

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 078 - FOLDER -002

[06/08/1998 - 06/09/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 23:53:29.00

SUBJECT: Preliminary Draft.

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

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

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

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

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

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

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

TEXT:

What follows is a preliminary draft of the Portland State speech. We will circulate a revised draft early tomorrow morning (Tuesday), but we wanted you to see this earlier. Our goal is to send a revised draft to the President that incorporates your comments by tomorrow afternoon.

Draft 6/8/98 11:45am

PRESIDENT WILLIAM J. CLINTON
THE NEW IMMIGRATION:
BUILDING ONE AMERICA IN THE 21ST CENTURY
PORTLAND STATE UNIVERSITY
JUNE 13, 1998

Acknowledgments: TK

I am delighted and honored to be here to address the Portland State University graduating class of 1998. You opened your doors at the end of

World War II, when the G.I. Bill gave thousands of Americans an unprecedented opportunity to go to college. Since then, you have broadened your mission to reach out to all kinds of students who might not otherwise have a chance to go to college -- older students, minority students, students from struggling families and foreign lands. And I thank you.

At its heart, Portland State's mission is the mission of America: to widen the circle of opportunity for all our people, to deepen the meaning of our freedom, and to form a more perfect union. Our history can be understood as a struggle to live up to those ideals in changing times, and to make the promise of America real for generations to come. Today, at the dawn of a new century, at a time of great prosperity and even greater change this is still our greatest challenge -- and it will be up to all of you to help us meet it.

Last month I spoke to graduates at the U.S. Naval Academy about what we must do to defend American interests -- and American principles -- against the threat of terrorism. Last week, I challenged students at MIT and all Americans to make sure that the Information Age expands opportunity for all of our people, not just a privileged few.

One year ago tomorrow, I called on Americans to embark on a serious examination of the lingering problems and limitless possibilities of our growing diversity. Today, I would like to continue that conversation by talking about the driving force behind our growing diversity -- immigration -- and our shared responsibility to make sure that it strengthens our nation in the 21st Century.

More than any other nation on earth, America has drawn its strength and its spirit from a constant flow of immigrants. For more than two centuries, America has attracted the most restless, the most adventurous, the most industrious people of the world to our shores. We have been held together, above all else, by a shared faith: we are all created equal. We believe that all our people, whether their ancestors came here in slave ships or on the Mayflower; whether they landed on Ellis Island or LAX; whether they arrived at the dawn of this decade or have been here for thousands of years, are born with the spark of possibility and an equal right to strive and work and rise as far as they can go.

Each new wave of immigrants -- of strangers -- has tested the strength of these ideals. And out of two centuries of testing, we have built the strongest, most prosperous, and most diverse democracy the world has seen.

Now, these ideals are being tested again -- by a new wave of immigration, larger than any since the turn of the century, more diverse than any in our history. More than 700,000 people come legally to our nation each year. Nearly one in ten people living here was born in another country. For the first time since 1850, immigrants and their children account for half of New York City's 8 million residents.

And today's immigrants come from every corner of the globe, especially Asia and Latin America. Fewer than one in five come from Europe. Within [x] years, largely because of immigration, there will be no majority race in California -- and within fifty years, no majority race in America.

Demographic change this large, this sweeping, can have profound consequences for any nation. Fundamentally, it forces us to ask: what can we do to hold our nation together?

Let me state unequivocally: I believe the new immigration is good for America. It is revitalizing our cities. It is building our new economy, and strengthening our ties to the global one. It is energizing our culture and broadening our view of the world. It is renewing our values. And it is reminding all of us what it truly means to be an American.

Among the the people here today are three members of the same immigrant family: Mago, Oscar, and Eddi Gilson. Twelve years ago, Mago Gilson came to this country from Mexico. She didn't have a high school diploma. But she not only went on to get a GED, she graduated from college. Today she will receive a Masters in Education so that she can begin teaching. Her son Eddi joins her here as a graduate today, after working full time for nine years to put himself through college. And her son Oscar will soon receive his own Masters Degree.

We look at the Gilsons, we look at the child from Korea who does his homework at the cash register at his family's store ... or the teenager from Jamaica who rushes home after school to babysit so her mother can work the night shift. ... or the father from El Salvador who takes his daughter to the public library everyday to practice reading. When we look at all these new immigrants, we see the spirit that built America -- the drive to succeed, the commitment to family, the hope for a better life. When we look at these new immigrants, we see our grandparents ... we see ourselves ... we see Americans.

But too many people do not. They see the change around them, they hear new accents on the street, the new faces in their classrooms and they are unsettled. They worry that the new immigrants come to our shores not to promote our prosperity but to live off our largesse. They are afraid the America they love is becoming a foreign land.

This is understandable. But it is wrong, profoundly wrong.

No American should tolerate illegal immigration that flouts our laws and strains our tradition of tolerance. We must strictly enforce the immigration laws, and we have acted to bring the rule of law to our borders.

But we should remember: four out of five immigrants are here legally. And in every measurable way, the new immigrants give more to our society than they take. They have moved strong and stable families into neighborhoods that were all but abandoned. On average, immigrants pay \$1,800 more in taxes than they receive in government benefits. And legal immigrants are paying into Social Security at record rates [ck], helping to offset the millions of Americans who will be retiring in the next 20 years.

And they benefit our nation in ways that are not as easily measured.

We should all be proud that a person in an isolated village in a far corner of the world recognizes the Statue of Liberty. We should be honored that America -- whether it is called the "city on a hill", the "old gold mountain", El Norte -- is seen around the world as a land of freedom and opportunity and new beginnings.

My fellow Americans, it is simply wrong for people whose ancestors passed through the portals of Ellis Island to lock the door behind them.

And it is wrong for those who were denied the rights of citizenship simply because of the color of their skin to deny them to others because of the country of their birth. We should treat these new immigrants as we would have wanted our own grandparents to have been treated.

I believe that every American is honor-bound to share our country with immigrants, not to shun them or shut them out. But even as we celebrate our differences, we cannot be blind to the fact that demographic change of this sweep and scope can undermine our unity. Around the world, we have seen what can happen when people who live on the same land put ethnicity before country. If America is to remain the world's most diverse democracy, if immigration is to strengthen America as it has throughout our history, then all Americans must recommit to ourselves to the common values -- common heritage -- common culture -- that are essential to our common future.

We are part of a dynamic culture and a civic tradition that any person who comes here from any corner of the world can shape and possess.

So we must recommit to the civic duties that are at the heart of true citizenship. We want all immigrants to seek to become citizens; but all Americans, wherever they were born, must act as citizens, taking full responsibility for the greatest nation on Earth. It is right and appropriate that new citizens learn the Declaration of Independence, the structure of our government, the history of our nation. But it is wrong that all citizens don't share that obligation.

We must recommit to the principle that our public schools are not only places where our children learn to read, but where they learn to be American, where they make American heroes -- from George Washington to Abraham Lincoln to Rosa Parks -- their own. But today, too many Americans -- and far too many immigrants -- attend crowded, failing inner city schools. Too many young people -- and far too many Hispanic young people -- drop out of high school altogether.

So we must all work together to renew our public schools, with high national standards of academic excellence, smaller classes, well-prepared teachers, computers in every classroom. We must keep schools open after school to keep children off the streets while their parents are at work. And we must continue to expand college opportunity, with tuition tax credits, more scholarships, more work-study slots, and expanded IRAs to help families save for college.

And we must support our public schools' efforts to ensure that our children master English. One out of five children in our nation's schools are immigrants, or the children of immigrants. They come from 150 different countries and speak more than a hundred languages -- languages their parents have every right to want their children to remember. But unless these young people learn English, they will never make the full contribution to American life we know they are capable of. But let me be clear: meeting this challenge does not mean adopting rigid bilingual education programs that fail to take into account the fact that our children learn at different rates. It means adopting sensible, flexible bilingual education programs that are tailored to help our children to succeed, not to set them up for failure.

[Finally, we must recommit to the idea that in America, what counts is not where we come from, but where we are going. Last winter, the U.S. Olympic Team roster, read something like this: Kwan, Lipinski, Rodriguez, Ruggiero, Jones, Street, Moseley -- names from all countries all around

the world. Names that on the eve of the 21st Century are as American as Washington, Adams, and Jefferson.

We must build one America. That's why I launched the Race Initiative last year.

If we don't speak frankly about who we are and how we see each other, if we ban certain topics from our conversations out of fear of giving offense, if we fail to listen to each other with open minds, then we only deepen our divisions. We must use dialogue to debunk the false stereotypes, to move past the old resentments, to discover what we still need to do to build One America. MORE TK

That is the America you must aspire to build; that is the America you must have the conscience and the courage to create; that is the America that is within our reach.]

Thank you, congratulations, and God bless you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 12:17:20.00

SUBJECT: Cabinet Memo 6-8-98

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

TEXT:

AGRICULTURE

Today - the Secretary is in North Dakota and Minnesota today

ONDCP

Today - the Director is in NY for UN Special Session on Drugs

EDUCATION

Today - the Secretary is in NY for UN Special Session on Drugs

FEMA

Today - the Director is on vacation; in Florida US Forest Service has 150 personnel helping out with fires - governor has declared state of emergency, but hasn't asked for federal assistance yet

HHS

Today - the Secretary is in NY for UN Special Session on Drugs; NYTimes ed board on tobacco- this is her 22nd ed board on tobacco in last two weeks

INTERIOR

Today - nothing public

JUSTICE

Today - the AG attends US Special Session on Drugs in NY; the AG is on Larry King Live tonite; Supreme Court hears Starr on attorney client privilege after death

LABOR

Today - the Secretary is in Geneva for International Labor Relations meeting

OMB

Today - release 5th quarterly report on Y2K

OPM

Today - the Director is in Salt Lake City, UT speaking on education initiatives and reinventing government

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Darby E. Stott (CN=Darby E. Stott/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-JUN-1998 12:17:20.00

SUBJECT: press conference topics

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

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

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

TO: RUBIN_E (RUBIN_E @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Lydia Sermons (CN=Lydia Sermons/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

TO: CROWLEY_P (CROWLEY_P @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

READ:UNKNOWN

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

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

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

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

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

TEXT:

It is 12:15. Please send the Q&A asap.

----- Forwarded by Darby E. Stott/WHO/EOP on 06/08/98
12:13 PM -----

Darby E. Stott 06/08/98 09:12:02 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: press conference topics

REMINDER: Press conference Q&A is due at noon today.
----- Forwarded by Darby E. Stott/WHO/EOP on 06/08/98
09:14 AM -----

Darby E. Stott 06/05/98 09:53:13 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: press conference topics

Below are topics for the press conference during the Korean state visit.
We would like the Q&A by noon on Monday.

- tobacco - DPC
- highway bill - NEC/Ricci
- budget - Ricci
- social security/surplus use - NEC
- bilingual education - DPC
- Race initiative - "As the one year anniversary approaches, what has the PIR accomplished?" - Sermons/Barnes
- Counsel's office
- NSC
 - China - Satellite/trip/ Tiananmen Sq.
 - Kosovo
 - India/Pakistan
 - Mexico

Message Sent

To: _____

Michelle Crisci/WHO/EOP
Michael D. McCurry/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Barry J. Toiv/WHO/EOP
Amy W. Tobe/WHO/EOP
Eleanor S. Parker/WHO/EOP
Laura Emmett/WHO/EOP
Elena Kagan/OPD/EOP
James E. Kennedy/WHO/EOP
Adam W. Goldberg/WHO/EOP
Cheryl D. Mills/WHO/EOP
Brian D. Smith/WHO/EOP
Lanny A. Breuer/WHO/EOP
Jake Siewert/OPD/EOP
Gene B. Sperling/OPD/EOP
Linda Ricci/OMB/EOP
Peter A. Weissman/OPD/EOP
CROWLEY_P @ A1 @ CD @ VAXGTWY
RUBIN_E @ A1 @ CD @ VAXGTWY
Natalie S. Wozniak/NSC/EOP
Lawrence J. Stein/WHO/EOP
Jessica L. Gibson/WHO/EOP
Cathy R. Mays/OPD/EOP
Douglas B. Sosnik/WHO/EOP
Beverly J. Barnes/WHO/EOP
Lydia Sermons/PIR/EOP

Message Sent

To: _____

Michelle Crisci/WHO/EOP
Michael D. McCurry/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Barry J. Toiv/WHO/EOP
Amy W. Tobe/WHO/EOP
Eleanor S. Parker/WHO/EOP
Laura Emmett/WHO/EOP
Elena Kagan/OPD/EOP
James E. Kennedy/WHO/EOP
Adam W. Goldberg/WHO/EOP
Cheryl D. Mills/WHO/EOP
Brian D. Smith/WHO/EOP
Lanny A. Breuer/WHO/EOP
Jake Siewert/OPD/EOP
Gene B. Sperling/OPD/EOP
Linda Ricci/OMB/EOP
Peter A. Weissman/OPD/EOP
CROWLEY_P @ A1 @ CD @ VAXGTWY
RUBIN_E @ A1 @ CD @ VAXGTWY
Natalie S. Wozniak/NSC/EOP

Lawrence J. Stein/WHO/EOP
Jessica L. Gibson/WHO/EOP
Cathy R. Mays/OPD/EOP
Douglas B. Sosnik/WHO/EOP
Beverly J. Barnes/WHO/EOP
Lydia Sermons/PIR/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Darby E. Stott (CN=Darby E. Stott/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-JUN-1998 20:06:56.00

SUBJECT: Manifest

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

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

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

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

TO: Christopher S. Lehane (CN=Christopher S. Lehane/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

TO: CROWLEY_P (CROWLEY_P @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Adam W. Goldberg (CN=Adam W. Goldberg/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

TO: RUBIN_E (RUBIN_E @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
 READ:UNKNOWN

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [NSC])
 READ:UNKNOWN

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

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

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

TEXT:

Schedule for Presidential Press Conference Briefing
 June 9, 1998

GENERAL PARTICIPANTS

Erskine Bowles
 John Podesta
 Sylvia Mathews
 Michael McCurry
 Amy Weiss Tobe
 Rahm Emanuel
 Doug Sosnik
 Paul Begala
 Ann Lewis
 Sid Blumenthal

DOMESTIC ISSUES

2:10 - 2:25

pm

Gene Sperling
 Bruce Reed
 Beverly Barnes

COUNSELOR'S OFFICE

2:25 - 2:50 pm

FOREIGN POLICY

2:50 - 3:10

pm

Sandy Berger
 Jim Steinberg

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 18:37:16.00

SUBJECT: Revised bilingual memo

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:

Attached is the revised bilingual memo, with two options as discussed. Also note I've drafted the memo from Bruce and Larry, mainly to raise the issue as to whether you want to send it this way.

Before we staff it out, I would like to give Karen, Maria and Janet an opportunity for input; since they have been involved in the discussions from the outset. Are you ok with this, and if so, let me know how to handle Larry Stein's name on the memo.

I also think I need to reach out to Riley and see if he wants to support one of the options. ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D3]MAIL45823495Z.126 to ASCII,
The following is a HEX DUMP:

FF5750435C030000010A02010000000205000000D63000000002000055A72A41C81A8A453778C2
4051C90E78B0CFFD3E11205F60A61ACBE1674FB1B159A02E5996509585B3BBED3E888C766F28D8

DRAFT

June 8, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
LARRY STEIN (DO YOU WANT TO INCLUDE HIM ON THIS MEMO AS
REQUESTED?)

SUBJECT: Bilingual Education

On June 4, the House Education and Workforce Committee reported H.R. 3982, the English Fluency Act, introduced by Rep. Frank Riggs. This bill raises many of the same programmatic issues and political dynamics as the Unz Initiative in California. The purpose of this memo is to update you on our strategy for addressing this bill.

I. Overview of Riggs Bill

The bill would eliminate the existing Bilingual Education and Emergency Immigrant Education programs and would (1) distribute funds through a block grant that is not targeted toward school districts with the highest quality programs and greatest funding need; (2) require states to withdraw funding from local programs in cases where students do not master English within two years and set a 3-year limit for serving any individual student, though it would not provide any extra help for students or corrective action for programs that need it; (3) not require States to maintain their own efforts; and (4) eliminate professional development programs designed to prepared qualified ESL and bilingual education teachers. The bill also seeks to sharply curtail the enforcement powers of the Education Department's Office of Civil Rights by voiding existing voluntary compliance agreements between OCR and local school districts with regard to educating LEP students and by requiring OCR to publish -- and the Congress to ratify -- new guidelines and compliance standards for Title VI enforcement. These provisions would weaken enforcement of Title VI of the Civil Rights Act of 1964 and result in increased litigation.

II. Development of Administration Alternative

We are on track to have an alternative bill based on the principles you approved and Secretary Riley articulated in his statement of opposition to the Unz Initiative completed and ready for transmittal to Congress by the end of this week. This bill would amend (rather than replace entirely) the existing bilingual education program. Specifically, it would require (1) school districts to establish a goal of preparing LEP students to enter successfully regular English

classrooms in not more than three years, (2) annual assessments of student's English proficiency; (3) additional help for students not on track to English proficiency; (4) a corrective action plan, to be approved by the Secretary, from programs in which a significant percentage of students do not meet the 3-year goal. The bill would also guarantee local flexibility by removing the existing cap on programs that do not use the students native language.

III. Congressional Dynamic

H.R. 3892 was reported out of committee on a straight party line vote (22-17). Notwithstanding the success of the Unz Initiative, Committee Democrats did not feel compelled to offer an alternative to Riggs's bill during committee markup. Moderate Committee Democrats (e.g., Reps. Romer and Kind) as well as the four Members of the Hispanic Caucus on the Committee (reps. Martinez, Romero-Barcelo, Hinojosa and Sanchez) decided to vote against the Riggs bill even without a Democratic alternative.

It is not clear when the bill will be scheduled for House floor consideration, although it could well be scheduled before the end of June. There is no hint of movement in the Senate. It is quite possible that House Democrats will feel compelled to offer an alternative when the bill hits the floor so that they can vote for reform of bilingual education. Leaders of the Hispanic Caucus, including Caucus Chairman Becerra and Education Committee Member Hinojosa, have quietly acknowledged that, for the greater good of the Democratic Caucus, such a floor alternative might become necessary. However, up until now they have been adamantly opposed to a floor alternative, and remain to be convinced that one is necessary for a successful floor strategy. Moderate Democrats themselves are not yet clear if one is needed. In addition to their own apprehensions, Hispanic Caucus members are under substantial political pressure from bilingual advocates to steer clear of an alternative.

IV. Options

Option 1. Transmit Administration Bill Within the Next Week

We could be ready to transmit an Administration alternative to Riggs in concert with the Portland State commencement address, perhaps leaked before a day or two before the address, or following up the address shortly thereafter.

Sending up a bill in the near future would demonstrate your clear commitment to reforming bilingual education, and would position you in the reasonable center of the emerging national debate, between those such as Unz and Riggs who are proposing extreme and punitive approaches on the one hand, and those who are defending the status quo that was rejected by a large margin of the public, at least in California. From this point of view it would be preferable to send the bill up well in advance of the floor vote, so that your proposal is not seen merely as a legislative gambit in reaction to Riggs. A bill sent up now may not garner much support

among Democrats or even be introduced. However, we believe that the chances of legislation to reform bilingual education reaching your desk this year are slim in any event. Over the longer term, by staking out a clear and independent Administration position now, you can have a significant impact on next year's debate.

There are significant legislative downsides to introducing an Administration bill now, without taking the longer time necessary for consultation with House Democrats and key constituency groups. In particular, introducing an alternative within the next week or so would be perceived by the Hispanic Caucus as jumping the gun strategically, and preempting meaningful consultation regarding the substance of an alternative. It would generate a hostile reaction from the Caucus, and is likely to recreate the same divisions among House Democrats we saw last year on national testing. The prospects that the Black Caucus would ally itself with the Hispanic Caucus and Republicans in opposition to your bill are high. Under these circumstances, there is a good chance that your proposal would not find a Democratic sponsor, or if introduced and allowed to come up on the floor as an alternative to Riggs, would be defeated by a large, bipartisan margin. Opposition by the Hispanic and Black Caucus would almost certainly spill over into renewed opposition to continued funding for the national test (though the prospects of support from the two caucuses is slim at best in any event), and perhaps to other legislative battles as well.

Option 2. Defer to the Congressional Democrats on the Timing of Transmittal

The alternative course of action would be to proceed immediately to consult with members of the Hispanic Caucus and other Democrats on the shape of an alternative bill, using the Administration bill as the starting point, and making our 3-year goal and strengthened accountability as nonnegotiable principles which must be incorporated into any legislation we would support. While there is no guarantee that Democrats in general and the Members of the Hispanic Caucus in particular will endorse our approach, we can gain leverage in these negotiations by making clear that a veto threat remains dependent upon the introduction of an alternative consistent with our principles. Since no bilingual education bill is likely to pass this year, we can also make clear that we will transmit a reauthorization bill next year that is fully consistent with these principles.

If we determine together with House Democrats that an alternative is strategically necessary when the bill comes to the floor, we could then introduce a bill consistent with our principles that would unite, rather than divide Democrats. Alternatively, if House Democrats either do not want an alternative when the Riggs bill reaches the floor, or will not support an approach based on our principles, we can reassess our position at that time and either send up our own alternative or choose to wait until next year's reauthorization.

This approach is more likely to unite the Democrats over a potentially divisive issue, keep them united for the larger education and other battles over the coming months, and enable those of us in the Administration to focus our time and energy on fights with Republicans rather than on infighting within the Democratic Caucus.

There are clear downsides to this approach as well. It gives a large measure of control over the timing and, to some extent the content, of your own proposal in the hands of Members who do not share your views about the need or way to reform bilingual education. Consequently, the chances are high that you would not transmit legislation at all this year, and you would therefore be unable to position yourself or to effectively define the debate.

Recommendation: Your advisors are split on this issue. On policy grounds, Bruce Reed favors Option 1, though he recognizes that your final determination may depend more upon political than policy calculations. Maria Echeveste, Janet Murguia, Mickey Iberra and Karen Skelton recommend Option 2. [need to find out where Riley, Sperling, and Stein are before staffing this.]

_____ Option 1	_____ Option 2	_____ Discuss
Send Now	Defer to House Democrats on Timing	

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 14:07:07.00

SUBJECT: bilingual memo

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:

Maria, karen and Janet are pressing for the draft bilingual memo. While I'm comfortable sharing the draft for feedback, in the past you have not wanted to do that until you've signed off. Are you (1) ok with sharing draft (2) close to finishing edits or (3) neither? Please let me know.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 09:41:17.00

SUBJECT: TOBACCO MEETING NOW AT 10:15 AM

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

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

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

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

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

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

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

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

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

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

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

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

CC: Anthony J. Gibson (CN=Anthony J. Gibson/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

READ:UNKNOWN

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

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

TEXT:

Today's tobacco meeting will now start at 10:15. K

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-JUN-1998 09:14:01.00

SUBJECT: INS Mtg

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Maria Echaveste is having a naturalization meeting with MALDEF and about 10 other folks . She would like you both to weigh in. Julie Fernandes will also be in attendance.

Please let me know how 6/10 at 10:30a works.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 20:16:06.00

SUBJECT: Chart: Coverdell Amendment Crowds Out Public Health Spending

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: guzy.gary (guzy.gary @ epamail.epa.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: kburkel (kburkel @ os.dhhs.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

Clinton Presidential Records Automated Records Management System [EMAIL]

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

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

File Name: p_q5946884_who_html_1.prz

Attachment Number: [ATTACH.D81]MAIL45886495R.126

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 10:36:59.00

SUBJECT: Press Conference Q&A

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 bilingual q&A's for the press conference===== ATTACHMENT
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D99]MAIL49945785T.126 to ASCII,
The following is a HEX DUMP:

FF57504324040000010A02010000000205000000F520000000020000E2E09CAA0580E69C6B4EDD
BE3931A0E555A903AC4FF13A8E02DBC41D920AD035F1BB3ECF2385413057CA3C933C8C7D22DF94

Q: What is your reaction to the passage of Proposition 227 in California?

A. The most important message coming from voters in California is that we have to make sure that students, particularly those who are immigrants or children of immigrants, learn English as quickly as possible. I agree with that message, though I disagree with the particular approach in Proposition 227.

I opposed the Unz Initiative because it is the wrong way to accomplish this goal. The one-year time limit is simply too short for many students, and the one-size-fits all approach will limit the ability of local communities and schools to choose the best approaches for our children.

But the status quo is not acceptable either. That is why I believe we must set a goal of helping students learn English within 3 years, give our schools the flexibility and assistance necessary to meet that goal, and hold them accountable if they fail to do so. We also have a shortage of well prepared teachers. That is also why I have asked Congress to double funding for training teachers who help students learn English, from \$25 million to \$50 million. No approach will work without well trained teachers, but a number of approaches can work well with good teachers.

Q. How do you explain that so many Latinos in California voted for Prop 227 in spite of the President's opposition?

A. Many Latino parents are dissatisfied with the educational opportunities available to their children -- as they should be. Many feel that it takes too long for their children to master English. That is why we have called for strengthening bilingual programs by increasing funding for bilingual teachers and by establishing a three year goal for all children to move into all-English classes. We believe this approach is preferable to Proposition 227.

Q. Will you support legislation currently in Congress (the Riggs bill) to overhaul the federal bilingual education program?

A. I oppose the Riggs bill. Among other problems, its requirement that schools teach kids English within 2 years or lose all of their funds, is too punitive and will not help students learn English. In addition, it eliminates federal support for teacher training, does not provide appropriate flexibility to schools and it interferes with the enforcement of existing civil rights laws. Efforts to strengthen the federal bilingual education program should instead (1) set a goal for students to learn English within 3 years; (2) hold schools accountable for results; (3) provide local flexibility for determining how best to achieve results; and (4) make the necessary investments in providing qualified teachers. I will send legislation to Congress fully consistent with these principles at an appropriate time.

Q: Will the Administration join those who are planning to bring legal action to stop the implementation of Proposition 227?

A. We are not at this time joining in legal challenges to Proposition 227. The Departments of Justice and Education will carefully monitor the educational programs that are put in place under the proposition to ensure that they comply with the civil rights laws. Whether they do so will depend upon how they are implemented and whether children with limited English proficiency are provided a realistic opportunity to succeed academically.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 22:17:41.00

SUBJECT: Response to request for NRA Q&A

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

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

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

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

TEXT:
Christa/Laura:

As requested, can you make sure this gets cleared...jc3

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D67]MAIL407084952.126 to ASCII,
The following is a HEX DUMP:

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AC18180ECEE69C622215EAE5C615CD958B0F10F6595CA938D060CEE0D5A50D55B9897C4C9D9348

**National Rifle Association
Question and Answer
June 9, 1998**

Q. Mr. President, this weekend the National Rifle Association elected Charlton Heston as their new President. He said that instead of passing new gun laws, the Administration and Congress should focus on enforcing those laws already on the books. Furthermore, he challenged the federal government to focus its efforts on a single city -- with tough enforcement of the laws -- to see what a difference that can make. What is your reaction to his election and your response to his challenge?

A. I wish Mr. Heston the best of luck in his new job as President of the NRA, and I hope we can work with him to support tough, smart crime policies that keep driving down the crime rate. But as for focusing on one city for a single year, that is not a realistic option

This Administration has worked hand-in-hand with local law enforcement in thousands of cities for almost six years now -- and our efforts are making a difference. Murders are down more than 25%, violent crime is down more than 15%, and overall crime is at its lowest level in a generation. If Mr. Heston and the NRA want to help, I suggest they support tougher punishments, more police and better prevention in all of these communities.

But I will agree that tough enforcement and more prosecutions are part of the answer. So I Hope Mr. Heston and the NRA will consider supporting our proposals to hire more prosecutors and law enforcement officers at all levels of government -- especially local prosecutors and police officers. The NRA likes to say it is for more law enforcement and tough punishments, but they led the fight against the 1994 Crime Act that has provided billions of dollars for law enforcement and included some of the toughest penalties ever.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 09:37:38.00

SUBJECT: DOL Welfare to Work Grant for California

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Lee Ann Brackett (CN=Lee Ann Brackett/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TEXT:

DOL is getting close to releasing California's Welfare to Work formula grant. Given the size (\$190 M) and importance of the state, DOL wanted to see if there was any White House interest in being involved in the announcement. On the other 17 states approved so far, DOL has issued a press release and made calls to key congressional members and state/local electeds. The release on TN included a quote from the VP. POTUS will be in CA next Friday for Oceans event. Lee Anne, is VP interested? If anyone thinks we should do something, we need to let Lynn Jennings at DOL know soon (219-8271).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 11:14:05.00

SUBJECT: Bilingual memo to POTUS

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:

Attached is a slightly revised and shortened version of the memo I sent Elena over the weekend. Please have her look at this instead of the draft she received Friday.

This memo makes clear that we will have an Administration bill ready to transmit by the end of the week--and that we think it is premature to do so. Karen, Maria, Janet and I think we should hold off.

It is important that we get this to POTUS today, so that we know if we are introducing the bill this week or not. The outside groups and the Hispanic Caucus know that there is a chance we could introduce our alternative within the week, and their pressure on us will grow as every day passed. Riley is meeting with the CHC on another issue tomorrow, and it would be helpful if we had a sense of direction before he goes up there.

Janet Murguia has requested that this memo come from Bruce and Larry, given the large role that Congressional strategy plays in it.

I have not shared this internally, though Janet, Maria, Karen, et. al. have asked to see what we are going to send. If you are not going to get to this for a while today, do you have a problem if I circulate it.=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D34]MAIL43258785V.126 to ASCII,
The following is a HEX DUMP:

FF5750435C030000010A02010000000205000000E02500000002000008B5EAA59C3510E1C385F1F
97942CDE84D426AD1837A7F56637908BF32900C50CAD9E4BDAB71BAAF4513905B8534D80CC2605

DRAFT

June 5, 1998

MEMORANDUM FOR THE PRESIDENT

FROM:

SUBJECT: Bilingual Education

On June 4, the House Education and Workforce Committee reported H.R. 3982, the English Fluency Act, introduced by Rep. Frank Riggs. This bill raises many of the same programmatic issues and political dynamics as the Unz Initiative in California. The purpose of this memo is to update you on our strategy for addressing this bill.

I. Overview of Riggs Bill

The bill would eliminate the existing Bilingual Education and Emergency Immigrant Education programs and would (1) distribute funds through a block grant that is not targeted toward school districts with the highest quality programs and greatest funding need; (2) require states to withdraw funding from local programs in cases where students do not master English within two years and set a 3-year limit for serving any individual student, though it would not provide any extra help for students or corrective action for programs that need it; (3) not require States to maintain their own efforts; and (4) eliminate professional development programs designed to prepared qualified ESL and bilingual education teachers. The bill also seeks to sharply curtail the enforcement powers of the Education Department's Office of Civil Rights by voiding existing voluntary compliance agreements between OCR and local school districts with regard to educating LEP students and by requiring OCR to publish -- and the Congress to ratify -- new guidelines and compliance standards for Title VI enforcement. These provisions would weaken enforcement of Title VI of the Civil Rights Act of 1964 and result in increased litigation.

II. Development of Administration Alternative

We are on track to have an alternative bill based on the principles you approved and Secretary Riley articulated in his statement of opposition to the Unz Initiative completed and ready for transmittal to Congress by the end of this week. This bill would amend (rather than replace entirely) the existing bilingual education program. Specifically, it would require (1) school districts to establish a goal of preparing LEP students to enter successfully regular English classrooms in not more than three years, (2) annual assessments of student's English proficiency; (3) additional help for students not on track to English proficiency; (4) a corrective action plan, to

be approved by the Secretary, from programs in which a significant percentage of students do not meet the 3-year goal. The bill would also guarantee local flexibility by removing the existing cap on programs that do not use the students native language.

III. Congressional Dynamic

H.R. 3892 was reported out of committee on a straight party line vote (22-17). Notwithstanding the success of the Unz Initiative, Committee Democrats did not feel compelled to offer an alternative to Riggs's bill during committee markup. Moderate Committee Democrats (e.g., Reps. Romer and Kind) as well as the four Members of the Hispanic Caucus on the Committee (reps. Martinez, Romero-Barcelo, Hinojosa and Sanchez) decided to vote against the Riggs bill even without a Democratic alternative.

It is not clear when the bill will be scheduled for House floor consideration, although it could well be scheduled before the end of June. There is no hint of movement in the Senate. It is quite possible that House Democrats will feel compelled to offer an alternative when the bill hits the floor so that they can vote for reform of bilingual education. Leaders of the Hispanic Caucus, including Caucus Chairman Becerra and Education Committee Member Hinojosa, have quietly acknowledged that, for the greater good of the Democratic Caucus, such a floor alternative might become necessary. However, up until now they have been adamantly opposed to a floor alternative, and remain to be convinced that one is necessary for a successful floor strategy. Moderate Democrats themselves are not yet clear if one is needed. In addition to their own apprehensions, Hispanic Caucus members are under substantial political pressure from bilingual advocates to steer clear of an alternative.

We could be ready to transmit an Administration alternative to Riggs in concert with the Portland State commencement address or any time thereafter. While announcing your own legislation in this short time frame would clearly demonstrate your commitment to reforming bilingual education, we believe such an approach would have very serious drawbacks in the Congressional arena.

In particular, introducing an alternative within the next week or so would be perceived by the Hispanic Caucus as jumping the gun strategically, and preempting meaningful consultation regarding the substance of an alternative. It would generate a hostile reaction from the Caucus, and is likely to recreate the same divisions among House Democrats we saw last year on national testing. The prospects that the Black Caucus would ally itself with the Hispanic Caucus and Republicans in opposition to your bill are high

The alternative course of action, which we recommend, would be to proceed immediately to consult with members of the Hispanic Caucus and other Democrats on the shape of an alternative bill, using the Administration bill as the starting point, and making our 3-year goal and strengthened accountability as nonnegotiable principles which must be incorporated into any

legislation we would support. While there is no guarantee that Democrats in general and the Members of the Hispanic Caucus in particular will endorse our approach, we can gain leverage in these negotiations by making clear that a veto threat remains dependent upon the introduction of an alternative consistent with our principles. Since no bilingual education bill is likely to pass this year, we can also make clear that we will transmit a reauthorization bill next year that is fully consistent with these principles.

If we determine together with House Democrats that an alternative is strategically necessary when the bill comes to the floor, we could then introduce a bill consistent with our principles that would unite, rather than divide Democrats. If, as the bill comes to the floor, House Democrats either do not want an alternative, or will not support an approach based on our principles, we can reassess our position at that time and either send up our own alternative or choose to wait until next year's reauthorization.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 08:38:24.00

SUBJECT: TOBACCO MEETING

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

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

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

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

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

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

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

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

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

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

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

CC: Dawn L. Smalls (CN=Dawn L. Smalls/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: Anthony J. Gibson (CN=Anthony J. Gibson/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Please come to a Tobacco Meeting at 10 am in Erskine's office today (6/8).
kevin

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 17:43:55.00

SUBJECT: Press on Non Discrimination Executive Order

TO: Ann F. Lewis (CN=Ann F. Lewis/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: Monica M. Dixon (CN=Monica M. Dixon/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

The non-discrimination Executive Order the President issued on May 28th continues to get spectacular coverage in the gay press, an example of which follows. The Washington Blade ran this story on the top of the front page, with a picture of the President signing the Order. Special thanks again to Bruce, Elena, John and Karen.

----- Forwarded by Richard Socarides/WHO/EOP on 06/08/98
05:23 PM -----

Doug.Case @ sdsu.edu
06/05/98 09:41:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: Washington Blade: Clinton Executive Order

WASHINGTON BLADE

June 5, 1998

<http://www.washblade.com/>

President's order protects workers
Anti-Gay discrimination banned in civilian jobs

by Peter Freiberg

It was only three paragraphs long and received little publicity. But an executive order issued by President Bill Clinton last week, banning anti-Gay discrimination against federal civilian employees, was nevertheless historic, capping a 41-year struggle to end bias in the federal workforce.

Court decisions, civil service rules, and legislation have given Gay federal employees significant - though inconsistent - protection over the years. Clinton's May 28 action formally adds sexual orientation to Executive Order 11478, which banned job discrimination against federal workers based on race, color, religion, sex, national origin, handicap and age.

"The order," Clinton said in a statement, "provides a uniform policy for the federal government to prohibit discrimination based on sexual orientation in the federal civilian workforce and states that policy for the first time in an executive order of the president."

The White House had previously encouraged agencies to include sexual orientation in their non-discrimination policies. Many did so, but a Blade survey last year turned up a significant number that didn't. Even many agencies that formally banned anti-Gay job bias failed to publicize enforcement procedures, according to a Gay federal employee group.

Frank Kameny, the longtime Washington activist whose dismissal on grounds of homosexuality in 1957 led him to begin the fight to end the federal government's anti-Gay job bias, joined other activists in hailing Clinton's executive order, which covers 1.8 million civilian workers.

"It doesn't do anything new," said Kameny, now 73, "but it ties up loose ends and, therefore, brings to closure to what has been a 25-year...improvement process....The deed is done, it is over, we can move on to other battles. It is a total victory which could not have been conceived when I was fired in 1957."

Elaine Kaplan, the openly Lesbian special counsel in the U.S. Office of Special Counsel, said that, while the executive order doesn't add "any new substantive legal rights," it does "confirm that it is executive branch policy" to bar anti-Gay discrimination in the federal workforce.

"I think it will help employees who suffer discrimination based on their sexual orientation," Kaplan said. "It will bolster their cases."

"What we were trying to do," said Richard Socarides, a special assistant to Clinton and his liaison with the Gay community, "was remedy the fact that a lot of federal workers did not know that the federal government did not discriminate on the basis of sexual orientation, and that they in fact had remedies to pursue a claim of...discrimination."

The executive order, Socarides said, "is going to allow us now to proceed on a public education campaign" to inform federal workers "that they have these rights and what the procedures are to enforce violations."

Despite the executive order, Gay federal workers still lack significant protection enjoyed by their straight counterparts, for two major reasons:

First, uniformed members of the armed services are automatically excluded from the protection offered by the executive order, since they are covered by the "Don't Ask, Don't Tell, Don't Pursue" policy proposed by Clinton and approved by Congress. That policy, under challenge in the courts as discriminatory, is strongly defended by the Administration. And,

Second, sexual orientation is not covered by the 1964 Civil Rights Act, which means, as Clinton noted in his statement, that the executive order "cannot create any new enforcement rights," such as the ability to bring bias complaints to the Equal Employment Opportunity Commission (EEOC).

Reiterating his support for the Employment Non-Discrimination Act, Clinton said, "I again call upon Congress to pass this important piece of civil rights legislation, which would extend these basic employment discrimination protections to all Gay and Lesbian Americans."

"Individuals," Clinton said, "should not be denied a job on the basis of something that has no relationship to their ability to perform their work."

Rob Sadler, an attorney with the Department of Commerce and president of Federal GLOBE (Gay, Lesbian or Bisexual Employees), said that, even though Gay federal workers still lacked civil rights protection, the executive order has "more than symbolic" significance.

While many agencies have announced nondiscrimination policies that include Gays, Sadler said, the executive order will be "another impetus" to get laggard agencies to issue similar statements. Also, he said, the order will spur many agencies to publicize the previously "hidden procedures" available to Gays to complain about discrimination.

These procedures include filing an administrative complaint within an agency (though barred from appealing that agency's decision to the EEOC or the courts). In addition, employees who believe they have been fired or suspended for more than 14 days due to sexual orientation discrimination can complain to the Merit Systems Protection Board.

Less serious complaints, like a failure to receive a promotion or a transfer, can be submitted as a grievance by employees covered under collective bargaining agreements, or can be filed with the Office of Special Counsel, which investigates possible violations of "prohibited personnel practices," including sexual orientation discrimination.

In the past, Sadler said, many agencies argued that because sexual orientation is not included in civil rights law, they had no authority to implement and publicize those protections that Gays did enjoy.

"Most agencies had issued non-discrimination policies," Sadler says, "but had not followed up to tell employees what does his mean, where you can go [to complain]. In that sense, many of the non-discrimination statements may have been symbolic."

The executive order, Sadler said, in effect tells agencies to explicitly

detail and distribute the complaint procedures for employees who believe they have been subjected to anti-Gay discrimination.

"That will be a major change," said Sadler. "Our work environment is different now than it was [before the executive order]."

Kaplan of the U.S. Office of Special Counsel agreed that many Gay federal employees are not aware of the protection against discrimination that they have gained over the years.

"Now, hopefully the executive order will draw more attention to it," Kaplan said.

Twenty years ago, the Civil Service Reform Act of 1978 put into law regulatory changes, made in 1975 in response to court decisions, that removed homosexuality as a bar to federal and civil service civilian employment and promotion.

The 1978 law prohibited discrimination against federal employees for "conduct which does not adversely affect" their job performance. That has been interpreted as making sexual orientation discrimination a "prohibited personnel practice." (The law did not affect the issuing of security clearances by such agencies as the FBI and CIA, which denied clearances to Gays on grounds homosexuality might subject them to blackmail.)

During his 1992 presidential campaign, Clinton promised to sign an executive order barring sexual employment discrimination in the federal civilian workplace (and another order ending the ban on Gay military personnel). When the military plan came under intense fire from the Pentagon and Congress during his first weeks in office, Clinton backtracked on that order - and the civilian directive went on hold.

"The likely time to have done [the civilian order] would have been at the very beginning of the Administration," says Socarides. "Having been through four or five months around the debate on Gays in the military, I would say that the political climate for doing this by way of executive order was probably not conducive."

Instead, reportedly believing that an order protecting Gay federal civilian employees might be overturned by Congress, the Administration in late 1993 decided to encourage individual agencies to issue policies banning sexual orientation discrimination. (In 1995, Clinton signed an executive order that barred federal agencies from denying security clearances to applicants solely on the basis of sexual orientation.)

But last year's investigation by the Blade showed that almost 25 percent of federal employees had not been formally notified in policy statements that sexual orientation discrimination against federal civilian employees is illegal. The Blade survey found that three of the government's 16 cabinet departments and 39 of its 72 independent agencies had not added sexual orientation to their non-discrimination statements.

Socarides said the Blade survey was instrumental in leading the White House to undertake its own legal and policy review, which Socarides said confirmed "confusion by personnel managers and federal employees as to exactly what their rights were."

As a result, Socarides said, Bruce Reed, who heads Clinton's Domestic Policy Council, asked his staff early this year to prepare the executive order.

"While for the most part the federal government is a good place for Gays and Lesbians to work," Socarides said, "clearly there are pockets where Gays and Lesbians suffer from discrimination. This sends a message. ...It makes the federal government the largest employer with a written sexual orientation non-discrimination policy."

Sadler said GLOBE, which has 40 affiliates with 4,000 to 6,000 members, had hoped Clinton would issue the executive order sooner. But with hindsight, says Federal GLOBE past president Leonard Hirsch, he is glad the executive order was delayed.

"This process of doing it agency by agency meant that [GLOBE] had to educate a lot of people," Hirsch said. "That process is really at the heart of any non-discrimination program: Getting people to understand what is discrimination, why it's bad and how it can be stopped and fought...."

"Having done [the executive order] much earlier would have been symbolically important," Hirsch said, "and would have made us all feel good, but having done it this way gives us a much more long-lasting solution."

The executive order drew a strong attack from the anti-Gay Family Research Council, whose president, Gary Bauer, called on Congress to rescind the "outrageous" directive.

In a statement, Bauer said the order will affect not only all federal employees, but "possibly anyone who received a federal grant or contract with the federal government."

"In other words, it will force a special preference for homosexuality into government and private workplaces," Bauer asserted.

But Chai Feldblum, professor of law at Georgetown University Law Center, said there is no reference in the executive order to federal contractors or affirmative action.

"It would be nice to have a prohibition [on anti-Gay discrimination] for every entity that receives a federal contract," Feldblum said, "but this is not what the executive order does."

"Waving the specter of affirmative action is a classic misstatement that the [Family Research Council] always makes," said Feldblum. "They automatically assume that anti-discrimination means affirmative action. That's simply wrong."

The Washington Times quoted House Majority Leader Dick Armey (R-Tex.), a religious right supporter, as attacking the order.

"Once again," Armey said, "this Administration pushes extreme policies on behalf of a narrow special interest group. ...I call on the president to reconsider this decision."

Two national Gay organizations - the National Gay and Lesbian Task Force and the Human Rights Campaign - hailed Clinton's action.

HRC political director Winnie Stachelberg said she is certain Bauer will find some support among legislators for his call to rescind the executive order. But Stachelberg said that, with corporations increasingly adopting policies barring anti-Gay job discrimination and with polls finding most

Americans saying they oppose such discrimination, she doubts Congress will overturn Clinton's directive.

"I don't see Congress being out of step with the American people, being out of step with corporate America," Stachelberg said.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131) id <01IXW2Q7HLCW00D4S0@PMDF.EOP.GOV>; Fri, 5 Jun 1998 20:42:45 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131) with ESMTTP id <01IXW2Q27N0G00F8D1@PMDF.EOP.GOV>; Fri, 05 Jun 1998 20:42:37 -0400 (EDT)

Received: from mail.sdsu.edu ([130.191.25.1]) by STORM.EOP.GOV (PMDF V5.1-10 #22921) with ESMTTP id <01IXW2PBFR1A0016EI@STORM.EOP.GOV>; Fri, 05 Jun 1998 20:42:01 -0400 (EDT)

Received: from [130.191.242.121] ([130.191.242.121]) by mail.sdsu.edu (8.8.7/8.8.7) with ESMTTP id RAA11452; Fri, 05 Jun 1998 17:41:29 -0700 (PDT)

X-Sender: dcase@mail.sdsu.edu

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 12:49:02.00

SUBJECT: Food Safety Radio Address

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We should think about doing a food safety radio address over the next month saying:

1. Food Safety Budget. Congress is marking up the budget this month (subcomms this week, full committees likely the week after, full bill on the floor after that) and rumors are the subcommittees are going to fund us at less than the \$101 million Administration proposal, some rumors are at half the request. We need the whole amount -- in particular it funds our imported food safety policy.
2. Summer is the most dangerous time for food safety, (there was a recent salmonella outbreak in children's cereal), Congress should act now.
3. Also, we could consider pushing for our bill to give more teeth to USDA so it can order the recall of tainted foods and fine companies that don't comply with food safety regs. The bill is languishing. Congress should act now, before another tragedy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 19:48:49.00

SUBJECT: slight revision to bilingual memo

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:

I realized after sending the revised version that I neglected to change the opening paragraph to reflect that we were sending an options memo rather than a strategy update. Below is the new language for the opening paragraph.

On June 4, the House Education and Workforce Committee reported H.R. 3982, the English Fluency Act, introduced by Rep. Frank Riggs. This bill raises many of the same programmatic issues and political dynamics as the Unz Initiative in California. The purpose of this memo is to update you on this proposal and the development of an Administration alternative, and to present you with options for how to proceed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 16:16:33.00

SUBJECT: SCOTUS Gun/Drug Statememt

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

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

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

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

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

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

TEXT:
Michelle, et.al.:

Here's the quickie statement Rahm wanted on this case. Someone will have to run it by Counsel. Bill Marshall already told me we shouldn't do one...not a constitutional case, etc.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D23]MAIL461233953.126 to ASCII,
The following is a HEX DUMP:

FF575043B0040000010A0201000000020500000044080000000200007703B1A90E865BA9441478
B57FC45C31806DD7273947DC0831D7E34707109988732079A9CD6208D94F6F07A0DAF73A8DE72C

D R A F T

Statement by the President

I applaud the Supreme Court's decision today to make sure that drug traffickers who carry firearms -- whether on their person or in their car -- are subject to the stiffest penalties possible. Crime rates have fallen in America for six years in a row, but guns and drugs remain serious problems among our youth and in many of our neighborhoods. Today's decision is one more victory for law enforcement and law abiding citizens in the fight against crime and drugs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Darby E. Stott (CN=Darby E. Stott/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-JUN-1998 09:15:34.00

SUBJECT: press conference topics

TO: Lydia Sermons (CN=Lydia Sermons/OU=PIR/O=EOP @ EOP [PIR])
READ:UNKNOWN

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

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

TO: Natalie S. Wozniak (CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [NSC])
READ:UNKNOWN

TO: CROWLEY_P (CROWLEY_P @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: RUBIN_E (RUBIN_E @ A1 @ CD @ VAXGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

TEXT:

REMINDER: Press conference Q&A is due at noon today.
----- Forwarded by Darby E. Stott/WHO/EOP on 06/08/98
09:14 AM -----

Darby E. Stott 06/05/98 09:53:13 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: press conference topics

Below are topics for the press conference during the Korean state visit.
We would like the Q&A by noon on Monday.

- tobacco - DPC
- highway bill - NEC/Ricci
- budget - Ricci
- social security/surplus use - NEC
- bilingual education - DPC
- Race initiative - "As the one year anniversary approaches, what has the PIR accomplished?" - Sermons/Barnes
- Counsel's office
- NSC
 - China - Satellite/trip/ Tiananmen Sq.
 - Kosovo
 - India/Pakistan
 - Mexico

Message Sent

To: _____

Michelle Crisci/WHO/EOP
Michael D. McCurry/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Barry J. Toiv/WHO/EOP
Amy W. Tobe/WHO/EOP
Eleanor S. Parker/WHO/EOP
Laura Emmett/WHO/EOP
Elena Kagan/OPD/EOP
James E. Kennedy/WHO/EOP
Adam W. Goldberg/WHO/EOP
Cheryl D. Mills/WHO/EOP
Brian D. Smith/WHO/EOP
Lanny A. Breuer/WHO/EOP
Jake Siewert/OPD/EOP
Gene B. Sperling/OPD/EOP
Linda Ricci/OMB/EOP
Peter A. Weissman/OPD/EOP
CROWLEY_P @ A1 @ CD @ VAXGTWY
RUBIN_E @ A1 @ CD @ VAXGTWY
Natalie S. Wozniak/NSC/EOP
Lawrence J. Stein/WHO/EOP
Jessica L. Gibson/WHO/EOP
Cathy R. Mays/OPD/EOP
Douglas B. Sosnik/WHO/EOP
Beverly J. Barnes/WHO/EOP
Lydia Sermons/PIR/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 12:16:49.00

SUBJECT: June 23 Message Opening

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

TEXT:

Please let me know if there are any events you would like to propose for June 23rd. This is the last day POTUS is in town before he leaves for China for 10 days.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-JUN-1998 12:07:18.00

SUBJECT: RE: Democratic Child Care Bill Press Event

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

READ:UNKNOWN

TO: Dario J. Gomez (CN=Dario J. Gomez/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

TEXT:

FYI

----- Forwarded by Mindy E. Myers/WHO/EOP on 06/08/98

11:59 AM -----

"Marcus, Sean" <Sean.Marcus @ mail.house.gov>

06/08/98 12:04:04 PM

Record Type: Record

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

cc: Mindy E. Myers/WHO/EOP

Subject: RE: Democratic Child Care Bill Press Event

>

>
>ROLL-OUT OF HOUSE DEMOCRATIC CHILD CARE INITIATIVE
>
>All Democratic Members are encouraged to join their colleagues and:
>
>First Lady Hillary Rodham Clinton, and Secretary of Health and Human
Services
>Donna Shalala
>
>WHEN: Tuesday, June 9, at 1:45 p.m.
>
>LOCATION: 334 CHOB
>
>WHAT: Press conference to unveil the House Democratic
> Child Care Initiative
>
>For more information about the press conference, please contact the
>Democratic Caucus at 6-3210. This event is for DEMOCRATIC MEMBERS ONLY.
For
>security reasons, no staff will be allowed.
>
>
>
>

Message Sent

To:

"Asselbaye, Amy" <Amy.Asselbaye @ mail.house.gov>
"McCormick, Ann" <ann.mccormick @ mail.house.gov>
"Salay, Becky" <Becky.Salay @ mail.house.gov>
"MacDonald, Cat" <Cat.MacDonald @ mail.house.gov>
"Atkin, Catherine" <Catherine.Atkin @ mail.house.gov>
"Barone, Charles" <Charles.Barone @ mail.house.gov>
"Johnson, Cheryl" <Cheryl.Johnson @ mail.house.gov>
"Labonte, Chris" <Chris.Labonte @ mail.house.gov>
"Dwyre, Diana" <Diana.Dwyre @ mail.house.gov>
"Mahony, Gina" <Gina.Mahony @ mail.house.gov>
"Luray, Jenny" <Jenny.Luray @ mail.house.gov>
"Kashen, Julie" <Julie.Kashen @ mail.house.gov>
"Tippens, Julie" <Julie.Tippens @ mail.house.gov>
"Kero, Ken" <Ken.Kero @ mail.house.gov>
"Efurd, Laura" <Laura.Efurd @ housemail.house.gov>
"Coco, Leo" <Leo.Coco @ mail.house.gov>
"Bennett, Lesley" <Lesley.Bennett @ mail.house.gov>
"Levine, Lisa" <Lisa.Levine @ mail.house.gov>
"Theil, Lynda" <Lynda.Theil @ mail.house.gov>
"Phillips, Marci" <Marci.Phillips @ mail.house.gov>
"Nathanson, Melanie" <melanie.nathanson @ mail.house.gov>
"Worrell, Mildeen" <Mildeen.Worrell @ mail.house.gov>
"Gwyn, Nick" <Nick.Gwyn @ mail.house.gov>
"Patel, Rita" <Rita.Patel @ mail.house.gov>
"Clark, Sandra" <Sandra.Clark @ mail.house.gov>
"Rudisill, Shannon" <Shannon.Rudisill @ mail.house.gov>
"Lewis, Tina" <Tina.Lewis @ mail.house.gov>
"King, Andrea" <Andrea.King @ mail.house.gov>
"Fried, Ian" <Ian.Fried @ mail.house.gov>
"Levine, Lisa" <Lisa.Levine @ mail.house.gov>
"Klein, Elli" <Elli.Klein @ mail.house.gov>

'Amy Lockhart' <alockhar @ os.dhhs.gov>
"Surfas, Adriana" <Adriana.Surfas @ mail.house.gov>
"Kery, Pat" <Pat.Kery @ mail.house.gov>
"Beausang, Beth" <Beth.Beausang @ mail.house.gov>
"Brand, Anstice" <Anstice.Brand @ mail.house.gov>
"Marcus, Sean" <Sean.Marcus @ mail.house.gov>
"Lamar, Veda" <"IMC
EAEX-__O=U+2ES+2E+20HOUSE+20OF+20REPRESENTATIVES_OU=U+2ES+2E+20HOUSE_CN=RECIPIENTS_CN
& mail.house.gov>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-JUN-1998 12:32:22.00

SUBJECT:

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

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

TEXT:

pls call waldman re potus tobacco insert x62272

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cecilia E. Rouse (CN=Cecilia E. Rouse/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-JUN-1998 19:02:52.00

SUBJECT: Latest Draft of Poverty Memo

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

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

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

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

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

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

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

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

TEXT:

Attached is the latest draft of the poverty memo. The main change is that the first three pages have been substantially re-cast in an effort to better structure the main issues for the Principals. (We've also moved the placement of Tables 1 and 2.) This attachment does not include the Guideline appendix which will be sent under separate cover. However, you may want to know that the new appendix does include a range of estimates on potential budgetary impact of using the new poverty measures.

We would like to get this background memo to the Principals as soon as possible. Therefore, please send Ceci your comments by 3pm tomorrow; the full memo will be sent to the Principals at 5pm.

-- Ceci and Paul===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D82]MAIL46307506R.126 to ASCII,
The following is a HEX DUMP:

FF575043B2080000010A02010000000205000000C8920000000200000A708D48F35797F36D8BD3
29E6B46BA0B557B499480AF33224376549819938EB4FFC5C5C833011DFDF2676E20883616903A5

June 9, 1998

DRAFT BACKGROUND MEMORANDUM FOR EOP PRINCIPAL'S MEETING

FROM: Income and Poverty Measurement Working Group

Subject: Meeting on Income and Poverty Measures

This cover memo outlines the main issues related to revising our income and poverty measures to be discussed at the Principals meeting, and the attached background paper explains the more technical issues. The background paper was prepared by a policy working group consisting of CEA, DPC, NEC, and OMB. (Among the agencies, only the Deputy Assistant Secretary for Human Services Policy at HHS participated because of her expertise on poverty measurement.)

Action Forcing Event and Purpose of the Meeting

In early 1999, the Census Bureau will publish alternative measures of poverty based on the proposals contained in the 1995 National Research Council (NRC) report, *Measuring Poverty: A New Approach*. Census has asked for advice from the EOP on their proposed alternative measures (because OMB, through OIRA's Statistical Policy Office, is the statutory arbiter of the "official" poverty measurement methodology). It is important to emphasize that we are only being asked to advise the Bureau of the Census; what it actually publishes is its decision.

There are four questions to be discussed at the meeting: 1) At what pace should the Administration proceed toward the adoption of a new official measure of poverty? 2) Should the Administration initially propose a preferred option or a range of alternatives? 3) Should the new measure be benchmarked to the most current poverty rate? 4) If highlighting a preferred option is selected, what are the components of that preferred option? In considering these questions, it is critical that the Principals note that, at this time, we do not have definitive analyses of the budgetary and programmatic impacts of NRC-based alternative measures of poverty. We are unlikely to have such analyses before the Census publishes its report.

Background

The current official poverty measure dates back to the 1960s. And, although this measure has been an important contributor to public debate and policymaking, the NRC report reflects a broad consensus that the measure is out-of-date and in need of revision.

Poverty measurement involves two concepts: (1) a definition of family resources, and (2) a "threshold" against which resources are compared to determine if a family is poor. Changes in these two concepts will have a direct impact on statistics used by the public for informational and analytical purposes. Changes will likely have an effect on both Federal program budgets and participant eligibility as well.

As discussed in the technical background paper, the NRC's recommended new poverty measure has two important consequences for the poverty rate. First, it would increase the poverty rates of all groups. For example, as shown in Table 1, in 1996 the poverty level was 13.7% using the current measure; it would increase to 18% using the new measure.

Second, it would substantially alter the demographic composition of the poor as set out in Table 2. For example, the NRC measure nearly doubles the poverty rate among the elderly (from 10.8% to 20.4%), raising the rate to nearly that of children. Other groups with relatively large increases are Whites and Hispanics, and married couples.

It is important to keep in mind that the NRC panel cautioned that setting the level below which a family is considered poor is more of an art than a science. They therefore suggested a range of alternatives and left it to policymakers to determine the most appropriate levels.

Issues for Consideration

1. At What Pace Should the Administration Proceed Toward the Adoption of a New Official Measure of Poverty?

The most important issue to be decided is whether the Administration should attempt to adopt a new official measure of poverty before the end of the second term. The advantage of acting during this Administration is that the second term of an Administration with a strong economy is an opportune time to make such a change. Also, the NAS made its recommendation three years ago and some might question our delay in implementation. On the other hand, by proceeding more cautiously, we would allow the community of users of poverty statistics to develop a better understanding of the pros and cons, both analytical and programmatic, of the various alternative measures. By establishing a more open process, we may also decrease the chance of a political backlash and of Congressional intervention. In addition, it will take at least another 4 years to develop fully the data needed to implement the NRC recommendations. Finally, selecting a preferred alternative measure and analyzing its programmatic and budgetary impacts is likely to be an iterative process that may take some time.

2. Should the Administration Initially Propose a Preferred Option or a Range of Alternatives?

Census' current plan is to publish a small number of alternatives. These would reflect the NAS recommendation and analytically interesting variations. (There will be extensive appendices in this report that will report a wide variety of different poverty definitions, to help demonstrate the statistical and analytical properties of the poverty measure recommended by the NRC.)

We need to determine whether we will recommend that the Census Bureau select or highlight a single alternative poverty measure, or present several equally in its forthcoming report. The advantages of highlighting a single alternative measure is that it may be less confusing than publishing multiple alternatives, and if we are correct in our choice, it may be easier for it to be

selected as the official poverty measure. In contrast, publishing a range of alternatives has many of the same advantages of proceeding cautiously in the adoption of a new official measure of poverty; that is, it would allow us more time to understand fully the analytical, programmatic, and budgetary implications of the different alternative measures, preserve the Administration's options to consider this issue further, and may be less likely to raise the ire of Congress.

3. If Highlighting a Preferred Option is Selected, Should the New Measure Be Benchmarked to the Most Current Poverty Rate? (This is issue number 1 in the technical background paper.)

If we select a single measure, we will need to decide whether to recommend that Census benchmark the new poverty measure to the old poverty rate in the current year (so that the number of people classified as poor would remain the same, although the distribution would change) or publish an NRC-like measure, which would result in a higher poverty rate (e.g., 18% rather than 13.7% in 1996). Some argue that benchmarking to the current poverty rate would diminish criticisms that the change is motivated by an effort to increase the estimated number of people living in poverty, and would also focus attention on the distribution of who is poor, rather than on how many people are poor. Others argue that since benchmarking to the current poverty rate does not follow the NRC recommendation (which would result in a higher poverty rate), it will be viewed as an effort to reduce artificially the estimated size of the poor population. Also, it could be argued that benchmarking alters the composition of the poor. For example, the Black poverty rate falls with benchmarking but rises with the NRC measure.

4. If Highlighting a Preferred Option is Selected, What are the Components of that Preferred Option?

Issues relating to the choice of components are discussed in the technical background paper. They include: how the poverty rate should be updated over time; whether the poverty thresholds should be adjusted for geographic variation in the cost-of-living; and how to account for medical care expenditures. Of these, how to adjust for medical expenditures is the most controversial. At this time, the Census Bureau is prepared to account for differences in medical out-of-pocket (MOOP) expenditures among households in the way recommended by the NRC, namely, subtracting them from income before a family's poverty status is calculated. However, there is also interest in having medical expenditures added to the poverty thresholds. (Which of these methodologies should be used is a technical choice best left to Census.)

Table 1. Poverty Rates and Thresholds under Alternative Measures, 1991-96, CPS

	Official measure	Benchmarked to 1996	NRC Experimental	
Poverty Rates				
1991	14.2	14.5	18.9	
1992	14.8	15.3	19.6	
1993	15.1	15.7	20.2	
1994	14.6	14.7	19.0	
1995	13.8	13.8	18.2	
1996	13.7	13.7	18.0	
Thresholds for 2 adults and 2 children (in dollars)				
1991	13,812	11,891	13,891	
1992	14,228	12,249	14,309	
1993	14,654	12,616	14,738	
1994	15,029	12,938	15,115	
1995	15,455	13,305	15,543	
1996	15,911	13,698	16,002	

Table 2. Poverty Rates under Alternative Measures, 1996, CPS

	Official measure	BenchmarkedNRC to 1996	Experimental
All persons	13.7	13.7	18.0
Children	20.5	18.1	23.8
Nonelderly adults	11.4	11.5	15.0
Elderly	10.8	15.6	20.4
White	11.2	11.8	15.6
Black	28.4	25.2	32.0
Hispanic origin	29.4	28.5	37.7
One or more workers	9.5	10.0	13.6
Persons in family of type:			
Married couple	6.9	7.8	11.1
Female householder	35.8	32.3	40.4
Geographic regions:			
Northeast	12.7	14.3	18.8
Midwest	10.7	10.3	13.8
South	15.1	14.2	18.3
West	15.4	16.1	21.0
Metropolitan/Central City	19.6	19.2	24.7
Not Central City	9.4	10.6	14.1
Nonmetropolitan	15.9	13.5	17.5

TECHNICAL BACKGROUND ON INCOME AND POVERTY MEASURES

The Current Poverty Measure

The methodology by which current poverty thresholds are determined was developed in the early 1960s by Mollie Orshansky, a staff economist at the Social Security Administration. She developed a set of poverty thresholds that vary with the number of adults, the number of children, and the age of the family head. These thresholds represent the cost of a minimum diet multiplied by 3 to allow for nonfood expenditures. The multiplier of 3 was chosen because the average family in 1955 spent one-third of its after-tax income on food. Since the late 1960s, the thresholds have been updated annually with the CPI to adjust for price inflation. Thus, the definition of poverty has remained virtually unchanged for 35 years, despite substantial changes in family behavior and government policy.

The NRC panel identified several weaknesses in the current poverty measure:

- The current poverty measure takes no account of changes in taxes (e.g., the expansion of the EITC) or in-kind benefits (e.g., Food Stamps).
- The current measure does not distinguish between the needs of working and nonworking families. In particular, it does not reflect the cost of child care and other work expenses for working low-income families.
- The current poverty measure takes no explicit account of medical care costs, which vary significantly across families and have increased substantially since the current poverty measure was developed.

The NRC Recommendations

In order to understand the NRC panel's recommended revisions, one must understand the basics of determining poverty. A family is considered poor when its resources fall below a predetermined poverty line or threshold. Therefore, one must develop a methodology for estimating family resources and for defining the threshold resource level below which a family is considered poor.

1. Defining Family Resources

Under the current poverty calculation, the definition of family resources is cash income. The NRC recommendations would estimate family resources as:

Family resources = Cash income + Near-money in-kind benefits - Taxes - Child care costs - Work expenses - Child support payments - Out of pocket

medical care expenditures (including health insurance premiums)

The rationale for subtracting taxes, work, and medical expenses from family resources is that these expenditures are typically not discretionary and reduce the family income available to achieve a basic quality of life.

There is near consensus among researchers that adjusting for near-money in-kind benefits (primarily Food Stamps and housing subsidies) and taxes would be an improvement in how poverty is measured. There is slightly less agreement on whether child care costs, work expenses, and child support payments should also be deducted because an unknown proportion of these expenses is likely discretionary. (The NRC proposes to cap the amount of child care and work expenses that can be subtracted to deal with this problem.) As discussed below, the adjustment for out-of-pocket medical care expenditures is more controversial.

2. Defining a Poverty Threshold

A threshold must be determined against which to compare a family's resources. The NRC panel recommends basing the threshold on expenditures on "necessities" (food, shelter, and clothing) plus a little more. Specifically, the NRC panel recommends selecting the 30th to 35th percentile in the distribution of annual expenditures on food, shelter, and clothing among families of four (two adults and two children), and then multiplying this expenditure level by between 1.15 and 1.25. Thresholds for other family sizes and types would be determined by an equivalency scale calculation.

The NRC recommends adjusting these thresholds to take into account geographic variation in cost of living, based on differences in housing costs by region and by city-size. It also recommends adjusting the thresholds over time by recalculating them from expenditure data on an annual basis.

TECHNICAL ISSUES

1. Determining the level of the poverty threshold.

The NRC panel acknowledges that the actual level at which the poverty threshold is set (and hence the final poverty rate) is inherently arbitrary and cannot be determined on the basis of purely statistical judgements. There are two primary options:

A. The NRC alternative. As described above, the NRC panel recommends establishing a threshold based on the 30th-35th percentile in the distribution of annual expenditures for a family of four, with a small multiplier to account for additional small personal expenditures. As shown in Tables 1 and 2, column 3, this would raise the 1996 poverty rate from 13.7% to 18%, and increase poverty among all subgroups. In addition, (as described further in Option B) this

change will alter the composition of poverty by changing the poverty rate among subgroups.

B. Benchmarking. The NRC panel also considered poverty estimates that benchmark the alternative poverty rate to equal the old poverty rate in a given year. The Census Bureau has done a number of such benchmarked calculations for 1996, as shown in Tables 1 and 2, column 2. (The report issued early next year could benchmark to 1997.) Benchmarking would assure that the aggregate poverty rate is identical for the official and the alternative measure in the benchmark year. But the distribution of poverty among subgroups within each measure would differ (see Table 2). In general, working families and families with large out-of-pocket medical expenses become poorer and nonworking families with substantial in-kind benefits become less poor. This has geographic as well as subgroup poverty rate implications. Similarly, both historical and future trends would differ. For instance, the alternative measure is identical in 1996 but higher in 1991. (The faster fall using the alternative measure is largely due to the expansion in the EITC.)

Pros of using the NRC measure:

- Incorporates the recommendations of the NRC panel, based on their professional judgement from the best available evidence.
- Generates dollar threshold levels that are quite similar to the current dollar thresholds (although the resources to which the thresholds would be compared are quite different).

Cons of using the NRC Measure:

- Results in a higher poverty rate (although the trends over time are similar.)

Pros of Benchmarking:

- May provide an easier transition to the new methodology because there will not be a change in the overall level of poverty. Critics, of course, will still charge that this level is arbitrary.
- Focuses the arguments on the relative distribution of who is poor rather than how many people are poor.

Cons of Benchmarking:

- Violates the NRC recommendation that the threshold should be based on the 30th-35th percentile in the expenditure distribution. In order to benchmark, the threshold falls to (about) the 25th percentile of expenditures on food, shelter, and clothing.

2. Updating the thresholds over time

Currently the poverty threshold is updated annually using the CPI_U. This, however, does not

allow for adjustments that reflect changes in underlying consumption patterns that might affect the revised thresholds. For instance, food prices have decreased relative to other goods over time, while housing prices have increased. There are two options:

(A) Recalculate the thresholds annually as a share of consumption on food, shelter, and clothing. (This is recommended by the NRC panel.)

(B) Update the thresholds on a year-to-year basis using a price index (preferably one based only on food, shelter and clothing). Implement a regular process (every 5-10 years) of reviewing the poverty measure and recalculating the thresholds.

Pros of Re-calculating the Thresholds:

- Regular recalculation will allow the poverty thresholds to reflect more accurately changes in consumption patterns and standards of living.
- Without an expectation that the thresholds will be re-calculated regularly, it may be hard to update them at all.

Cons of Re-calculating the Thresholds:

- Under certain data circumstances, recalculation could move the threshold a large amount or in an unexpected direction. This might raise substantive and political concerns.

Pros of Updating Using the CPI:

- Using the NRC methodology, the poverty thresholds are somewhat relative (i.e., they are affected by changes in the distribution of household expenditures.) As a result, they are a moving target and do not provide an absolute standard of need. A CPI adjustment would make it easier to compare poverty from year-to-year against a constant standard.
- Because consumption patterns and standards of living change slowly, it may be better to take them into account periodically rather than annually.
- An update with a CPI for necessities only (food, clothing, and shelter) may capture most of the relevant changes and would make it easier in the short run to understand the updating procedure.
- The data may not be good enough for an annual re-calculation of the thresholds.

Cons of Updating Using the CPI:

- Does not follow the NRC recommendations.
- Needs to be supplemented by a periodic updating and recalculation process that could prove difficult to implement.

NOTE: The EOP Policy Working Group recommends Option (B).

3. Should thresholds be adjusted for geographic variation.

The NRC panel recommended adjusting the poverty thresholds for cost-of-living differences across regions and by city size. Following the NRC recommendation, the Census Bureau proposes to make such adjustments based on housing cost differences (which have much greater regional/city size variation than food or clothing.)

Pros of Adjusting for Geographic Variation in Cost of Living:

- Most statisticians and economists agree that such adjustments should be made if data are available.
- The Administrative poverty guidelines that currently exist are already adjusted for Alaska and Hawaii.

Cons of Adjusting for Geographic Variation in Cost of Living:

- There is no one “right” way to make such adjustments and the issue could be highly politicized.
- The data available to make such adjustments are limited and may not be entirely reliable.
- Implementing such an adjustment in the poverty line threshold could lead to pressure to provide regional cost adjustments in a wide variety of other government programs, from Social Security benefits to tax payments.

NOTE: The EOP Policy Working Group recommends against geographic price adjustments.

4. How to account for medical care expenditures.

Since the mid-1970s, analysts have been concerned that the official poverty rate overstates the extent of poverty among beneficiaries of Medicare, Medicaid, and private health insurance. At the same time, the official poverty rate may understate the extent of poverty among populations with large medical expenditures. Most analysts agree that, in principle, medical care “needs” should be incorporated into the calculations of the threshold and family resources (i.e., families with higher medical needs should have higher thresholds; those with more generous medical benefits should be considered to have more resources; and those who must spend more to achieve “good health” should have those expenses subtracted from their resources). However, we cannot observe a family’s medical need. In addition, it is not clear that one can simply

impute the cash value of insurance benefits and add this to income; the "extra" benefits received from insurance to cover expensive medical services do not provide income that can be used for any other purpose.

To understand the difficulties, consider including medical benefits into the income calculations. Adding medical benefits to income, without also adjusting the poverty threshold, has the perverse effect of making sicker individuals appear better off. Other proposals to adjust the poverty threshold (without also adjusting resources) run into similar problems.

In the end, the NRC panel recommended subtracting all medical out-of-pocket (MOOP) expenses (including health insurance premiums) from income, without trying to value health insurance as a part of income or medical need as a part of the thresholds. Hence, family resources are measured net of MOOP. Those individuals with good insurance will have few out-of-pocket medical expenses; those without insurance who face health problems will have lower measured incomes as they pay more for medical care.

This adjustment accounts for the larger poverty rates using the NRC methodology. For example, in 1996 the poverty rate was 13.7% using the current methodology; it would have been 18% using the NRC methodology, but only 13.2% using the NRC methodology without the medical expenses adjustment. This adjustment nearly doubles the poverty rate for the elderly, raising it almost to the rate for children. This adjustment is one of the most controversial of the NRC recommendations.

There is general agreement that ignoring medical care and medical expenses entirely is not a good idea, particularly given the rapid increase in medical costs in the past 30 years, the extent of uninsurance among the low-income population, and this Administration's concern with it. In addition, if we do not adjust for medical care (in some way) now, it may be much harder to do so in a few years when we will have better data (because the change will be so dramatic it will be viewed as another big methodology change).

There are three approaches to incorporating medical care and expenses:

(A) Follow the NRC recommendation and subtract MOOP from family resources. This makes families with unreimbursed medical expenses less well-off than other families.

(B) MOOP could be added to the thresholds rather than subtracted from resources. (The choice between options (A) and (B) is a technical decision that Census should address.)

(C) Try to impute the value of health insurance to resources, so those with insurance have higher resources. Health insurance should then also be imputed into the thresholds.

Pros of Adjusting for MOOP (either options (A) or (B)):

- While not perfect, under the NRC recommended adjustment families with higher

unreimbursed medical expenditures will be “poorer.” The NRC recommended adjustment would also be sensitive to changes in health care financing that would decrease MOOP and thereby increase disposable income and reduce poverty.

Cons of Adjusting for MOOP (either options (A) or (B)):

- The data that are currently available are out-of-date (but we should have updated information available in a more timely fashion within another year.)
- The NRC recommended approach relies on the controversial assumption that all medical care expenditures are nondiscretionary. (This concern could be mitigated to some extent by imposing a cap on the amount of medical expenses.)

Pros of Imputing the Value of Health Insurance into Resources and Thresholds:

- Provides a more complete accounting of all medical resources available to a family.

Cons of Imputing the Value of Health Insurance into Resources and Thresholds:

- There is no accepted “correct” way to do this. The data here are probably more unreliable than the data needed to impute the value of MOOP to families.
- Many analysts agree with the NRC panel that the value of health insurance is quite different from (say) the value of food stamps, which are far more fungible. Mixing in health insurance coverage with economic need causes interpretational and conceptual problems to a measure of economic need.
- To date, Census has been following the NRC recommendation. If we asked them to switch to this approach, it might require substantial additional work and seriously delay their report.

NOTE: The EOP Policy Working Group recommends that Census incorporate medical care in some way and recognizes that the Census Bureau of prepared for option (A). However, the group strongly recommends that Census thoroughly investigate the impact of option (B), and continue work on other approaches to incorporating medical care and expenditures, such as by valuing medical health insurance (option (C)).