

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 081 - FOLDER -009**

**[08/12/1998 - 08/17/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. email	Edward Correia to Michael Cohen and Elena Kagan re Single Sex Education [partial] (1 page)	08/12/1998	P5
001b. email attachment	memo re Single Sex Schools [partial] (4 pages)	08/12/1998	P5

**COLLECTION:**

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

**FOLDER TITLE:**

[08/12/1998-08/17/1998]

2009-1006-F

kc203

**RESTRICTION CODES**

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

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]
  
- C. Closed in accordance with restrictions contained in donor's deed of gift.
- PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).
- RR. Document will be reviewed upon request.

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

# Withdrawal/Redaction Marker

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001a. email	Edward Correia to Michael Cohen and Elena Kagan re Single Sex Education [partial] (1 page)	08/12/1998	P5

### COLLECTION:

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

### FOLDER TITLE:

[08/12/1998-08/17/1998]

2009-1006-F  
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b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]  
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

[001a]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 11:10:27.00

SUBJECT: Single sex education

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

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

TEXT:  
Here's a memo I prepared on the single sex education investigation in case you would like some background for tomorrow's meeting (11:30 in Chuck's office).

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

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D22]MAIL46633762Z.226 to ASCII,  
The following is a HEX DUMP:

P5

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001b. email attachment	memo re Single Sex Schools [partial] (4 pages)	08/12/1998	P5

### COLLECTION:

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

### FOLDER TITLE:

[08/12/1998-08/17/1998]

2009-1006-F  
kc203

### RESTRICTION CODES

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

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

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

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

RR. Document will be reviewed upon request.

[0016]

August 12, 1998

MEMORANDUM TO: CHARLES RUFF  
FROM: EDDIE CORREIA  
SUBJECT: Title IX and Single Sex Schools

The Department of Education is nearing the conclusion of its investigation of a possible violation of Title IX by [REDACTED] P5 in its operation of a school limited to girls. In addition, Senator Kay Bailey Hutchison has requested OCR's views on her legislation to create an exemption from Title IX for certain types of single sex educational programs. Both these developments suggest that we review the administration's policy in this area.

#### Background

In 1997 [REDACTED] P5 established [REDACTED] P5 a single sex school for girls in grades 7-12 located in [REDACTED] P5. The stated purpose of the school is to create an environment in which some girls will have a better chance to improve their academic performance. Math and science are emphasized; tutors are made available; and there is an emphasis on increasing self-esteem. There is an open admissions policy, and the students represent a wide range of academic abilities. The school is one of a number of specialized alternative public schools in [REDACTED] P5 such as those for the performing arts and math and science. The establishment of the school was prompted by a grant from a private individual. While there has been no formal assessment of the program, there are indications that attendance is high and the students perform better than comparable students across the city.<sup>1</sup> The concern is that, unlike all other public schools in [REDACTED] P5 the school admits only girls.

OCR has had extensive discussions with city officials about the fact that the school might violate Title IX. In the course of these discussions, OCR has obtained information about the city's justification for the school and its rationale in establishing the school only for one gender. Secretary Riley intends to talk directly

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<sup>1</sup> See Susan Estrich, Time to Give Single Sex Education a Chance, Houston Chronicle, May 21, 1998. She writes that the attendance at the school is 92%, and 90% of the students are at or above grade level, compared to 50% city-wide.

with the [P5] Superintendent of Schools, and he would like our guidance as to the applicable legal standards and administration policy generally. This memorandum summarizes the key legal and policy issues.

### **What Law Applies?**

There is no doubt that the Equal Protection Clause applies. However, there is some uncertainty whether Title IX applies, since it does not cover the admissions policies of elementary and secondary schools. OCR's position is that this provision excludes institutions only if equivalent or comparable opportunities are made available for each gender, e.g., two equivalent high schools, one for each sex. If, on the other hand, a state operates a well-funded, well-staffed high school open only to boys, and a poorly funded, poorly-staffed high school open only to girls, OCR concludes that Congress did not intend to preclude application of Title IX's basic bar on gender discrimination. I agree with this analysis. Since we face the question of a possible constitutional violation whether or not Title IX applies, the answer to this statutory interpretation question is not dispositive.

### **Our Approach to Gender Classifications**

The issues raised by this investigation require an examination of our fundamental approach to gender classifications. In VMI the administration advocated that the Court apply the same level of scrutiny to race and gender classifications. However, the Court declined the invitation and used the phrase exceedingly persuasive justification to describe justifications for gender classifications. It also cited the traditional formulation of intermediate scrutiny -- a classification must advance an important state interest and be substantially related to the state's goal.

Whatever the precise standard adopted by the Court in VMI, there is no doubt that the city would have a substantial burden to justify the single sex policy in litigation. However, we are not a court. We are not obligated to impose the same burden now that a court would if it had to apply the Equal Protection Clause. Instead, as in any decision involving prosecutorial discretion, our obligation is to advance the public interest, given all the relevant considerations. Consequently, we can decide not to sue the city even if it has not "proven" certain facts, or if they cannot be established one way or the other. If we take the position that the city must definitively establish the answer to certain questions about education policy -- when the experts tell us there are no clear answers -- we could be preventing local governments from conducting valuable educational experiments. Not only could we be depriving the students in these institutions from excellent educational opportunities, we would be depriving educators all over the country from learning what works.

The leading cases in this area are United States v. Virginia (VMI) and Mississippi University for Women v. Hogan. In Hogan, the state ran two coed nursing schools and a third one limited to women. In VMI, the state prevented women from having access to a unique form of education. In both cases, the state policy was struck down. Together, however, these cases suggest two possible justifications for gender classifications: 1) a comparable opportunities rationale; and 2) a compensatory rationale.

### **The Comparable Opportunity Rationale**

A comparable opportunity rationale means that neither gender is significantly disadvantaged by a gender classification because comparable benefits are offered to both. The state is acting even-handedly. One variation of a comparable benefits rationale emphasizes the value of diversity (institutional and program diversity, not diversity in a student body). For example, the state may offer a variety of programs, one of which is available to only one gender, but argue that members of the other gender are not disadvantaged because comparable coed programs are available. We do not yet have a case upholding a single sex school on that ground. It is clear that a diversity rationale is unacceptable if the benefit offered to one gender is viewed as unique, and the value of the benefit to one gender is not undermined if it is offered to both.

The comparable opportunities rationale must be evaluated in the context of the underlying goals of equal protection. Heightened scrutiny ensures that the state is not making decisions on the basis of animus toward one gender or stereotypes, which could lead to irrational decisions or to a stigma imposed on one gender. These concerns arise differently in race and gender cases. For example, "separate but equal" programs almost always create a stigma in the race context, but they do so less frequently in the gender context. While separate but equal programs for different races has been thought to be impermissible since Brown, the Court has never said that a "separate but equal" program for both genders violates the Equal Protection Clause. In addition, the Court has never said that a comparable alternative to an education program offered to one gender in a single sex setting must also be offered to the other gender in a single sex setting.

### **The Compensatory Rationale**

A compensatory rationale means that the state is attempting to remedy past burdens that have fallen particularly on one gender and the remedy is sufficiently related to these past burdens. We can assume that a remedy for past discrimination must meet the basic standard for all gender classifications, i.e., there is an exceedingly persuasive justification. However, the requirements for meeting that standard are more flexible on those applied to race classifications.

In Croson and Adarand, the Court rejected basing remedies for race discrimination on "societal discrimination." The Court's concern was that the "amorphous" nature of societal discrimination means that it is difficult to determine when remedies are sufficiently narrowly tailored. However, this need to narrowly tailor remedies has not been applied to gender classifications. Several cases have upheld gender classifications on the basis that they remedy what amounts to societal discrimination.<sup>2</sup>

Title IX regulations have specific standards for the remedial justification.<sup>3</sup> While there may be some differences with the constitutional standards, they do not appear to be significant in this case.

### **Applying these Rationale to the Leadership School**

In Hogan, the comparable opportunities rationale was rejected because the Court felt males were significantly disadvantaged. The male plaintiff living near the school was forced to travel a long distance for a comparable program. Moreover, the asserted benefits of admitting only women were inconsistent with the state's own policy of allowing men to audit the classes. The Court rejected a compensatory rationale because it was not related to past discrimination. Women already dominated nursing, so a nursing school limited to women could not be said to compensate for past discrimination. Instead, it simply reinforced the stereotype that nursing is a women's profession.

In VMI, the compensatory rationale was obviously not a possibility. (It rarely will be when women are disadvantaged.) The diversity argument was rejected on two grounds. First, most of the Court concluded that diversity was not the actual purpose of the state in establishing VMI. Second, even aside from the actual purpose, one way diversity is not enough. If the opportunity is truly unique, then the members of the other gender are disadvantaged unless they can take advantage of something comparable. The state's proffered comparable alternative, Mary Baldwin, was far inferior in staffing, funding and other characteristics.

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<sup>2</sup> See, e.g., Kahn v. Shevin (property tax exemption for widows) and Califano v. Goldfarb (favorable formula for evaluating Social Security benefits for women).

<sup>3</sup> "Remedial action" is permitted if OCR concludes that a recipient has discriminated on the basis of sex and the remedy is "necessary to overcome the effects of such discrimination." "Affirmative action" is permitted to "overcome the effects of conditions which resulted in limited participation therein by persons of a particular sex." 34 CFR § 106.3.

In contrast to VMI and Hogan, [ P5 ] has a much better argument for the comparable opportunities rationale. The city offers many educational opportunities that are open to boys with the same basic objectives -- improving academic performance, increasing self esteem, and increasing the likelihood of successfully entering the workforce.

While these programs for boys do not take place in a single sex setting, it is clear that the city is not motivated by an animus against boys, that boys are disadvantaged in any significant sense, and that the school does not impose a stigma on girls. Instead, the city offers a program that appears to benefit girls, that does not burden boys, and that could be undermined if boys were admitted.

There is also an argument for the compensatory rationale in this case, though I think it is a weaker one. The requirements for assessing compensatory gender classifications are more flexible than in race cases. Moreover, there is considerable evidence that many girls do have problems learning math and science in traditional settings. We do not know whether this is because of long-term discrimination, rigid teaching techniques, or some other factors. It is conceivable that the city has traditionally used educational approaches that disadvantaged female students, but we have little or no evidence on this point. Thus, if we endorse a remedial rationale for this school, the remedy is really addressing a host of institutional and social factors for which the city is not responsible.

We should not take the position that the demanding requirements of Adarand should apply to remedies for gender classification. (For example, some of the strongest arguments against I-200 in Washington are that it would end certain education and training programs for women that might not be viewed as narrowly tailored to address specific past discrimination.) However, under the circumstances presented here, I do not believe we would be wise to emphasize the compensatory rationale given the lack of evidence on this point. Trying to justify the school as remedial could require stretching the concept of substantially related remedies too far.

**Conclusion**

There are several possible outcomes of single sex educational programs. They can benefit mostly girls, and not boys, or vice versa. They can work well for both genders, or they can work poorly for both. In fact, we know very little about which of these possibilities is correct. It is likely that some programs work for some members of each gender under different circumstances, but this is simply an area where we need to know much more. (One thing we can have confidence about -- current coed programs, particularly in large city districts, are often abysmal.)

Assume there is evidence that a single sex educational program

works well for many girls, but not particularly well for many boys. A state decides to use its scarce resources to establish the program only for girls and that the program seems to work well. It cannot (or refuses) to establish a similar program for boys but it attempts to offer the same basic benefits to boys in a coed setting. Assume also that there is no stigma associated with the program, and that there is no stereotype associated with the school because girls attend by choice. Under these circumstances, would we insist that the state close the school for girls? What would we be accomplishing? In an effort to vindicate some abstract (and incredibly rigid) view of equal protection, we would have succeeded in depriving girls of a program that could benefit them without helping boys, or anyone else for that matter.

This may very well be the case here. Arguably, the only "unique" aspect of the [P5] is that education is offered in a single sex setting. Not only do we have research that shows that single sex education may provide a particular benefit to girls, we have actual experience with this school that shows it is working. Given the state of knowledge, [P5] could reasonably conclude that it prefers to devote scarce resources to offering a program to girls that appears to work, and to attempt to achieve the same basic goals for boys in some other way. Again, we are not a court. We do not have to subject the city to the same burden of proof requirements that it would face in litigation. Instead, we can consider the benefits of this program to the girls themselves and the benefit to everyone else from the experiment.

I recommend that the Secretary make an effort to resolve this matter with the city by suggesting that it take steps to establish a more directly comparable program for boys in a coed setting. If it agrees, I recommend that we simply close the case and commend the city for its actions. If it disagrees, I recommend that we still close the case. Our explanation should be that, under all the circumstances, boys are not disadvantaged and the program offers promising academic benefits for girls. Therefore, we have decided to evaluate the school and take no further action at this time. The nation has a stake in learning what works, and the [P5] provides an opportunity for us to do just that.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 13:58:55.00

SUBJECT: \$ 146 million in USDA budget

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

READ:UNKNOWN

TO: Morley A. Winograd ( CN=Morley A. Winograd/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

USDA believes it should have access to \$146 million in unspent funds. OMB disagrees. I believe Glickman will send the President a note on this issue. Attached is a USDA background note explaining the issue in 3 paragraphs. USDA notes that if we can free up this money, it frees up money for other important concerns like food safety. They would obviously like us to note our agreement to OMB. ===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D58]MAIL48433172C.226 to ASCII,  
The following is a HEX DUMP:

FF57504355050000010A020100000002050000005810000000020000AC37C293EE36151972B8C7

USDA needs some assistance in resolving an issue which could alleviate some of the pressure on its fiscal year (FY) 1999 appropriations bill. Both the House and Senate versions of USDA's appropriations bill underfund many of our most important initiatives. These include items such as the Food Safety Initiative, Fund for Rural America, the research initiatives authorized in the new legislation recently signed by the President, the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), and our Integrated Pest Management Initiatives for farmers. Further, since the President submitted the FY 1999 Budget in February 1998, conditions in rural America have deteriorated; and we need to reconsider our earlier proposals to reduce staffing in the Farm Service Agency.

It would be very helpful if the Office of Management and Budget (OMB) would reconsider its decisions concerning unobligated balances from previous rural development programs which were transferred to and merged with the new Rural Community Advancement Program (RCAP) and Rural Housing Assistance Grants Program (RHAG) by language in our Fiscal Year 1998 Appropriations Act. There are \$146 million of such balances. Funds for RCAP and RHAG are provided on the basis that they are available until expended. USDA's budget office and General Counsel believe this \$146 million is available and could be used to alleviate some of the underfunding in the FY 99 appropriations bill. Senator Bumpers, ranking Democrat on Senate Ag Appropriations, also believes these funds are available and has written OMB in this regard. USDA wrote Jack Lew on June 17, 1998, asking for help on this issue.

However, it appears that OMB staff believe that the transferred funds from previous balances are no longer available. Obviously, if we had this \$146 million to help finance our rural development activities, this would have the affect of freeing up funds to pursue other important Administration priorities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 17:56:25.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Bruce wants to talk to you 66515

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 17:15:58.00

SUBJECT:

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

TEXT:

Maria Echaveste just called you 66594

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 10:20:57.00

SUBJECT: AoA Fraud and Abuse Conference

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

READ:UNKNOWN

TEXT:

According to the Cabinet Weekly Report p 4: AoA will hold its second National Health Care Fraud and Abuse Conference, including Federal partners and "retired seniors involved in anti-fraud projects ..will share best practices"

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 10:42:06.00

SUBJECT: If you want to read up on San Diego before our 2:00 chat

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here's a one pager. Or feel free to wait until 2:00 -- I'll bring copies

of it.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D29]MAIL443676629.226 to ASCII,

The following is a HEX DUMP:

FF57504370040000010A0201000000020500000008E1500000002000093E327E9D7F2BD19C53D11  
9774EE58DCB905E8AEFBCCC86AE03345FA1190B54B5A17F490E03B4EA9F940D65AAB2B2D71FE92  
7A59FF7BFA23E351E8454C741350ED2BF35711AC9C35E179B38CFF47DD5D6CA93C7E22C4D1D3AC

## San Diego Immigrant Issue

**San Diego Action:** San Diego County plans to send a letter to all CalWORKS (TANF), Food Stamps, and General Relief (but not Medicaid) recipients stating that the county plans to provide immigration status information to the INS for all undocumented adults living in the home except in certain very limited circumstances (in cases of domestic violence or children are being cared for by a non-parent relative). San Diego uses an application form which requires parents to specify their immigration status (with one box labeled “undocumented”) even if they are not applying for assistance for themselves.

**Effect of San Diego Policy:** Undocumented parents may be deterred from applying for or receiving Food Stamps for their citizen children. Children cannot apply for their own benefits; application must be made by a parent or another adult exercising parental control. According to advocates, as many as 428,000 citizen children nationwide could be blocked from obtaining Food Stamps if other jurisdictions follow San Diego’s policy.

**Legal Basis of San Diego Policy:** Section 404 of the Personal Responsibility Act says that each state that receives a TANF grant “shall, at least 4 times annually and upon request of the Immigration and Naturalization Service, furnish the Immigration and Naturalization Service with the name and address of, and other identifying information on, any individual who the State knows is unlawfully in the United States.” Advocates note that if San Diego did not have an application form requiring parents to check “undocumented” then they would not “know.” In addition, section 434 of the welfare law says “Notwithstanding any other provision of Federal, State, or local law, no State or local government entity may be prohibited, or in any way restricted, from sending to or receiving from the Immigration and Naturalization Service information regarding the immigration status, lawful or unlawful, of an alien in the United States.”

**Legislative History on Eligibility for Citizen Children:** Early versions of Congressional welfare reform proposals which had made citizen children ineligible for benefits were amended before final passage to maintain their eligibility. The Agriculture Research bill enacted in June restored Food Stamps to legal immigrant children regardless of their parents’ immigration status.

**Possible Administration Action:** USDA could send a letter to the state of California saying “Our concern is that requiring ineligible parents to go beyond the requirements of the Food Stamp program and provide more detailed information as to why they are ineligible, many parents will be deterred from making application for eligible children” and asking that action be delayed until this concern can be resolved. The letter would focus on the effect of collecting information on the Food Stamp application on the service received by eligible, U.S. citizen children (and not on the reporting of information to the INS).

**Legal Basis of Possible Administration Action:** The Food Stamp Act, as amended by the welfare reform law, requires states to “establish procedures governing the operation of food stamp offices that...provide timely, accurate, and fair service to applicants for, and participants in, the food stamp program [and] develop an application containing the information necessary to comply with this Act.” This requirement has not been defined in regulations. In addition, the Food Stamp Act prohibits states from imposing additional conditions of eligibility for food stamps not authorized by federal law.

**Possible Additional Administration Action:** If the San Diego refuses to change its policy, then USDA could bring administrative action against the state. In addition, USDA could begin a rulemaking to define “timely, accurate, and fair service.”

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jon P. Jennings ( CN=Jon P. Jennings/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:12-AUG-1998 18:40:12.00

SUBJECT: COPS Update

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

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

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

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

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

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

TEXT:

In addition to the information I sent to everyone, I was just notified by DOJ that 12-15 Resource Officers are being given to Jonesboro, AR. These officers are part of the President's initiative to put officers in schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 16:39:18.00

SUBJECT: Women's Mtg

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 15:37:31.00

SUBJECT: draft radio address paper

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

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

TEXT:

For your review. Thanks to last week's fire drill on the radio address, this is early! We plan on giving the press office the Transportation Department's release -- which provides some additional findings of the overall FARS data -- to attach with the one-pager.

I've heard a rumor that the address could get switched to a foreign policy message, but there's no harm in getting this ready to go. FYI: DOT can't really hold the data past this weekend, so it's not an option for later if we don't use it for the radio address. I've let Christa know this.

Thanks,  
Leanne

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D50]MAIL45711272F.226 to ASCII,  
The following is a HEX DUMP:

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5FF921834E19D7C2E66ADDF A1CEF5453020306DF67213B81FC142108910D5FD999F870A72C8337

**Making Progress and Saving Lives**  
**August 15, 1998**

In his radio address to the nation, President Clinton will: (1) announce that, in 1997, the rate and number of alcohol-related fatalities dropped to their lowest levels since record-keeping began in 1975; and (2) renew his challenge to Congress to save even more lives by setting a nationwide drunk driving standard of .08 blood alcohol content (BAC).

**Drunk Driving: Reaching A Historic Low**

- **Fewest Alcohol-Related Deaths Since 1975.** According to the Transportation Department's Fatality Analysis Reporting System (FARS), the rate of alcohol-related crashes fell from nearly 41% in 1996 to 38.6% in 1997 -- the first time that the rate dropped below 40% and the fewest number of alcohol-related fatalities since the Transportation Department began record-keeping in 1975. Since 1982, the number of alcohol-related fatalities has dropped by more than a third.
- **Decline in Youth Killed by Drunk Drivers.** The 1997 FARS data also shows that alcohol-related deaths among 16 to 20 year-olds dropped 5%. Reducing the number of young people killed in alcohol-related crashes has been a cornerstone of the President's effort to combat drunk driving.

**Working to Make .08 the Law of the Land**

- **Fighting for a Tough National Standard.** President Clinton continues to challenge Congress to enact legislation that makes .08 BAC the legal limit for impaired driving. It has been estimated that if all states had .08 laws, alcohol-related deaths would decrease by 500 to 600 per year. The President supports bipartisan legislation that would give states three years to enact .08 legislation, or risk losing highway funds. Sixteen states have already adopted .08 laws: UT, OR, ME, CA, VT, KS, NC, NM, NH, FL, VI, HI, AL, ID, IL, and WA.
- **Taking Executive Action on .08.** Although Congress failed to enact .08 legislation as part of omnibus transportation legislation it recently passed, the President continues to lead by example. On March 3, 1998, he directed the Secretary of Transportation to work with safety groups, States, Federal agencies, and others to develop a plan to: (1) make .08 BAC the standard on federal property; (2) work with tribes to make .08 the limit in Indian Country; and (3) launch an education campaign on the risks of drinking and driving. The Secretary recently submitted such a plan to the President, and he has accepted the Secretary's recommendations.

**President Clinton: A Record of Leadership**

- **Putting Safety First.** Safety has always been President Clinton's highest transportation priority, and the decline in alcohol-related deaths announced today is a result of that commitment. This Administration's highway safety priorities include taking on drunk and aggressive driving, and increasing seat belt use.
- **Zero Tolerance Now the Law in 50 States.** In 1995, President Clinton fought for and signed legislation requiring states to have "zero alcohol tolerance" laws for youth by October 1, 1998, or risk losing highway funds. At that time, just 24 states and D.C. had zero tolerance laws. This past June, South Carolina became the 50th -- and final -- state to adopt a zero tolerance law.

**Drunk Driving Radio Address  
August 15, 1998**

**Q. Can you explain what FARS is, and what other information is being released in it today?**

A. The Fatality Analysis Reporting System (FARS) was established by the Transportation Department's National Highway Traffic Safety Administration (NHTSA). The mission of FARS is to make vehicle crash information accessible so that traffic safety can be improved. Each year, FARS documents all traffic-related fatalities by collecting data from the 50 states and the District of Columbia. Some of the key findings from the 1997 FARS report include:

- Fewest Alcohol-Related Deaths Since 1975. The rate of alcohol-related crashes fell from nearly 41% in 1996 to 38.6% in 1997 -- the first time that the rate dropped below 40% and the fewest number of alcohol-related fatalities since the Transportation Department began record-keeping in 1975. And since 1982, the overall number of alcohol-related fatalities has dropped by more than one-third.
- Decline in Youth Killed by Drunk Drivers. The 1997 FARS data also shows that alcohol-related deaths among 16 to 20 year-olds dropped 5%, from 2,324 in 1996 to 2,209 in 1997.
- Alcohol a Large Factor in Fatal Crashes. Alcohol was involved in 7.0% of all crashes, but 38.6% of all fatal crashes. Three out of every 10 Americans will be involved in an alcohol-related crash some time in their lives.
- States with lowest alcohol related fatalities: Utah had the lowest percentage of alcohol-related fatalities (20.6%), followed by New York (27.4%). Kansas and Arkansas were the only other states with alcohol-related fatality rates under 30%.
- Modest Decline in Overall Number of Fatalities. Fatalities dropped slightly from 42,065 in 1996 to 41,967 in 1997 -- 98 fewer deaths. The rounded fatality rate remained at the historically low level of 1.7 deaths per 100 million vehicle miles traveled, despite increased travel and higher speed limits. Sixty-three percent of those killed on the highways were not wearing seat belts.

The Transportation Department/NHTSA will make the 1997 FARS database available today. The 1997 FARS data will also be posted on the NHTSA website next week.

**Q. Wasn't this data already released?**

A. The Transportation Department made preliminary FARS data available in May. There have been some small but positive changes in the final data, including a modest decrease

in the already ground-breaking alcohol fatality rate (from 39.3% to 38.6%) as well as a minor decline in the overall number traffic fatalities (from 42,000 to 41,967). The final FARS data will also provide significantly more detailed information than what was previously released.

**Q. Were there declines in alcohol-related fatalities in the states with .08 BAC laws?**

- A. Among the 15 states with .08 BAC laws in 1997, two-thirds (10 states) continued to register declines in alcohol-related fatalities. These states have shown steady progress in reducing alcohol-related fatalities since passage of their .08 laws. One state -- Kansas-- had a dramatic reduction in alcohol-related fatalities in 1997 to 29.5% from 40.2% in 1996. Of the remaining non-.08 states, about half (18 states) saw decreases in alcohol related fatalities between 1996-97.

**Q. Why is the President continuing to push for .08 BAC legislation when the Congress recently dropped the measure out of the highway bill? Do you really believe it has a chance of passing when the Congress passed a large incentive grant program instead of sanctions for .08?**

- A. While we hope the incentive grants will serve to encourage more states to pass life-saving .08 laws, they really don't go far enough. The President believes we must continue to push for a measure to ensure that all 50 states have .08 laws. Zero tolerance for youth drinking and driving is a good example. Before the President fought for and signed this into law in 1995, after years of incentive grants, only 24 states had such laws. Three years after he signed a law which required states to have zero tolerance or risk losing highway funds, all 50 states now have them. The same thing happened with the minimum drinking age, which has been credited with saving thousands of lives.

We could save an estimated 500 - 600 lives a year if every state had an .08 law -- which is why the President refuses to relent on this issue. He has led by example by calling for an .08 the standard on federal property, and will continue to push Congress to pass the Lautenberg/Lowey bill -- over the strong objections of the liquor lobby-- before it adjourns this year.

**Q. In March, the President signed a directive to Secretary Slater to, among other things, make .08 BAC the standard on federal property. What is the status?**

- A. The Department of Transportation has been working with affected federal agencies to accomplish the President's directive. The National Park Service has initiated plans to conduct a rulemaking to amend its relevant regulation to lower the legal limit in park areas to .08 BAC. Similarly, the Department of Defense has initiated plans to amend all

applicable internal directives and regulations to lower the legal limit on military installations. The Joint Service Committee on Military Justice is developing legislation to amend their Uniform Code of Military Justice, which provides the impaired driving penalties for military personnel. And the U.S. Coast Guard is working to establish a .08 BAC standard on our nation's waterways to reduce the number of alcohol-related recreational boating casualties.

**Q. Is there any evidence that lowering the limit from .10 blood alcohol content (BAC) to .08 BAC has any real effect on reducing the number of alcohol-related crashes?**

A. Yes. To date, four studies have evaluated the effects of .08 BAC laws in the United States. Each study has shown that lowering the BAC limit to .08 was associated with significant reductions in alcohol-related fatal crashes. One key study of five states that lowered their BAC limit to .08 found that drunk driver fatalities were reduced by an average of 16%. And a Boston University study concluded that when all states lower their BAC limits to .08, alcohol-related deaths are expected to decrease by about 500 to 600 every year.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-AUG-1998 13:22:46.00

SUBJECT: One page summary for Shea mtg Thurs @ 11:00 (Bruce's office)

TO: Karen Tramontano ( CN=Karen Tramontano/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

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

TEXT:

Just a reminder of the issues in case you've suppressed them. ===== A  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D93]MAIL48400172M.226 to ASCII,  
The following is a HEX DUMP:

FF575043DA060000010A02010000000205000000A51500000002000074FD06A3E47096A27E93AA

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 19:46:21.00

SUBJECT: Racial Analysis of Caseload

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

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

TO: Robert F. Schoeni ( CN=Robert F. Schoeni/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

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

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

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

TEXT:

Here is the information we've gathered to date. I've included data tables so it's 4 pages. Elena, Bob Schoeni at CEA has all the backup data and is happy to answer questions next week in my absence. He is also: doing some additional runs of characteristics associated with long-term welfare receipt from 96 and 97 CPS data, working on backing out child-only cases, and calculating welfare dependency by race as a way to control for population changes (i.e. what % of total white, black and hispanic population were on welfare in 94 vs 97).===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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The following is a HEX DUMP:

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## WELFARE CASELOAD ANALYSIS

There are a number of factors that appear to contribute to the different rates at which the caseloads are declining for different racial and ethnic groups. The primary factors are listed below, along with currently available data. Staff are continuing to do additional analysis to determine the magnitude of these factors.

**The racial/ethnic composition of welfare caseloads has been changing gradually over the last 25 years:** whites rose from 38 percent in 1973 to a peak of 42 percent in 1983 and have dropped steadily to 35 percent in 1997. The proportion of blacks has generally declined, from 46 percent in 1973 to 37 percent in 1997. The most significant trend is the increase in the Hispanic portion of the caseload, from 13 percent in 1973 to 23 percent in 1997. However, this is not too surprising given the rapid increase in the Hispanic population overall.

	TOTAL	WHITE	BLACK	HISPANIC	OTHER
% Change in Total Population 7/92-6/98	6%	2%	9%	24%	22%
% of Total Pop 6/98	100%	72%	12%	11%	4%

The question is how welfare reform may be affecting these historic trends. National data on the racial/ethnic characteristics of welfare recipients are only available through June 1997, so it is hard to gauge the impact of the past year when welfare reform efforts accelerated so rapidly. States provided more recent data to the Times (generally through June 1998), but HHS has concerns that some of these data may have problems, particularly NY and CA. They are working with states to verify the data.

It is also worth noting that the caseload data only tells who is currently on the rolls; it does not tell the rate at which different groups are entering and exiting. Analysis of entries and exits will be conducted in the near future.

**The number of white, black and Hispanic families receiving welfare have all dropped since 1994 (when caseloads peaked nationally, but the rate of decline has been greater for whites than blacks, with an even slower decline for Hispanics.**

	<u>94</u>	<u>97</u>	<u>% Change</u>
Whites 1.9M	1.4 M		-26%
Blacks	1.8M	1.5 M	-18%
Hispanics	1.0 M	.9 M	-9%

**The changes are more dramatic than the actual mix of who is left on the caseloads, at least on a national basis.**

	<u>94</u>	<u>97</u>
Whites 37%	35%	
Blacks	36%	37%
Hispanics	20%	23%

**There is some encouraging evidence from Census data that the employment rates of former welfare recipients are *increasing* even faster for minorities than for whites**, although the actual rates and the disparity between groups remains disturbing. Between 1996 and 1997, the percentage of all prior year welfare recipients who were employed in the next year increased by 28%. The increase was highest for blacks (33%), followed by Hispanics (22%) and whites (21%).

**Minorities on welfare disproportionately share characteristics that may make it harder to leave the rolls.** These factors include: lower education levels, lower marriage rates, larger families, isolation from areas with jobs, and employment and housing discrimination. March 95 Current Population Survey Data shows the following characteristics for public assistance recipients in 1994:

	TOTAL	WHITE	BLACK	HISPANIC
% with < HS diploma	42%	33%	40%	64%
% never married	43%	31%	61%	40%
> 2 children	30%	20%	38%	38%
Live in central city	51%	31%	71%	63%

CEA is running comparable data for the March 1996 and 1997 CPS.

**Historical data confirms that minorities are more likely to remain on the welfare rolls longer.** At the same time, the proportion of long-term recipients on the rolls is increasing slightly. This would partially explain why the current rate of caseload decline is slower for minorities and why they are making up an increasing share of the welfare caseload.

% of cases in each group on welfare for 61-120 months (in current spell)	FY 1995	FY 1996	FY 1997 (9 mos)
White	12%	14%	14%
Black	16%	17%	20%
Hispanics	14%	18%	19%

**The trends in marriage rates and births to unmarried women could contribute to an increasing proportion of minority families going on welfare.** While the proportion of never-married single mothers is increasing for the entire population, the rate of is largest for Hispanic women (based on CPS data).

	1992	1997	% Change
% of all single mothers who were never married	30%	35%	17%
Never-married single mothers by race:			
White	17%	21%	24%
Black	51%	55%	8%
Hispanic	33%	42%	27%

In addition, the rate of births to unmarried teenagers remains much higher for blacks and Hispanics than for whites. And, while the rate is decreasing significantly for blacks and slightly for whites, it continues to increase for Hispanics. For example, between 1991 and 1996, the rate of births to unmarried teenagers decreased 18% for blacks and 4% for whites, but increased 3% for Hispanics.

**Minorities are a disproportionately represented in child-only cases.** To the extent that child only cases are decreasing more slowly than cases headed by adults, this would appear to contribute to the increasing proportion of minorities on the caseload.

	FY 96 % of child only cases by race	FY 96 % of cases headed by adults by race	FY 97 (9 mos) % of child only cases by race	FY 96 % of cases headed by adults by race
TOTAL #	978,300		915,500	
WHITE	28%	36%	27%	35%
BLACK	40%	37%	40%	37%
HISPANIC	26%	21%	27%	23%

HHS is working on additional analysis of child only cases, by state and by reason, to determine whether the magnitude of this factor on the changing racial composition of the caseloads nationally and in specific states.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 13:06:47.00

SUBJECT: Food safety

TO: Elena Kagan ( CN=Elena Kagan/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: Bruce N. Reed ( CN=Bruce N. Reed/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 current draft of EO. Other updates: 1. I've now spoken in general terms to two of the three leading advocates, they like our concept (one said "great") ; 2. Bill Schultz said he had "given off the record" talks to Elena and I and he wanted to call back to say he thought the EO was a better idea than he had said to us previously. 3. Getting USDA on with some enthusiasm is important to making this not be the subject of retribution on the Hill, the agency seems discontented still. Eric thought giving it more time might help the agency placate opposition.

Mary and I would like to come over before I leave at 3 pm today to walk through the likely future disputes and what is in the EO. Maybe around 2ish?===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D20]MAIL413746720.226 to ASCII,

The following is a HEX DUMP:

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89B7C1F8B55AFADB6382D167A6D9987178FEC3929798A1E235B27CE7A12014352046C533C9079

## **EXECUTIVE ORDER**

### **PRESIDENT'S COUNCIL ON FOOD SAFETY**

**Draft 8/13/98, 11:30 am**

**By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the safety of the food supply through science-based regulation and well coordinated inspection, enforcement, research and education programs, it is hereby ordered as follows:**

#### **Section 1. Establishment of President's Council on Food Safety.**

(a) There is established the President's Council on Food Safety (Council). The Council shall comprise the Secretary of Agriculture, the Secretary of Health and Human Services, the Assistant to the President for Domestic Policy, the Director of the National Partnership for Reinventing Government, the Assistant to the President for Science and Technology, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the Director of the Office of Management and Budget. The Council shall consult with other Federal agencies, State and local government agencies as well as with consumer and producer groups, as appropriate.

(b) The Secretaries of Agriculture, Health and Human Services, and the Assistant to the President for Domestic Policy shall serve as Joint Chairs of the Council. In consultation with other Council members, the Joint Chairs shall designate a council coordinator and provide staff with assistance from other members of the Council and as authorized by law provide necessary additional staff and administrative support. Council members may designate senior executive branch officials as their representatives.

#### **Section 2. Purpose.**

The purpose of the Council shall be to develop a comprehensive strategic plan for Federal food safety activities taking into consideration the findings and recommendations of the National Academy of Science report "Ensuring Safe Food from Production to Consumption" and other input from the public on how to improve the effectiveness of the current food safety system. The Council shall make recommendations to the President on how to advance Federal efforts to implement a science-based comprehensive strategy to improve the safety of the food supply and to enhance coordination among Federal agencies, State and local governments, and the private sector. The Council shall advise federal agencies in setting priority areas for investment in food safety.

#### **Section 3. Specific Activities and Functions.**

(a) The Council shall develop a comprehensive strategic Federal food safety plan that

contains specific recommendations on needed changes. Specifically, the plan should identify changes in existing programs, administrative policies, and laws that must be enacted to achieve a seamless and science-based food safety system from the farm to the table. The planning process should consider both short and long-term issues including new and emerging threats and the special needs of vulnerable populations such as children and the elderly. In developing this plan, the Council shall consult with all interested parties, including state and local agencies, consumers, producers, industry, and academia. This plan shall serve as a guide in developing a coordinated federal food safety budget.

(b) The Council shall advise agencies of priority areas for investment in food safety and ensure that federal agencies annually develop a **coordinated federal food safety budget that sustains and strengthens existing capacities, eliminates duplication, and ensures the most effective use of resources for improving food safety, and the Council shall also develop a unified budget for the President's Food Safety Initiative and such other food safety issues as the Council determines appropriate.**

[c] The Council shall ensure that the Joint Institute of Food Safety Research (JIFSR), and in consultation with the National Science and Technology Council and through JIFSR, establishes mechanisms to direct Federal research efforts toward the highest priority food safety needs. The JIFSR shall report, on a regular basis, to the Council on its efforts to develop a strategic plan for conducting food safety research activities consistent with the President's Food Safety Initiative and to coordinate efficiently all federal food safety research, including with the private sector and academia.

(d) The Council shall review the National Academy of Sciences report, "Ensuring Safe Food from Production to Consumption." After providing opportunity for public comment, including public meetings, the Council shall report to the President, within 180 days, with recommendations for appropriate additional actions to improve food safety. These recommendations should be consistent with the comprehensive strategic Federal food safety plan which the Council will develop.

#### Section 4. Cooperation.

All actions taken by the Council shall, as appropriate, further partnerships and cooperation with states and other public and private sector efforts wherever such partnerships and cooperation are possible and would further improve the safety of the food supply.

#### Section 5. General Provisions.

This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers or any person. Nothing in this order shall abrogate the statutory responsibilities of any federal agency charged with food safety responsibilities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 13:48:33.00

SUBJECT:

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

TEXT:

Call Prof. Tribe at 617-661-9030

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 17:33:50.00

SUBJECT: draft weekly on food safety council

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is a draft weekly item on the NAS report and our plans with respect to the Food Safety Council. Let me know if you need anything else.

Thanks, Mary===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D68]MAIL42994282J.226 to ASCII,  
The following is a HEX DUMP:

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C8B9758C8E57E5ADBE81882777A752681B141416300E1D1FE3C041CE0C1B7444930ABEFF5D8FDA

## **FOOD SAFETY COUNCIL**

We expect the National Academy of Sciences to release next week a highly anticipated report recommending that the government's food safety structure be much better coordinated and that resources be more evenly allocated between FDA and USDA. DPC staff will attend a briefing by the NAS on Tuesday regarding the contents of the report. We have been working with the agencies and NPR to prepare an appropriate response. All of the agencies agree that we should welcome the report, study it, and use the opportunity to push for continued progress on food issues. We are preparing an executive order setting up a Food Safety Council which will review the NAS study and report back to you with recommendations for longer-range strategies. The Council would consist of the relevant agencies, HHS, USDA, EPA, OSTP, DPC, NPR, and Commerce. In addition to preparing a long-term report, the Council would serve as a coordinating body, charged with setting food safety priorities and helping to produce a coordinated food safety budget each year. The agencies are anxious about this approach, fearing it may lead to a single food agency or a diminution of their ability to act unilaterally on budget issues. However, in light of on-going appropriate criticism that the government's food safety efforts are too fragmented, we view the Council as a useful coordinating mechanism that could also set the stage for preparing a thoughtful long-term solution. We plan that you could announce this Council in early September at an event with the relevant agencies.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 11:18:45.00

SUBJECT: NAS brief and press schedule

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

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

TO: Jean.Logan ( Jean.Logan @ npr.gov @ inet [ UNKNOWN ] )  
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

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

TEXT:

NAS Schedule: Briefing is now set for 10 am Tuesday at USDA, room 104A, NAS plans to give it to the press on the 19th for use beginning at 6 pm on the 19th. Public release date is the 20th. NAS cautions its press strategy is "soft." NAS is trying to keep this very small, on a "need to know" basis. If you want to go, check in with Eric Olsen at 720-3808.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 19:24:24.00

SUBJECT: Education Weekly

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena--somehow this seemed like more progress at the end of our meeting than it does in the retelling below. Inasmuch as we don't yet have either an assurance of Riley's comfort with this approach (though I suspect he will be just fine with it) or, more importantly of Rudy Crew's, I tried not to oversell what we accomplished. And I didn't think it wise to spell out in detail that the main part of our accomplishment was agreeing to save ourselves from carrying various possible interpretations of Title IX and the Constitution to absurd conclusions.

Young Women's Leadership Academy in NYC: The Education Department has been working for the past six months with the NYC schools to develop a rationale and evidence to support the continued operation of the Young Women's Leadership Academy. DPC, WH Counsel, and the Education and Justice Departments initially believed that the most promising approach, consistent with prevailing interpretations of Title IX and the Equal Protection clause, would be to find evidence supporting a remedial rationale for the school. However, the Department has concluded that the necessary evidence to support this approach does not exist for this school.

Nonetheless, DPC, WH Counsel, Education and Justice Department staff all agree that our policy goal is to allow continued experimentation with single sex schools, and that no enforcement or other steps should be taken to close the school, force it to admit boys, or force NYC to open a boys school. Instead, our goal now is to work cooperatively with the NYC schools to provide evidence that both boys and girls in coed schools are afforded learning opportunities comparable to those in the all girls school, while at the same time continuing to evaluate the effectiveness of the Leadership Academy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-AUG-1998 14:34:40.00

SUBJECT: Child Welfare Update

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

TEXT:

I wanted to update you both on a few things related to child welfare:

(1) The House Ways and Means Committee is planning a hearing on September 15th on MEPA oversight and implementation, at which HHS has agreed to testify. Mary advises that the Republicans want to use this as a political opportunity to criticize us, as they have in the past, for not being aggressive enough in our monitoring of this law. Mary is thinking of issuing a letter from Shalala to the States prior to the hearing to re-emphasize our commitment to full and aggressive implementation.

However, the prospect of this hearing has raised another issue, which is a Notice of Proposed Rulemaking that HHS sent to OMB last month, and which we are in the early process of reviewing. The NPRM covers huge territory, including the revised monitoring and penalty structure for MEPA. It also includes:

Pieces of the implementation of the Adoption and Safe Families Act, including provisions covering (1) reasonable efforts, (2) permanency planning hearings, (3) termination of parental rights, and (4) background checks on prospective adoptive and foster care parents. (HHS intends to include other pieces of the Act -- family preservation and Medicaid eligibility provisions -- in a separate NPRM.)

A revamping of federal child welfare reviews, both IV-E eligibility reviews and state plan compliance reviews.

We sent the first staff-level passback to HHS, which included dozens of questions and requests for additional information, but HHS is now eager to put out the NPRM before the upcoming hearing on MEPA. While this is going to be very hard to do (OMB advises that this is one of the meatiest NPRM they have worked on, and are worried about hurrying a process that covers such important issues, particularly with vacations, etc.), we will do our best to work with HHS on this draft NPRM, and have scheduled a conference call for the first week in September to hear HHS' response to our first round of significant comments. We're also going to explore whether we can clear just the MEPA provisions of the NPRM (and possibly publish just that piece) so that HHS can talk about it at the hearing. We'll keep you posted as this moves forward in early September.

(2) I'm beginning conversations with HHS and others to explore administrative and legislative actions we might take to address the issue of children "aging out" of the foster care system, i.e. becoming 18 with no permanent or adoptive placement. This group of young adults have high rates of chronic depression and other mental health problems, homelessness, juvenile crime, school drop-out, etc., and the services that

support them are surprisingly minimal. An announcement in this area might make a good message event in November tied to National Adoption Month and scheduled around Thanksgiving (this population has no where to go for Thanksgiving). This is an issue that the First Lady is particularly interested in.

(3) Bruce, you had sent an article to Jen and me asking about the status of a proposal by Sen. Carl Levin to establish a voluntary national registry of parents and children seeking their biological children/parents. This bill has been extremely controversial for many years. You'll remember that Levin attached this bill to the Senate-version of the Adoption and Safe Families Act last year and in so doing nearly stalled to death action on the bill. (The First Lady spoke to Levin to persuade him to remove the provision in conference so that the bill could pass; in so doing, she agreed to be helpful to him on this issue and met with Levin earlier this year with HHS present.)

There is a small but extremely vocal (and influential with certain conservative Members) group of advocates that oppose this registry on privacy grounds, arguing that it could be used to "out" parents who have given up their children for adoption (i.e. child and birth mom find one another by each signing onto the voluntary registry, but then mom "outs" dad). This vocal group of opponents (led by Bill Pierce of the National Council on Adoption) has prevented Levin from even having a hearing on this bill, until recently (the article you clipped was from the hearing).

We did not testify at the hearing nor have we taken a recent position on this bill (generally we "do not oppose"), and HHS has been reluctantly looking at ways in which they can administratively address this issue, by expanding its web site, etc. Because of the controversy that surrounds it, I don't imagine that the bill has any prospect of moving in the near future.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 15:58:19.00

SUBJECT: Antitrust report from Perrelli

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

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

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

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

TEXT:

Yesterday afternoon I got a report from Perrelli on what their antitrust division is doing to follow up with the state AGs. They've reached out to Gregoire et. al. Not much is happening now because of vacation schedules. DOJ is planning to outline some general parameters to the AGs, and then ask them to come back to them with any specific proposals they could evaluate. I pushed Perrelli about couldn't they do more to help the AGs come up with a creative solution, but he pushed back saying 1) there probably isn't one that's permissible -- the tobacco companies are just going to have to live with the risk of having the small companies undercut them and 2) they don't think it would be appropriate to deviate from standard procedure, which involves evaluating proposals brought to them.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 10:23:36.00

SUBJECT: Answers to your Food Stamp/San Diego questions

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

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

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

TEXT:

(1) What does the INS think? The INS participated in earlier conference calls on this issue, and said they would be unlikely to use the information reported to them because of other priorities (such as tracking undocumented criminals) but would not be able to say this publicly. Thus they would be comfortable not receiving this information.

(2) Do the Medicaid applications ask immigration status? Yes. I now have a bad fax of the county's application form which is used for Cal-WORKS (TANF), General Relief, Food Stamps, and Medi-Cal (Medicaid).

(3) Could the form be re-done to make the immigration questions optional for those applying only on behalf of children but still requiring them for other applicants? USDA staff think yes -- they had been thinking more broadly (about having the question dropped for all) but think on the staff level the more narrow approach would be fine.

(4) How is a Food Stamp household defined? What happens when some family members are ineligible? A household is a group of people that "purchase and prepare food together." More than one such household could live under one roof (if a border prepares his own food or two separate families live together but purchase food separately). To determine eligibility, the Food Stamp program obtains income information on the entire household and then excludes a pro-rated amount for ineligible members. For example, if a family had \$1,000 monthly income and 5 family members, two of whom were ineligible, then USDA would base Food Stamp eligibility on 3/5 of \$1,000 or \$600 in monthly income available to the three eligible family members.

(5) Can an illegal immigrant whose deportation be stayed get benefits? This was true before the 1996 law, but is no longer.

(6) How quickly could a regulation be developed? A very narrow proposed regulation, addressing this particular problem, could be done in a month, if there was high level commitment to move forward.

(7) Are there other jurisdictions asking for this information? Not that USDA knows. I will check with advocates if you think appropriate, and with the INS. Advocates have said in the past they've heard rumours that Massachusetts, Minnesota, and the Carolinas may take action akin to San Diego's, but that does not answer the question of which jurisdictions are collecting immigrant status information and which are reporting it to the INS.

(8) Where is Sect. Glickman? He supports sending a letter and developing a regulation to prevent the chilling effect that this action may have on citizen children's obtaining of benefits.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 13:31:49.00

SUBJECT:

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

TEXT:

What do you want to do re: Q&A- should Bruce review? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 13:00:26.00

SUBJECT: 4th Circuit -- background document

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Cynthia Dailard ( CN=Cynthia Dailard/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

You guys probably know all this already, but in case its helpful

----- Forwarded by Cynthia A. Rice/OPD/EOP on 08/14/98

01:00 PM -----

Cynthia Dailard

08/14/98 12:00:35 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: 4th Circuit -- background document

This may be helpful internally for background information.

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

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

TEXT:

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The following is a HEX DUMP:

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#### **4th Circuit Decision -- Background:**

FDA Rule: Asserting its authority over tobacco products, the FDA in June 1996 issued regulations which prohibited the sale of tobacco products to minors. Specifically, the Rule establishes:

- 1) Youth Access Restrictions
  - Sets minimum age of purchase at 18 years
  - Requires age verification by photo ID for anyone 26 or younger
  - Requires face-to-face sales (except for mail order sales)
  - Bans vending machines and self-service displays except in facilities where only adults are permitted
- 2) Advertising Restrictions
  - Bans outdoor advertising within 1000 feet of schools and public playgrounds
  - Restricts advertising to black-and-white text only (publications, outdoor, point of purchase, direct mail, etc.), except in publications with a predominant adult readership or at adult only facilities
  - Prohibits sale or giveaways of products like caps or gym bags that carry cigarette or smokeless tobacco product brand names or logos
  - Prohibits brand-name sponsorship of sporting or entertainment events, but permits it in the corporate name
- 3) Point of Purchase Restrictions
  - Prohibits sales of single cigarettes or "loosies"
  - Bans free samples
  - Sets minimum package size at 20 cigarettes
  - Restricts all point of purchase advertising and labeling to black-and-white text only, except in adult only facilities

District Court: In April 1997, responding to the tobacco industry's challenge to the 1996 FDA rule, the US District Court for the Middle District of North Carolina upheld the FDA's jurisdiction to regulate tobacco products. The Judge also upheld the 1996 Rule's age and access restrictions, as well as the labeling requirements. However, the court said that the FDA did not have the authority to regulate the advertising and promotion of tobacco products.

Pending appeal, the court delayed implementation of those provisions of the FDA rule which had not yet gone into effect. Thus, only the age restriction and photo ID check requirement remained in effect; the court enjoined implementation of all of the other provisions pending further action by the court (i.e., the youth access restrictions other than age and photo ID checks, labeling and point of purchase restrictions).

4th Circuit Appeal: Immediately following the District Court decision, both the Federal government and the tobacco industry filed an appeal. The government appealed the District Court's decision that FDA lacked authority to regulate the promotion and advertising of tobacco products, as well as the Court's decision to enjoin certain provisions of the FDA rule. The industry appealed the Court's decision to affirm FDA authority.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 14:43:24.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Mike McCurry is about to brief & wants tobacco update ASAP; call 456-2673

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 11:32:38.00

SUBJECT: Complete Weekly Report 8?14

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

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805C85C81D25CF3F89387E67A52476704E5ACB1053399328B9FD96B37415FDFF42709BE6DE1A45

August 14, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed  
Elena Kagan

RE: DPC Weekly Report

**Tobacco -- Counteradvertising Event:** We are planning a tobacco event for September where you will announce a new national effort to promote tobacco counter-advertising. At the event, you will direct HHS to: (1) designate the CDC's Media Campaign Resource Center as a National Clearinghouse on Tobacco Counter-advertising; (2) collect and disseminate a package of the "top-10" advertisements for preventing youth smoking, and make these available to states and organizations for television placement free of charge; (3) work with the Department of Education to make effective anti-tobacco curriculum available to every school; and (4) conduct research on what media interventions are most effective for preventing youth smoking. While some advocates are concerned that any effort on our part to launch a counter-advertising campaign will take the heat off of the House to pass comprehensive legislation, we believe that we need to take whatever action we can through executive action in order to reduce youth smoking.

At the event, you could also call on the entertainment industry to take a leadership role in reducing youth smoking, by urging actors to serve as role models and speak out against youth smoking, writers and directors to eliminate smoking from movies and television programming, and broadcasters to air public service announcements targeting youth smoking. (In 1996, 77 percent of all major motion pictures portrayed the use of tobacco. In most of these movies, the lead actor or actress smoked.) We could invite supermodel Kristy Turlington and musical group "Boyz II Men" to participate in the event, both of whom have already demonstrated their commitment to this effort by making public service announcements targeting youth smoking that are available through the CDC.

**Crime -- Probation/Parole Study:** On Sunday, the Justice Department will release a survey of the nation's probation and parole population in 1997. Key findings include: (1) Total number: A record 3.9 million adults were on probation or parole in 1997, though the 2.9% increase from 1996 was consistent with the average annual increase of 3.0% since 1990; (2) Probation: Of the 3.26 million probationers, 54% were convicted felons, 28% were misdemeanants, and 14% drunk or impaired drivers; (3) Parole: Of the 685,000 adults on parole, nearly all (96%) had been convicted of a felony; and (4) State Trends: CA (408,900) and TX (538,500) had the most probationers and parolees, and NV, ME, NH and AZ had a more than

10% increase in their probation population. Nine states reported more than 10% increases in their parole populations.

**Crime -- COPS/Police Corps:** We are preparing a possible event for you the week of August 23, where you would announce the release of funds to hire and educate law enforcement through the COPS Program. You could make the following three-part announcement: (1) Police Corps: \$30 million in state awards under the Police Corps program -- including \$14.3 million for scholarships to 330 new students, and 6 new participating states (CO, FL, IL, MA, OK, UT and the Virgin Islands); (2) COPS Small Community Grants: Approximately \$10 million to help 855 small and rural law enforcement agencies (serving populations under 50,000) defray the costs of retaining current COPS-funded officers; and (3) COPS Universal Hiring: \$74.8 million to hire over 1,000 community police officers in 237 jurisdictions, including 12 school resource officers for Jonesboro, AR.

**Crime -- Early Warning Guide:** For your August 22nd radio address, we are working to finalize the Early Warning Guide to school violence that you recently directed Secretary Riley and the Attorney General to develop. The guide will be a user-friendly document with practical suggestions to help principals, teachers, and parents identify what types of early signs to look for before youths become violent; how to properly intervene once troubled youth have been identified; and how to respond to crisis once violence occurs. The guide will be posted on the Web the day of the radio address, and 250,000 will be mailed out to schools and communities before the start of the school year.

**Crime -- Brady Law Statistic:** We thought we should clarify a statistic on the effectiveness of the Brady Law that you referred to in California. Background checks have stopped nearly a quarter of a million (or 242,000) prohibited handgun purchases since the Brady Law took effect in February of 1994. And last year, about 62 percent of the 69,000 rejections that occurred were based on felony convictions or indictments. Thus, about 42,780 felons -- *or an estimated 18 per day* -- were stopped from purchasing handguns in 1997.

**Drunk Driving -- Record Low in 1997:** On Friday, the Transportation Department announced that, in 1997, the rate and number of alcohol-related fatalities dropped to their lowest levels since the Transportation Department began record-keeping in 1975. Last year, the rate of alcohol-related crashes fell from nearly 41% in 1996 to 38.6% in 1997 -- the first time that the rate dropped below 40% -- and the fewest number of alcohol-related fatalities. Since 1982, the number of alcohol-related fatalities has dropped by more than a third. The 1997 Transportation data also shows that alcohol-related deaths among 16 to 20 year-olds dropped 5%. The data is from DOT's Fatality Analysis Reporting System (FARS), which documents all traffic-related fatalities in the 50 states and D.C. There was a very small decline in the overall number of traffic-related fatalities, from 42,065 in 1996 to 41,967 in 1997. Sixty-three percent of those killed on the highways were not wearing seat belts.

**Health Care -- Physical Fitness Council:** Late last week, Secretary Shalala requested that we initiate a DPC policy process to review the feasibility and advisability of administratively or legislatively turning over the administrative responsibilities of the President's Council on Physical Fitness and Sports to the United States Olympic Committee (USOC). The Secretary believes that the chronic underfunding of the Council inhibits its ability to adequately promote its physical fitness message, particularly to children. Senator Stevens of the Appropriations Committee agrees that significant enhancement of funding is unlikely in the future and therefore also supports this concept, as long as current board appointment authority is retained for the Administration and Congress. We agree that the Council is falling short on its mission and believe that this proposal merits serious consideration. The counsel's office believes that it will take legislation to retain your appointment authority while giving administrative responsibilities to the USOC. We will submit options for your consideration after we hold meetings on this issue.

**Health Care -- Patients' Bill of Rights Update:** This week, Senator Lott sent you a letter raising concerns about your veto message in Kentucky and requested that you reiterate your commitment to work with Republicans and Democrats to pass a patients' bill of rights this year. He also requested that you urge Senator Daschle to agree to limit debate and amendments on this legislation. He is taking the position that the only reason he has not brought this bill up is because he has been unable to get agreement from Senate Democrats. We believe this letter presents a good opportunity to reiterate your concerns about the serious shortcomings in the Republican Leadership bills, while stating your continued commitment to working with the Senate to pass a strong bipartisan bill. We are drafting a letter in response that reiterates your specific policy concerns with their proposal that you outlined at your event in Kentucky. The letter also expresses your disappointment with the fact that the Senate Republican bill was conceived and developed through a purely partisan process, without any hearings or committee votes, and with no consultation with hill Democrats or the White House. The letter will also underscore that while you will work with Republicans and Democrats to pass a bill this year, it needs to be strong legislation that gives patients the protections they need. We plan to release the letter sometime next week.

**Welfare Reform -- New Caseload Numbers and Study to Mark Anniversary:** At our suggestion, HHS will release new welfare caseload numbers on Friday to coincide with the two-year anniversary of the welfare reform law on August 22nd. We do not have the numbers yet (HHS is still collecting them as we write this memo) but if trends continue **the three additional months of data (April-June 1998) should show reductions of several hundred million from the 8.9 million level you announced in May.** HHS will also announce \$1.6 million in technical assistance grants to help states promote job retention and advancement.

**On August 20th, the Manpower Demonstration Research Corporation will release an encouraging study of welfare reform in Los Angeles, funded in part by HHS. In 1995, Los Angeles shifted to a job-focused welfare program, based largely on the positive results from nearby Riverside county. The early results from Los Angeles are promising: after six months, welfare recipients in the program were 34 percent more likely to be employed and had 46 percent higher earnings. The program reduced welfare costs by just under 10 percent.**

**The Los Angeles study adds to the multitude of evidence contained in the new TANF report to Congress which shows welfare reform is working. The report shows that two years after the signing, no race to the bottom has materialized -- nine states have increased benefits, only eight have cut benefits. Almost every state requires personal responsibility contracts and most states have adopted a work-first model, with 32 states expecting clients to work within six months. For the first time, half of all low-income single mothers with children under six -- the population most affected by welfare policy -- are working, a dramatic increase from 35% in 1992. State evaluations of welfare programs show employment increases of 8 to 15 percentage points. So far, welfare changes do not appear to have put nearly as much pressure on the foster care system as some critics feared. For example, a Maryland study found that less than 1/2 of 1 percent of families leaving welfare placed a child in foster care, and most of those families had already been under investigation for abuse or neglect.**

**Food Safety -- Food Safety Council:** We expect the National Academy of Sciences to release next week a highly anticipated report recommending that the government's food safety structure be much better coordinated and that resources be more evenly allocated between FDA and USDA. DPC staff will attend a briefing by the NAS on Tuesday regarding the contents of the report. We have been working with the agencies and NPR to prepare an appropriate response. All of the agencies agree that we should welcome the report, study it, and use the opportunity to push for continued progress on food issues. We are preparing an executive order setting up a Food Safety Council which will review the NAS study and report back to you with recommendations for longer-range strategies. The Council would consist of the relevant agencies, HHS, USDA, EPA, OSTP, and Commerce. DPC and the National Partnership for Reinventing Government will also sit on the Council. In addition to preparing a long-term report, the Council would serve as a coordinating body, charged with setting food safety priorities and helping to produce a coordinated food safety budget each year. The agencies are anxious about this approach, fearing it may lead to a single food agency or a diminution of their ability to act unilaterally on budget issues. However, in light of on-going appropriate criticism that the government's food safety efforts are too fragmented, we view the Council as a useful coordinating mechanism that could also set the stage for preparing a thoughtful long-term solution. You could announce the creation of the Council in early September.

**Campaign Finance Reform -- Free TV Time Commission:** The co-chairs of the Public Interest Advisory Commission on the Public Interest Obligations of Broadcasters in the

Digital Age (Moonves-Ornstein Commission), have requested an extension on the deadline for their report which was originally scheduled for October 1. The request is consistent with our internal conclusions that with additional time and a less politically-charged environment, the members of the commission will present a more meaningful set of recommendations. OVP, DPC, OMB, and Commerce will continue to closely monitor the work of the Commission.

**Education -- Young Women's Leadership Academy in NYC: The Education Department has been working for the past six months with NYC schools to develop a rationale and evidence to support the continued operation of the Young Women's Leadership Academy. DPC, WH Counsel, and the Education and Justice Departments initially believed that the most promising approach, consistent with prevailing interpretations of Title IX and the Equal Protection clause, would be to find evidence supporting a "remedial" rationale for the school. However, DoEd has concluded that the necessary evidence to support this approach does not exist for this school. Nonetheless, DPC, WH Counsel, Education and Justice Department staff all agree that our policy goal is to allow continued experimentation with single sex schools, and that no enforcement or other steps should be taken to close the school, force it to admit boys, or force NYC to open a boys school. Instead, our goal now is to work cooperatively with the NYC schools to provide evidence that both boys and girls in coed schools are afforded learning opportunities comparable to those in the all girls school, while at the same time continuing to evaluate the effectiveness of the Leadership Academy.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 14:47:25.00

SUBJECT: NAS brief and press schedule

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

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

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

TO: Jean.Logan ( Jean.Logan @ npr.gov @ inet [ UNKNOWN ] )  
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

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

TEXT:

The briefing has been postponed until Wednesday, August 19. USDA won't have details on the time and place until Monday. I will keep you updated, or you can call Eric Olsen at USDA at 720-3808.

----- Forwarded by Mary L. Smith/OPD/EOP on 08/14/98  
02:46 PM -----

Thomas L. Freedman  
08/13/98 11:18:32 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Laura Emmett/WHO/EOP  
Subject: NAS brief and press schedule

NAS Schedule: Briefing is now set for 10 am Tuesday at USDA, room 104A, NAS plans to give it to the press on the 19th for use beginning at 6 pm on the 19th. Public release date is the 20th. NAS cautions its press strategy is "soft." NAS is trying to keep this very small, on a "need to know" basis. If you want to go, check in with Eric Olsen at 720-3808.

Message Sent  
To: \_\_\_\_\_

Bruce N. Reed/OPD/EOP  
Elena Kagan/OPD/EOP  
Mary L. Smith/OPD/EOP  
Morley A. Winograd/OVP @ OVP  
Jean.Logan @ npr.gov @ inet

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 17:44:14.00

SUBJECT: San Diego Food Stamps

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Folks--my apologies for having to walk out of this meeting for another commitment (you know with respect to this subject I'd only leave if I had to go down to the Oval). What did you all conclude? By the way, was there any additional paper? The only paper I have is a draft of the letter ag had proposed to send to San Diego county, and the draft of the ag legal memo looking at the issue of "fair service"--so what is the thinking here. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-AUG-1998 11:31:02.00

SUBJECT: Complete Weekly report 8/14

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

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C5273086A687A38F942140113FD7A5A58A44BE987C6BECE6E19BD615630BECFBCA8D33BC7A2847  
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August 14, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed  
Elena Kagan

RE: DPC Weekly Report

**Tobacco -- Counteradvertising Event:** We are planning a tobacco event for September where you will announce a new national effort to promote tobacco counteradvertising. At the event, you will direct HHS to: (1) designate the CDC's Media Campaign Resource Center as a National Clearinghouse on Tobacco Counteradvertising; (2) collect and disseminate a package of the "top-10" advertisements for preventing youth smoking, and make these available to states and organizations for television placement free of charge; (3) work with the Department of Education to make effective anti-tobacco curriculum available to every school; and (4) conduct research on what media interventions are most effective for preventing youth smoking. While some advocates are concerned that any effort on our part to launch a counteradvertising campaign will take the heat off of the House to pass comprehensive legislation, we believe that we need to take whatever action we can through executive action in order to reduce youth smoking.

At the event, you could also call on the entertainment industry to take a leadership role in reducing youth smoking, by urging actors to serve as role models and speak out against youth smoking, writers and directors to eliminate smoking from movies and television programming, and broadcasters to air public service announcements targeting youth smoking. (In 1996, 77 percent of all major motion pictures portrayed the use of tobacco. In most of these movies, the lead actor or actress smoked.) We could invite supermodel Kristy Turlington and musical group "Boyz II Men" to participate in the event, both of whom have already demonstrated their commitment to this effort by making public service announcements targeting youth smoking that are available through the CDC.

**Crime -- Probation/Parole Study:** On Sunday, the Justice Department will release a survey of the nation's probation and parole population in 1997. Key findings include: (1) Total number -- A record 3.9 million adults were on probation or parole in 1997, though the 2.9% increase from 1996 was consistent with the average annual increase of 3.0% since 1990; (2) Probation -- Of the 3.26 million probationers, 54% were convicted felons, 28% were misdemeanants, and 14% drunk or impaired drivers; (3) Parole -- Of the 685,000 adults on parole, nearly all (96%) had been convicted of a felony; and (4) State Trends -- CA (408,900) and TX (538,500) had the most probationers and parolees, and NV, ME, NH and AZ had a more than 10% increase in their probation population. Nine states reported more than 10% increases in their parole populations.

**Crime -- COPS/Police Corps:** We are preparing a possible event for you the week of August 23, where you would announce the release of funds to hire and educate law enforcement through the COPS Program. You could make the following three-part announcement: (1) Police Corps -- \$30 million in state awards under the Police Corps program -- including \$14.3 million for scholarships to 330 new students, and 6 new participating states (CO, FL, IL, MA, OK, UT and the Virgin Islands); (2) COPS Small Community Grants -- Approximately \$10 million to help 855 small and rural law enforcement agencies (serving populations under 50,000) defray the costs of retaining current COPS-funded officers; and (3) COPS Universal Hiring -- \$74.8 million to hire over 1,000 community police officers in 237 jurisdictions, including 12 school resource officers for Jonesboro, AR.

**Crime -- Early Warning Guide:** For your August 22nd radio address, we are working to finalize the Early Warning Guide to school violence that you recently directed Secretary Riley and the Attorney General to develop. The guide will be a user-friendly document with practical suggestions to help principals, teachers, and parents identify what types of early signs to look for before youths become violent; how to properly intervene once troubled youth have been identified; and how to respond to crisis once violence occurs. The guide will be posted on the Web the day of the radio address, and 250,000 will be mailed out to schools and communities before the start of the school year.

**Crime -- Brady Law Statistic:** We thought we should clarify a statistic on the effectiveness of the Brady Law that you referred to in California. Background checks have stopped nearly a quarter of a million (or 242,000) prohibited handgun purchases since the Brady Law took effect in February of 1994. And last year, about 62 percent of the 69,000 rejections that occurred were based on felony convictions or indictments. Thus, about 42,780 felons -- *or an estimated 18 per day* -- were stopped from purchasing handguns in 1997.

**Drunk Driving -- Record Low in 1997:** On Friday, the Transportation Department announced that, in 1997, the rate and number of alcohol-related fatalities dropped to their lowest levels since the Transportation Department began record-keeping in 1975. Last year, the rate of alcohol-related crashes fell from nearly 41% in 1996 to 38.6% in 1997 -- the first time that the rate dropped below 40% -- and the fewest number of alcohol-related fatalities. Since 1982, the number of alcohol-related fatalities has dropped by more than a third. The 1997 Transportation data also shows that alcohol-related deaths among 16 to 20 year-olds dropped 5%. The data is from DOT's Fatality Analysis Reporting System (FARS), which documents all traffic-related fatalities in the 50 states and D.C. There was a very small decline in the overall number of traffic-related fatalities, from 42,065 in 1996 to 41,967 in 1997. Sixty-three percent of those killed on the highways were not wearing seat belts.

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yet (HHS is still collecting them as we write this memo) but if trends continue **the three additional months of data (April-June 1998) should show reductions of several hundred million from the 8.9 million level you announced in May. HHS will also announce \$1.6 million in technical assistance grants to help states promote job retention and advancement.**

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**The Los Angeles study adds to the multitude of evidence contained in the new TANF report to Congress which shows welfare reform is working. The report, which you announced August 4th, shows that two years after the signing, no race to the bottom has materialized -- nine states have increased benefits, only eight have cut benefits. Almost every state requires personal responsibility contracts, and most states have adopted a work-first model, with 32 states expecting clients to work within six months. For the first time, half of all low-income single mothers with children under six -- the population most affected by welfare policy -- are working, a dramatic increase from 35% in 1992. State evaluations of welfare programs show employment increases of 8 to 15 percentage points. So far, welfare changes do not appear to have put nearly as much pressure on the foster care system as some critics feared. For example, a Maryland study found that less than 1/2 of 1 percent of families leaving welfare placed a child in foster care, and most of those families had already been under investigation for abuse or neglect.**

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-AUG-1998 13:45:34.00

SUBJECT: FYI -- info you may possibly need on welfare caseloads while I'm away

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:

Melissa Skolfield will prepare draft caseload paper and run it by you. Attached are several background pieces in the very remote chance you need them.

Yearly welfare caseloads since 1936.

The analysis to date of caseloads by race (Andrea already sent you same file,

it's just renamed)

Q&As from the last time we released caseload data, on May 27th. =====

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

TEXT:

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The following is a HEX DUMP:

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Temporary Assistance for Needy Families (TANF)  
1936-1997  
Source: HHS Administration for Children and Families

<u>year</u>	<u>recipients</u>	<u>families</u>
1936	534,000	147,000
1937	674,000	194,000
1938	895,000	258,000
1939	1,042,000	305,000
1940	1,182,000	349,000
1941	1,319,000	387,000
1942	1,317,000	387,000
1943	1,050,000	304,000
1944	910,000	260,000
1945	907,000	259,000
1946	1,112,000	312,000
1947	1,394,000	393,000
1948	1,595,000	449,000
1949	1,918,000	541,000
1950	2,205,000	644,000
1951	2,134,000	621,000
1952	2,022,000	583,000
1953	1,970,000	560,000
1954	2,076,000	580,000
1955	2,214,000	612,000
1956	2,239,000	611,000
1957	2,395,000	645,000
1958	2,719,000	724,000
1959	2,920,000	774,000
1960	3,005,000	787,000
1961	3,354,000	869,000
1962	3,676,000	931,000
1963	3,876,000	947,000
1964	4,118,000	992,000
1965	4,329,000	1,039,000
1966	4,513,000	1,088,000
1967	5,014,000	1,217,000
1968	5,705,000	1,410,000
1969	6,706,000	1,698,000
1970	8,466,000	2,208,000
1971	10,241,000	2,762,000
1972	10,947,000	3,049,000
1973	10,949,000	3,148,000
1974	10,864,000	3,230,000
1975	11,165,185	3,498,000
1976	11,386,371	3,579,000
1977	11,129,702	3,588,000
1978	10,671,812	3,522,000

<u>year</u>	<u>recipients</u>	<u>families</u>
1979	10,317,902	3,509,000
1980	10,597,445	3,642,380
1981	11,159,847	3,870,765
1982	10,430,960	3,568,781
1983	10,659,365	3,650,746
1984	10,865,604	3,724,864
1985	10,812,625	3,691,610
1986	10,996,505	3,747,531
1987	11,065,027	3,784,018
1988	10,919,696	3,747,948
1989	10,933,980	3,770,960
1990	11,460,382	3,974,322
1991	12,592,269	4,373,883
1992	13,625,342	4,768,495
1993	14,142,710	4,981,248
1994	14,225,591	5,046,263
1995	13,652,232	4,876,240
1996	12,648,859	4,553,339
July 1997*	10,258,000	3,742,000

*Note: Prior to TANF, the cash assistance program to families was called Aid to Dependent Children (1936-1962) and Aid to Families with Dependent Children (1962-1996). Under the new welfare law (Personal Responsibility and Work Opportunity Reconciliation Act of 1996), the program became TANF. Unless noted, caseload numbers are average monthly.*

\*most recent available

**Welfare Reform Q&As  
May 27, 1998**

**Q: What is the President announcing today?**

**A:** Today, President Clinton will celebrate the success of the Welfare to Work Partnership, which has grown from 105 to 5,000 companies since it was launched at the White House last May and whose member companies hired over 135,000 welfare recipients in 1997. The President will challenge the Welfare to Work Partnership to double its welfare hires to 270,000 in 1998 and urge every business in America to look to welfare recipients to fill labor shortages created by the booming economy. The President will be joined by United Airlines CEO Gerald Greenwald, who will release a report showing hiring welfare recipients can cut company turnover.

The President will release new data showing that welfare to work efforts like these are paying off -- welfare caseloads have dropped to 8.9 million, a record drop of 3.3 million since he signed welfare reform into law and 5.2 million since he took office. To sustain this success, the President will announce the first Welfare-to-Work competitive grants from the \$3 billion fund he fought to include in the 1997 Balanced Budget Act. These \$186 million in grants will support 49 innovative efforts across the country to help the most disadvantaged welfare recipients get and keep jobs. In addition, new funds for the President's welfare to work transportation plan, which were included in the ISTEA bill which passed Congress last week, will help even more welfare recipients go to work.

**Welfare to Work Partnership**

**Q: You say that over 5,000 companies have joined the Welfare to Work Partnership. What does that mean? Have they all actually hired welfare recipients?**

**A:** All 5,000 companies have either already hired welfare recipients or have pledged to do so without displacing other workers. In 1997, approximately 3,200 Partnership companies hired more than 135,000 welfare recipients.

**Q: I understand the Partnership is releasing some sort of report today at the White House? What does the report say?**

**A:** The report, The Road to Retention, is a case history of 16 businesses, including five small companies, whose retention rates for welfare recipients are higher than the retention rates for non-welfare hires. At United Airlines, for example, welfare hires have about half the turnover rate of regular hires. This report provides examples of what successful companies do to promote retention, including forming partnerships with service agencies

to provide child care, transportation, mentoring, and counseling services, providing on-the-job or pre-employment training, providing health and other benefits, and holding welfare to work employees to the same high standards as other employees.

**Q: Who runs the Welfare to Work Partnership? Is it part of the White House?**

**A:** No. The Welfare to Work Partnership is an independent, nonpartisan, national effort of the American business community to help move those on public assistance into jobs in the private sector. Gerald Greenwald, the CEO of United Airlines, is the chairman of the Partnership's board of directors, and Eli Segal is the Partnership's President and CEO. The Partnership was formed in response to the President's challenge in his 1997 State of the Union speech to forge "a new national effort to marshal America's businesses, large and small, to create jobs so that people can move from welfare to work."

### **Welfare Caseloads**

**Q: What are the new caseload numbers that the President announced today?**

**A:** The President released new figures showing welfare caseloads have fallen to 8.9 million, a record drop of 3.3 million since he signed welfare reform into law and 5.2 million since he took office. The welfare rolls have declined by 37 percent since January 1993, when they stood at 14.1 million, and by 27 percent since their August 1996 level of 12.2 million. The percentage of the U.S. population on welfare is at its lowest since 1969 -- 3.3 percent.

As the attached chart shows, the welfare caseloads have fallen by nearly 900,000 since the numbers released in January as part of the President's State of the Union speech. The new figures are from March 1998; the data released in January were from September 1997.

**Welfare Caseloads**

	Baseline Recipients (Jan. 93)	Recipients (in month noted)	Decline since Jan. 93 (percent)	Decline since Jan. 93 (millions)	Decline since Aug. 96 (percent)	Decline since Aug. 96 (millions)
May 96*	14.115	12.499	11%	1.616		
Aug. 96*	14.115	12.202	14%	1.913		
Apr. 97	14.115	10.969	22%	3.146	10%	1.233
May 97	14.115	10.748	24%	3.367	12%	1.454
June 97	14.115	10.494	26%	3.621	14%	1.708
July 97	14.115	10.258	27%	3.857	16%	1.944
Aug. 97	14.115	9.995	29%	4.120	18%	2.207
Sep. 97**	14.115	9.804	31%	4.311	20%	2.398
Mar. 98***	14.115	8.910	37%	5.205	27%	3.292

\* Note that when the welfare law was signed in August 1996, only caseload data through the month of May 1996 was available. Thus, the public statements made at that time were based on that May 1996 data.

\*\* Data released 1/27/98.

\*\*\* Data released 5/27/98.

**Q: Do you know what happened to all those people who left the rolls? Aren't some simply being cut off of welfare? Do you consider this a success?**

**A:** Not enough time has passed for full scale research studies to be completed, but several state studies show that between 50 and 60 percent of those who leave the welfare rolls do so for work. (Others leave because of marriage, their youngest child turning 18, an increase in child support, receipt of SSI, increase in earnings by another family member, or sanctions). Welfare reform is resulting in more recipients going to work: the most recent data from the Census Bureau's Current Population Survey show that work rates among welfare recipients increased by 20 percent from 1996 to 1997. HHS estimates that this means 1.7 million people who were on welfare in 1996 were working in 1997. Many states are using sanctions to enforce work rules, and we think that is entirely appropriate. Data from several state studies find that after being sanctioned, about half the people go to work and approximately 40 percent have an increase in their income. Several states also found that one-quarter to one-third of those sanctioned return to the rolls, presumably after complying with the requirements.

**Q: Do you think there will be enough jobs for all the welfare recipients who need them?**

**A:** We believe that economy will create enough jobs for welfare recipients without displacing other workers. Remember, we've created over 15 million new jobs since this Administration took office and unemployment -- at 4.3 percent -- is at the lowest level in 28 years. At the same time, we recognize that we should give some extra help to communities where it will be harder for welfare recipients to find jobs. That's why the President fought for and won the \$3 billion Welfare-to-Work grants which states and cities can use to create job opportunities for welfare recipients, particularly targeted at hard-to-employ individuals in high poverty areas. **That's why the President fought for and won the \$3 billion Welfare-to-Work grants which states and cities can use to create job opportunities for welfare recipients, particularly targeted at hard-to-employ individuals in high poverty areas. And so that those leaving welfare can get to where the jobs are, the President proposed -- and the Congress has now passed -- funds for welfare to work transportation in the ISTEA transportation bill.**

#### Welfare to Work Grants

**Q: What are the grants that the President announced today?**

**A:** Today, the President announced the first round of competitive grants from the \$3 billion Welfare-to-Work program he fought for in the Balanced Budget Act of 1997. The \$186 million in grants from the Department of Labor will support 49 innovative welfare to work efforts designed to move long term welfare recipients into lasting, unsubsidized jobs. These awards are the first of five rounds of competitive grants to be awarded in 1998 and 1999. Twenty five percent of the Balanced Budget Act's \$3 billion welfare to work funds are to be awarded on a competitive basis, with the remaining 75 percent to be allocated by formula to states to be used by local Private Industry Councils to help welfare recipients who have significant barriers to employment obtain and retain jobs. A description of some of the 49 grantees is available for the press.

**Q: How are these grants different from the other welfare reform funds states get?**

**A:** These funds are targeted specifically at the hard-to-employ welfare recipients who need help the most -- long-term recipients with poor education, low skills, and little job experience, living in high poverty areas.

#### Welfare to Work Transportation

**Q: I understand welfare to work funds were included in the ISTEA bill which passed the Congress last week. Are these the funds the President requested in his budget?**

**A:** The President fought to include welfare to work transportation funds in the ISTEA transportation bill. You may recall that he highlighted the importance of welfare to work transportation a year ago, when the Welfare to Work Partnership was launched at the White House, and again in the State of the Union. His budget included a \$100 million a year proposal for welfare to work transportation. The ISTEA bill which passed the Congress on Friday includes up to \$150 million a year for local efforts to help welfare recipients get to where the jobs are.

### **Federal Welfare Hiring**

**Q: How many welfare recipients has the federal government hired?**

**A:** According to the Office of Personnel Management, the federal government has hired 4,811 welfare recipients since March 1997 when the federal hiring initiative was launched. This is 48 percent of our goal of 10,000 hires by the year 2000. As a part of this effort, the White House pledged, and has already hired, six welfare recipients.

**Q: How was the goal of 10,000 hires set?**

**A:** These numbers represent the Federal government's fair share of the effort to hire welfare recipients. The Federal government is approximately 1.5 percent of the nation's workforce. To meet its portion of the President's challenge to move 2 million people off welfare by the year 2000 -- which amounts to moving about 700,000 adults into the workforce -- the Federal government ought to hire about 10,000 welfare recipients.

**Q: How can you hire welfare recipients when government is downsizing and budgets are tight? Are you creating special preferences for welfare recipients?**

**A:** It is true that the government is downsizing. Since the President took office, he has actually shrunk the Federal government to its smallest size in three decades. However, downsizing does not mean there are no jobs to fill. As in any organization, there is a natural amount of turnover in jobs at all levels. The Federal agencies have committed to reaching out specifically to the welfare population to fill those positions.

We are not creating any preference such as the one that exists for veterans. We are encouraging the departments to use existing hiring authorities, including programs that allow departments to cut through red tape and hire entry-level workers quickly and easily.

We are also encouraging outreach efforts to our federal contractors, grantees and partners. This is the same commitment that the President has asked of the private sector.

## WELFARE CASELOAD ANALYSIS

There are a number of factors that appear to contribute to the different rates at which the caseloads are declining for different racial and ethnic groups. The primary factors are listed below, along with currently available data. Staff are continuing to do additional analysis to determine the magnitude of these factors.

**The racial/ethnic composition of welfare caseloads has been changing gradually over the last 25 years:** whites rose from 38 percent in 1973 to a peak of 42 percent in 1983 and have dropped steadily to 35 percent in 1997. The proportion of blacks has generally declined, from 46 percent in 1973 to 37 percent in 1997. The most significant trend is the increase in the Hispanic portion of the caseload, from 13 percent in 1973 to 23 percent in 1997. However, this is not too surprising given the rapid increase in the Hispanic population overall.

	TOTAL	WHITE	BLACK	HISPANIC	OTHER
% Change in Total Population 7/92-6/98	6%	2%	9%	24%	22%
% of Total Pop 6/98	100%	72%	12%	11%	4%

The question is how welfare reform may be affecting these historic trends. National data on the racial/ethnic characteristics of welfare recipients are only available through June 1997, so it is hard to gauge the impact of the past year when welfare reform efforts accelerated so rapidly. States provided more recent data to the Times (generally through June 1998), but HHS has concerns that some of these data may have problems, particularly NY and CA. They are working with states to verify the data.

It is also worth noting that the caseload data only tells who is currently on the rolls; it does not tell the rate at which different groups are entering and exiting. Analysis of entries and exits will be conducted in the near future.

**The number of white, black and Hispanic families receiving welfare have all dropped since 1994 (when caseloads peaked nationally, but the rate of decline has been greater for whites than blacks, with an even slower decline for Hispanics.**

	<u>94</u>	<u>97</u>	<u>% Change</u>
Whites 1.9M	1.4 M		-26%
Blacks	1.8M	1.5 M	-18%
Hispanics	1.0 M	.9 M	-9%

**The changes are more dramatic than the actual mix of who is left on the caseloads, at least on a national basis.**

	<u>94</u>		<u>97</u>
Whites 37%		35%	
Blacks	36%		37%
Hispanics	20%		23%

**There is some encouraging evidence from Census data that the employment rates of former welfare recipients are *increasing* even faster for minorities than for whites, although the actual rates and the disparity between groups remains disturbing.** Between 1996 and 1997, the percentage of all prior year welfare recipients who were employed in the next year increased by 28%. The increase was highest for blacks (33%), followed by Hispanics (22%) and whites (21%).

**Minorities on welfare disproportionately share characteristics that may make it harder to leave the rolls.** These factors include: lower education levels, lower marriage rates, larger families, isolation from areas with jobs, and employment and housing discrimination. March 95 Current Population Survey Data shows the following characteristics for public assistance recipients in 1994:

	TOTAL	WHITE	BLACK	HISPANIC
% with < HS diploma	42%	33%	40%	64%
% never married	43%	31%	61%	40%
> 2 children	30%	20%	38%	38%
Live in central city	51%	31%	71%	63%

CEA is running comparable data for the March 1996 and 1997 CPS.

**Historical data confirms that minorities are more likely to remain on the welfare rolls longer.** At the same time, the proportion of long-term recipients on the rolls is increasing slightly. This would partially explain why the current rate of caseload decline is slower for minorities and why they are making up an increasing share of the welfare caseload.

% of cases in each group on welfare for 61-120 months (in current spell)	FY 1995	FY 1996	FY 1997 (9 mos)
White	12%	14%	14%
Black	16%	17%	20%
Hispanics	14%	18%	19%

**The trends in marriage rates and births to unmarried women could contribute to an increasing proportion of minority families going on welfare.** While the proportion of never-married single mothers is increasing for the entire population, the rate of is largest for Hispanic women (based on CPS data).

	1992	1997	% Change
% of all single mothers who were never married	30%	35%	17%
Never-married single mothers by race:			
White	17%	21%	24%
Black	51%	55%	8%
Hispanic	33%	42%	27%

In addition, the rate of births to unmarried teenagers remains much higher for blacks and Hispanics than for whites. And, while the rate is decreasing significantly for blacks and slightly for whites, it continues to increase for Hispanics. For example, between 1991 and 1996, the rate of births to unmarried teenagers decreased 18% for blacks and 4% for whites, but increased 3% for Hispanics.

**Minorities are a disproportionately represented in child-only cases.** To the extent that child only cases are decreasing more slowly than cases headed by adults, this would appear to contribute to the increasing proportion of minorities on the caseload.

	FY 96 % of child only cases by race	FY 96 % of cases headed by adults by race	FY 97 (9 mos) % of child only cases by race	FY 96 % of cases headed by adults by race
TOTAL #	978,300		915,500	
WHITE	28%	36%	27%	35%
BLACK	40%	37%	40%	37%
HISPANIC	26%	21%	27%	23%

HHS is working on additional analysis of child only cases, by state and by reason, to determine whether the magnitude of this factor on the changing racial composition of the caseloads nationally and in specific states.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:16-AUG-1998 13:46:15.00

SUBJECT: Update on food stamp fraud

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Just fyi -- we're ready to go anytime on the three directives. For one, we're working on some operational matters -- i.e., how we would really proceed once the directive is given -- which we don't really need to work out before the announcement. We will also need to do the WW circulation. But for scheduling purposes you should consider them ready whenever they may be handy.

(The issue, fyi, involves the SSA's Death Files. The directive would make it available to the Food Stamp program so they can be sure no deceased persons are receiving Food Stamps. SSA would prefer to give the data file to USDA or to the states; USDA was hoping the states could send their Food Stamp data to SSA and have SSA run the matches. SSA would do it either way, but they prefer not to be responsible for the extra administrative burden, etc., and are concerned about the long run implications of becoming the national source for all such actions. There are actually four possible options, and I'm having the agencies give me short memos on the pros and cons of each and will hold a meeting on Monday Aug 31st.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-AUG-1998 14:31:00.00

SUBJECT: Food Safety Council executive order

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is the latest draft of the executive order. The biggest change is that the review of the NAS study is in a separate directive rather than in the order itself. I think that USDA, OMB, NPR, and EPA really don't have any major issues left.

However, I think that you are going to have to talk to HHS about the membership of the Council. They don't want DPC, NPR, and OSTP as members of the Council because of the evil President theory. I have tried to work out all the other issues.

Assuming the HHS issues get worked out, I think we are getting pretty close to being able to send this through the OMB formal clearance process.

Also -- the NAS briefing is now on Wednesday. I will send around an e-mail when I get the details from Eric Olsen. Thanks, Mary

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D79]MAIL44847492A.226 to ASCII,

The following is a HEX DUMP:

FF5750432C050000010A020100000002050000009520000000020000AF5C29147FA6AF2143520C  
B9F796435E116AA836EDB2EA25CEBE87C7BD243D303B42D230A0058D4C6DBE5B8C7A715297051F

**Draft 8-17-98 2:00pm**

MEMORANDUM FOR THE PRESIDENT'S COUNCIL ON FOOD SAFETY

SUBJECT: NATIONAL ACADEMY OF SCIENCES REPORT

My Administration is committed to ensuring that the American people enjoy the safest food possible. We have made great progress by implementing science-based inspection systems for meat, poultry, and seafood; developing a comprehensive initiative to ensure the safety of domestic and imported fruits and vegetables; and launching an interagency food safety initiative that targets key food safety issues from the farm to the table. But we can and must continue to build upon these efforts.

Under our current food safety system, several different agencies have responsibility for improving food safety. Within the framework of our interagency initiative, we have taken a number of steps to improve the coordination of our efforts in order to maximize our resources and more effectively improve food safety. Most recently, we established a Joint Institute for Food Safety Research that will develop a strategic plan for conducting food safety research activities and will coordinate efficiently all Federal food safety research, including with the private sector and academia.

Today, I signed an Executive Order establishing the President's Council on Food Safety. To strengthen and focus our efforts to coordinate food safety policy and resources and improve food safety for American consumers, the Council will develop a comprehensive strategic plan for Federal food safety activities, ensure the most effective use of Federal resources, and oversee the Joint Institute of Food Safety Research.

Today I direct the Council to review the National Academy of Sciences (NAS) report, "Ensuring Safe Food from Production to Consumption." After providing opportunity for public comment, including public meetings, the Council shall report back to me within 180 days with its response to the NAS report. The Council's report should consider appropriate additional actions to improve safety and should take into account the comprehensive strategic Federal food safety plan which the Council will be developing.

I thank you for all of your efforts to improve food safety, and I look forward to your continued leadership on the President's Food Safety Council.

## **EXECUTIVE ORDER**

### **PRESIDENT'S COUNCIL ON FOOD SAFETY**

**Draft 8/17/98, 2:30 pm**

**By the authority vested in me as President by the Constitution and the laws of the United States of America, and in order to improve the safety of the food supply through science-based regulation and well coordinated inspection, enforcement, research and education programs, it is hereby ordered as follows:**

#### **Section 1. Establishment of President's Council on Food Safety.**

(a) There is established the President's Council on Food Safety (Council). The Council shall comprise the Secretary of Agriculture, the Secretary of Health and Human Services, the Assistant to the President for Domestic Policy, the Director of the National Partnership for Reinventing Government, the Assistant to the President for Science and Technology, the Administrator of the Environmental Protection Agency, the Secretary of Commerce, and the Director of the Office of Management and Budget. The Council shall consult with other Federal agencies, State and local government agencies as well as with consumer, producer, and industry groups, as appropriate.

(b) The Secretaries of Agriculture, Health and Human Services, and the Assistant to the President for Domestic Policy shall serve as Joint Chairs of the Council. Council members may designate senior executive branch officials as their representatives.

#### **Section 2. Purpose.**

The purpose of the Council shall be to develop a comprehensive strategic plan for Federal food safety activities taking into consideration the findings and recommendations of the National Academy of Science report "Ensuring Safe Food from Production to Consumption" and other input from the public on how to improve the effectiveness of the current food safety system. The Council shall make recommendations to the President on how to advance Federal efforts to implement a science-based comprehensive strategy to improve the safety of the food supply and to enhance coordination among Federal agencies, State and local governments, and the private sector. The Council shall advise federal agencies in setting priority areas for investment in food safety.

#### **Section 3. Specific Activities and Functions.**

(a) The Council shall develop a comprehensive strategic Federal food safety plan that contains specific recommendations on needed changes including measurable outcome goals. The fundamental goal of the plan should be the establishment of a seamless, science-based food

safety system. The plan should address the steps necessary to achieve this goal, including the key public health, resource, and management issues regarding food safety. The planning process should consider both short and long-term issues including new and emerging threats and the special needs of vulnerable populations such as children and the elderly. In developing this plan, the Council shall consult with all interested parties, including state and local agencies, consumers, producers, industry, and academia.

(b) Consistent with the comprehensive strategic Federal food safety plan described in Section 3(a), the Council shall advise agencies of priority areas for investment in food safety and ensure that federal agencies annually develop **coordinated food safety budgets for submission to OMB that sustain and strengthen existing capacities, eliminate duplication, and ensure the most effective use of resources for improving food safety, and the Council shall also develop a unified budget for the President's Food Safety Initiative and such other food safety issues as the Council determines appropriate for submission to OMB.**

[c] The Council shall ensure that the Joint Institute of Food Safety Research (JIFSR), in consultation with the National Science and Technology Council, establishes mechanisms to guide Federal research efforts toward the highest priority food safety needs. The JIFSR shall report, on a regular basis, to the Council on its efforts to develop a strategic plan for conducting food safety research activities consistent with the President's Food Safety Initiative and such other food safety as the JIFSR determines appropriate and to coordinate efficiently all federal food safety research, including with the private sector and academia.

#### Section 4. Cooperation.

All actions taken by the Council shall, as appropriate, promote partnerships and cooperation with states and other public and private sector efforts wherever possible to improve the safety of the food supply.

#### Section 5. General Provisions.

This order does not create any right or benefit, substantive or procedural, enforceable at law by a party against the United States, its agencies, its officers or any person. Nothing in this order shall abrogate the statutory responsibilities of any federal agency charged with food safety responsibilities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-AUG-1998 16:05:20.00

SUBJECT: NAS Briefing

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

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

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

TO: Jean.Logan ( Jean.Logan @ npr.gov @ inet [ UNKNOWN ] )  
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

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

TEXT:

The NAS pre-briefing will be on Wednesday, August 19 at 10a.m. in the Board Room at the Academy Building at 2101 Constitution Avenue, NW. Attendees should use the C Street entrance across from the State Department.

The public release date and time for the report is scheduled for Thursday, August 20 at 12 noon. NAS will make the report available to press 24 hours in advance but embargo it until Thursday Noon.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-AUG-1998 17:28:02.00

SUBJECT: School Safety Conference Communications/Message meeting -- Wednesday, Aug.

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Jocelyn Neis ( CN=Jocelyn Neis/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

TEXT:

This is an internal WH meeting only.



## **Employment and Training Administration**

CONTACT: Peggy Lewis  
PHONE: (202) 219-8211  
CONTACT: Saralee Todd  
PHONE: (202) 219-6871 ext. 154

USDL: 98-  
For Immediate Release  
Wednesday, August 12, 1998

### **VICE PRESIDENT AL GORE AND LABOR SECRETARY ALEXIS M. HERMAN ANNOUNCE PENNSYLVANIA TO RECEIVE \$44.2 MILLION WELFARE-TO-WORK GRANT**

Vice President Al Gore and Secretary of Labor Alexis M. Herman today announced that Pennsylvania will receive a \$44.2 million welfare-to-work grant to help the hardest-to-employ welfare recipients acquire the skills, work experience and resources they need to find and keep good jobs. The Pennsylvania grant is part of \$2.2 billion being awarded to states over a two-year period to fund local programs to help long-term welfare recipients enter the world of work.

“We’ve seen a 27 percent decline in welfare rolls since the enactment of the 1996 welfare reform law,” Vice President Gore said. “But our work is far from done. We cannot rest as long as there are people struggling to participate in the growth and prosperity of the nation. That is why this grant is so important to help long-term welfare recipients move from dependency to economic self-sufficiency.”

“It takes a lot of responsibility and determination to get a job,” Secretary Herman said. “But we also want to make sure that when long-term welfare recipients get jobs, they can keep them. These grants will help Pennsylvania’s newest workers to get the support services that will move them into good paying jobs. For workers just starting out, the services can mean the difference between success and failure.”

Eighty-five percent of the Pennsylvania grant will go directly to local programs that provide a wide range of support services including: assessments, job readiness, skills training, work activities, job development and placement, job retention, post employment services, and support services, such as parenting and family responsibility classes and family financial planning.

Under the 1997 Budget Reconciliation Act, \$2.2 billion is being allocated by formula over two years to states based on their population of poor people and the number of adult recipients of Temporary Assistance for Needy Families. Another \$711.5 million is being awarded directly by the secretary of labor on a competitive basis to local communities for projects that are innovative in their approach to helping adults move from welfare to work.

Most states and the Territory of Guam have now received formula grants. Pennsylvania

joins Alabama, Alaska, Arizona, Arkansas, California, Colorado, Connecticut, Delaware, Florida, Georgia, Guam, Hawaii, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Mexico, North Carolina, Oklahoma, Oregon, Rhode Island, South Carolina, Tennessee, Texas, Vermont, Virginia, Washington, West Virginia and Wisconsin.

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**Editor's Note:** The grant amount and state contact listed for Pennsylvania follow:

**FEDERAL FUNDS TO BE PROVIDED TO STATE:** \$44,295,711

**STATE MATCH:** \$22,147,856

**STATE CONTACT:**

Department of Public Welfare  
Bureau of Employment and Training Programs  
P.O. Box 2675  
Harrisburg, PA 17105  
**Contact:** Mr. David C. Florey, Director  
(717) 787-8613

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U.S. Labor Department news releases are accessible on the Internet at: <http://www.dol.gov>. The information in this news release will be made available to sensory impaired individuals upon request. TDD Message Referral Phone: 1-800-326-2577, Voice phone: (202) 219-7316.