

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 061 - FOLDER -008

[06/05/1997 - 06/06/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cynthia Rice to Emily Bromberg et al. Re: weekend whereabouts (1 page)	06/06/1997	Personal Misfile
002. email	Diana Fortuna to Cynthia Rice et al. Re: Whereabouts this weekend. (1 page)	06/06/1997	Personal Misfile
003. email	Cynthia Rice to Virginia Rustique et al. Re: Revised weekend whereabouts. (1 page)	06/06/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[06/05/1997-06/06/1997]

Van Zbinden
2009-1006-F
vz101

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

CREATION DATE/TIME: 5-JUN-1997 19:47:59.00

SUBJECT: FLSA mtg

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

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

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

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

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

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

TEXT:

Can you all do a mtg w/Podesta on FLSA tomorrow (Friday) 3:30pm in his ofc with Labor folks attending :from AFL - Peggy Taylor, Gerry Shea, Denise Mitchell, and people from AFSCME, SEIU, CWA.... Sorry about last minute notice, this is only time slot John can do, and he said it couldn't wait until Monday -

Podesta
Echaveste
Tracey and/or Janet

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 12:10:30.00

SUBJECT: Mark Greenberg and FLSA

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

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

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

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

TEXT:

Mark Greenberg from the Center for Law and Social Policy called me and would like to come talk to us about FLSA. I have worked a lot with Mark -- he is a very smart lawyer who knows a lot about welfare and in my experience he can be trusted to work confidentially. He is a pragmatic liberal who will work on improvements (i.e., he was the MOE godfather despite hating block grants).

I thought it might be useful to hear his views before our 2:00 meeting tomorrow. At a minimum he will clue us into every possible way others will try to weaken the work rates to soften the FLSA burden. He may have some suggestions more up our alley too.

Shall we meet with him sometime before 2:00 tomorrow?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 18:13:10.00

SUBJECT: Sex Offender Statement

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

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

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

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

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

TEXT:

Michelle/Rahm:

Following up on yesterday's meeting with respect to upcoming statements on Supreme Court decisions, we or Justice don't know what sex offender case your talking about..?

There are no cases concerning community notification before the Court. And the only sex offender case currently being considered deals with the civil commitment of a Kansas sex offender who was not determined to be mentally ill. DOJ/Kent also mentioned that they specifically chose not to file an amicus brief in this case.

Is there some other case in some other court on which we should comment?

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 19:22:09.00

SUBJECT: Ways and Means markup Update

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

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

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

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

TEXT:

The markup is not yet done -- they broke for other meetings (a member meeting on tax issues, I understand) and will be resuming shortly. They plan to finish tonight.

The markup started with the traditional walk-through of the chairman's proposal, led by Ron Haskins. Democrats (Stark and Matsui particularly) turned into this into an FLSA debate, drawing out the implications of Shaw's proposal. Then:

The amendment to strike the FLSA exemption was offered, failing 4-7 (1 D & 1 R absent)

Matsui offered his amendment regarding giving welfare to work program responsibility to the state TANF agency, with proviso that PICs would have to approve the TANF agency's plan. This was discussed on a bipartisan basis and they agreed to "work on the issue" before full committee.

Watkins and Camp offered an amendment to increase to 30% the proportion of persons who may "work" by engaging in vocational education, secondary education, or education related to employment. This amendment included the more narrow definition in the chairman's mark (i.e., the % is a % of those required to work, not a % of the caseload). It passed by voice vote.

After the break, they will consider amendments to:

Strike the provision to eliminate the state SSI MOE

Restore legal immigrant provisions to the budget agreement

Strike Pennington (UI)

Restore all provisions to budget agreement

Shaw is apparently willing to return to the budget agreement's treatment of asylees (provide 7 instead of 5 years of benefits), so Matsui may offer it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jill M. Pizzuto (CN=Jill M. Pizzuto/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 5-JUN-1997 12:10:15.00

SUBJECT: Unemployment Insurance Conference Call

TO: Harry E. Moran (CN=Harry E. Moran/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

TO: Barbara Chow (CN=Barbara Chow/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Charles R. Marr (CN=Charles R. Marr/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Carole Kitti (CN=Carole Kitti/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

TO: Larry R. Matlack (CN=Larry R. Matlack/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Lois E. Altoft (CN=Lois E. Altoft/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

CC: Iratha H. Waters (CN=Iratha H. Waters/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Joseph M. Wire (CN=Joseph M. Wire/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

TEXT:

There will be a conference call on Unemployment Insurance Friday afternoon @ 1:00pm. The conference call numbers are: 6-6755 or 6-6766, code: 6826.

Participants/Invites:

OMB-HR (Apfel, White, Matlack, Kitti)

OMB-LA (Kountoupes)

OMB-BRD (Rusty Moran)

WH Leg Affairs (Chow)

NEC (Marr)
DPC (Kagan or designee)
DOL (Uhalde, Letourneau, Kilbang)

please call Larry Matlack or Carol Kitti with any specific questions.
Please call me regarding any questions on re: the conference call.

thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kathleen M. Wallman (CN=Kathleen M. Wallman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-JUN-1997 15:38:47.00

SUBJECT: liquor advertising

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

READ:UNKNOWN

TEXT:

I am told that June 10 is the anniversary of the first liquor advertising on TV in case you may want to do anything.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kevin S. Moran (CN=Kevin S. Moran/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-JUN-1997 15:15:19.00

SUBJECT: Constituency Group Accomplishments

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

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

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

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

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

TO: Antony J. Blinken (CN=Antony J. Blinken/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

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

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

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

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

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

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

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

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

CLINTON ADMINISTRATION ACCOMPLISHMENTS ON BEHALF OF ASIAN PACIFIC AMERICANS

“ As we face the challenges of the global economy in the information age, we turn to you for hope and inspiration. You know well about overcoming barriers and embracing change. You know well about the importance of preserving the traditional values of family and hard work, and sacrifice today for a better future tomorrow. And, yet you have shown the most remarkable ability to adapt to changing circumstances of perhaps any group of your fellow Americans.”
--President Clinton, Cong. Asian American and Pacific American Institute Dinner,
May 18, 1995

CREATING ECONOMIC OPPORTUNITY AND SECURITY FOR ALL AMERICANS

- The economy created 8.4 million new jobs in the three years of this Administration.
- Unemployment has fallen to 5.5% from 7% when President Clinton first took office.
- After more than a decade of decline, over one million new manufacturing and construction jobs have been created since the President's budget plan passed.
- Passed the largest deficit-cutting plan in history--saving more than \$1 trillion over 7 yrs.
- Lowest combined rate of unemployment, inflation and mortgage rates in 27 years.
- Highest level of home ownership in 15 years.
- Made new tax cuts available to 90% of small businesses.

EXPANDING BUSINESS AND TRADE DEVELOPMENT

- Approved nearly 8,500 Small Business Administration loans totaling nearly \$2 billion to Asian American businesses.
- Funded an SBA program targeted to Asian American women that provides training and counseling to thousands in the Chinatown section of New York City.
- Secured commitments from Asian-Pacific Economic Cooperation leaders to eliminate barriers to open trade in the Asian Pacific region in 2020.
- Helped increase exports to Asia by more than 44% since taking office; our exports to Asia account for over 2 million jobs in the United States.

PROMOTING A FUTURE OF EDUCATIONAL OPPORTUNITY

- Increased Head Start Funding by \$760 million.
- Enacted the Student Loan Reform Act, August 10, 1993.
- Signed into law the National Service Act, September 21, 1993.
- Implemented **Goals 2000** -- Setting world class educational standards, March 31, 1994.

- Signed into law the **Improving America's Schools Act**, May 4, 1994.
- Signed **Telecommunications Bill**, helping connect every child in America to the Internet by 2000.
- Increased funding for Office of Bilingual Education & Minority Language Affairs.
- Restructured **Foreign Language Assistance Program** to assist local schools in establishing programs in Chinese, Japanese, and Korea.
- Hosted two **Asian Pacific American Education Forums** to address the needs of Asian American students and their teachers.

MAKING COMMUNITIES AND SCHOOLS SAFE FOR OUR FAMILIES

- Signed into law the toughest most comprehensive **Crime Bill** ever, Sept. 13, 1994.
- Signed into law the **Brady Bill**, blocking over **60,000** criminals from buying guns.
- Signed into law the **Assault Weapons Ban**, as part of the Crime Bill.
- Puts **100,000** new police on the street--over 31,000 more officers have been funded.
- Signed Presidential Directive enforcing a "**Zero Tolerance**" gun policy in schools
- Signed Police Hiring Supplement--awards \$200 million for community policing.

MAKING GOVERNMENT WORK BETTER AND COST LESS

- Appointed the most diverse Cabinet and Administration in history.
- There are currently 155 Asian Pacific Americans serving in the Clinton Admin.. -- three times as many Asian American appointees as the previous Administration.
- Nominated more Asian-Americans to the federal bench than any other Administration; President Clinton's first Asian-American nomination to a federal court was the first in almost 15 years.
- Already cut the Federal Workforce by 250,000 positions -- its lowest level in 30 years.
- \$118 billion in savings already in the bank..
- Cut the Small Business Administration loan form from 1 inch thick to 1 page.

PROMOTING HEALTH CARE FOR ALL AMERICANS

- Signed into law the Family and Medical Leave Act, February 5, 1993.
- Introduced the Health Care Security Act, November 20, 1993.
- Signed into law a comprehensive Child Immunization Plan.
- Put the Women, Infants and Children Program (WIC) on a full-funding path.
- Established the Office of Minority Health Research and Alternative Medicine at the National Institute of Health.

CREATING OPPORTUNITY IN AMERICA'S COMMUNITIES

- Created nine Economic Empowerment Zones and 95 Enterprise Communities.
- Signed the Community Development Banking Bill, September 23, 1994.
- Made the Low-Income Housing Tax Credit and Mortgage Revenue Bond Program permanent.

PRESERVING AND STRENGTHENING OUR FAMILIES

- Expanded the Earned Income Tax Credit providing tax relief for 15 million working families
- Passed the Family Support and Preservation Program.
- Increased adoption and foster care funds by nearly \$600 million from 1994-1995.
- Approved 37 waivers to states permitting comprehensive welfare reform demonstrations.
- Collected a record \$10 billion in child support through enforcement in 1994 -- an 11 percent increase over the previous year.

RESTORING TRUST IN OUR GOVERNMENT

- Signed into law the National Voter Registration Act (Motor-Voter), May 20, 1993 -- expands voting rights for all, including the poor and the young, by creating new, more accessible voter registration locations.

PROMOTING LEGAL IMMIGRATION

- Launched Citizenship USA whose goal is to ensure that by summer 1996, eligible persons who apply for citizenship will become new citizens within six months.
- Already implemented in Los Angeles, Citizenship USA will begin in San Francisco, New York, Miami, Chicago -- cities that represent more than 75% of all pending citizenship applications.

CLINTON ADMINISTRATION LEGISLATIVE ACCOMPLISHMENTS

- **Family and Medical Leave Act, February 5, 1993**
This is an historic effort that allows working Americans to take leave up to 12 weeks to care for a sick relative or a new child without the fear of losing their job. Over 42 million workers are covered by the new law and it is estimated that as many as 2.5 million workers will take advantage of it annually.
- **Student Loan Reform Act, August 10, 1993**
The new direct student loan program will enable more than 16 million borrowers to consolidate their guaranteed loans into direct loans. Borrowers will benefit from lower fees and the option of income contingent repayment -- taxpayers will save as much as \$12 billion in seven years.
- **Empowerment Zones and Enterprise Communities, August 10, 1993**
After a decade of failed attempts, President Clinton championed the passage of this legislation which uses tax incentives and flexible grants to promote economic empowerment and private-sector job creation in 104 distressed communities across America. Over 500 communities took up the "EZ" challenge, developing comprehensive strategies and forging unprecedented partnerships for community

renewal that made all applicants winners.

- **National Service Act, September 21, 1993**
In 1995, 25,000 AmeriCorps members (more than served during the largest year the Peace Corps) tutored students, immunized children, reclaimed parks and streets -- and received education awards that make college or job training affordable. AmeriCorps is scheduled to increase to 50,000 members in FY1996, a total of almost 100,000 Americans serving our country in the first three years.
- **The Brady Act, November 30, 1993**
After stalling for several years in Congress, the Brady Bill became law under the leadership of President Clinton. The Act requires a five-day waiting period during which all potential handgun purchasers are required to submit to a background check. \$100 million was appropriated for implementation in FY1995 and another \$50 million is authorized for this year. So far, the Brady Law has stopped more than 60,000 fugitives and felons from purchasing handguns.
- **Goals 2000: Educate America Act, March 31, 1994**
The Goals 2000 bill assists communities and states with funds to develop and implement their own school improvements based on local, "bottom-up" initiatives. Improvements will include ways to strengthen academic achievement, improve discipline, increase parent involvement, better utilize technology, and improve teaching. Over 47 states, Washington, D.C., Puerto Rico, and 7 territories have received federal grants.
- **School-to-Work Act, May 4, 1994**
This landmark legislation provides venture capital to spark a nationwide system moving America's young people smoothly from the classroom to a job with a future. Since 1994, many states, plus the District of Columbia and Puerto Rico, have received funds for planning their school-to-work programs, 27 states now have school-to-work state implementation grants, and 21 urban-rural-high poverty areas have received grants. In May 1995, over 11,000 students, 2,730 schools, and over 41,000 employers were involved in school-to-work after just one year.
- **The Crime Bill, September 13, 1994**
The \$30 billion Crime Bill attacks crime by adding 100,00 police officers, funding comprehensive prevention programs and building more prisons. The legislation also includes strong punishment for criminals by implementing "three-strikes-and-you're-out" for repeat violent offenders. Half the nation's law enforcement agencies -- jurisdictions of all sizes -- have received grants to hire more than 31,000 new police officers.

-Homicides fell 12% in the first half of 1995, the largest drop in 35 years. [FBI, December 17, 1995]

-The nation's largest cities saw their serious crime rate fall 6% in the first six months of 1995. [*FBI*, December 17, 1995]

--In 1995, New York saw its murder rate drop 31% in the first six months and is at its lowest level since 1970. [*Department of Justice*, September 13, 1995]

--During the first half of 1995, the overall crime rate was down by more than 16% in San Francisco, 10% in San Antonio, and 9% in Los Angeles County. [*Washington Post*, August 16, 1995]

- **Assault Weapons Ban, September 13, 1994**
President Clinton successfully challenged gun interest to ban 19 specific types of deadly assault weapons while simultaneously protecting hunters rights by exempting over 650 hunting rifles.
- **Community Development Banking and Financial Institutions Act, September 23, 1994**
This legislation creates a national network of non-traditional grassroots community lending institutions and will inject \$4.8 billion of capital into economically distressed urban and rural areas.

Welfare Reform and the Bipartisan Balanced Budget Agreement

The Administration is pleased that the bipartisan budget agreement reflects a number of the President's highest priorities on welfare. It includes the President's proposal for a \$3 billion welfare to work fund (which is a centerpiece of the President's second-term agenda), restoring benefits to legal immigrants, and creating new work opportunities for individuals subject to the food stamp work requirement.

However, we are very concerned that, as the legislation carrying out the budget agreement takes shape in committee, it must not violate the spirit or letter of that bipartisan agreement. Further, this legislation should not become a vehicle for other provisions that do not have bipartisan support. (GET OMB OK on this statement??)

The House Ways and Means Subcommittee proposal does deviate in significant ways from that bipartisan agreement, and so the Administration strongly opposes it in its current form.

Welfare to Work

- First, it is important to note that, on the critical issue of welfare to work, the Administration is pleased that the Ways and Means Subcommittee \$3 billion proposal meets many of the Administration's priorities. These include targeting funds to areas and individuals with high needs, directing funds to cities and local governments, awarding some funds competitively, and allowing communities to create successful job placement and creation programs. We are very disappointed at the proposal lacks adequate worker protections and non-displacement provisions, and urge the subcommittee to add stronger language to better protect against worker displacement.

Legal Immigrants

- The Ways and Means Subcommittee's proposed amendment to the welfare law clearly violates the negotiated, bipartisan budget agreement policy to restore a minimal safety net for disabled *legal* immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants (both the disabled and non-disabled elderly) *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy restores SSI and Medicaid benefits to *any immigrant in the country* as of that date who is or becomes disabled. The budget agreement targets assistance to the most vulnerable individuals.
- The Ways and Means Subcommittee proposal ignores vulnerable immigrants who become disabled after August 22, 1996. By the year 2000, the Subcommittee proposal would protect 75,000 fewer immigrants than the budget agreement.
- The Administration also strongly opposes the Subcommittee's initial proposal not to restore benefits for SSI beneficiaries whose sponsors have income over 150% of the poverty level. However, it appears that it has decided to drop this proposal. This proposal would cut off 100,000 severely disabled immigrants who would receive benefits under the budget agreement, and would be unfair to families of limited means.

Automated Records Management System
Hex-Dump Conversion

Minimum Wage

- The Administration strongly opposes the Ways and Means Subcommittee's provision on the minimum wage. The Subcommittee proposes that welfare recipients engaged in workfare not be considered employees for the purposes of the Fair Labor Standards Act. It would permit states to count child care, Medicaid, and housing benefits in their calculation of the minimum wage, and to meet the work requirements by counting hours engaged in job search, education, and training beyond those currently allowed by the welfare law.
- This Ways and Means Subcommittee proposal would undermine the fundamental goals of welfare reform. The Administration believes strongly that everyone who can work must work -- and that those who work should earn the minimum wage, whether they are coming off of welfare or not. The House Ways and Means Subcommittee proposal does not meet this test.
- The Administration stands ready to work with Congress and states to discuss alternative proposals that do not undermine the minimum wage or weaken the law's work requirements.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah S. Freeman (CN=Sarah S. Freeman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-JUN-1997 15:14:23.00

SUBJECT: Abortion form letter

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

READ:UNKNOWN

TEXT:

Please review that current abortion form letter and let me know if it's OK or if you want to make any changes. Thanks. Sarah

Abortion form letter

Thank you for your message regarding a woman's right to choose. I appreciate knowing your views on this extremely complex issue. It is simply wrong for politics to interfere with such a deeply personal matter. At the same time, we should do everything in our power to make abortion rare. I have always maintained that the decision to have an abortion is personal and private, and should be made solely among a woman, her doctor, her conscience, and her faith.

Since I took office, I have worked to protect the right to choose guaranteed by Roe v. Wade. My Administration reversed the "gag rule," which prevented women from discussing abortion with health professionals. Additionally, we repealed the "Mexico City" policy, which banned the distribution of family planning funding overseas. I also signed into law the Freedom of Access to Clinic Entrances Act to protect women seeking family planning advice from violence or physical intimidation.

We have also worked to help reduce the number of abortions. Since I became President, I have fought for improved and expanded family planning services and education programs. I have also worked to prevent teenage pregnancies by promoting efforts to teach young people about personal responsibility and help them make the right choices. Further, I remain committed to breaking down barriers to adoption. Since the start of my Administration, there has been a 60 percent increase in the number of children with special needs adopted with federal assistance. I've also strongly supported the Multiethnic Placement Act and the adoption tax credit.

It is by advancing these efforts that we can reduce the number of abortions, strengthen American families, and give more children loving parents and a healthy home. Though some in Congress oppose our efforts, I am continuing our work to protect women's reproductive health and their constitutional right to choose while seeking to reduce the numbers of unwanted pregnancies. I am grateful for your perspective on this issue and glad you took the time to write.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-JUN-1997 12:09:59.00

SUBJECT: Immigrant issue

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

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

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

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

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

TEXT:

We are having a mtg at 10:00 this morning re the /budget immigrant issue.
Could you send someone from you office to sit in? Sorry about the short
notice.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 16:39:28.00

SUBJECT:

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: 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

TEXT:

In yesterday's "Statements" meeting we left out two upcoming statements; the right to die and religious freedom. I talked to Bill Marshall in counsel's office and he wanted me to check with DPC if these two subjects are 1. Something that DPC covers and
2. If DPC could do the first draft of a Presidential statement in response to the Court's opinions.

Could someone let me know? Thanks -Michelle 62531

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Tracey E. Thornton (CN=Tracey E. Thornton/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-JUN-1997 18:13:10.00

SUBJECT: Adoption bill

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

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

TEXT:

----- Forwarded by Tracey E. Thornton/WHO/EOP on 06/05/97
05:57 PM -----

Alice E. Shuffield
06/05/97 05:00:08 PM
Record Type: Record

To: Tracey E. Thornton/WHO/EOP, Lisa M. Kountoupes/OMB/EOP
cc: Charles E. Kieffer/OMB/EOP
Subject: Adoption bill

The Senate cloakroom reports that they'll likely take up the abortion bill next week. If they take up the House-passed version, we will plan to send up a SAP identical to the House version (strongly support).

If they take up S. 511, the Chafee/Rockefeller version, we'll draft a new SAP. We have not taken a position on the Senate version to date. (I don't believe CBO has scored the bill, but it may cost money.)

Yesterday, the Senate had a 2nd reading of the House-passed bill, so it's likely that will be the one they take up.

Will keep you posted.
Alice

WELFARE REFORM AND THE BIPARTISAN BUDGET AGREEMENT

- The Administration strongly opposes the House Ways and Means Subcommittee proposal, which violates the bipartisan budget agreement, treats disabled legal immigrants unfairly, and prevents working welfare recipients from getting a minimum wage.
- The Administration is pleased that the Ways and Means Subcommittee \$3 billion welfare-to-work proposal meets many of the Administration's priorities. These include: targeting funds to areas and individuals with high needs, directing funds to cities and local governments, awarding some funds competitively, and allowing communities to create successful job placement and creation programs.
- But the provisions of the Subcommittee proposal addressing legal immigrants and the minimum wage are clearly unacceptable.

Legal Immigrants

- The Ways and Means Subcommittee's proposed amendment to the welfare law clearly violates the negotiated, bipartisan budget agreement policy to restore a minimal safety net for disabled legal immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy restores SSI and Medicaid benefits to *any immigrant in the country* as of that date who is or becomes disabled.
- The Ways and Means Subcommittee proposal would protect 75,000 fewer immigrants than the budget agreement by the year 2002. And in leaving unprotected any person who becomes disabled after August 22, 1996, it fails to target assistance to the most vulnerable individuals.

Minimum Wage

- The Administration also strongly opposes the Ways and Means Subcommittee's provision on the minimum wage, which undermines the fundamental goals of welfare reform.
- The Administration believes strongly that everyone who can work must work -- and that those who work should earn the minimum wage, whether they are coming off of welfare or not.
- The House Ways and Means Subcommittee proposal does not meet this test. It effectively creates a subminimum wage for workfare participants. And it weakens the welfare law's work requirements.

LEGAL IMMIGRANTS AND THE BIPARTISAN BUDGET AGREEMENT

The Ways and Means Subcommittee's proposed amendment to the welfare law clearly violates the negotiated, bipartisan budget agreement policy to restore a minimal safety net for disabled *legal* immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants (both the disabled and non-disabled elderly) *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy restores SSI and Medicaid benefits to *any* immigrant *in the country* as of that date who is or becomes disabled. The budget agreement targets assistance to the most vulnerable individuals.

- **THE WAYS AND MEANS SUBCOMMITTEE PROPOSAL IGNORES VULNERABLE IMMIGRANTS WHO BECOME DISABLED AFTER AUGUST 22, 1996:** This proposal abandons many legal immigrants who were in the U.S. when the welfare law was signed but become severely disabled after that date. In contrast, the bipartisan budget agreement protects these immigrants.
- **BY THE YEAR 2002, THE WAYS AND MEANS SUBCOMMITTEE PROPOSAL WOULD PROTECT 75,000 FEWER IMMIGRANTS THAN THE BUDGET AGREEMENT.** This number grows to 125,000 by the year 2007.

Example: A legal immigrant family entered the country 3 years ago. Both the father and mother have worked full-time since then, and have an annual income of about \$25,000, but neither job provides health insurance for themselves or the family. Their 5 year-old son becomes severely disabled in a car accident next year. Under the budget agreement, he would be eligible for SSI and Medicaid; under the Ways and Means Subcommittee's proposal he would be denied SSI -- and potentially denied Medicaid.

Question: Doesn't the Ways and Means Subcommittee proposal treat the elderly better than the Administration's proposal, while the Administration's policy favors the disabled? Isn't this really a wash?

Answer: The parties to the budget agreement already made the decision about where to target limited resources. The agreement explicitly states the policy of restoring SSI and Medicaid eligibility to immigrants who are or become disabled and who are in the U.S. as of August 22, 1996. This is one of the specific policies agreed to by the President and the Congressional leadership. Furthermore, the Leadership Council of Aging Organizations and the Consortium of Citizens with Disabilities state that they will not support "any reductions in benefits to immigrants with disabilities in order to provide them to other groups of immigrants."

The Administration believes that the budget agreement appropriately targets the most vulnerable individuals. It provides for all immigrants in the country when the welfare law was signed who have suffered -- or may suffer in the future -- a disabling accident or illness. At the same time, the agreement will result in restoring benefits to a full 80% of the caseload as of August 22, 1996 -- all of those now classified as disabled plus approximately two-thirds of the elderly caseload who can be reclassified as disabled.

WELFARE TO WORK

We are pleased that the Ways and Means subcommittee has included in its mark a \$3 billion welfare-to-work proposal that meets many of the Administration's priorities:

- It directs funds where they're needed most: to help long term recipients in cities and other communities with large numbers of poor people;
- It awards some funds on a competitive basis, assuring the best use of scarce resources;
- It provides communities with appropriate flexibility to use the funds to create successful job placement and creation programs.

We are pleased that Congressman Shaw was willing to work in a bipartisan basis to incorporate many of the Administration's priorities.

We are, however, deeply disappointed at the subcommittee draft's lack of adequate worker protections and non-displacement provisions, and urge the subcommittee to add language that will better protect against worker displacement.

The President proposed a \$3 billion welfare to work program last fall and fought to have it included in the bipartisan balanced budget agreement. A centerpiece of the President's second-term agenda, the proposal will help move one million adults from welfare to work by the year 2000.

MINIMUM WAGE AND WORKFARE

Background: The Labor Department has concluded that the Fair Labor Standards Act (FLSA) applies to welfare recipients in workfare or other subsidized employment programs in the same way as that law applies to all other employees. This means that most welfare recipients in these programs will receive at least the minimum wage.

The House Ways and Means Subcommittee on Human Resources proposes to amend the welfare law so that welfare recipients engaged in workfare would not be employees for the purposes of the Fair Labor Standards Act or any other federal law. Although requiring the minimum wage for hours worked, the proposal would permit states to count child care, Medicaid, and housing benefits in their calculation of the minimum wage. It would also allow states to count additional hours of job search, education, and training toward the welfare law's work requirements.

The Administration strongly opposes the Ways and Means Subcommittee's provision on the minimum wage and welfare work requirements.

- This Ways and Means Subcommittee proposal would undermine the fundamental goals of welfare reform. The Administration believes strongly that everyone who can work must work -- and that those who work should earn the minimum wage, whether they are coming off of welfare or not.
- The House Ways and Means Subcommittee proposal does not meet this test. It effectively creates a subminimum wage for workfare participants. And it weakens the welfare law's work requirements.
- This Subcommittee proposal also was not addressed in the budget agreement between the White House and Congress and should therefore not be included in the reconciliation bill.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 12:10:37.00

SUBJECT: Immigrant and Aging groups and our Policy vs. Shaw's

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

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

TO: Jack A. Smalligan (CN=Jack A. Smalligan/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

In case you haven't seen it --

The National Immigration Forum blast faxed today a piece criticizing Shaw and praising the budget agreement, saying in part "Proposal Candy Coats the Poison Pill of New Restrictions by Pretending to Offer Coverage to More Elderly" and "The Shaw proposal is a ruse designed

to obfuscate the fact that the most vulnerable will have no assistance in the future."

The fax also attaches a letter from the Leadership Council of Aging Organizations signed by 20 groups including the AARP which says the budget agreement represents "significant progress," urges the Committee to locate additional resources, and says "We will not, however, support any reductions in benefits to immigrants with disabilities in order to provide them to otehr groups of immigrants."

Copies are available on my conference table in OEOB 212R.

DRAFT -- DRAFT -- DRAFT -- DRAFT

Executive Order No. _____ of June __, 1997

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 301 of title 3, United States Code, and the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and in order to establish a President's Initiative on Race, it is hereby ordered as follows:

Section 1: Establishment. (a) There is established the President's Initiative on Race. The Initiative shall be composed of:

(1) An Executive Director of the President's Initiative on Race to be appointed by the President ("Executive Director");

(2) A President's Advisory Board on Race. The Advisory Board shall comprise [7] members to be appointed by the President. Members shall be chosen from the private sector and shall each have substantial experience and expertise in the areas to be considered by the Advisory Board. Members shall be representative of the diverse perspectives in the areas to be considered by the Advisory Board. The President shall designate a Chairperson from among the members of the Advisory Board.

Sec. 2. Functions (a) The members of the Initiative shall work on various issues involving race and racial reconciliation, including:

(1) Promoting a constructive national dialogue to confront and work through controversial issues that surround race;

(2) Bridging racial divides by recruiting leaders in communities throughout the nation who will develop and implement innovative approaches to calming racial tensions;

(3) Finding, developing and implementing solutions in areas in which the issue of race has a substantial impact, such as education, economic opportunity, housing, health care, crime and the administration of justice;

(4) Increasing the nation's understanding of the myriad perceptions of race which exist, the recent history of race relations and the future of race relations in our nation.

(5) Preparing a report to the American People on issues of race.

(b) The Executive Director shall carry out these functions and provide assistance to the Advisory Board in carrying out these functions.

Sec. 3. Administration. (a) To the extent permitted by law and subject to the availability of appropriations, the Department of Justice shall provide the financial and administrative support for the Initiative.

(b) The heads of executive agencies shall, to the extent permitted by law, provide to the Initiative such information as it may require for the purpose of carrying out its functions.

[c] Upon request of the Executive Director, the head of any executive department, agency or instrumentality shall, to the extent permitted by law, detail any of the personnel of such department, agency, or instrumentality to the Initiative to assist the Initiative in carrying out its duties.

(d) The Executive Director or the Chair of the Advisory Board may, from time to time, invite experts to submit information to the Initiative. The Advisory Board may form subcommittees or working groups within the Committee to review specific issues.

(e) Members of the Advisory Board shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

Sec. 4. General. (a) Notwithstanding any other Executive Order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, that are applicable to the Advisory Board shall be performed by the Executive Director in accordance with guidelines that have been issued by the Administrator of General Services.

(b) The Initiative shall terminate on [September 30, 1998] unless extended by the President prior to such date.

WILLIAM J. CLINTON

THE WHITE HOUSE
[date]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 20:42:56.00

SUBJECT: Executive Order

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

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

TEXT:

I am e-mailing two different drafts of this Executive Order. I've been struggling over whether or not we need to create just the Advisory Board by e.o. or the whole initiative, along with the Executive Director position. So, this first draft comprises the entire initiative with the two parts being the Advisory Board and Executive Director. The second draft I'll e-mail establishes just the Advisory Board, but sticks in the Executive Director who, as a federal officer, will need to call the meetings. (Unless we want the President to call the meetings, in which case we can add a para. stating this.)

I need your advise as to which you think is the best way to go as well as comments on the e.o. itself. Thanks.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D3]MAIL467097558.116 to ASCII,
The following is a HEX DUMP:

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DRAFT -- DRAFT -- DRAFT -- DRAFT

Executive Order No. _____ of June __, 1997

By the authority vested in me as President by the Constitution and laws of the United States of America, including section 301 of title 3, United States Code, and the Federal Advisory Committee Act, as amended (5 U.S.C. App.), and in order to establish a President's Initiative on Race, it is hereby ordered as follows:

Section 1: Establishment. (a) There is established the President's Initiative on Race. The Initiative shall be composed of:

(1) An Executive Director of the President's Initiative on Race to be appointed by the President ("Executive Director");

(2) A President's Advisory Board on Race. The Advisory Board shall comprise [7] members to be appointed by the President. Members shall be chosen from the private sector and shall each have substantial experience and expertise in the areas to be considered by the Advisory Board. Members shall be representative of the diverse perspectives in the areas to be considered by the Advisory Board. The President shall designate a Chairperson from among the members of the Advisory Board.

Sec. 2. Functions (a) The members of the Initiative shall work on various issues involving race and racial reconciliation, including:

(1) Promoting a constructive national dialogue to confront and work through controversial issues that surround race;

(2) Bridging racial divides by recruiting leaders in communities throughout the nation who will develop and implement innovative approaches to calming racial tensions;

(3) Finding, developing and implementing solutions in areas in which the issue of race has a substantial impact, such as education, economic opportunity, housing, health care, crime and the administration of justice;

(4) Increasing the nation's understanding of the myriad perceptions of race which exist, the recent history of race relations and the future of race relations in our nation.

(5) Preparing a report to the American People on issues of race.

(b) The Executive Director shall carry out these functions and provide assistance to the Advisory Board in carrying out these functions.

Sec. 3. Administration. (a) To the extent permitted by law and subject to the availability of appropriations, the Department of Justice shall provide the financial and administrative support for the Initiative.

(b) The heads of executive agencies shall, to the extent permitted by law, provide to the Initiative such information as it may require for the purpose of carrying out its functions.

[c] Upon request of the Executive Director, the head of any executive department, agency or instrumentality shall, to the extent permitted by law, detail any of the personnel of such department, agency, or instrumentality to the Initiative to assist the Initiative in carrying out its duties.

(d) The Executive Director or the Chair of the Advisory Board may, from time to time, invite experts to submit information to the Initiative. The Advisory Board may form subcommittees or working groups within the Committee to review specific issues.

(e) Members of the Advisory Board shall serve without compensation but shall be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law for persons serving intermittently in the Government service (5 U.S.C. 5701-5707).

Sec. 4. General. (a) Notwithstanding any other Executive Order, the functions of the President under the Federal Advisory Committee Act, as amended, except that of reporting to the Congress, that are applicable to the Advisory Board shall be performed by the Executive Director in accordance with guidelines that have been issued by the Administrator of General Services.

(b) The Initiative shall terminate on [September 30, 1998] unless extended by the President prior to such date.

WILLIAM J. CLINTON

THE WHITE HOUSE
[date]

LEGAL IMMIGRANTS AND THE BIPARTISAN BUDGET AGREEMENT

The Ways and Means Subcommittee's proposed amendment to the welfare law clearly violates the negotiated, bipartisan budget agreement policy to restore a minimal safety net for disabled *legal* immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants (both the disabled and non-disabled elderly) *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy restores SSI and Medicaid benefits to *any* immigrant *in the country* as of that date who is or becomes disabled. The budget agreement targets assistance to the most vulnerable individuals.

- **THE WAYS AND MEANS SUBCOMMITTEE PROPOSAL IGNORES VULNERABLE IMMIGRANTS WHO BECOME DISABLED AFTER AUGUST 22, 1996:** This proposal abandons many legal immigrants who were in the U.S. when the welfare law was signed but become severely disabled after that date. In contrast, the bipartisan budget agreement protects these immigrants.
- **BY THE YEAR 2000, THE WAYS AND MEANS SUBCOMMITTEE PROPOSAL WOULD PROTECT 75,000 FEWER IMMIGRANTS THAN THE BUDGET AGREEMENT.** This number grows to 125,000 by the year 2007.

Example: A legal immigrant family entered the country 3 years ago. Both the father and mother have worked full-time since then, and have an annual income of about \$25,000, but neither job provides health insurance for themselves or the family. Their 5 year-old son becomes severely disabled in a car accident next year. Under the budget agreement, he would be eligible for SSI and Medicaid; under the Ways and Means Subcommittee's proposal he would be denied SSI -- and potentially denied Medicaid. (*This example assumes the parents would rapidly "spend-down" due to hospital bills and become income-eligible for SSI and Medicaid.*)

The Administration also strongly opposes the Subcommittee's initial proposal not to restore benefits for SSI beneficiaries whose sponsors have income over 150% of the poverty level. However, it appears that it has decided to drop this proposal. This proposal, which was not contemplated by the bipartisan budget agreement, would cut off 100,000 severely disabled immigrants who would receive benefits under the budget agreement, and would be unfair to families of limited means.

Question: Doesn't the Ways and Means Subcommittee proposal treat the elderly better than the Administration's proposal, while the Administration's policy favors the disabled? Isn't this really a wash?

Answer: The parties to the budget agreement already made the decision about where limited resources should be targeted. The agreement explicitly states the policy of restoring SSI and Medicaid eligibility to immigrants who are or become disabled and who are in the U.S. as of August 22, 1996. This is one of the specific policies agreed to between the President and the Congressional

Automated Records Management System
Hex-Dump Conversion

leadership.

The Administration believes that the budget agreement appropriately targets the most vulnerable individuals. It provides for all immigrants in the country when the welfare law was signed who have suffered -- or may suffer in the future -- a disabling accident or illness. At the same time, the agreement will result in restoring benefits to a full 80% of the caseload as of August 22, 1996 -- including all of the disabled as well as the two-thirds of the elderly caseload who would meet the disability eligibility requirements needed to retain coverage.

Welfare to Work

We are pleased that the Ways and Means subcommittee has included in its mark a \$3 billion welfare to work proposal that meets many of the Administration's priorities:

- It provides additional funds for jobs where they're needed most: to help long term recipients in high unemployment/high poverty areas;
- It directs funds to cities and local governments (Elena please note: Bruce made the Shaw letter "local communities" instead of "cities and local governments", but Cynthia thinks it's good to keep the word "cities" in talking points) with large numbers of poor people;
- It awards some funds on a competitive basis, assuring the best use for scarce resources;
- It provides communities with appropriate flexibility to use the funds to create successful job placement and creation programs.

We are pleased that Congressman Shaw was willing to work in a bipartisan basis to incorporate many of the Administration's priorities. We continue to urge the Committee to provide additional incentives for success through performance bonuses. We are deeply disappointed at the subcommittee draft's lack of adequate worker protections and non-displacement provisions, and urge the subcommittee to add stronger language to better protect against worker displacement.

The President proposed a \$3 billion welfare to work program last fall and fought to have it included in the bipartisan balanced budget agreement. A centerpiece of the President's second-term agenda, the proposal will help move one million adults from welfare to work by the year 2000.

Minimum Wage and Workfare

The Labor Department has concluded that the Fair Labor Standards Act (FLSA) applies to welfare recipients in workfare or other subsidized employment programs in the same way as that law applies to all other employees. This means that many, if not most, welfare recipients in these programs will receive at least the minimum wage for their work activities.

- States are able to meet the work requirements of the welfare law not only by putting recipients in workfare, but also by placing people in private sector jobs (where the minimum wage already applies).
- With both cash assistance and food stamps counting toward the minimum wage, very few states will have to increase their assistance payments. In fact every state but one (Mississippi) can comply with the welfare law's current work requirements (now 20 hours per week for a welfare recipient) and pay minimum wage without increasing their current benefit level for a family of three.
- The Treasury Department is still exploring how the tax laws apply to welfare recipients in workfare programs. We hope to be able to give states an answer to that question very shortly.

The Administration strongly opposes the Ways and Means Subcommittee's provision on the minimum wage and welfare work requirements.

- The House Ways and Means Subcommittee on Human Resources proposes to amend the welfare law so that welfare recipients engaged in workfare would not be employees for the purposes of the Fair Labor Standards Act. It would permit states to count child care, Medicaid, and housing benefits in their calculation of the minimum wage, and to meet the work requirements by counting hours engaged in job search, education, and training beyond those currently allowed by the welfare law.
- This Ways and Means Subcommittee proposal would undermine the fundamental goals of welfare reform. The Administration believes strongly that everyone who can work must work -- and that those who work should earn the minimum wage, whether they are coming off of welfare or not. The House Ways and Means Subcommittee proposal does not meet this test.
- This Subcommittee proposal is also beyond the scope of the budget agreement between the White House and Congress and should therefore not be included in the reconciliation bill.
- The Administration stands ready to work with Congress and states to discuss alternative proposals that do not undermine the minimum wage or weaken the law's work requirements.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 18:59:32.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

I will get you his draft. Thanks for getting back to me

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jill M. Pizzuto (CN=Jill M. Pizzuto/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 5-JUN-1997 12:10:16.00

SUBJECT: Unemployment Insurance Conference Call

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena:

we wanted to invite DPC, but were not sure who the appropriate person may be. We've invited you and/or a designee. If there are any questions, call Larry at 5-7755.

thanks.

----- Forwarded by Jill M. Pizzuto/OMB/EOP on 06/05/97
10:26 AM -----

Jill M. Pizzuto

06/05/97 10:25:37 AM

Record Type: Record

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

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

Subject: Unemployment Insurance Conference Call

There will be a conference call on Unemployment Insurance Friday afternoon @ 1:00pm. The conference call numbers are: 6-6755 or 6-6766, code: 6826.

Participants/Invites:

OMB-HR (Apfel, White, Matlack, Kitty)

OMB-LA (Kountoupes)

OMB-BRD (Rusty Moran)

WH Leg Affairs (Chow)

NEC (Marr)

DPC (Kagan or designee)

DOL (Uhalde, Letourneau, Kilbang)

please call Larry Matlack or Carol Kitty with any specific questions. Please call me regarding any questions on re: the conference call.

thanks.

Message Sent

To:

Larry R. Matlack/OMB/EOP

Barry White/OMB/EOP
Carole Kittti/OMB/EOP
Lisa M. Kountoupes/OMB/EOP
Joshua Gotbaum/OMB/EOP
Barbara Chow/WHO/EOP
Charles R. Marr/OPD/EOP
Harry E. Moran/OMB/EOP
Elena Kagan/OPD/EOP

Message Copied

To:

Joseph M. Wire/OMB/EOP
Lois E. Altoft/OMB/EOP
Jill M. Blickstein/OMB/EOP
Laura Emmett/WHO/EOP
Iratha H. Waters/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 12:10:37.00

SUBJECT: Weekly Health Care Strategy Mtg

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

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

TO: Nancy A. Min (CN=Nancy A. Min/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Lisa J. Levin (CN=Lisa J. Levin/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

READ:UNKNOWN

CC: Suzanne Dale (CN=Suzanne Dale/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Reminder -- there will be a weekly Health Care Strategy Meeting TODAY at 4:00 p.m. in Bruce Reed's office, 2 FL/WW.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 16:56:09.00

SUBJECT: hate crimes meeting

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

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

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

TEXT:

Update: the Saturday radio address on hate crimes has already been taped. Public liaison will play the taped remarks on a conference call to interested groups tomorrow afternoon. Other groups will be given a heads up on the radio address.

The general outreach plan for the November WH conference on hate crimes was briefly discussed. This discussion primarily involved identifying the key advocate groups and electeds, and assigning outreach tasks to public liaison.

I will red dot the paper that was distributed in the meeting to you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-JUN-1997 08:53:07.00

SUBJECT:

TO: LAURA (Pager) #EMMETT (LAURA (Pager) #EMMETT [UNKNOWN])
READ:UNKNOWN

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

TEXT:

Please call Rich Tarplin at 690-7627 asap

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 13:29:56.00

SUBJECT:

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

TO: DIANA (Pager) #FORTUNA (DIANA (Pager) #FORTUNA [UNKNOWN])
READ:UNKNOWN

TEXT:

FYI- Tarplin is going to call in for the 2:00 FLSA mtg

Automated Records Management System
Hex-Dump Conversion

SCHEDULING REQUEST

May 16, 1997

___ ACCEPT

___ REGRET

___ PENDING

TO: Stephanie Street, Director of Scheduling and Advance

FROM: Bruce Reed, Assistant to the President for Domestic Policy

REQUEST: Presidential Event Releasing the Fourth Grade Results from the Third International Mathematics and Science Study (TIMSS).

PURPOSE: To highlight the importance of benchmarking student achievement in mathematics and science education, and to set the stage for the Administration's "action strategy" for science and mathematics education reform.

BACKGROUND: The National Center for Education Statistics (NCES) will be releasing the U.S. grade 4 findings from the TIMSS. Twenty-six countries participated in the grade 4 assessment, compared with 41 in grade 8. Of the G-7 nations, the U.S., Canada, England and Japan participated (France, Germany, and Italy did not).

The grade 4 results paint a very different picture of early U.S. mathematics and science performance than appeared in grade 8;

- U.S. grade 4 mathematics performance is above the international average. We perform significantly better than 12 of the 26 countries, including England, and comparably with Slovenia, Ireland, Hungary, Australia, Canada, and Israel. We trail Japan as well as six other countries (Korea, Singapore, Hong Kong, Netherlands, Czech Republic, and Austria).
- U.S. grade 4 science performance is among the top nations of the world. We trail only Korea, are comparable with Japan, Austria, Australia, the Netherlands, and the Czech Republic, and score better than England, Canada, Singapore, and 16 other nations.

These patterns are consistent with earlier international studies (we do better in the early grades, and in science, as opposed to math), but the magnitude of the difference here is considerably greater.

Three major points are apparent from the grade 4 data:

- The U.S. gets off to an internationally competitive start with respect to math and (especially) science performance;
- As was true in grade 8, we do considerably better in science

than math;

- Relative to other countries, there's a major U.S. performance slide in both science and math between grades 4 and 8.

PREVIOUS

PARTICIPATION: The President spoke earlier this year at the release of international achievement data from TIMSS when the "First in the World" consortium report for school districts outside Chicago was released in late January. He later recognized TIMSS and the performance of these districts in his State of the Union message.

DATE & TIME: Tuesday, June 10 at 11am. As with the grade 8 TIMSS findings from last Fall, the U.S. release will follow by an hour the international grade 4 results being released by the IEA at Boston College in Boston. International agreements prevent the findings from being released before the international data (set for 10am on the 10th).

LOCATION: Currently scheduled for The National Press Club but could be moved to the White House.

PARTICIPANTS: About 300 education, business, civic, and government officials.

OUTLINE

OF EVENTS: The Commissioner of Education Statistics would formally release the data. The President would then make remarks.

REMARKS

REQUIRED: Yes

MEDIA

COVERAGE: Yes

RECOMMENDED

BY: Secretary Riley

CONTACT: Christa Robinson x6-5165
Mike Cohen x6-5575

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 15:35:32.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Podesta's FLSA is starting. Come to John's office, He wants to talk to you asap

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 08:49:54.00

SUBJECT: VH-1: NOT MTV

TO: Russell W. Horwitz (CN=Russell W. Horwitz/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

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

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

TEXT:
----- Forwarded by Michelle Crisci/WHO/EOP on 06/06/97
08:44 AM -----

Barry J. Toiv
06/06/97 08:38:46 AM

Record Type: Record

To: Rahm I. Emanuel/WHO/EOP
cc: Michelle Crisci/WHO/EOP
Subject: VH-1: NOT MTV

Note the second paragraph. This one is always fun to kick them on (tho looks like Dems are vulnerable).
----- Forwarded by Barry J. Toiv/WHO/EOP on 06/06/97
08:34 AM -----

TOIV_B @ A1
06/05/97 09:37:00 PM

Record Type: Record

To: Barry J. Toiv
cc:
Subject: VH-1: NOT MTV

VH-1: NOT MTV
Speaker Newt Gingrich spoke out on Pres. Clinton's

participation in VH-1's music special, "Bill Clinton: Rock & Roll President" (see HOTLINE, 6/4). Gingrich: "It was very disheartening to see the president have an entire hour with young people, on a channel dedicated to young people, and not mention a single word about opposing drug use, about avoiding drug use, about the dangers of drug use. ... Somebody really let the ball drop in a big way." WH Press Sec. Mike McCurry at a press briefing: "VH-1 tends to skew their audience share more to the age of people in this room. But maybe the Speaker, if he didn't know that, maybe someone on his staff will educate him further" ("IP," CNN, 6/4).

MEANWHILE IN CONGRESS: Five months after the House agreed to begin drug testing lawmakers and their staffs, "no testing has been done and new legislation may be needed to get it under way." Testing has been stalled because of "questions of its legality and the opposition of many" Dems -- including Min. Leader Dick Gephardt. Supporters "say drug testing would subject House members and staff to the same workplace rules faced by many Americans in the private sector." Nearly 400,000 fed. employees, including cabinet secretaries, "are already subject to random drug tests." Opponents, like some Capitol Hill staff, have "openly vowed to challenge" its constitutionality (O'Connell, SCRIPPS HOWARD/FAIRFAX JOURNAL, 6/5).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 10:50:28.00

SUBJECT: Re: Executive Order

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

READ:UNKNOWN

TEXT:

Thanks for the comments. I agree. Do you think we need the line in the advisory board e.o. on the Executive Director?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 15:17:15.00

SUBJECT:

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

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

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

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

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

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

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

TO: Debbie B Bengtson (CN=Debbie B Bengtson/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

The strategy meeting will be at 11:00 on Saturday in the Roosevelt room.
(If you unable to attend, but would like to join by phone please call me
at 62531.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 11:10:13.00

SUBJECT:

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

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

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

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

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

TEXT:

Because the sexual predators opinion coming down does not have anything to do with community notification- per Jose's and DOJ's suggestions -Rahm believes that we should NOT do a statement. If someone believes otherwise, please let me know.

Thanks

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cynthia Rice to Emily Bromberg et al. Re: weekend whereabouts (1 page)	06/06/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[06/05/1997-06/06/1997]

2009-1006-F
vz101

RESTRICTION CODES

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

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

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

C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Automated Records Management System
Hex-Dump Conversion

Weekly Report
June 6, 1997
Diana Fortuna

Study Overstates Difficulty of Meeting Welfare Law's Work Requirements -- Last week's Wall St. Journal reported on a new study's findings that, as early as 1998, most state economies will not generate enough low-skilled private sector jobs to absorb welfare recipients required to work by the welfare law. According to the study by Regional Financial Associates, nationwide only 54% of those who must work can be absorbed in that year. Only 13 states are able to provide all the jobs needed, led by Nevada, Utah, and Idaho; while 21 states can't provide even half of the jobs needed -- with New York able to provide only 13% of the jobs needed. The study argues that public workfare will have to fill this considerable gap.

However, the study paints a false picture for 1998 by failing to account for several critical factors, the most important of which is the dramatic caseload reductions that have already occurred and that states are permitted to count toward the work requirements. The caseload drop of roughly 18% since 1995 counts toward 1998's 30% work participation rates. In addition, the study ignores the fact that approximately one-quarter of the caseload is exempt from the work requirements for various reasons.

Correcting roughly for these factors, in the aggregate the economy can easily meet the 1998 work requirements. This does mask differences among states -- some states with below average growth rates and/or caseload reductions may not be able to generate enough private sector jobs even in 1998. The harder prediction is for the year 2000 because of the difficulty of predicting the economy's performance by then. The study did not address this question.

Elena: This summary may raise more questions than it answers. Although the study is dumb and flawed, we haven't corrected it state by state, but just painted a rough aggregate picture, and haven't updated it for 2000. We could do more over the next few weeks, but I wasn't sure if you wanted this item in in the interim, just to correct any misimpression that he may have.

FYI, Phil Levine of CEA confirms our criticisms.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 10:04:19.00

SUBJECT: women's meeting

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

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

TEXT:

FYI, results of this morning's women's meeting this morning: the group decided that sometime in the next two weeks we would bring in a small group of pollsters and experts to hear the results of Celinda Lake's new research and to discuss strategy for broadening the reproductive rights agenda. Ellen Lovell is going to take the lead on setting up this meeting and urged the group to think about who should be invited to this meeting and get back to her quickly with recommendations (she is thinking about roughly five outside people, including Planned Parenthood, Guttmacher, for example). Ellen also strongly cautioned against talking about this meeting with folks from the outside. This small meeting would precede a larger strategy meeting with advocates and experts.

Ann Lewis emphasized the need to follow a three-pronged agenda with the women's/reproductive rights groups -- upholding the veto, expanding the reproductive rights agenda and supporting women's health generally.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Diana Fortuna to Cynthia Rice et al. Re: Whereabouts this weekend. (1 page)	06/06/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[06/05/1997-06/06/1997]

2009-1006-F
vz101

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]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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

RR. Document will be reviewed upon request.

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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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: Dawn M. Chirwa (CN=Dawn M. Chirwa/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 6-JUN-1997 10:58:15.00

SUBJECT: Re: Executive Order

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

READ:UNKNOWN

TEXT:

Well, that's an interesting question. I'd rather they did not have a formal role. But, one of the ED's major responsibilities is to assist the Advisory Board with administrative matters and brief them on an ongoing basis of the results of the staff's work. I think I'm going to discuss with Cheryl whether she thinks the ED needs to have a formal role set up with the AB in order to carry out these functions.

Automated Records Management System
Hex-Dump Conversion

June 6, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

1. Ways and Means Subcommittee Markup: On Thursday, the Ways and Means Subcommittee on Human Resources reported out welfare legislation with many provisions inconsistent with the budget agreement and to which we have strongly objected. The Subcommittee bill does include a \$3 billion welfare-to-work proposal, which we have praised for meeting many of our priorities.

The Subcommittee's immigration provisions are clearly contrary to the negotiated, bipartisan budget agreement policy to restore a minimum safety net for disabled legal immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy would restore SSI and Medicaid benefits to *any* immigrant *in the country* as of that date who is or becomes disabled. The Ways and Means Subcommittee proposal would protect 75,000 fewer immigrants than the budget agreement by the year 2002. The disability and aging groups support our position, not Ways and Means'. The Leadership Council of Aging Organizations and the Consortium of Citizens with Disabilities sent a letter saying that while they would still like to cover even more legal immigrants than the budget agreement, they will not support "any reductions in benefits to immigrants with disabilities in order to provide them to other groups of immigrants." The states (NGA, APWA, and NCSL) sent a generic statement saying they strongly believe that the termination of benefits to legal immigrants who were in the U.S. before enactment of the welfare law should be rectified -- essentially taking no position on the differences between the budget agreement and the Ways and Means proposal.

The Subcommittee narrowed even further the provisions of the budget agreement by adding at markup a provision which would deny SSI benefits to any legal immigrant whose sponsor has income higher than \$40,000. Because in the past sponsors did not sign legally binding affidavits of support (last year's immigration law changed that) we have opposed proposals like these because they would leave many legal immigrants without assistance if their sponsor refused them help.

We also strongly opposed the Subcommittee's proposal which would amend the welfare law so that welfare recipients engaged in workfare would not be employees for the purposes of the Fair Labor Standards Act or any other federal law. Although requiring the minimum wage for hours worked, the proposal would permit states to count child care, Medicaid, and housing benefits in their calculation of the minimum wage. It would also allow states to count additional hours of job search, education, and training toward the welfare law's work requirements. We argued that this provision is clearly outside the scope of the budget agreement, and that it creates a subminimum wage for workfare participants and weakens the welfare law's work requirements.

We are pleased with the Subcommittee's \$3 billion welfare-to-work proposal. As a result of our extensive discussions with the Subcommittee, their new legislation directs a substantial portion of the money to the 100 cities with the most poor people. Most of the money given to the states will automatically be passed through to areas of high poverty and high unemployment and long-term welfare dependency (primarily cities), and spending will be controlled by PICs appointed by mayors. Needless to say, the states strongly oppose directing funds to local agencies. They strongly believe the funds should be provided directly to the states, which should have the flexibility to determine how and where to use them. On our two other priorities, performance and displacement, the Ways and Means Subcommittee is still open to some form of performance bonus, but adamantly opposes nondisplacement language.

2. Study Overstates Difficulty of Meeting Welfare Law's Work Requirements: Last week's Wall St. Journal reported on a new study's findings that, as early as 1998, most state economies will not generate enough low-skilled private sector jobs to absorb welfare recipients required to work by the welfare law. According to the study by Regional Financial Associates, nationwide only 54% of those who must work can be absorbed in that year. Only 13 states are able to provide all the jobs needed, led by Nevada, Utah, and Idaho; while 21 states can't provide even half of the jobs needed -- with New York able to provide only 13% of the jobs needed. The study argues that public workfare will have to fill this considerable gap.

However, the study paints a false picture for 1998 by failing to account for several critical factors, the most important of which is the dramatic caseload reductions that have already occurred and that states are permitted to count toward the work requirements. The caseload drop of roughly 18% since 1995 counts toward 1998's 30% work participation rates. In addition, the study ignores the fact that approximately one-quarter of the caseload is exempt from the work requirements for various reasons.

Correcting roughly for these factors, in the aggregate the economy can easily meet the 1998 work requirements. This does mask differences among states -- some states with below average growth rates and/or caseload reductions may not be able to generate enough private sector jobs even in 1998. The harder prediction is for the year 2000 because of the difficulty of predicting the economy's performance by then. The study did not address this question.

Elena: This summary may raise more questions than it answers. Although the study is dumb and flawed, we haven't corrected it state by state, but just painted a rough aggregate picture, and haven't updated it for 2000. We could do more over the next few weeks, but I wasn't sure if you wanted this item in the interim, just to correct any misimpression that he may have.

FYI, Phil Levine of CEA confirms our criticisms.

3. Pediatric Drug Labeling: We are working with the Food and Drug Administration on a regulation that would require pharmaceutical companies to do pediatric studies on certain new drugs and, in compelling circumstances, drugs that are already on the market. The majority of drugs have not been tested for use by children. As a result, children are given the wrong doses of drugs or are not given drugs at all because physicians are reluctant to risk giving them inappropriate and possibly dangerous amounts. For example, fewer than 10% of children with AIDS are receiving protease inhibitors, the newest and most promising AIDS drugs, because these drugs have not been tested for use by children.

The pediatric labeling regulation will be sent to OMB early next week. OMB will begin its review process, but no action will be taken until after the markup of the FDA reform bill in the Senate Labor and Human Resources Committee (which is expected to take place next week). This regulation has strong support from children's health advocates, particularly the pediatric AIDS community.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 13:15:29.00

SUBJECT: Cabinet Memo 6-6-97

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

FYI: The Church Arson Event that was scheduled for Tuesday, is now cancelled.

Following are the Cabinet events scheduled for today through the weekend:

AGRICULTURE

Today - No Public Events

COMMERCE

Today - the Secretary will do a Press Conference with Secretary Babbitt on Endangered Species

ENERGY

Today - the Secretary interviews with Matt Wall, NYTimes about Solar Power
Tomorrow - the Secretary participates in the Race for the Cure

EPA

Today - No Public Events

Sunday - the Administrator participates in a Wade-In in the Chesapeake Bay

FEMA

Today - the Director speaks to Governor's Hurricane Conference in Tampa

HHS

Today - the Secretary participates in a Smoke-Free kids soccer event on the mall, Attends reception for Prince Phillip at British Embassy

HUD

Today - the Secretary is in Kansas City
Next Week will be Home Ownership Week

INTERIOR

Today - the Secretary will do a Press Conference with Secretary Daley on Endangered Species.

JUSTICE

Today - No Public Events
Sunday - AG does Church Arson Briefing

LABOR

Today - the Secretary interviews with CNN, Fox, CNBC, and Reuters TV
Monday - the Today Show piece in Summer Jobs will air

OMB

Today - No Public Events

OPM

Today - No Public Events

TRANSPORTATION

Today - No Public Events
Monday - the Secretary is in Orlando doing Safety Events

USIA

Today - No Public Events

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Cynthia Rice to Virginia Rustique et al. Re: Revised weekend whereabouts. (1 page)	06/06/1997	Personal Misfile

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[06/05/1997-06/06/1997]

2009-1006-F
vz101

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: Serena C. Torrey (CN=Serena C. Torrey/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 6-JUN-1997 15:59:16.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Please call Rahm 6-2531

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 18:37:56.00

SUBJECT: June/July events

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

My enthusiasm for and involvement in Saturday's meeting will be limited. So here is a summary of my thoughts on what we face over the next several weeks:

EDUCATION: POTUS eager for higher profile

6/10 -- Education Standards event -- releasing test scores on 4th/8th grade math and science, compared with other countries. This is real news, makes good case that we are 1) making progress and 2) need an 8th grade math test (because kids do well in 4th and poorly in 8th). We don't get many opportunities to make real news on standards, so we shouldn't blow it off for something else.

6/25 -- Family Conference -- announce business support and \$\$ for school reform efforts in areas that commit to our tests. (VP is working out details)

6/30 -- Boston reading event -- a chance to talk about the budget, ask Weld if he wants any other jobs in the Admin

7/2 -- Major league baseball PSAs on standards (Camden Yards with Cal Ripken) -- we are crazy not to do this. It's the best, easiest mainstream plug for standards and values we'll ever come across.

Sometime in July before 7/25 NGA mtg -- a multi-state or multi-city sign up for the testing initiative. An NGA endorsement is unlikely, but not out of the question.

WELFARE

An immigrant event (mayors and groups) would help rally support against GOP plans to gut budget agmt. We should do this by mid-July at the latest, before reconciliation gets to conference.

A speech to state legislature on welfare, challenging them to put people to work not just cut them off. Almost any state will do. Calif and NY might attract the most interest and have the biggest caseloads (and most explosive internal politics). We have other small-bore policy news to make as well (caseload drop will hit 3 million sometime in next 2 months; we have a child care quality regulation almost ready to go).

We just received an invitation to address a group of 10,000 small businesses on welfare reform in North Carolina July 24-26.

Child support felony legislation: It's not too late to use this for the Father's Day radio address.

HEALTH CARE

Children's health study (ready)

Genetic screening legislation (good women's health event)

Pediatric drug regulation (someday)

TOBACCO

EO on smoking in federal workplace (still haven't seen formal proposal from DOJ)

Settlement talks will rise or fall in next 2-3 weeks. We should immediately direct public health advisers to review. This will be a tight squeeze -- we'll probably get a good deal the President will want to support, and the public health validators will be split over whether it's worth it. We should fight to own at least one piece of it -- the big \$ for children's health (similar to Hatch-Kennedy).

CRIME

Cops in public housing (San Francisco)

Brady decision (pre-July 4th)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-JUN-1997 10:49:49.00

SUBJECT: child care focus groups

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

READ:UNKNOWN

TEXT:

I had the same reaction as you to the lists that Joan prepared -- that they're too big to be useful to the outside groups or to us. Joan thinks that more than a few from each list won't be able to participate, but she agrees that creating another meeting and thereby making each meeting smaller is optimal. She is re-faxing a list that does just that, making each group, I believe, a total of 15 invited (which is still big, but better than it was). Joan stresses the importance of giving everyone on her lists at least the option of joining a meeting. We should have the reformulated lists today.

Weekly Item on Ways and Means Subcommittee Markup
Cynthia Rice 6/6/97

On Thursday, the Ways and Means Subcommittee on Human Resources reported out welfare legislation with many provisions inconsistent with the budget agreement and to which we have strongly objected. The Subcommittee bill does include a \$3 billion welfare-to-work proposal, which we have praised for meeting many of our priorities.

The Subcommittee's immigration provisions are clearly contrary to the negotiated, bipartisan budget agreement policy to restore a minimum safety net for disabled legal immigrants. The Subcommittee's proposal would restore SSI and Medicaid benefits only to immigrants *already receiving* benefits prior to August 23, 1996; by contrast, the bipartisan budget agreement policy would restore SSI and Medicaid benefits to *any* immigrant *in the country* as of that date who is or becomes disabled. The Ways and Means Subcommittee proposal would protect 75,000 fewer immigrants than the budget agreement by the year 2002. The disability and aging groups support our position, not Ways and Means'. The Leadership Council of Aging Organizations and the Consortium of Citizens with Disabilities sent a letter saying that while they would still like to cover even more legal immigrants than the budget agreement, they will not support "any reductions in benefits to immigrants with disabilities in order to provide them to other groups of immigrants." The states (NGA, APWA, and NCSL) sent a generic statement saying they strongly believe that the termination of benefits to legal immigrants who were in the U.S. before enactment of the welfare law should be rectified -- essentially taking no position on the differences between the budget agreement and the Ways and Means proposal.

The Subcommittee narrowed even further the provisions of the budget agreement by adding at markup a provision which would deny SSI benefits to any legal immigrant whose sponsor has income higher than \$40,000. Because in the past sponsors did not sign legally binding affidavits of support (last year's immigration law changed that) we have opposed proposals like these because they would leave many legal immigrants without assistance if their sponsor refused them help.

We also strongly opposed the Subcommittee's proposal which would amend the welfare law so that welfare recipients engaged in workfare would not be employees for the purposes of the Fair Labor Standards Act or any other federal law. Although requiring the minimum wage for hours worked, the proposal would permit states to count child care, Medicaid, and housing benefits in their calculation of the minimum wage. It would also allow states to count additional hours of job search, education, and training toward the welfare law's work requirements. We argued that this provision is clearly outside the scope of the budget agreement, and that it creates a subminimum wage for workfare participants and weakens the welfare law's work requirements.

We are pleased with the Subcommittee's \$3 billion welfare-to-work proposal. As a result of our extensive discussions with the Subcommittee, their new legislation directs a substantial portion of the money to the 100 cities with the most poor people. Most of the money given to the states will automatically be passed through to areas of high poverty and high unemployment and long-term welfare dependency (primarily cities), and spending will be controlled by PICs

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appointed by mayors. Needless to say, the states strongly oppose directing funds to local agencies. They strongly believe the funds should be provided directly to the states, which should have the flexibility to determine how and where to use them. On our two other priorities, performance and displacement, the Ways and Means Subcommittee is still open to some form of performance bonus, but adamantly opposes nondisplacement language.