

NLWJC - KAGAN

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[01/22/1998 - 01/23/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cynthia Rice to Elena Kagan and Bruce Reed; RE: Success Stories (1 page)	01/22/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/22/1998 - 01/23/1998]

2009-1006-F
db1577

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:22-JAN-1998 13:06:24.00

SUBJECT: Draft Statement on national test

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

READ:UNKNOWN

TEXT:

Rahm: do you want the WH or ED to put out a statement?

Statement on National Assessment Governing Board Decision to Modify
Contract for Developing National Tests

The Administration fought last year successfully to make sure that the independent, bipartisan National Assessment Governing Board (NAGB) was given responsibility for overseeing the development of voluntary national tests in 4th grade reading and 8th grade math. Today NAGB completed an important part of its work--to review and determine the modifications it deems necessary to the test development contract. We are pleased that NAGB is carrying out this responsibility in a serious and thoughtful manner.

Today we took another important step forward -- another step toward putting high standards in the classroom and keeping politics out. We do not agree with NAGB that it is necessary to delay the initial administration of the tests for one year. However, we are pleased that we are on track to having the first ever national tests in the basic skills, and to giving parents and communities tools to improve their local schools.

Withdrawal/Redaction Marker Clinton Library

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001. email	Cynthia Rice to Elena Kagan and Bruce Reed; RE: Success Stories (1 page)	01/22/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/22/1998 - 01/23/1998]

2009-1006-F
db1577

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 21:35:51.00

SUBJECT: Question re: Background Paper For State Of the Union

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

TEXT:

The note below says that

Increasing Child Support Collections
 Welfare-to-Work Housing Vouchers

are in the State of the Union on welfare reform. Does this mean that caseload numbers and a new challenge to the Partnership to increase to 10,000 members are not? If they are in the speech, shouldn't I submit a short paragraph on each as well?

Also, by "increasing child support collections" does the speech at the moment specifically name the goal of getting to \$20 billion in collections by the year 2000?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 01/22/98
 09:34 PM -----

Russell W. Horwitz
 01/22/98 12:50:48 PM
 Record Type: Record

To: See the distribution list at the bottom of this message
 cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
 Subject: Background Paper For State Of the Union

MEMO TO NEC AND DPC STAFF

FROM: PAUL WEINSTEIN
 RUSSELL HORWITZ

SUBJECT: STATE OF THE UNION BACKGROUND PAPER

Below is a sample paragraph for the State of the Union Background Document as well as a list of the policy ideas currently in the speech. Please draft a paragraph for each initiative in the SOTU that falls in your policy area. These paragraphs are due to Paul Weinstein and Russell Horwitz by 9:00 AM Monday 26th. There are absolutely no extensions on these paragraphs.

These paragraphs should include budget figures, the number of people who benefit., and a brief description of the major elements of the program-initiative. This document will only be 8 to 10 pages, so be short but substantive. Paragraphs should not be longer than five sentences. Please edit your materials liberally.

SAMPLE PARAGRAPH

"Racial Disparities In Health Care

This initiative will address racial disparities in six areas of health care: infant mortality, breast and cervical cancer, heart disease and stroke, diabetes, AIDs, and immunization. The proposal includes additional funding (\$50 million) to establish public health programs to adapt and apply their prevention and education strategies to eliminate racial disparities. The initiative also includes funding (\$30 million) for up to thirty local pilot projects to test innovative approaches to reach this goal."

LIST OF INITIATIVES

Education

- Class Size
- Teacher Competency Tests
- School Construction
- Mentoring
- Social Promotion

Workforce & Training

- Tripled Budget For Dislocated Workers
- GI Bill For Workers

Health Care

- Consumer Bill Of Rights
- Medicare Pre-65
- Tobacco Settlement

Children & Families

- Child Labor
- Extension of Family & Medical Leave Act
- Expanding CCDBG
- Expanding CDCTC
- Creating Early Learning Fund
- Expanding After-School Programs
- Strengthening State Child Care Provider Standards
- Research and Evaluation Fund

Welfare Reform

- Increasing Child Support Collections
- Welfare-to-Work Housing Vouchers

Crime & Drugs

- Juvenile Justice Crime Bill
- Bar under 21s from buying Guns
- Sex Offender Sentencing

- Campaign Finance Reform and Reinventing Government
- McCain-Feingold

Free TV Petition
IRS Reform

Environment
Clean Water Initiative
Climate Change
Food Safety (?)

Race Initiative
EEOC Initiative

Technology
21st Century Research Fund
Human Cloning Ban
Internet Initiatives (global free trade zone, no taxes, no tariffs)
Internet and Children
Restoration of Declaration of Ind., Constitution, Star Spangled Banner

Message Sent

To: _____

Thomas A. Kalil/OPD/EOP
Jonathan A. Kaplan/OPD/EOP
Jeanne Lambrew/OPD/EOP
Charles R. Marr/OPD/EOP
Anne H. Lewis/OPD/EOP
Peter R. Orszag/OPD/EOP
Emil E. Parker/OPD/EOP
Dorothy Robyn/OPD/EOP
Jake Siewert/OPD/EOP
Malcolm R. Lee/OPD/EOP
BRAINARD_L @ A1 @ CD @ LNGTWY
Robert M. Shireman/OPD/EOP
Jonathan Orszag/OPD/EOP
Marc A. Silverman/OPD/EOP
Christopher C. Jennings/OPD/EOP
Sara Bianci
Diana Fortuna/OPD/EOP
Andrea Kane/OPD/EOP
Neera Tanden/WHO/EOP
Cynthia A. Rice/OPD/EOP
Jennifer L. Klein/OPD/EOP
Nicole R. Rabner/WHO/EOP
Michael Cohen/OPD/EOP
William R. Kincaid/OPD/EOP
Tanya E. Martin/OPD/EOP
Thomas L. Freedman/OPD/EOP
Mary L. Smith/OPD/EOP
Jose Cerda III/OPD/EOP
Leanne A. Shimabukuro/OPD/EOP
Todd A. Summers/OPD/EOP
Christa Robinson/OPD/EOP
Julie A. Fernandes/OPD/EOP
Wesley P. Warren/CEQ/EOP
Bradley M. Campbell/CEQ/EOP
Sarah A. Bianchi/OPD/EOP

Brian A. Barreto/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 12:37:35.00

SUBJECT: Tobacco Agenda

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I. Status Reports

- SOTU, budget comments (if any by BR)
- Upcoming hearings (Bliley, McCain, Judiciary)
- Updates on Hill Legislation
Kennedy, McCain, Conrad, Harkin/Chafee
- Events on the Hill-- briefings by HHS
- International working group on Hill
- Document releases
- Farmers issues (members trip south)
- State suits (MN.)
- Update on health on groups
- No word on 4th circuit?

II. Upcoming

- VP
- Farmer working groups
- Other meetings you want.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Steven M. Mertens (CN=Steven M. Mertens/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:22-JAN-1998 14:53:16.00

SUBJECT: Follow-up Meeting with INS on Booze-Allen Statement of Work

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

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

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

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

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

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

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

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

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

TEXT:

A meeting has been scheduled for Friday, January 23 at 5:00 p.m. in Room 246 to continue the dialog with INS and the Department of Justice on the Booze-Allen restructuring contract and the contract statement of work. Commissioner Meissner and Bob Bach will attend from INS and Steve Colgate, Assistant Attorney General for Administration, Bob Deigleman and John Morton will likely attend from the Department.

If you have any questions or need additional information, please let me know. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 19:34:27.00

SUBJECT: Cloning

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

READ:UNKNOWN

TEXT:

Attached is OSTP's draft of a memo that could be sent to the President on cloning. In general it is accurate: in meetings with OSTP (Rachel Levinson), VP (Gips), counsel (Marshall), Leg affairs, and DOJ we came up with four options-- the current approach, two refinements, or a generally worded approach recommended by some outside groups. It recommends in favor of one of the refinements and recommends against preemption. However, it is sloppy and not informative enough. We are meeting again tomorrow morning to improve it. You are more familiar with the President's thinking on this issue, but here is what I think the memo should do better:

1. Explain what FDA can do. FDA has not formally announced it, but Bill Schultz thinks they have the authority to ban cloning for the time being on the basis of it not being safe. FDA thinks there is still a need for legislation that bans cloning on ethics grounds so that when it is a safe technology it remains a banned procedure.
2. Explain clearly the pros and cons of each option's effect on research. The option we chose (C) was supposed to be the most research friendly while still banning making human with cloning, that needs to be clearer.
3. I think we should list an option of not sending up a new bill. We've already said our principles and endorsed model legislation, we could offer to work with Feinstein or Kennedy to fix the problems we all see in our bill. The President could direct FDA to come up with a regulation, and leg. affairs could work with the the Senate to preserve embryo research but ban the making of humans via cloning (for instance by banning implanting in the womb using somatic cell nuclear transfer.) If you agree with this last point, I'm not sure we even need a special memo to the President but it could just be included in the Weekly.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D2]MAIL466907129.026 to ASCII,
 The following is a HEX DUMP:

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DRAFT MEMORANDUM FOR THE PRESIDENT

FROM:

SUBJECT: Cloning Legislative Options

Interest in cloning legislation was renewed by reports that a Chicago physicist plans to attempt to use this technology to create a child. Your January 10 radio address challenged Congress to enact a ban on private sector activities like the one you have imposed on the public sector. This issue is likely to appear in both the House and Senate very soon after they return. Based on bills introduced in the fall, and the difficulties inherent in trying to craft a bill of appropriate scope, there is a strong possibility that Congressional measures may deviate from the principles outlined in your draft bill.

This memorandum summarizes the following options with respect to a legislative strategy on cloning: (A.) continue to support the principles and language in your June 9, 1997 draft bill; (B.) support the principles but refine the current language; (C.) change the scope of prohibited activities to respond to criticism; or (D.) adopt a prohibition with a more general focus.

The memorandum also presents the pros and cons associated with a clause pre-empting state legislation of human cloning.

I. Substantive Prohibition

A. Support existing language without changes

Your bill has been praised by industry and professional societies for its narrow focus on the act of creating a human being through somatic cell nuclear transfer (SCNT), the technology used to create Dolly the sheep, and the absence of mention of embryo research. These groups also applaud your protection of noncontroversial biomedical research and the 5-year sunset provision. Current language maintains the status quo with respect to freedom to carry out embryo research in the private sector under existing (albeit limited) Federal oversight. The Federal ban on creation of human embryos for research purposes is unaffected by any of the options in this memorandum.

B. Refine current language

Continue to hold to the principles expressed in your draft bill but make the following changes to clarify the prohibition:

Current language:

It shall be unlawful for any person or other legal entity, public or private, to perform or use somatic cell nuclear transfer with the intent of introducing the product of that transfer into a woman's womb or in any other way creating a human being.

Suggested modification:

It shall be unlawful for any person or other legal entity, public or private, to introduce the product of somatic cell nuclear transfer into a woman's womb in order to create a child.

Rationale

There is greater agreement on the definition of a child than there is on a human being, thus avoiding some, but not all of the embryo research and abortion debate.

The term "or in any other way" created unnecessary confusion.

"Intent" was included as protection for a defendant, but industry and medical practitioners suggested deleting it.

C. Continue to support the principles in the existing bill but broaden its scope

We would like you to focus on pros and cons of including the phrase "in order to create a child" as it appears in Option B.

You have been sensitive to the need to be very cautious in setting a boundary around permissible biomedical research through this bill; hence its narrow focus. The phrase "in order to create a child" maintains that view with its implied intent. However, it suggests two potentially troubling scenarios of which you should be aware. First, it may be interpreted to encourage abortion because transfer of the product of cloning would be prohibited only if it was done so as to create a child, not if it was done with intent to abort. Second, someone caught in the act of attempting to create a child using this method could avoid liability simply by aborting the cloned embryo or fetus.

Therefore, we would suggest that the prohibition be modified to read as follows:

It shall be unlawful for any person or other legal entity, public or private, to introduce the product of somatic cell nuclear transfer into a woman's womb.

This clear language means that during the time this law is in effect, no one in the public or private sectors may perform somatic cell nuclear transfer and implant the resulting product in a woman's uterus. Today, this is legal in the private sector, although it may be possible to exert some regulatory oversight, as discussed in the background attachment. Some fertility research would be precluded under this option, although it is difficult to determine how much because efforts are generally made to sustain a pregnancy after implantation; not to perform experiments with the intention of aborting.

The right-to-life community criticized your bill for allowing the creation of embryos for research purposes using private funds, as long as those embryos were aborted subsequently. This modification still permits the creation of embryos but removes the incentive for abortion. While the scientific and medical communities supported your earlier version, it is likely that you will retain their support even with this change in view of the larger threats to research emanating from Congress. However, it does make the sunset clause all the more crucial. We have been told that the fertility research community would not object to this approach.

D. Adopt a more general prohibition

Your bill is intended to prevent anyone from creating a child who is a genetically identical copy of an existing or previously existing person. Somatic cell nuclear transfer is one way of accomplishing this feat and you endorsed the recommendation of your National Bioethics Advisory Commission in limiting the scope of your bill to the use of this technology to create a child. Another option would be to construct a more general, non-technology specific ban such as the following:

It shall be unlawful to create a child who is genetically identical to an existing or previously existing child or adult.

Violation of this ban will depend on one's definition of the point at which life begins. Some people believe that an embryo is a child, hence, creating identical embryos would be in violation of the law. Under this definition, an existing reproductive technology known as blastomere or blastocyst splitting would be prohibited. This method is used to treat women with reduced fertility, particularly those who are older and wish to have more than one child but are unable or unwilling to undergo the drug treatments necessary to stimulate hyperovulation. It may also be used with donor eggs. What is done, in essence, is to fertilize one egg and after just a few cell divisions, split the early embryo. This mimics the occurrence in nature of identical twins. However, the mother has the option of implanting both embryos, or freezing one and implanting it at a later date, thus creating non-contemporaneous twins.

If one believes that life begins at birth, then it would be permissible to create a cloned embryo, implant that embryo in a woman's uterus, and abort it at any point prior to birth. This course has the same shortcomings as Option 2 in that it may be interpreted to encourage abortion.

Recommendation:

We propose that you select Option C. so as to: maintain as narrow a prohibition as possible, thus protecting a wide range of biomedical research, and preserve the status quo with respect to incentives for abortion.

Approve: _____

Disapprove: _____

Discuss: _____

II. Federal Pre-emption of State Regulation

The industry is strongly advocating that the Administration use this bill to pre-empt state laws restricting cloning research. The industry cites the California Bill as an example of the type of provision that would prohibit appropriate biomedical research on cloning and they fear that the political climate would likely pressure states to adopt unduly restrictive measures.

There are also a number of reasons arguing against pre-emption at this time. For example, federalism concerns would normally militate against preemption unless it could be

shown that such action is necessary (e.g. when there is a need for national standards). In this case, although the industry might be inconvenienced by the existence of differing laws, there is no clear reason why uniform standards are required. Indeed, in the area of biomedical research, there is a strong argument in favor of allowing the states to experiment with a wide range of options because no single correct approach to this issue is immediately obvious. Moreover, the industry's fears that the states would act in concert to preclude important biomedical research, beyond the use of cloning to create a child, seem unwarranted. It is not likely that every state would choose to ban all research because the states that elect to forego restrictive regulation would be likely, on that account, to attract new industry. Finally, using this particular bill to preclude all state regulation of biomedical research is inconsistent with our position that this bill is designed to address only the limited issue of cloning and is not an attempt to address broader research issues.

Recommendation:

We recommend against adding a pre-emption clause.

Approve: _____

Disapprove: _____

Discuss: _____

Attachments:

A. Discussion of Impact of FDA Regulatory Authority on Legislative Strategy

B. H.R. 922 - Bill Introduced By Rep. Vernon Ehlers to prohibit the expenditure of Federal funds to conduct or support research on the cloning of humans.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 16:20:05.00

SUBJECT: Maria and service/race

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

TEXT:

FYI, Maria Echaveste has been pushing for an 800 number for the state of the union where the President could refer people who want to volunteer, in connection with the race initiative. The Corporation for National Service told her it couldn't do this, particularly on such short notice, but suggested creating a Corp. web site that would point potential volunteers to existing web sites of the United Way, the big youth service group, United Way, America's Promise, etc. So we'll see. (Previously, Maria tried to get religious orgs to agree to offer service opportunities, but didn't get much response.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 12:18:21.00

SUBJECT: COPS Indian Funding

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

READ:UNKNOWN

TEXT:

This may be old new, but FYI. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 01/22/98
12:17 PM -----

James Boden
01/22/98 11:53:13 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: COPS Indian Funding

We have received the Department's Congressional Justification for review and approval. COPS continues to argue that they cannot use innovative funding for Indians, we disagree. We will engage them in a discussion on this point and I wanted to alert you because DOJ may call you when we return the following language as unacceptable:

Under the terms of the Department of Justice Appropriations Act, 1997, except to the extent that limited carryover is utilized for innovative programs pursuant to reprogramming provisions, no funding may be directed toward innovative programs. A reprogramming request was approved during FY 1997 to fund Problem Solving Partnership applications submitted in FY 1996 and to support solicitations for proposals under an Advancing Community Policing initiative. The COPS Office plans to continue funding Problem-Solving Partnership grants and Advancing Community Policing grants during FY 1999 with available carryover funds.

The prohibition cited is only in Report language, which is non-binding. I suggest that we drop the reference to FY 1997 and instead state our intention to use innovative funds for the Indian Initiative as follows:

Under the terms of the Department of Justice Appropriations Act, 1997, except to the extent that limited carryover is utilized for innovative programs pursuant to reprogramming provisions, no funding may be directed toward innovative programs. A reprogramming request was approved during FY 1997 to fund Problem Solving Partnership applications submitted in FY 1996 and to support solicitations for proposals under an Advancing Community Policing initiative. The COPS Office plans to continue funding

Problem-Solving Partnership grants and Advancing Community Policing grants during FY 1999 with available carryover funds. In addition, the COPS Office anticipates using up to \$54 million in innovative program funding to promote community policing and to improve the law enforcement capability on Indian lands. The Administration is well aware of Congressional concerns regarding the use of COPS funding for non-hiring purposes. However, improving the law enforcement capability on Indian lands presents unique challenges and must include the provision of basic law enforcement needs that cannot be addressed by the hiring programs or other available grant programs alone.

Please let me know what you think.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 11:59:56.00

SUBJECT: Ideas that are in the Pipeline

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

READ:UNKNOWN

TEXT:

You mentioned having some actions for the next 6 weeks.

Here's some that we have ready, near ready, or could conceivably get ready. My choices would be school takeovers, attack alcohol billboards near schools, an international tobacco convention announcement or endorse a position on tobacco farmers for the bill, and cloning regulation for starters. We'll try and pull together some more ideas, but this is the current list.

Ideas that may some work:

- *School takeovers: make explicit threat to pull Title I funds if schools don't meet certain specified criteria.
- *One agency food agency (still being vetted with cabinet secretarys)
- *Alcohol marketing: Stop alcohol companies from putting up billboards near schools
- *Tobacco events: Endorse a tobacco farmers position, Announce an international framework convention to go after the problem worldwide.
- * Workplace Religious Freedom -- negotiating for bipartisan bill that would let folks take time off more easily to practice their religion.
- * Gun running between states: support legislation to increase penalties for this very widespread practice (Florida guns got to NY).
- *War on heart attacks: We have some private companies interested in donating the defibrillators, coordinate this with Am. Heart Assoc., airlines, police, Mayors, with goal of saving some specific number of Americans a year.
- *Pay Equity. Data and technical assistance -- agencies no longer saying there is no cost. When all the paper comes in from the agencies we now expect them to project costs at \$14 million.

Ideas that need less work

- *Cloning: FDA thinks it should be able to make a determination to say it has regulatory authority to stop cloning on safety grounds for a few years
- *Virtual University. There is some money in budget for this. Could do event with some of the Governors that have started this and involved their state universities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 17:36:32.00

SUBJECT: San Jose --Revised Draft Agenda -- please disregard earlier drafts

TO: Amy W. Tobe (CN=Amy W. Tobe/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: Mona G. Mohib (CN=Mona G. Mohib/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: Jonathan A. Kaplan (CN=Jonathan A. Kaplan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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TO: Grace A. Garcia (CN=Grace A. Garcia/OU=PIR/O=EOP @ EOP [PIR])
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TO: Janet Murguia (CN=Janet Murguia/OU=WHO/O=EOP @ EOP [WHO])
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TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Thomas Umberg (CN=Thomas Umberg/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

TO: Marsha Scott (CN=Marsha Scott/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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 01/22/98
05:30 PM -----

Jacinta Ma
01/22/98 05:27:50 PM
Record Type: Record

To: Richard Socarides/WHO/EOP
cc: John M. Goering/PIR/EOP, Lin Liu/PIR/EOP
Subject: Revised Draft Agenda

Attached is a revised agenda that better reflects our desire to have one panel that focuses on national issues and the other that focuses on local issues with people who have experience working with people in poverty. It would be great if you could send this one out and ask people to ignore the earlier one.

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

TEXT:

Unable to convert ARMS_EXT: [ATTACH.D35]MAIL442346121.026 to ASCII,
The following is a HEX DUMP:

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DRAFT (as of March 29, 2010, 1:12PM)
Agenda
President's Advisory Board On Race
Northern California, February 10-11, 1998

Theme: *Race and Poverty in America*

The purpose of this meeting is to examine the relationship between race, poverty, and public policy in both urban and rural America. We will explore why, despite important improvements, minorities remain most impacted by poverty, examining the link between race and poverty. The poverty rate for Hispanics and Asian Pacific Americans in 1990 was, for example, higher than it was in 1969. Typically the highest rates of poverty are experienced by American Indians. At the same time, from 1960 through 1990, the poverty rate for African-Americans has been significantly higher than for almost any other racial group.

Further, we will examine the need for and effectiveness of public and private sector responses to the persistence and concentration of race-based poverty, including breaking the well-documented cycle of poverty. Recommendations made thirty years ago by the Kerner Commission in addressing race will be reviewed for their relevance. We will identify some promising practices aimed at reducing poverty in minority communities including SBA, housing and community development projects.

Key Questions:

- To what extent are poverty and race related? Is there a link between race and concentrated poverty?
- What are the main causes of continuing and concentrated poverty among whites and minorities? Does discrimination continue to effect opportunities for minorities to move out of poor, segregated neighborhoods? What are the connections between racial isolation and poverty and how can we alter the negative aspects of these connections?
- What governmental and non-governmental programs and policies are most effective in addressing minority group poverty and racial segregation? Should such policies and programs differ in order to address the distinctive position and needs of different racial/ethnic groups? How should they do this?

Day 1 (San Francisco/Oakland/East Palo Alto):

The day will be devoted to having Board members visit Promising Practices sites in the San Francisco, Oakland, and East Palo Alto communities. The day will end with a community forum held in San Jose.

HUD Secretary Andrew Cuomo and SBA Administrator Aida Alvarez will be invited to attend.

San Francisco:

10:30 am - 12:30 pm: Board members visit local Promising Practices. Secretary Andrew Cuomo will be invited to attend.

Oakland:

10:30 am - 12:30 pm: Board members visit local Promising Practices.

East Palo Alto:

10:30 am - 12:30 pm: Board members visit local Promising Practices.

San Jose:

Community Forum: 6:00-7:30 pm

The day will conclude with a community forum in which Board members listen and learn about issues related to race in the San Jose area.

Possible Moderators: Local San Jose Moderator; Emerald Yeh, KRON; Wendy Tokuda, anchor; Thuy Vu, KPIX; Michael Krasny, KQED (NPR); Dennis Richmond, KPPU.

Day 2 (in San Jose):

9:00 am - 9:10 am

Welcome and review of agenda by Chairman Franklin.

9:10 am - 9:15 am

Welcoming remarks from local official.

9:15 - 9:25 am

Keynote/Opening Address by HUD Secretary Andrew Cuomo

9:25 am - 9:40 am: Overview of the Poverty Status of Minorities

Current statistics regarding race/poverty for the US and the San Jose metropolitan area (CMSA). The presenter will describe who is poor in America, trends in poverty and race, and how racial groups differ from each other.

Possible presenters: Dr. Laura Tyson, University of California at Berkeley or local area expert.

9:40 am - 11:45 am: Poverty and Race: Facts, Causes, and National Issues

HUD Secretary Andrew Cuomo will be invited to participate in the morning panel with the Advisory Board. This round table discussion will bring together national experts to discuss if there is a link between race and poverty, as well as the status and causes of continuous and concentrated poverty in urban and rural communities. Economic inequality and race will be assessed as will the role of housing discrimination and how it limits opportunities to move out of "ghetto" neighborhoods. The key controversies have been the extent to which the causes are racial or non-racial and the extent to which the poor themselves bear responsibility for the continued impoverishment. The focus will be on national policies, programs, and legislative issues.

Possible who are suggested for possible inclusion include:

Professor William Julius Wilson, Harvard;
Professor Douglas Massey, University of Pennsylvania;
Professor Frances Fox Piven, Columbia;
Professor Manuel Pastor, Chair of the Department of Latin American and Latino Studies, University of California at Santa Cruz;
Professor Matthew Snipp, Stanford University;

Former HUD-Secretary Jack Kemp, Empower America;
Professor Shelby Steele;
other local Hispanic, Asian American (Robert Jibou; Min Zhou; Ailee Moon;
Wei-Yin Hu; Eric Fong).

This session would conclude with 45 minutes of q&a.

Moderator: TBD

11:45 - 1:30 pm

Lunch

1:30 pm - 3:30 pm: Poverty and Race: Local Policy Issues and Solutions

This panel discussion will focus on the main State and local options for addressing the causes of poverty and possible programs and policies to address race-based poverty. The panel will consist largely of local state and area program experts. The discussion will likely include a focus on welfare-to-work as well as community and housing deconcentration and "integration" efforts from HUD, including Enterprise Zones/Community Development banks as they are being implemented at the local level. The panel could include:

Denise Fairchild, Community Development Technologies Center in LA;
Jose Padilla, California Rural Legal Services;
Representative from The Asian Law Caucus;
Robert Woodson, Neighborhood Development;
Asian American experts (Robert Jibou; Brian Cheu);
Latino and American Indian practitioners.

This session would conclude with 45 minutes of q&a from the audience.

Moderator: TBD

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 14:04:01.00

SUBJECT: SOTU Amplification Material

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

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

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

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

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

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

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

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

TO: Amy W. Tobe (CN=Amy W. Tobe/OU=WHO/O=EOP @ EOP [WHO])
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TO: Karen E. Skelton (CN=Karen E. Skelton/OU=WHO/O=EOP @ EOP [WHO])
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TO: Christopher J. Lavery (CN=Christopher J. Lavery/OU=WHO/O=EOP @ EOP [WHO])
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TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
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TO: Audrey T. Haynes (CN=Audrey T. Haynes/OU=WHO/O=EOP @ EOP [WHO])
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TO: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Jonathan Orszag (CN=Jonathan Orszag/OU=OPD/O=EOP @ EOP [OPD])
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TO: Jake Siewert (CN=Jake Siewert/OU=OPD/O=EOP @ EOP [OPD])
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TO: Ellen M. Lovell (CN=Ellen M. Lovell/OU=WHO/O=EOP @ EOP [WHO])

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TO: Stacey L. Rubin (CN=Stacey L. Rubin/OU=WHO/O=EOP @ EOP [WHO])
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TO: Janet Murguia (CN=Janet Murguia/OU=WHO/O=EOP @ EOP [WHO])
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TO: John L. Hilley (CN=John L. Hilley/OU=WHO/O=EOP @ EOP [WHO])
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TO: Lynn G. Cutler (CN=Lynn G. Cutler/OU=WHO/O=EOP @ EOP [WHO])
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TO: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])
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TO: Emily Bromberg (CN=Emily Bromberg/OU=WHO/O=EOP @ EOP [WHO])
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TO: Christa Robinson (CN=Christa Robinson/OU=OPD/O=EOP @ EOP [OPD])
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TO: Laura Emmett (CN=Laura Emmett/OU=WHO/O=EOP @ EOP [WHO])
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TO: Bruce N. Reed (CN=Bruce N. Reed/OU=OPD/O=EOP @ EOP [OPD])
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TO: Katherine Hubbard (CN=Katherine Hubbard/OU=WHO/O=EOP @ EOP [WHO])
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TO: Stephen B. Silverman (CN=Stephen B. Silverman/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jennifer N. Devlin (CN=Jennifer N. Devlin/O=OVP @ OVP [UNKNOWN])
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TO: Katharine Button (CN=Katharine Button/OU=WHO/O=EOP @ EOP [WHO])
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TO: Marsha E. Berry (CN=Marsha E. Berry/OU=WHO/O=EOP @ EOP [WHO])
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TO: Thomas D. Janenda (CN=Thomas D. Janenda/OU=WHO/O=EOP @ EOP [WHO])
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TO: Paul A. Tuchmann (CN=Paul A. Tuchmann/OU=WHO/O=EOP @ EOP [WHO])
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TO: Ann F. Walker (CN=Ann F. Walker/OU=WHO/O=EOP @ EOP [WHO])
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TO: Ruby Shamir (CN=Ruby Shamir/OU=WHO/O=EOP @ EOP [WHO])
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TO: Eleanor S. Parker (CN=Eleanor S. Parker/OU=WHO/O=EOP @ EOP [WHO])
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TO: Dawn L. Smalls (CN=Dawn L. Smalls/OU=WHO/O=EOP @ EOP [WHO])

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TO: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP @ EOP [WHO])
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TO: Michelle Crisci (CN=Michelle Crisci/OU=WHO/O=EOP @ EOP [WHO])
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TO: Douglas B. Sosnik (CN=Douglas B. Sosnik/OU=WHO/O=EOP @ EOP [WHO])
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TO: John Podesta (CN=John Podesta/OU=WHO/O=EOP @ EOP [WHO])
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TO: Ron Klain (CN=Ron Klain/O=OVP @ OVP [UNKNOWN])
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TO: Eli G. Attie (CN=Eli G. Attie/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: Tamara Monosoff (CN=Tamara Monosoff/OU=PIR/O=EOP @ EOP [PIR])
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TO: Wendy E. Gray (CN=Wendy E. Gray/OU=NSC/O=EOP @ EOP [NSC])
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TO: Antony J. Blinken (CN=Antony J. Blinken/OU=NSC/O=EOP @ EOP [NSC])
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TO: Phillip Caplan (CN=Phillip Caplan/OU=WHO/O=EOP @ EOP [WHO])
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TO: Darby E. Stott (CN=Darby E. Stott/OU=WHO/O=EOP @ EOP [WHO])
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TO: Victoria Radd (CN=Victoria Radd/OU=WHO/O=EOP @ EOP [WHO])
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TO: Michael D. McCurry (CN=Michael D. McCurry/OU=WHO/O=EOP @ EOP [WHO])
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TO: Craig T. Smith (CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [WHO])
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TO: Robert B. Johnson (CN=Robert B. Johnson/OU=WHO/O=EOP @ EOP [WHO])
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TO: Gene B. Sperling (CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [OPD])
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TO: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
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TO: Elisa Millsap (CN=Elisa Millsap/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jeffrey A. Forbes (CN=Jeffrey A. Forbes/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: Fred DuVal (CN=Fred DuVal/OU=WHO/O=EOP @ EOP [WHO])
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TO: Sky Gallegos (CN=Sky Gallegos/OU=WHO/O=EOP @ EOP [WHO])
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TO: Mickey Ibarra (CN=Mickey Ibarra/OU=WHO/O=EOP @ EOP [WHO])
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TO: Cathy R. Mays (CN=Cathy R. Mays/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

TO: Elisabeth Steele (CN=Elisabeth Steele/OU=WHO/O=EOP @ EOP [WHO])
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TO: Thurgood Marshall Jr (CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [WHO])
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TO: Susan M. Liss (CN=Susan M. Liss/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

TO: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP @ EOP [WHO])
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TO: Beverly J. Barnes (CN=Beverly J. Barnes/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: Sylvia M. Mathews (CN=Sylvia M. Mathews/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

FYI -Information on State of the Union Amplification activities:

1 - Paper: Communications will be responsible for pulling together the "paper" for people who will need to be talking on the State of the Union speech (Senior staff, elected officials, Cabinet members, constituent leaders, Friends of the Administration, etc). What this means is that a packet with the following items will be sent to your office by Tuesday early afternoon (unless we are told it can go earlier):

Talking points (overall)

State by State accomplishments (to offices who work

w/states)

Constituent Accomplishments

5 Year Accomplishment cards (yellow-you should have them

now)

3-5 Issue papers on specific issues that may be in the SOTU

The packets will be sent to 1-2 people in your office who will then be responsible for making the appropriate amount of copies for what your individual staff needs will be. Please make sure to communicate and coordinate within your own department to make sure that each of your colleagues will receive the materials they need.

We completely understand the need to receive this material early and will do everything we can to get this stuff to you in a reasonable amount of time while not jeopardizing information getting out before the President's speech.

Immediately following the State of the Union speech the actual text of what the President delivers will be posted on the WH web site for immediate access of the text.

2 - Message Call: We will also be setting up a 3-5 minute conference call immediately following the speech where Ann Lewis will run through message points for people who will be speaking publically and need some message guidance and focus. This will be a 1 way call, which means that Ann will talk, but the callers will not be able to ask questions. The capacity for this call is 100 people. So, please be cautious about who you recommend be on the call so all departments with surrogates will have access to this information. Kevin Moran is the contact for getting on this call.

3 - Briefings: We will also be helping schedule the Senior Staff for participation in briefings and conference calls to get everyone on message for the SOTU. Ann Walker will be helping with that piece and we will call you within the next few hours to work on slating each of the needed briefers.

Please share this memo with other staff that may need to know how things will work. If you have a specific need or problem that has not been addressed please feel free to call and we will try to help you, or direct you to someone who can. Thanks for your patience and cooperation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 18:15:16.00

SUBJECT: Conrad Tobacco Bill Spending

TO: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Donald H. Gips (CN=Donald H. Gips/O=OVP @ OVP [UNKNOWN])
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

TEXT:

I have additional information about the spending in Conrad's bill. Once again, Conrad's staff has asked that we keep a very close hold on this information. They anticipate that their bill will generate \$15B-\$18B/yr beginning in year 3 when the \$1.50/pack increase is fully implemented. From that amount, they take \$2.5B off the top -- \$2B per year for 10 years to fund Sen. Ford's farmer's proposal; \$300M for FDA; and \$200M for the Indian Health Service (N. Dakota politics).

The remaining \$\$ are divided as follows:

1. 25% (which Conrad's staff estimated to be \$3.5B/yr.) to fund the public health spending outlined in the attached note.
2. 20-25% will go to the states for the states unrestricted use.
3. The remaining \$\$ will be divided among Medicare, NIH, and early child development, including child care.
4. There are no \$\$ for compensation because they are not planning to place limits on liability in their bill.

----- Forwarded by Jerold R. Mande/OSTP/EOP on 01/22/98
05:48 PM -----

Jerold R. Mande

01/20/98 04:32:27 PM

Record Type: Record

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

cc:

Subject: Conrad Tobacco Bill

I received Conrad's Public Health and Other Programs funding title from HHS. Conrad's staff has asked us to keep a very close hold on it. It is Title VI of the Conrad bill. The title spells out how funds from a section 101(d)(2)(C) will be allocated and spent, but the draft provides no clue on how much money will be in 101(d)(2)(C). I will distribute it, but in the meantime here is a summary:

The title proposes to divide the \$\$ into 12 buckets controlled by the Secretary (I assume HHS):

1. 30% for smoking cessation to individuals and private, non-profit entities;
2. 25% for counter advertising;
3. 15% to NIH for tobacco related biomedical research including addiction research;
4. 10% for "anti-tobacco" research, including prevention, cessation, and social deterrents of smoking;
5. 5% to states for school-based tobacco education programs;
6. 5% to states for alcohol and illicit drug education for <18;
7. 3% for assistance and compensation for those suffering from tobacco-related illness;
8. 2.5% to expand ASSIST and IMPACT;
9. 1.76% for international tobacco control to WHO and foreign countries;
10. 1% for college tobacco education programs targeting 18-24;
11. 1% for event sponsorship; and
12. 0.083% for the American Center on Global Health and Tobacco (a new private, not-for-profit corporation) and associated trust fund.

Message Sent

To:

Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
Christopher C. Jennings/OPD/EOP
Thomas L. Freedman/OPD/EOP
Donald H. Gips/OVP @ OVP
Toby Donenfeld/OVP @ OVP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-JAN-1998 13:59:43.00

SUBJECT: PIR Agenda and Role for Secretary Cuomo on 2/11/98

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

TO: Dario J. Gomez (CN=Dario J. Gomez/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jennifer M. Palmieri (CN=Jennifer M. Palmieri/OU=WHO/O=EOP @ EOP [WHO])
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TO: Mickey Ibarra (CN=Mickey Ibarra/OU=WHO/O=EOP @ EOP [WHO])
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TO: Karen E. Skelton (CN=Karen E. Skelton/OU=WHO/O=EOP @ EOP [WHO])
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TO: Marsha Scott (CN=Marsha Scott/OU=WHO/O=EOP @ EOP [WHO])
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TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 01/22/98
01:56 PM -----

DRAFT (as of March 29, 2010, 1:14PM)
Agenda
President's Advisory Board On Race
Northern California, February 10-11, 1998

Theme: *Race and Poverty in America*

The purpose of this meeting is to examine the relationship between race, poverty, and public policy in both urban and rural America. We will explore why, despite important improvements, minorities remain most impacted by poverty, examining the link between race and poverty. For example, from 1960 through 1990, the poverty rate for African-Americans has been significantly higher than for any other racial group. The poverty rate for Hispanics and Asian Pacific Americans in 1990 were, however, higher than they were in 1969. Further, we will examine the need for and effectiveness of public and private sector responses to the persistence and concentration of race-based poverty, including breaking the well-documented cycle of poverty. Recommendations made thirty years ago by the Kerner Commission in addressing race will be reviewed for their relevance. We will identify some promising practices aimed at reducing poverty in minority communities including SBA, housing and community development projects.

Key Questions:

- To what extent are poverty and race related? Is there a link between race and concentrated poverty?
- What are the main causes of continuing and concentrated poverty among whites and minorities? Does discrimination continue to effect opportunities for minorities to move out of poor, segregated neighborhoods? What are the connections between racial isolation and poverty and how can we alter the negative aspects of these connections?
- What governmental and non-governmental programs and policies are most effective in addressing minority group poverty and racial segregation? Should such policies and programs differ in order to address the distinctive position and needs of different racial/ethnic groups? How should they do this?

Day 1 (San Francisco/Oakland/East Palo Alto):

The day will be devoted to having Board members visit Promising Practices sites in the San Francisco, Oakland, and East Palo Alto communities. The day will end with a community forum held in San Jose.

HUD Secretary Andrew Cuomo and SBA Administrator Aida Alvarez will be invited to attend.

San Francisco:

10:30 am - 12:30 pm: Board members visit local Promising Practices. Secretary Andrew Cuomo will be invited to attend.

Oakland:

10:30 am - 12:30 pm: Board members visit local Promising Practices.

Automated Records Management System
Hex-Dump Conversion

East Palo Alto:

10:30 am - 12:30 pm: Board members visit local Promising Practices.

San Jose:

Community Forum: 6:00-7:30 pm

The day will conclude with a community forum in which Board members listen and learn about issues related to race in the San Jose area.

Possible Moderators: Local San Jose Moderator; Emerald Yeh, KRON; Wendy Tokuda, anchor; Thuy Vu, KPIX; Michael Krasny, KQED (NPR); Dennis Richmond, KPPU.

Day 2 (in San Jose):

9:00 am - 9:10 am

Welcome and review of agenda by Chairman Franklin.

9:10 am - 9:15 am

Welcoming remarks from local official.

9:15 - 9:25 am

Keynote/Opening Address by HUD Secretary Andrew Cuomo

9:25 am - 9:40 am: **Overview of the Poverty Status of Minorities:**

Current statistics regarding race/poverty for the US and the San Jose metropolitan area (CMSA). The presenter will describe who is poor in America, trends in poverty and race, and how racial groups differ from each other. Dr. Laura Tyson, University of California at Berkeley or local area Asian American expert.

9:40 am - 11:45 am: **Poverty and Race: The Facts and Causes**

HUD Secretary Andrew Cuomo will be invited to participate in the morning panel with the Advisory Board. This round table discussion will bring together national experts to discuss if there is a link between race and poverty, as well as the status and causes of continuous and concentrated poverty in urban and rural communities. Economic inequality and race will be assessed as will the role of housing discrimination and how it limits opportunities to move out of 'ghetto' neighborhoods. The key controversies have been the extent to which the causes are racial or non-racial and the extent to which the poor themselves bear responsibility for the continued impoverishment.

Possible panelists include:

Professor William Julius Wilson, Harvard;
Professor Douglas Massey, University of Pennsylvania;
Professor Frances Fox Piven, Columbia;
Dr. Isabelle Sawhill, Brookings;
Ms. Antonia Hernandez, MALDEF;
Professor Manuel Pastor, Chair of the Department of Latin American and Latino Studies, University of California at Santa Cruz;
Professor Jerry Lopez, UCLA Law School;
Professor Matthew Snipp, Stanford University;
Former HUD-Secretary Jack Kemp, Empower America;

Professor Shelby Steele;
other local Hispanic, Asian American (Robert Jibou; Min Zhou; Ailee Moon;
Wei-Yin Hu; Eric Fong).

This session would conclude with 45 minutes of q&a.
Moderator: TBD

11:45 - 1:30 pm
Lunch

1:30 pm - 3:30 pm: **Poverty and Race: Policy Issues and Local Solutions**

This panel discussion will focus on the main national, State and local options for addressing the causes of poverty and possible programs and policies to address race-based poverty. The panel will consist largely of local state and area program experts. The discussion will likely include a focus on welfare-to-work as well as housing deconcentration efforts from HUD. Local initiatives will be assessed as well. The panel could include representatives of the California Rural Legal Services (Jose Padilla), the Asian Law caucus; Asian-American experts (Robert Jibou; Eric Fong) and American Indian practitioners; Robert Woodson, Neighborhood Development. This session would conclude with 45 minutes of q&a from the audience.

Moderator: TBD

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 18:39:20.00

SUBJECT: PIR Weekly Report

TO: Ananias Blocker III (CN=Ananias Blocker III/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: Emil E. Parker (CN=Emil E. Parker/OU=OPD/O=EOP @ EOP [OPD])
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TO: Lynn G. Cutler (CN=Lynn G. Cutler/OU=WHO/O=EOP @ EOP [WHO])
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TO: Sidney Blumenthal (CN=Sidney Blumenthal/OU=WHO/O=EOP @ EOP [WHO])
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TO: Beverly J. Barnes (CN=Beverly J. Barnes/OU=WHO/O=EOP @ EOP [WHO])
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TO: Susan M. Liss (CN=Susan M. Liss/O=OVP @ OVP [UNKNOWN])
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TO: Grace A. Garcia (CN=Grace A. Garcia/OU=PIR/O=EOP @ EOP [PIR])
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TO: David K. Chai (CN=David K. Chai/OU=PIR/O=EOP @ EOP [PIR])
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TO: Michael Wenger (CN=Michael Wenger/OU=PIR/O=EOP @ EOP [PIR])
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TO: Maria E. Soto (CN=Maria E. Soto/OU=PIR/O=EOP @ EOP [PIR])
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TO: Evelina Mosby (CN=Evelina Mosby/OU=PIR/O=EOP @ EOP [PIR])
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TO: Ana Lopez (CN=Ana Lopez/OU=PIR/O=EOP @ EOP [PIR])
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TO: Cedra D. Eaton (CN=Cedra D. Eaton/OU=PIR/O=EOP @ EOP [PIR])
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TO: Dawn M. Chirwa (CN=Dawn M. Chirwa/OU=WHO/O=EOP @ EOP [WHO])
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TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
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TO: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP @ EOP [WHO])
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TO: Paul E. Begala (CN=Paul E. Begala/OU=WHO/O=EOP @ EOP [WHO])
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TO: Gene B. Sperling (CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [OPD])
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TO: Minyon Moore (CN=Minyon Moore/OU=WHO/O=EOP @ EOP [WHO])
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TO: Elisabeth Steele (CN=Elisabeth Steele/OU=WHO/O=EOP @ EOP [WHO])
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TO: Trooper Sanders (CN=Trooper Sanders/O=OVP @ OVP [UNKNOWN])
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TO: Laura Emmett (CN=Laura Emmett/OU=WHO/O=EOP @ EOP [WHO])
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TO: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Maria Echaveste (CN=Maria Echaveste/OU=WHO/O=EOP @ EOP [WHO])
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TO: Jon P. Jennings (CN=Jon P. Jennings/OU=WHO/O=EOP @ EOP [WHO])
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TO: Stacie Spector (CN=Stacie Spector/OU=WHO/O=EOP @ EOP [WHO])
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TO: Brenda Toineeta (CN=Brenda Toineeta/OU=PIR/O=EOP @ EOP [PIR])
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TO: David Campt (CN=David Campt/OU=PIR/O=EOP @ EOP [PIR])
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TO: Scott R. Palmer (CN=Scott R. Palmer/OU=PIR/O=EOP @ EOP [PIR])
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TO: Tamara Monosoff (CN=Tamara Monosoff/OU=PIR/O=EOP @ EOP [PIR])
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TO: Elizabeth A. Castle (CN=Elizabeth A. Castle/OU=PIR/O=EOP @ EOP [PIR])
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TO: Danielle B. Glosser (CN=Danielle B. Glosser/OU=PIR/O=EOP @ EOP [PIR])
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TEXT:

Attached is the President's Initiative on Race Weekly Report for January
17 - January 23.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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MEMORANDUM FOR THE PRESIDENT

FROM: JUDITH A. WINSTON

**THROUGH: ERSKINE BOWLES
SYLVIA MATHEWS**

**SUBJECT: PRESIDENT'S INITIATIVE ON RACE WEEKLY REPORT --
JANUARY 17 - JANUARY 23**

One America Conversation with Commission on White House Fellowships. On January 21, Sylvia Mathews and I led a One America Conversation with your Commission on White House Fellowships. The group consisted of present and former White House Fellows. During the discussion, two potential promising practices were identified. The participants pledged to continue the dialogue on race in their communities.

ADVISORY BOARD ACTIVITIES

Northern California Advisory Board Meeting. We will be visiting the San Francisco/Oakland/San Jose metropolitan area on February 10 - 11. We plan to visit promising practices sites in the area and hold a community forum in San Jose. The Advisory Board meeting will occur on the second day in San Jose focusing on the topic of race and poverty. We have invited William Julius Wilson from Harvard University, Douglas Massey from the University of Pennsylvania and others to participate in a panel discussion on the relationship between racial segregation, poverty and the persistent lack of opportunities for those who live in poor, concentrated neighborhoods.

Advisory Board Members Activities for Martin Luther King, Jr. Day. *Chairman Dr. John Hope Franklin* and I joined the Vice President in Atlanta for the King Center Program. The program was very well received. *Linda Chavez-Thompson* visited the Good Hope Community Center in Silver Spring, Maryland. *Reverend Suzan Johnson Cook* gave the keynote address at a multi-racial, multi-ethnic silent prayer march on Sunday, January 18th at the New York Metropolitan Martin Luther King Center for

Non-Violence in Long Island, New York. There were over 500 people in attendance. *Angela Oh* was the keynote speaker at the Davis Human Relations Commission Community Forum in Davis, California. There were over 400 people attending this event. *Robert Thomas* attended the Amaturio Theater in Ft. Lauderdale, Florida for a celebration honoring the life of Dr. King. *Governor William Winter* was the keynote speaker at the Itawamba County Development Community Summit on January 19th in Fulton, Mississippi. All of the Board members found their events inspiring and well-attended.

Days of Dialogue. On January 17, Angela Oh participated in the Days of Dialogue program in South Central, Los Angeles. The dialogue on race occurred with about 35 youths ranging in age from 15 to 25.

Outreach in Atlanta. Governor Winter spoke, on January 18, at an Adult Education Forum at the Atlanta Episcopal Cathedral and addressed the Atlanta Episcopal Diocese at St. Paul's Episcopal Church.

Pasadena Dialogues. On January 18, Angela Oh joined elected officials including Congresswoman Jane Harmon and Congresswoman Juanita Millender-McDonald to announce the California House Resolution supporting the Days of Dialogue and work toward racial harmony.

Millsaps College. On January 20, Governor Winter moderated a panel with Hodding Carter and Peter Applebome on issues facing the South. Governor Winter spoke about the Initiative and raised race as an issue still facing the South. There were approximately 300 people in the audience.

South El Monte. Angela Oh led a dialogue, on January 23 in South El Monte, one of the poorest cities in the San Gabriel Valley. She discussed her role in the Initiative and what the Initiative means to cities such as South El Monte.

NAACP Legal Defense Fund. On January 23, Dr. Franklin addressed the Board of Directors of the New York Chapter of the NAACP Legal Defense Fund about the Initiative and his role.

Glasgow Middle Schools. On January 27, Linda Chavez-Thompson is scheduled to speak with students, parents and school administrators at Glasgow Middle Schools in Alexandria, Virginia. She will engage the group in a conversation on the effect that racial diversity has had on them. This conversation will be featured on C-SPAN.

U.S. Conference of Mayors. Next week, Reverend Suzan Johnson Cook will speak at the U.S. Conference of Mayors meeting in Washington, D.C. and challenge them to become more directly involved in the Initiative through One America Conversations and

other efforts.

OFFICE OF THE EXECUTIVE DIRECTOR

OUTREACH

Corporate Leaders. The next Corporate Forum will be on Friday, January 30, at the Biltmore Hotel in Los Angeles. Secretary of Commerce William Daley will host the discussion and Advisory Board members Angela Oh and Robert Thomas will attend. This is the third in a series of meetings with corporate leaders.

Campus/Community Week of Dialogue. The Campus/Community Week of Dialogue, in which we are partnering with the Association of American Colleges & Universities and the National Urban League, is scheduled for the week of April 6. The week will both involve thousands of students and others in dialogue about racial issues and recruit higher education and community leaders to promote study and dialogue on racial issues in the longer term. Minority-serving institutions and community colleges will be asked to be involved, as well. We met with dozens of higher education leaders at the Association of American Colleges & Universities' annual conference to discuss the National Week of Campus/Community Dialogue.

RESEARCH AND POLICY PLANNING

Promising Practices. We have now posted a total of 50 examples of promising practices on the Website. These examples represent many sectors (business, education, media, and others) in various communities around the country. We expect to highlight an additional 30 practices by the end of this month.

Essays. We are working with the Domestic Policy Council and the Department of Education to produce at least two papers regarding the value of diversity in higher education.

K-12 School Case Studies. In November, the Advisory Board highlighted a case study of a Fairfax, Virginia elementary school's race-related programs and activities. We are working with the Department of Education to develop plans for additional case studies (i.e., more in-depth summaries of promising practices) of programs that are bridging racial disparities in education. This project was announced by Secretary Riley during the December Advisory Board meeting.

COMMUNICATIONS

Public Service Announcement (PSA). The Initiative is working with the Leadership Conference Education Fund, the Ad Council and an advertising agency to finalize a

full-fledged launch of the youth-focused PSA, including the introduction of a print and radio campaign. The advertising agency has submitted ideas for print ads of the PSA that would appear in newspapers around the country, particularly focusing on college and university press. In addition, scripts for the radio campaign have been submitted. Distribution of the PSA should occur in early February to public service directors at television and radio stations.

C-SPAN's "Alexis de Tocqueville" series. The series producer has expressed interest in producing a special program on the work of the Advisory Board to appear in March or April. We are currently reviewing the schedules of some of the Advisory Board members for the months of February and March, for inclusion in this special. **(The Program is a nine-month series that C-SPAN started in May 1997 to retrace the steps of de Tocqueville's trip to America and to explore what it means to be an American.)**

Article for the League of Women Voters. An article focused on the goals of the Initiative will appear in the March/April edition of *The National Voter*, the magazine produced by the League of Women Voters. That issue will focus specifically on diversity and will feature several prominent writers.

FEDERAL AGENCY ACTIVITIES

One America Conversations. More than 117 One America Conversations have occurred. The reports we have received to date on these Conversations show that we have reached over 800 people in more than 34 cities around the country. We estimate that we have reached close to 2,500 individuals.

Department of Treasury

HBCU Funding. Since 1996, Treasury has worked with the Department of Education on a construction financing program for HBCUs. During the week of January 12, the Federal Financing Bank disbursed \$99,000 to West Virginia State College to pay for dorm construction and renovation as part of the HBCU program. The Designated Bonding Authority (a private entity that works with the Department of Education to promote the program) will be sending solicitations to all eligible institutions describing the availability of the capital financing and the current low interest rates.

Black Patriots Coin. On January 19, U.S. Treasurer Withrow traveled to Los Angeles to participate in an unveiling of the Black Revolutionary War Patriots Coin Designs at the Museum of Tolerance in Los Angeles, California. Treasurer Withrow also attended the annual Southern Christian Leadership Council Dinner in recognition of Dr. Martin Luther King, Jr. that same evening.

Department of Justice

Martin Luther King, Jr. Day. On January 19, Attorney General Reno participated in a town hall meeting and volunteered for Habitat for Humanity in Jackson, Mississippi, as part of the President's efforts to get Administration officials into the communities for Martin Luther King, Jr. Day.

Enforcement of Civil Rights Funding. On January 19, Bill Lann Lee amplified the Vice President's announcement on increasing funding for civil rights enforcement at an event sponsored by Focus Hope, a civil and human rights organization in Detroit, MI. The Detroit News, and the Detroit Free Press ran stories.

United States Department of Agriculture

Conversations That Bring Us Together. On January 17, Under Secretary for Food, Nutrition, and Consumer Services Shirley Watkins held a "One America: Conversations That Bring Us Together" roundtable in Memphis, TN. Community leaders and members discussed the issues of opportunity and fairness for all Americans, with particular focus on economics and education.

Tribal Council Chairs. On January 20, USDA officials met with the 11 Indian Reservation Tribal Council Chairs in Minnesota, the first between tribal leaders and top USDA state officials.

Martin Luther King, Jr. On January 28, Secretary Glickman will speak at USDA's Martin Luther King, Jr. observance program in Washington, DC.

Civil Rights Discussion. On January 30, the Secretary will participate in a civil rights roundtable and speak at the Rural Life Symposium Conference at the University of Arkansas in Pine Bluff, AR.

Department of Labor

Advisory Board Meeting. On January 13 and 14, Secretary Herman participated in the fifth meeting of the President's Initiative on Race Advisory Board in Phoenix, AZ. In addition, she hosted a luncheon with American Indian Organizations on the topic of welfare to work; met with the editorial board of the *Phoenix Republic* newspaper; and, met with the local NAACP and other leaders of the African American community.

Wall Street Event. On January 15, Secretary Herman accompanied you to New York to support the Operation Push efforts on Wall Street.

Diversity Task Force. Department of Labor's Diversity Task Force is concluding its

research on how to ensure that the DOL is an equal opportunity workplace. Last week, Task Force members reviewed the findings of the regional visits and results of the brainstorming sessions held in the National Office. The Task Force also conducted a series of oral presentations by those groups (unions, special emphasis groups etc.) that requested a specific meeting with them. The report is due to Secretary Herman on January 31.

Department of Housing and Urban Development

Housing Discrimination. On January 15, HUD launched an investigation of allegations of widespread housing discrimination by a Southern California property management company and owners of nine Orange County apartment complexes with over 1,300 units.

The company allegedly discriminated against blacks, Hispanics and families with children who tried to rent apartments at the complex.

Department of Education

Race Advisory Board. Secretary Riley is tentatively scheduled to attend the meeting of the Race Initiative Advisory Board in San Francisco on February 10.

Conversations That Bring Us Together. Chief of Staff Leslie Thornton is scheduled to host a "Conversations that Bring Us Together" event at the University of Illinois at Urbana-Champaign on January 22.

Hate Crimes. DOEd staff are working with DOJ to produce a guide titled "Preventing Youth Hate Crime: A Manual for Educators and Communities." The guide will be issued jointly by the Attorney General and Secretary Riley to provide useful information to assist schools and communities in confronting and eliminating harassing, intimidating, violent and other hate-motivated behavior among young people.

**CLASS SIZE REDUCTION INITIATIVE:
SMALL CLASSES WITH QUALIFIED TEACHERS**

To have the best schools, we must have the best teachers ...we must do more to help all our children read.

President Clinton, 1997 State of the Union Address

Small Classes with Qualified Teachers to Improve Reading in Grades 1-3. Today President Clinton proposed a \$12.4 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help make sure that every child receives personal attention, learns to read independently and gets a solid foundation for further learning. The new initiative will reduce class size from a nationwide average of 22 in grades 1-3 to an average of 18, by providing funds to help local school districts hire an additional 100,000 well prepared teachers. In addition, the President's initiative will provide funds to states and local school districts to test new teachers, develop more rigorous teacher testing and certification requirements, and train teachers in effective reading instruction practices. Schools districts will be accountable for demonstrating gains in reading achievement. These steps will help ensure that first through third grade students are receiving high-quality reading instruction in smaller classes from competent teachers.

Investing in Teacher Quality. For reductions in class size to result in improved reading performance, teachers must have the knowledge and skills to teach reading effectively in small classes. The President's initiative would accomplish this by:

Providing funds for teacher testing and training: 10% of the funds in this initiative can be used to promote high quality teaching by (1) testing new teachers before they are hired and to develop improved tests for teachers; (2) training teachers in effective reading instruction practices and/or in effective practices in small classes; (3) providing mentors or other support for newly hired teachers; and, (4) providing incentives to recruit teachers to high poverty schools.

Requiring Teachers to Meet State Certification Standards: States and school districts would be required to ensure that individuals hired to fill these new positions be either fully certified or are making satisfactory progress toward full certification. School districts could use the funds described above to provide teachers with the additional training needed to meet certification requirements.

Requiring state basic skills testing for new teachers. States would be required to implement basic skills testing for new teachers, to ensure parents that new teachers have basic reading and math skills. Each state would select the test it determines is most appropriate for this purpose. Nearly 40 states already require basic skills testing for teachers.

Encouraging States to Adopt Rigorous Professional Tests and Upgrade Teacher

Certification Requirements. Teachers should be able to demonstrate that they know the subject they are expected to teach and have the necessary knowledge and skills to help their student reach the challenging academic standards adopted by the state. States would be encouraged to use a portion of their funds to toughen their teacher certification requirements and to require new teachers to demonstrate competence. For example, states could use these funds to develop rigorous tests of subject matter expertise and professional knowledge that prospective teachers would be required to pass before they start teaching, and to develop ways of assessing whether beginning teachers can demonstrate that they have met rigorous standards of classroom teaching before achieving full certification.

Holding Schools Accountable for Results. School districts receiving these funds would be required to make measurable progress in improving reading achievement within 3 years, or take corrective actions. School districts could lose funding if there is no subsequent funding. School districts would also be required to publish an annual school report card for parents and taxpayers, show reading achievement, class size and teacher qualifications.

Targeting Funding. Funds for the President's class size reduction initiative will be distributed to states on the basis of the Title I formula. Within states, each high poverty school district would receive the same share of these funds as it receives under Title I, and the remaining funds would be distributed based upon class size within the state. Matching funds would be required from participating school districts, on a sliding scale. Once a state has reached an average class size of 18 in grades 1-3, it could use these funds to further reduce class size in those grades, or it could extend its efforts to other grades.

Providing facilities for additional classrooms. In order to help school systems meet the need for additional space for smaller classes, the President has (1) proposed a \$10 billion school modernization bond initiative to provide incentives for communities to invest in local school facilities; (2) made facilities changes to accommodate class size reduction an allowable use of funds; and (3) allowed for phased-in implementation of the class size initiative to enhance state/local facilities planning.

Small Classes Make a Difference. A major research experiment in Tennessee (Project STAR), and other studies have shown that young students benefit from smaller classes with well-qualified teachers. For example, Project STAR students showed improved achievement and behavior, higher test scores, and gains lasting through their later years of schooling. Economically disadvantaged and minority students, in particular, showed the greatest gains in achievement. However, these findings demonstrated that all children in early grades benefit from small classes -- especially in reading. Having smaller classes allows teachers to devote more time to individualized attention, engage in more in-depth instruction, and to identify and remedy learning problems before students fall too far behind. .

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 19:17:38.00

SUBJECT: Re: Education "one" pager for Bruce/Gene/Elena review

TO: kagan_e (kagan_e @ a1 @ cd @ lngtwy [UNKNOWN]) (OPD)

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There is one small change in class size graph, per Mike.

Thanks.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D38]MAIL41989622R.026 to ASCII,

The following is a HEX DUMP:

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STATE OF THE UNION ADDRESS: NEW EDUCATION INITIATIVES
DRAFT -- January 23, 1998

President Clinton is proposing new initiatives that will dramatically strengthen elementary and secondary education. These proposals will help ensure that all students start out in a small class with a good teacher, in a safe, modern school. They will also help ensure that students, especially in high poverty urban and rural areas, attend schools where high standards are taken seriously and kids are given the help they need to succeed. The President's proposals will dramatically expand access to safe havens for after-school learning, and ensure that low-income students receive the support and encouragement to finish school and continue on to college.

Small Classes with Qualified Teachers to Improve Reading in Grades 1-3. President Clinton is proposing a \$12.4 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help ensure that every child receives personal attention, learns to read independently and gets a solid foundation for further learning. The new initiative will reduce class size in grades 1-3 to a nationwide average of 18, providing funds to help local school districts hire an additional 100,000 well-prepared teachers. The initiative will also provide funds to states and local school districts to test new teachers, develop more rigorous teacher testing and certification requirements, and train teachers in effective reading instruction practices. Schools districts will be accountable for demonstrating gains in reading achievement. These steps will help ensure that first through third grade students are receiving high-quality reading instruction in smaller classes from competent teachers.

Modern School Buildings to Improve Student Learning. In order for students to learn and to compete in the global economy, schools must be well-equipped and they must be able to accommodate smaller class sizes. To address these and other critical needs, President Clinton is proposing Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools. This is more than double the assistance proposed last year, which covered half the interest on an estimated \$20 billion in bonds. The tax credits will cost the Treasury \$5 billion over 5 years, and more than \$10 billion over ten years. Of the \$22 billion in bond authority, nearly \$20 billion is for a new School Modernization Bonds. Half of this bond authority will be allocated to the 100 school districts with the largest number of low-income children, and the other half will be allocated to the States. In addition, the President is proposing a more than \$2.4 billion expansion of the Qualified Zone Academy Bonds, school-business partnerships that will include funding for school construction and renovation.

Education Opportunity Zones: Helping Students in Poor Communities Reach High Standards. This initiative will strengthen public schools and help students master the basic and advanced skills where the need is the greatest: in high poverty urban and rural communities where concentrated poverty, low expectations, too many poorly prepared teachers, and overwhelmed school systems create significant barriers to high achievement. The Education Department will select approximately fifty high poverty urban and rural school districts with: (1) a demonstrated commitment to use high standards and tests of student achievement as tools to identify and provide help to students, teachers and schools who need it; (2) a strategy to prevent

students from falling behind by ensuring quality teaching, challenging curricula, and extended learning time; (3) programs to end social promotion and turn around failing schools; and (4) evidence of improved student achievement. Added investments in these communities will accelerate their progress and provide models of successful, standards-based reform for the nation.

The President's initiative will invest \$200 million in FY99, and \$1.5 billion over 5 years, in raising achievement and sharing lessons learned with school districts around the country.

Expanding Access to Safe After-School Care. To help create safe, positive learning environments for American school-age children who lack adult supervision during a typical week, the President has proposed to increase the 21st Century Learning Center Program by \$800 million over five years. The program will support school-community partnerships that expand or establish programs providing after-school care for up to half a million children a year.

Early Intervention to Promote College Attendance. President Clinton will soon announce a long-term effort to bring college opportunity to children in high-poverty areas by providing their families with early information about financial aid and the best courses to take to be well-prepared for college, as well as support services to help the children stay on track through high school graduation and into college.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dawn M. Chirwa (CN=Dawn M. Chirwa/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:23-JAN-1998 11:55:04.00

SUBJECT: Encyclopedia entry

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

READ:UNKNOWN

TEXT:

What I thought I'd also do, primarily to aid in your discussion with the encyclopedia publishers, is write a memo for you memorializing my advice. I'll try to get it to you by the end of the day.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 21:41:57.00

SUBJECT: MOC briefings on SOTU

TO: Kay Casstevens (CN=Kay Casstevens/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Amy W. Tobe (CN=Amy W. Tobe/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: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

Hill Briefings on the State of the Union

Monday:

- 10:00 am House Policy Staff in Cannon Caucus Room, Rm 345
(House Legislative Directors, Administrative Assistants, and select Committee Staff)
White House Participants: Reed/Kagan, Sperling/Lew, Begala, Murguia
- 11:30 am Senate Policy Staff in 562 Dirkson Senate Office Building
(Senate Legislative Directors, Administrative Assistants, and select Committee Staff)
White House Participants: Reed/Kagan, Sperling/Lew, Begala, Murguia
- 1:00 pm Congressional Hispanic Caucus Member Conference Call
(Congressional Hispanic Caucus House Members)
White House Participants: Murguia, Sperling, Raines, Riley, Reed, Echaveste, Ibarra, Shireman, Cohen
- 1:00 pm New Democrats Coalition (Co-Chairs: Roemer, Dooley, and Moran) approx. 20 to 30 Members expected. Site: TBD
White House Participants: VPOTUS
- TBD pm? Congressional Black Caucus Member Conference Call
(Could be (Congressional Black Caucus House Members)
Tuesday) White House Participants: Raines, Sperling, Kagan, Moore, Murguia
(alert--Mathews/Bowles)
- TBD pm? Phone call to Blue Dog Coalition Chair, Congressman Gary Condit
White House Contact: Bruce Reed or Monica Dixon
- TBD pm? Phone call to Asian Pacific Caucus Chair, Congresswoman Patsy Mink
White House Contact: Janet Murguia
- TBD pm? Phone call to Progressive Caucus Chair, Congressman Bernie Sanders
White House Contact: Erskine Bowles

Tuesday:

- AM/PM Assigned Calls for Principals/Cabinet Secretaries of targeted Members and Senators
- 2:00 pm Joint Democratic Leadership Members in Daschle's Conference Room
(House and Senate Democratic Leadership Members)
White House Participants: TBD

5:00 pm

House and Senate Democratic Press Secretaries
(House and Senate Press Secretaries)

White House Participants: Lewis, McCurry, Weiss-Tobey, Begala, Murguia

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 23-JAN-1998 09:14:15.00

SUBJECT: EEOC rule

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,

OMB spoke yesterday with the agencies that commented on the new EEOC rule to let them know the modifications that the EEOC had agreed to make pursuant to their comments. The agencies were not pleased. Sally is holding a meeting with them on Monday at 2pm to discuss their remaining concerns.

The agencies are particularly upset with the provision of the EEOC rule that would remove the agency's ability to review AJ decisions. The agencies have argued that the EEOC does not have the authority, under Title VII, to remove the agency from the process. The General Counsel from OPM (Lorraine Lewis) called Sally and Don Arbuckle and requested that OMB put this question to OLC. OMB may want to seek informal advice, rather than a legal opinion, in order to expedite the response. I have told OMB that I would be happy to make the contact with OLC on this question. Does that sound o.k.? Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 17:37:05.00

SUBJECT: Min wage and workfare sheet

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

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

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:

Elena -- Diana did the work sheet you asked for, comparing how many states will have trouble paying for workfare under the current and increased minimum wage.

----- Forwarded by Cynthia A. Rice/OPD/EOP on 01/23/98
05:31 PM -----

Diana Fortuna
01/23/98 05:03:23 PM
Record Type: Record

To: Cynthia .A. Rice/OPD/EOP
cc:
Subject: Min wage and workfare sheet

I couldn't do each year individually because there is a food stamp cost of living adjustment (which actually our previous analysis from HHS ignored). But I think this works pretty well. I got some numbers from Jeff Farkas to do it.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D23]MAIL483846229.026 to ASCII,
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States With Problems in 2001 (assumes 20 hours of work per week) -- Factors in rough food stamp cost of living increase in 2001			
	Families of 2	Families of 3 (average family size)	Families of 4
Current Minimum Wage -- \$5.15	8 states	No states (Miss.'s problem disappears by 2001 because of increase in food stamp allotment)	No states
Year 2001 minimum wage: \$6.20	24 states	4 states	No states

Recall that the number of hours of work required per week increases from 20 hours in 1997 and 1998 to 25 hours in 1999, and 30 hours in 2000 and thereafter. However, the increase from 20 to 30 hours can be in the form of training directly related to employment, so it is possible to argue that 20 hours is the more useful reference point. But below is the 30 hour chart.

States With Problems in 2001 (assumes 30 hours of work per week) -- Factors in rough food stamp cost of living increase in 2001			
	Families of 2	Families of 3 (average family size)	Families of 4
Current Minimum Wage -- \$5.15	38 states	14 states	2 states
Year 2001 minimum wage: \$6.20	48 states	36 states	12 states

PRESIDENT CLINTON: FIGHTING JUVENILE CRIME AND DRUG USE

“Now, we must work together to do more, to protect our children from the scourge of violent crime and especially from crimes committed by other young people. This is now my highest law enforcement priority. We must provide for more prosecutors and probation officers, tougher penalties, and also better gang prevention efforts, including after school programs, so that young people have something to say yes to and some way of staying out of trouble.”

--President Clinton, October 9, 1997

While overall crime rates have been declining, juvenile crime and drug use remains a serious problem. Juvenile gun murders have quadrupled, teenage drug use has risen, and youth gangs have spread to large cities and rural towns throughout America. In the State of the Union, the President again challenged Congress to confront this issue and pass his Anti-Gang and Youth Violence Strategy. Specifically, his strategy and budget call for:

- **Targeting Gangs and Violent Juveniles.** To help state and local prosecutors crackdown on gang members and violent juveniles, the President has proposed \$150 million to hire new prosecutors and expand anti-gang task forces; \$60 million to establish juvenile gun and drug courts that ensure swift and certain punishment for youthful offenders; and tough new penalties and prosecutorial tools.
- **Cracking Down on Guns and Gun Traffickers.** To keep violent juveniles from buying guns as adults, the President's strategy also proposes to ban violent juvenile from buying guns on their 21st birthday. His strategy also increases penalties for selling handguns to juveniles and other offenses, and includes \$28 million to expand the Youth Crime Gun Interdiction Initiative (YCGII) that helps local law enforcement trace illegal firearms to their source.
- **Keeping Kids In School, Off Drugs and Out of Trouble.** To ensure that kids are supervised from 3 to 8 pm -- the time when most violent juvenile crimes are committed -- the President's strategy proposes \$95 million for the Justice Department to help keep schools open later and to promote anti-truancy initiatives and curfews. The President's Child Care Initiative also quadruples funding for Department of Education-sponsored after school programs, and his Drug Strategy includes new funds for Safe and Drug-Free schools.

Key Components of the President's Juvenile Crime Strategy in the FY 1999 Budget:

Prosecutorial Initiatives	-- \$150 million
Courts and Probations	-- \$60 million
At-Risk Youth Initiative	-- \$95 million
Youth Crime Gun Interdiction Initiative	-- \$28 million
Safe and Drug-Free Schools/Coordinators	-- \$606 million
21st Century Learning Centers	-- \$200 million
Anti-Drug Media Campaign	-- \$195 million

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 11:46:27.00

SUBJECT: Draft Two-Pager on Zones

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: Paul J. Weinstein Jr. (CN=Paul J. Weinstein Jr./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: Laura Emmett (CN=Laura Emmett/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:
Bruce and Elena--

Here is the latest draft of the two-pager on the Education Opportunity Zones. We are circulating this for comment to key people at Education and internally, and may have some limited changes still to make before we need your final review. We are also working on a) revised set of urban and rural examples of the kinds of activities supported by the initiative and b) internal Q&A. Note that this version still presumes that the Zones will be leaked prior to the class-size initiative.

Thanks.

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

TEXT:
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**EDUCATION OPPORTUNITY ZONES:
STRENGTHENING URBAN AND RURAL SCHOOLS**
REVISED DRAFT -- January 23, 1998

I challenge every school district to adopt high standards, to abolish social promotion, to move aggressively to help all students make the grade through tutoring, and summer schools, and to hold schools accountable for results, giving them the tools and the leadership and the parental involvement to do the job.

-- President Bill Clinton, October 28, 1997

HELPING STUDENTS IN HIGH POVERTY COMMUNITIES REACH HIGH STANDARDS. President Clinton's Education Opportunity Zones initiative will help strengthen public schools and help students master the basic and advanced academic skills where the need is the greatest: in high poverty urban and rural communities where concentrated poverty, low expectations, too many poorly prepared teachers, and overwhelmed school systems create significant barriers to high achievement. The Education Department will select approximately fifty high poverty urban and rural communities with: (1) a demonstrated commitment to use high standards and tests of student achievement as tools to identify and provide help to students, teachers and schools who need it; (2) programs to end social promotion and turn around failing schools; and (3) evidence of improved student achievement. Added investments in these communities will accelerate their progress and provide models of successful, standards-based reform for the nation. The President's initiative would invest \$200 million in FY99, and \$1.5 billion over 5 years, in raising achievement and sharing lessons learned with school districts around the country.

A CLEAR FOCUS ON HIGH STANDARDS AND ACCOUNTABILITY FOR RESULTS. To be selected as Education Opportunity Zones, school districts will have to demonstrate how they will address some key aspects of effective local reform efforts: ■ holding schools accountable for helping students reach high academic standards, including rewarding schools that succeed and intervening in schools that fail to make progress; ■ holding teachers and principals accountable for quality, including rewarding outstanding teachers, and fairly and quickly removing ineffective teachers; ■ ending social promotions and requiring students to meet academic standards at key transition points in their academic careers; and ■ providing students and parents with school report cards and expanded choice within public education.

EXTRA RESOURCES TO IMPROVE TEACHING, LEARNING, AND LEADERSHIP. School districts will use Education Opportunity Zone funds for key activities such as: ■ providing extra help to students who need it to meet challenging standards, through after-school, Saturday, and/or summer school programs; ■ providing bonuses to schools that make significant gains in student achievement; ■ turning around failing schools by implementing proven reform models, or closing them down and reconstituting them or reopening them as charter schools; ■ building stronger partnerships between schools and parents, businesses, and communities; ■ implementing sound management practices and accountability systems; ■ providing intensive professional development to teachers and principals; ■ helping outstanding teachers earn master teacher certification from the National Board for Professional Teacher Standards and giving them bonuses when they do; and
■ implementing programs to identify low performing teachers, assist them to improve, and

remove them if they fail to do so.

COMPETITIVE GRANTS TO SUPPORT PROMISING MODELS. Districts will be selected as Education Opportunity Zones under a competitive, peer-review process. A mix of large and smaller urban areas will be selected to participate, as well as rural school districts and consortia. Each urban Education Opportunity Zone will receive a 3-year grant worth up to \$10-25 million per year (depending upon size and proposed activities), and each rural Zone could receive from \$250,000 to \$3 million (for consortia). Zones will be selected in two rounds, the first in FY 1999, and the second in FY 2001. Successful applicants will have broad-based partnerships to support their reforms -- including parents, teachers, local government, business and civic groups, institutions of higher education and other key stakeholders. Successful applications will show how the district will use all available resources -- federal, state, and local, as well as any business or foundation funds -- to carry out its reform strategy and maintain it once these federal funds are no longer available. Eligible districts often have substantial numbers of disabled and limited English proficient children, and successful applications will address how these children will be assisted to meet high standards.

REWARDS FOR DEMONSTRATED STUDENT ACHIEVEMENT GAINS. Each Education Opportunity Zone will agree to a rigorous performance partnership with the Secretary of Education, agreeing to set specific, ambitious, benchmarks in student achievement, dropout rates and other indicators of success. Districts may receive further support in years 4 and 5 only if they have demonstrated success in reaching the agreed benchmarks.

GREATER FLEXIBILITY IN USING OTHER FEDERAL RESOURCES. All schools in an Education Opportunity Zone school district -- regardless of poverty level -- will become eligible to combine all their federal education funds, together with state and local funds, in schoolwide programs to raise student achievement. Requirements pertaining to school accountability, as well as special education, health, safety, and civil rights, will continue to be met.

ASSISTANCE TO HELP DISTRICTS FIND AND SHARE WHAT WORKS. The Department of Education will offer technical assistance, use technology to help districts consult with each other, and disseminate lessons learned to urban and rural communities across the U.S.

In addition, a national evaluation of the Zones will be conducted, with the results helping to inform the next reauthorization of the Elementary and Secondary Education Act.

BOLD ACTION TO HELP CHILDREN IN OUR CITIES AND RURAL AREAS. Education opportunity zones are part of a broader set of initiatives to help strengthen urban and rural schools. President Clinton has proposed a national campaign to rebuild crumbling schools, a \$350 million initiative to recruit and prepare teachers for underserved urban and rural areas, and a dramatic commitment to expanding the availability and quality of child care and after-school learning opportunities. These and additional proposals still to be announced will have a powerful impact on improving the prospects of children in some of our poorest communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mark D. Neschis@EOP@LNGTWY@LNGTWY (Mark D. Neschis@EOP@LNGTWY@LNGTWY [WHO

CREATION DATE/TIME:23-JAN-1998 18:38:47.00

SUBJECT: Weekend Show Update

TO: Amy W. Tobe@eop (Amy W. Tobe@eop [WHO])
READ:UNKNOWN

TO: Eleanor S. Parker@eop (Eleanor S. Parker@eop [WHO])
READ:UNKNOWN

TO: Maria Echaveste@eop (Maria Echaveste@eop [WHO])
READ:UNKNOWN

TO: Deborah Falk@eop (Deborah Falk@eop [WHO])
READ:UNKNOWN

TO: Cathy R. Mays@EOP (Cathy R. Mays@EOP [OPD])
READ:UNKNOWN

TO: Michele Jolin@EOP (Michele Jolin@EOP [CEA])
READ:UNKNOWN

TO: david t. johnson@eop (david t. johnson@eop [NSC])
READ:UNKNOWN

TO: Nanda Chitre@eop (Nanda Chitre@eop [WHO])
READ:UNKNOWN

TO: Nathan B. Naylor@ovp@eop (Nathan B. Naylor@ovp@eop [UNKNOWN])
READ:UNKNOWN

TO: Marjorie Tarmey@eop (Marjorie Tarmey@eop [WHO])
READ:UNKNOWN

TO: Brian D. Smith@eop (Brian D. Smith@eop [WHO])
READ:UNKNOWN

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

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

TO: Christopher C. Jennings@eop (Christopher C. Jennings@eop [OPD])
READ:UNKNOWN

TO: Jason S. Goldberg@EOP (Jason S. Goldberg@EOP [WHO])
READ:UNKNOWN

TEXT:

Message Creation Date was at 23-JAN-1998 18:21:00

JANUARY 23rd 1998

MEMORANDUM TO MIKE MCCURRY, ANN LEWIS AND RAHM EMANUEL
FROM MARK NESCHIS

SUBJECT WEEKEND TELEVISION(tentative)

FRIDAY JANUARY 23RD

WASHINGTON WEEK IN REVIEW

Topic: Starr Investigation

Guest: Michael Duffy, Time Magazine, Mara Liasson, NPR

Topic: The Pope's Visit to Cuba

Guest: Hal Bruno, ABC News

Topic: Netanyahu/Arafat Visit

Guest: Robert Greenberger, Wall Street Journal

Roundtable: Media Coverage of the Starr Investigation

SATURDAY JANUARY 24TH

EVANS & NOVAK (CNN)

Topic: The Pope's Visit to Cuba

Guest: Rep. Charles Rangel

SUNDAY JANUARY 25TH

FOX NEWS SUNDAY (FOX)

Topic: Starr Investigation

Guest: Former White House Communications Director Don Baer, Paula Jones
Spokeswoman Susan Carpenter McMillan

Topic: Taxes, Budget

Guest: Rep. Bill Archer

Roundtable: Brit Hume, Juan Williams, Mara Liasson, Tony Snow

FACE THE NATION(CBS)

Topic: Starr Investigation

Guest: Rep. Henry Hyde, Fmr. Independent Counsel Joseph DiGenova , Monica
Lewinsky's Attorney William Ginsberg, Ann McDaniel, Newsweek

no roundtable

THIS WEEK (ABC)

Topic: Starr Investigation

Guest: Rep. Henry Hyde, Monica Lewinsky's Attorney William Ginsberg, Evan
Thomas Newsweek

Topic: 1998 Agenda, Starr Investigation

Guest: Sen. Lott

Roundtable: George Stephanopoulos, Bill Kristol

MEET THE PRESS (NBC)

Topic: Starr Investigation

Guest: Rep. Barr, Sen. Specter, Democratic Strategist James Carville (These guests are all tentative)

Topic: Starr Investigation

Guest: Stuart Taylor, National Journal, Michael Isikoff, Newsweek, Clinton Biographer David Maraniss, William Safire, New York Times, Matt Drudge, "The Drudge Report"

Topic: The Pope's Visit To Cuba

Guest: Cardinal John O'Connor, Cardinal Bernard Law

LATE EDITION (CNN)

Topic: Starr Investigation

Guest: Rep. Henry Hyde, Former White House Press Secretary Dee Dee Myers, Former Attorney General Dick Thornburgh, Democratic National Committee Chairman Gov. Roy Romer

Roundtable: Susan Page USA Today, Tony Blankley George Magazine, Steven Roberts, NY Daily News,

McLAUGHLIN GROUP (NBC)

Topics: Starr Investigation, The Pope in Cuba

Guest: Pat Buchanan, Richard Lambert, Mort Kondracke, Eleanor Clift

McCLAUGHLIN One on One (NBC):

Topic: Starr Investigation

Guest: Joseph diGenova Former Independent Counsel, Victoria Toensing, Former Deputy Assistant Attorney General

DRAFT 1/22/98

Dear Senator McCain,

Thank you for your letter regarding the need for tobacco legislation to improve the health of our nation's youth. I believe comprehensive tobacco legislation offers a unique opportunity to impose a system of controls on tobacco companies and limit the devastating effects of cigarettes on our nation.

I agree with you that building a consensus will be critical if we are to enact legislation that is in the best interest of the nation. The effort to protect the health of America's youth is not a Democratic or Republican issue, but a public health issue, and one of our country's highest priorities. I am glad that you have scheduled hearings on this important issue, and I can assure you that my Administration will cooperate to the fullest extent possible. I will make appropriate representatives of my Administration available for your hearings and to answer any questions you might have.

As you may know, when I announced my plan for comprehensive tobacco legislation, I noted five key elements that I said must be at the heart of any national tobacco legislation. I took this approach because I wanted to identify the elements that I believe must be at the core of the legislation, and then to work closely with you and the rest of Congress to develop bipartisan legislation that incorporates these elements. I have told my staff that they should be available to meet anytime and anywhere to discuss this issue and provide whatever assistance is useful to work with you in reducing teen smoking. I am confident that together we will avoid counterproductive partisan disputes and, as you note in your letter, build a vital consensus on this issue.

Again, thank you for your commitment to this legislation. I look forward to working closely with you. Together, I believe we will be able to enact comprehensive bipartisan tobacco legislation this year.

Sincerely

STATE OF THE UNION ADDRESS: NEW EDUCATION INITIATIVES

DRAFT -- January 23, 1998

President Clinton is proposing new initiatives that will dramatically strengthen elementary and secondary education. These proposals will help ensure that all students start out in a small class with a good teacher, in a safe, modern school. They will also help ensure that students, especially in high poverty urban and rural areas, attend schools where high standards are taken seriously and kids are given the help they need to succeed. The President's proposals will dramatically expand access to safe havens for after-school learning, and ensure that low-income students receive the support and encouragement to finish school and continue on to college.

Small Classes with Qualified Teachers to Improve Reading in Grades 1-3. President Clinton is proposing a \$12.4 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help ensure that every child receives personal attention, learns to read independently and gets a solid foundation for further learning. The new initiative will reduce class size from a nationwide average of 22 in grades 1-3 to an average of 18, providing funds to help local school districts hire an additional 100,000 well-prepared teachers. The initiative will also provide funds to states and local school districts to test new teachers, develop more rigorous teacher testing and certification requirements, and train teachers in effective reading instruction practices. Schools districts will be accountable for demonstrating gains in reading achievement. These steps will help ensure that first through third grade students are receiving high-quality reading instruction in smaller classes from competent teachers.

Modern School Buildings to Improve Student Learning. In order for students to learn and to compete in the global economy, schools must be well-equipped and they must be able to accommodate smaller class sizes. To address these and other critical needs, President Clinton is proposing Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools. This is more than double the assistance proposed last year, which covered half the interest on an estimated \$20 billion in bonds. The tax credits will cost the Treasury \$5 billion over 5 years, and more than \$10 billion over ten years. Of the \$22 billion in bond authority, nearly \$20 billion is for a new School Modernization Bonds. Half of this bond authority will be allocated to the 100 school districts with the largest number of low-income children, and the other half will be allocated to the States. In addition, the President is proposing a more than \$2.4 billion expansion of the Qualified Zone Academy Bonds, school-business partnerships that will include funding for school construction and renovation.

Education Opportunity Zones: Helping Students in Poor Communities Reach High Standards. This initiative will strengthen public schools and help students master the basic and advanced skills where the need is the greatest: in high poverty urban and rural communities where concentrated poverty, low expectations, too many poorly prepared teachers, and overwhelmed school systems create significant barriers to high achievement. The Education Department will select approximately fifty high poverty urban and rural school districts with: (1) a demonstrated commitment to use high standards and tests of student achievement as tools to identify and provide help to students, teachers and schools who need it; (2) a strategy to prevent

students from falling behind by ensuring quality teaching, challenging curricula, and extended learning time; (3) programs to end social promotion and turn around failing schools; and (4) evidence of improved student achievement. Added investments in these communities will accelerate their progress and provide models of successful, standards-based reform for the nation.

The President's initiative will invest \$200 million in FY99, and \$1.5 billion over 5 years, in raising achievement and sharing lessons learned with school districts around the country.

Expanding Access to Safe After-School Care. To help create safe, positive learning environments for American school-age children who lack adult supervision during a typical week, the President has proposed to increase the 21st Century Learning Center Program by \$800 million over five years. The program will support school-community partnerships that expand or establish programs providing after-school care for up to half a million children a year.

Early Intervention to Promote College Attendance. President Clinton will soon announce a long-term effort to bring college opportunity to children in high-poverty areas by providing their families with early information about financial aid and the best courses to take to be well-prepared for college, as well as support services to help the children stay on track through high school graduation and into college.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rachel E. Levinson (CN=Rachel E. Levinson/OU=OSTP/O=EOP [OSTP])

CREATION DATE/TIME:23-JAN-1998 15:17:40.00

SUBJECT: cloning memo

TO: Arthur Bienenstock (CN=Arthur Bienenstock/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

CC: gips_d (gips_d @ al.eop.gov @ inet [UNKNOWN]) (VPO)
READ:UNKNOWN

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

CC: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

CC: Toby Donenfeld (CN=Toby Donenfeld/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

CC: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D56]MAIL40085522F.026

The following is a HEX dump of the file:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D56]MAIL40085522G.026 to ASCII,

The following is a HEX DUMP:

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DRAFT MEMORANDUM FOR THE PRESIDENT

FROM:

SUBJECT: Cloning: Legislative Options

Interest in cloning legislation was renewed by reports that a Chicago physicist plans to attempt to use this technology to create a child. Your January 10 radio address challenged Congress to enact a ban on private sector activities like the one you have imposed on the use of public funds. Congressional staff inquiries indicate that your challenge will be accepted. Both critics and supporters of your draft bill agree that this issue raises complex drafting problems. You have the opportunity at this juncture to stay with existing language or, alternatively, propose new wording that clarifies your position. Given the strong possibility that Congressional measures may deviate from the principles outlined in your draft bill, it may be desirable to assert your leadership and encourage your allies by providing more specific language.

Your June 9, 1997 draft legislation (Tab A): 1) prohibits the production of a child using somatic cell nuclear transfer, 2) protects valuable research, especially embryo research conducted without the use of Federal funds, 3) provides no new incentives for abortion, and 4) establishes a sunset provision. We believe these principles should underpin any cloning legislation. The prohibition wording options presented below are designed to clarify our position.

Whichever option you choose, you will have to struggle with the dichotomy between allowing most embryo research in the private sector, while maintaining a ban on the use of Federal funds with which much valuable science might be conducted. You addressed this issue in developing the current draft bill and might refer to the June 8 decision memorandum for useful discussion (Tab B). It is probable that cloning legislation will be viewed by some members of Congress as a vehicle for extending a more permanent, broad ban on embryo research.

The memorandum also presents the pros and cons associated with a clause pre-empting state legislation of human cloning, and a possible legislative strategy.

I. Prohibition Wording Options

A. Support current language without changes

Current language:

It shall be unlawful for any person or other legal entity, public or private, to perform or use somatic cell nuclear transfer with the intent of introducing the product of that transfer into a woman's womb or in any other way creating a human being.

Your bill has been praised by the biomedical industry and professional societies for its narrow focus on the act of creating a human being through somatic cell nuclear transfer--the technology used to create Dolly the sheep--and the absence of any mention of embryo research. These groups also applaud your protection of noncontroversial biomedical research and the

5-year sunset provision. Current language maintains the status quo with respect to freedom to carry out embryo research in the private sector under existing (albeit limited) Federal oversight, and does not affect nor address the ban on Federal funding for a much broader class of embryo research.

The biotechnology industry and fertility research community have identified three problems with this language: (1) it appears to equate introduction into the womb with creating a human being, (2) the meaning of the word "intent" is ambiguous, and (3) the meaning of the phrase "or in any other way" is unclear. Option B describes a solution for these problems, while continuing to uphold the principles expressed in your draft bill.

B. Refine current language

Suggested modification:

It shall be unlawful for any person or other legal entity, public or private, to introduce the product of somatic cell nuclear transfer into a woman's womb in order to create a child.

This language is an improvement in that it makes it clear that violation would occur at the time of introduction into the womb of the product of cloning. However, the phrase "in order to create child" carries with it two problems: (1) defining a child and when life begins, and (2) "in order to" still implies intent. Option C avoids these pitfalls/difficulties.

C. Continue to support the principles in the existing bill, but clarify its scope

Suggested modification:

It shall be unlawful for any person or other legal entity, public or private, to introduce the product of somatic cell nuclear transfer into a woman's womb.

You have been sensitive to the need to be very careful in setting a boundary around permissible biomedical research; hence this bill's narrow focus. The phrase "in order to create a child" maintains that view. However, it suggests two potentially troubling scenarios of which you should be aware. First, it could be interpreted that it encourages abortion because transfer of the product of cloning would be prohibited only if it was done to create a child, but not if it was done with the intention to abort. Second, someone caught in the act of attempting to create a child using this method could avoid liability simply by aborting the cloned embryo or fetus. Therefore, we would suggest that "in order to create a child" be deleted.

This clear language means that during the time this law is in effect, no one in the public or private sectors may perform somatic cell nuclear transfer and implant the resulting product in a woman's uterus. Today, this is legal in the private sector, although it may be possible to exert some regulatory oversight, as discussed in the background attachment. Some fertility research would be precluded under this option, although it is difficult to determine how much because

efforts are generally made to sustain a pregnancy after implantation, not to perform experiments with the intention of aborting. Your National Bioethics Advisory Commission recommended a temporary ban on the use of somatic cell nuclear transfer to create child only after hearing testimony that a 3-5 year prohibition would not impede medical research progress, as long as animal cloning experiments were permitted. We have been told that the fertility research community would not object to this approach.

The right-to-life community has criticized your bill based on their interpretation that it would allow the creation of embryos for research purposes using private funds as long as those embryos were aborted subsequently. Option C still permits the creation of embryos, but removes the incentive for abortion. While the scientific and medical communities supported your earlier version, it is likely that you will retain their support even with this change in view of the larger threats that Congress might impose on research. However, it does make retention of the **sunset clause** all the more crucial. Sen. Bond, Rep. Ehlers, and others will oppose a sunset clause.

D. Adopt a more general prohibition

Your bill is intended to prevent anyone from creating a child who is a genetically identical copy of an existing or previously existing person. Somatic cell nuclear transfer is one way of accomplishing this feat and you endorsed the recommendation of your National Bioethics Advisory Commission in limiting the scope of your bill to the use of such technology to create a child. However, other groups including the American Society for Reproductive Medicine and Council of Europe have proposed more general, non-technology specific bans. One example might be the following:

It shall be unlawful to create a child who is genetically identical to an existing or previously existing child or adult.

We oppose this approach because it raises many of the same problems addressed in Options A and B; namely, defining a child and when life begins. It would also bar reproductive technology currently in use in the U.S.

Recommendation:

We propose that you select Option C so as to: maintain a narrowly focused prohibition, thus protecting the widest possible range of biomedical research while not creating any new incentives for abortion.

Approve: _____

Disapprove: _____

Discuss: _____

II. Federal Pre-emption of State Regulation

The industry is strongly advocating that the Administration use this bill to pre-empt state laws restricting cloning research. The industry cites the California Bill as an example of the type of provision that would prohibit appropriate biomedical research on cloning and they fear that the political climate would likely pressure states to adopt unduly restrictive measures.

There are also a number of reasons arguing against pre-emption at this time. For example, federalism concerns would normally militate against preemption unless it could be shown that such action is necessary (e.g. when there is a need for national standards). In this case, although the industry might be inconvenienced by the existence of differing laws, there is no clear reason why uniform standards are required. Indeed, in the area of biomedical research, there is a strong argument in favor of allowing the states to experiment with a wide range of options because no single correct approach to this issue is immediately obvious. Moreover, the industry's fears that the states would act in concert to preclude important biomedical research, beyond the use of cloning to create a child, seem unwarranted. It is not likely that every state would choose to ban all research because the states that elect to forego restrictive regulation would be likely, on that account, to attract new industry. Finally, using this particular bill to preclude all state regulation of biomedical research is inconsistent with our position that this bill is designed to address only the limited issue of cloning and is not an attempt to address broader research issues.

Recommendation:

We recommend against adding a pre-emption clause.

Approve: _____ Disapprove: _____ Discuss: _____

III. Legislative Strategy

Because the amendment process is difficult to control and extreme amendments may make ultimate support of transmitted Administration legislation undesirable, we recommend encouraging our allies in Congress to incorporate your improved language into their legislation. Senator Diane Feinstein is currently drafting legislation and might be receptive.

Cloning legislation already introduced:

HR 922 by Ehlers - prohibition of Federal funds to conduct or support research on the cloning of humans. Passed out of House Science Committee. Jurisdiction claimed by House Commerce. No hearing date set.

HR 923 by Ehlers - prohibition on cloning humans. House Judiciary Committee. No hearing date.

S 368 by Bond - prohibition of use of Federal funds for human cloning research. No action to

date.

Tabs:

- A. June 9, 1997 draft Administration bill
- B. June 8, 1997 Decision memorandum
- C. Discussion of Impact of FDA Regulatory Authority on Legislative Strategy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jessica L. Gibson (CN=Jessica L. Gibson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:23-JAN-1998 11:05:39.00

SUBJECT: Women's mtg

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

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

TO: lgriffil (lgriffil @ os.dhhs.gov @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

TEXT:

Unfortunately, in addition to our mtg w. the CHC at 11:30am on Mon, Jan 26th, the Women's Caucus is also doing their monthly meeting on Monday. Can anyone cover the women's mtg from 2-3pm on Monday in 1640 Longworth. I understand that it is an extremely inconvenient time, but I am forced to work within their schedules. I guess we will try to do the best that we can to cover. Thanks.

January 23, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Crime -- Community Prosecutors Initiative: Next Friday, you are set to launch a new community prosecutors initiative at the National Conference of Mayor's event. Your FY 99 budget request contains \$50 million for a new federal grant program to build on the success of community policing and enable the Administration to help prosecutors' offices join with their police departments in making use of community-based crime strategies. Similar to the COPS Program, direct, competitive grants would be used to increase the number of local prosecutors interacting directly with members of the community ("community prosecutors" or "neighborhood DAs") and to encourage local prosecutors to reorient their emphasis to solving specific crime and quality of life problems in their communities. Some of the cities that have already started to embrace some form of community prosecution include: Portland, Boston, Denver, Chicago, Indianapolis, Kansas City, New York, Milwaukee, Austin, and Washington, DC.

Crime -- Federal Law Enforcement Officers: On Sunday, the Justice Department will release a report showing that as of June 1996, the Federal government employed about 74,500 full-time law enforcement officers authorized to make arrests and carry a gun. This is a 6% increase over the number of officers employed in 1993. The agencies that experienced the largest percentage increases in officers since 1993 include: the Immigration and Naturalization Service (31%); U.S. Marshals Service (23%); Federal Bureau of Prisons (13%); and U.S. Fish and Wildlife Service (40%). In 1996, 14% of federal officers were women; 72% were white; 13% were Hispanic; 12% were black; 2% were Asian or Pacific Islander; and 1% were American Natives.

Education -- NAGB and National Tests: NAGB met this week and voted to make a number of changes to the test development contract previously awarded by the Department of Education including, as we feared, to delay the initial administration of the tests for one year until 2001. A number of our supporters on the Board, including Roy Romer and Norma Paulus (the Oregon state superintendent), attempted to delay this decision.

However, they faced a unanimous group of testing experts and educators (including Diane Ravitch) who supported the delay.

Education -- Goodling and National Tests: Goodling has scheduled a mark-up the day after the State of the Union Address for a bill to prevent further work on test development (beyond that agreed to in the FY 98 appropriations bill). Secretary Riley has written to Goodling asking him to delay any further action on the tests until after the National Academy of Sciences studies authorized in the appropriations compromise are completed, as was previously agreed to. Civil rights groups that have opposed the test have also asked Goodling to hold off. On Monday Secretary Riley and Director Raines will begin briefing members of the Congressional Hispanic and Black Caucuses on our overall education package and seek their support.

Education -- Republican Senate Education Package: On Tuesday Senate Republicans unveiled a package of education initiatives, much of which is similar to proposals they pursued last year. These include Coverdell's tax-free savings accounts for education; a block grant proposal; a \$75 million voucher demonstration program, a reading initiative similar to one Goodling passed last year, with an emphasis on teacher training and assistance to parents, but with no provision for tutoring as in America Reads; student and teacher safety initiatives; charter school expansion (similar to a House bill you have already endorsed); and authorization for expanded funding of special education.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 19:30:03.00

SUBJECT: Workplace religious freedom

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: 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:

We met today with representatives of the religious groups, AFL-CIO, Department of Labor, and Senator Kerry's office. The results were mixed: general agreement on principle but disagreement about a couple of specific aspects of the bill. Bill Marshall thinks we are close enough to say something general about it in the SOTU. Unless we really want it in, I think it would be better to save it and hopefully get an announcement (with everything more explicit) and we can do an event where the religious groups can, hopefully, stand with the President.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 11:55:06.00

SUBJECT: Guidance on civil rights and welfare reform

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

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

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

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

TEXT:

HHS's civil rights person (Dennis Hayashi) just told me that HHS has prepared guidance for states on civil rights laws and welfare reform, in consultation with EEOC, Labor, Education, USDA, and DOJ. (Who knew?) Anyway, they have a 20 page draft they just sent me that I will forward to you. There is a letter with an overview of the laws and a "technical assistance for caseworkers" document in the form of Q&A's and examples. I don't think the timing is urgent in any way.

It doesn't seem like a terrible idea to remind states and their agents of laws against discrimination on the basis of race, ethnicity, disability, age, etc., just as states are making this major change in their welfare programs. Most of the examples given are common sense but, of course, there are some issues. Three or four examples seemed odd to me, but since I don't know civil rights laws that well, perhaps they are natural extensions of the law. By far the most glaring one to me is as follows:

"The Act imposes a 5-year time limit on receipt of TANF benefits. However, a state may allow hardship exemptions from the time limit for up to 20% of its caseload. States and counties may not use a neutral criterion that has a disproportionate impact on minorities to determine who will be granted this exemption, unless it can be shown that this is necessary, and no less discriminatory alternative is available."

I assume we would like Rob Weiner (or whoever is the appropriate person in counsel's office) to review this. Let me know if you want to take a different approach.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-JAN-1998 16:13:09.00

SUBJECT: tobacco

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

READ:UNKNOWN

TEXT:

will you be able to say anything about growers when you brief on monday?
kentucky and NC wll ask.

aslo, will you have paper for the hill/govs briefings? if so when will it
be ready?