

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 072 - FOLDER -003

[01/16/1998 - 01/17/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JAN-1998 15:15:29.00

SUBJECT: State of the Union Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Demond T. Martin (CN=Demond T. Martin/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

CC: Coolcatmat (Coolcatmat @ AOL.Com @ inet [UNKNOWN])
READ:UNKNOWN

CC: Peter G. Umhofer (CN=Peter G. Umhofer/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

TEXT:

There will be a State of the Union Meeting tomorrow morning (Saturday, Jan. 17) at 10:00 am in the Roosevelt Room.

Attendees :

Bowles
Podesta
Mathews
Emanuel
Sosnik
Begala
Blumenthal
Lewis
Waldman
McCurry
Hilley
Larry Stein
Reed
Kagan
Sperling
McGinty
Raines
Berger
Blinken
Echaveste
Moore
Mark Penn

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeanne Lambrew (CN=Jeanne Lambrew/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:16-JAN-1998 17:47:51.00

SUBJECT: Non-defense discretionary caps under BBA will increase by 1% between FY98-

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:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sondra L. Seba (CN=Sondra L. Seba/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JAN-1998 20:11:26.00

SUBJECT: STATE OF THE UNION WATCH PARTY!

TO: Kimberly H Tilley (CN=Kimberly H Tilley/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Jennifer N. Devlin (CN=Jennifer N. Devlin/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

TO: Peggy Cusack (CN=Peggy Cusack/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Audrey T. Haynes (CN=Audrey T. Haynes/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

We're hoping that the Office of Administration will be e-mailing this invitation out to all White House women next week, but I wanted to make sure ya'll got the "heads up" before then. Please send us your RSVP's, don't forget! FYI-we're working through the White House liaisons to get the women PA's there too! Should be a great event! See ya there!=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D95]MAIL41733751T.026 to ASCII,
The following is a HEX DUMP:

FF5750436C040000010A0201000000002050000000B21300000000200000B279E44546AEF56B7CBA4B
2C4F5153AB7E3BC4C27BB9B4F9E732C8B90C40FB4E54720676B03E25B763245B995DC28766F5DB

The White House
Office for Women's Initiatives and Outreach
and
The President's Interagency Council on Women
and
The Department of Interior

Invite You to a

STATE OF THE UNION WATCH PARTY!!!!

DATE: Tuesday, January 27, 1998
TIME: 8:00 PM EST (Please arrive by 7:30 PM)
PLACE: Department of Interior's Main Auditorium
ADDRESS: 1849 C Street (E Street is wheelchair accessible)

PHOTO IDENTIFICATION REQUIRED
Sign language interpreters will be provided

Please join women leaders from local and national organizations, business and labor; women mayors and elected officials from around the country; and senior Administration representatives for a very special evening!

PLEASE RSVP BY 5:00 PM (EST), THURSDAY, JANUARY 22, 1998,
BY FAXING THE FOLLOWING INFORMATION ON EACH ATTENDEE TO THE
WOMEN'S OFFICE AT (202) 456-7311; INQUIRIES MAY BE MADE TO (202)456-7300:

NAME (Last, First): _____

PROFESSIONAL AFFILIATION: _____

DAY PHONE: _____ **DAY FAX:** _____

DATE OF BIRTH (MMDDYY): _____

SOCIAL SECURITY NUMBER: _____

COUNTRY OF CITIZENSHIP: _____

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 14:17:12.00

SUBJECT: sex offender meeting TUESDAY

TO: Mary L. Smith (CN=Mary L. Smith/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: Cynthia A. Rice (CN=Cynthia A. Rice/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: 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: Essence P. Washington (CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:

This meeting is currently set for 2:00pm. Thanks.

----- Forwarded by Leanne A. Shimabukuro/OPD/EOP on
01/16/98 02:16 PM -----

Leanne A. Shimabukuro
01/16/98 02:13:18 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Laura Emmett/WHO/EOP, Essence P. Washington/OPD/EOP
Subject: sex offender meeting TUESDAY

We will have a meeting with DOJ on Tuesday, January 20 in room 211 to discuss new penalties for sex offenders and statutory rape proposals. Please let Essence know if you can attend. Thank you.

Message Sent

To: _____
Elena Kagan/OPD/EOP
Jose Cerda III/OPD/EOP
Thomas L. Freedman/OPD/EOP
Mary L. Smith/OPD/EOP
Cynthia A. Rice/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 19:21:48.00

SUBJECT: 5 out years

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

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

TEXT:

Here are the numbers we have so far for 5 years.

	1999	2000	2001	2002	2003
EEOC	279	288	298	308	319
HUD	52	33	33	33	34
HHS	21	21	20	20	21
Civil Rts Comm. 11	11	12	12	12	

DOT OCR	7 million each year, 1999-2003				
DOJ Civil Rights Division	72 million each year 1999-2003				
Education OCR	68 million each year 1999-2003				

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 14:32:50.00

SUBJECT: Draft EEOC one pager

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

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D90]MAIL41294551Y.026 to ASCII,
The following is a HEX DUMP:

FF57504367070000010A02010000000205000000B923000000020000504DE4D5B4D95135765CB9
CB41C410752004A8234A15385BA4483C45581EA044DA3A3CC6CA54F41419B905CDE048072D6795

**THE CLINTON ADMINISTRATION ANNOUNCES
NEW CIVIL RIGHTS ENFORCEMENT INITIATIVES
DRAFT, January 19, 1998**

The Vice President today announced a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination while simultaneously strengthening civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternate dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 Budget contains \$602 million for civil rights enforcement agencies, \$86 million or 14 percent more than enacted in last year's budget.

Equal Employment Opportunity Commission (EEOC)

The centerpiece of the EEOC budget proposal is an expansion of the ADR program that will double the number of complaints eligible for ADR in 1999 to 16,000 cases, or 20 percent of incoming cases. The Administration plan seeks to expand ADR over the next three years with the goal of providing a voluntary option for ADR in all eligible cases for employers and employees who choose it. The Administration's 1999 Budget sets specific performance goals for the EEOC to reduce its backlog. Through a combination of improved information technology, increased use of mediation, and more investigators, the EEOC will reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months by the year 2000. The budget also allocates \$10 million for information technology to enhance inter-office communication, eliminate redundant data entry procedures, and provide for greater operational efficiency through the sharing of information. Overall the budget requests \$279 million for the EEOC, or 15 percent more than the enacted 1998 budget.

Department of Housing and Urban Development (HUD)

The Administration's budget proposes an increased emphasis on reducing discrimination and ensuring equal opportunity in housing. The highlight of the HUD budget proposal is a targeted, audit-based enforcement initiative in 20 areas nationwide that would use paired testing, in which otherwise identical applicants of different races approach realtors or landlords, in order to detect and eliminate housing discrimination. The Administration proposal also seeks \$23 million, or an \$8 million increase, for the Fair Housing Assistance Program, to support the creation of additional State and local housing organizations to meet the needs of currently under served populations and to aid joint investigations and enforcement activities.

Department of Justice, Civil Rights Division

The President's 1999 budget contains resources to expand investigation of police misconduct, violations of the Americans with Disabilities Act, and provides special funding to enhance the coordination of Federal civil rights enforcement among all the Federal civil rights

agencies under the direction of the DOJ Civil Rights Division. This coordination will further the overall civil rights agenda of the Administration in promoting consistent rules in enforcing civil rights laws, and expanding the Administration's ability to provide technical assistance by removing duplicative efforts.

Other Civil Rights Agencies and Offices

- **Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).**
The Administration's budget will enable OFCCP to increase by 10 percent the number of compliance reviews conducted. In addition, OFCCP will modernize its computer systems in order to permit the agency to accept electronically submitted reports from contractors.
- **U.S. Department of Agriculture (USDA)**
The President's budget increases emphasis on outreach to under-represented customers, involvement of small and disadvantaged businesses in USDA programs, conflict resolution activities, and processing complaints brought by employees and customers. The proposal increases funding for USDA's civil rights programs from \$15 million to \$19 million.
- **The Department of Labor, Office of Civil Rights**
The President's budget maintains the current funding with the goal of promoting voluntary compliance with existing non-discrimination laws through education and technical assistance and encouraging States to promote the use of alternate dispute resolution.
- **Department of Education, Office for Civil Rights**
The President's budget provides an increase in funds for the Office allowing it, among other activities, to focus on preventing discrimination through building partnerships with States to address statewide compliance with civil rights laws.
- **Department of Health and Human Services (HSS), Office of Civil Rights**
The Administration budget continues a focus on compliance reviews and technical assistance to ensure that persons do not encounter discrimination in HAS programs. These include areas of managed care, inter-ethnic adoption, limited English proficient services, and welfare reform.

- **Department of Transportation, Office of Civil Rights**
The Administration budget increases funds to reduce case back-logs and address new complaints.

- **U.S. Commission on Civil Rights**
The President's budget includes \$11 million for the Commission in order to carry out its mission in conducting investigations, educating the public on civil rights matters, and operating programs that address both local and national civil rights interests and concerns.

Automated Records Management System
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 11:37:56.00

SUBJECT: Weekly Education Strategy Meeting

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

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

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

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

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

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

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

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

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

TEXT:

Bruce Reed will be holding a weekly Education Strategy Meeting each Thursday at 5:15 p.m. in his office, 2 Floor/West Wing. The first meeting is planned for Thursday, January 29. Let me know if you are unable to attend. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 15:59:00.00

SUBJECT: Race Initiative

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

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

TEXT:

I have been thinking of trying to set up a weekly short (20 min.) meeting with those in the office whose work impacts race policy. After each meeting, I could do a short progress report to you. Does that sound like it would be helpful?

Also, have you had a chance to look over my e-mail of last week re: the PIR and the President's report? How would you like for me to proceed?
Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Waldman (CN=Michael Waldman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JAN-1998 13:26:12.00

SUBJECT: juvi bill

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

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

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

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

TEXT:

As I mentioned to Michelle, I desperately need a 2 sentence description of the juvi bill & what we now say about it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 09:43:19.00

SUBJECT: Legislative Strategy Meeting on Child Care

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

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

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

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

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

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

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

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

TEXT:

Bruce Reed will have a legislative strategy meeting on child care on Thursday, January 22, at 5:00 p.m. We have also invited Rich Tarplin and Mary Bourdette. This meeting will be in Bruce's office, 1 Fl/WW.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/O=OVP [UNKNOWN])

CREATION DATE/TIME:16-JAN-1998 16:28:50.00

SUBJECT: EEOC announcement

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:

FYI -- At some point later today, we will have for Elena a sentence or two that she can share with reporters about what the VP will say in his speech on Monday, in addition to making the EEOC announcement...(to wrap the two together a bit)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 20:51:58.00

SUBJECT: ins reform weekly

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is the draft weekly on ins reform.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D7]MAIL46806751W.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A020100000002050000008F0B000000020000C41899603DE00553102205
7BBF648B7AE6761CDA484423A76768EC0181306A71052069F51D8423FDDC6DDBC703C648C2E032

Immigration -- INS Reorganization. We have completed our review of proposals to restructure the nation's immigration system, including the final recommendations of the Commission on Immigration Reform (CIR). In its final report, the CIR called for the separation of the enforcement and service functions that INS now performs, through reallocation of major functions to other agencies. After consultation with representatives from the Department of Justice, the INS, the Department of State, the Department of Labor, members of the CIR, and immigrant advocacy groups, we have concluded that though the functional separation of service from enforcement is an effective way to improve the administration of our immigration laws and policies, this separation is best achieved through reform within the INS rather than through a dismantling of the agency. This functional separation within INS will strengthen accountability and lines of authority, while making the agency more efficient and effective in carrying out its interrelated responsibilities. DOJ has entered into a contract with a private consulting firm to assist them in designing a reform plan that meets our goals. Over the next few weeks, we will be meeting with INS, DOJ and the contractor to assist in guiding this development.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/O=OVP [UNKNOWN])

CREATION DATE/TIME:16-JAN-1998 17:52:20.00

SUBJECT: Paper and q&a on EEOC

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

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

READ:UNKNOWN

Virginia M. Terzano (CN=Virginia M. Terzano/O=OVP [UNKNOWN])

READ:UNKNOWN

TEXT:

Is it possible to send Ginny Terzano the latest versions of press paper and Q&A on Monday's announcement, even today in draft form? She needs to have the latest in case she gets any inquiries, and Tom Freedman said you folks had it...

Many thanks...she's in room 273, or reachable by e-mail...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 00:46:37.00

SUBJECT: EEOC Reforms to Federal Sector Complaints

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

TEXT:

On Thursday, we met with OMB to discuss the changes that the EEOC has proposed to its federal-sector cases. We all agreed with the main parts of the EEOC's proposals, which allow the EEOC rather than the agencies to issue final administrative decisions and permit attorney's fees even during the pre-complaint stage. However, many of the agencies disagree with these changes, and even dispute EEOC's authority to issue final administrative decisions. We are going to meet with the EEOC on Friday, January 16 at 2 p.m.

We did, however, decide to push the EEOC to change a few other items in response to the agency comments. (These are outlined below). Things seem to be fairly on track to send the rule out for public comment by the State of the Union. However, as some of the agencies seem to be greatly opposed to these changes, they may begin to put political pressure on the White House to slow the process down. In fact, Sally Katzen may have spurred the agencies to ratchet up their concerns. In an interagency meeting on Thursday unrelated to these EEOC changes, Sally brought up the topic and suggested that the agencies voice their concerns to their Secretaries. In addition, OMB indicated that if any of the agencies request a formal opinion from OLC as to whether EEOC has the legal authority to issue final decisions, this request could possibly slow down the process of the rule going out for comment. However, at this point, it doesn't seem that any of these things will slow down the process; we just thought you should be aware of these issues.

The following are the items that OMB is going to try to get EEOC to change:

1. Spell out more fully in the preamble its legal authority to issue final administrative decisions.
2. Currently, the EEOC version of the rule removes the ability of the agency to seek reconsideration of a final administrative decision. OMB is going to suggest that EEOC add back this ability. Given that an agency cannot appeal to federal court, a reconsideration request is the agency's last chance to change the decision.
3. Currently, the EEOC version provides that appeal of the EEOC's final decision after hearing will review the AJ's findings of fact under a clearly erroneous standard of review. We are suggesting that the EEOC change this to the substantial evidence standard of review, which is the same standard used for reviewing the Merit Systems Protection Board's findings in federal court.

4. The EEOC has proposed eliminating one basis of dismissal of complaints--dismissal when the agency offers "full relief." The EEOC argues that this type of dismissal prejudices the complainant who often does not know at early stages of the process whether an offer constitutes full relief. OMB suggests retaining this basis of dismissal, but in keeping with some agency comments, that the EEOC be required to certify that an agency offer constitutes full relief so that the complainant will have the benefit of a third-party assessment of the offer before any rights to proceed are barred.

5. Many of the agencies have objected to the availability of attorney's fees during the pre-complaint process. The agencies argue that this discourages settlement, and encourages attorneys to continue with the litigation. OMB is suggesting that the EEOC provide guidance to the AJs to help them determine what are "reasonable" attorney's fees in order to help prevent any abuses by attorneys to simply increase their fees.

These all seem to be reasonable changes, and will probably help to assuage the agency's concerns. If the EEOC agrees to these changes, the agencies will at least believe that the EEOC is paying attention to their concerns before the rule goes out for public comment.

We'll let you know what happens with the EEOC, although I suspect that they will agree to most of these changes. Regards, Mary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 20:59:23.00

SUBJECT: weekly

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D22]MAIL402167511.026 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A020100000002050000002C1F0000000200000A5BC25DCF3935E26224EAB
ADAF2C747B67B0B065EE293D9D81933904CC95D4732D3742036F87EB911C37B44872C20C6EC556

Medicare Fraud and Abuse Update. Next week the first HHS/Justice report on anti-fraud activities, mandated by the Kennedy-Kassebaum law, is expected to be released. The report will document how successful the enforcement agencies have been in targeting and prosecuting fraud activities. It will also report that these activities have resulted in \$1 billion in fines and penalties that have been collected by the Administration and deposited directly into the Medicare Trust Fund. It is available at a fortuitous time because the Senate Governmental Affairs Subcommittee on Investigation is planning will hold a hearing on January 29 documenting how fraud appears to continue to be pervasive in the Medicare program. The hearing will reportedly cite examples of providers and suppliers billing Medicare for services and medical devices that were never provided to any Medicare beneficiary. The Justice/HHS report, which can be discussed with other HHS anti-fraud initiatives that we are asking the Department to expedite, will hopefully mitigate the negative impact of this report.

Norwood's Consumer Protections Legislation. You recently asked us whether we should work specifically with Congressman Norwood to pass consumer protection legislation. Despite the fact that Congressman Norwood's legislation has over 200 co-sponsors in the House (and more than 95 Republicans), we have hesitated to endorse this legislation because it has a number of controversial components. Specifically, the business and labor community strongly object to the bill's enforcement mechanism, which gives the courts broad authority that could lead to excessive litigation. In addition, there are a number of provisions in the legislation that are designed to protect providers at least as much consumers. For example, the bill comes close to effectively assuring any willing provider protections, which would mean that even the most inefficient, expensive, and poorest quality providers could not be excluded from health plans. These provisions are not only controversial but they could also prove to be quite costly. Cost projections will be used to suggest that more people will become uninsured and could become a powerful countervailing argument for no Federal legislation. There are many in the business and labor community as well as Members of Congress who generally support the notion of consumer protections but are looking for a more moderate bill. However, they are holding out to see if they have an alternative. Our strategy is to keep the pressure on for Federal legislation, while looking for a coalition of moderates to develop a compromise bill.

Children's Health/Medicaid Outreach Update. There are currently four states who are almost ready to receive approval on their Children's Health Insurance Program (CHIP) plan. These four states -- Colorado, Alabama, South Carolina, and Missouri -- would be the first states to provide coverage for uninsured children under the new law you signed into law this summer. We are pushing HHS to expedite final approval and hope to have some or all of these states signed off on in the next few weeks. Other states are moving along on their proposals as well. Some of these states are seeking waivers from the benefits and cost-sharing guidelines laid out by Congress for this new law, which could generate tensions between the children's advocates and the states. We will be sending you a memo early next week to outline policy decisions in this regard. Finally, we have a series of administrative and budget provisions that give states new flexibility and incentives to effectively target the three million children eligible but not enrolled in Medicaid. These initiatives, which will be very well received by both the children's advocacy community and the states, are ready to be rolled out at any time. We are currently looking for possible events to call attention to these initiatives.

Genetic Discrimination in the Workplace. On Tuesday, the Vice President is participating in an event with the Genome Action Coalition in which he is releasing a HHS/Labor Department report on preventing genetic discrimination in the work force. This report, which is similar to the report you announced in July on genetic discrimination in health insurance, outlines the Administration's principles for legislation on this issue. It prevents employers from using genetic information as a condition of employment, or as a way to classify employees, or even obtain it except under specific circumstances. There are a number of bills on this issue on the Hill, including one that is quite similar introduced by Senator Daschle. We believe that this event will be effective in highlighting your commitment to preventing genetic discrimination both in health insurance and in the work force.

Reichauer and the Medicare Buy-In. Today, Chris J. met with Bob Reichauer, E.J. Dionne, David Broder, Henry Aaron, Marilyn Moon, Judy Feder, and a host of policy experts at the Brookings Institution on the Medicare buy-in initiative. After going through the specific policy and the rationale behind it, virtually all participants at the meeting, including Reichauer and Aaron, explicitly stated that this policy is thoughtful (although very modest) and indicated that it merited a positive reception by the Congress. In fact, Reichauer explicitly stated "if I were in the Congress, I certainly would vote for it." He also indicated that he did not mean for his op-ed piece to be excessively critical and actually apologized, although privately, for it being received as such. Chris informed him that it was important for him to be more clear about his sentiments about this policy since it so influences the elite perception of it. DPC/NEC will be sending you a memo next week on our responses to the criticisms raised by Reichauer in his piece.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 18:27:20.00

SUBJECT: Weekly

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

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

TEXT:

Education -- Single Sex Schools in New York City: DPC has been working with the White House Counsel's office, the Education and Justice Departments, to address the response by the Education Department's Office of Civil Rights (OCR) to a complaint against the Women's Leadership Academy, an all-girls school in New York City. Both you and Secretary Riley are in complete agreement that, as a matter of policy, single sex schools are an appropriate part of the mix of education options that school districts could provide to parents. However, both OCR and the Civil Rights Division in Justice believe that such schools ultimately may be difficult to justify on under Title IX and on Constitutional grounds, because they have discriminatory admissions policies, and because separate schools may inevitably provide unequal opportunities to females. While it may be possible in principle to argue successfully that single sex schools are an appropriate remedy for past discrimination, it is not clear if the facts in this case would support such an argument.

Past efforts to resolve this matter between OCR and lawyers for NYC have not been fruitful. OCR has placed its investigation of the compliant on hold, and will take no steps in the foreseeable future to press New York City to change the status of the school. Secretary Riley and NYC Chancellor Rudy Crew have recently agreed to appoint a small team of educators from the Education Department and the NYC Schools to work collaboratively to explore all possible ways of resolving this dispute so that the Women's Leadership Academy remains open, and in a fashion that avoids legal action by the Administration if at all possible. Our hope is that direct conversations between the Secretary and the Chancellor will set a more positive context in which a solution can be arrived at.

Education -- National Testing: Bill Goodling has scheduled a Jan. 28 mark-up of a bill that would codify the provisions of the national testing agreement in last year's appropriations bill, and prohibit further development or implementation of the tests beyond FY98 without specific statutory authorization. We believe that if this were voted on, Goodling would carry all Republicans as well as committee Democrats in the Black and Hispanic Caucuses. DPC and Education Department staff met with Mr. Clay's staff to begin to develop a strategy for dealing with the mark-up. Our basic approach is to try to get the mark-up postponed and, if unsuccessful at that, to at least try to hold Democrats together. Secretary Riley will send Goodling a letter on Tuesday requesting that he not proceed with this action, on the grounds that it violates the agreement you and he reached, which called for further Congressional deliberations to be informed by a series of studies by the National Academy of Sciences, none of which will be completed until this Spring. In addition, we will make sure that Caucus members on the committees are fully aware of the investments your budget makes in expanding learning

opportunities for low income and minority students, many of which respond directly to concerns they have expressed regarding the tests. We will identify additional steps to take early next week.

Education -- National Testing: The National Assessment Governing Board will meet next week to determine what changes if any are needed in the contract to develop the national tests. The NAGB committee spearheading this work has recommended, on technical grounds, that the contract be modified to make 2001 the target year for the first administration of the tests--2 years later than you originally proposal, and a year later than the path we have been on since the Summer. Along with Secretary Riley and Deputy Secretary Smith, we believe this delay is not necessary for sound test development and is otherwise undesirable. We are working behind the scenes with our supporters on NAGB to keep to the faster timetable.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JAN-1998 12:09:08.00

SUBJECT:

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

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

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

TO: Eli G. Attie (CN=Eli G. Attie/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: Trooper Sanders (CN=Trooper Sanders/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

CC: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

Below are the assignments and deadlines from this morning's meeting.
(Please let me know if anything is incorrect or missing.)

EEOC/Civil Rights Announcement

Talking Points, Q&A, Press Release Info

A one-pager and Q&A are being prepared by Mary, Tom and Elena and will be ready this afternoon. (This info will include Q&A on the backlog, DOJ civil rights coordination funding, EEO chair and board, EEO reform.)

Press

Sylvia will put Breslau in contact with Kagan on the policy and Liss on the speech background.

Andrew will contact press office regarding plan for L.A. Times and Cox/Atlanta Constitution to do Monday story. Kagan will brief on the policy and Liss on the speech background.

Event Participants

Ann Walker is working on the Lee issue in conjunction with Susan and Minyon.

Judy is working on the John Hope Franklin issue.

Outreach

Doris is working on a list of friends/assignments that we will reach out to and will send it to me this afternoon.

Janet is compiling a plan for notifying Members and will send it to me this afternoon.

Tom and Mary are compiling a list of affected agencies that will need talking points and will send that to me this afternoon.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 17:52:03.00

SUBJECT: VP wold like draft one pager

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:

VP would like draft one pager-- ok to give out?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:16-JAN-1998 16:07:58.00

SUBJECT: State of the Union Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Demond T. Martin (CN=Demond T. Martin/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

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

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

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

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

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

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

CC: Scott R. Hynes (CN=Scott R. Hynes/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

CC: Coolcatmat (Coolcatmat @ AOL.Com @ inet [UNKNOWN])
READ:UNKNOWN

CC: Peter G. Umhofer (CN=Peter G. Umhofer/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

Debra A. Schiff (CN=Debra A. Schiff/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

There will be a State of the Union Meeting tomorrow morning (Saturday, Jan. 17) at 10:00 am in the Roosevelt Room. No substitutes.

Attendees:

Erskine Bowles
John Podesta
Sylvia Mathews
Rahm Emanuel
Doug Sosnik
Paul Begala
Sid Blumenthal
Ann Lewis
Michael Waldman
Mike McCurry
John Hilley
Larry Stein
Ron Klain
Bruce Reed
Elena Kagan
Gene Sperling
Katie McGinty
Frank Raines
Sandy Berger
Tony Blinken
Maria Echaveste
Minyon Moore
Mark Penn

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie (CN=Eli G. Attie/O=OVP [UNKNOWN])

CREATION DATE/TIME:16-JAN-1998 16:43:38.00

SUBJECT: Talking points on VP speech

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 -- FYI -- this has been cleared by Susan Liss, but not by Klain...

Also, Susan wanted to know why we are doing the LA Times today...is it embargoed for Monday? This is of concern to her...

Two quick talking points we could give to those who talk to the press in advance of the MLK speech/EEOC announcement:

First of all, don't play up or overhype the speech; it's not the VP's big, definitive speech on race. He's not even the keynoter at Ebenezer Baptist Church on Monday, and he will focus on the life and lessons of Dr. King. He's spoken on race many times before, and he will do so many times again.

That being said, in addition to making the EEOC announcement, the VP will push back at our conservative critics on race (in particular, those who think we should ignore race and abandon all race-based remedies). He will make the point that race does indeed still matter in America; that the roots of discrimination run very deep; and that we still need concerted action -- by government, and by all Americans working together -- to fight racial and ethnic discrimination and to build One America (which is why we are taking new steps to more vigorously enforce our civil rights laws).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 15:48:51.00

SUBJECT:

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

TEXT:

Call Beverly Barnes ASAP re: Sylvia project at 62673!!!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-JAN-1998 19:54:30.00

SUBJECT: Weekly 1/16 as of 8:00 PM

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

READ:UNKNOWN

TEXT:

Missing only new healthcare and whatever you just told Julie

I asked the staff if entries from last week need to be updated, but they say no.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D24]MAIL48903751L.026 to ASCII,

The following is a HEX DUMP:

FF575043DE0F0000010A0201000000020500000077810000000200008CDCF9B1B04FE4FE73B9D4
3304A4D1802EDA1D3E9CDB042632B6960DA2B85CC5C9754D6EAB257602AF7337E5D16E4FB72441

January 16, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Immigration -- Skills of Immigrants: The attached U.S. News article discusses the issue of whether we should change our legal immigration system to strengthen preferences for skilled and well-educated prospective immigrants over those that are poorly educated and unskilled. The current immigration system is set up to favor keeping families intact. Thus, the vast number of legal immigrants are brought to this country through family-based visas, which do not take into account education or skill level. The article cites a Rand study proposal to create a point system of immigration which continues to give weight to immediate family reunification but would also give points for education, language skills, and work experience. The final report of the Commission on Immigration Reform also recommends a shift in priority toward higher skilled immigrants. Instead of creating a point system, the Commission recommends revising skill-based admissions (approximately 100,000 visas) to favor highly-skilled and educated immigrants and eliminating altogether the category of unskilled workers. Though we think that these ideas are well worth exploring, it is unlikely that Congress will want to consider an overhaul of legal immigration this year. Efforts to reduce legal immigration levels were defeated during consideration of the 1996 illegal immigration law.

Education -- Single Sex Schools in New York City: DPC has been meeting with the White House Counsel's office, the Education and Justice Departments, to address the OCR response to a complaint against the existence of the all girl's Women's Leadership Academy in New York City. Both you and Secretary Riley are in complete agreement that, as a matter of policy, school districts should be (encouraged??? free???) to establish single sex schools as part of the mix of education options. The Office of Civil Rights has placed its investigation of the complaint on hold, and will take no steps in the foreseeable future to press New York City to change the status of the school. However, civil rights offices in both Education and Justice believe that such schools ultimately may be difficult to justify under Title IX or Article (relevant Constitutional reference), in part because they have discriminatory admissions policies, and partly because separate schools will inevitably become unequal and to the ultimate disadvantage

of females. They believe that the strongest legal case for permitting single sex schools is an argument that they are an appropriate remedy for past discrimination, such as low academic performance of females in co-educational settings. Neither of the cognizant Civil Rights offices want to take formal action on this issue, because they believe they will be forced to oppose single-sex schools.

Late in December, Secretary Riley and Rudy Crew agreed to appoint small teams of educators from the Education Department and the NYC Schools to work collaboratively to develop the strongest case for the Women's Leadership Academy. The teams will begin to plan their work next week. This process may take some time, and during this period the Education Department's Office of Civil Rights will not take any further actions on this case.

Health Care -- Robert Reich's Proposal for Fixed Dollars for Health Care: You asked for an analysis of Robert Reich's proposal to forgo a new increase in the minimum wage and instead require that employers require a certain fixed dollar amount for health care. As you will recall, we did forgo proposing a minimum wage increase when we proposed the Health Security Act because we did not want to load up the costs to employers. The idea of having a defined minimum employer contribution certainly has some merit as it would make a significant contribution to decreasing the number of uninsured. Having said that, there are a number of political and policy issues that have to be seriously considered prior to pursuing such a proposal.

There are numerous political and administrative complications that would have to be worked out before moving forward on such an initiative, such as: (1) whether or not we would be forced to add subsidies for this; (2) whether employers would be accountable if their employees had coverage from their spouse's employers; or (3) whether certain employers would be exempt.

Having said this, if you would like to further pursue this you should be aware that of some of the disadvantages. We will have to use a great deal of capital with the employer community as we move forward on our other current health care policies such as health care quality and the COBRA extension for the "promise breaker" employees who have dropped retiree health care coverage. Adding this proposal to the mix would no doubt create a great deal of public animosity from the employer community. Moreover, in a Republican Congress there is no chance that this would pass and it would likely be characterized as another step to "take over the health care system." Although liberal Democrats would be comfortable with this proposal, our centrist Democrats would not support it, primarily because of the opposition from the small business community.

Health Care -- Medicare HMOs Dropping Benefits: You asked us to respond to recent reports that Medicare HMOs were dropping benefits because of changes in Medicare reimbursement policies. We have asked HHS to review the extent to which this is occurring. However, it is important to note that many independent policy experts believe that payments to HMOs still are, on average, excessive given the fact that they continue to attract disproportionately healthy populations. They believe that any movement towards reducing benefits are more attributable to HMO's desire for adequate profit margins for their investors

rather than adjustments in reimbursement issue. In fact, one corporate executive just informed us that Medicare continues to be their number one most profitable player. Having said that, the fact that the BBA is starting to reduce Medicare reimbursements to HMOs will clearly contribute to lower revenues for these health plans. It is important to note that the added benefits in Medicare HMO plans do help encourage beneficiaries to participate in these plans. The outstanding question is whether or not we want to allow payment rates to exceed what is necessary so as to ensure that these additional benefits are in place. Regardless, any move in this direction would be premature until we have better information about the extent to which HMOs are reducing benefits and the reasons behind such a trend.

Welfare Reform -- New Caseload Numbers: We have new caseload numbers for you to announce, showing that the number of Americans on welfare has fallen below 10 million people for the first time since 1970, a drop of 30 percent, or 4.3 million, since you took office. The new numbers, from September 1997, show 9.8 million people on welfare, down from 14.1 million in January 1993 to 12.2 million in August 1996. With these numbers, we've met -- two years ahead of schedule -- the goal you set in last year's State of the Union to move two million more Americans off of welfare by the year 2000 (in the speech, you noted that rolls were already down 2.25 million under your Administration, numbers which were from October 1996).

Welfare Reform -- Why People Leave the Welfare Rolls: You asked why, as The New York Times reported, only half the people are leaving the rolls for work, and whether that means the time limits are too strict. The New York Times article refers to the few, state-specific studies that exist -- from Massachusetts, Idaho, New Mexico, Tennessee, Maryland, Florida (2 counties), and Minnesota -- all which were conducted before any recipients in these states had reached time limits, so we don't believe time limits are the explanation.

These state studies which find about half of those leaving the welfare rolls for jobs generally parallel historical trends of about one-half leaving the rolls due to earned income, about 15 percent leaving for marriage, and between 5 and 10 percent each leaving because their youngest child turns 18, they move to another state, they join the SSI rolls, or for other reasons. It is worth noting that while the percent of people leaving welfare for work does not appear much higher than in the past, the absolute number of people leaving welfare for work is higher since the total number of people leaving welfare has increased.

Few of these studies provide complete information about the half of those who are not working. Most find that families continue to receive food stamps, Medicaid, and other forms of public support. Generally, families are not relying heavily on community groups, shelters or churches (5-6% in New Mexico and Idaho). In fact, Indiana found that after leaving TANF families were slightly less likely to turn to community social service groups. More typically, people seem to rely on family. To date, there has not been evidence that these families are entering the child welfare system in greater numbers. There is no direct evidence to date that a lack of jobs is preventing people from moving off welfare into work or contributing to the relatively high percentage who have left welfare but are not working.

While none of these studies include families leaving welfare due to time limits, there is evidence that a significant number of cases are being closed because people did not comply with the welfare reform requirements, although some of these cases are later reopened. For example, the new Delaware study, which we described last week, found half of the cases experienced a sanction. In New Mexico, 12 percent said they 'were forced off or had their case closed'.

It is difficult to compare these state-commissioned studies because their methodologies, time frames, and quality vary widely. We will soon begin receiving quarterly TANF data from each state on the reason for case closure, i.e., work, marriage, sanction, time limit (states submitted the first data at the end of 1997 and HHS is currently analyzing them). In addition, states that wish to compete for part of the \$200 million a year high performance bonus will have to submit more extensive data on job entry, retention, and wage earnings of their current and former welfare recipients. Thus, we hope to know more in the coming months.

Welfare -- Wilson and Solow lectures [Note to Elena: I read the James Q. Wilson and Robert Solow lectures, and I don't see anything new to report. Wilson focuses on his long-standing thesis that stable families are the foundation of a stable society. As George Will neatly summarized the lecture in his 12/22 Newsweek column "Wilson's ameliorative ideas for American families include making adoption easier in order to minimize foster care...to require unmarried teenage mothers to live in a home supervised by experienced mothers...[create] 'the religious equivalent of the United Fund' to deliver services to the underclass through the churches....[and] offer the equivalent of the GI Bill for a parent -- usually a mother -- who will postpone a career until children reach school age."

Thus, Wilson's conclusions are interesting, but have already been well reported. On the other hand, there isn't much worth mentioning about Solow's lectures, which Glenn Loury mentioned only in passing in his New Republic piece. Solow's first lecture essentially concludes that requiring work from welfare recipients will give them more self-esteem (since society values work) and will reduce the resentment of taxpayers. His second lecture concludes that welfare reform is likely to depress wages of other workers, although how much is unclear (he doesn't add any new evidence, just economic theory), that most welfare programs have had limited success in putting people to work, and that we may therefore need to recreate the WPA or extend substantial incentives to the private sector.]

Crime -- Prisons and Jails: On Sunday, the Justice Department will release a study showing that as of June 30, 1997, the nation's prisons and jails incarcerated over 1.7 million inmates-- an increase of 96,000 over the prior year's total. The total 1.7 million inmates included: 99,175 federal prisoners; 1.05 million state prisoners; and 567,000 local jail inmates. Between July 1996 and June 1997, the number of federal and state inmates grew by 4.7% (55,198), less than the average annual increase of 7.7% since 1990. Hawaii had the largest percentage increase in prison population since midyear 1996 (21%), followed by North Dakota (15.5%), and Wisconsin (15.4%). The number of local jail inmates rose by 9.4% (48,587),

nearly double the average annual growth of 4.9 % for this population since 1990. Particularly notable within the local jail inmate population are the increasing numbers of women and juveniles. Since 1985, the number of females in local jails has grown by 9.9% annually, and the number of juveniles has increased nearly six-fold (from 1,629 to 9,105).

Women's Issues -- Emergency Contraception: You asked that we examine the recent Judy Mann editorial which focuses on the little-known but effective use of high doses of ordinary birth control pills as emergency contraception. Mann notes that doctors often do not discuss this option with their patients and most women do not know to ask about it. In February of last year, the Food and Drug Administration took an unusually aggressive step to address this issue by publishing a notice in the Federal Registry declaring that this use of oral contraception is safe and effective and requesting that manufactures submit supplemental new drug applications to the FDA for its approval. The notice includes information about which oral contraceptions can be used and how to use these drugs safely for this purpose. However, no manufacturer has yet sought FDA approval for the drugs to be packaged or labeled for the use of emergency contraception. The FDA believes that because they must regulate these drugs and because manufacturers, despite our prodding, have not chosen to market the drugs for this use, we have gone as far as we can.

The step taken by the FDA last year was significant and builds on your strong record of support for pregnancy prevention measures and family planning services. The advocacy community will be pleased to know that your FY 1999 budget includes a \$15 million increase in Title X funding for family planning services, which, as you know, has been drastically expanded under your leadership. Other accomplishments in this area include: (1) the decline in teen pregnancy for six straight years, with the implementation of your National Strategy to Prevent Teen Pregnancy; (2) the transfer of U.S. patent rights for mifepristone (RU-486) from a French pharmaceutical firm to an American non-profit organization to make it possible for the drug to be submitted to the FDA for marketing approval; and (3) the elimination of the "Gag Rule," which has ensured that all women cared for through Federal family planning programs have access to uncensored information.

Family -- Family and Medical Leave Expansion: Since we submitted the memorandum to you on proposed FMLA expansion, Erskine asked us to examine the costs to the private sector of the options under consideration -- lowering the threshold of covered businesses to employers of 25 workers and extending the time period of covered leave to six months. Unfortunately, there are no good data sources in this area. Given this and political considerations, your advisors have not reached consensus on this issue. We will submit, jointly with the NEC, a formal decision memorandum next week outlining these views.

Education -- Single Sex Schools in New York City: DPC has been working with the White House Counsel's office, the Education Department, and the Justice Department to address the response by the Education Department's Office of Civil Rights (OCR) to a complaint against the Women's Leadership Academy, an all-girls school in New York City. Both you and Secretary

Riley are in complete agreement that, as a matter of policy, single sex schools are an appropriate part of the mix of education options that school districts could provide to parents. However, both OCR and the Civil Rights Division in Justice believe that such schools ultimately may be difficult to justify on under Title IX and on Constitutional grounds, because they have discriminatory admissions policies, and because separate schools may inevitably provide unequal opportunities to females. While it may be possible in principle to argue successfully that single sex schools are an appropriate remedy for past discrimination, it is not clear if the facts in this case would support such an argument.

Past efforts to resolve this matter between OCR and lawyers for NYC have not been fruitful. OCR has placed its investigation of the complaint on hold, and will take no steps in the foreseeable future to press New York City to change the status of the school. Secretary Riley and NYC Chancellor Rudy Crew have recently agreed to appoint a small team of educators from the Education Department and the NYC Schools to work collaboratively to explore all possible ways of resolving this dispute so that the Women's Leadership Academy remains open, and in a fashion that avoids legal action by the Administration if at all possible. Our hope is that direct conversations between the Secretary and the Chancellor will set a more positive context in which a solution can be arrived at.

Education -- National Testing: Bill Goodling has scheduled a Jan. 28 mark-up of a bill that would codify the provisions of the national testing agreement in last year's appropriations bill, and prohibit further development or implementation of the tests beyond FY98 without specific statutory authorization. We believe that if this were voted on, Goodling would carry all Republicans as well as committee Democrats in the Black and Hispanic Caucuses. DPC and Education Department staff met with Mr. Clay's staff to begin to develop a strategy for dealing with the mark-up. Our basic approach is to try to get the mark-up postponed and, if unsuccessful at that, to at least try to hold Democrats together. Secretary Riley will send Goodling a letter on Tuesday requesting that he not proceed with this action, on the grounds that it violates the agreement you and he reached, which called for further Congressional deliberations to be informed by a series of studies by the National Academy of Sciences, none of which will be completed until this Spring. In addition, we will make sure that Caucus members on the committees are fully aware of the investments your budget makes in expanding learning opportunities for low income and minority students, many of which respond directly to concerns they have expressed regarding the tests. We will identify additional steps to take early next week.

Education -- National Testing: The National Assessment Governing Board will meet next week to determine what changes if any are needed in the contract to develop the national tests. The NAGB committee spearheading this work has recommended, on technical grounds, that the contract be modified to make 2001 the target year for the first administration of the tests--2 years later than you originally proposal, and a year later than the path we have been on since the Summer. Along with Secretary Riley and Deputy Secretary Smith, we believe this is delay is

not necessary for sound test development and is otherwise undesirable. We are working behind the scenes with our supporters on NAGB to keep to the faster timetable.

Food Safety -- Budget Increase: The new budget contains a significant new commitment to improving food safety programs in HHS and USDA. The \$101 million increase will fund a variety of programs that are part of the Presidential Food Safety Initiative you announced last year, including: implementing our aggressive fresh produce plan to hire FDA inspectors to improve the safety of our nation's fruits and vegetables, both domestic and imported; increasing the risk assessment on beef, chicken and pork to better determine the source of the greatest risk of contamination; developing better tests for federal inspectors and others to detect food-borne illnesses; improving educational outreach on proper food handling, especially to the elderly and poor; and expanding the new national early warning system for food-borne diseases. This increase comes after an increase of more than \$40 million last year. We are looking into ways to highlight this effort in the State of the Union speech. In addition to mentioning the specific new programs in your speech, you could note that on the day before the speech, USDA's new science-based system for ensuring meat safety took effect. As you may recall, this new preventative approach to enforcing our food safety law was recommended by the Vice-President and came in response to the food borne outbreak that occurred in the Northwest in 1993.

Urban Initiatives Your soon to be announced FY99 budget includes several urban initiatives developed by the DPC-NEC interagency working group on community empowerment. These initiatives complement your Administration's long-term strategy to increase the flow of private investment to America's inner cities. We believe you should make a major speech or a series of announcements focused around three broad themes: 1) Housing Mobility; 2) Homeownership For All Americans; 3) and Spurring Private Investment In Distressed Communities. Some of the initiatives that could be included:

Housing Mobility

- **50,000 Welfare-To-Work Housing Vouchers.** The FY 1999 budget includes \$283 million for 50,000 new vouchers exclusively for people who need housing assistance to make the transition from welfare to employment. .
- **Additional 50,000 New Vouchers For Priority Populations.** The budget also includes 50,000 new housing vouchers largely targeted to especially needy populations, including homeless persons with disabilities and family prevention.

Homeownership For All Americans

- **"Play-by-the-Rules" Homeownership Proposal.** The FY 1999 budget for the Neighborhood Reinvestment Corporation includes \$25 million for a new initiative that would make homeownership more accessible to families who have a good rental history but are currently under served by the housing sales market.

- *Homeownership Zones.* The FY 1999 budget includes \$25 million for Homeownership Zones.
Homeownership/Empowerment Voucher Initiative. Under this proposal Section 8 certificates and vouchers could be used to purchase, rather than only to rent, housing.

Spurring Private Investment In Our Distressed Communities

- **Flexible Funding For Second-round Empowerment Zones.** The Administration's FY 1999 budget provides \$150 million for ten years in mandatory funding for second-round urban EZs.
- **Expansion Of The Economic Development Initiative (EDI).** The Administration's FY 1999 budget requests \$400 million for EDI. HUD plans to use EDI and Section 108 guarantees together to stimulate creation of a secondary market in development loans.
- **CDFI Expansion.** The Administration is requesting a \$45 million increase in CDFI funding. The increased funding also would be used in part to accelerate development of a secondary market for CDFI loans.
- **Higher Cap On The Low-income Housing Tax Credit.** The Administration's budget calls for increasing the cap to \$1.75 per capita and indexing it to inflation thereafter, at a cost of \$1.6 billion over five years.
- **Increased Funding For Brownfields.** HUD is requesting an additional \$50 million for Brownfields redevelopment to complement EPA's program and the new tax incentive.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 09:42:10.00

SUBJECT: Re: EEOC funding announcement

TO: Julie A. Fernandes (CN=Julie A. Fernandes/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

TEXT:

FYI.

----- Forwarded by Thomas L. Freedman/OPD/EOP on 01/17/98
09:41 AM -----

Andrew J. Mayock
01/17/98 09:40:48 AM
Record Type: Record

To: Thomas L. Freedman/OPD/EOP
cc:
Subject: Re: EEOC funding announcement

FYI. (See below)

How's the paper looking? (Hav'in fun?)
----- Forwarded by Andrew J. Mayock/WHO/EOP on 01/17/98
09:42 AM -----

JANET MURGUIA
01/16/98 09:55:13 PM
Record Type: Record

To: Andrew J. Mayock/WHO/EOP, Sylvia M. Mathews/WHO/EOP, Minyon
Moore/WHO/EOP
cc: Peter G. Jacoby/WHO/EOP, Peter D. Greenberger/WHO/EOP
Subject: Re: EEOC funding announcement

Just wanted to let you know that Peter Jacoby and I are working with the
EEOC legislative affairs office to coordinate some calls over the weekend
and get some paper faxed to Member's offices on Monday morning. I sure
could use the draft fact sheet on this as soon as possible. We will want
to get a copy to EEOC/Leg. Affairs too. Minyon, let me know if you have
any comments or suggestions.

EEOC funding Congressional Outreach Plan

Leadership

Daschle - Murguia
Gephardt - Jacoby
Lott - Murguia
Gingrich - Murguia

Caucus
CBC/Waters - Murguia
CHC/Becerra - Murguia
Asian Pacific Caucus - Murguia

Senate Approps. - Commerce, Justice, State Subcomm. - EEOC Leg. Affairs
Gregg Hollings
Domenici Inouye
McConnell Bumpers
Hutchison Lautenberg
Campbell Mikulski

Senate Labor Committee - EEOC Leg. Affairs
Jeffords
Kennedy

House Approps. - Commerce, Justice, State Subcomm. - EEOC Leg. Affairs
Rogers Obey
Kolbe Mollohan
Taylor Skaggs
Regula Dixon
Forbes
Latham

House Education and Workforce Committee - EEOC Leg. Affairs
Fawell
Payne

Others
Lewis - Murguia
Norton - EEOC Leg. Affairs
DeGette - EEOC Leg. Affairs
Mosely-Braun - Murguia

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 15:25:23.00

SUBJECT: Confirmed Speakers for February 11th Meeting

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 01/17/98
03:25 PM -----

John M. Goering
01/16/98 05:45:13 PM
Record Type: Record

To: Jacinta Ma/PIR/EOP
cc: Richard Socarides/WHO/EOP, Audrey M. Hutchinson/PIR/EOP, Julie A. Fernandes/OPD/EOP
Subject: Confirmed Speakers for February 11th Meeting

I am sure you too will be pleased to hear that both Prof. William Julius Wilson and Douglas Massey have agreed to participate in our 2/11 panel discussion of race and poverty. Princeton Professor Marta Tienda however declined.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 17:42:59.00

SUBJECT: Agriculture Weekly for Mayock

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:

Andrew Mayock asked for a longer entry describing what's happened with the farm group. The first paragraph is basically what we had. The second paragraph is what could be added.

Working Group on Highlighting Issues in Farm Policy: The DPC has established a working group to research and promote high-profile issues of interest to farmers. Tom Freedman of DPC is coordinating the working group, which will eventually include representatives from USDA, NEC, CEA, Treasury and OPL.

The first meeting of the group focused on significant rural issues that are suitable for Presidential announcement. Among the topics for further investigation are the concept of whole farm insurance (insurance that covers not just a crop but an entire farm's revenue) and IRA-style accounts for family farmers to guard against losses. In addition, the group discussed possible topics that deserve mention in the SOTU including the new cooperatives program, the general economic health of rural America, and telemedicine programs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 12:41:36.00

SUBJECT: New Event Paper

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

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

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

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

TEXT:

Facts sheet, Q,A, and one pager.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D42]MAIL41884081F.026 to ASCII,
The following is a HEX DUMP:

FF57504367070000010A02010000000205000000422200000002000002B89CCEA038E33513A8876
576AC9DA5B5E7498BD2BE1E7B149AD61316D4E6871D0878AA5C88B2E0A41098848927216169BFA

**THE CLINTON ADMINISTRATION ANNOUNCES
NEW CIVIL RIGHTS ENFORCEMENT INITIATIVES
DRAFT, January 19, 1998**

The Vice President today announced a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination while simultaneously strengthening civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternate dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 Budget contains \$602 million for civil rights enforcement agencies, \$86 million or more than a 16 percent increase over what was enacted in last year's budget.

Equal Employment Opportunity Commission (EEOC)

The centerpiece of the EEOC budget proposal is an expansion of the ADR program that will double the number of complaints eligible for ADR in 1999 to 16,000 cases, or 20 percent of incoming cases. The Administration plan seeks to expand ADR over the next three years with the goal of providing a voluntary option for ADR in all eligible cases for employers and employees who choose it. The Administration's 1999 Budget also sets specific performance goals for the EEOC to reduce its backlog. Through a combination of improved information technology, increased use of mediation, and more investigators, the EEOC will reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months by the year 2000. The budget also sets aside new funds for information technology to enhance inter-office communication, eliminate redundant data entry procedures, and provide for greater operational efficiency through the sharing of information.

Overall the budget requests \$279 million for the EEOC, or 15 percent more than the enacted 1998 budget. The budget includes \$13 million for expanded ADR and \$10 million for improved technology.

Department of Housing and Urban Development (HUD)

The Administration's budget proposes an increased emphasis on reducing discrimination and ensuring equal opportunity in housing. The highlight of the HUD budget proposal is a targeted, audit-based enforcement initiative in 20 areas nationwide that would use paired testing, in which otherwise identical applicants of different races approach realtors or landlords, in order to detect and eliminate housing discrimination. The Administration proposal also seeks \$23 million, or an \$8 million increase, for the Fair Housing Assistance Program, to support the creation of additional State and local housing organizations to meet the needs of currently under served populations and to aid joint investigations and enforcement activities.

The Administration's budget proposes \$52 million, or more than a 70 percent increase from last year, to enable HUD to meet its goals of ensuring equal opportunity in housing. The budget contains \$29 million, or almost double the FY 1999 budget, for the Fair Housing

Initiatives Program (FHIP), which provides funding to private fair housing groups to assist in enforcement of the Fair Housing Act. The paired testing program has been allocated \$10 million.

Key Aspects of the Budget:

*** Alternative Dispute Resolution (ADR)**

The plan increases the use of ADR in the Federal government as a voluntary option available to parties that seek a non-litigation solution to their cases. Mediation programs are expanded in almost every agency, most notably in the EEOC where the number of mediations are expected to double to 16,000 in the upcoming year.

*** Expanded Outreach and Compliance Programs**

Technical assistance and outreach is improved and compliance programs are made more thorough. For example, the Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) will modernize its computer systems in order to permit the agency to accept reports submitted electronically from contractors. The Administration's budget will enable OFCCP to increase by 10 percent the number of compliance reviews it conducts. Burdens on contractors are expected to be reduced by 30%.

*** Strong Enforcement**

The President's budget increases resources for civil rights agencies' budgets by more than 16% overall. In addition to the 15% increase for the EEOC, the budget expands the Department of Justice's Civil Rights Division by more than 10% from \$64.7 million enacted in 1998 to \$71.6 in FY 1999. Programs to help guarantee equal access to housing increase at HUD increase by 70%.

*** Improved Coordination:**

The budget recognizes the need for improved coordination of Federal civil rights enforcement policy among agencies and provides funds for this purpose to the DOJ Civil Rights Division under the direction of Bill Lann Lee.

Q&A for Civil Rights Enforcement Initiative
January 19, 1998

- Q:** What did the Clinton Administration announce with regard to civil rights enforcement?
- A:** The Clinton Administration announced its Fiscal Year 1999 budget proposal of \$602 million for civil rights enforcement agencies -- this is \$86 million or more than 16 percent greater than the FY 1998 budget. The President's proposal places new emphasis on preventive measures and non-litigation strategies while also strengthening the ability of federal agencies to enforce existing civil rights laws. The Administration's budget provides for increased use of voluntary Alternative Dispute Resolution (ADR) so parties can have their cases resolved more easily, cheaply and promptly. The highlight of the President's proposal is a 15 percent increase in funding for the Equal Employment Opportunity Commission. With this infusion of funds, the EEOC will be able to reduce the average time it takes to resolve a complaint from over 9 months to 6 months by the year 2000.
- Q:** Why is the President proposing these actions?
- A:** This budget keeps the President's commitment to ensure equal opportunity for all Americans: that no one should be denied such essentials as a job, a home or a chance at an education because of the color of their skin, a disability, their gender or their religion. One of the key observations John Hope Franklin, Chairman of the President's Initiative on Race, made in his November 30, 1997 letter to the President was that the budgets of civil rights agencies have not kept pace with their increased responsibilities. This budget seeks to provide sufficient resources and promote management reforms to allow civil rights agencies to do their jobs.
- Q.** How does this budget relate to the President's Initiative on Race?
- A.** The plan was influenced both by the topics raised by the Initiative such as improved data collection, and by specific advice such as comments by John Hope Franklin in his November 30, 1997 letter encouraging increased resources for civil rights agencies.
- Q.** What other agencies are part of the Civil Rights Enforcement Initiative?
- A.** The President's budget encourages the use of ADR, education and improved enforcement across the major civil rights agencies and offices. It includes funding for the following agencies involved in civil rights enforcement:

Civil Rights Enforcement Funding
(Budget authority, in millions of dollars)

--	--	--	--

	1997 Actual	1998 Enacted	1999 Request
Equal Employment Opportunity Commission	240	242	279
Department of Housing and Urban Development, Fair Housing Activities	30	30	52
Department of Justice, Civil Rights Division	62	65	72
Department of Labor, Office of Federal Contractor Compliance Efforts	59	62	68
Department of Education, Office of Civil Rights	55	62	68
Department of Health and Human Services, Office of Civil Rights	20	20	21
Department of Agriculture	10	15	19
U.S. Commission on Civil Rights	9	9	11
Department of Transportation, Office of Civil Rights	6	6	7
Department of Labor, Office of Civil Rights	5	5	5

Q: What does the President's budget propose with respect to the Civil Rights Division at the Department of Justice?

A: The Administration's 1999 budget proposes more than a 10 percent increase for the Department of Justice for a total of \$71.6 million. This funding will permit the Department to continue its efforts in enforcing the laws that provide civil and criminal protections from discrimination, including the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. The budget also includes funds specifically to enhance the Civil Rights Division's role in coordinating federal civil rights enforcement across agencies.

Q: What actions is the President taking with respect to appointing a new Chairman of the Equal Employment Opportunity Commission?

A: After the departure of Chairman Gilbert Casellas at the end of last year, the President reappointed Paul M. Igasaki to the Equal Employment Opportunity Commission, and named him Acting Chairman. Currently, three of the five positions on the Commission are filled, which is enough for a quorum. The fourth member to be appointed is for a Republican slot, and Senate Majority Leader Trent Lott (R-Miss.) has already indicated his choice for the position. The President is working as expeditiously as possible to nominate a fifth member of the Commission.

Q: What does the President's plan do to improve performance at the EEOC?

A: This plan creates specific goals and invests in new technology and procedures that will significantly improve EEOC performance. The initiative's reforms will reduce the average time it takes to process a complaint from over 9 months to 6 months by the end of 2000. This reduction will be achieved in part through a \$10 million infusion of technology improvements, and an investment in Alternative Dispute Resolution (ADR)-- more than doubling the number of cases utilizing the more efficient and prompt ADR.

Q: Is the President's budget simply a way to increase funding for affirmative action programs?

A: No. The President's budget is aimed at preventing and eliminating discrimination through emphasizing compliance with and enforcement of the various existing civil rights laws, such as the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. Affirmative action programs are only one tool (and not the most widely used tool) of civil rights enforcement.

**BUDGET FACTS AND FIGURES ON CIVIL RIGHTS AGENCIES
CLINTON ADMINISTRATION FISCAL 1999 BUDGET
DRAFT January 19, 1998**

Summary

The Clinton Administration's Fiscal Year 1999 budget contains \$602 million for civil rights enforcement agencies, \$86 million or more than 16 percent than was enacted in last year's budget.

Equal Employment Opportunity Commission (EEOC)

The Administration's 1999 budget contains \$279 million for the EEOC, or 15 percent more than the enacted 1998 budget. Funds go to reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months by the year 2000 through a combination of investments in information technology, increased use of mediation, and increased staffing. The proposal dramatically expands Alternate Dispute Resolution (ADR) programs, doubling the number of complaints eligible for ADR in 1999 to 16,000 cases, or 20 percent of incoming cases. The Administration seeks \$40 million over 3 years for ADR expansion, with \$13 million requested in 1999. The budget also allocates \$10 million for new information technology.

Department of Housing and Urban Development (HUD)

The Administration's budget proposes \$52 million, or an over 70 percent increase from last year for HUD's efforts to reduce housing discrimination. The budget requests \$29 million, or almost double, for the Fair Housing Initiatives Program (FHIP), which provides funding to private fair housing groups to assist in enforcement of the Fair Housing Act. The HUD budget proposal allocates \$10 million of FHIP funding for a targeted, audit-based initiative in 20 areas nationwide that will use paired testing, in which otherwise identical applicants of different races approach realtors or landlords, in order to detect and eliminate housing discrimination. The Administration proposal also seeks \$23 million, or an \$8 million increase, for the Fair Housing Assistance Program, to support the creation of additional State and local housing organizations to meet the needs of currently under-served populations and to aid joint investigations and enforcement activities.

Department of Justice, Civil Rights Division

The President's 1999 budget provides \$71.6 million, more than a 10 percent increase over the 1998 level of \$64.7 million. One component of the Department of Justice initiative is \$1 million to enhance coordination of Federal civil rights enforcement among all the Federal civil rights agencies. This coordination will lead to more consistent enforcement of civil rights laws, improved data collection, and allow agencies to compare and improve program effectiveness in areas such as technical assistance. New funding will also permit the Department of Justice to significantly expand investigation and prosecutions of police misconduct as well as violations of the Americans with Disabilities Act.

Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).

The Administration's request of \$68 million for OFCCP includes funds to expand the Fair Enforcement Initiative. OFCCP programs will increase by 10 percent the number of compliance reviews conducted in FY 1999. OFCCP will also modernize its computer systems in order to permit the agency to accept electronically submitted reports from contractors.

Department of Education, Office for Civil Rights

The President's budget proposal of \$68 million provides an increase of \$6.5 million over the 1998 enacted budget to improve data collection and increase productivity. These additional funds will also enable the Department of Education to continue to invest sufficient resources in higher education desegregation reviews and to focus on building partnerships with States to address statewide compliance with civil rights laws.

Department of Health and Human Services (HHS), Office of Civil Rights

The Administration is requesting \$21 million for HHS's Office of Civil Rights to continue its focus on preventive activities such as compliance reviews and technical assistance to ensure that persons do not encounter discrimination in HHS programs, including in the areas of managed care, inter-ethnic adoption, limited English proficient services, and welfare reform.

U.S. Department of Agriculture (USDA)

The President's budget proposal increases funding for USDA's civil rights programs from \$15 million to \$19 million to increase human resources management, outreach to under-represented customers, involvement of small and disadvantaged businesses in USDA programs, conflict resolution activities, and processing complaints brought by employees and customers.

The Department of Labor, Office of Civil Rights

The President's budget maintains the current \$5 million of funding for the Department of Labor's Office of Civil Rights to enforce the Federal statutes and regulations that prohibit discrimination in all Labor Department financial assistance programs. With this funding, the office will promote voluntary compliance with existing non-discrimination laws through education and technical assistance. The office will also use the resources to encourage States to promote the use of alternative dispute resolution techniques.

Department of Transportation, Office of Civil Rights

The Administration budget contains \$7 million for Transportation's Office of Civil Rights to improve its investigation and processing of EEO complaints. A \$1 million increase will fund additional activities directed to reduce case back-logs and address new complaints.

U.S. Commission on Civil Rights

The President's budget includes \$11 million for the Commission in order to carry out its mission in conducting investigations, educating the public on civil rights matters, and operating programs that address both local and national civil rights interests and concerns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 15:31:29.00

SUBJECT: 8:30am Mon. Communic. Podesta's ofc, to call in 757-2100 pin 3939

TO: MARIA (SKY) (Pager) #ECHAVESTE (MARIA (SKY) (Pager) #ECHAVESTE [UNKNOWN])
READ:UNKNOWN

TO: ANN F (Pager) #LEWIS (ANN F (Pager) #LEWIS [UNKNOWN])
READ:UNKNOWN

TO: RUBY (Pager) #SHAMIR (RUBY (Pager) #SHAMIR [UNKNOWN])
READ:UNKNOWN

TO: AMY (Pager) #WEISS TOBE (AMY (Pager) #WEISS TOBE [UNKNOWN])
READ:UNKNOWN

TO: KAREN (SKY) (Pager) #TRAMONTANO (KAREN (SKY) (Pager) #TRAMONTANO [UNKNOWN])
READ:UNKNOWN

TO: KEVIN (Pager) #MORAN (KEVIN (Pager) #MORAN [UNKNOWN])
READ:UNKNOWN

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

TO: PAUL (Pager) #BEGALA (PAUL (Pager) #BEGALA [UNKNOWN])
READ:UNKNOWN

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

TO: STACIE (Pager) #SPECTOR (STACIE (Pager) #SPECTOR [UNKNOWN])
READ:UNKNOWN

TO: GENE (Pager) #SPERLING (GENE (Pager) #SPERLING [UNKNOWN])
READ:UNKNOWN

TO: JOE (Pager) #LOCKHART (JOE (Pager) #LOCKHART [UNKNOWN])
READ:UNKNOWN

TO: MICHAEL D. (Pager) #MCCURRY (MICHAEL D. (Pager) #MCCURRY [UNKNOWN])
READ:UNKNOWN

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

TO: BRUCE N. (Pager) #REED (BRUCE N. (Pager) #REED [UNKNOWN])
READ:UNKNOWN

TO: MICHELLE (Pager) #CRISCI (MICHELLE (Pager) #CRISCI [UNKNOWN])
READ:UNKNOWN

TO: DOUG (Pager) #SOSNIK (DOUG (Pager) #SOSNIK [UNKNOWN])
READ:UNKNOWN

TO: SYLVIA (SKY) (Pager) #MATHEWS (SYLVIA (SKY) (Pager) #MATHEWS [UNKNOWN])

READ:UNKNOWN

TO: STEPHANIE S. (SKY) (Pager) #STREETT (STEPHANIE S. (SKY) (Pager) #STREETT [UNKN
READ:UNKNOWN

TO: JENNIFER (Pager) #PALMIERI (JENNIFER (Pager) #PALMIERI [UNKNOWN])
READ:UNKNOWN

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

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 11:41:43.00

SUBJECT: Testers

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:

Julie Fernandes has figured out the best way to deal with the number of testers question: HUD says some tests are done by the same people-- you should talk about the number of tests not the number of people doing them. This new program is about 500 tests nationwide (an average of 25 per area). HUD urges this be a new number because this program is essentially "taking the temperature" of housing discrimination around the country and can't be compared to prior programs.

When pushed, they said there are 50 programs/organizations they fund that may be doing testing now, but it is complaint driven and they don't know how many tests an individual organization does.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-JAN-1998 17:18:51.00

SUBJECT: EEOC/Civil Rights Announcement

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Are we close to having some paper?

Sylvia is leaving at 5:45pm today and hopes to avoid working in her sunlit office tomorrow.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 18:28:51.00

SUBJECT: IGA Winter Mtgs./Message Strategy

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

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

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

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

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

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

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

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

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

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

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

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

CC: Emory L. Mayfield (CN=Emory L. Mayfield/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

TEXT:

Please join Mickey Ibarra and Ann Lewis in a meeting to discuss the upcoming IGA meetings and message strategy on Wednesday, 1/21, at 3:00pm in Mickey's office.

POTUS is addressing the U.S. Conference of Mayors on 1/30 and the National Governors' Association on 2/23. Including meetings the VP will address or drop by, we have six major and several other additional conventions of state and local elected officials in Washington in the next few weeks. We'd really like to develop a common message for delivery at these meetings.

FYI -- Attached is a calendar of upcoming IGA meetings.

Please let me know soon if 3:00pm on 1/21 does not work for you.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D23]MAIL498360813.026 to ASCII,
The following is a HEX DUMP:

FF57504392180000010A02010000000205000000834A000000020000C56C392E3C855375524C04
511B5473DD597DC6E6294F87372573CDA7BE1E2F3AE3B5F53BEC76A384C349C54FD210E812273B

**INTERGOVERNMENTAL AFFAIRS
CALENDAR OF UPCOMING EVENTS**
(As of 1/17/98)

DATE	ORGANIZATION	MEETING/TOPIC	LOCATION
1998			
Jan. 23	National Association of Counties	Briefing: State Presidents and Executive Directors, State Associations of Counties	White House
Jan. 26	IGA Reps. Mtg.		White House
Jan. 26-27	Democratic Governors	State of the Union Briefing	Washington, DC
Jan. 26-27	National Congress of American Indians	Tribal Leaders Mtg.	Washington, DC -Washington Court
Jan. 28-30	US Conference of Mayors	Winter Meeting	Washington, DC - Capitol Hilton
Feb. 4-7	National Conference of State Legislatures	Leader to Leader Conference	Washington, DC - Washington Court
Feb. 9	IGA Reps. Mtg.	Winter Meeting	White House
Feb. 11-15	National Association of Secretaries of State	Winter Conference	Washington, DC
Feb. 12-14	National Sheriffs' Association	Winter Meeting	Orlando, FL
Feb. 23	Democratic Governors' Association	Winter Business Meeting & Dinner	Washington, DC - Convention Center
Feb. 21-24	National Governors' Association	Winter Meeting	Washington, DC - J.W. Marriott
Feb. 23	IGA Reps. Mtg.		White House
Feb. 25-28	National Congress of American Indians	Winter Meeting	Washington, DC - Grand Hyatt Hotel
DATE	ORGANIZATION	MEETING/TOPIC	LOCATION

Feb. 27-Mar. 3	National Association of Counties	Legislative Conference	Washington, DC - Wash. Hilton
March 4-6	National Conference of Lieutenant Governors	State-Federal Meeting	Washington, DC - Washington Court
March 7-10	National League of Cities	Congressional City Conference	Washington, DC - Wash. Hilton
March 9	National League of Cities	Briefing: Directors of State Municipal Leagues	White House
March 9	IGA Reps. Mtg.		White House
March 11-13	National Association of Attorneys General	Spring Meeting	Washington, DC
March 23	IGA Reps. Mtg.		White House
April 3-5	National Conference of State Legislatures	Assembly on State Issues Spring Meeting	Seattle, WA - Madison Hotel
April 16-18	National Conference of State Legislatures	Assembly on Federal Issues Spring Meeting	Washington, DC - Renaissance Hotel
April 20	IGA Reps. Mtg.		White House
April 24-25	National Conference of State Legislatures/National Governors' Association	Joint Executive Committee Mtg.	Columbus, OH - Hyatt Regency
May 4	IGA Reps. Mtg.		White House
May 18	IGA Reps. Mtg.		White House
June 1	IGA Reps. Mtg.		White House
June 10-14	National Conference Lieutenant Governors	Annual Meeting	Oklahoma City, OK
June 15	IGA Reps. Mtg.		White House
June 18-20	National Association of Latino Elected Officials	Annual Meeting	Houston, TX
June 19-23	US Conference of Mayors	66th Annual Meeting	Reno, NV
June 29	IGA Reps. Mtg.		White House
DATE	ORGANIZATION	MEETING/TOPIC	LOCATION
July 17-21	National Association of Counties	Annual Meeting	Portland, OR
	National Conference of		

July 20-23	State Legislatures	Annual Meeting	Las Vegas, NV
August 1-4	National Governors' Association	Summer Meeting	Milwaukee, WI
October 25-28	International City/County Management Association	84th Annual Conference	Orlando/Orange County, FL

1999

July 24-29	National Conference of State Legislatures	Annual Meeting	Indianapolis, IN
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2000

July 15-20	National Conference of State Legislatures	Annual Meeting	Chicago, IL
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Waldman (CN=Michael Waldman/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-JAN-1998 13:32:20.00

SUBJECT:

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

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

TEXT:

pls call or visit waldman now x62272

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 00:58:57.00

SUBJECT: EEOC Event Paper

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

1. Fact sheet listing agencies' budget and description, 2. Q and A, 3.
two page announcement.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D39]MAIL48054061J.026 to ASCII,
The following is a HEX DUMP:

FF57504367070000010A020100000002050000007E22000000020000FFDFFCEE66ECED3A083C80
C9A4F96A47F7BDBB729FFCFDBBF3B7F814E736868424E95DB0B2A826CE98F6515331D63D88F78F

**THE CLINTON ADMINISTRATION ANNOUNCES
NEW CIVIL RIGHTS ENFORCEMENT INITIATIVES
DRAFT, January 19, 1998**

The Vice President today announced a package of civil rights enforcement initiatives that places new emphasis on prevention and non-litigation remedies for discrimination while simultaneously strengthening civil rights agencies' ability to enforce anti-discrimination law. The plan promotes prevention by providing increased resources for compliance reviews and technical assistance, and offers an alternative to expensive litigation by funding a dramatic expansion of alternate dispute resolution (ADR) mechanisms. The plan also sets specific performance goals for the EEOC to speed processing of complaints and reduce case backlog, and provides for greater coordination across federal agencies and offices. The Clinton Administration's Fiscal Year 1999 Budget contains \$602 million for civil rights enforcement agencies, \$86 million or 14 percent more than was enacted in last year's budget.

Equal Employment Opportunity Commission (EEOC)

The centerpiece of the EEOC budget proposal is an expansion of the ADR program that will double the number of complaints eligible for ADR in 1999 to 16,000 cases, or 20 percent of incoming cases. The Administration plan seeks to expand ADR over the next three years with the goal of providing a voluntary option for ADR in all eligible cases for employers and employees who choose it. The Administration's 1999 Budget also sets specific performance goals for the EEOC to reduce its backlog. Through a combination of improved information technology, increased use of mediation, and more investigators, the EEOC will reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months by the year 2000. The budget also sets aside new funds for information technology to enhance inter-office communication, eliminate redundant data entry procedures, and provide for greater operational efficiency through the sharing of information.

Overall the budget requests \$279 million for the EEOC, or 15 percent more than the enacted 1998 budget. The budget includes \$13 million for expanded ADR and \$10 million for improved technology.

Department of Housing and Urban Development (HUD)

The Administration's budget proposes an increased emphasis on reducing discrimination and ensuring equal opportunity in housing. The highlight of the HUD budget proposal is a targeted, audit-based enforcement initiative in 20 areas nationwide that would use paired testing, in which otherwise identical applicants of different races approach realtors or landlords, in order to detect and eliminate housing discrimination. The Administration proposal also seeks \$23 million, or an \$8 million increase, for the Fair Housing Assistance Program, to support the creation of additional State and local housing organizations to meet the needs of currently under served populations and to aid joint investigations and enforcement activities.

The Administration's budget proposes \$52 million, or an over 70 percent increase from last year, to enable HUD to meet its goals of ensuring equal opportunity in housing. The budget contains \$29 million, or a more than 50 percent increase, for the Fair Housing Initiatives Program

(FHIP), which provides funding to private fair housing groups to assist in enforcement of the Fair Housing Act. The paired testing program has been allocated \$10 million.

Key Aspects of the Budget:

*** Alternative Dispute Resolution (ADR)**

The plan increases the use of ADR in the federal government as a voluntary option available to parties that seek a non-litigation solution to their case. Mediation programs are expanded in almost every agency, most notably in the EEOC where the number of mediations are expected to double to 16,000 in the upcoming year.

*** Expanded Outreach and Compliance Programs**

Technical assistance and outreach is improved and compliance programs are made more thorough. For example, the Department of Labor, Office of Federal Contract Compliance Programs (OFCCP) will modernize its computer systems in order to permit the agency to accept reports submitted electronically from contractors. The Administration's budget will enable OFCCP to increase by 10 percent the number of compliance reviews it conducts.

*** Strong Enforcement**

The President's budget increases resources for civil rights agencies budgets by 14% overall, and expands the Department of Justice Civil Rights Division specifically by more than 10% from \$64.7 million enacted in 1998 to \$71.6 in FY 1999. Programs to help guarantee equal access to housing increase at HUD increase by 70%.

*** Improved Coordination:**

The budget recognizes the need for improved coordination of Federal civil rights enforcement policy among agencies and provides funds for this purpose to the DOJ Civil Rights Division under the direction of Bill Lann Lee.

**Q&A for Civil Rights Enforcement Initiative
January 19, 1998**

Q: What did the Clinton Administration announce with regard to civil rights enforcement?

A: The Clinton Administration announced its Fiscal Year 1999 budget proposal of \$602 million for civil rights enforcement agencies -- this is \$86 million or 14 percent greater than the FY 1998 budget. The President's proposal places new emphasis on preventative measures and non-litigation strategies while also strengthening the ability of federal agencies to enforce existing civil rights laws. The Administration's budget provides for increased use of voluntary alternate dispute resolution (ADR) so parties can have their cases heard more easily, cheaply and promptly. The highlight of the President's proposal is a 15 percent increase in funding for the Equal Employment Opportunity Commission. With this infusion of funds, the EEOC will be able to reduce the average time it takes to resolve a complaint from over 9 months to 6 months by the year 2000.

Q: Why is the President proposing these actions?

A: This budget keeps the President's commitment to ensure equal opportunity for all Americans: that no one should be denied such essentials as a job, a home or a chance at an education because of the color of their skin, a disability, their gender or their religion. One of the key observations John Hope Franklin of the President's Initiative on Race made in his November 30, 1997 letter to the President was that the budgets of civil rights agencies have not kept pace with their increased responsibilities. This budget seeks to provide sufficient resources and promote management reforms to allow civil rights agencies to do their jobs.

Q: How does this budget relate to the President's Initiative on Race?

A: The plan was influenced both by the topics raised during the year-long dialogue, such as housing discrimination, and by specific advice such as comments by John Hope Franklin's in his November 30, 1997 letter encouraging increased resources for civil rights agencies.

Q: What other agencies are part of the Civil Rights Enforcement Initiative?

A: The President's budget encourages the use of ADR, education and improved enforcement across the major civil rights agencies and offices. It includes funding for the following agencies involved in civil rights enforcement:

**Civil Rights Enforcement Funding
(Budget authority, in millions of dollars)**

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	1997 Actual	1998 Enacted	1999 Request
Equal Employment Opportunity Commission	240	242	279
Department of Housing and Urban Development, Fair Housing Activities	30	30	52
Department of Justice, Civil Rights Division	62	65	72
Department of Labor, Office of Federal Contractor Compliance Efforts	59	62	68
Department of Education, Office of Civil Rights	55	62	68
Department of Health and Human Services, Office of Civil Rights	20	20	21
Department of Agriculture	10	15	19
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Department of Labor, Office of Civil Rights	5	5	5

Q: What does the President's budget propose with respect to the Civil Rights Division at the Department of Justice?

A: The Administration's 1999 budget proposes a 10 percent increase for the Department of Justice for a total of \$71.6 million. This funding will permit the Department to continue its efforts in enforcing the laws that provide civil and criminal protections from discrimination, including the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. The budget also includes funds specifically to enhance the Civil Rights Division's role in coordinating federal civil rights enforcement across agencies, through technical and enforcement assistance.

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Q: What does the President's plan do to improve performance at the EEOC?

A: This plan creates specific goals and invests in new technology and procedures that will significantly improve EEOC performance. The initiative's reforms will reduce the average time it takes to process a complaint from over 9 months to 6 months by the end of Fiscal Year 2000. This reduction will be achieved in part through a \$10 million infusion of technology improvements, and an investment in alternate dispute resolution-- more than doubling the number of cases utilizing the more efficient and prompt alternate dispute resolution (ADR).

Q: Is the President's budget simply a way to increase funding for affirmative action programs?

A: No. The President's budget is aimed at preventing and eliminating discrimination through emphasizing compliance with and enforcement of the various existing civil rights laws, such as the Civil Rights Act of 1964, the Fair Housing Act, and the Americans with Disabilities Act. Affirmative action programs are only one tool (and not the most widely used tool) of civil rights enforcement.

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CLINTON ADMINISTRATION FISCAL 1999 BUDGET
DRAFT January 19, 1998**

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The Administration's 1999 budget contains \$279 million for the EEOC, or 15 percent more than the enacted 1998 budget. Funds go to reduce the average time it takes to resolve private sector complaints from over 9.4 months to 6 months by the year 2001 through a combination of investments in information technology, increased use of mediation, and increased staffing. The proposal dramatically expands Alternate Dispute Resolution (ADR) programs, doubling the number of complaints eligible for ADR in 1999 to 16,000 cases, or 20 percent of incoming cases. The Administration seeks \$40 million over 3 years for ADR expansion, with \$13 million requested in 1999. The budget also allocates \$10 million for new information technology.

Department of Housing and Urban Development (HUD)

The Administration's budget proposes \$52 million, or an over 70 percent increase from last year for HUD's efforts to reduce housing discrimination. The budget requests \$29 million, or a more than 50 percent increase, for the Fair Housing Initiatives Program (FHIP), which provides funding to private fair housing groups to assist in enforcement of the Fair Housing Act. The HUD budget proposal allocates \$10 million of FHIP funding for a targeted, audit-based enforcement initiative in 20 areas nationwide that will use paired testing, in which otherwise identical applicants of different races approach realtors or landlords, in order to detect and eliminate housing discrimination. The Administration proposal also seeks \$23 million, or an \$8 million increase, for the Fair Housing Assistance Program, to support the creation of additional State and local housing organizations to meet the needs of currently under served populations and to aid joint investigations and enforcement activities.

Department of Justice, Civil Rights Division

The President's 1999 budget provides \$71.6 million, more than a 10 percent increase over the 1998 level of \$64.7 million. One component of the Department of Justice initiative is a \$1 million fund to enhance coordination of Federal civil rights enforcement among all the Federal civil rights agencies. This coordination will lead to more consistent enforcement of civil rights laws, and allow agencies to compare and improve program effectiveness in areas such as technical assistance. New funding will also permit the Department of Justice to significantly expand investigation and prosecutions of police misconduct as well as violations of the Americans with Disabilities Act.

Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).

The Administration's request of \$68 million for OFCCP includes funds to expand the Fair Enforcement Initiative. OFCCP programs will increase by 10 percent in 1999 the number of compliance reviews conducted. OFCCP will also modernize its computer systems in order to permit the agency to accept electronically submitted reports from contractors.

Department of Education, Office for Civil Rights

The President's budget proposal of \$68 million provides an increase of \$6.5 million over the 1998 enacted budget to fund technology improvements to increase productivity and customer service. These additional funds will also enable the Department of Education to continue to invest sufficient resources in higher education desegregation reviews and to focus on building partnerships with States to address statewide compliance with civil rights laws.

Department of Health and Human Services (HHS), Office of Civil Rights

The Administration is requesting \$21 million for HHS's Office of Civil Rights to continue its focus on preventative activities such as compliance reviews and technical assistance to ensure that persons do not encounter discrimination in HHS programs, including in the areas of managed care, inter-ethnic adoption, limited English proficient services, and welfare reform.

U.S. Department of Agriculture (USDA)

The President's budget proposal increases funding for USDA's civil rights programs from \$15 million to \$19 million to increase human resources management, outreach to under-represented customers, involvement of small and disadvantaged businesses in USDA programs, conflict resolution activities, and processing complaints brought by employees and customers.

The Department of Labor, Office of Civil Rights

The President's budget maintains the current \$5 million of funding for the Department of Labor's Office of Civil Rights to enforce the Federal statutes and regulations that prohibit discrimination in all Labor Department financial assistance programs. With this funding, the office will promote voluntary compliance with existing non-discrimination laws through education and technical assistance. The office will also use the resources to encourage States to promote the use of alternate dispute resolution.

Department of Transportation, Office of Civil Rights

The Administration budget contains \$7 million for the Transportation Office of Civil Rights to improve its investigation and processing of EEO complaints. A \$1 million increase will fund additional activities directed to reduce case back-logs and address new complaints.

U.S. Commission on Civil Rights

The President's budget includes \$11 million for the Commission in order to carry out its mission in conducting investigations, educating the public on civil rights matters, and operating programs that address both local and national civil rights interests and concerns.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JAN-1998 12:43:01.00

SUBJECT: Lifetime

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

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

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

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

TEXT:

I am following up on the interest by Lifetime Television in helping to organize/demonstrate support for the child care initiative. Beginning with SOTU,

(they hope to air a PSA with Mrs Clinton) they would use airtime ,an #800 number and their web site to encourage messages to Congress and then continue through the year. Kathy Bonk and Andrea Camp have helped develop their proposal.

Nicole, I think you've seen a copy of their letter. Should we get together this week to discuss ? I thought we could include OPL and Press as well .

(If you did not get the letter, Lifetime is 4th among basic cable networks; reaches 3x as many women 18-19 as CNN,etc.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:17-JAN-1998 10:01:25.00

SUBJECT: EEOC/Civil Rights Announcement Plan

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

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

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

TO: Eli G. Attie (CN=Eli G. Attie/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: Trooper Sanders (CN=Trooper Sanders/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

CC: Audrey M. Hutchinson (CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

CC: Miriam H. Vogel (CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

Below is the latest version of the announcement plan. Please review and provide comments. Thanks.

EEOC/Civil Rights Announcement

I. TALKING POINTS, Q&A, PRESS RELEASE INFO (to be completed today)
(Q&A to include the following issues: backlog, DOJ civil rights coordination funding, EEO chair and board, EEO reform)

II. PRESS

The following media were contacted yesterday: Newsweek, L.A. Times and Cox/Atlanta Journal-Constitution - Kagan on policy; Liss on speech background; Lee on civil rights enforcement.

III. EVENT PARTICIPANTS

Judy Winston and John Hope Franklin will be attending. Bill Lann Lee will be in Detroit.

IV. OUTREACH PLAN

PUBLIC:

Wade Henderson - Ben
Mary Berry - Ben
Karen Narasaki - Doris
Judy Lichtman - Women's Ofc.
Nancy Zirkin - Doris
Antonia Hernandez - Maria
Disability contact - already know according to Bill White
Marca Bristow - Bill White
Gay and Lesbians (no need not be alerted according to Richard Socarities)

AGENCIES:

HUD, Jackie Lawing - Tom
DOJ, Bill Lan Lee - Tom
USDA, Greg Frazier - Tom
Ed, Norma Cantu - Tom
HHS, Bill Corr - Tom
Transportation, Nancy McFadden - Tom
US Commission on Civil Rights, Mary Frances Berry - Ben

CONGRESSIONAL:

Leadership
Daschle - Murguia

Gephardt - Jacoby
Lott - Murguia
Gingrich - Murguia

Caucus
CBC/Waters - Murguia
CHC/Becerra - Murguia
Asian Pacific Caucus - Murguia

Senate Approps. - Commerce, Justice, State Subcomm. - EEOC Leg. Affairs
Gregg, Hollings
Domenici, Inouye
McConnell, Bumpers
Hutchison, Lautenberg
Campbell, Mikulski

Senate Labor Committee - EEOC Leg. Affairs
Jeffords
Kennedy

House Approps. - Commerce, Justice, State Subcomm. - EEOC Leg. Affairs
Rogers, Obey
Kolbe, Mollohan
Taylor, Skaggs
Regula, Dixon
Forbes
Latham

House Education and Workforce Committee - EEOC Leg. Affairs
Fawell
Payne

Others
Lewis - Murguia
Norton - EEOC Leg. Affairs
DeGette - EEOC Leg. Affairs
Mosely-Braun - Murguia

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:18-JAN-1998 17:15:16.00

SUBJECT: Draft Talking Points for Response to NYT Article on Bill Lee Appointment

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Andrew J. Mayock/WHO/EOP on 01/18/98
05:16 PM -----

Robert N. Weiner
01/18/98 05:11:10 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Draft Talking Points for Response to NYT Article on Bill Lee Appointment

Message Sent

To: _____
Michael D. McCurry/WHO/EOP
Amy W. Tobe/WHO/EOP
Sylvia M. Mathews/WHO/EOP
John Podesta/WHO/EOP
Andrew J. Mayock/WHO/EOP
Susan M. Liss/OVP @ OVP
Charles F. Ruff/WHO/EOP
Ann F. Walker/WHO/EOP
Dawn M. Chirwa/WHO/EOP

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D58]MAIL41838081A.026 to ASCII,
The following is a HEX DUMP:

FF575043F3040000010A02010000000205000000651300000002000097DDE56DB1A4C3C181C9A7
681292384718D4206C8DBEC0D2AAFD242FA36BACE36915D8A8AFA4F0D7674017E372B84EA82F04

TALKING POINTS

DESIGNATION OF BILL LANN LEE AS ACTING ASSISTANT ATTORNEY GENERAL AND COUNSELOR TO THE ATTORNEY GENERAL

- For the past 50 years, Attorneys General -- in both Democratic and Republican Administrations -- have used the Justice Department's statutory authority to appoint acting assistant attorneys general and other acting officials. By statute, nearly all the functions of the Department of Justice are vested in the Attorney General (28 U.S.C. §509). The Attorney General may -- again by statute -- authorize "the performance by an officer, employee, or agency of the Department of Justice of any function of the Attorney General." (Id. § 510). That is what was done here.
- With the President's support and approval, Bill Lann Lee was appointed Principal Deputy Assistant Attorney General in the Civil Rights Division and Counselor to the Attorney General for Civil Rights. The Attorney General then issued an order under 28 U.S.C. §§ 509 and 510, assigning him the functions of the Assistant Attorney General for the Division. A 1971 opinion of the Office of Legal Counsel upholds the practice of bringing someone into the Department and immediately appointing him or her an Acting Assistant Attorney General, and it notes **four** prior examples. **The Bush Administration used the same procedure in 1992.**
- Mr. Lee is not serving pursuant to the Vacancies Act, 5 U.S.C. §§ 3345-49. As noted, the longstanding practice of the Department of Justice, under **both** Republican and Democratic Administrations, is to use sections 509 and 510, rather than the Vacancies Act, to designate acting officials.
- Nevertheless, if the Vacancies Act did apply, Mr. Lee, as the first assistant in the Civil Rights Division could act as Assistant Attorney General so long as the President nominated someone within 120 days. 5 U.S.C. §§ 3346, 3348. The fact that Mr. Lee's predecessor served for more than 120 days before Mr. Lee was first nominated is irrelevant. The Vacancies Act specifically provides that if a first or second nomination to fill a vacancy has been submitted, an acting official may serve until the Senate confirms or rejects the nomination. **The President intends to resubmit Mr. Lee's nomination promptly.**
- The Senate thus will have the opportunity to vote on Mr. Lee. Any concerns about Mr. Lee's status as Acting Assistant Attorney General can be easily resolved by confirming him in the position.