

NLWJC - KAGAN

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[01/28/1998 - 01/29/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	William Kincaid to Michael Cohen & Elena Kagan re: Admission Standards/Magnet Schools Grant Applications [partial] (1 page)	01/28/1998	P6/b(6)
002. email	Cynthia Rice to Andrea Kane et al re: Not Good News About Our Friend... (2 pages)	01/29/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/28/1998 - 01/29/1998]

2009-1006-F
eh204

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: Michele_Cavataio@ed.gov@INET@LNGTWY (Michele_Cavataio@ed.gov@INET@LNGTWY [

CREATION DATE/TIME:28-JAN-1998 20:11:31.00

SUBJECT: Mtg follow up

TO: William R. Kincaid@eop (William R. Kincaid@eop [OPD])
READ:UNKNOWN

TO: Michael Cohen@EOP (Michael Cohen@EOP [OPD])
READ:UNKNOWN

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

TO: Dennis Burke@eop (Dennis Burke@eop [UNKNOWN])
READ:UNKNOWN

TEXT:

Folks:

I wanted to follow up with some information from today's meeting. Below is the text that we are proposing to insert in appropriation's language. You'll note the last sentence says that the programs need to be consistent with the principles published in the federal

register

by the Secretary. This means that we do have some flexibility for their content, although we are expected to get significant outside input via the federal register. Our counsel's office is still assessing whether we would have to go back to the federal register if we wanted to make a change down the road. At this point, they

believe

that we would have to go through some formal rule-making procedures.

I am going to talk to Deputy Secretary Smith about whether he thinks we should pursue a stronger enforcement approach to the principles. He conceived of them initially, and I am not sure that this was what he had in mind, but we can look at some options.

I am also attaching the document I passed out which was missing a page. It lays out several strategies for responding to the RTI study.

Please let me know if your computers can read it (it's in MS WORD.)

Thanks for your time this morning. We look forward to discussing these items further with you. (Bill/Dennis- I am not sure I have the right email address for Mike or Elena. Could you make sure they receive this note?)

Thanks,
Michele

SCHOOL IMPROVEMENT PROGRAMS
Appropriation's Language

For carrying out school improvement activities authorized by titles II, IV [A-1], V-A and B, [VI], IX, X and XIII of the

**Clinton Presidential Records
Automated Records Management
System [EMAIL]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

Hex Dump file is not in a recognizable format, has been incorrectly decoded or is damaged.

File Name: p_t2782504_opd_html_1.msoff

Attachment Number: [ATTACH.D87]MAIL45052872U.026

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 18:30:18.00

SUBJECT: Re: Admissions standards/Magnet schools grant applications

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Mike and Elena--

I spoke with Dawn about this again today. She is satisfied that the analysis of ED and DOJ that the reducing/preventing/eliminating racial isolation aspect of the program meets the compelling interests test under Adarand is consistent with the way the Administration has approached similar issues, in light of the Magnet Schools program's statutory grounding and history. Therefore, she will be clearing this notice to go forward.

The issue of how this applies in the 5th Circuit is not directly addressed by the notice and Dawn feels it isn't necessary to resolve that prior to allowing the notice to go out. She wants to let ED and DOJ sort this out some more before we weigh in.

Thanks.

-- Bill

William R. Kincaid

01/24/98 01:18:19 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Michael Cohen/OPD/EOP

cc: Julie A. Fernandes/OPD/EOP, Tanya E. Martin/OPD/EOP, Laura

Emmett/WHO/EOP

Subject: Admissions standards/Magnet schools grant applications

Art Coleman in OCR called the other night to give us a heads-up about

this, which involves breaking some new legal ground. Dawn Chirwa left me a message Friday that she was reviewing the application. Do you have any gut reactions/concerns on this issue? Art's summary of the issues and status follows. Thanks.

----- Forwarded by William R. Kincaid/OPD/EOP on 01/24/98
01:11 PM -----

William R. Kincaid
01/22/98 10:12:02 PM
Record Type: Record

To: William R. Kincaid/OPD/EOP
cc:
Subject: Magnet schools grant applications

----- Forwarded by William R. Kincaid/OPD/EOP on 01/22/98
10:12 PM -----

Arthur_Coleman @ ed.gov
01/22/98 09:07:00 AM
Record Type: Record

To: William R. Kincaid
cc:
Subject: Magnet schools grant applications

Bill, it was good to talk with you last night, and as we discussed, I'm forwarding a recap of the overview of where the Department is re the magnet school application process.

WHAT'S NEW

The federal register notice announcing this cycle of grant applications (which occurs every three years) will for the first time include a discussion of strict scrutiny (compelling interest/narrow tailoring) standards that must be satisfied in the event that race is a factor in the admissions of the proposed grantees. This requirement stems from the Adarand case. The last such notice, three years ago, pre-dated Adarand.

In addition to the remedial and diversity interests that are identified as compelling, we are setting forth the interest of "reducing, preventing, or eliminating" minority group isolation as a compelling interest. Based on desegregation law as well as specific language from the authorizing legislation, this represents a new position by the federal government.

PROCESS

We have been in conversations with the Department of Justice for months regarding these issues, and have complete agreement regarding the standards and application of those standards with Civil Rights

Withdrawal/Redaction Marker

Clinton Library

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001. email	William Kincaid to Michael Cohen & Elena Kagan re: Admission Standards/Magnet Schools Grant Applications [partial] (1 page)	01/28/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/28/1998 - 01/29/1998]

2009-1006-F
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Division, OLC, and the Associate Atty General's office. We are awaiting a final word from the SG before proceeding with the publication of the notice. Our best read at this point is that the basics outlined above will be approved, with the question of whether this comprehensive standard will apply in the Hopwood states. (Although the notice doesn't address this level of specificity, it's important that we see this the same way. Thus far, there is

agreement

in ED and DoJ that Hopwood, for a host of reasons, is distinguishable and would not control our analysis here.) Also, the Department has discussed this, in general terms, with legal counsel in the WH--Dawn and Rob. Dawn has a copy of the draft notice. (If you want the

paper

on this, let me know.)

There is real urgency in getting closure around these issues, as we need to get the notices out so that the reviews and awards can be

made

by mid-summer. The Department has been criticized in the past regarding delays here, and all are working earnestly to ensure that

we

build in enough time for the (increasingly) complex legal reviews of the applications that will be required.

At the briefing with the Secretary yesterday, he underscored his support for the positions we are taking, and urged expedition in our move forward.

REACTION

We can expect some critics to complain that any use of race in this context is unwarranted/uncalled for--in the post-Adarand/Hopwood world. We can certainly expect some reaction on the new point regarding the compelling interest of eliminating racial isolation. Some may also question the "new" strict scrutiny requirements.

Don't hesitate to call any of the unusual suspects if you have additional questions or need more information.

Thanks.

Art

P6(b)(6)

[001]

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01ISO7DYKO4W004HVE@PMDF.EOP.GOV> for Kincaid_W@a1.eop.gov; Thu,
22 Jan 1998 09:07:29 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISO7DWIQ3K00DFG3@PMDF.EOP.GOV> for
Kincaid_W@a1.eop.gov; Thu, 22 Jan 1998 09:07:25 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTTP id <01ISO7D9V28I002EDN@STORM.EOP.GOV> for Kincaid_W@a1.eop.gov;
Thu, 22 Jan 1998 09:06:56 -0500 (EST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])
by vader.ed.gov (8.8.7/8.8.4) with SMTP id JAA14536 for
<Kincaid_W@a1.eop.gov>; Thu, 22 Jan 1998 09:03:11 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov
(IMA Internet Exchange 2.12 Enterprise) id 000D103A; Thu,
22 Jan 1998 09:06:56 -0500

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 18:39:04.00

SUBJECT: BLAIR VISIT

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

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

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

TEXT:

British want to do the education event, but also want to visit the FDR Memorial. There is finally a consensus here to do an education event as the main message event (and possibly drop-by the FDR Memorial). NSC is getting final confirmation from the British today so that we can begin planning details of the event tomorrow. Ann is going to call a meeting.

Just wanted to let you all know the school the Blair advance folks liked is the Yorktown High School in Yorktown, VA. The school has been vetted by the Dept. of Ed, it has good diversity, and while the test scores are pretty good there's nothing outstanding about the school. It is just a typical American high school -- and the Blair folks particularly like the cheerleaders and basketball team. Begala had wanted there to be a heavy emphasis on technology -- but there isn't a technology program at the school to highlight. I think it's fine -- the event would be a discussion between the President and Blair to students about their similar commitment to investing in education. (Mike, they are checking now on elementary school students that can be invited as well so we can talk about class size.) Craig Smith doesn't think we can include Gilmore in the event so we are going to have to work out how to do a roundtable without him.

Let me know if there are other concerns we can try to resolve before the next meeting.

School stats: 1,400 students 8-12, 17% hispanic, 12% african-american, 9% asian.
15% receive free or reduced lunch. Extensive English as second language - high intensity language training,
90% of 8th graders passed Virginia's "literacy passport test" reading, writing, and math. 11th graders reading scores weren't as good.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mike_Smith@ed.gov@INET@LNGTWY (Mike_Smith@ed.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:28-JAN-1998 20:11:49.00

SUBJECT: Re: WH and After School Expansion

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

TO: Michael Cohen@EOP (Michael Cohen@EOP [OPD])
READ:UNKNOWN

TEXT:

Hi folks: The Sec won't change his views on this. We would lose more than the Mott resources. I thought we had a firm agreement -- a small program for 21st century schools focused on having the schools take the lead(governmentally and in terms of location) and a massive amount of money for other day care.
Mike

Forward Header

Subject: Re: WH and After School Expansion
Author: Adriana De Kanter at WDCT01
Date: 12/19/97 07:28 AM

We will also lose our \$10 million from Mott! They are with us to USE THE SCHOOL BUILDING as a community school...Then we'd lose the public-private partnership.
What a shame!

Reply Separator

Subject: WH and After School Expansion
Author: Pauline Abernathy at WDCB01
Date: 12/18/97 6:41 PM

I just got a call from DPC staff to give us a heads up that the WH is being heavily lobbied by community groups (HHS's constituencies) to let community groups get the expanded 21st Century Community Learning Center funds directly rather than through partnerships with schools. We had persuaded the WH that this was not the way to go, but DPC staff tell me that it is likely that Bruce and others will ask the Dept. (possibly RWR) strongly to reconsider.

I have a conf. call with DPC and HHS tomorrow to ask HHS to put together paper that makes the case that community groups get funds under the child development block grant for school-age care and will get even more under the expansion. Unfortunately, the word on the street is that there will be "no school-age money for community

groups." This is not accurate even though there will not be an explicit pot of money going directly to community groups.

Here are some quick points we can make:

1. 1/3 of the HHS child development block grant funds go to school-age care, and the block grant will be expanded in the FY99 Budget. So there is a pot of money than community groups can tap directly for school-age care and it is being expanded.

2. We would require schools to partner with other community organizations in order to receive 21st Century funds, and we are proposing a match requirement which will empower the community partners because the schools will not be the source of all the funds. One of the models for 21st century program is the Virtual Y in which the Y runs afterschool programs in the NYC public schools.

3. We will lose the premise of the 21st Century program -- that we are leveraging underutilized school facilities and resources -- if community groups are allowed to get the funds directly for programs not located at public schools. If the premise of the program is lost, we are much more likely to end up in a divisive and unproductive voucher debate.

4. ED funds go through the schools -- we are the Dept. of ED!

I hope this is helpful!===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRCPNYKMDC0030DQ@PMDF.EOP.GOV>; Fri, 19 Dec 1997 09:12:57 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRCPNTXY6800XXSL@PMDF.EOP.GOV>; Fri,

19 Dec 1997 09:12:53 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253]) by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IRCPNPS20C003ZMU@STORM.EOP.GOV>; Fri, 19 Dec 1997 09:12:43 -0500 (EST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37]) by vader.ed.gov (8.8.7/8.8.4) with SMTP id JAA08168; Fri, 19 Dec 1997 09:09:18 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 2.12 Enterprise) id 000AA483; Fri, 19 Dec 1997 09:12:09 -0500

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



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 18:16:53.00

SUBJECT: Shalala memo to the President

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

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

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

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

TEXT:

We're calling the HHS staff over to answer some of our questions about the Shalala memo. We will then complete a cover memo (I spoke to Phil Kaplan, per your suggestion, Bruce).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 16:03:05.00

SUBJECT: Goodling vote

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We lost the testing vote at mark-up, 23-16. The only Dem. who voted with Goodling was Tim Romer (Bruce--you still have your work cut out for you.) Major Owens, Patsy Mink and Ron Kind were not at the vote-- Owens certainly and Mink most likely would have joined Goodling; Kind would have been with us. All of the other Dems, including members of both caucuses, voted against Goodling. A number of the caucus members said they were voting against his bill because it didn't address any of their concerns.

The Republican line was that the Administration is still running ahead with the test. They supported that judgment with something they found on ED's website (which probably hadn't been updated for a while) describing the test development schedule, and based on the President's comments last night -- which apparently had the effect on him we predicted. Not that a different way of talking about the tests would have altered the vote one bit.

There was hardly any press there--two ed. trade journals and the York PA paper. I don't think we want to do anything to give this more notice than it will get on its own, so we are not planning to release either a WH or ED statement. David Frank and Julie Green in their press office will respond to inquiries based on language Bruce and I discussed earlier today, incorporated in the draft statement below (which will not be distributed at all)

Draft Statement

Today's action by Chairman Goodling and the Republican majority represents a violation of the agreement on voluntary national standards and tests reached between the Administration and Congress just a few months ago. It is a partisan diversion from the urgent business of strengthening our public schools. While the President has asked for politics to stop at the schoolhouse door, Committee Republicans have responded by keeping the door open to politics.

The FY1998 Appropriations bill contained a bipartisan agreement -- to which Mr. Goodling was a full participant -- to place continuing development of national tests in the hands of the independent, bipartisan National Assessment Governing Board, and to delay further Congressional consideration of national standards and tests until later this Spring when the National Academy of Science completes several Congressionally mandated studies. Under NAGBS's leadership, the development of voluntary national tests is moving forward as provided for in the agreement, and we are on track to have the first-ever national tests in 4th grade reading and 8th grade math.

Last night President Clinton laid out an ambitious agenda to make our public elementary and secondary schools the world's best by raising standards, raising expectations, and raising accountability. He urged the Congress and the American people to join him in a bipartisan effort to give our students smaller classes, well-prepared and competent teachers, modernized school facilities, and an end to social promotions. These steps will strengthen our public schools and prepare our people for the 21st Century.

It is very unfortunante that Mr. Goodling and the Republicans on this committee have chosen to respond to this challenge with a partisan effort to derail the development of national tests, and deny parents and teachers the opportunity to know if their children are mastering the basics. Our students deserve better than this..

January 28, 1997

MEMORANDUM TO JOHN J. SWEENEY

RICH TRUMKA
ROBERT GEORGINE
GEORGE BECKER
DOUG DORITY
ANDY STERN
SANDY FELDMAN

CC

ERSKINE BOWLES
SECRETARY DALEY
SECRETARY HERMAN
DIRECTOR FRANK RAINES
DEPUTY SECRETARY KITTY HIGGINS
GENE SPERLING
BRUCE REED
DOUG SOSNIK
PAUL BEGALA
RAHM EMANUEL
ANN LEWIS
CRAIG SMITH
MONICA M. DIXON

FROM

JOHN D. PODESTA
KAREN A. TRAMONTANO

SUBJECT

FOLLOW-UP

As you know, on December 17, 1997 we arranged a working dinner for labor and administration officials. This memorandum outlines the Administration's next steps to implement the general principles we discussed during the dinner. To begin, we want to outline the general principles:

- Ronald Reagan did more to discourage organizing among workers than any other President. As a Democratic Administration we are committed to investigating the opportunities we may have to support the right of workers to exercise their free choice to vote for a union;
- CEA reports that weekly earnings for unionized workers are about one third higher than those of non-unionized workers. After adjusting for econometric studies that try to control for factors other than unionization, unionized workers'

earnings are about 10% - 15% higher. We are committed to developing a communications strategy that amplifies this message and promotes the Administration's interest in improving wages and benefits for working families.

To implement these principles we will accomplish the following:

1. Immediately following the State of the Union, we will convene a meeting with the following participants: staff from the President's National Economic and the Domestic Policy Councils, the Labor and Commerce Departments, the AFL-CIO and the affiliates represented at the dinner. Based on the principles outlined above, we will focus on three tasks:

- Identify specific areas where the White House, Commerce and Labor Departments can implement the principles;
- Develop a strategy to communicate these principles and goals to other relevant agencies;
- Develop a process whereby the principles and analysis can become an integral part of the agencies.

2. We will convene a meeting of staff who are Administration spokespersons to discuss messages and scheduling that would assist in implementing the principles. We agree that the President's use of his "bully pulpit" is essential to changing the prevailing culture around organizing and workers' right to choose. We further agree that *what* the President says about this issue, *where* he goes and *who* he talks with are crucial to altering the way organizing is thought about and discussed.

3. Our preparation for the AFL-CIO March Annual Meeting will reflect our focus on workers, their wages, benefits and working conditions. Our visit will be about organizing and how we facilitate a workers' right to choose so that their wages and benefits will increase. We will work with the AFL-CIO to convene a forum where White House and Agency staff who attend the March meeting can discuss with organizing directors successful, unsuccessful and on-going organizing campaigns.

4. If the process outlined in Step #1 above is successful, we will institutionalize the NEC, DPC, Labor, Commerce, AFL-CIO and affiliate team as a regular vehicle for reporting to and hearing from the Administration and Labor and to ensure that the principles are implemented fully.

We want to thank-you again for taking time from your schedules to attend the dinner last month. We look forward to working with you to implement this plan.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 19:00:23.00

SUBJECT: The Partnership

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Everyone at the Partnership is jumping for joy over the State of the Union and Eli said to say thanks to everyone.

Eli would like the President to send a personally signed letter to the five founding companies and a more mass produced one to all 3000 companies (they would take care of production). They will of course will have suggested language. It sounds like a pretty good idea to me -- what do you think? In any case, I'm getting a more detailed update on what the founding five companies have done -- UPS has hired 8,268 welfare recipients in the last year -- for a possible weekly item. Eli would also like to give the President a personal briefing on their success to date.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mike_Smith@ed.gov@INET@LNGTWY (Mike_Smith@ed.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:28-JAN-1998 20:11:47.00

SUBJECT: 21st Century Schools

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

TO: Michael Cohen@EOP (Michael Cohen@EOP [OPD])
READ:UNKNOWN

TEXT:

Elana;

I thought more about our conversation last night and decided that I did not make my arguments very well and that I was unconvinced by your sense that we must have one funding stream. Naturally the Secretary and I will go along with a Presidential decision but my understanding from our conversation is that we have a President's question, not a decision. At the least it seems to me that the Secretary ought to have a shot at weighing in with the President if he believes that a possible policy decision is misguided. The following categorizes some of the arguments. It is not clear to me that we need to make this decision now -- when it is made the Secretary needs to be involved!!

1. Some basic facts about the 21st century program:

* The grant recipients are a school or schools in COLLABORATION with other public and nonprofit agencies and organizations.

* A program could be run by a nonprofit organization (a Y etc.) in a sub-grant relationship with the schools.

* The location for the program is a school building -- a major purpose of the program is to leverage the use of the school building to a). use a valuable resource more efficiently: b) help develop the school as a community resource.

* The cost savings in this approach are substantial -- we estimate a federal cost of \$400/child per year. We ask for a match of 1-1 and expect to obtain a lot more when things like the building are counted. Other programs cost a number of times more.

* One major focus of the 21st century schools programs is on educational activities -- this is not the case with the content of

many other day care programs. The educational focus is greatly enhanced by the location of the services -- often libraries, materials, etc.

ALL OF THIS ARGUES THAT THE SITE OF THE AFTER SCHOOL PROGRAM IS CRITICAL -- THE ARGUMENT THAT SCHOOLS IN THE PAST HAVE BEEN ADVERSE TO HOUSING AFTER-SCHOOL CARE IS ONE OF THE REASONS THAT WE HAVE BEEN PUSHING THE 21ST CENTURY PROGRAM. WE NEED A CLEAR STIMULUS TO OVERCOME THIS TENDENCY ON THE PART OF SOME SCHOOLS. The most important part of this program is to stimulate far more school based programs than we will ever be able to afford.

if WE HAVE AN ALTERNATIVE WE SIMPLY PLAY INTO THE HANDS OF THOSE THAT DO NOT WANT SCHOOLS TO BE A PART OF AFTER SCHOOL PROGRAMS.

2. DEMAND: We expect 3-5 times as many proposals as we can fund this year and even more next year if the appropriation increases. Recent survey results indicate strongly that parents want their students in after-school programs in schools with learning activities.

3. POLITICS: We have met with both the school groups and the community groups like CDF and they are comfortable with dual funding streams. During the child care debate some 10 years ago a one-stream funding mechanism was proposed and the schools and the community groups were at each others throats and sunk the proposals. We need to learn from this and from the Am Reads experience -- where the proposal to make community groups a fiscal agent was soundly rejected.

A second political question revolves around vouchers -- if we open up the program to multiple bidders we are inviting a Republican move to turn it into a voucher program. THE SECRETARY FEELS VERY STRONGLY ABOUT THIS!!!!

4. CHILD CARE BLOCK GRANT: HHS estimates that 1/3 of the block grant will go to after-school care. This is roughly 1.3 million.

These block grant funds will increase supply by increasing demand!!!

THE BLOCK GRANT AND THE JUSTICE PROGRAM ALREADY CREATE SECOND FUNDING STREAMS!!

5. MECHANICS OF FUNDING: The notion of funding community groups by exception will be very difficult to make work -- To do it we would have to reserve funds for the community groups, go through the various proposals from schools and districts, make these funding decisions, look through for what districts were missing and then see if community groups came in from the missing school districts. This is possible but it does effectively require having two different funding streams and competitions. If this is what the President wants to do perhaps we should specify a percentage set-aside.

Regarding DC I think we can do this with a separate appropriation!!!

Mike

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRICLHBWU8016YXZ@PMDF.EOP.GOV>; Tue, 23 Dec 1997 10:03:03 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRICLFYVSW016Z0F@PMDF.EOP.GOV>; Tue,

23 Dec 1997 10:03:02 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253])

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

with ESMTMP id <01IRICL6RQ8W003ZMU@STORM.EOP.GOV>; Tue,

23 Dec 1997 10:02:48 -0500 (EST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])

by vader.ed.gov (8.8.7/8.8.4) with SMTP id JAA13075; Tue,

23 Dec 1997 09:59:20 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov

(IMA Internet Exchange 2.12 Enterprise) id 000AE2A2; Tue,

23 Dec 1997 10:02:49 -0500

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Carol_Rasco@ed.gov@INET@LNGTWY (Carol_Rasco@ed.gov@INET@LNGTWY [UNKNOWN]

CREATION DATE/TIME:28-JAN-1998 19:49:17.00

SUBJECT: Early Childhood Research

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Nicole R. Rabner@eop (Nicole R. Rabner@eop [WHO])

READ:UNKNOWN

TO: Michael Cohen@EOP (Michael Cohen@EOP [OPD])

READ:UNKNOWN

TEXT:

First, congrats on a terrific meeting today!

Two items on the early childhood brain development front:

a. Secretary Riley asked that I re-emphacize to you the research group he referenced that is working on early childhood work. It is housed in the Department of Education Office of Educational Research and Improvement (OERI) and within OERI it is specifically the

National

Institute on Early Childhood Development and Education which is chaired by Naomi Karp...Jeannine Smartt has worked with Naomi, I believe.

I have learned that in 1995 Naomi established an Early Childhood Research Working Group which brings together the early childhood staff

in 8 Federal departments and the GAO. It is about 80 people who are involved in research, data collection, and ;or service delivery programs that affect children from birth through 8 years of age and their families. The group meets four times a year, produces a quarterly newsletter, and has served as a mechanism that encourages partnerships across agencies. The next meeting is 1:30 p.m. to 3:30 p.m. on February 5th in Room 326 of 555 Capital Place and I will be attending that meeting. I know they would welcome White House participation if you all wish to send someone or even more than one person. This particular quarterly meeting will focus on how the country's collective knowledge bases about young children and

families

a-have benefited from the Federal investment in research and what issues are Federal agencies now struggling to answer. Let me know if anyone/several people wish to go and I'll alert Naomi. I have asked her to send me some newsletters and previous reports, and I know she would be willing to send you a packet as well.

They plan to have their next meeting on reading and early childhood, but I am sure they would speed up their research on this issue if you wish to use them as a resource. It may be that this group has on it the very people who were suggested today to have around the table for a briefing for the White House.

2. On February 19 I will be meeting in my office at 11 a.m. with Stephen Herb who is the President of the Association of Library Services for Children which is a division of the American Library Association. He is the head of the Education Library at Penn State University and his President is one of the 20 on our college work study steering committee. He is an expert in children's literature, has a great deal of experience on outreach programs to parents, and has written a book on reading development for young children. Coming with him will be Susan Roman, exec. director of ALSC. She has directed programs like the ones we envision in the Parents as First Teachers Grants, including the Head Start Museum project and the "Born to Read" project which the First Lady spoke of at the Children's Hospital just before Christmas. I would welcome White House participation at this meeting as well. It will be 30 minutes to an hour.===== ATTACHMENT 1 =====

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

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IESM26Z4MO00PY0N@PMDF.EOP.GOV>; Wed,

29 Jan 1997 18:11:01 -0400 (EDT)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879) id <01IESM226ZXU007IO2@STORM.EOP.GOV>; Wed, 29 Jan 1997 18:10:57 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])

by oeri.ed.gov (8.7.5/8.7.3) with SMTP id SAA26212; Wed,

29 Jan 1997 18:12:40 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)

id 2efd8790; Wed, 29 Jan 1997 18:08:41 -0500

Content-description: cc:Mail note part

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Leslie_Thornton@ed.gov@INET@LNGTWY (Leslie_Thornton@ed.gov@INET@LNGTWY [U

CREATION DATE/TIME:28-JAN-1998 21:30:07.00

SUBJECT: Re: Minority Enrollment Meeting

TO: Timothy A. Rosado@EOP (Timothy A. Rosado@EOP [OMB])
READ:UNKNOWN

TO: Tanya E. Martin@EOP (Tanya E. Martin@EOP [OPD])
READ:UNKNOWN

TO: Mary L. Smith@EOP (Mary L. Smith@EOP [OPD])
READ:UNKNOWN

TO: Kathryn B. Stack@EOP (Kathryn B. Stack@EOP [OMB])
READ:UNKNOWN

TO: Essence P. Washington@EOP (Essence P. Washington@EOP [OPD])
READ:UNKNOWN

TO: William R. Kincaid@EOP (William R. Kincaid@EOP [OPD])
READ:UNKNOWN

TO: Thomas L. Freedman@EOP (Thomas L. Freedman@EOP [OPD])
READ:UNKNOWN

TO: Mickey Ibarra@EOP (Mickey Ibarra@EOP [WHO])
READ:UNKNOWN

TO: Laura Emmett@EOP (Laura Emmett@EOP [WHO])
READ:UNKNOWN

TO: Jose Cerda III@EOP (Jose Cerda III@EOP [OPD])
READ:UNKNOWN

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

TEXT:

There is a White House Race Initiative Data collection meeting at
2:00
Thursday called by Judy Winston. We've already committed to that.

Reply Separator

Subject: Minority Enrollment Meeting
Author: Essence_P._Washington@oa.eop.gov at Internet
Date: 8/19/97 5:52 PM

Message Creation Date was at 19-AUG-1997 17:52:00

On Thursday, August 21 at 2:00 p.m. in Room 211 of the Old Executive
Building,

we will hold the Minority Enrollment Meeting.

Thanks

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IMMSWMFVA8007HGV@PMDF.EOP.GOV>; Tue, 19 Aug 1997 18:10:45 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMMSWJVFO008KA5@PMDF.EOP.GOV>; Tue,

19 Aug 1997 18:10:41 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IMMSW8ZUVK002CLB@STORM.EOP.GOV>; Tue,
19 Aug 1997 18:10:28 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])
by vader.ed.gov (8.8.5/8.8.4) with SMTP id SAA26962; Tue,

19 Aug 1997 18:08:17 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov
(IMA Internet Exchange 2.11 Enterprise) id 0001022E; Tue,
19 Aug 1997 18:10:40 -0400

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 12:45:20.00

SUBJECT: DOL W2W Grants and POTUS Friday speech

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

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

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

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

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

TEXT:

DOL has to approve state plans in order for the PICs in those states to get the welfare to work formula funds. DOL has received 12 plans, and is ready to approve five of them (Michigan, Illinois, Louisiana, Nebraska, and Nevada) totalling \$122 million for FY 1999.

I was having DOL hold these for a Blair welfare to work event, but since that's not going to happen, I was planning to let Herman announce them tomorrow in her speech to the US Conference of Mayors. There was a flurry this morning that perhaps the President should make the Illinois announcement in Illinois, but that died quickly.

The President is apparently also speaking to the US Conferece on Friday, and I've now been invited to a message meeting regarding that event today at 3:00. If Lyn Cutler and others who arranged the President's appearance want him to make these announcements, I think that should be fine with us -- but I assume they have a bigger and more comprehensive agenda they want to discuss with the mayors. Any thoughts?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 14:40:22.00

SUBJECT: Unz initiative Cal. Meeting

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

READ:UNKNOWN

TEXT:

There was a flurry of e-mails a couple of weeks ago, in response to Maria's suggestion that a handful of WH staff go out to California to meet with people, rather than trying to get 20-25 Californians back east.

I think its a good idea, and that I ought to go. I don't think I ever saw a response from you on this; before I reconnect with Maria on this issue, I wanted to check signals with you. Are you ok with this idea?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mike_Smith@ed.gov@INET@LNGTWY (Mike_Smith@ed.gov@INET@LNGTWY [UNKNOWN])

CREATION DATE/TIME:28-JAN-1998 20:12:23.00

SUBJECT: Re[3]: Welfare to Work (Work-Study)

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

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

TO: Michael Cohen@EOP (Michael Cohen@EOP [OPD])
READ:UNKNOWN

TEXT:

Bruce, Elana, and Mike,

Sarah Lichtman on my staff recently went to a DPC meeting on the federal work study aspect of welfare to work. I understand we are thinking about sending out a letter from the two Secretaries to the states to give some guidance on how to handle work-study and whether it should or will count as work.

This does not seem to me to be a difficult question. Folks who are on work-study shelf books, clean labs, tutor children, file materials, transcribe data, process student aid applications, meet and guide parents and future students around campus . etc.. This is work by any measure. Thus it seems entirely appropriate that a welfare participant's 8-15 hours or more on work-study, should count toward fulfillment of their welfare work requirement. We should make it clear to the states that we think that is our preferred position and figure out a way to let work-study participants know that we support this interpretation, but that the state makes the final determination.

The latest version of the draft letter takes a less clear position. If we send out a letter, it should be clear on our position and it should be strong. Call Sarah Lichtman on my staff at: 202-260-1728 or e-mail me back with your thoughts. I will not be back in the office until Thursday, but am reachable by e-mail.

Since we are under the time constraints of school starting, please let me know the outcome and how I can be helpful.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IMBQWHJS4G005SS1@PMDF.EOP.GOV>; Mon, 11 Aug 1997 20:14:39 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMBQWEAP8000624G@PMDF.EOP.GOV>; Mon,
11 Aug 1997 20:14:35 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])
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with ESMTTP id <01IMBQVOJ2V4001TWN@STORM.EOP.GOV>; Mon,
11 Aug 1997 20:14:01 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])
by vader.ed.gov (8.8.5/8.8.4) with SMTP id UAA15908; Mon,
11 Aug 1997 20:11:56 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov
(IMA Internet Exchange 2.11 Enterprise) id 000079B6; Mon,
11 Aug 1997 20:14:10 -0400

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JAN-1998 16:11:46.00

SUBJECT: Tomorrow's Hill Mtgs

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

READ:UNKNOWN

TEXT:

----- Forwarded by Bruce N. Reed/OPD/EOP on 01/28/98
04:11 PM -----

Jerold R. Mande

01/28/98 02:32:28 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: Thomas L. Freedman/OPD/EOP
Subject: Tomorrow's Hill Mtgs

As you know, we are meeting with Conrad's staff at 1:30pm tomorrow to brief them on the tobacco budget, and we are meeting with Harkin's, Chafee's, and Graham's staffs at 2:30pm to be briefed by them on the bill they are writing.

Do you have everything you need for the Conrad meeting? I'm still waiting to hear from Josh about whether OMB will be able to help Conrad's staff estimate how much revenue JCT will say they have to spend.

On a separate matter, Conrad's and Kennedy's staffs would like our thoughts on or better yet our help drafting provisions on licensing and documents.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Claire Gonzales (CN=Claire Gonzales/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME: 29-JAN-1998 10:10:39.00

SUBJECT: EEOC Funding Talking Point

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

READ: UNKNOWN

TEXT:

FYI -- I inadvertently left you off of the original list.

----- Forwarded by Claire Gonzales/PIR/EOP on 01/29/98

10:10 AM -----

Claire Gonzales

01/29/98 10:10:06 AM

Record Type: Record

To: Sylvia M. Mathews/WHO/EOP, Thomas L. Freedman/OPD/EOP

cc: Judith A. Winston/PIR/EOP, Susan M. Carr/OMB/EOP, Lin Liu/PIR/EOP

Subject: EEOC Funding Talking Point

I must once again voice my concern about the continuing insistence that the principal talking point regarding fully funding the EEOC is the "backlog of 60,000" complaints. (The President's remarks in the State of the Union). After much discussion among the appropriate parties at the White House (DPC), OMB, and the EEOC, I find it hard to understand why this point is still be used. It is factually incorrect to characterize the EEOC's current inventory of pending cases as "backlog." Further, with an average 80,000 cases being filed each year with the EEOC, the pending inventory (or "backlog") simply cannot be brought down as low as the 28,000 number that was released to the press in conjunction with Vice President Gore's MLK day speech.

A thorough discussion and explanation of this point is beyond any e-mail. I just want to go on record that in my opinion, as well as the opinion of both political appointees and career employees at the EEOC (from whom I hear on a routine basis), it is very unwise to base any argument in favor of more funding for the EEOC on this statement. ANY basic investigation by the press or congressional oversight/appropriations staff will quickly show that this representation is not a viable goal for the agency. In short, the focus should be on providing resources to the agency to permit faster quality investigations (this means more and better trained intake personnel and investigators), not on simply processing and closing cases. The later is precisely what Eleanor Holmes Norton's Rapid Charge Processing tried to do twenty years ago (when she was EEOC Chair) and it was uniformly rejected by the civil rights community as well as the employer/business community.

I've spent the last eight years studying, working at, and helping to re-invent the EEOC. I strongly believe that it is not in the best interest of either the President or the PIR to continue to use this as the core element of the public argument in favor of increased civil rights funding.

I would be happy to talk or work with anyone interested in improving and strengthening the points to use in making this argument. Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 17:00:06.00

SUBJECT: Gene Ludwig and CRA

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

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

CC: Christa Robinson (Christa Robinson @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

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

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

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

TEXT:

In his resignation letter to the President, Gene Ludwig offered the following statistics on the impact of the Administration's 1993 reform of the Community Reinvestment Act (CRA):

"Lending commitments under the CRA have increased 15-fold from the pre-1993 era, from roughly \$3 billion a year to \$43 billion a year. These commitments represent new credit availability for low- and moderate-income urban and rural communities, including loans for housing, small farms and small businesses. At the same time, equity investment by national banks in community development corporations and projects were six times greater in the last four years than during the previous 28 years combined. Home mortgages to African Americans and Hispanic Americans have increased more than 50% over the last four years -- almost three times the rate of increase for the population as a whole. In some chronically underserved communities the change has been even more dramatic...moreover, we have been able to achieve these results while substantially reducing the supervisory and paperwork burdens that the CRA had previously imposed on the banking industry."

This paragraph highlights what I maintain is still our most successful, yet underpublicized community empowerment initiative. It also, in my mind, underscores the need for the President to give a major address which ties what has been a successful strategy to reinvigorate America's cities with his sizable package for urban America in his FY99 budget.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 19:05:50.00

SUBJECT: FYI: we are meeting with HHS Friday at 9:30

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

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

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

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

TEXT:

to ask them questions about the Secretary's memo. You are of course welcome to join us (in the conference room in room 100) but I assumed you would not.

Are there any questions you want us to ask them?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 19:17:19.00

SUBJECT: BLAIR VISIT

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

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

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

TEXT:

Bad news:

As I think Mike told you, we did not win the fight to get the event in an elementary school. Begala, Craig, and Ann sided with NSC on going to a High School for 3 reasons: 1) Blair specifically requested speaking to high school students. (I tripled check and the NSC swears they refused a college or elementary school visit), 2) Blair's and our communications folks feel it's better to have the principals speaking to an auditorium full of cheering students who are able to understand the concepts being discussed, and 3) everyone agreed the press coverage is certain to be about the overall idea of two foreign leaders agreeing on the same principles for the future. I fought really hard against this, and I'm not convinced these are very good reasons but I was outnumbered.

Good news:

The event is definitely going to take place in MD, and most likely at the Montgomery Blair High School. Montgomery Blair is a science and math magnet school, very diverse. They already have internet connections set up to schools all over the world. Has great test scores.

Decisions:

We have to decide on the format of the event. Begala wants to have an internet photo-op where the President and Blair talk to students in England and then have kids from Montgomery Blair send an email. Apparently, this is something Blair does a lot of and the Brits would rather do something different. They want a town hall -- and obviously we can't do that. So we're offering them a roundtable plus the internet photo-op. I'm sure this will change, but wanted you to know the initial ideas floating around.

**Elena Kagan Systematic Project DRAFT WEEKLY ITEM
1/29/98**

RJR Documents and State Prohibitions Against Sales to Children

In light of documents released by Rep. Waxman showing R.J. Reynolds Tobacco Company had plans for targeting children, you asked us to find how many states had laws prohibiting sales of cigarettes to persons 18 or younger at the time the documents were written. The 81 documents, spanning from 1973 to 1990, provide evidence of the company marketing to children as young as age 14. In both 1974 and 1975, documents discuss the need to market to the 14-24 age group because they "represent tomorrow's cigarette business." According to data gathered by the National Cancer Institute, as of 1974, 27 states had passed legislation prohibiting the sale of cigarettes or other tobacco products to those 18 and under. Starting around 1980, RJR officials stopped specifically referring, even internally, to marketing to anyone younger than 18. However, beginning in around 1987, RJR started its Joe Camel advertising campaign. As of 1987, at least 35 states had passed legislation prohibiting the sale of cigarettes or tobacco products to those 18 and under. Today, all 50 states, including the District of Columbia, have laws prohibiting the sale of cigarettes or tobacco products to those 18 or under.

DRAFT (as of March 30, 2010, 11:28AM)
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. While whites are over 45% of the poverty population in the United States, larger percentages of the minority population are poor. We will examine the racial characteristics of the poor, the persistence of poverty, its causes including the role of discrimination, and we will assess the nature of concentrated poverty in "ghettos" or "barrios."

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 affect 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 has been 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 Welcoming Speakers: Mike Honda, State Assemblyman

Possible Moderators: Local San Jose Moderator.

Day 2 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.

Possible speaker: San Jose Mayor Hammer

9:15 am - 9:35 am Keynote/Opening Address [HUD Secretary Andrew Cuomo -- invited] and possible Overview on Poverty and Race in America

9:35 am - 11:45 am: **Poverty and Race: Facts, Causes, and National Issues**

HUD Secretary Andrew Cuomo has been 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 panelists:

Professor William Julius Wilson, Harvard [available]; author of *The Declining Significance of Race*, and *When Work Disappears* and a nationally recognized expert on race and the urban "underclass."

Professor Douglas Massey, University of Pennsylvania [available]; Author of the book

American Apartheid: Segregation and the Making of the Underclass, and a long-term analysts of differences between whites, blacks, Hispanics and Asians in their spatial and economic progress and isolation. He is also a major analyst of immigration and race issues.

Professor Matthew Snipp, Stanford University [available]; A nationally know Native American demographic expert on the socio-economic condition of American Indians, including analyses of their poverty, housing conditions, ands cultural situation. He is author of a forthcoming book, *American Indians and Economic Dependency*, and author of the 1989 book, *American Indians: The First of the Land*.

Jack Kemp, Empower America [invited]. Former HUD Secretary and co-director of Empower America.

Professor Min Zhou, Department of Sociology and Asian American Studies, UCLA. She is the author of a forthcoming Russell Sage Foundation book on Vietnamese poverty, *Growing Up American*. Her research focusses on how the “social capital” these groups bring to their lives helps overcome the problems of poverty and ghettoization.

Professor Tarry Hum, New York University. She conducted recent research on Asian poverty and community economic development, as well as research on immigration, economic development and residential segregation. She has argued that ethnic niche economies serve to “protect” Asians against discrimination and economic instability. Prior to receiving her doctorate in urban planning, she was the executive director of the Asian Community Development Corporation as well as the Chinatown-South Cove neighborhood Council in Boston, Ma.

Professor Vilma Ortiz, UCLA, Department of Sociology. She has written extensive on Latino poverty issues.

Professor Raquel Rivera Pinder-Hughes, Urban Studies Program, SF. State University. Expert on Latino poverty issues in California and nationally. Has used census data to compare white, Black, Asian, and Latino poverty from 1970 to the present.

This session would conclude with 45 minutes of Q&A.

Moderator possibilities: Professor Manuel Pastor, Director of Latin American Studies, University of California at Santa Cruz; Dr. Laura Tyson, University of California at Berkeley.

11:45 am - 12:45 pm Lunch Break

1:00 pm - 3:00 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; suggested by Angela Oh; worked extensively with the Rebuild LA Project; currently heading up an anti-poverty organization in Los Angeles; can speak to solutions for California

Gordon Chin, Executive Director of the Chinatown Community Development Center; the organization has been in existence for 20 years and mainly dealt with the Asian American community; the organization is now being faced with not only serving that community but the growing Russian immigrant and African-American communities; one of the largest affordable housing developers and is now moving into larger economic development issues; San Francisco

Jose Padilla, California Rural Legal Services; Los Angeles; an advocate for rural and farm worker issues;

Angelo Ancheta, the Asian Law Caucus; challenges racial discrimination in employment, housing and public institutions; organization has begun confronting the challenges associated with the new welfare-to-work program

Robert Woodson, Neighborhood Development; proponent of African Americans developing their own communities; critic of welfare programs.

Amy Dean, CEO of the South Bay AFL-CIO Labor Council which represents workers in the area; linked to the non-profit organization, Working Partnerships USA which is working on regional economic development and minority group issues in the San Jose area.

Rose Amador is President of the Center for Training and Careers in San Jose. The center works heavily with families on AFDC/welfare and is beginning a welfare to work program.

This session would conclude with 45 minutes of Q&A from the audience.

Moderator possibilities:

Eva Patterson, Executive Director for the Lawyer's Committee on Civil Rights in San Francisco

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 29-JAN-1998 15:09:42.00

SUBJECT: Re: Mayors

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

READ: UNKNOWN

CC: Christa Robinson (CN=Christa Robinson/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:

----- Forwarded by Jose Cerda III/OPD/EOP on 01/29/98
03:09 PM -----

Jose Cerda III

01/29/98 03:04:53 PM

Record Type: Record

To: Anne E. McGuire/WHO/EOP

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

Subject: Re: Mayors

Esteemed Colleagues:

Elena and I just spoke to Rahm who thought that, if we're going to do Andrew's \$400 million peice, we should pull the crime stuff and save it for another day. His thinking is it's very unlikely that we'll get both covered, and that all the urban stuff combined drowns out the crime pieces -- especially w/no crime folks on the program. Thus, we suggest you pull the crime piece and go ahead and focus on the urban initiatives in the budget -- and announce Andrew's new Community Empowerment Fund. I think HUD will have to get us some paper on this...

Jose'

Message Copied

To:

Mickey Ibarra/WHO/EOP

Jonathan Orszag/OPD/EOP

Stacie Spector/WHO/EOP

Jonathan Murchinson/WHO/EOP

Emily Bromberg/WHO/EOP

Lynn G. Cutler/WHO/EOP

Michelle Crisci/WHO/EOP

Lawrence J. Haas/OMB/EOP

June Shih/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Laura D. Schwartz/WHO/EOP
Sylvia M. Mathews/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 17:47:02.00

SUBJECT: attachment

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is OSTP's update to Leg Affairs about the status of cloning for a memo to Larry: do you have advice on which of the options (at the bottom of the memo) you want to pass on to him?

----- Forwarded by Thomas L. Freedman/OPD/EOP on 01/29/98
05:43 PM -----

Rachel E. Levinson

01/29/98 05:34:17 PM

Record Type: Record

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

cc:

Subject: attachment

Cloning Update

It appears that the Republicans will introduce a bill in the Senate next week to prohibit cloning human beings in the public and private sectors. Although the language has not been finalized, it is likely that the bill would seek to ban the creation of a zygote (a one-cell embryo) using somatic cell nuclear transfer cloning technology. This differs from our bill in that it would preclude research on the embryo prior to implantation, while our ban would start at introduction of the embryo into a woman's uterus. Currently, such research is allowed using private funds. It is not certain whether or not a sunset provision would be included. The plan is for the bill to go directly to the floor with the blessing of Senate leadership and others (Lott, Gregg, Bond, and Frist). Kennedy and Feinstein are poised to introduce a bill today that is close to the President's (draft attached).

We have at least five options: (1) try to work with the Senate majority on drafting a bill; (2) declare our support for the Kennedy/Feinstein bill; (3) issue a statement reiterating the principles in our bill in order to influence the drafting process; (4) wait until the Senate bill goes to the floor and then issue a SAP; or (5) do nothing and let the biotech industry and patient advocacy groups continue to fight against overly restrictive legislation. Should we choose to act prior to the floor debate, we will have to move quickly.

Message Sent

To:

Lucia A. Wyman/WHO/EOP

Jeffrey M. Smith/OSTP/EOP

Jerold R. Mande/OSTP/EOP

Thomas L. Freedman/OPD/EOP

Clifford J. Gabriel/OSTP/EOP

Arthur Bienenstock/OSTP/EOP

Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Cynthia Rice to Andrea Kane et al re: Not Good News About Our Friend... (2 pages)	01/29/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[01/28/1998 - 01/29/1998]

2009-1006-F
ch204

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]

**Meeting with U.S. Conference of Mayors
Questions and Answers
January 30, 1998**

Q. What did the President announce at today's meeting with mayors?

A. Today, the President talked to Mayors about an urban agenda to help lead our cities into the 21st Century and announced the Administration's next steps to help communities keep up the fight against crime and drugs. Specifically, the President highlighted that his FY 1999 budget will include:

(1) \$50 million for a new community prosecutors initiative. Similar to the President's COPS program, the main purpose of the Community Prosecutors initiative is to increase the number of local prosecutors working with members of the community and community police officers. This initiative will allow hundreds of prosecutors offices to hire "community prosecutors" or "neighborhood DAs" and will continue to help local criminal justice systems be more responsive to their citizens' needs.

(2) \$28 million to crack down on illegal gun traffickers. The President's FY 1999 budget includes \$28 million to boost his Youth Crime Gun Interdiction Initiative (YCGII), to crack down on illegal gun markets that supply firearms to juveniles and criminals. The funding will be used by the Bureau of Alcohol, Tobacco, and Firearms (ATF) in 27 target cities to trace all firearms recovered from crime scenes, determine local gun trafficking patterns, and hire 162 new ATF agents to investigate and arrest illegal gun traffickers.

(3) Over \$17 billion to fund the most comprehensive National Drug Control Strategy ever. Key provisions include: funding for 1,000 new Border Patrol agents and new resources for sophisticated new technologies to close the door on drugs at our borders; \$195 million to continue our commitment for a paid anti-drug media campaign; new funds to enhance the Safe and Drug-Free Schools program; increased resources for the DEA to enhance its domestic anti-heroin and anti-methamphetamine efforts; and heightened resources for more treatment and better prevention programs.

Community Prosecutors Initiative

Q. Can you explain the President's community prosecutors initiative? Is this linked to your community policing initiative?

A. Community prosecution is the natural next step to community policing. As thousands of police departments have moved from reactive policing to putting more police on the streets to work with citizens to cut crime, communities are looking to local prosecutors to play a more active role. Increasingly, prosecutors are being asked to spend time in their

neighborhoods, help solve local crime problems, and prevent crimes from happening in the first place.

The President's FY 1999 budget proposes \$50 million to launch an innovative community prosecution initiative to increase the number of local prosecutors working with members of the community and community police officers.

This initiative will allow hundreds of prosecutors' offices to hire "community prosecutors" or "neighborhood DAs" to help make our communities safer. And just as the COPS program has helped bring community policing methods to thousands of police departments across the country, the community prosecutor initiative will promote greater responsiveness on the part of criminal justice systems to the needs of their citizens.

The President's initiative will provide direct grants to local prosecutors' offices, with the vast majority funds to be used to hire or reassign prosecutors to work directly with police and community residents. Remaining funds could be used flexibly for other costs such as the development of innovative programs to further link prosecutors to community anti-crime activities.

Q. Is community prosecution being done anywhere?

A. Yes it is. One of the best examples of a community prosecution initiative is Portland (Multnomah County), Oregon. In Portland, local businesses and community residents from one neighborhood demanded that the District Attorney dedicate a prosecutor to work in their neighborhood. As a result of this successful effort, Portland has now established "Neighborhood DAs" throughout the county.

Others cities that have started to implement community prosecution methods include: Boston, MA; Chicago, IL; Denver, CO; Indianapolis, IN; Kansas City, MO; New York City, NY; Milwaukee, WI; Austin, TX; and Washington, DC.

Q. Your community policing initiative -- the COPS Program -- was a \$9 billion initiative. Assuming that prosecutors are more expensive to hire than police officers, do you really think that \$50 million will have any impact?

A. We believe it can make a significant difference. It's important to keep in mind that many of the nation's local prosecutors' offices are fairly small with modest budgets. Based on the most recent data collected by the Justice Department, nearly one-third (683) of all state court prosecutors' offices (2,343) are part-time offices; the median annual office budget was \$226,000 and total staff size was eight.

The program we are proposing is \$50 million in FY 99 -- \$250 million over 5 years. This would provide a significant, new funding stream for local prosecutors' offices,

whose budgets are frequently limited solely to county funds. Similar to the COPS Program, the vast majority of new resources would be used to hire or reassign prosecutors to work directly with police and community residents. Remaining funds could be used flexibly for other costs such as the development of innovative programs to further link prosecutors to community anti-crime activities.

Youth Gun Tracing Initiative

Q. What is the President's gun tracing initiative?

- A. The Youth Crime Gun Interdiction Initiative (YCGII) is a joint effort between federal and local law enforcement to disrupt the illegal firearms market, with a special focus on traffickers who supply guns to juveniles and criminals. While the Brady Law stops felons and other prohibited purchasers from buying handguns legally, our anti-trafficking initiative works to disrupt the illegal gun market.

Under the President's initiative, ATF and local police departments are working together in 27 targeted cities to develop comprehensive gun tracing systems to trace all firearms recovered at crime scenes. By tracing these crime guns to their original, lawful source, law enforcement can determine gun trafficking patterns and begin to identify the illegal suppliers. The YCGII has already traced approximately 93,477 guns from 27 communities, providing law enforcement with crucial investigative leads about the sources of these guns.

We started this comprehensive gun tracing effort in July 1996 in 17 cities: Atlanta, GA; Baltimore, MD; Birmingham, AL; Boston, MA; Bridgeport, CT; Cleveland, OH; Inglewood, CA; Jersey City, NJ; Memphis, TN; Milwaukee, WI; New York City, NY; Richmond, VA; St. Louis, MO; Salinas, CA; San Antonio, TX; Seattle, WA; and Washington, DC.

Last summer the President announced that 10 additional cities would be added: Miami, FL; Houston, TX; Los Angeles, CA; Chicago, IL; Detroit, MI; Philadelphia, PA; Cincinnati, OH; Minneapolis, MN; Tucson, AZ; and Geary, IN.

And today, the President announced that his FY 1999 budget includes \$28 million to expand the initiative even further: \$12 million for gun tracing and \$16 million to hire 162 new ATF agents. Six new ATF agents will be deployed in each of the target cities to follow up on the trace information, and investigate and arrest traffickers who are supplying guns to gangs and juveniles.

Expanding the YCGII is part of an overall strategy that also includes: \$100 million for communities to hire more prosecutors and expand anti-gang task forces; \$60 million for probation officers and youth gun and drug courts; \$95 million for innovative prevention,

anti-truancy and curfew initiatives; and \$160 million in Department of Education-sponsored after school programs.

Q. How much of an increase in funding is this? Is this going to make a difference?

A. When we first kicked off the YCGII in July 1996, we allocated just over \$1.1 million to begin comprehensive tracing in our original 17 cities. Since then, the program has been supported primarily through the use of Treasury's forfeiture funds. In FY 99, the President's budget proposal request increases funding to \$28 million and makes it a permanent part of ATF's budget. Specifically, it provides \$12 million for tracing efforts and \$16 million to hire 162 new ATF agents to help investigate and arrest identified gun traffickers.

Q: If gun tracing and trace analysis lead to cracking down on gun traffickers, how many have you prosecuted as a result of this effort?

A: When we began this initiative a year and half ago-- establishing the tracing infrastructure (i.e., trained officers, computers, software, etc.) and producing the national and local reports were our initial goals. The YCGII is a special component of ATF's overall firearms trafficking strategy that has generated thousands of investigations involving tens of thousands of illegally trafficked firearms. And over time, we expect the YCGII to contribute many important cases to this workload.

Having said that, to date, ATF estimates that there are already more than 100 cases involving gun trafficking to juveniles and youths underway in the original participating cities and some of the new cities.

Drug Budget

Q. What can you tell us about funding for next year's drug budget?

A. The President's budget provides over \$17 billion -- an increase of more than \$1 billion from FY 98 -- to fund the most comprehensive National Drug Control Strategy ever. While the specifics will be released next week when the full budget is released, key provisions include funding for:

- **Southwest Border.** 1,000 new Border Patrol agents and resources for sophisticated new technologies to close the door on drugs at our borders;
- **Kids.** \$195 million to continue our commitment for a paid anti-drug media campaign and new funds to enhance the Safe and Drug-Free Schools program;
- **Law Enforcement.** Increased funding for the DEA to enhance its domestic anti-heroin and anti-methamphetamine efforts; and

- **Treatment.** Additional resources are provided for more drug treatment and better prevention programs.

Many increases in the FY 99 drug budget directly reflect proposals the President received at last year's White House Drug Summit with the Mayors.

**Radio Address Option:
Announcement of First State Children's Health Insurance Program Plans**

The radio address could:

- **Announce that Alabama, Colorado, and South Carolina are the first states to be approved for the President's Children's Health Insurance Program.** They will be able to access their share of the \$24 billion for children's health.

- **Highlight that this is a bipartisan achievement.** Two of the three states have Republican governors.

- **Announce that almost all states are planning coverage expansions.** Another:
 - 14 states's applications are currently under review for final approval
 - 4 states have announced plans and will submit applications shortly
 - 11 states have formal task forces or committees planning their programs

- **Highlight the President's budget policies to promote children's health outreach.** These policies include encouraging enrollment of children in places like schools and child care centers and expanding fund options for outreach.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 17:08:38.00

SUBJECT: Soft Money Petition

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

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

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

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

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

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

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

TEXT:

According to an article in BNA, Joan Aikens, the FEC's new Republican chairman did not rule out making changes to the FEC's regulations on soft money and even suggested she could support more consistent rules and better disclosure for state and local party committees.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 18:34:11.00

SUBJECT: tobacco poll

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:

FYI. The recent revelations that tobacco companies marketed to kids may be changing the mood on Capitol Hill, but it may not effect the American publics views much-- they already thought the companies marketed to kids-- back in March one pollster (Harris) asked: do you think some tobacco companies marketing is aimed at kids?

80 yes

19 no

Also, the notion in the meeting yesterday that this is a slam dunk political issue if we just get a bill out there ignores data showing how effective the Republican answer was when they tried it (you shouldn't do tobacco alone, you should crack down on drugs).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 12:07:06.00

SUBJECT: 1.75-pager

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

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

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: June Shih (CN=June Shih/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TEXT:
BR/EK:

Here's a draft 1.75- pager that attempts to string a 3 crime pieces together. Let me know what you think. If necessary, we could a bullet or two on key urban initiatives.

MC: Can you check where Rahm is on this?

Jose'

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D92]MAIL44981582A.026 to ASCII,
The following is a HEX DUMP:

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PRESIDENT CLINTON: KEEPING UP THE FIGHT AGAINST CRIME
January 30, 1998

Announcement:

Today, the President talked to Mayors about an urban agenda to help lead our cities into the 21st Century and announced the Administration's next steps to help communities keep up the fight against crime and drugs. Specifically, the President highlighted that his FY 1999 budget will include: (1) \$50 million for a new community prosecutors initiative; (2) \$28 million to crack down on illegal gun traffickers; and (3) over \$17 billion to fund the most comprehensive National Drug Control Strategy ever.

Helping Local Prosecutors Join with Community Police.

Community prosecution is the natural next step to community policing. As thousands of police departments have moved from reactive policing to putting more police on the streets to work with citizens to cut crime, communities are looking to local prosecutors to play a more active role. Increasingly, prosecutors are being asked to spend time in their neighborhoods, help solve local crime problems and prevent crimes from happening in the first place. The President's FY 1999 budget proposes a new \$50 million initiative for these purposes.

- Increasing Neighborhood Presence. Similar to the President's COPS program, the main purpose of the Community Prosecutors initiative is to increase the number of local prosecutors working with members of the community and community police officers. This initiative will allow hundreds of prosecutors offices to hire "community prosecutors" or "neighborhood DAs" to continue to cut crime.
- Building on the President's COPS Initiative. By helping communities hire or redeploy more than 70,000 police officers to date, the COPS program has helped bring community policing methods to thousands of police departments across the country. New funds for community prosecutors will continue to help local criminal justice systems be more responsive to their citizens' needs.

Cracking Down on Illegal Gun Trafficking.

As part of the Administration's overall effort to reduce gun violence, in 1996 the President launched the Youth Crime Gun Interdiction Initiative (YCGII) to crack down on the illegal gun markets that supply firearms to juveniles and criminals. The President's FY 1999 budget includes \$28 million to boost these efforts.

- Tracing Illegal Firearms to Their Source. The budget includes \$12 million for the Bureau of Alcohol, Tobacco, and Firearms (ATF) to work with local police departments in 27 target cities to trace all firearms recovered from crime scenes

and help determine local gun trafficking patterns.

- Putting More ATF agents on the Job. The President's budget also provides \$16 million to hire 162 new ATF agents to investigate and arrest the illegal gun traffickers who are supplying guns to gangs and juveniles.
- Passing the President's Anti-Gang and Youth Violence Strategy. Expanding the YCGII is part of an overall strategy that also includes: \$100 million for communities to hire more prosecutors and expand anti-gang task forces; \$60 million for probation officers and youth gun and drug courts; \$95 million for innovative prevention, anti-truancy and curfew initiatives; and \$160 million in Department of Education-sponsored after school programs.

Funding the Most Comprehensive Nation Drug Strategy Ever.

Last year, the U.S. Conference of Mayors held a special drug summit and recommended that the federal government launch an unprecedented, no-nonsense campaign against illegal drugs. Today, the President announced to Mayors that next week he will unveil a more than \$17 billion drug budget and strategy that responds to their concerns. Key provisions will be:

- Stopping Drugs at the Border. The President's new Drug Strategy will fund 1,000 new Border Patrol agents and provide new resources to deploy the most sophisticated new technologies to close the door on drugs at our borders.
- Getting the Message to Our Youth. A continued commitment to the \$195 million paid anti-drug media campaign recently launched by the President, and new funds to enhance the Safe and Drug Free Schools program;
- Targeting Heroin and Methamphetamine. Increased resources for the DEA to enhance its domestic anti-heroin and anti-methamphetamine efforts; and
- Treating and Preventing Drug Abuse. Increased resources for more treatment and better prevention programs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 17:43:03.00

SUBJECT: Good Manufacturing and Good Agricultural Practices 90-day Report

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

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

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

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

TEXT:

OMB would like to know if you think the guidance due date should be moved to December from the already announced date of October 2. OMB and USDA have concerns that the guidance will not be ready in October because it is a complicated process. OMB is also concerned about releasing guidance that may be controversial before the election. OMB would like to know whether we want the guidance due date to be October as promised or December to give the agencies more time.

In addition there are two other issue that OMB is trying to resolve with the agencies in a meeting that they are going to hold tomorrow:

1) Risk assessment. USDA wants risk assessment procedures (a cost-benefit analysis) to be incorporated into the guidance process and OMB agrees. However, they still need to finalize the specific way that this will be incorporated in the report.

3) Also FDA wants an entire section on establishing commodity-specific guidance. USDA, OMB, and the groups believe this would be very controversial, and furthermore, we never promised commodity-specific guidance.

What is your reaction to the due date for the guidance? Thanks, Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 14:22:49.00

SUBJECT: Mayors

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

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

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

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

TEXT:

FYI -- since we apparently do see the need or value in getting a focused message out tomorrow. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 01/29/98
02:21 PM -----

Anne E. McGuire
01/29/98 02:19:57 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Sylvia M. Mathews/WHO/EOP
Subject: Mayors

FYI

Per Sylvia, HUD's Community Empowerment Fund announcement will be in the speech tomorrow. It is my understanding that the message of the event remains Crime.

Message Sent

To:

Mickey Ibarra/WHO/EOP
Jose Cerda III/OPD/EOP
Jonathan Orszag/OPD/EOP
Stacie Spector/WHO/EOP
Jonathan Murchinson/WHO/EOP
Emily Bromberg/WHO/EOP
Lynn G. Cutler/WHO/EOP

Michelle Crisci/WHO/EOP
Lawrence J. Haas/OMB/EOP
June Shih/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Laura D. Schwartz/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Claire Gonzales (CN=Claire Gonzales/OU=PIR/O=EOP [PIR])

CREATION DATE/TIME:29-JAN-1998 12:47:21.00

SUBJECT: EEOC Funding: Positive Response

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

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

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

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

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

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

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

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

TEXT:

I wanted to let y'all know that I just had a very encouraging meeting Tom Freedman and Julie Fernandes about the concerns I raised in my earlier e-mail about the public argument for increased EEOC funding. Tom and Julie responded immediately and were eager to discuss all aspects of this issue. Together we came up with a short term plan to develop external and internal strategies for addressing this issue in an effective, accurate, and coordinated way. I am sure that Tom and/or Julie will be sharing this information with you soon. Please feel free to call me at ext. 5-1025 if you have any questions. thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JAN-1998 18:13:46.00

SUBJECT: INS reform and H1B visas

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

Any reform that we recommend to the H1B program will likely cause employers to raise other issues related to immigration and the Labor Department. The following are a couple of policy issues that we may have to confront as part of this process.

1. Labor Certification

As the Labor folks indicated yesterday, employers use the H1B program as a way to get foreign workers into the country fast -- short application and no labor certification process (as there generally is with the permanent employment-based visa program). Thus, any changes that limit or more closely subscribe the use of the H1B may cause employers to focus on what they believe is wrong with the labor certification process, as presently performed by the Labor Department.

The CIR recommended that the Labor Department no longer perform labor certification prior to the issuance of a permanent employment-based visa, largely because it takes them too long and because the tools that they use do not fairly reflect the dynamics of the labor market. The CIR did not suggest an alternative method for testing the labor market to determine if workers are needed in a particular job category, but suggested, as part of their overall proposal, that State somehow take care of it. The Carnegie folks suggested, informally, that the function could be contracted out to a private entity who could do the labor market tests more quickly and maybe better.

This is an issue that we likely need to focus on as part of the overall INS reform package and as it relates to the H1B program. As you would imagine, any proposal to change the labor certification process is very controversial -- particularly any proposal to eliminate Labor's role in performing a market-test as a predicate to an employment-based permanent visa.

2. Employer Sanctions

The CIR recommended that Labor should be empowered to sanction employers for failure to verify whether their employees are authorized to work. Under the current system, if a Labor Department inspector discovers that an employer is not verifying authorization to work (as demonstrated by their not filling out the I-9 forms), they refer the case to the INS --

Labor has no authority to sanction the employer for this violation. The CIR and others have suggested that Labor have this sanction authority, in part b/c referrals to the INS for this are almost never followed up on.

In preliminary discussions about this, Labor expressed some concern that their increased role in enforcing the immigration laws might chill the reporting of other labor violations by undocumented workers. However, Labor already has a role (by checking for I-9 violations and reporting them to INS) and this increased authority could be understood as enforcing labor laws (that relate to the labor market), not immigration laws. The chief opponents to this change would likely be Republicans on the Hill who are concerned with businesses not being penalized for hiring illegals at all. This opposition could be significant, but the concept of sanctioning employers for failing to take steps designed to ensure that they hire legal workers is a strong one. Also, this is a good companion to our successful push last year to launch an employer verification pilot program, to improve the system of verifying whether employees are authorized to work.

Aside from the concerns that relate to the Labor Department, there are two areas of policy decision-making that we may want to resolve in conjunction with the INS reform. These are both less pressing, but are likely important to keep an eye on:

1. State Department and Visa Issuance

For employment-based visas issued overseas, there are three players: INS, State and Labor. Many (including the CIR, State and INS) have commented that this current process is duplicative. One suggested reform would be to remove State from doing a separate analysis of the application, and limiting their role to checking to ensure that there were no international or foreign policy restrictions on the applicant (checks with Interpol, etc.). Under the current system, State often readjudicates the visa petition rather than perform a more limited check. State has also identified a need for greater clarity regarding ultimate responsibility for certain decisions (like this one) where more than one agency plays a role.

We may, as part of our proposed reform, want to better clarify State's role as limited to international/foreign policy concerns only.

2. Immigration appeals

Under the current system, administrative review of immigration decisions is conducted by numerous entities located at the various agencies (State, Labor and Justice). In addition, the Bureau of Immigration Appeals (BIA) -- a 15 member panel appointed by the AG -- has nationwide jurisdiction over a wide range of cases, including decisions of Immigration Judges in exclusion, deportation, and removal decisions. Decisions of the Bureau of Immigration Appeals are reviewed by the Attorney General. The CIR recommended the creation of an independent body within the Executive Branch to hear all appeals of immigration-related administrative decisions, including deportation hearings. Decisions by this entity would be binding on the Executive Branch.

We have not yet fully explored whether the existing immigration appeals system needs dramatic reform or, if so, whether we would recommend a solution along the lines of that proposed by the CIR. It is not clear that this question has to be answered in the short term, but we may want

to keep it within our sites.