

NLWJC - KAGAN

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[11/02/1998 - 11/04/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Virginia Rustique to Elena Kagan re Chicago (1 page)	11/04/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[11/02/1998-11/04/1998]

2009-1006-F

kc185

RESTRICTION CODES

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

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

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

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.

- 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: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-NOV-1998 15:18:25.00

SUBJECT: Civil Rights Meeting

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

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

TEXT:

Bill Lee is coming over this Friday to meet with Chuck Ruff, Chris Edley and me on civil rights issues. Chris is interested in school desegregation as well as other education issues, such as testing, and no doubt we will spend significant time on these topics. We meet at 11:00 in Chuck's office. You are both welcome.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul D. Glastris (CN=Paul D. Glastris/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-NOV-1998 14:31:59.00

SUBJECT: policy idea: rating public schools

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

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

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

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

TO: Robert M. Shireman (CN=Robert M. Shireman/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:

Consumer ratings for public schools: A perfect new Clintonian policy idea would have four attributes:

- 1-it would address a top-ranked voter concern, such as education.
- 2-it would conform to the voters' belief the federal government should not be creating big new programs but should be providing citizens with tools, especially information, which they can use to improve their own lives.
- 3-it would likely cause open dissention among congressional Republicans--sparking lots of extremist anti-government rhetoric--but would also have a good chance of eventually winning sufficient if grudging Republican support.
- 4-it would actually work if we tried it. .

Here's an idea with, I believe, all four attributes: Have the President announce during the SOTU that in order to help parents make more informed choices about which schools to send their children to, he is calling on the federal government to collect and disseminate information about the performance of every k-through-12 public school in the country. In other words, information that can be used to rate public schools.

When parents chose a public school for their children, they do so with little solid information. They go by reputation, SAT scores, teacher-to-pupil ratios, spending-per-student, and the race and socio-economic class of the student body. These are proxies for school quality. They measure inputs and norms, not actual performance. Though not wholly unreliable, these measures fail to capture the thing parents care most about (or should care about): how much improvement of learning goes on in this school compared to other schools? If my child begins the year with x level of learning, what are his or her chances of getting to y by the end of the year in this school compared to other schools? In other words, what is the value add of this school?

The President could make this rating system happen by requiring (with congressional approval) that the Department of Education collect, on a nationwide basis, the following three new sets of data :

1-student achievement tests broken down to the school level. The federal government already has a reliable measuring rod in the National Assessment of Educational Progress. Broader use of the NAEB would be expensive and controversial, but it would work.

2-graduation rates for every high school. Currently each state calculates graduation rates differently and the data they gather is incomplete. Federal standards would make the information much more reliable and comparable

3-data tracking students, achievements 3-to5 years after graduation (job, income, further education, etc).

It's important to note that Washington would merely be providing data that would make rating systems possible. The federal government would not be doing the actual rating of schools. That job is better left to private organizations, such as newsmagazines and education reform groups. Each of these organizations would be free to weigh the data differently and to throw other criteria into the mix, such as SAT scores or extracurricular programs. The point is, without the federal government providing the above data, no rating system can work (which explains why no one has tried to put one together).

Choosing a school can be the most important choice a parent will ever make for a child. Such ratings would empower parents to make better, more informed choices. More than that, it would be a powerful engine for school reform. Numerous experts have noted that the vast majority of parents have the Lake Wobegon view that their kids, schools are above average. This system might help shake off that complacency. Experts have also noted that the mere act of grading institutions causes managers of those institutions to make improvements.

Republicans will probably object that this idea means more federal spending and federal intrusion into state and local education matters. In fact, measuring school performance is less intrusive than other policies, such as setting high academic standards (and the measurement system can probably be done on a voluntary basis). But just as the standards debate highlighted an internal contradiction in conservative ideology (you cannot be for local control and high standards), this debate will highlight another (you cannot be for parental choice in education but against giving parents the information they need to make those choices wisely).

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:16:32.00

SUBJECT: Hondurans

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

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

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

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

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

TEXT:

Congressman Gutierrez has sent the President another letter re: Hondurans. Unlike his previous letter (in which he asked for "parity" for Hondurans), in this letter he asks for DED for Hondurans who have been in the U.S. since prior to December 1995.

As you recall, during the last session of Congress, we attempted to get Hondurans who applied for asylum prior to December 31, 1992 (approximately 2,000 Hondurans) relief equivalent to that received by Salvadorans and Guatemalans in NACARA (essentially, to have the pre-1996 suspension of deportation rules apply). We have not pushed for amnesty for any of these groups, though the President indicated in his meeting with the Hispanic Caucus last August that he would consider legislation that provided amnesty for these groups (because it would bring parity between these groups and the Nicaraguans and Cubans given amnesty in the legislation). On the question of DED, our position has been that though we agree that Hondurans similarly situated to Salvadorans and Guatemalans covered by NACARA should be treated the same, we have not endorsed DED for Hondurans. According to Scott Busby, the number of Hondurans likely affected by our proposed legislative fix is too small and the foreign policy rationale is not present.

Jim Dobbins at NSC (who covers Latin America) wants us to consider interim measures for Hondurans who might be covered by our proposed legislative fix. These options include: DED; TPS (temporary protective status); and the AG's prosecutorial discretion. There may be others. According to the NSC, the lack of equal treatment for Hondurans is the number one issue in our bilateral relationship with Hondurans.

Scott is going to pull together a staff-level meeting this week for us to consider the options.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:22:33.00

SUBJECT: Weekly Strategy Meeting

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

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

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

CC: Gina C. Mooers (CN=Gina C. Mooers/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

CC: Rhonda Melton (CN=Rhonda Melton/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TEXT:

We will have the weekly Health Care Strategy Meeting on Thursday, November 5, at 4:00 p.m. in Bruce Reed's office, 2 Floor/West Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:50:09.00

SUBJECT: Draft directive on OPM guide for domestic vioience

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

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

TEXT:

Here is a draft directive for the VP's event tomorrow. Phil Caplan needs it as soon as possible. DOJ, OPM, and HHS have signed off on it. Could you please review it so I can send it to Phil? Thanks, Mary===== ATT
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D81]MAIL475527604.326 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000A01600000002000044FA4173AC489946532368
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27D0DC09B73AB8D2A066158DCCA7CA1D9DEA4F6B265C906EEDD07EF19200B808EF703B8FFA97B3
7DD3355C1C06B55E7A3E3BD9E4809EA3A4DE923784FA172D38EDB801D849B67CE4BFE7223104A0

MEMORANDUM FOR THE DIRECTOR OF THE OFFICE OF PERSONNEL
MANAGEMENT

SUBJECT: GUIDE FOR VICTIMS OF DOMESTIC VIOLENCE

Domestic violence is one of the most serious public health issues and criminal justice issues facing our Nation. About 30 percent of female murder victims are killed by intimates each year. Women aged 16-24 experience the highest rates of intimate violence. In 1996, women experienced an estimated 840,000 incidents of rape, sexual assault, robbery, and aggravated assault at the hands of intimates. While this number has declined from 1.1 million incidents in 1993, we must strive to completely eliminate domestic violence both for its effects on the victim as well as on their children. Domestic violence does not discriminate -- it effects individuals of every age, race, gender, class, and religion.

My Administration is committed to fighting the scourge of domestic violence. As part of the 1994 Crime Act, I fought for and signed the historic Violence Against Women Act (VAWA), which provides a comprehensive approach to domestic violence, both through prosecuting offenders and providing assistance to victims. Through this Act, my Administration has provided almost half a billion dollars through STOP (Services, Training, Officers, and Prosecutors) grants to the states for law enforcement, prosecution, and victim services to prevent and respond to violence against women. The extension of the Brady Law prohibits anyone convicted of a domestic violence offense from owning a firearm. The Interstate Stalking Punishment and Prevention Act of 1996 makes it a federal crime to cross state lines intending to injure or harass another person.

In 1995, the Violence Against Women Office was established at the Department of Justice, elevating the fight against domestic violence to the national level for the first time. Since 1996, the 24-hour National Domestic Violence Hotline (1-800-799-SAFE) has provided immediate crisis intervention, counseling, and referrals to those in need, responding to as many as 10,000 calls each month.

Domestic violence affects all aspects of our society -- the family, the community, and the workplace. As the Nation's leading employer, my Administration has tried to set an example for private employers to protect and provide assistance to workers who are victims of domestic violence. In 1995, I signed an executive memorandum requiring all federal departments to begin employee awareness efforts on domestic violence. Last year, the Vice President announced that the Office of Personnel Management had developed a guide for dealing with workplace violence that outlines a wide array of strategies for preventing violence at work and for helping supervisors, security, and employee assistance staff to recognize the signs of violence, including domestic violence, and to prevent this violence.

Building upon these efforts, it is important to provide a resource guide to the thousands of federal employees across the country, whether they are a victim of domestic violence or the family member, neighbor, friend, or co-worker of someone who is being abused. I accordingly direct you to prepare within 120 days a resource guide that will (1) assist federal employees

who are victims of domestic violence by providing up-to-date information about available resources and outline strategies to ensure safety; and (2) help those who know a federal employee who is being abused to prevent and respond to the situation. This guide should list private as well as public resources such as counseling, law enforcement, federal workplace leave policies, and substance abuse programs. In developing this guidebook, you should consult with all interested parties, including the private sector and other federal agencies and offices -- particularly, the Department of Justice and the Department of Health and Human Services.

This guide, in addition to my Administration's continuing efforts to combat domestic violence, will strive to ensure to the fullest extent possible the safety of all federal workers and their families.

**Automated Records Management System
Hex-Dump Conversion**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 14:04:32.00

SUBJECT: Domestic Violence Accomplishments

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

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

TEXT:

Here is an updated domestic violence accomplishment document. It is the same document we used last year, but has been updated by OMB, HHS, and DOJ. The VP's office would like to have it as soon as possible because they need this background info for the leaking to USA Today. Could you please review this? Thanks, Mary ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D62]MAIL495290700.326 to ASCII,
The following is a HEX DUMP:

FF57504366100000010A02010000000205000000224B0000000200005F68C66DBE1B1CF183C429
D8BF779B4DD0D4F5FD720C7C4E204A45ADD377B47E49172A1110EE55006395172F6E581E1C8F71
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609C400AEF984EE22F71C52683897B7D77BB323E13227597BFBA5A59E08EA30BF67CA84436F281

**PRESIDENT CLINTON AND VICE PRESIDENT GORE:
FIGHTING TO END DOMESTIC VIOLENCE**

"I call on American men and women in families to give greater respect to one another. We must end the deadly scourge of domestic violence in our country."

-- President Clinton, State of the Union Address, 1996

Domestic Violence - A National Problem

- In 1996, approximately 840,000 women were victimized by violence perpetrated by an intimate.[Bureau of Justice Statistics, 1998]
- About 30% of female murder victims are killed by current or former partners.[Bureau of Justice Statistics, 1998]
- Companies lose 1,751,100 days a year due to violence in the workplace - 10% of that absenteeism, or 175,000 days is due to domestic violence.[Workplace Violence - Department of Justice, 1994]
- From 1987 to 1992, workers were the victims of nearly a million crimes a year, on average, at a variety of public and private workplaces. And when the victim was a woman, she was much more likely than a man to know the attacker.[Justice Department, 3/10/96]

The Clinton Administration has taken strong steps to fight domestic violence. The President fought for and signed the Violence Against Women Act, as part of the 1994 Crime Act. For the first time, the federal government adopted a comprehensive approach to fighting domestic violence and violence against women, combining tough new penalties with the programs to prosecute offenders and help women victims of violence. The passage of the Violence Against Women Act was a crucial turning point in our national effort to break the cycle of domestic violence.

The Act forged a new strategy to fight domestic violence:

- Provided \$1.6 billion over five years to hire more prosecutors and improve domestic violence training among prosecutors, police officers, and health and social services professionals.
- Provided for more shelters, counseling services, and research into effective public education campaigns.
- Made interstate domestic violence and harassment a federal offense.
- Outlawed the possession of firearms by those who are subject to a restraining order.
- Required states to honor protective orders issued in other states and gave victims the right to mandatory restitution and the right to address the court at the time of sentencing.

The Violence Against Women Act is the cornerstone to the President's efforts to fight domestic violence. The Administration continues to build on this achievement in order to work to prevent and eliminate domestic violence.

WORKING TO COMBAT VIOLENCE

Extended the Brady Bill to deny handguns to anyone convicted of family violence. Under the law, anyone who commits an act of family violence against a spouse or child would be prohibited from having a gun. The law also adds domestic violence convictions to the "Brady Checklist" sent to local law enforcement for a background check prior to each handgun sale from a federally licensed firearms dealer.

Bolstered local law enforcement, prosecution and victims' services to better address violence against women through \$411.5 million in state grants. Since October 1995, the Administration has awarded more than \$411.5 million in S*T*O*P Violence Against Women Grants to states to encourage cooperation and coordination that allow the criminal justice system to respond more effectively to domestic and sexual violence.

Signed the Interstate Stalking Punishment and Prevention Act of 1996, which makes it a federal crime to cross state lines intending to injure or harass another person.

Working with local prosecutors to stop domestic violence. The Department of Justice awarded states \$106 million to encourage policies of arrest of domestic violence offenders at the local level. Since FY 1996, another \$6 million has been disbursed under the National Stalker and Domestic Violence Reduction Program to improve the collection, handling, and accessibility of crime data.

HELPING PROVIDE RESOURCES TO VICTIMS OF VIOLENCE

Created the Violence Against Women Office. In March of 1995, President Clinton named Bonnie Campbell, former Attorney General of Iowa, to be Director of the Violence Against Women Office at the Department of Justice. In making the announcement, the President noted "for the first time in history, the federal government becomes a full time partner in the fight to curb violence against women." The Department's Violence Against Women Office leads the comprehensive national effort to combine tough new federal laws with assistance to states and localities to fight domestic violence and other crimes against women. It is a national resource for all those involved in this national problem.

Established nationwide 24-hour domestic violence hotline providing immediate crisis intervention, counseling and local shelter referral to victims across the country. The hotline has received over 225,000 calls from all over the country, since it was launched by President Clinton on February 21, 1996.

More than quadrupled funding for battered women's shelters. In 1993, the federal government spent \$20 million on battered women's shelters. In FY 1999, the Clinton Administration allocated \$88.6 million. And it has spent even more on related services, such as community outreach and prevention, children's counseling, and linkage to child protection services. Overall, the Clinton Administration has granted states, territories, and Indian tribes over \$200 million to support the system of 1,400 emergency shelters, safe homes, and related services nationwide.

Compensating victims of violence. Through the Department of Justice's Office for Victims of Crime, the Administration awarded \$343 million in FY 1998 to help compensate crime victims, including domestic violence survivors, for their losses; provide victims with emergency shelter, food and medical care; and improve, through police-and court-training, how the criminal justice system handles their cases.

Helping victims gain access to the legal system. On June 20, 1996, President Clinton announced \$46 million in grants to localities to utilize community policing to combat domestic violence. The Justice Department's Office of Community-Oriented Policing Services has funded grants to over 300 jurisdictions for innovative community policing strategies aimed at curbing domestic violence. In addition, the Justice Department has encouraged mandatory arrests policies for the primary aggressor in domestic violence cases by awarding grants to 122 communities which are pursuing this strategy to combat violence.

Strengthening the health care system's ability to screen, treat, and prevent family and intimate violence. The Clinton Administration is helping to train those in the medical profession to identify and deal with the problem of battered women. These efforts include development of a framework for evaluating health care provider training programs; surveying all medical schools to determine the extent to which students are being prepared to deal effectively with issues of family and intimate violence; and working with national nursing organizations to begin collaborations and the development of a national nursing strategy on dealing with domestic violence.

LEADING A NATIONAL EFFORT TO RAISE AWARENESS OF DOMESTIC VIOLENCE

The Advisory Council on Violence Against Women. President Clinton created the Advisory Council Against Women on July 13, 1995. Co-chaired by Attorney General Janet Reno and Secretary of Health and Human Services Donna Shalala, the Council consists of 47 experts -- representatives from law enforcement, media, business, sports, health and social services, and victim advocacy -- working together to prevent violence against women and raise awareness of this pressing problem.

Raising Awareness in the federal workplace. President Clinton signed an executive memorandum on October 2, 1995, requiring all federal departments to begin employee awareness efforts on domestic violence. The Justice Department has distributed more than 90,000 copies of a domestic violence awareness booklet entitled "Stop the Cycle of Violence." In addition, Secretary Shalala distributed workplace violence guidelines for employees of the Department of Health and Human Services with a special section addressing domestic violence. These guidelines both help create and support a work environment in which potentially violent situations in HHS are prevented and effectively addressed and increase employee understanding of the nature of workplace violence. **The Office of Personnel Management produced two publications, distributed government wide: "Dealing with Workplace Violence: A Guide for Agency Planners" (published in February 1998) and "A Manager's Handbook: Handling Traumatic Events" (published in December 1996). Both publications include guidance for agencies in handling domestic violence that spills over into the workplace.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Todd Stern (CN=Todd Stern/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-NOV-1998 19:09:26.00

SUBJECT: congrats

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

TEXT:

I heard your news and I think you made a good decision, which is good because it's fundamentally what you want to do -- which is why any decision of this kind is good. I'll look forward to hearing details at some point. And by the way -- you'll be great at this. Good luck. tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:50:50.00

SUBJECT: SOU Time

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

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

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

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

TEXT:

----- Forwarded by Christa Robinson/OPD/EOP on 11/03/98
03:51 PM -----

Karin Kullman
11/03/98 01:00:40 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Stephanie S. Streett/WHO/EOP, Jeffrey A. Forbes/WHO/EOP, Rachel A.
Redington/WHO/EOP, Heather L. Davis/WHO/EOP
Subject: SOU Time

Per the State of the Union Timeline Memorandum, the Scheduling Office is currently holding time on the following days on the President's schedule for SOU preparation:

Tuesday, November 24th

Monday, December 7

We are also tentatively holding Wednesday, January 6th for the Thinker's Dinner, but need to confirm this date with the Social Office.

As soon as the actual date for the State of the Union is nailed down we will get back to you about time for the other requested prep.

Thank you.

Message Sent

To: _____
Maria Echaveste/WHO/EOP
Marjorie Tarmey/WHO/EOP
Sara M. Latham/WHO/EOP

Robert L. Nabors/OMB/EOP
Beth A. Viola/CEQ/EOP
Adrienne C. Erbach/OMB/EOP
Christa Robinson/OPD/EOP
Cathy R. Mays/OPD/EOP
Melissa G. Green/OPD/EOP
Michael Waldman/WHO/EOP
Joshua S. Gottheimer/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:23:08.00

SUBJECT: Weekly Education Strategy Meeting

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

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

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

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

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

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

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

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

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

CC: Mindy E. Myers (CN=Mindy E. Myers/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

We will have the weekly Education Strategy Meeting on Thursday, November 5, at 5:15 p.m. in Bruce Reed's office, 2 Floor/West Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:08:33.00

SUBJECT: State settlement next week

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

October 30, 1998

HIGHLIGHTS

1.The new AG settlement should be announced the week of November 9; we expect

substantially all states to embrace the deal. Timing is now probably firm to ensure that AGs leaving office -- Lungren (CA), Harshbarger (MA) -- can embrace the deal before their terms end. We expect UST to be included in the deal, but make no ongoing payments, and only nominal upfront payments.

2.Tobacco stocks are likely to move higher going into the settlement as investors begin to

discount value-unlocking events after the deal is enacted. We expect aggressive buybacks at Philip Morris and UST; a new proxy fight at RJR; speculation about spinoffs at MO, RN, and LTR; and consolidation throughout the industry (BAT links up with RJR Int'l; MO or LTR merges with UST).

3.Next week's elections should be a non-event, but two low-probability outcomes could move

stocks: 1) If Republicans gain 5 seats in the Senate, they obtain a filibuster proof majority,

which may lead to speculation about sweeping tort reform; 2) If Democrats gain 11 seats in

the House, they will reclaim the majority, and investors will worry about new anti-tobacco

legislation next year. We expect Proposition 10 in California (to raise cigarette excise taxes

from \$.37 to \$.87/pack) to pass easily, but not affect valuations; other states have enacted big

excise tax increases with no impact on stocks, given increased cross-border selling.

4.If the industry loses Phase I of Engle, and assuming there is a new AG settlement, we could

see the industry settle the Engle class action for a nominal amount. While such a move would

send the wrong message to the unpaid Castano class counsel, settling Engle may be the only way to convince outside legal counsel to opine that spinoffs don't carry fraudulent conveyance risks.

5. RJR's stock remains a good trade vs. Philip Morris, given 45-50% upside at RN but only 15-20% upside at MO if both are accorded sum of the parts valuations, assuming tobacco stubs take on the same valuation as the parent pre-spinoff -- which occurred with BAT. Our problem with RJR is that the international tobacco business is still in shambles, and domestic premium volumes are hemorrhaging. Yesterday, Philip Morris increased its 4Q buydown on Marlboro to \$3.00/carton, from \$2.50/carton.

6. Smokeless discount leader Swedish Match (40% share of discount market, UST 8% discount market) has taken half of UST's \$.20/can price increase on Red Seal. We expect #2 discount maker Swisher (37% share of discounts) and #3 Conwood (15% share of discounts) to match this \$.10 hike on single cans. Everyone has followed UST's \$.10/can price hike on premium brands.

7. We reiterate outperform ratings on Philip Morris, RJR, and UST.

DETAILS

1. Deal timing now set for the week after the election. Our sources say the new AG deal will likely be announced the week of November 9. Provisions will be along the lines previously outlined (payments for remaining states \$180 billion, marketing restrictions that go modestly further than Minnesota, renegade multiplier 3x with incentives for states to enact legislation to limit renegade penetration). The upfront payment is said to be \$10 billion, with \$5 billion due over the first 14-16 months. We expect a separate deal for smokeless makers that restricts marketing, requires no ongoing payments, and only a nominal upfront payment.

The timing of the deal seems fairly firm, because the tenure of several AGs -- Dan Lungren in California, Scott Harshbarger in MA, who are both running for governor next week and will likely lose -- ends December 31. We believe that lame duck AGs will want to take credit for the state Medicaid lawsuits they started, rather than have someone else get the credit for settlements or awards if their case makes it to trial. We believe virtually all of the remaining 47 states (includes Puerto Rico) will embrace the deal by the end of the opt-in period, which is likely to be set 14 days after the deal is announced.

2. Value unlocking actions to begin after deal. Following completion of the deal, we expect

Philip Morris to resume its \$8 billion buyback (\$4 billion in 1999), and UST to announce its recap (\$1 billion over 3-4 years). Speculation will build that all companies will separate tobacco from non-tobacco operations in early-1999, given the favorable paper trail on class actions (includes NJ class ruling on Monday). We expect one or more financiers to file proxy slates by end of November to replace RJR management as an insurance policy in case management gets cold feet about spinning off Nabisco following the AG deal. We expect Philip Morris to announce their intent to separate tobacco from non-tobacco before RJR, given almost zero odds that plaintiff counsel could convince a court that Philip Morris is not able to satisfy its existing or unmatured obligations (all debt likely to be placed on Kraft, PM has never lost a case, can show that pricing can be taken to offset judgments). In a non-bankruptcy situation, we cannot find a single instance where a court has blocked a company from spinning off assets when there are no judgments against it.

3. Consolidation of the global tobacco industry. Post spinoffs, we expect to see

consolidation sweep the global tobacco industry. Our predictions are that BAT will merge with RJR International, and that Philip Morris or Loews will acquire UST. The proposed merger transaction between Hilton and Grand Casino -- a so-called "Morris trust" that involves the tax-free spinoff and simultaneous merger of both companies' casino interests -- may become the model that both enables spinoffs and triggers this consolidation wave. The mechanics of such a tax-free transaction might be as follows: Loews spins off Lorillard tax-free, UST spins off its wine business tax free, Lorillard buys UST in a stock-for-stock deal, Lorillard winds up with controlling interest.

4. Rather than wait on spinoffs, industry could settle Engle if they lose Phase I. While it

pains us to say this, and the industry adamantly denies it, if the industry loses Phase I of the Engle trial, we would not be surprised to see the industry settle with the Rosenblatts in Engle.

We would envision some nominal amount (\$300 - \$500 million) that would go for cancer

research or education -- similar to Broin. Let us be clear: Engle would be settled only if: 1)

there is a new AG settlement, and 2) if the industry loses the Engle Phase I trial. With other

class actions eliminated by the courts, and the AG suits settled, the \$200 billion Engle claim

would remain as the only legitimate obstacle to separating tobacco from non-tobacco operations. Rather than wait 6-12 months for the Florida Supreme Court to decertify Engle, and have some other roadblock to spin-offs emerge (Ohio Labor Union trial in February, for example), the industry may simply bite the bullet and pay off the Rosenblatts -- again. While settling Engle would clearly send the wrong signal to other plaintiff counsel, outside legal counsel may be reluctant to provide legal opinions to company Boards, which would be needed to proceed with spinoffs, that fraudulent conveyance risks are minimal.

5. RJR likely to close valuation gap vs. Philip Morris. Since the McCain bill was defeated, RJR has not kept up with other tobacco stocks (since 6/16, MO +41% relative, UST +33%, RN +8%). We believe that at least one financial buyer will file a proxy slate prior to the November 26 deadline for next year's proxy vote (deadline 150 days from anniversary of last year's proxy statement filing). On sum of the parts, RJR is worth \$43, assuming the market attaches the same multiple to the tobacco stub that it attaches to the parent today. This valuation extrapolation occurred when BAT was demerged -- BAT tobacco stub trades at same 65% relative multiple to the FTSE at which old BAT traded. On this basis, we estimate that Philip Morris is worth \$61 (+17%), and RJR is worth \$43 (+50%). Our concern about RJR is that all three of its businesses are in trouble. In domestic tobacco, premium shares have returned to all time low, and volumes are now declining at twice the rate of the overall market.

6. Next week's election likely to be non-event. Next Tuesday's election is only an issue under two scenarios, both to which we attach low odds: a) Republicans pick up +5 seats in the Senate to get to a filibuster-proof majority of 60 seats (now 55R, 45D). This would cause speculation that there may be sweeping tort reform next year; or b) Democrats pick up +11 seats in the House, allowing them to reclaim majority (now 228R, 206D, 1-Ind.). This would raise new worries about excise tax increases in 1999. We expect California's Proposition 10 (to raise state cigarette excise tax from \$.37/pack to \$.87/pack) to pass by a wide margin, but consistent with other states that have passed large tax hikes, cause little investor reaction.

7. Cigarette pricing: Marlboro pushes the promo dial again. Our trade sources are betting on another \$.075/pack price hike within the next two weeks, to be followed by a second \$.075/pack hike the first week of December. This would bring to \$.4

0/pack the pricing taken

since last September. From the most recent IRI data, we compute that the industry has taken

net pricing of \$.15/pack since last September, although list prices have increased by

\$.25/pack. We heard this week that Philip Morris has raised its 4Q retail buydown of

Marlboro to \$3.00/carton for 6 weeks of volume; Marlboro's previous retail buydown was

\$2.50/carton for 5 weeks in 2Q -- which was increased from the 1997 buydown of

\$2.00/carton. This is likely to cushion the coming sharp price increases associated with the

deal, or may be in response to the Marlboro-Doral price gap widening to its highest level

(\$.50/pack) since Marlboro-Friday. The Marlboro buydown will add to RJR's Winston and

Camel woes.

8.Smokeless pricing: Swedish Match takes half of UST's discount price increase. Our

trade sources say that Swedish Match has followed half of UST's price increase on price/value

brands, taking \$.10/can to UST's \$.20/can increase on Red Seal. The Swedish Match action

(discount market leader with 40% share; UST has 8% share) will likely cause Conwood (#3

discount player with 15% share) to raise prices by \$.10/can on price/value. Conwood had

previously not followed the UST discount increase. Swisher, the #2 player in price/value (37%

share), is likely to follow the \$.10.can increase on discounts, but take no pricing on its

2-for-1s, which Swisher is gradually converting to single discount cans. We expect retailers to

raise the retail price on Swisher's 2-for-1s by the same \$.20/can price increase taken by UST

on premiums, and then pocket the \$.20 increase for themselves.

----- Forwarded by Bruce N. Reed/OPD/EOP on 11/03/98
04:08 PM -----

Cynthia A. Rice

11/03/98 11:13:41 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Laura Emmett/WHO/EOP
cc:

Subject: Question for Christine Gregoire

Besides asking about the public health provisions generally, we should ask if there are any tobacco documents provisions (putting all the industry docs on web site, etc.) There are rumours that there may be.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 10:11:44.00

SUBJECT: Re: Race Book, Budget, SOTU

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

READ:UNKNOWN

TEXT:

More valleys than mountain tops

----- Forwarded by Bruce N. Reed/OPD/EOP on 11/03/98
10:09 AM -----

"Christopher Edley, Jr." <edley @ law.harvard.edu>

11/03/98 09:41:22 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP

cc: Bruce N. Reed/OPD/EOP, Gene B. Sperling/OPD/EOP, Jonathan A. Kaplan/OPD/EOP, Paul J. Weinstein Jr./OPD/EOP

Subject: Re: Race Book, Budget, SOTU

I don't mean to make this complicated; I'm just trying to find a way to make sure that our skunkworks effort to identify a couple of "bold" ideas, or "mountain tops", are presented to POTUS as candidates for his book. We've had truly wonderful collaborations with several NEC and DPC staff over the last 6 weeks or so, with only certain glitches.

Please understand my problem: I have essentially two people, Scott Palmer and John Goering, covering the waterfront. And we have about 28 days until I hope to have most of a draft completed. Rather than pull them off of writing in order to write a special memorandum, can we take a quick look at the draft NEC and DPC memoranda in order to make suggestions to Bruce and Gene? Please?

My suspicion is that we will have only minor thoughts, if any, since much of the book will be about longer run matters.

At 06:25 PM 11/2/1998 -0500, Maria_Echaveste@who.eop.gov wrote:

>What ideas do you want dpc/nec to consider--that's where this should be
>taking place--I of course, will review their memos on weds and see if
>there's anything in there, but I suspect that there might not be much on
>race --which is why I thought your conversations/meetings with policy
shops

>about the policy work for the book is how any race ideas for sotu/budget
>>would be generated. Is there something you have been proposing that is
not

>being paid attention to--why don't you email bruce and gene with your

>ideas--by copying them on this email, I am asking them to consider, think
>about and otherwise be creative on race/sotu/budget--but I thought that's
>what you were doing by working with their staffs.

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> (Embedded
> image moved "Christopher Edley, Jr." <edley @ law.harvard.edu>
> to file: 11/02/98 06:08:20 PM
> PIC15902.PCX)

>Record Type: Record

>To: Maria Echaveste/WHO/EOP

>cc:
>Subject: Re: Race Book, Budget, SOTU

>
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>
>
>I have no idea what the DPC and NEC will say to POTUS about their
>recommended policy issues, because there is no process I'm aware of that
>will give me an opportunity to see what Bruce and Gene give to the
>President. So the fact that our staffs have talked amicably, and that
>we've
>had several excellent meetings, is almost no assurance at all.
>The PIR transition meeting discussion of race & the SOTU is fine, but I
>doubt that anyone is going to come with much of an idea, because no one
>was
>given an assignment to do so.
>My own sense of it is that when POTUS reviews the book during Xmas season,
>he'll be in a position to decide what if anything he wants to say about
>race. So a dicussion now strikes me as premature.
>It's just a speech. The real issue is the budget.
>So, again: Can there be a process, please, to make sure that POTUS gets an
>opportunity to consider race ideas? If yes, then how and when?
>Thanks.

>
>At 11:55 AM 11/2/1998 -0500, you wrote:

>>I have been assuming that your close working relationship with DPC/NEC
>>over
>>the last several weeks has facilitated the development of any race
>>"policy"
>>or budget initiatives and that any such ideas will be incorporated in the
>>ideas memos the policy councils are drafting for submission to President
>>by
>>end of week. Let me know if you feel that is not happening. I've also
>>raised in our last PIR transition mtg that we should brainstorm to see
>>what
>>should be said in the sotu about the race initiative--we have a mtg
>>scheduled this early this week, I think.

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>> (Embedded
>> image moved "Christopher Edley, Jr." <edley @ law.harvard.edu>
>> to file: 11/02/98 09:08:56 AM
>> PIC22444.PCX)
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>>
>>Record Type: Record
>>
>>
>>To: Maria Echaveste/WHO/EOP
>>
>>cc: Marjorie Tarmey/WHO/EOP
>>Subject: Race Book, Budget, SOTU
>>
>>
>>
>>
>>This is gentle reminder that you agreed to discuss how to ensure that the
>>policy ideas being developed for the race book are tied to budget and
>>SOTU
>>as appropriate. I don't know your plan for this, but I know that DPC and
>>NEC staff are under the impression that that there will be policy ideas
>>going into POTUS on Friday of this week, for possible inclusion in SOTU
>>and
>>budget. I only learned about this from "my" staff, based on their
>>conversations with NEC/DPC staff.
>>So, awaiting further guidance, I'll just try to pull together our
>>workplan
>>thoughts in some kind of document -- perhaps the form of a draft
>>chapter.
>>Let me know.
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>>Attachment Converted: "c:\Documents\Attachments\PIC22444.PCX"
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:16:29.00

SUBJECT: Question for Christine Gregoire

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Besides asking about the public health provisions generally, we should ask if there are any tobacco documents provisions (putting all the industry docs on web site, etc.) There are rumours that there may be.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:08:41.00

SUBJECT: SOU/Budget Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Sally Katzen (CN=Sally Katzen/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

We hope to have you attend the meeting referenced below which will provide an opportunity for us to hear from our primary constituency groups at one time ---meaning one meeting rather than a bunch. I should have a proposed date by the end of the week.

----- Forwarded by Mickey Ibarra/WHO/EOP on 11/03/98

04:04 PM -----

Mickey Ibarra

11/02/98 06:56:27 PM

Record Type: Record

To: Fred DuVal/WHO/EOP, William H. White Jr./WHO/EOP, Lynn G.

Cutler/WHO/EOP

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

Subject: SOU/Budget Meeting

I spoke with Bill Pound today. He liked the idea of pulling the Big Seven executive directors and principals together for a SOU and Budget (FY 2000) Roosevelt Room meeting with Gene, Bruce, Jack and Maria. He will be back in touch this week for a suggested date. He understands we want to do this as early in November as possible.

Message Copied

To: _____

Maria E. Soto/WHO/EOP

Maria Echaveste/WHO/EOP

Gene B. Sperling/OPD/EOP

Jacob J. Lew/OMB/EOP

Bruce N. Reed/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 20:24:28.00

SUBJECT: Another option on fathers

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:

On the way back we had an idea that we'd be curious to get your reaction to. We could create a new authority for states to transfer some portion of their TANF block grant to a new fathers block grant. This grant could still require that fathers play by the rules in terms of work and supporting their children. The transfer could either be within or in addition to the 30% they can now transfer to SSBG and child care. Since CBO would probably score this as additional spending above what states would otherwise draw down in 2000 it wouldn't be totally free. But, it could help signal that states can and should use some the TANF funds for the broader family formation/values purposes of PRWORA (while states can theoretically define fathers as part of an eligible family under TANF and provide services to them this way, this is easier said than done and all the TANF rules still apply). It would also give states a way to spend more of their TANF funds, thereby making them less vulnerable to being cut for other purposes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:55:54.00

SUBJECT: POTUS memo on directive

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Phil Caplan wanted a short memo to the President on why the domestic violence directive was needed. Here is a draft. Phil said he needed it by 6pm tonight so the President could sign the directive tonight. Could you please review it by then. Thanks, Mary===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D41]MAIL48610470B.326 to ASCII,
The following is a HEX DUMP:

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November 3, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
ELENA KAGAN
MARY SMITH

SUBJECT: DIRECTIVE TO OPM FOR DOMESTIC VIOLENCE RESOURCE
GUIDE

On Wednesday, November 4, the Vice President will host a domestic violence event where he will announce that the Social Security Administration will now make it easier for victims of domestic violence to change their social security numbers. For the first time, victims of domestic violence will be able to get a new Social Security number by providing written affirmation of their domestic abuse from a third party, such as a local shelter, or treating physician.

In addition, the Vice President will announce the attached directive to the Office of Personnel Management requiring the development of a resource guide for federal employees who are victims of domestic violence. This directive builds upon your 1995 executive memorandum requiring all federal departments to begin employee awareness efforts on domestic violence. While some agencies, such as the Department of Health and Human Services and the Department of Justice, have developed their own resource guides, this new guide is needed to provide one uniform guide across all federal agencies and for all federal employees.

*Automated Records Management System
Hex-Dump Conversion*

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 08:48:21.00

SUBJECT: Iraqi bill of rights

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:

I think maybe this could work now that our government is all taken care of. -- sb

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 15:19:47.00

SUBJECT: Women's Mtg

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

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

TO: Francine P. Obermiller (CN=Francine P. Obermiller/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

TO: Rebecca M. Blank (CN=Rebecca M. Blank/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

TO: Lucia F. Gilliland (CN=Lucia F. Gilliland/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

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

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

TO: Sandra Thurman (CN=Sandra Thurman/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: Robin Leeds (CN=Robin Leeds/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

There will be a Women's Mtg on Thursday at 9am in room 100. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Charles J. Payson (CN=Charles J. Payson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-NOV-1998 09:04:03.00

SUBJECT: Scheduling Proposal Mtg TODAY

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Patricia Solis-Doyle (CN=Patricia Solis-Doyle/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

TO: Martha A. Livingston (CN=Martha A. Livingston/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: Michele Jolin (CN=Michele Jolin/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Anthony R. Bernal (CN=Anthony R. Bernal/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Wendy Hartman (CN=Wendy Hartman/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Tracy Pakulniewicz (CN=Tracy Pakulniewicz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

This week's Scheduling Proposal Meeting (formerly the Short Term Scheduling Meeting)

will be held TODAY at 2 pm in the Roosevelt Room.

See you then.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 11:38:42.00

SUBJECT: Re: SOTU Ideas Memo

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

READ:UNKNOWN

TEXT:

Who do you need to get final memos from on DPC?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 09:54:37.00

SUBJECT: It's time to decide on Food Stamp privatization

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Arizona is sending a letter to USDA threatening to go forward if they hear no response by 11/15. McCain of course has sent us a letter saying state law requires this plan to be fully operational by January 1. I think we could quietly roll these out (I assume we'll have to say no) at the same time as FICA?

Here's the chart (same one you have in hard copy). ===== ATTACHMENT

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D22]MAIL40516770U.326 to ASCII,

The following is a HEX DUMP:

FF5750437E140000010A020100000002050000008E3C0000000200002861AD675A60B289486053
B9866E01DF3E1CF739EBF8975152E9F076B64558CF1081D94FC8DF39D4763E8C768747303B64C6
8BB4BC6C018BC930B444188C0B7EA9B38477998ED6D0A3E6B02A9118EA1722096D434C7A1D353C
2B47D1D10743A3E26853F1739F4C40BB80C28D9CA00EE1B58E6F32751478CE265E0D9558187560
176575EB4A41F7133AC266BD1D2C7DCBCA2EA056652F425CF506C0149E7053B30C9F18BF285F9
A1F594DB434C1C4996585FFFC3A4F427E1B1FDDED0F81C4CB29CF1F7736A52CFDDA19B7F3590D

**Comparison of Whether Demonstration Requests Meet Guiding Principles
for Privatization of Food Stamp and Medicaid Certification Process
DRAFT -- DRAFT -- DRAFT -- DRAFT (10/4/98)**

	Arizona	Florida	Wisconsin
Affected Programs	Food Stamps, Medicaid, Child Care, State General Assistance	Food Stamps, Medicaid	Food Stamps
Deadline	State law requires program to be fully operational on 1/1/99; state plans to go forward with RFP on 11/1/99		Must provide response by 10/5 (seeking information or giving yes/no answer)
<p>Public employees should retain discretionary decision-making around eligibility.*, **</p> <p>(Activities involving the use of discretion that could result in potential applicants being screened out must be performed by State merit system employees. Discretionary functions include initial contact, application, data entry, interview process, request for and evaluation of appropriate documentation as well as the resulting eligibility decision and benefit calculation. Most if not all activities involving personal contact with an applicant or recipient, including data entry during an interactive discussion with the applicant, have the potential to involve the use of discretion or judgment, and to directly influence or affect eligibility determination process.*)</p> <p>(There are narrow instances in which non-public employees may be involved. In the outstationing provisions of the Medicaid program, non-public employees are permitted to perform a number of initial processing activities, but are not permitted to evaluate the information presented by the applicant, or make the actual eligibility determination. Under the Food Stamp program, volunteers may simply assist potential clients in filing applications with the State.*)</p>	<p>Probably no.</p> <p>State would like to have private employee interview and gather information and enter it into the computer, and then have the public employee use the data to make the determination.</p> <p>State would like to either "detail" public employees to the private entity or allow private entity to have management control over private employees.</p>	<p>No. Certification of Medicaid and Food Stamp applicants who are subject to work requirements would be transferred to a private or non-profit organization; those exempt from work requirement would continue to be certified by public employees.</p> <p>Note: On-site inspections of TANF demonstration projects show that intake and referral activities for food stamp certification have been transferred to the private vendor, which may not meet principles outlined in HHS letter.</p>	<p>No. Food Stamp households that are subject to work requirements could be certified by private employees if private bidder wins county contract. Individuals that are exempt from work requirements would continue to be certified by public employees (25% of caseload).</p> <p>Note: On-site inspections of TANF demonstration projects show that intake and referral activities for food stamp certification have been transferred to the private vendor, which may not meet principles outlined in HHS letter.</p>

Automated Records Management System
Hex-Dump Conversion

- * Principle articulated in the 5/13/97 letter from HHS to Texas.
- ** Principle articulated by labor community.
- *** FNS recommendation.
- **** IRS has told other federal agencies that they will not share their data with private entities.

	Arizona	Florida	Wisconsin
Public employees should retain discretionary decision-making in setting program policy.*, **	Yes. State retains responsibility for policy, quality control, and fair hearings.	Yes. State retains responsibility for policy, quality control, and fair hearings.	Yes. State retains responsibility for policy, quality control, and fair hearings.
Demonstration projects, if allowed, should be time-limited and sub-state.*	No -- state could expand initial pilot statewide. Initial pilot would operate in one urban and one rural site for 4 years, but state would be able to expand statewide at end of pilot without federal approval.	Yes (operates in one urban, one suburban and one rural site across 5 counties for 3 years).	No. Every county in which a private bidder won the contract would become private. Currently private entities in 8 counties, including Milwaukee, have won contracts (now applies only to TANF).
Demonstrations projects should include a strong research component to test the effects of program privatization on client accessibility, confidentiality, program integrity, administration and costs, and effective monitoring and oversight.*** Evaluation should be on-going, with state monitoring, benchmarks and reporting, including protections for whistle-blowers.**	Evaluation would be done by an independent evaluator, but state has not provided other details.	State law requires an evaluation, but the state has not provided other details.	State proposal doesn't include an evaluation, but performance would be reviewed during the bidding process every 3 years.
States must prove that proposals to waive important statutory requirements will not result in harm to claimants or customers.**	Unknown	Unknown	Unknown
States must justify the need for an experiment, and explain why they have been unable to rectify the problems through public sector interventions. Experiments should not be justified by insufficient public performance, fraud, cost savings or vendor expertise that cannot be efficiently replicated; experiments should not be based solely on an interest in exploring private provisions.**	Unknown	Unknown	Unknown
States must show evidence of labor-management cooperation in design, seeking input from all workers in	Unknown	Unknown	Unknown

* Principle articulated in the 5/13/97 letter from HHS to Texas.

** Principle articulated by labor community.

*** FNS recommendation.

**** IRS has told other federal agencies that they will not share their data with private entities.

	Arizona	Florida	Wisconsin
the program redesign process.**			
The program should be designed through extensive public input; vendors should have documentation of experience available for public evaluation.**	Unknown	Unknown	Unknown
Plans must provide structures which avoid conflict of interest -- i.e., creating incentives that discourage vendors from providing services to individuals or encourage them from deeming clients ineligible for services.**	Unknown	Unknown	Unknown
Plans must ensure privacy and confidentiality.**	Unknown****	Unknown****	Unknown****
Plans must contain public "failsafe" provisions, making vendors aware that they will be required to facilitate the return to public provision should the experiment fail, and requiring them to demonstrate that they can return programs to state provision without interruption of benefits or services.**	Unknown	Unknown	Unknown

Automated Records Management System
Hex-Dump Conversion

- * Principle articulated in the 5/13/97 letter from HHS to Texas.
- ** Principle articulated by labor community.
- *** FNS recommendation.
- **** IRS has told other federal agencies that they will not share their data with private entities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 16:47:22.00

SUBJECT: No crime event tomorrow.

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

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

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

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

TEXT:

Daschle and Gephardt are coming in to do a statement w/ POTUS tomorrow, so our crime event is off. Jose has an interest in proposing a full event for later in the month. Shall I submit a proposal for that -- or do you want to proceed with a leak for Monday? Please advise. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 09:48:34.00

SUBJECT: Great American Smokeout 11/19 -- Possible VP Event

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

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

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

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

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

TEXT:

The Great American Smokeout, the American Cancer Society's 22nd annual "commit to quit" day is Thursday November 19th. The President is out of the country, but perhaps the VP could do an event? Announcement options include:

- 1) New PSAs aimed at parents to urge them to protect their kids, and smoke outside
(sponsored by EPA, the American Medical Assoc, Consumer Federation of Amer)
Print, radio, and tv ads -- I have the transcript, am getting the tape.
- 2) New ACHPR guidelines for health professionals about how to promote cessation (I'm getting more information... I think these new guidelines now include all 5 cessation treatments, the previous ones just had 3).
- 3) Direct the Federal Employees Health Plan to enhance coverage for cessation services
- 4) Direct DOL to expand its drug-free workplace initiative to provide information to employers on steps they can take to reduce tobacco use among employees and OPM
could disseminate a model workplace cessation program for all federal agencies.
(Cost: about \$100,000)
- 5) Possibly some research related announcement -- this summer at a National Institute of Drug Abuse meeting, the VP announced that NCI would devote \$38 million towards tobacco research. There is apparently a meeting next Thursday and Friday (11/12&13) of NCI's scientific advisory board to review proposed tobacco control

research funding

-- thus, the VP could announce the decision on the 19th.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David R. Goodfriend (CN=David R. Goodfriend/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-NOV-1998 10:37:05.00

SUBJECT: President's Trip to Arkansas

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Robert S. Kapla (CN=Robert S. Kapla/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Kelley L. O'Dell (CN=Kelley L. O'Dell/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: allen.kent (allen.kent @ mail.va.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TEXT:

On Friday, November 6, the President will travel to Arkansas to participate in a Northwest Arkansas Regional Airport ceremony and to attend a private reception. Deadlines for the Trip Book are as follows:

Background Memos (AR): DUE THURSDAY, NOVEMBER 5, NOON

- Political Memos
- CEQ Hot Issues
- Cabinet Affairs Hot Issues
- Accomplishments

Event Memos: DUE THURSDAY, NOVEMBER 5, 6:00 P.M.

- Northwest Arkansas Regional Airport Ceremony
- Private Reception

If you have any questions, please e-mail or call me (6-2702). Thanks.
--David Goodfriend

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sally Katzen (CN=Sally Katzen/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 4-NOV-1998 11:22:12.00

SUBJECT: Re: SOTU Ideas Memo

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

READ:UNKNOWN

TEXT:
thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 11:16:33.00

SUBJECT: Re: SOTU Ideas Memo

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

TEXT:

You're wonderful. Have I ever told you that?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 11:04:06.00

SUBJECT: SOTU Ideas Memo

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

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

TEXT:

Is this right? Are we really expected to get these in tonight? Elena, have you spoken with Maria about this (Gene was under the impression that you and she had addressed the timing of the memos)?

Jon

----- Forwarded by Jonathan A. Kaplan/OPD/EOP on 11/04/98
11:02 AM -----

Clara J. Shin

11/04/98 10:55:10 AM

Record Type: Record

To: Kathleen A. McGinty/CEQ/EOP, Neal Lane/OSTP/EOP, Bruce N. Reed/OPD/EOP, Gene B. Sperling/OPD/EOP
cc: Wesley P. Warren/CEQ/EOP, Holly L. Gwin/OSTP/EOP, Paul J. Weinstein Jr./OPD/EOP, Jonathan A. Kaplan/OPD/EOP
Subject: SOTU Ideas Memo

A reminder that we will be circulating the Policy Councils' Draft Ideas Memo (for the State of the Union) tonight and meeting to discuss the memos tomorrow. To do so, please send me a copy of the memo by 6:30 tonight. Thank you in advance.

Clara Shin

(6-5506; OEOB 93)

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Virginia Rustique to Elena Kagan re Chicago (1 page)	11/04/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[11/02/1998-11/04/1998]

2009-1006-F

kc185

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

CREATION DATE/TIME: 4-NOV-1998 11:04:59.00

SUBJECT: SOTU Ideas Memo

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

TEXT:
What?

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
11/04/98 11:04 AM -----

Clara J. Shin
11/04/98 10:55:10 AM
Record Type: Record

To: Kathleen A. McGinty/CEQ/EOP, Neal Lane/OSTP/EOP, Bruce N. Reed/OPD/EOP, Gene B. Sperling/OPD/EOP
cc: Wesley P. Warren/CEQ/EOP, Holly L. Gwin/OSTP/EOP, Paul J. Weinstein Jr./OPD/EOP, Jonathan A. Kaplan/OPD/EOP
Subject: SOTU Ideas Memo

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Clara Shin
(6-5506; OEOB 93)