

**NLWJC - KAGAN**

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**ARMS - BOX 052 - FOLDER -001**

**[05/26/1999]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Einer Elhauge to Elena Kagan re: Support (1 page)	05/26/1999	Personal Misfile

**COLLECTION:**

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

**FOLDER TITLE:**

[05/26/1999]

2009-1006-F

bm116

**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:26-MAY-1999 14:47:42.00

SUBJECT: Race for the Cure

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

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

TO: Christopher C. Jennings ( CN=Christopher C. Jennings/OU=OPD/O=EOP [ OPD ] )  
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: Nicole R. Rabner ( CN=Nicole R. Rabner/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: J. Eric Gould ( CN=J. Eric Gould/OU=OPD/O=EOP@EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Bethany Little ( CN=Bethany Little/OU=OPD/O=EOP@EOP [ OPD ] )

READ:UNKNOWN

TEXT:

We have been challenged. Who has the guts to step forward. I ran the last race in 26 minutes, with no training. Somebody should be able to beat that time.

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on  
05/26/99 10:12 AM -----

Andrew J. Mayock  
05/24/99 05:10:46 PM

Record Type: Record

To: Paul J. Weinstein Jr./OPD/EOP@EOP  
cc:  
Subject: Race for the Cure

paullie - are you rallying some dpc folks up there? remember how terribly fun race against racism was. it would be nice to see more than you and mary....

Andrew J. Mayock  
05/19/99 07:30:51 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: WHACSTAFF@aol.com @ inet  
Subject: Race for the Cure

To staff contacts: Please share the following info with your staff .  
Thanks.

June 5th is the 5K Race For the Cure, and we're pulling a team together. The details and the application are attached. If you're interested, please return the application to me in 113 OEOB before COB Thursday May 27 .  
Thanks.

Where: Start at 15th and Constitution and Finish at 15th and Penn.  
When: 8:30am, Saturday June 5  
How to Apply: Launch (or view) the attached application, fill it out and send it to me in 113 OEOB.  
Distance: 5K (3.1 miles)  
Motion: You can run OR walk OR wheel chair.  
Who: White House staff and their families and friends  
Why: Fight breast cancer.

Message Sent

To: \_\_\_\_\_  
Edward F. Hughes/WHO/EOP@EOP  
Laura K. Demeo/WHO/EOP@EOP  
Trooper Sanders/OVP@OVP  
Heather M. Riley/WHO/EOP@EOP



# 1999 National Race for the Cure

.....  
NAME (LAST)

.....  
(FIRST)

.....  
ADDRESS

.....  
CITY STATE ZIP

AGE AS OF RACE DAY

GENDER"

\_\_\_\_\_  
F"

M

Do You Want To Participate As A Breast Cancer Survivor? "Y" N

I plan to run/walk in the Race. Enclosed is my check for \$20.

I plan to run/walk in the Race. Enclosed is my check for \$\_\_\_\_\_ for the Race entry fee and \$\_\_\_\_\_ as an additional contribution.

I do not plan to run/walk in the Race but would like to make a donation of \$\_\_\_\_\_ to the 1999 National Race for the Cure.

TEAM ACRONYM - WHO

***Entry fee: \$20.***

***Make check payable to: "National Race for the Cure"***

Please do not staple check to registration form.

## TO BE SIGNED BY ALL RACE PARTICIPANTS

I understand that my consent to these provisions is given in consideration for being permitted to participate in this event. I am in adequate physical condition to participate in this event. The race administrators may remove me from the race if they believe that my health may be endangered. I am aware of and voluntarily assume the risks of competing in this event. If I am injured, I agree that I will not sue, or otherwise hold responsible, The Susan G. Komen Breast Cancer Foundation, including its local chapters and any affiliated individuals, or any Race sponsors and their employees. If I do not follow all the rules of this event, I understand that I may be removed from the competition. I give my permission to the Komen Foundation and its local chapters and Races to use any photographs, videotapes, or other recordings of me that are made during the course of this event.

## NOTICE OF DRUG TESTING:

Participants in this competition may be subject to formal drug testing in accordance with USATF rules and IAAF Rule 144. Participants who refuse to be tested or who test positive for banned substances will be disqualified from this event and will be ineligible for future competitions.

\_\_\_\_\_  
Signature (Parent/Guardian Signature, If Under 18)

\_\_\_\_\_  
Date

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 18:53:57.00

SUBJECT: 9:30 am conf call now 9:00am for FTC event!

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 -- They have moved our call up to 9:00am. Thanks.

----- Forwarded by Karin Kullman/OPD/EOP on 05/26/99

06:53 PM -----

Laura D. Schwartz  
05/26/99 06:45:15 PM  
Record Type: Record

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

cc:

Subject: 9:30 am conf call now 9:00am for FTC event!

SAME CODES! THANKS!

9:00am Conf Call on FTC Announcement 62561 code 7298x65655  
(Tuesady 6/1 Event) Or dial x65655  
or x66311 to be  
conferenced on if  
all lines  
fill up.

Message Sent

To:

---

Lydia R. Ewing/OVP@OVP  
Miguel M. Bustos/OVP@OVP  
Ann F. Lewis/WHO/EOP@EOP  
Jennifer M. Palmieri/WHO/EOP@EOP  
Cecily C. Williams/WHO/EOP@EOP  
Patricia Solis-Doyle/WHO/EOP@EOP  
Evan Ryan/WHO/EOP@EOP  
Anne E. McGuire/WHO/EOP@EOP  
Kris M Balderston/WHO/EOP@EOP  
June Shih/WHO/EOP@EOP  
Jordan Tamagni/WHO/EOP@EOP  
Lowell A. Weiss/WHO/EOP@EOP  
Sara M. Latham/WHO/EOP@EOP  
Wendy Hartman/OVP@OVP  
Miguel M. Bustos/OVP@OVP

Marjorie Tarmey/WHO/EOP@EOP  
Nicole R. Rabner/WHO/EOP@EOP  
Kim B. Widdess/WHO/EOP@EOP  
Eric P. Hothem/WHO/EOP@EOP  
Richard Socarides/WHO/EOP@EOP  
Anne M. Edwards/WHO/EOP@EOP  
Patricia M. Ewing/OVP@OVP  
William H. White Jr./WHO/EOP@EOP  
Julie E. Mason/WHO/EOP@EOP  
Katharine Button/WHO/EOP@EOP  
ARENDS\_W@A1@CD@VAXGTWY  
Evan Ryan/WHO/EOP@EOP  
Dan J. Taylor/OVP@OVP  
Julia M. Payne/WHO/EOP@EOP  
Megan C. Moloney/WHO/EOP@EOP  
Brenda M. Anders/WHO/EOP@EOP  
Mark D. Neschis/WHO/EOP@EOP  
Nanda Chitre/WHO/EOP@EOP  
Elizabeth R. Newman/WHO/EOP@EOP  
GRAY\_W@A1@CD@VAXGTWY  
Janelle E. Erickson/WHO/EOP@EOP  
Sondra L. Seba/WHO/EOP@EOP  
Mona G. Mohib/WHO/EOP@EOP  
Christine A. Stanek/WHO/EOP@EOP  
David R Thomas/OVP@OVP  
Sharon K. Gill/WHO/EOP@EOP  
Barbara D. Woolley/WHO/EOP@EOP  
Deborah B. Mohile/WHO/EOP@EOP  
Marjorie Tarmey/WHO/EOP@EOP  
Dag Vega/WHO/EOP@EOP  
Rachel A. Redington/WHO/EOP@EOP  
Beverly J. Barnes/WHO/EOP@EOP  
Todd H. Dennett/OVP@OVP  
Bronson J. Frick/WHO/EOP@EOP  
Lisa J. Levin/WHO/EOP@EOP  
Virginia L. Cearley/WHO/EOP@EOP  
MILLISON\_C@A1@CD@VAXGTWY  
JOSHI\_M@A1@CD@VAXGTWY  
Deborah B. Mohile/WHO/EOP@EOP  
Christine A. Stanek/WHO/EOP@EOP  
Robin Leeds/WHO/EOP@EOP  
Patrice L. Stanley/WHO/EOP@EOP  
Megan M. Delgleize/WHO/EOP@EOP  
Dorinda A. Salcido/WHO/EOP@EOP  
Neera Tanden/WHO/EOP@EOP  
Maria E. Soto/WHO/EOP@EOP  
Cynthia A. Rice/OPD/EOP@EOP  
Jose Cerda III/OPD/EOP@EOP  
HILLIARD\_B@A1@CD@VAXGTWY  
SCHILLER\_L@A1@CD@VAXGTWY  
MEYER\_N@A1@CD@VAXGTWY  
MACY\_C@A1@CD@VAXGTWY  
Minyon Moore/WHO/EOP@EOP  
Robert B. Johnson/WHO/EOP@EOP  
Julie B. Goldberg/WHO/EOP@EOP  
Sarah E. Gegenheimer/WHO/EOP@EOP  
Linda Ricci/OMB/EOP@EOP  
Marsha Scott/WHO/EOP@EOP  
Skye S. Philbrick/WHO/EOP@EOP  
Paul D. Glastris/WHO/EOP@EOP

Toby C. Graff/WHO/EOP@EOP  
Andrew J. Mayock/WHO/EOP@EOP  
Heather L. Davis/WHO/EOP@EOP  
Victoria A. Lynch/WHO/EOP@EOP  
Peter A. Weissman/OPD/EOP@EOP  
Jason H. Schechter/WHO/EOP@EOP  
Barry J. Toiv/WHO/EOP@EOP  
Joseph P. Lockhart/WHO/EOP@EOP  
Natalie S. Wozniak/NSC/EOP@EOP  
CROWLEY\_P@A1@CD@VAXGTWY  
James M. Teague/WHO/EOP@EOP  
Mark A. Kitchens/WHO/EOP@EOP  
David C. Leavy/NSC/EOP@EOP  
CORBETT\_J@A1@CD@VAXGTWY  
DEJBAN\_D@A1@CD@VAXGTWY  
HASMAN\_T@A1@CD@VAXGTWY  
BARTLETT\_J@A1@CD@VAXGTWY  
Marty J. Hoffmann/WHO/EOP@EOP  
Kelley L. O'Dell/WHO/EOP@EOP  
Maureen T. Shea/WHO/EOP@EOP  
Tania I. Lopez/WHO/EOP@EOP  
Maritza Rivera/WHO/EOP@EOP  
Jena V. Roscoe/WHO/EOP@EOP  
Jackson T. Dunn/WHO/EOP@EOP  
Jonathan M. Young/WHO/EOP@EOP  
Joshua S. Gottheimer/WHO/EOP@EOP  
Jeffrey A. Shesol/WHO/EOP@EOP  
Tanya E. Martin/OPD/EOP@EOP  
Dominique L. Cano/WHO/EOP@EOP  
Charles J. Payson/WHO/EOP@EOP  
Victoria L. Valentine/WHO/EOP@EOP  
George G. Caudill/WHO/EOP@EOP  
Anthony R. Bernal/OVP@OVP  
Sarah A. Bianchi/OVP@OVP  
Laura J. Lewis/WHO/EOP@EOP  
Thomas M. Hasman/NSC/EOP@EOP  
Cynthia M. Jasso-Rotunno/WHO/EOP@EOP  
Linda L. Moore/WHO/EOP@EOP  
Craig Hughes/WHO/EOP@EOP  
Jocelyn A. Bucaro/WHO/EOP@EOP  
Bridget T. Leininger/WHO/EOP@EOP  
Orson C. Porter/WHO/EOP@EOP  
Simeona F. Pasquil/WHO/EOP@EOP  
Trooper Sanders/OVP@OVP  
MaryEllen C. McGuire/WHO/EOP@EOP  
Jennifer Ferguson/OMB/EOP@EOP  
Anne Whitworth/WHO/EOP@EOP  
Jocelyn A. Bucaro/WHO/EOP@EOP  
Cheryl M. Carter/WHO/EOP@EOP  
Stephanie S. Streett/WHO/EOP@EOP  
Todd A. Bledsoe/WHO/EOP@EOP  
Katherine D. Kincaid/WHO/EOP@EOP  
Dario J. Gomez/WHO/EOP@EOP  
Jennifer H. Smith/WHO/EOP@EOP  
Lawrence E. Butler/NSC/EOP@EOP  
Sean P. Maloney/WHO/EOP@EOP  
Philip J. Crowley/NSC/EOP@EOP  
Anthony R. Bernal/OVP@OVP  
Julie D. Eddy/WHO/EOP@EOP  
Ann C. Hertelendy/WHO/EOP@EOP

Irma L. Martinez/WHO/EOP@EOP  
Thomas D. Janenda/WHO/EOP@EOP  
Deborah Akel/WHO/EOP@EOP  
Adrienne C. Lavallee/WHO/EOP@EOP  
Erica R. Morris/WHO/EOP@EOP  
Ann C. Hertelendy/WHO/EOP@EOP  
Mckenzie K. Davis/WHO/EOP@EOP  
Aprill N. Springfield/WHO/EOP@EOP  
Karen C. Burchard/WHO/EOP@EOP  
Tanya L. Lombard/WHO/EOP@EOP  
David Vandivier/OMB/EOP@EOP  
Devorah R. Adler/OPD/EOP@EOP  
Tanya L. Lombard/WHO/EOP@EOP  
Ruby Shamir/OPD/EOP@EOP  
Karin Kullman/OPD/EOP@EOP  
Josefina Velasco/WHO/EOP@EOP  
Richard L. Siewert/WHO/EOP@EOP  
Karen C. Burchard/WHO/EOP@EOP  
Jenni R. Engebretsen/WHO/EOP@EOP  
Barbara B. Hunt/WHO/EOP@EOP  
Jennifer M. Luray/WHO/EOP@EOP  
Mckenzie K. Davis/WHO/EOP@EOP  
Joseph D. Ratner/WHO/EOP@EOP  
Clay Reed/WHO/EOP@EOP  
Setti D. Warren/WHO/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey L. Farrow ( CN=Jeffrey L. Farrow/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:26-MAY-1999 17:33:34.00

SUBJECT: POTUS on PR ESEA

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

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

TO: Wei-Min C. Wang ( CN=Wei-Min C. Wang/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Tanya E. Martin ( CN=Tanya E. Martin/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: 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: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP@EOP [ OMB ] )  
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: Barbara Chow ( CN=Barbara Chow/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

CC: James J. Jukes ( CN=James J. Jukes/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

CC: Maritza Rivera ( CN=Maritza Rivera/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

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

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

TEXT:

FYI, the President was pleased his Elementary & Secondary Education bill phases-in equal treatment for Puerto Ricans. Thanks for your help on this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 11:28:39.00

SUBJECT: RE: education chapter

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI

----- Forwarded by Todd Stern/WHO/EOP on 05/26/99 11:28 AM -----

"Cohen, Mike" <Mike\_Cohen@ed.gov>

05/26/99 11:09:15 AM

Record Type: Record

To: Todd Stern/WHO/EOP

cc:

Subject: RE: education chapter

Todd-my apologies for not getting to this yesterday as requested--it turned out it was not humanly possible, at least not for this human.

I've reviewed the relevant sections of the book chapter, and my concerns about the proposed compact undermining our ESEA proposal are even stronger now than before, for the following reasons.

1. As you have already indicated, the chapter gives short shrift to the ESEA proposal in contrast to the compact proposal, so that the overall effect is to convey that a few changes were made to the basic old federal program, and then some exciting new ideas are put forth in the compact idea.
2. There is nothing in the chapter that makes the case for doing ESEA now, and the compact later, so it will be quite easy for anyone to pick up the book and (1) use it to demonstrate the President's support for greater flexibility in federal education programs and (2) ask why this idea is not incorporated into the President's ESEA proposal.
3. Over and above the way in which the compact can be used to undermine the proposal the President transmitted last week, I still think the compact as described has significant flaws on its own terms.

\* First, I simply don't believe we are going to convince many local school systems to sign up for an initiative that will lead to a reduction in federal funding (both new funds and existing ESEA funds) if they don't make measurable progress. I don't see that we are offering a very powerful incentive for districts to put a portion of their current flow of federal

funds at risk, unless the compact offers them a significantly increase pot of new funds.

\* Nowhere does the chapter make the case for why greater flexibility, with existing or new funds, is a necessary ingredient of the compact. I understand and am sympathetic with the approach Chris is advocating, but the fact is that 94% of the funds school districts spend on education (state and local funds) already are flexible or have only state and local requirements attached to them. They come with no federal requirements. They are also less likely to be targeted to the schools and districts with large concentrations of poor kids than are federal funds. The compact's new funds would be as flexible as what they already have; its not clear how these new funds will fuel the improvements Chris is looking for, if the total control that states and districts have over state and local funds hasn't gotten that job done. In fact, there is a pretty good argument to make that strategies that will lead to increased achievement, such as high quality professional development for teachers, almost always get short shrift in local budgets and will not be adequately financed without federal funds dedicated to that purpose.

Hope this helps, and hope it isn't too late

> -----Original Message-----

> From: Todd\_Stern@who.eop.gov [SMTP:Todd\_Stern@who.eop.gov]

> Sent: Tuesday, May 25, 1999 3:05 PM

> To: mike\_cohen@ed.gov

> Subject: education chapter

>

> Could you please take a look at this -- today if humanly possible -- and

> tell me what you think? I'm also going to send you a draft excerpt from a

> memo I'm doing for P. and Chris's response. I could use some guidance

> from you as to how I explain this policy disagreement. tds

> ----- Forwarded by Todd Stern/WHO/EOP on 05/25/99 02:55

> PM

> -----

>

>

>

> (Embedded

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

> to file: 05/24/99 07:59:34 AM

> PIC29085.PCX)

>

>

>

>

> Record Type: Record

>

>

> To: Todd Stern/WHO/EOP

>

> cc: aedmonds1@home.com, James T. Edmonds/WHO/EOP, Elizabeth K.

> Belenis/WHO/EOP

> Subject: education chapter

>

>  
>  
>  
>  
>  
>  
> Todd -- I'm not sure what your schedule is for producing a draft POTUS  
> memo. Per mu earlier, short memo, attached is the education chapter in  
> semi-final form (Liz and Terry are doing a few small tasks today,  
heading  
> towards anticipated "new binder" for POTUS vacation travel).  
> I thought I'd get this to you this morning in case you think you need to  
> see the specific way we are handling ESEA/Compact.  
> Pax.  
>  
> << File: ED-F24.wpd >> << File: PIC29085.PCX >>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Yamin ( CN=Sandra Yamin/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:26-MAY-1999 22:32:00.00

SUBJECT: FINAL CLEARANCE -- DoT Approps Bill, FY00 Letter for Senate Full Committee

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

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

TO: George T. Frampton ( CN=George T. Frampton/OU=CEQ/O=EOP@EOP [ CEQ ] )  
READ:UNKNOWN

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

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

TO: Wesley P. Warren ( CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [ CEQ ] )  
READ:UNKNOWN

TO: Ron Klain ( CN=Ron Klain/O=OVP@OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( CN=Elena Kagan/OU=OPD/O=EOP@EOP [ OPD ] )  
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TO: Gene B. Sperling ( CN=Gene B. Sperling/OU=OPD/O=EOP@EOP [ OPD ] )  
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TO: Lynn G. Cutler ( CN=Lynn G. Cutler/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: Miles M. Lackey ( CN=Miles M. Lackey/OU=NSC/O=EOP@EOP [ NSC ] )  
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TO: Bruce N. Reed ( CN=Bruce N. Reed/OU=OPD/O=EOP@EOP [ OPD ] )  
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TO: Michelle Peterson ( CN=Michelle Peterson/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

CC: Adrienne C. Erbach ( CN=Adrienne C. Erbach/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Carolyn T. Wu ( CN=Carolyn T. Wu/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

CC: Leslie Bernstein ( CN=Leslie Bernstein/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Mark J. Tavlarides ( CN=Mark J. Tavlarides/OU=NSC/O=EOP@EOP [ NSC ] )  
READ:UNKNOWN

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

CC: Peter A. Weissman ( CN=Peter A. Weissman/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Judy Jablow ( CN=Judy Jablow/OU=CEQ/O=EOP@EOP [ CEQ ] )  
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CC: Shannon Mason ( CN=Shannon Mason/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Sara M. Latham ( CN=Sara M. Latham/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: James J. Jukes ( CN=James J. Jukes/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

CC: William G. Dauster ( CN=William G. Dauster/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Dawn L. Smalls ( CN=Dawn L. Smalls/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

CC: Linda Ricci ( CN=Linda Ricci/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Rebecca L. Walldorff ( CN=Rebecca L. Walldorff/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

CC: Robert L. Nabors ( CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

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

CC: Charles Konigsberg ( CN=Charles Konigsberg/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: Charles E. Kieffer ( CN=Charles E. Kieffer/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TEXT:

Attached for your sign-off is the final draft letter to the Senate Appropriations Committee on the FY2000 Transportation and Related Agencies Approps Bill. Senate Full Committee action is scheduled for 9:30AM Thurs., May 27. Please provide your sign-off no later than 8:30AM Thurs morning so that we may send this letter out before the mark-up. Given the short timeframe, we will be unable to take editorial comments.

Please note that we are doing a simultaneous clearance. Jack Lew and Sylvia Mathews have not had the opportunity to review this letter.

Thank you!

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D42]ARMS224947652.136 to ASCII,  
The following is a HEX DUMP:

FF5750433F050000010A02010000000205000000A430000000020000532751E4F1EF543CA49059  
114D80BF4B5C0315FB8BA084F3B43B8AB408C32B426874DE4CF3BB53CF7E67430574CF0DF4DF98  
5896010A4B7B67081B2EDE3A5C5F1F8A4BFBA578FA90249F4793521BB7C5C86D08288DC23866E7  
E80048B7A1C4363FA8808FE5F7D628FF61B4A91A78C9CFE35DAD707A7AC0B4E5C2182E146C6BBA

The Honorable Ted Stevens  
Chairman  
Committee on Appropriations  
U.S. Senate  
Washington D.C. 20510

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the Department of Transportation and Related Agencies Appropriations Bill, FY 2000, as reported by the Senate Subcommittee. As the Full Committee develops its version of the bill, your consideration of the Administration's views would be appreciated.

The Administration appreciates the Subcommittee's efforts to accommodate many of the Administration's priorities within the 302(b) allocation and the difficult choices made necessary by that allocation. However, the allocation of discretionary resources available under the Congressional Budget Resolution is simply inadequate to make the necessary investments that our citizens need and expect. The President's FY 2000 Budget proposes levels of discretionary spending that meet such needs while conforming to the Bipartisan Budget Agreement by making savings proposals in mandatory and other programs available to help finance this spending. Congress has approved and the President has signed into law nearly \$29 billion of such offsets in appropriations legislation since 1995. The Subcommittee has made a significant step in this direction by allowing the Federal Aviation Administration (FAA) to collect fees for oceanic air traffic control service, and the Administration urges the Congress to consider other similar proposals as the FY 2000 appropriations process moves forward. With respect to the Transportation bill in particular, the Administration urges the Congress to consider the President's proposal for additional aviation user fees, as well as railroad and pipeline safety and Coast Guard fees.

In addition, the Administration proposes to meet important safety, mobility, and environmental requirements through the reallocation of a portion of the increased spending resulting from higher than anticipated highway excise taxes. Under this proposal, every State would still receive at least as much funding as was assumed when the Transportation Equity Act for the 21<sup>st</sup> Century was enacted. The Subcommittee has chosen to reallocate some funding within the highway "guarantee." The Committee is encouraged to build upon this and to consider the Administration's proposal as a means to fund these important priorities.

## Hex-Dump Conversion

The Administration is concerned that the Subcommittee bill could compromise the Federal Aviation Administration's operations and modernization programs, reduce highway and motor carrier safety, and under fund other important programs. The Committee could partially accommodate the funding increases recommended below by adhering more closely to the President's requests for High Speed Rail, Coast Guard Alteration of Bridges, Coast Guard Acquisition, Construction and Improvements, and other programs.

The following highlights our specific concerns with the Subcommittee bill. We look forward to working with you to resolve these issues as the bill moves forward.

Aviation Safety and Modernization

The Administration strongly urges the Committee to fully fund the Administration's request for FAA Operations. The \$289 million, or five-percent, reduction in the Subcommittee bill would force the FAA to close low-level towers, defer hiring of safety and security personnel needed to meet the demands of increased air travel, and possibly slow air travel.

The Committee is also urged to restore the \$323 million, or 14-percent, reduction to the FAA Facilities and Equipment account. Together with the rescission of nearly \$300 million proposed by the Subcommittee for this program, this funding level would cripple the ongoing National Airspace System modernization program. Safety and security projects would be delayed or canceled, and critically-needed capacity enhancing projects would be postponed, increasing future air travel delays.

The Administration supports the Subcommittee's decision to eliminate the General Fund subsidy for FAA Operations and to recover a portion of FAA costs through user fees. However, we urge the Committee to enact user fees in a manner more consistent with the Administration's proposal. This would ensure that the FAA has adequate funding should fee collections fall short of projections.

Language Provisions

The Administration strongly opposes the provision that would limit any State's share of transit discretionary and formula grant funding to 12.5 percent of total funding. The Administration and Congress worked together closely last year to ensure that transit funding is distributed based on need. Since transit needs vary widely geographically, it would be inappropriate to impose an "equity distribution" formula that would divert these resources from where they are needed most.

The Committee is requested to delete the provision that would prohibit the Coast Guard from evaluating options for collecting fees for its services. In the future, user fees may be a critical mechanism for ensuring that the Coast Guard has adequate resources to meet its operating and capital needs without significantly reducing other vital transportation programs.

Livability Programs

The Administration is disappointed that the Subcommittee's bill funds transit formula grants at \$212 million below the President's request. In addition, the Administration strongly opposes the Subcommittee's action to cut the "guaranteed" funding for the Transportation Community Preservation Pilot Program by \$11 million, or 22 percent, rather than to provide the \$50 million requested by the President. These programs are important components of the Administration's efforts to provide communities with the tools and resources needed to combat congestion and sprawl.

### Highway Safety

The Administration is concerned that the Subcommittee has provided \$36 million below the President's request for the National Highway Traffic Safety Administration's Operation and Research account. This reduction would curtail the Presidential Initiative for Increasing Seat Belt Use Nationwide, behavioral research to reduce alcohol-related traffic fatalities, and the enhanced testing proposed in the New Car Assessment program to make better car safety information available to the public.

### Motor Carrier Safety

The Secretary of Transportation recently announced a comprehensive Motor Carrier Safety Action Plan to implement much-needed improvements to truck safety. The need for these improvements has been recognized by Congress, the Department of Transportation Inspector General, and in an independent assessment conducted by former Congressman Mineta. The Committee is urged to provide the \$56 million requested to undertake these improvements and increase safety on our Nation's roads and highways.

### Amtrak

The Subcommittee is commended for funding Amtrak at \$571 million, the President's requested level, and providing Amtrak with the flexibility to spend capital funds wisely by adopting for Amtrak the same definition of capital as used by transit grantees.

### Job Access and Reverse Commute

The Committee is requested to fully fund the Job Access and Reverse Commute program, an increase of \$75 million above the Subcommittee mark. This program is a critical component of the Administration's welfare-to-work effort and is significantly over-subscribed at present. Demand is expected to increase as more communities around the country begin to see how effective the program can be in helping individuals make a successful transition from welfare to work.

### Office of the Secretary

The Administration urges the Committee to provide the President's request of \$63 million for the Office of the Secretary and to delete the limitation on political appointees and other restrictions. These adjustments to the Subcommittee bill are necessary to provide the

Secretary with the resources to manage the Department effectively. Also, the Committee is requested to restore the seven-percent reduction to the Office of Civil Rights. This reduction would hamper the Department's ability to enforce laws prohibiting discrimination in Federally operated and assisted transportation programs.

We look forward to working with the Committee to address our mutual concerns.

Sincerely,

Jacob J. Lew  
Director

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Yamin ( CN=Sandra Yamin/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:26-MAY-1999 20:30:19.00

SUBJECT: FINAL CLEARANCE -- FY00 Energy Water Approps Bill Letter -- 8:30AM Deadlin

TO: Neal Lane ( CN=Neal Lane/OU=OSTP/O=EOP@EOP [ OSTP ] )

READ:UNKNOWN

TO: Karen Tramontano ( CN=Karen Tramontano/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO: Steve Ricchetti ( CN=Steve Ricchetti/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TO: George T. Frampton ( CN=George T. Frampton/OU=CEQ/O=EOP@EOP [ CEQ ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Wesley P. Warren ( CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [ CEQ ] )

READ:UNKNOWN

TO: Ron Klain ( CN=Ron Klain/O=OVP@OVP [ UNKNOWN ] )

READ:UNKNOWN

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

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

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

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

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TO: Miles M. Lackey ( CN=Miles M. Lackey/OU=NSC/O=EOP@EOP [ NSC ] )

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

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

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

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

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TO: Martha Foley ( CN=Martha Foley/OU=WHO/O=EOP@EOP [ WHO ] )

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

CC: Adrienne C. Erbach ( CN=Adrienne C. Erbach/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Carolyn T. Wu ( CN=Carolyn T. Wu/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Leslie Bernstein ( CN=Leslie Bernstein/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Mark J. Tavlarides ( CN=Mark J. Tavlarides/OU=NSC/O=EOP@EOP [ NSC ] )  
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CC: Victoria A. Wachino ( CN=Victoria A. Wachino/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Peter A. Weissman ( CN=Peter A. Weissman/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Shannon Mason ( CN=Shannon Mason/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Sara M. Latham ( CN=Sara M. Latham/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: James J. Jukes ( CN=James J. Jukes/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Sandra Yamin ( CN=Sandra Yamin/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: William G. Dauster ( CN=William G. Dauster/OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Dawn L. Smalls ( CN=Dawn L. Smalls/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Linda Ricci ( CN=Linda Ricci/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Rebecca L. Walldorff ( CN=Rebecca L. Walldorff/OU=WHO/O=EOP@EOP [ WHO ] )

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CC: Robert L. Nabors ( CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Paul J. Weinstein Jr. ( CN=Paul J. Weinstein Jr./OU=OPD/O=EOP@EOP [ OPD ] )  
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CC: Lisa Zweig ( CN=Lisa Zweig/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Charles Konigsberg ( CN=Charles Konigsberg/OU=OMB/O=EOP@EOP [ OMB ] )  
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CC: Laura Emmett ( CN=Laura Emmett/OU=WHO/O=EOP@EOP [ WHO ] )  
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CC: Mindy E. Myers ( CN=Mindy E. Myers/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:

Attached for your sign-off is the final draft letter to the Senate Appropriations Committee on the FY2000 Energy and Water Approps Bill. Senate Full Committee action is scheduled for 9:30AM Thurs., May 27. Please provide your sign-off no later than 8:30AM Thurs morning. Given the short timeframe, we will be unable to take many editorial comments. Thank you.

Please note that we are doing a simultaneous clearance. Jack Lew and Sylvia Mathews have not had the opportunity to review this letter.

DRAFT NOT FOR RELEASE

The Honorable Ted Stevens  
Chairman  
Committee on Appropriations  
United States Senate  
Washington, D.C. 20510

Dear Mr. Chairman:

The purpose of this letter is to provide the Administration's views on the Energy and Water Development Appropriations Bill, FY 2000, as reported by the Senate Subcommittee. As the Full Committee develops its version of the bill, your consideration of the Administration's views would be appreciated.

The allocation of discretionary resources available to the Committee under the Congressional Budget Resolution is simply inadequate to make the necessary investments that our citizens need and expect. The President's FY 2000 Budget proposes levels of discretionary spending that meet such needs while conforming to the Bipartisan Budget Agreement by making savings proposals in mandatory and other programs available to help finance this spending. Congress has approved and the President has signed into law nearly \$29 billion of such offsets in appropriations legislation since 1995. The Administration urges the Congress to consider such

proposals.

The Administration appreciates efforts by the Subcommittee to accommodate certain of the President's priorities within the 302(b) allocation. However, the Subcommittee bill is nearly \$300 million below the program level requested by the President and includes significant reductions in a number of high priority programs detailed below. We look forward to working with the Committee to make certain that vital funding is provided for these programs.

#### Department of Energy

The Administration is concerned with the large shift in the Subcommittee bill from key domestic priorities of the Department of Energy (DOE) to fund Atomic Energy Defense Activities. The bill provides \$319 million less than the President's request for DOE's domestic programs (\$85 million less than FY 1999) and adds \$261 million to the President's request for defense activities (\$567 million more than FY 1999, excluding a one-time emergency supplemental appropriation). The bill would drastically reduce vital programs in energy research and other activities to fund unrequested enhancements to nuclear weapons and other defense activities. Specific cuts include:

☐ abSolar and Renewable Energy. The Administration strongly opposes the \$97 million reduction from the President's request level for research and development (R&D) in solar and renewable resources technologies. Our global future depends in many ways on the early introduction of renewable energy technologies to reduce the potential impacts of pollution and climate change and make available affordable energy sources. Yet, the Subcommittee mark would cripple the Administration's efforts to expand and capitalize on R&D success in the solar and renewable energy programs.

☐ abEnvironmental Management. The Administration opposes the \$40 million reduction to the Uranium Enrichment Decontamination and Decommissioning Fund and the \$16 million reduction in the Non-Defense Environmental Management account. At the Subcommittee-recommended funding levels, the Oak Ridge Reservation would be unable to meet legal requirements in environmental laws and enforceable agreements, and completion of cleanup activities at sites such as Weldon Spring, Missouri, would be significantly delayed.

☐ abYucca Mountain. The Administration opposes the reduction of \$39 million from the request for the civilian radioactive waste program. This reduction would significantly reduce the quality of scientific, engineering, and design work that will be available to guide DOE's FY 2001 site suitability determination for Yucca Mountain and would jeopardize DOE's ability to meet its FY 2002 license application milestone.

☐ abScience. The Administration opposes the \$27 million reduction to the request for construction of the Spallation Neutron Source (SNS). We continue to believe that the FY 2000 request represents the optimum funding level. As the funding level decreases, the risk of project cost increases and delays rise. Construction of the SNS must be completed in a timely manner to enable our best scientists to explore critical problems in fundamental science and applications for our materials and biotechnology industries.

Further, the Administration opposes the lack of funding in the bill for the Information Technology Initiative for the 21st Century and for the Next Generation Internet Initiative. Both of these initiatives would propel revolutionary breakthroughs in information technology and scientific computing in the United States.

The Administration is also disappointed that the Subcommittee has not accepted the Administration's proposal to revise the financing of the Power Marketing Administration's Purchase Power and Wheeling programs. The Administration would like to continue to work with the Committee to restructure the funding mechanism for these programs.

C Departmental Administration. The Administration opposes the reductions in Departmental Administration programs proposed in the Subcommittee bill. The proposed reductions would impair implementation of Secretarial management initiatives now underway to restructure field management, reorganize security functions, enforce reductions in contractor travel and other overhead costs, and improve construction management.

#### Army Corps of Engineers

The Administration is concerned that the \$183 million reduction to the President's request for the Army Corps of Engineers would result in significant delays for certain critical construction projects. Of particular concern are reductions to the Columbia River Fish Mitigation project, from \$100 million to \$70 million; the Everglades (FL) project, from \$110 million to \$93 million; and, the Kill Van Kull and Newark Bay Channel (NY, NJ) project, from \$60 million to \$40 million.

#### Bureau of Reclamation

The Subcommittee proposal to reduce the Bureau of Reclamation budget by \$100 million, or 12 percent, would significantly affect the Bureau's ability to continue to operate its water supply projects throughout the West in compliance with relevant Federal regulations. The Administration urges the Committee to restore these funds.

We also urge the Committee to fully fund the \$95 million request for the CALFED Bay-Delta program. The Subcommittee's \$50 million reduction and accompanying funding restrictions would delay Federal and State efforts to restore this important ecosystem.

In addition we urge the Committee to enact the Administration's proposal to convert the Central Valley Project Restoration Fund from a current discretionary to a permanent account. This will allow the Bureau of Reclamation to operate the program efficiently and ensure that all the authorized collections from project beneficiaries are used to mitigate project impacts, as intended by the Central Valley Project Improvement Act.

We look forward to working with the Committee to address our mutual concerns.

Sincerely,

Jacob J. Lew

Director

Identical Letter Sent to The Honorable Ted Stevens,  
The Honorable Robert C. Byrd, The Honorable Pete V. Domenici,  
and The Honorable Harry M. Reid

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 15:33:04.00

SUBJECT: FTC/DOJ study on violence

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: Neera Tanden ( CN=Neera Tanden/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:

Just spoke to Janet Murgia. She wanted to know about Tuesday's event, and whether or not we should invite/talk to Senator Brownback. She said she's got a pretty good relationship with him, and we may want to work him into the event. If not, we should at least let her know how she should approach him before or after.

Please advise.

EK: On a related note, I just followed up with OMB, and they say "it's bull shit" that DOJ doesn't have the \$250,000 to do the study. OMB insists that they do, and that the \$ availability has already been confirmed.

jc3

jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 10:30:46.00

SUBJECT: race memo

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

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

CC: mike\_cohen@ed.gov ( mike\_cohen@ed.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

I take it that I am right in assuming that Chris's arguments regarding the Compact (in his 5/24 long email) don't change your basic view, as reflected in my memo, right? tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 18:52:33.00

SUBJECT: VPOTUS to participate in Dem Gun Event on Hill Tomorrow 5/27

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

fyi

----- Forwarded by Karin Kullman/OPD/EOP on 05/26/99  
06:52 PM -----

Janelle E. Erickson

05/26/99 06:40:18 PM

Record Type: Record

To: Sarah E. Gegenheimer/WHO/EOP@EOP, Karin Kullman/OPD/EOP@EOP

cc:

Subject: VPOTUS to participate in Dem Gun Event on Hill Tomorrow  
5/27

----- Forwarded by Janelle E. Erickson/WHO/EOP on  
05/26/99 06:40 PM -----

Matthew J. Bianco

05/26/99 06:29:35 PM

Record Type: Record

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

cc:

Subject: VPOTUS to participate in Dem Gun Event on Hill Tomorrow  
5/27

The Vice President will be participating in a Democratic Gun Event, tomorrow, Thursday, May 27, on the Hill in the Cannon Caucus Room from 11:30 AM - 12:00 PM. The tentative program is: Gephardt to Daschle to VPOTUS. While Daschle is speaking, Senate attendance is expected to be low - more focus on House Dems. This in turn, bumps the previously scheduled meeting b/w the VPOTUS and all of the female Dem Senators to earlier tomorrow, in Mikulski's office (SH-709) from 10:40 AM - 11:20 AM. Dave Thomas in OVP Leg has further details if necessary.

Message Sent

To:

---

Lawrence J. Stein/WHO/EOP@EOP  
Janet Murguia/WHO/EOP@EOP  
Alphonse J. Maldon/WHO/EOP@EOP  
Tracey E. Thornton/WHO/EOP@EOP  
Charles M. Brain/WHO/EOP@EOP  
Broderick Johnson/WHO/EOP@EOP  
Lisa M. Kountoupes/WHO/EOP@EOP  
Roger S. Ballentine/WHO/EOP@EOP  
Caroline R. Fredrickson/WHO/EOP@EOP  
Joel K. Wiginton/WHO/EOP@EOP  
Virginia N. Rustique/WHO/EOP@EOP  
Dario J. Gomez/WHO/EOP@EOP  
Eli P. Joseph/WHO/EOP@EOP  
Courtney C. Crouch/WHO/EOP@EOP  
Mindy E. Myers/WHO/EOP@EOP  
Erica R. Morris/WHO/EOP@EOP  
Marty J. Hoffmann/WHO/EOP@EOP  
Janelle E. Erickson/WHO/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey A. Shesol ( CN=Jeffrey A. Shesol/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:26-MAY-1999 09:59:21.00

SUBJECT: FYI: NYT and AP on Springer

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

May 26, 1999

TV Notes: Studio to Rein in Violence  
on 'Jerry Springer'

By LAWRIE MIFFLIN and BILL CARTER

The studio that owns "The Jerry Springer Show" -- the daytime talk show notorious for violence, profanity and physical confrontation -- announced Tuesday that it will edit those three elements out of future shows.

Although its producers had agreed to eliminate violence from the show starting last June, Springer voiced displeasure, since it was violence that had sent his show's Nielsen ratings and advertising revenues soaring. Soon, violent confrontations and bleeped profanity were back.

Now, Studios USA, the show's owner, is cracking down, apparently in response to renewed pressure from politicians, religious leaders and viewers in Chicago, where the show is produced.

"We will inform stations that we are not providing any Jerry Springer program if these standards cannot be met," a Studios USA statement said. Springer could not be

reached for comment.

The Springer crackdown was the latest of several moves by television executives nervous about how far to go with violence.

Citing "the current climate," the WB network pre-empted the season finale of "Buffy the Vampire Slayer" Tuesday night, showing a rerun instead.

Although "Buffy," a campy teen-age melodrama about vampires, is indisputably fantasy, and the scene causing concern showed a wicked high school principal transforming into a 60-foot serpent whom the students must slay, the network nonetheless felt pressure to pull it.

The "current climate" refers to the national anxiety about violence, particularly among young people, since the school shooting that left 15 dead in Littleton, Colo. Since that attack on April 20, several shows have been altered or pulled from the schedule, including an earlier "Buffy" episode, an episode of CBS's "Promised Land" and all of this week's episodes of Jerry Springer.

Last week, when broadcast networks unveiled their fall schedules to advertisers and the press, there were about the usual number of shows featuring violence, generally police or science fiction dramas.

But Leslie Moonves, president of CBS Television, said he had rejected a promising pilot about two Mafia families (loosely based on the film "Donnie Brasco") in part because of its gun violence.

And Doug Herzog, Fox's entertainment chief, took pains to assure reporters that the video clip they had just seen for "Harsh Realm," a new show from the creator of "The X-Files," had more violence than the series would have, and that the network would monitor it "closely."

These programmers seem caught in a bind: on one hand, they insist that television violence is far down the list of social ills that contribute to actual violence; on the other, they do not wish to alienate viewers or politicians who believe otherwise.

Moonves said Tuesday that while networks did not "bear responsibility for what happened in Littleton," they should still "police themselves." He pointed out that last year the industry had agreed to a ratings system (age-group categories with additional code letters for violence, sex or foul language) for use with a V-chip on new television sets, and that in response Congress had agreed not to pursue legislation to regulate the content of shows.

Moonves added that the industry should be "proactive" in showing gun violence negatively, as has been done with smoking or alcohol abuse.

Guns are not used in "Buffy the Vampire Slayer." For WB,

Tuesday night's episode apparently posed a timing problem. Jamie Kellner, WB's president, said the decision was influenced by the fact that the climactic scene occurred on a high school campus (Buffy's vampire-slaying heroics usually take place deep underground or late at night) and during commencement.

Even fantasy violence against a giant serpent, Kellner said, "is inappropriate to broadcast around the actual dates of these time-honored ceremonies."

Unfortunately for the show's creators and fans, Tuesday night's scheduled episode was the second of a two-part season finale -- the first part was shown last week -- and WB said it would broadcast both parts later in the summer.

Meanwhile, broadcast network executives have been holding brainstorming sessions to discuss how to respond to complaints about entertainment violence. On Monday, Jack Valenti, the industry's chief Washington lobbyist, held such a session in Hollywood with leaders of seven top movie studios.

"If you ask real people, in polls, what leads to this violence," Valenti said on Monday, "No. 1 is access to guns, No. 2 is inadequate parental supervision, No. 3 is lack of ethical and moral values in society. Entertainment is way down the list."

But it is evidently high enough on the list that television programmers are thinking twice about violent content before giving it the go-ahead.

05/25/99- Updated 10:42 PM ET

Springer distributor halts fighting

NEW YORK (AP) - Jerry Springer fans will have to look elsewhere for fisticuffs. His television distributor issued an

order on Tuesday: no more fights.

Studios USA, syndicator for The Jerry Springer Show, also replaced some scheduled episodes this week with tamer shows. The efforts are seen as another fallout from the recent school shootings.

'We will produce and distribute a program that we feel is responsible - no violence, physical confrontation or profanity,' Studios USA said in a statement.

All three ingredients helped rocket Springer's talk show to

the top of the ratings, with episodes often degenerating into hair-pulling, fists-flying donnybrooks.

Springer had no comment on the order, a spokeswoman said.

New programs will have to meet the no-violence standard and reruns will be edited to take out any fights,

Studios

USA said.

"We will inform stations that we are not providing any Jerry Springer program if these standards cannot be

met,"

the studio said.

Studios USA pulled scheduled Springer episodes titled "Guess What? I'm Bisexual" and "I'm Proud to be a Prostitute" this week. They were replaced with shows about tall people and street kids.

to last

"I just think you're seeing the reaction to Littleton,

Jones,"

week's school shooting and the reaction to Jenny

Petry

said Richard Kurlander, an expert on syndication for

TV. "Those three are coming together to move a lot of people toward the center."

the

Earlier this month, a Michigan jury issued a \$25 million verdict against The Jenny Jones Show for negligence in

shooting death of a homosexual guest who admitted a crush on another man.

Several prime-time shows depicting violence have been yanked from the air by networks concerned about violence after the Littleton school shootings.

high

Springer's studio, while reaping the benefits of his

the

ratings, has tried to rein him in before. A year ago,

studio ordered Springer to have security guards move faster to defuse explosive situations.

poor

The studio blamed its own staff, however, for doing a

job of policing the show.



May 25, 1999

MEMORANDUM FOR THE CHIEF OF STAFF

FROM: Bruce Reed

SUBJECT: National Campaign on Youth Violence

This memo outlines our strategy for getting the national campaign up and running, and taking additional steps to build on the success of the youth violence summit.

**I. Organization**

Over the last two weeks, we have had several discussions with Sarah Brown of the National Campaign to Prevent Teen Pregnancy and Eli Segal of the Welfare to Work Partnership to review their experiences with similar national efforts and work through the mechanics and structure of this new campaign. The most immediate organizational hurdles are:

Executive Director: This campaign will never really take off until we can hand it over to the right person outside the White House who can devote his or her full efforts to raising money and organizing. Several names have been mentioned – Michael Berman, Sam Brown, Eli Segal. (We should also look at Clinton people who were planning to leave the Administration.) But apart from Eli, who doesn't want the job right now, no consensus candidate has emerged.

Board of Directors: Several people at the summit would be logical board members – Drew Altman of Kaiser, Pam Eakes of Mothers Against Violence, Steve Case, Gloria Estefan. But these decisions must be made carefully: The board needs to reflect the different sectors represented at the summit, have a common understanding of the campaign's mission, and be able to take the lead in raising money.

Prospectus: Because a campaign like this could go in many different directions, we should make some choices at the outset. We are writing a draft prospectus that will give people here a chance to mull over those issues, and that eventually will serve as a mission statement and business plan for the organization. The prospectus will spell out the guiding principles of the organization, the rationale for the campaign, an agenda for the first year, and measurable goals for the long term.

Non-Profit Status: One of the first steps the campaign needs to take is to formally organize under an existing non-profit (possibly the Kaiser Foundation, or Mothers Against Violence), so that it can begin receiving contributions.

As an interim step, Eli has agreed to head a small, informal steering committee made up of a handful of summit participants that will lead the search for an executive director and board of directors, help hone the prospectus, and take the initial organizational steps. Our goal should be to announce decisions in all these areas by the time school resumes in the fall.

In the meantime, we are following up with every summit participant through phone calls, photos, and a letter from the President thanking them for their involvement and seeking their continued support. We also are firming up commitments that a number of major organizations (YWCA, AMA, National Association of Elementary School Principals, etc.) made to the campaign prior to the summit. Scores of other organizations have written the White House with offers to help the national campaign; we are sending them letters as well, and following up with those that have the most promise.

## II. Communications Strategy

To maintain the momentum of this effort, we will continue to look for new commitments from organizations that took part in the summit, additional actions the President can take, and new sectors he can challenge:

Federal Trade Commission / Justice Department study: Unless the Justice Department backs away from providing the \$1 million for this effort, next Tuesday we can announce a joint FTC-DOJ study of whether the movie, recording, television, and videogame industries live up to their own systems of self-regulation, and whether those industries market violence to young people.

Nationwide effort to train teachers to identify troubled youth: We are working with the NEA and other education groups in the Learning First Alliance on a nationwide teacher training campaign. We're still working out the details, but we hope to be able to announce at the Mental Health Conference that Education and Justice and these organizations would sponsor a series of teleconferences with experts on how to identify troubled youth and what to do when you find them. The Education Department would then make videotapes available to every school district. We also may be able to join in NEA's announcement of a school safety network that involves 1,000 satellite dishes donated by a company in Littleton.

Other challenges: We are working with the Vice President's office to see whether we can persuade a group of retailers to agree to strengthen enforcement of the videogame ratings system by refusing to sell adult-rated software to children. We would like to reach a similar agreement with Blockbuster and other videostores, but have not gained a foothold yet. We will continue to press the National Alliance of Theater Owners to go along with the President's challenge to card underage moviegoers. We have found a few people in the entertainment community who like the President's challenge not to market guns in ads or previews, but no big names yet. If any of these leads pan out in time, the President and First Lady can announce them in their *Good Morning America* interview on June 4<sup>th</sup>.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 17:45:00.00

SUBJECT: Does either of you know how many vetoes President has cast on "partial-bir

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

TEXT:

----- Forwarded by Barry J. Toiv/WHO/EOP on 05/26/99  
05:44 PM -----

Barry J. Toiv

05/26/99 05:42:02 PM

Record Type: Record

To: Martha Foley/WHO/EOP@EOP, Ann F. Lewis/WHO/EOP@EOP

cc:

Subject: Does either of you know how many vetoes President has cast on  
"partial-birth"?



May 26, 1999

MEMORANDUM FOR THE PRESIDENT

FROM: TODD STERN

SUBJECT: Race Book

Attached is a new draft of the race book. Maria and I circulated the previous draft to a relatively small number of your advisors, and in this new draft Chris has incorporated some, but by no means all, of their substantive comments. There continue to be several areas of disagreement between Chris and some of your advisors, with respect both to policy and tone. This memo doesn't present these disagreements in option form for your decision, as that doesn't seem appropriate at this time. But, it is intended to help inform your review of the new draft so that you can provide guidance on how you want these matters handled.

**POLICY DISPUTES**

**Education (chapter III.1)**

*The Compact.* The principal dispute is over the new Compact for Equal Opportunity in Education, which Chris has proposed. The Compact is framed as a program designed to close the racial gap in achievement, which the chapter describes as our number one goal in education. Chris sees your ESEA proposals as helpful, but still overly top-down in their prescription of the means for achieving good results, while not tough enough in demanding that good results be achieved.

In order to address the racial gap in achievement, the Compact would act as a kind of results-based challenge grant. The federal government could provide (1) some new funding and (2) broad flexibility in existing federal grant programs to school systems that adopt measurable goals, with a strategy and timetable for meeting those goals. The awarding of grants and flexibility would depend upon a judgment by experts that the school systems' proposed strategy was likely to succeed. School systems that failed to produce results – reducing racial disparities in achievement – would face the loss of at least some funding and flexibility and would have to work with experts to reform their strategies, including through shock therapy and new management if necessary.

Bruce and Elena argue that this Compact would undermine your ESEA proposals (1) by giving ammunition to Republicans who favor block grants (without Chris's insistence on results) and who will be only too pleased to point to your book as support for their position; and (2) by giving short shrift to your ESEA proposals in comparison to the Compact. Bruce and Elena also dispute Chris's characterization of your ESEA proposals as too soft, arguing that these proposals are sweeping in their range and fundamental to closing the educational opportunity gap by ensuring

qualified teachers, smaller class rooms, sound discipline, high expectations and consequences for schools that fail. Finally, they believe that the targeted, race-specific approach of the Compact is flawed, preferring universal solutions (such as those embodied in your ESEA proposals) that are designed to expand opportunity for everyone while disproportionately helping minorities.

*Standards.* Bruce and Elena are concerned that the discussion of standards in the draft seems grudging. To begin with, it is folded into the section on resource inequities rather than being put in its more natural place, in the section on "High Expectations and Accountability." Second, the tone lacks enthusiasm for standards, focussing more on the need to address the problem of resources. Both of these elements are important, but Bruce and Elena argue for a much more emphatic embrace of standards

### **Economic development (chapter III.2)**

Gene believes that this chapter could do a better job of reflecting your philosophy on jobs and economic development, capturing your voice, and ordering your priorities. He is working on edits in an effort to do this, but these edits aren't ready yet.

### **Crime -- Racial Profiling (chapter III.3)**

A disagreement between Chris and the interagency group (DPC, White House Counsel, Justice and Treasury, among others) working on a racial profiling Executive Order may be resolved shortly. The issue, which Justice is trying to work out with INS during the next few days, concerns whether there is any need for an "INS exception." If there is not, then the Executive Order could begin with an unqualified statement that racial profiling is wrong and should be banned, followed by a direction to the relevant federal agencies to undertake a data collection effort to find out what is happening in the field and ensure that profiling isn't used. The interagency group and Chris could all agree on such an approach.

On the other hand, if the interagency group does not believe we can issue an outright ban on profiling, because of concerns at INS or Customs, their preferred approach would be a strong, though not categorical, statement followed by a call for data collection in order to determine what steps need to be taken on the federal level. Chris would oppose that approach because he believes the Order should include a ban. His personal preference is for an outright ban, with no exceptions. In the book, however, he has opted for a fallback position under which the Order would ban profiling with an escape valve for extraordinary showings – e.g., by INS in certain situations on the southwest border – as presented in the current draft of the book. The consensus of the group (other than Chris) is that an Order including an exception of the kind Chris has articulated will be portrayed as *acceptance* of racial profiling, and thus actually be criticized by civil rights groups.

### **Civil Rights -- School funding (chapter III.4)**

The draft chapter on civil rights includes a fairly muscular endorsement of using Title VI sanctions to address disparate impact in allocating resources among schools. This is consistent

with a number of references in the education chapter that express disapproval with the use of local property taxes to fund schools. (“In recent years, there have been over a dozen law suits brought under state constitutional provisions, challenging the school finance systems established by state laws. These have met with some success. I hope much more change of this sort is on the way.”) Chuck Ruff notes that there are differing views among DOJ, DoEd and DPC on the use of Title VI to address resource allocation, that the discussion in the book may raise questions about the legality of school funding schemes all over the country, and that more policy discussion is needed before you get out front on this issue.

### **TONE AND MESSAGE**

A number of concerns have also been voiced regarding tone or message. They include:

- It isn’t credible at this late date to add “heart” to your traditional triad of opportunity, responsibility and community. It’s fine to say that racial reconciliation requires a change in people’s hearts, but not to add a fourth leg to your traditional litany, as if you just realized that something has been missing there for the last seven years.
- Responsibility, while listed in the litany, is not emphasized enough in the body of the book. There is an intensive focus on the need to provide greater opportunity to minorities in order to close racial gaps in education, economic development, treatment by the criminal justice system, health care and environmental justice, but there is not enough of your traditional emphasis on the need for all of us, including minorities, to assume responsibility -- work hard, play by the rules, support our children, etc.
- The book doesn’t adequately capture your voice, the special character of your discourse on race, as evident in speeches like Memphis, Austin, etc. To some degree, this comment overlaps with the previous one about responsibility, but it is broader than that.
- The book fails to change the terms of the race debate for the 21<sup>st</sup> century, which was one of the primary objectives of the race initiative.
- The tone of the book is, at least at times, too downcast. For example, the opening poem, an Ojibway prayer, begins, “Grandfather, look at our brokenness.” In a couple of chapters (Part II and Part V), there is an extended discussion about why your generation failed to pick up the torch from Dr. King, musing about whether the combination of assassinations, Vietnam and riots knocked the wind out of your idealism, wondering whether your generation stood aside because you thought further progress was inevitable, or would be taken care of by others, or was just too difficult or fatiguing.

These concerns are by no means shared by all your advisors, but have been expressed by a number of them.





**Q: How do you respond to Senator Breaux's testimony today before the Senate Finance Committee (in which he says his next proposal will drop the eligibility age increase and he suggests that he is open to providing a subsidy for all Medicare beneficiaries for a drug benefit)?**

A: We welcome Senator Breaux's commitment to drop the eligibility age increase provision from his Medicare reform proposal. The President has long stated that it would be bad policy to promote legislation that would inevitably lead to an increase in the numbers of uninsured in this nation. We believe the Senator's remarks about being open to providing financial support for all Medicare beneficiaries to help access needed prescription drugs are also constructive. Modernizing the Medicare program and preparing it for the 21<sup>st</sup> century simply cannot be achieved without addressing the prescription drug coverage issue adequately. We agree with Senator Breaux that providing for a prescription drug benefit should be done in the context of a broader reform package.

While we are encouraged by Senator Breaux's testimony, we continue to have major differences. For example, we could not support his premium support proposal (and its implicit premium increase on beneficiaries desiring to stay in the traditional program), the proposal for an unlimited home health care copayment, and the proposal's lack of dedicated financing necessary to deal with retirement of the baby boom population.

We look forward to working with Senator Breaux and all Members of Congress to produce a Medicare modernization package that strengthens and improves the program. The President believes we have an historic opportunity to do so this year and we should take advantage of it.



May 26, 1999

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 22:29:19.00

SUBJECT: Draft Podesta Letter

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

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

TEXT:  
 BR/EK:

Attached is a first draft of the Podesta letter to Hastert. Let me know what you think. Do we care if Podesta is sending a letter that looks past this week while the VP is scheduled to do an event w/the D's still demanding action this week? Should we wait and send the letter Friday...?

Laura: Please remember we'll have to show this to Broderick before/if it goes to the Hill.

jc3

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D37]ARMS22394765R.136 to ASCII,  
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AF49C3BC03FDB3063469E4107AAA3F7D29D4B739740EE2DA1449586F14EAB0744AEF67BA09BC7F
043DD6B35B5661F92F702723CF210AFE12F4932AA35320C6ED90D861D655F98B843A4B96A7ADD8
```

May 27, 1999

Dear Mr. Speaker:

I want to thank you for your recent statements in support of common sense gun legislation and for your decision to have the House consider these proposals as soon as it returns from the Memorial Day recess. Although we are disappointed that the House did not take the opportunity to act on the Senate's juvenile crime bill this week, we appreciate your commitment to consider similar legislation on an expedited basis.

However, even more important than when you schedule a House vote on these issues is what proposals you actually bring up for a vote in the House. In the interest of reaching bipartisan agreement on a comprehensive juvenile crime and gun bill, I would make the following two suggestions as you begin to draft your legislation:

**1. Look to build on the Senate's legislation by considering additional gun proposals.**

The House should view S. 254 as a floor, not a ceiling. Although the bill contains many good provisions, it can and should be strengthened by the House. For instance, the bill does not raise the age of handgun ownership from 18 to 21, require background checks for the purchase of explosives, or include other such proposals in the President's gun legislation (H.R. 1768). You and other Republicans have expressed that these are reasonable measures, so we hope you will make every effort to include them in the House's legislation.

**2. Do not riddle the bill with dangerous new loopholes.** As you know, even as the Senate tried to close the gun show loophole, the gun lobby worked behind the scenes to include dangerous new loopholes that would have made it easier for criminals to get guns and harder for law enforcement to catch those criminals. At one point, the Senate bill included at least 5 new loopholes to our gun laws, including one to weaken the successful Brady Law by limiting background checks to no more than 24 hours. Make no mistake: President Clinton will read all of the fine print and insist -- as he did with the Senate -- that the House bill not include any of the new loopholes proposed by the gun lobby.

Again, Mr. Speaker, thank you for agreeing to take up comprehensive juvenile crime and gun legislation within the next two weeks. We urge you to not delay any further and quickly pass legislation to reduce youth violence and keep guns out of the hands of criminals and children.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan H. Schnur ( CN=Jonathan H. Schnur/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 14:54:11.00

SUBJECT: FYI -- hearing tomorrow

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:

There will be a hearing in the Hoekstra's subcommittee tomorrow focused on a number of issues related to the release of the NAEP reading scores this year. The hearing will apparently focus on three issues:

- a) questions about the exclusion of scores of special education students in state-level NAEP reading test scores released in March.
- b) The VP's participation in the release of the NAEP national reading scores in February.
- c) Pat Forgionne's recent resignation as Commissioner of the National Center for Education Statistics.

Pat will be testifying at this hearing. Feel free to call me to discuss further.

the release of state reading scores, and questionsIt will include a focus on

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Irene Bueno ( CN=Irene Bueno/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 18:11:44.00

SUBJECT: 245(i) proposal to pay for Administration's detention proposal

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:

OMB is working on a budget proposal on detention and are proposing to offset the cost of the detention with a reintroduction of the 245(i) proposal that would generate funds. I don't see any problems with this and it is better than cutting some other current program.

Please let me know if you have any concerns or questions. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 12:56:35.00

SUBJECT: guns -- all this talk of details of the senate bill leads me to think we'r

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

House GOP Nixes Quick Vote on Guns

By LAURIE KELLMAN Associated Press Writer

WASHINGTON (AP) -- Republicans today beat back a Democratic attempt to force a vote this week on

new gun

restrictions, saying the House will take its

time considering

firearms proposals passed by the Senate.

rejected an

The House Judiciary Committee on a 19-13 vote

Michigan to

attempt by ranking Democrat John Conyers of

Senate's

have the panel approve and send to the floor the

on all

proposals, including mandatory background checks

firearms transactions at gun shows.

its plan to

Chairman Henry Hyde said the panel will hold to

constitutional rights

consider how the Senate bill would affect

and send a bill to the floor in mid-June.

fundamental right

``There is a Second Amendment, there is a

move

that we're dealing with and therefore we should

expeditiously but not in a stampede," Hyde,

R-Ill., said.

it right.''

action would  
wake of school  
crisis at hand,' said

ranks just a  
and Hyde  
restrictions in the

problems with many  
Senate's approach  
of a

in broad  
voted by the Senate,  
mid-June.

guns out of  
said in a floor

think changes in

matter following  
of a widely

Rep. Anthony  
Association. ``To  
say that ...  
pass.''

``We're going to do this and we're going to do

Democrats countered that the right congressional  
be quick passage of new gun restrictions in the  
shootings in Colorado and Georgia.

``This is not a rush but a response to the  
Rep. Sheila Jackson-Lee, D-Texas.

Meanwhile, cracks began to appear in Republican  
day after House Speaker Dennis Hastert, R-Ill.,  
voiced support for the concept of the gun  
Senate bill.

Rep. Asa Hutchinson, R-Ark., said he had  
details in the Senate bill. ``I don't think the  
last week is what the American people expected  
deliberative body,' Hutchinson told the panel.

On Tuesday, Hastert and Hyde expressed support  
terms for the new restrictions on gun sales  
but refused to be rushed into a vote before

``We support commonsense legislation that keeps  
the hands of unsupervised children,' Hastert  
speech.

But Hyde and other Republicans indicated they  
the Senate-passed measure are warranted.

Democrats said ignoring the urgency of the  
two school shootings this year would mean defeat  
supported bill.

``It doesn't take the NRA very long to reload,'  
Weiner, D-N.Y., said of the National Rifle  
postpone this measure for too long is in fact to  
(Republicans) aren't sure that they want it to

concept of  
however, for the  
firearms  
Leader Dick

to instant checks  
Armev told  
would

NRA contends

bill on a 73-25  
eventually  
including the new  
be sold with

high school,  
high-capacity  
for anyone

rights is a  
keep juvenile  
House should  
those records

Republican leaders said Tuesday they support the  
the Senate bill. They qualified their support,  
proposal to require background checks on all  
transactions at gun shows, said House Majority  
Armev, R-Texas.

``If language is properly written with respect  
at gun shows, I think I could support that,``  
reporters, without detailing what changes he  
recommend.

Republicans are planning a hearing on what the  
has been lax enforcement of current laws.

The Senate passed a sweeping juvenile justice  
vote last week after Republicans backtracked and  
approved an array of new gun restrictions,  
background checks and a requirement that locks  
all new handguns.

Responding to the April 20 murders at a Colorado  
the Senate also voted to ban the import of  
ammunition clips and revoke gun ownership rights  
convicted as a juvenile of a firearms crime.

Hyde said Tuesday that revoking gun ownership  
problem because most states either destroy or  
delinquency records confidential. He said the  
prohibit states from taking such action and make  
available for background checks.

L#AP-NY-05-26-99 1222EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Einer Elhauge <elhauge@law.harvard.edu> ( Einer Elhauge <elhauge@law.harvar

CREATION DATE/TIME:26-MAY-1999 11:26:23.00

SUBJECT: Support for Judge Kagan Campaign

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

READ:UNKNOWN

TEXT:

I saw that the Post is reporting that you're being vetted for a D.C. Circuit judgeship. If there is absolutely anything -- anything at all -- I can do to help, just let me know. I know a guy who is close with Hatch I can talk to in order to smooth the way. It's against my interest in getting you to join the Harvard faculty, but I think you'd make a terrific judge, and we can't stand in the way of the public interest.

Einer Elhauge  
Professor of Law  
Harvard Law School  
1575 Massachusetts Ave.  
Cambridge, MA 02138  
tel: (617) 496-0860  
fax: (617) 496-0861  
email: elhauge@law.harvard.edu



May 26, 1999

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: Strategy for House Passage of Juvenile Crime and Gun Legislation

To keep pressure on the House to act on your gun proposals as quickly as possible, we need to ensure that the gun issue remains front and center over the next few weeks. As Congress prepares to leave for its Memorial Day recess, we are working with Congressional Democrats, gun control advocates and victims groups, and our allies in the gun industry on a coordinated strategy to keep the focus on passing gun legislation.

**I. Update**

Yesterday, Speaker Hastert and Chairman Hyde promised that next month the House would pass the major gun components of the Senate bill – mandatory background checks at gun shows, mandatory child safety locks, a lifetime ban on gun ownership for violent juveniles, a ban on importation of high-capacity clips, and a ban on juvenile ownership of assault weapons. Hastert, Hyde, and Bill McCollum also pledged support for the most important measure left out of the Senate bill, raising the handgun age to 21. Hyde said the Senate measures will be added to the juvenile justice bill in committee and brought to the floor in June, but made no commitments about the details of the provisions.

These concessions seem to signal that this summer Congress will send you a juvenile justice and gun bill you can sign. To make sure that happens, we need to maintain the pressure for quick action, and watch out for backsliding in three areas:

**1. NRA loopholes:** The House Republican leadership is obviously eager to avoid a fight with us on guns; Hyde went out of his way to say gun control is “our issue, too.” But the NRA remains defiant, and will pressure conservatives to riddle the bill with loopholes. This is a self-defeating strategy, as the Senate discovered, but many House Republicans (and some Democrats) will fall for it, and the NRA will crank up the pressure over the recess. Tomorrow, we plan to send a letter from John Podesta to Hastert commending his decision to support the Senate measures and raising the handgun age to 21, but making clear that we’ll keep a close watch on the details.

**2. Democratic defections:** Because they’re afraid guns will take hold as a partisan issue, Republicans have moved further and faster than some Democrats. We have arranged for Bob

Ricker and other representatives of the gun industry to meet with the Blue Dogs. As in the Senate, we may do better with Southern members than with those from rural areas and out West. We may need your help in swaying influential diehards like Dingell. For Democrats from marginal districts, it is especially important that we stress that these are modest, common-sense measures targeted at criminals and juveniles, not the first phase in a long-term plan to go after guns.

**3. Juvenile Justice poison pills:** For months, House Republicans have bent over backwards to accommodate Democratic concerns on the juvenile justice bill, because they didn't want Democrats to raise the gun issue. Now that guns are on the table, the NRA may try to get Republicans to add onerous juvenile provisions to make the overall bill unpalatable to us or to Democrats. If that happens, we will have to make the case that these are all distractions designed to block sensible gun legislation and protect the NRA.

## II. Communications Strategy

Five years ago, we went through a similar drill to pass the assault weapons ban in the House. The politics have changed, but our targets have not: suburban and marginal Republicans, wavering Democrats, editorial elites. Here is what we have in mind:

- 1. Launch an editorial campaign that targets key House districts.** To help build support for the assault ban in 1994, we sent extensive information to local editorial boards in key House districts and followed up with telephone calls to make the case for the ban. We will launch a similar campaign over the recess. We will target newspapers in the districts of suburban, marginal, and undecided members, with a special focus on states with Republican Senators who voted with us last week (Ohio, Illinois, Indiana, Virginia) and districts with gun manufacturers who support our efforts. Our mailing also can include a calendar of nearby gun shows and encourage local newspapers to send a reporter to see firsthand how guns are being bought and sold at guns shows in their communities.
- 2. Release report on Brady background checks.** In June, the Justice Department's Bureau of Justice Statistics will complete a report updating the estimated number of illegal gun sales that have been stopped through Brady background checks. Ideally, you could release this report just as Congress returns from the Memorial Day recess -- perhaps in a White House meeting with law enforcement, or if we can find the right venue, at a school in a community where a gun show is under way. We can also release a breakdown of the new Brady numbers state by state.
- 3. Release report on Gun-Free Schools Act.** Also in June, the Education Department will release a report on how many children were expelled from school during the 1997-1998 school year for bringing a gun to school. As you know, last year's report showed that more than 6,000 students were expelled for bringing a gun

to school during the 1996-1997 school year. We expect this year's report to show a decline in the number of gun-related expulsions, totaling about 5,000. We will work with the Education Department to time the report for the week of June 7th.

4. **Release report on youth handgun possession and fatalities.** We have asked the Treasury Department and ATF to review gun tracing data and other statistics related to the possession and use of handguns by juveniles. We will work with them to draft a brief report that underscores the importance of raising the age of youth handgun possession from 18 to 21. As you know, more crime guns are traced to 18- and 19-year-olds than any other age group, and well over 80 percent of these firearms are in fact handguns. Ideally, we would like to release this report by June 14, when the Vice President addresses the U.S. Conference of Mayors.

We will keep looking for other ways to keep the issue in the news. Tomorrow, the House Judiciary Committee will hold a gun hearing with Wayne LaPierre, Eric Holder, Jim Johnson, and a doctor who treated victims in \_\_\_\_\_. Over the recess, we will try to get House Republican moderates to send the leadership a letter supporting 18-21 and the Senate bill without loopholes. We will also encourage the gun industry to maintain a high profile, providing cover to wavering members and undercutting the NRA.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 19:27:12.00

SUBJECT: RLPA

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

READ:UNKNOWN

TO: Caroline R. Fredrickson ( CN=Caroline R. Fredrickson/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The House Constitution Subcommittee reported out RLPA this afternoon on a voice vote. Nadler offered an amendment, which would have limited housing-related claims to small landlords and employment-related claims to religious organizations and very small employers. It would also have created an exception for claims relating to laws barring discrimination in a public accommodation. His amendment was defeated on a voice vote. All the D's appeared to vote for the Nadler amendment and against final passage, and all the R's appeared to do the opposite. It will probably go to the full committee after next week's recess.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 17:35:11.00

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

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

TO: Elena Kagan ( CN=Elena Kagan/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: Sarah A. Bianchi ( CN=Sarah A. Bianchi/O=OVP@OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

CC: Andrew F. Schneider ( CN=Andrew F. Schneider/O=OVP@OVP [ UNKNOWN ] )

READ:UNKNOWN

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

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

TEXT:

The weekly Health Care Strategy Meeting for tomorrow, May 27, is  
CANCELLED.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 08:35:24.00

SUBJECT: Re: Draft potus memo

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

READ:UNKNOWN

TEXT:

Well, the decorum aside, do you disagree with anything? I think he is right about social promotion and wrong about standards, etc.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 13:06:16.00

SUBJECT: disregard last email

TO: mike\_cohen@ed.gov ( mike\_cohen@ed.gov [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Charles F. Ruff ( CN=Charles F. Ruff/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: "Christopher Edley, Jr." <edley@law.harvard.edu> ( "Christopher Edley, Jr." <ed

READ:UNKNOWN

TEXT:

Sent the wrong draft, with a paragraph mistakenly deleted regarding education standards. A new one will be forthcoming. tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 12:26:55.00

SUBJECT: Daily Report

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

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

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

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

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

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

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

TO: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

TO: George T. Frampton ( CN=George T. Frampton/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

TO: KERRICK\_D ( KERRICK\_D @ A1 @ CD @ VAXGTWY [ UNKNOWN ] ) (NSC)  
READ:UNKNOWN

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

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

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

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

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

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

TO: Minyon Moore ( CN=Minyon Moore/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: Ron Klain ( CN=Ron Klain/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

TO: Glyn T. Davies ( CN=Glyn T. Davies/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

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

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

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

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

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

CC: Rebecca L. Walldorff ( CN=Rebecca L. Walldorff/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: Kris M Balderston ( CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

CC: Edward A. Rice ( CN=Edward A. Rice/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

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

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

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

CC: Nina L. Hachigian ( CN=Nina L. Hachigian/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

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

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

TEXT:

We'll be putting together the Podesta Daily Report today for the President. We'd like to keep it short and simple; so, it'd be nice to have a high threshold for submitting bullet points. If there's something you think he needs to know today, please send it electronically (in WordPerfect) to me (w/ a cc: to Barbara Barclay) before 4 p.m. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 09:54:24.00

SUBJECT: People For the American Luncheon

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

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

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

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

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

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

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

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

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

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

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

TO: Loretta M. Ucelli ( CN=Loretta M. Ucelli/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: Melissa J. Prober ( CN=Melissa J. Prober/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

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

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

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

TEXT:

sorry, the lunch is tomorrow 5/27 at noon at the Capital Hilton at 16th and K Streets. and pls tell anyone you know.

----- Forwarded by Melissa G. Green/OPD/EOP on 05/26/99  
09:53 AM -----

Melissa G. Green  
05/26/99 09:51:35 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: People For the American Luncheon

I know we are all incredibly busy, but if anyone is interested in going to the People For the American Way Annual Luncheon (with Peter, Paul and Mary, Paul Begala, Norman Lear, Molly Ivers, and the Honorable John Lewis) please let me know. My mom has a table there and you are all welcome. It is a good show, better than your average annual luncheon and very administration friendly. One of the awards they give away was written up in the style section last week and is called the Horses Patootee Award (Begala is the presenter) and will go to the Honorable Bob Barr (not attending). Let me know if you want to go. Thanks

Message Sent

To:

---

Laura Emmett/WHO/EOP@EOP  
Elena Kagan/OPD/EOP@EOP  
Minyon Moore/WHO/EOP@EOP  
Cheryl M. Carter/WHO/EOP@EOP  
Rebecca L. Walldorff/WHO/EOP@EOP  
Maria Echaveste/WHO/EOP@EOP  
Ruby Shamir/OPD/EOP@EOP  
Virginia N. Rustique/WHO/EOP@EOP  
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Loretta M. Ucelli/WHO/EOP@EOP  
Pamela Cicetti/OPD/EOP@EOP  
Nicole R. Rabner/WHO/EOP@EOP

Katharine Button/WHO/EOP@EOP  
Sara M. Latham/WHO/EOP@EOP  
Marjorie Tarmey/WHO/EOP@EOP  
Leslie Bernstein/WHO/EOP@EOP  
Dawn L. Smalls/WHO/EOP@EOP  
Mindy E. Myers/WHO/EOP@EOP  
Janet Murguia/WHO/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:26-MAY-1999 09:51:48.00

SUBJECT: People For the American Luncheon

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

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

TO: Marjorie Tarmey ( CN=Marjorie Tarmey/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Katharine Button ( CN=Katharine Button/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Pamela Cicetti ( CN=Pamela Cicetti/OU=OPD/O=EOP@EOP [ OPD ] )  
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TO: Karen Tramontano ( CN=Karen Tramontano/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: Edward F. Hughes ( CN=Edward F. Hughes/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Elena Kagan ( CN=Elena Kagan/OU=OPD/O=EOP@EOP [ OPD ] )  
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TO: Leslie Bernstein ( CN=Leslie Bernstein/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Sara M. Latham ( CN=Sara M. Latham/OU=WHO/O=EOP@EOP [ WHO ] )  
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TO: Nicole R. Rabner ( CN=Nicole R. Rabner/OU=WHO/O=EOP@EOP [ WHO ] )  
READ:UNKNOWN

TO: Loretta M. Ucelli ( CN=Loretta M. Ucelli/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: Melissa J. Prober ( CN=Melissa J. Prober/OU=WHO/O=EOP@EOP [ WHO ] )

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TO: Ruby Shamir ( CN=Ruby Shamir/OU=OPD/O=EOP@EOP [ OPD ] )

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Nicole R. Rabner ( CN=Nicole R. Rabner/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:26-MAY-1999 17:49:39.00

SUBJECT: AP story on foster care 5-26-99

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: Matthew McKearn ( CN=Matthew McKearn/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: mbourdet ( mbourdet @ os.dhhs.gov [ UNKNOWN ] )

READ:UNKNOWN

CC: eparker@acf.dhhs.gov ( eparker@acf.dhhs.gov [ UNKNOWN ] )

READ:UNKNOWN

CC: edahl ( edahl @ os.dhhs.gov [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Bill Would Help Older Foster Kids

By CURT ANDERSON AP Tax Writer

WASHINGTON (AP) -- Thousands of foster children who turn 18 would get job training, education benefits and counseling in how to live independently, under legislation approved Wednesday by the House Ways and Means Committee.

The bill, which has bipartisan support in Congress and is backed by President Clinton, would double current federal grants to states for foster programs to a total of \$140 million a year to help former foster children make the transition into adulthood.

"These young people must face the difficult, often scary demands of becoming an adult ... all on their own without the safety net provided by a family," said Rep. Nancy Johnson, R-Conn., the main GOP sponsor.

"The government is the parents," said Rep. Ben Cardin,

their children  
the committee's  
20,000 people  
to the Clinton  
aid until age 21.  
that these young  
of their  
make the  
coverage under  
program, at a cost  
Chairman  
optional for  
was not paid for  
unwarranted federal  
Johnson said states  
leaving the  
financing mechanisms,  
The bill would  
government provide as  
collection programs as  
"penalize" many  
to restore the  
much at some \$60

D-Md. "How many parents cut off all support to  
when they reach 18?"  
The bill, which moves to the full House after  
voice vote approval, would help an estimated  
who leave the foster system each year, according  
administration. They would be eligible for the  
"I believe we have a responsibility to ensure  
people have the tools they need to make the most  
lives," Clinton said in written statement.  
Rep. Fortney "Pete" Stark, D-Calif., wanted to  
former foster children eligible for mandatory  
Medicaid, the state-federal health insurance  
of \$400 million over five years.  
But an amendment by Ways and Means Committee  
Bill Archer, R-Texas, made the coverage strictly  
the states. Archer noted that Stark's proposal  
and that states opposed the move as an  
mandate on them.  
Even using the optional Medicaid coverage,  
project coverage for about half the young people  
foster system.  
The bill is fully paid for by a variety of  
one of which is also drawing some opposition.  
eliminate a law requiring that the federal  
much funding to states for child support  
they did in 1995.  
Rep. Jerry Kleczka, D-Wis., said this would  
states, but he agreed to withdraw his amendment  
law after bill sponsors said it would cost too  
million a year.

The measure would do two other things:

Forces during  
receive  
of what they  
qualify, the  
before Dec. 31,

--Allow Filipinos who served in the U.S. Armed  
World War II and now live in the Philippines to  
Supplemental Security Income equal to 75 percent  
would get if they lived in the United States. To  
veteran had to be serving in the armed forces  
1946.

states about the  
the expanded  
welfare funds

--Ensure that Indian tribes are consulted by  
particular needs of their foster children for  
programs and allow them to spend unobligated  
without approval by states. -----

The bill is H.R. 1802.

LI#AP-NY-05-26-99 1627EDT

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Einer Elhauge to Elena Kagan re: Support (1 page)	05/26/1999	Personal Misfile

### COLLECTION:

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

### FOLDER TITLE:

[05/26/1999]

2009-1006-F

bm116

### 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]

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- 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]

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PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.