the report as well as a draft to the report. It looks like HHS, FDA, and USDA are on track to get this to the White House by January 2, 1997. However, there were some rumblings that because of holidays, etc., they might not be able to send over the final draft until January 3 or 4. I emphasized that they should keep on track for the January 2, and that is the plan now. The timing could be emphasized again in the Food Safety meeting you have scheduled for tomorrow at 5 p.m.

3. Hill Briefing. Some Senate staff want a briefing on the entire food safety initiative, including the legislation and the guidance. This meeting is scheduled for Monday, December 22 at 1 p.m. HHS, USDA, and FDA are sending people to the meeting.

Thanks, Mary,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nelson Reyneri (CN=Nelson Reyneri/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-DEC-1997 08:57:42.00

SUBJECT: FYI -- From today's Washington Post

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

TEXT:

----- Forwarded by Nelson Reyneri/WHO/EOP on 12/17/97
 08:57 AM -----

Joanne Cianci
 12/17/97 08:52:07 AM
 Record Type: Record

To: See the distribution list at the bottom of this message
 cc:
 Subject: FYI -- From today's Washington Post

As Children Are Cut From

Disability Rolls, New System Is
 Challenged

By Barbara Vobejda
 Washington Post Staff Writer
 Wednesday, December 17, 1997; Page A14

Massachusetts,
 high school
 family should keep
 federal

Marion Cooper, a state disability officer in
 recently pored over the file of a 15-year-old
 sophomore, trying to determine if the boy's
 receiving a monthly disability check from the
 government.

and gets
 around 80, and he
 on his
 hard for him to
 about

The teenager plays on his school basketball team
 along with his classmates. But his IQ is low,
 has problems expressing himself and concentrating
 reading and writing assignments. That makes it
 finish his homework, said Cooper, who could speak

their names.

years ago, he
his IQ and
assistance. But now,
qualifies.

bit, his
is the
problems are
that means his

low-income,
recently lost
that sends a
for a child's
allow parents to

1996 welfare
weeks, with
the country to
unfairly denied

lines to
of Congress
subject next

the law itself is
they also contend
have botched
denied

children she reviews only if she did not reveal

When the boy's family applied for benefits six
was also disruptive in class. That, combined with
learning difficulties, made him eligible for
Cooper has determined, the boy no longer

Other than his behavior, which has improved a
problems are largely unchanged. What has changed
definition of what it means to be disabled: His
classified as "moderate" under a new law, and
benefits are being cut off.

The teenager is one of more than 135,000
disabled children across the country who have
Supplemental Security Income, a federal program
monthly check averaging \$436 to help families pay
medical expenses, equipment or therapy, or to
stay home and care for their children.

But the process, stemming from enactment of the
law, has triggered a major controversy in recent
thousands of pro bono lawyers mobilizing across
help families argue that their children are being
assistance.

Advocacy groups have established toll-free phone
connect families with legal aid and some members
are gearing up for a new round of hearings on the
year.

Not only do critics of the SSI cuts argue that
taking aid away from families who deserve it,
that the federal government and state agencies
implementation of the measure. Children are being

of their cases,
from

disabled children
appeal and
Stein, a leading
Philadelphia.

discrepancies
Texas, for
more than
one-fifth of
District, California
the children were

new law is being
they argue,
can translate into a
on the check.

substantial
questioned
the check as
not suffer

that the SSI
300,000
last year, with an
followed a 1990
of eligible

assistance based on hurried, inadequate reviews
advocates argue, and many are being discouraged
appealing if their benefits are denied.

"Tens of thousands of families with seriously
have been denied due process and a fair chance to
overturn very wrong decisions," said Jonathan
advocate with Community Legal Services in .

As evidence of the problem, advocates point to
among state agencies deciding the cases. In
example, when officials reviewed the cases of
11,000 children, they decided that all but about
them should lose their benefits. But in the
and a few other states, three-fifths or more of
allowed to keep their aid.

Those numbers, say the critics, prove that the
arbitrarily enforced. And the stakes are high,
because the decisions of these state officials
devastating loss of income for families who rely

But precisely because the program does involve
money, many conservatives in Congress have
whether families in some cases have come to view
a steady source of income when their children do
from major disabilities.

The issue arose several years ago amid concern
program for children was growing rapidly, from
children in the early 1990s to about 1 million
annual price tag of \$5 billion. That growth had
Supreme Court decision expanding the definition
disabilities.

eligibility last
billion through

Phoenix girl,
Sherry Howard.
and is still
physical and cognitive

notified that
she said. She
a private
child. Working part
she is caring
therapy, special

income and to buy
weight.

trained?" Howard said.
equipment at

appeal the
She telephoned
only to have it
filled it out
to take her
where she was
location 28 miles

cutoff rates

In response to that concern, Congress tightened
year, a move that was estimated to save \$8
2002.

Among those who lost assistance is a 4-year-old
Sarah Jean, who is being raised by her aunt,
Sarah weighs just 29 pounds, has trouble speaking
not toilet trained, all the result of multiple
problems she has suffered since birth.

When Howard, a 42-year-old single mother, was
Sarah's benefits were ending, "I was in a panic,"
said she earns \$800 a month working part time as
health aide, taking care of another disabled
time allows her to ferry Sarah and another niece
for, who also has developmental problems, to
schools and medical appointments.

She uses the federal aid to replace her lost
diapers and food supplements to help Sarah gain

"If she's so normal, why isn't she potty
"Why doesn't she ride a tricycle or play on
school?"

Howard said she has tried to follow the steps to
decision but has run into all sorts of obstacles.
for instructions on how to fill out one form,
returned in the mail with a note that she had
incorrectly. She loaded the children in the car
appeal papers to one Social Security office,
told she needed to deliver them to another
away.

Stories like Howard's and the discrepancies in
among the states prompted newly appointed Social

Security

bottom"

implemented. That report

decisions are

identified," he

need to

questions, but the

physical,

to warrant

disruptive their

Clinton

cause "marked

eligible for SSI.

behavioral and

some who are

or "less

must be more

said Cooper.

who see lots of

conflicting evidence.

the files of a

often shows

Commissioner Kenneth S. Apfel to order a "top to

review of the law and how it is being

is scheduled for release in the coming days.

Apfel said in an interview that generally, most

being made fairly. "Some problems have been

said. "Where problems are documented and changes

be made, we will make them."

Apfel's report may address some immediate

broader issue is more complex: When are a child's

mental and emotional disabilities severe enough

federal aid? How low must their IQs be? How

behavior?

Under the interpretation of the law issued by the

administration, only children whose problems

and severe functional limitations" are now

That means many children suffering from

attention problems or learning disabilities, and

mentally retarded, are losing their benefits.

The 15-year-old boy reviewed by Marion Cooper, for example, has several problems deemed "moderate"

than marked." But under the new standard, they

severe.

"The most I could squeeze out of this kid was a 'less-than-marked' " problem with learning and a " 'less-than-marked' " problem with concentration,

Such decisions can be trying for state officials,

borderline cases and must sort through

Cooper ran into that problem when she reviewed

15-year-old girl who, according to her mother,

bizarre behavior, hears voices and suffers from

traumatic

"almost glowing"

and got along

another

therapist reported

disorder and

Cooper allowed the

now, she said, "I

nightmares. But the girl's teacher sent in an report, saying the girl was doing well in school well with other students, Cooper said.

Confused by the contradictions, Cooper sent for report, this one from the girl's therapist. The that the girl had been diagnosed with a psychotic was on medication to control it.

That, Cooper said, "sent it over the edge." girl to continue receiving benefits. But even wonder if that was the right thing to do."

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Message Sent

To:

Keith J. Fontenot/OMB/EOP

Diana Fortuna/OPD/EOP

Richard E. Green/OMB/EOP

Laura Oliven Silberfarb/OMB/EOP

Nelson Reyneri/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 11:48:54.00

SUBJECT: Videos and event scheduling

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

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

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

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

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

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

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

TO: Thomas L. Freedman (CN=Thomas L. Freedman/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

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

TO: Essence P. Washington (CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

TO: 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: WEINSTEIN_P (WEINSTEIN_P @ A1 @ CD @ LNGTWY [UNKNOWN]) (OPD)

READ:UNKNOWN

TEXT:

Please let me know by COB today if you would like to submit any requests for Presidential videos to be taped during the month of January.

Also, there will be a short term scheduling meeting tomorrow at 4pm. Please let me know if there are any events we are ready to propose. Keep in mind that January 8 and 9 the President will be in New York and McAllen, Texas and there are openings for message events in each city. Any ideas?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-DEC-1997 07:06:30.00

SUBJECT: NC5640: Message from Evan Wolfson re: Hawaii marriage

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

READ:UNKNOWN

TEXT:

Who from Council's office do we need to include in our4 little marriage loop?

----- Forwarded by Richard Socarides/WHO/EOP on 12/17/97
07:05 AM -----

rwockner @ netcom.com
12/16/97 10:42:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: NC5640: Message from Evan Wolfson re: Hawaii marriage

From: EWLLDEF@AOL.COM

(Evan Wolfson, Lambda Legal Defense and Education Fund)

Hi, all --

I wanted to thank many of you for your help in getting a huge surge of prominent individuals to endorse the Marriage Resolution in the past few months. And I hope to jog you into one more push to get more signatures (and discussion) in the next ten days or so, before the holidays shut everything down for the rest of the year.

A select list of Marriage Resolution signatories so far is attached. Hard copies are available for circulation to others, as many as you can!

The National Freedom to Marry Coalition has designated this coming February 12 National Freedom to Marry Day, tapping into Valentine's Day and Lincoln's Birthday to send a message to the non-gay public about our fight for love and equality, the freedom to marry.

The plan is to use the weeks between now and then to collect as many signatories, engender as much public discussion, and shape public opinion as much as possible, building to that day (and D-Day, when we get the decision from the Hawaii Supreme Court). We hope to see activity on National Freedom to Marry Day in many communities across the country... and the outreach and organizing work building to that day in all fifty states.

Hope we can count on your help each week between now and then. If you are not sure just how to help, give me a buzz!

Thanks!

Evan Wolfson
Director, The Marriage Project
Lambda Legal Defense & Education Fund
120 Wall Street, Suite 1500 New York, NY 10005
212-809-8585 ext.205
212-809-0055-fax
E-mail: ewlldef@aol.com

Assistant (Brian Jacobson):
212-809-8585 ext. 228
E-mail: lldefmarry@aol.com

Websites: <http://www.freedomtomarry.org>, <http://www.lambdalegal.org>

National Freedom to Marry Coalition
Select Signatories of The Marriage Resolution December 15, 1997

Select Individuals

Coretta Scott King
Gillian Anderson
Bea Arthur
Beck
Randy Becker & Shae D'lyn
Kathleen Chalfant
David Crosby
Ted Danson & Mary Steenburgen
Ellen DeGeneres & Anne Heche
Lea Delaria
Laura Dern
David Duchovny
Nora Ephron
Melissa Etheridge & Julie Cypher
Mike Farrell
Harvey Fierstein
Whoopi Goldberg
Helen Hunt
Werner Klemperer
Hon. Sheila James Kuehl
Lucy Lawless
Norman Lear
John Leguizamo
Dr. Simon LeVay
Judith Light
Luscious Jackson
Jed Mattes
Hon. Carole Migden
Eleanor Mondale
Terrence McNally
Kathy Najimy
Dave Pallone
Nick Pileggi
Bonnie Raitt
Anthony Rapp
Paul Reiser
The Cast of Rent
Bishop Walter Righter

Chita Rivera
Charlotte Sheedy
Rt. Rev. John Shelby Spong
Bob Smith
Gloria Steinem
Marlo Thomas & Phil Donahue
Lily Tomlin

Select Religious Organizations

American Friends Service Committee (Quakers)
American Humanist Association
California Council of Churches
Central Conference of American Rabbis
Dignity/USA
Ecumenical Catholic Church
Federation of Reconstructionist Congregations & Havurot
Friends for Lesbian & Gay Concerns (Quakers)
Lazarus Project, Mission of the Presbyterian Church
National Council of Jewish Women
Union of American Hebrew Congregations
Unitarian Universalist Association
Universal Fellowship of Metropolitan Community Churches
Women's Rabbinic Network, Reform Women Rabbis

Select Civil Rights Organizations & Others

Albuquerque Center for Law & Justice
American Civil Liberties Union
American Ethical Union
American Family Therapy Academy
American Latin Alliance
And Justice For All
Atlantic Records
Bar Association of the City of NY
Bar Association of San Francisco
Broadway Cares/Equity Fights AIDS
Gay Asian Pacific Alliance
Gay & Lesbian Latinos United
Gay & Lesbian Alliance Against Defamation
Gay & Lesbian Medical Association
Gay & Lesbian Parents Coalition International
Gay, Lesbian & Straight Education Network
Gay Men of African Descent
Hetrick-Martin Institute
Human Rights Campaign
Ithaca, NY
Japanese-American Bar Association
Japanese-American Citizens League
LEAGUE/AT&T
Lesbian & Gay Immigration Rights Task Force
Men of All Colors Together
National Adoption Information Clearinghouse
National Association for Women in Education
National Association of Social Workers
National Black Lesbian & Gay Leadership Forum
National Center for Lesbian Rights
National Gay & Lesbian Task Force
National Latino/a Lesbian & Gay Organization
National Organization for Women

Parents, Families & Friends of Lesbians & Gays
 People for the American Way
 POZ Magazine
 Rutgers School of Law, Newark Urban Legal Clinic
 Socialist Party USA
 Southern Center for Law & Justice
 United States Student Association
 UCLA Department of Social Welfare
 West Hollywood, CA
 Women's Legal Defense Fund

... and many others, state, local, and national

THE MARRIAGE RESOLUTION

Because marriage is a basic human right and an individual personal choice,

RESOLVED, the State should not interfere with same-gender couples who choose to marry and share fully and equally in the rights, responsibilities, and commitment of civil marriage.

I/We support the above Resolution. Please feel free to include me/us as a voice in educating the public:

NAME(S): _____

SIGNATURE(S): _____

AFFILIATION: _____

ADDRESS: _____

CITY/STATE/ZIP: _____

PHONE: (_____) _____ - _____

FAX: (_____) _____ - _____

E-MAIL: _____

REPRESENTATIVE/CONTACT: _____

Endorsing this Resolution authorizes Lambda's Marriage Project to identify you as a supporter of equal marriage rights for same-sex couples and use your name and/or likeness in various forums, including press and media, publicity, announcements, lists of such supporters, advertisements, testimony before legislatures, presentations to other potential supporters, and the like.

As the battles advance, we would also like to call on you to discuss possible personal appearances, written or videotaped statements, testimony, and other assistance.

_____ Please check here if you do not wish to be contacted for additional involvement.

Please make copies and circulate them to other potential civil rights supporters, celebrities, organizations or contacts that might be willing to endorse the Marriage Resolution and/or secure other support.

Please return this signature form by fax or mail to:

Evan Wolfson,
Director - The Marriage Project, Lambda Legal Defense and Education Fund
120 Wall Street, Suite 1500, New York, NY 10005
phone: (212) 809-8585, fax: (212) 809-0055
e-mail: ewlldef@aol.com

===== 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 <01IR9B6NQ8LC0119V6@PMDF.EOP.GOV>; Tue, 16 Dec 1997 22:45:44 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IR9B6I3OXC00015W@PMDF.EOP.GOV>; Tue,

16 Dec 1997 22:45:38 -0500 (EST)

Received: from netcom9.netcom.com ([192.100.81.119])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTP id <01IR9B64RL70004R89@STORM.EOP.GOV>; Tue,

16 Dec 1997 22:45:19 -0500 (EST)

Received: (from rwockner@localhost)

by netcom9.netcom.com (8.8.5-r-beta/8.8.5/(NETCOM v1.02)) id TAA28345; Tue,

16 Dec 1997 19:42:57 -0800 (PST)

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME:17-DEC-1997 17:23:58.00

SUBJECT: Meeting with Foundation Executives Thursday, December 18, 1997 1-4pm
in the NEOB room 10103

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Audrey M. Hutchinson/PIR/EOP on
12/17/97 05:18 PM -----

Audrey M. Hutchinson

12/17/97 03:45:26 PM

Record Type: Record

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

cc: Judith A. Winston/PIR/EOP, Robert Wexler/PIR/EOP, Audrey M.
Hutchinson/PIR/EOP

Subject: Meeting with Foundation Executives Thursday, December 18, 1997
1-4pm
in the NEOB room 10103

Attached is an agenda and a list of Foundation executives who will be meeting with White House and PIR staff to discuss how we can work together. These Foundations have funded new and innovative race relations initiatives nationwide, particularly in the area of national conversations around race and the identification of leaders in various sectors who have developed promising practices.

The suggested agenda will guide the discussion. Please let me know if you have questions.

We will inform Foundation representatives that some individuals are

**Joint Meeting - President's Initiative on Race
and Multi - Foundation Funders
December 18, 1997**

Foundation Attendees

Ms. Angela Blackwell
Senior Vice President
The Rockefeller Foundation

Ms. Dayna Cunningham
Assistant to the Senior Vice President
The Rockefeller Foundation

Mr. Jon Funabiki
Program Officer, Media, Arts, and Culture
The Ford Foundation

Ms. Denise Gray-Felder
Director of Communications
The Rockefeller Foundation

Mr. Alan Jenkins
Program Officer, Human Rights and International Cooperation
The Ford Foundation

Mr. Ceasar McDowell
President, Civil Rights Project
Blackside Productions

Mr. Craig McGarvey
Program Director
James L. Irvine Foundation

Ms. Marcia Smith
Program Officer, Governance and Civil Society
The Ford Foundation

Mr. Robert Sherman
Program Officer, Effective Citizenry
The Surdna Foundation

Mr. Niles Runningwater
Program Assistant, Media, Arts, and Culture
The Ford Foundation

Ms. Lori Villarosa
Associate Program Officer
C.S. Mott Foundation

**Joint Meeting - President's Initiative on Race
and Multi-Foundation Funders
Thursday, December 18, 1997
1:00 pm, NEOB Room 10103**

AGENDA

1. Introductions

(foundation representatives and Initiative staff describe framework of mutual interest)

2. Update from the President's Initiative: recent developments

In particular, how is the President's Initiative defining its mission and its projected actions and outcomes?

3. Explore possible links between foundation activities and Initiative work. In the areas of **public policy, conversation around race, and promising practices, we might discuss the following questions:**

- What is being done?
- How do we measure success?
- How do we make the connection between dialogue and promising practices?
- What else needs to be done?
 - How do we develop a large pool of promising practices to highlight in this next year?
 - How do we create a process to identify, evaluate, and replicate the strongest promising practices?
 - How can the foundations and the Initiative work together to highlight the work being undertaken this year?

4. Leadership

What can foundations do to effectively support leadership around race in communities? How could we further support our grantees?

5. Research

What type of research do the foundations currently support and what are the plans for the future?

6. Next steps

What can foundations do to advance the work after this year?