

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 084 - FOLDER -005

[11/01/1998 - 11/11/1998]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (1 page)	11/03/1998	P6/b(6)
002. email	Laura Emmett to Elena Kagan. Personal. (1 page)	11/05/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[11/01/1998-11/11/1998]

2009-1006-F

vz140

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-NOV-1998 17:24:41.00

SUBJECT: Final Briefing

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

CC: Roger V. Salazar (CN=Roger V. Salazar/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D7]MAIL484176404.326 to ASCII,
The following is a HEX DUMP:

FF575043A0060000010A020100000002050000004C390000000200003811FE8681715FEFE3741E
AB00953FC133A19B547B6A54C9CCE2165816D492709605C123B22D9D53D8EB6479B5540CDB01E0

November 1, 1998

PATIENTS BILL OF RIGHTS CEREMONY

DATE: November 2, 1998
LOCATION: Rose Garden
BRIEFING TIME: 12:15 pm - 12:55 pm
EVENT: 1:00 pm - 2:00 pm
FROM: Bruce Reed/Chris Jennings

I. PURPOSE

To urge voters to elect a Congress that supports increasing patient protections, and to release a report detailing actions the federal government has taken to implement a Patients Bill of Rights while the Republican Leadership stalled on this issue.

II. BACKGROUND

This is an opportunity for you to urge voters to elect a Congress that shares your commitment to passing a strong enforceable Patients' Bill of Rights next year. You should emphasize that while the Republican Leadership stalled on the patients' bill of rights, the Administration has been doing everything possible to implement these protections in Federal health plans. To that end, you will be releasing a new report from the Vice President documenting action that the Federal government is taking within its authority to implement the Patients' Bill of Rights in the health plans it administers or oversees. In your remarks, you should make the following points:

Criticize the Republican Leadership for allowing Congress to adjourn without passing a strong Patients' Bill of Rights. For a full year, you have been calling on the Congress to pass a strong enforceable patients' bill of rights. For months, the Republican Leadership used every possible stall tactic to thwart the patients' bill of rights. When the Republican Leadership finally did introduce a bill, their proposal contained more loopholes than patient protections. It did not contain critical protections, such as access to specialists, and offered false promises, such as an appeals process that left the decisions in the hands of HMO accountants. In fact, Senator Lott would not even allow an up or down vote to be held on this issue.

Urge Voters to Choose A Congress Committed to Passing A Strong Enforceable Patients' Bill of Rights. You should reiterate your strong commitment to passing a Patients' Bill of Rights in the next Congress and urge Americans to go to the polls

tomorrow to elect a Congress that shares this commitment. This legislation should include enforceable patient protections, such as access to specialists, coverage of emergency room services when and where the need arises, continuity of care protections, an internal and independent external appeals process to appeal decisions made by HMO accountants, and protections to assure that HMOs are held accountable when patients are harmed or injured due to a health plans' decisions.

Announce the Release of a New Report From the Vice President That Highlights the Administration Is Doing Everything Possible to Implement Patient Protections. In February, you directed Medicare, Medicaid, the Federal Employee Health Benefits Program, the Department of Defense Military Health Program, and the Veteran's Health Program -- which serve over 85 million Americans -- to, where possible, come into compliance with the Patients' Bill of Rights outlined by the President's Quality Commission. Today, the Vice President released a report highlighting that these agencies have taken all the action within their statutory authority to implement patient protections.

As a result, the Federal health plans are now, or soon will be, in virtual compliance with the Patients' Bill of Rights. The report documents that:

- *The 285 participating health plans, covering nine million Federal employees and their dependents, have been directed to implement new patient protections this year. OPM which oversees the Federal Health Employees Benefits Program (FEHBP) serving nine million Federal employees and dependents, has directed their 285 participating health plans to come into compliance with the Patients' Bill of Rights. Through their annual call letter, OPM has specifically requested that plans implement new protections including access to specialists, continuity of care, disclosure of financial incentives, and access to emergency room services. Finally, OPM has issue new regulations to prevent "gag clauses." OPM is also sending information to beneficiaries to assure they are fully aware of their new patient protections.*
- **The 39 million Medicare beneficiaries are benefitting from critical patient protections.** Building on Medicare's commitment to providing essential patient protections, HHS published an Interim Final rule in June that includes a series of new patient protections for Medicare beneficiaries. When this rule is fully implemented, Medicare will be virtually in compliance with the Patients' Bill of Rights, including new protections such as **access to emergency services when and where the need arises, patient participation in treatment decisions, and access to specialists.**
- **The 38 million Medicaid beneficiaries are being assured essential protections in the Patients' Bill of Rights.** In September, HCFA published a Notice of Proposed Rulemaking (NPRM) adding new patients protections for Medicaid beneficiaries, such as access to specialists

and an expedited independent appeals process to bring the program in compliance with the Patients' **Bill of Rights**, where possible.

- **Over eight million Americans will receive the protections in the patients' bill of rights by the end of this year as a result of the new policy directive assured by the Defense Department's Military Health System (MHS). In response to your directive, DoD issued "The Patients' Bill of Rights and Responsibilities in the Military Health System," a major policy directive to all participants in the MHS. This directive outlined new protections for the over 8 million beneficiaries served by MHS, including access to appropriate specialists for women's health needs and chronic illnesses and rights for the full discussion of treatment options and of financial incentives. With this directive, which will be fully implemented by the end of this year, DoD will now be in compliance with the Patients' Bill of Rights.**
- **Over three million veterans are or will soon be assured virtually all patient protections. In July, the Department of Veteran Affairs (DVA) issued an Information Memorandum to participating health providers announcing its intention to have an external appeals process in place by the end of the year. Similarly, DVA established a task force to make recommendations as to how best implement information disclosure requirements consistent with Commission's recommendations and has developed a new brochure to provide beneficiaries the necessary information. With the implementation of these new protections DVA is virtually in compliance with the Patients' Bill of Rights.**
- **The 125 million Americans covered by ERISA still are not assured critical patient protections because the Department of Labor does not have the authority to implement them without legislation. DoL oversees the Employee Retirement Income Security Act (ERISA), governing approximately 2.5 million private sector health plans, that cover about 125 million Americans, issued new regulation to implement an expedited internal appeals process and information disclosure requirements. However, DoL's report underscores unless Congress passes Federal legislation, they do not have the authority to implement most patient protections.**

III. PARTICIPANTS

Briefing Participants:

Bruce Reed

Chris Jennings

Karen Tramantano

Program Participants:

YOU

Beverly Malone, President of the American Nurses Association

Dr. Robert Weinmann, advocate of HMO reform

Frances Jennings, victim of HMO abuse. Her husband was delayed two months for a ref

To be greeted before event:

Secretary Alexis Herman, Department of Labor

Director Janice LaChance, Office of Personnel Management

Deputy Secretary Gober, Veterans Administration

Gerald McEntee, President of AFSCME

Bill Lucy, Secretary Treasurer of AFSCME

Linda Chavez-Thompson, Executive Vice-President of the AFL-CIO

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- **YOU** will be announced onto the stage accompanied by program participants.
- Beverly Malone will make remarks and introduce Dr. Robert Weinmann.
- Dr. Robert Weinmann will make remarks and introduce Frances Jennings.
- Frances Jennings will make remarks and introduce **YOU**.
- **YOU** will make remarks, work a ropeline, and then depart.

VI. REMARKS

Provided by Speechwriting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-NOV-1998 21:52:05.00

SUBJECT: patients' bill of rights paper

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

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

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

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

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

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

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

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

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

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

TO: Elizabeth R. Newman (CN=Elizabeth R. Newman/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TO: Joseph P. Lockhart (CN=Joseph P. Lockhart/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:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D76]MAIL476202505.326 to ASCII,
The following is a HEX DUMP:

FF575043B7060000010A02010000000205000000002E000000020000B319FBDA5A0809D741BDDC
525EAB266F910733BCF5794B99A578FE989AD01A0628C9F4FFA02620BD133E8E2C8F05BF6CE565

PRESIDENT CLINTON RELEASES REPORT DOCUMENTING ACTIONS FEDERAL GOVERNMENT IS TAKING TO IMPLEMENT A PATIENTS' BILL OF RIGHTS AND URGES VOTERS TO SEND BACK A CONGRESS THAT SHARES HIS COMMITMENT TO PASS LEGISLATION TO ASSURE PROTECTIONS FOR ALL HEALTH PLANS

November 2, 1998

Today, President Clinton urged voters to send back a Congress that shares his commitment to passing a strong enforceable patients' bill of rights next year. The President also emphasized that while the Republican Leadership has stalled on the patients' bill of rights, the Administration has been doing everything possible to implement these protections in Federal health plans. To that end, he unveiled a report from the Vice President documenting action that the Federal government is taking within its authority to implement the patients' bill of rights in the health plans it administers or oversees. Today, the President:

Criticized Republican Leadership for allowing Congress to adjourn without passing a strong patients' bill of rights. For a full year, the President has been calling on the Congress to pass a strong enforceable patients' bill of rights. For months, the Republican Leadership used every possible stall tactic to thwart the patients' bill of rights. When the Republican Leadership finally did introduce a bill, their proposal contained more loopholes than patient protections. It did not contain critical protections such as access to specialists and offered false promises such as an appeals process that left the decisions in the hands of HMO accountants. In fact, Senator Lott would not even allow an up or down vote to be held on this issue.

Urged voters to choose a Congress committed to passing a meaningful patients' bill of rights. President Clinton committed to doing everything possible to pass a strong patients' bill of rights in the next Congress and urged Americans to go to the polls tomorrow to elect a Congress that shares this commitment. This legislation should include enforceable patient protections, such as access to specialists, coverage of emergency room services when and where the need arises, continuity of care protections, an internal and independent external appeals process to appeal decisions made by HMO accountants, and protections to assure that HMOs are held accountable when patients are harmed or injured due to a health plans' decisions.

Released report from the Vice President that highlighted that while the Republican Leadership delayed, the Administration is acting to implement patient protections in Federal health plans. In February, the President directed Medicare, Medicaid, the Federal Employee Health Benefits Program, the Department of Defense Military Health Program, and the Veteran's Health Program -- which serve over 85 million Americans -- to, where possible, come into compliance with the patients' bill of rights outlined by the President's Quality Commission. Today, the Vice President released a report highlighting that these agencies have taken all the action within their statutory authority to implement patient protections. As a result, the Federal health plans are now, or soon will be, in virtual compliance with the patients' bill of rights. The report documents that:

- **The 285 participating health plans, covering nine million Federal employees and their dependents, have been directed to implement new patient protections this year.** The Office of Personell Management (OPM), which oversees the Federal Health Employees Benefits Program (FEHBP) serving nine million Federal employees and dependents, has directed their 285 participating health plans to come into compliance with the patients' bill of rights. Through their annual call letter, OPM has specifically requested that plans implement new protections including access to specialists, continuity of care, disclosure of financial incentives, and access to emergency room services. Finally, OPM has issue new regulations to prevent "gag clauses." OPM is also sending information to beneficiaries to assure they are fully aware of their new patient protections.

- **The 39 million Medicare beneficiaries are benefitting from critical patient protections.** Building on Medicare's commitment to provide essential patient protections, HHS published an Interim Final rule, in June, that includes a series of new patient protections for Medicare beneficiaries. When this rule is fully implemented, Medicare will be virtually in compliance with the patients' bill of rights including new protections such as access to emergency services when and where the need arises, patient participation in treatment decisions, and access to specialists.
- **The 38 million Medicaid beneficiaries are being assured essential protections in the patients' bill of rights.** In September, the Health Care Financing Administration published a Notice of Proposed Rulemaking (NPRM) adding new patients protections for Medicaid beneficiaries, such as access to specialists and an expedited independent appeals process to bring the program in compliance with the patients' bill of rights, where possible.
- **Over eight million Americans will receive the protections in the patients' bill of rights by the end of this year as a result of the new policy directive assured by the Defense Department's Military Health System (MHS).** In response to the President's directive, DoD issued "The Patients' Bill of Rights and Responsibilities in the Military Health System," a major policy directive to all participants in the MHS. This directive outlined new protections for the over 8 million beneficiaries served by MHS, including access to appropriate specialists for women's health needs and chronic illnesses and rights for the full discussion of treatment options and of financial incentives. With this directive, which will be fully implemented by the end of this year, DoD will now be in compliance with the patients' bill of rights .
- **Over three million veterans are or will soon be assured virtually all patient protections.** In July, the Department of Veteran Affairs (DVA) issued an Information Memorandum to participating health providers announcing its intention to have an external appeals process in place by the end of the year. Similarly, DVA established a task force to make recommendations as to how best implement information disclosure requirements consistent with Commission's recommendations and has developed a new brochure to provide beneficiaries the necessary information. With the implementation of these new protections DVA is in virtual compliance with the patients' bill of rights
- **The 125 million Americans covered by ERISA still are not assured critical patient protections because the Department of Labor does not have the authority to implement them without legislation.** DoL oversees the Employee Retirement Income Security Act (ERISA), governing approximately 2.5 million private sector health plans, that cover about 125 million Americans, issued a new regulation to implement an expedited internal appeals process and information disclosure requirements. However, DoL's report underscores that unless Congress passes Federal legislation, they do not have the authority to implement most patient protections.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-NOV-1998 09:31:34.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

John Podesta would like to see you right away in his office -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul D. Glastris (CN=Paul D. Glastris/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-NOV-1998 14:31:59.00

SUBJECT: policy idea: rating public schools

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

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

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

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

TO: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

TEXT:

Consumer ratings for public schools: A perfect new Clintonian policy idea would have four attributes:

- 1-it would address a top-ranked voter concern, such as education.
- 2-it would conform to the voters' belief the federal government should not be creating big new programs but should be providing citizens with tools, especially information, which they can use to improve their own lives.
- 3-it would likely cause open dissent among congressional Republicans--sparking lots of extremist anti-government rhetoric--but would also have a good chance of eventually winning sufficient if grudging Republican support.
- 4-it would actually work if we tried it. .

Here's an idea with, I believe, all four attributes: Have the President announce during the SOTU that in order to help parents make more informed choices about which schools to send their children to, he is calling on the federal government to collect and disseminate information about the performance of every k-through-12 public school in the country. In other words, information that can be used to rate public schools.

When parents chose a public school for their children, they do so with little solid information. They go by reputation, SAT scores, teacher-to-pupil ratios, spending-per-student, and the race and socio-economic class of the student body. These are proxies for school quality. They measure inputs and norms, not actual performance. Though not wholly unreliable, these measures fail to capture the thing parents care most about (or should care about): how much improvement of learning goes on in this school compared to other schools? If my child begins the year with x level of learning, what are his or her chances of getting to y by the end of the year in this school compared to other schools? In other words, what is the value add of this school?

The President could make this rating system happen by requiring (with congressional approval) that the Department of Education collect, on a nationwide basis, the following three new sets of data :

1-student achievement tests broken down to the school level. The federal government already has a reliable measuring rod in the National Assessment of Educational Progress. Broader use of the NAEP would be expensive and controversial, but it would work.

2-graduation rates for every high school. Currently each state calculates graduation rates differently and the data they gather is incomplete. Federal standards would make the information much more reliable and comparable

3-data tracking students, achievements 3-to5 years after graduation (job, income, further education, etc).

It's important to note that Washington would merely be providing data that would make rating systems possible. The federal government would not be doing the actual rating of schools. That job is better left to private organizations, such as newsmagazines and education reform groups. Each of these organizations would be free to weigh the data differently and to throw other criteria into the mix, such as SAT scores or extracurricular programs. The point is, without the federal government providing the above data, no rating system can work (which explains why no one has tried to put one together).

Choosing a school can be the most important choice a parent will ever make for a child. Such ratings would empower parents to make better, more informed choices. More than that, it would be a powerful engine for school reform. Numerous experts have noted that the vast majority of parents have the Lake Wobegon view that their kids, schools are above average. This system might help shake off that complacency. Experts have also noted that the mere act of grading institutions causes managers of those institutions to make improvements.

Republicans will probably object that this idea means more federal spending and federal intrusion into state and local education matters. In fact, measuring school performance is less intrusive than other policies, such as setting high academic standards (and the measurement system can probably be done on a voluntary basis). But just as the standards debate highlighted an internal contradiction in conservative ideology (you cannot be for local control and high standards), this debate will highlight another (you cannot be for parental choice in education but against giving parents the information they need to make those choices wisely).

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-NOV-1998 15:18:25.00

SUBJECT: Civil Rights Meeting

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:

Bill Lee is coming over this Friday to meet with Chuck Ruff, Chris Edley and me on civil rights issues. Chris is interested in school desegregation as well as other education issues, such as testing, and no doubt we will spend significant time on these topics. We meet at 11:00 in Chuck's office. You are both welcome.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-NOV-1998 17:51:35.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

David Strauss is calling from NYC and on hold- do you want to speak to him now? -Laura

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (1 page)	11/03/1998	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[11/01/1998-11/11/1998]

2009-1006-F
vz140

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 09:19:52.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Mike just arrived to begin the 9:15 new ideas mtg. in Bruce's office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:16:29.00

SUBJECT: Question for Christine Gregoire

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:

Besides asking about the public health provisions generally, we should ask if there are any tobacco documents provisions (putting all the industry docs on web site, etc.) There are rumours that there may be.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:16:32.00

SUBJECT: Hondurans

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

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

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

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

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

TEXT:

Congressman Gutierrez has sent the President another letter re: Hondurans. Unlike his previous letter (in which he asked for "parity" for Hondurans), in this letter he asks for DED for Hondurans who have been in the U.S. since prior to December 1995.

As you recall, during the last session of Congress, we attempted to get Hondurans who applied for asylum prior to December 31, 1992 (approximately 2,000 Hondurans) relief equivalent to that received by Salvadorans and Guatemalans in NACARA (essentially, to have the pre-1996 suspension of deportation rules apply). We have not pushed for amnesty for any of these groups, though the President indicated in his meeting with the Hispanic Caucus last August that he would consider legislation that provided amnesty for these groups (because it would bring parity between these groups and the Nicaraguans and Cubans given amnesty in the legislation). On the question of DED, our position has been that though we agree that Hondurans similarly situated to Salvadorans and Guatemalans covered by NACARA should be treated the same, we have not endorsed DED for Hondurans. According to Scott Busby, the number of Hondurans likely affected by our proposed legislative fix is too small and the foreign policy rationale is not present.

Jim Dobbins at NSC (who covers Latin America) wants us to consider interim measures for Hondurans who might be covered by our proposed legislative fix. These options include: DED; TPS (temporary protective status); and the AG's prosecutorial discretion. There may be others. According to the NSC, the lack of equal treatment for Hondurans is the number one issue in our bilateral relationship with Hondurans.

Scott is going to pull together a staff-level meeting this week for us to consider the options.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:23:08.00

SUBJECT: Weekly Education Strategy Meeting

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

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

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

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

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

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

TO: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

TEXT:

We will have the weekly Education Strategy Meeting on Thursday, November 5, at 5:15 p.m. in Bruce Reed's office, 2 Floor/West Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 11:50:09.00

SUBJECT: Draft directive on OPM guide for domestic vioience

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:

Here is a draft directive for the VP's event tomorrow. Phil Caplan needs it as soon as possible. DOJ, OPM, and HHS have signed off on it. Could you please review it so I can send it to Phil? Thanks, Mary===== ATT
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D81]MAIL475527604.326 to ASCII,
The following is a HEX DUMP:

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1009167065F7244AB7948F42BBFEB2547D72A7BB18C2862A484E9A691CA4FB7908403633C0321E

MEMORANDUM FOR THE DIRECTOR OF THE OFFICE OF PERSONNEL
MANAGEMENT

SUBJECT: GUIDE FOR VICTIMS OF DOMESTIC VIOLENCE

Domestic violence is one of the most serious public health issues and criminal justice issues facing our Nation. About 30 percent of female murder victims are killed by intimates each year. Women aged 16-24 experience the highest rates of intimate violence. In 1996, women experienced an estimated 840,000 incidents of rape, sexual assault, robbery, and aggravated assault at the hands of intimates. While this number has declined from 1.1 million incidents in 1993, we must strive to completely eliminate domestic violence both for its effects on the victim as well as on their children. Domestic violence does not discriminate -- it effects individuals of every age, race, gender, class, and religion.

My Administration is committed to fighting the scourge of domestic violence. As part of the 1994 Crime Act, I fought for and signed the historic Violence Against Women Act (VAWA), which provides a comprehensive approach to domestic violence, both through prosecuting offenders and providing assistance to victims. Through this Act, my Administration has provided almost half a billion dollars through STOP (Services, Training, Officers, and Prosecutors) grants to the states for law enforcement, prosecution, and victim services to prevent and respond to violence against women. The extension of the Brady Law prohibits anyone convicted of a domestic violence offense from owning a firearm. The Interstate Stalking Punishment and Prevention Act of 1996 makes it a federal crime to cross state lines intending to injure or harass another person.

In 1995, the Violence Against Women Office was established at the Department of Justice, elevating the fight against domestic violence to the national level for the first time. Since 1996, the 24-hour National Domestic Violence Hotline (1-800-799-SAFE) has provided immediate crisis intervention, counseling, and referrals to those in need, responding to as many as 10,000 calls each month.

Domestic violence affects all aspects of our society -- the family, the community, and the workplace. As the Nation's leading employer, my Administration has tried to set an example for private employers to protect and provide assistance to workers who are victims of domestic violence. In 1995, I signed an executive memorandum requiring all federal departments to begin employee awareness efforts on domestic violence. Last year, the Vice President announced that the Office of Personnel Management had developed a guide for dealing with workplace violence that outlines a wide array of strategies for preventing violence at work and for helping supervisors, security, and employee assistance staff to recognize the signs of violence, including domestic violence, and to prevent this violence.

Building upon these efforts, it is important to provide a resource guide to the thousands of federal employees across the country, whether they are a victim of domestic violence or the family member, neighbor, friend, or co-worker of someone who is being abused. I accordingly direct you to prepare within 120 days a resource guide that will (1) assist federal employees

who are victims of domestic violence by providing up-to-date information about available resources and outline strategies to ensure safety; and (2) help those who know a federal employee who is being abused to prevent and respond to the situation. This guide should list private as well as public resources such as counseling, law enforcement, federal workplace leave policies, and substance abuse programs. In developing this guidebook, you should consult with all interested parties, including the private sector and other federal agencies and offices -- particularly, the Department of Justice and the Department of Health and Human Services.

This guide, in addition to my Administration's continuing efforts to combat domestic violence, will strive to ensure to the fullest extent possible the safety of all federal workers and their families.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 13:23:01.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I have Larry Lesig on the line- do you ned to talk to him now? 65584

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 14:04:32.00

SUBJECT: Domestic Violence Accomplishments

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 an updated domestic violence accomplishment document. It is the same document we used last year, but has been updated by OMB, HHS, and DOJ. The VP's office would like to have it as soon as possible because they need this background info for the leaking to USA Today. Could you please review this? Thanks, Mary ===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D62]MAIL495290700.326 to ASCII,
The following is a HEX DUMP:

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D8BF779B4DD0D4F5FD720C7C4E204A45ADD377B47E49172A1110EE55006395172F6E581E1C8F71

PRESIDENT CLINTON AND VICE PRESIDENT GORE: FIGHTING TO END DOMESTIC VIOLENCE

"I call on American men and women in families to give greater respect to one another. We must end the deadly scourge of domestic violence in our country."

-- President Clinton, State of the Union Address, 1996

Domestic Violence - A National Problem

- In 1996, approximately 840,000 women were victimized by violence perpetrated by an intimate.[Bureau of Justice Statistics, 1998]
- About 30% of female murder victims are killed by current or former partners.[Bureau of Justice Statistics, 1998]
- Companies lose 1,751,100 days a year due to violence in the workplace - 10% of that absenteeism, or 175,000 days is due to domestic violence.[Workplace Violence - Department of Justice, 1994]
- From 1987 to 1992, workers were the victims of nearly a million crimes a year, on average, at a variety of public and private workplaces. And when the victim was a woman, she was much more likely than a man to know the attacker.[Justice Department, 3/10/96]

The Clinton Administration has taken strong steps to fight domestic violence. The President fought for and signed the Violence Against Women Act, as part of the 1994 Crime Act. For the first time, the federal government adopted a comprehensive approach to fighting domestic violence and violence against women, combining tough new penalties with the programs to prosecute offenders and help women victims of violence. The passage of the Violence Against Women Act was a crucial turning point in our national effort to break the cycle of domestic violence.

The Act forged a new strategy to fight domestic violence:

- Provided \$1.6 billion over five years to hire more prosecutors and improve domestic violence training among prosecutors, police officers, and health and social services professionals.
- Provided for more shelters, counseling services, and research into effective public education campaigns.
- Made interstate domestic violence and harassment a federal offense.
- Outlawed the possession of firearms by those who are subject to a restraining order.
- Required states to honor protective orders issued in other states and gave victims the right to mandatory restitution and the right to address the court at the time of sentencing.

The Violence Against Women Act is the cornerstone to the President's efforts to fight domestic violence. The Administration continues to build on this achievement in order to work to prevent and eliminate domestic violence.

WORKING TO COMBAT VIOLENCE

Extended the Brady Bill to deny handguns to anyone convicted of family violence. Under the law, anyone who commits an act of family violence against a spouse or child would be prohibited from having a gun. The law also adds domestic violence convictions to the "Brady Checklist" sent to local law enforcement for a background check prior to each handgun sale from a federally licensed firearms dealer.

Bolstered local law enforcement, prosecution and victims' services to better address violence against women through \$411.5 million in state grants. Since October 1995, the Administration has awarded more than \$411.5 million in S*T*O*P Violence Against Women Grants to states to encourage cooperation and coordination that allow the criminal justice system to respond more effectively to domestic and sexual violence.

Signed the Interstate Stalking Punishment and Prevention Act of 1996, which makes it a federal crime to cross state lines intending to injure or harass another person.

Working with local prosecutors to stop domestic violence. The Department of Justice awarded states \$106 million to encourage policies of arrest of domestic violence offenders at the local level. Since FY 1996, another \$6 million has been disbursed under the National Stalker and Domestic Violence Reduction Program to improve the collection, handling, and accessibility of crime data.

HELPING PROVIDE RESOURCES TO VICTIMS OF VIOLENCE

Created the Violence Against Women Office. In March of 1995, President Clinton named Bonnie Campbell, former Attorney General of Iowa, to be Director of the Violence Against Women Office at the Department of Justice. In making the announcement, the President noted "for the first time in history, the federal government becomes a full time partner in the fight to curb violence against women." The Department's Violence Against Women Office leads the comprehensive national effort to combine tough new federal laws with assistance to states and localities to fight domestic violence and other crimes against women. It is a national resource for all those involved in this national problem.

Established nationwide 24-hour domestic violence hotline providing immediate crisis intervention, counseling and local shelter referral to victims across the country. The hotline has received over 225,000 calls from all over the country, since it was launched by President Clinton on February 21, 1996.

More than quadrupled funding for battered women's shelters. In 1993, the federal government spent \$20 million on battered women's shelters. In FY 1999, the Clinton Administration allocated \$88.6 million. And it has spent even more on related services, such as community outreach and prevention, children's counseling, and linkage to child protection services. Overall, the Clinton Administration has granted states, territories, and Indian tribes over \$200 million to support the system of 1,400 emergency shelters, safe homes, and related services nationwide.

Compensating victims of violence. Through the Department of Justice's Office for Victims of Crime, the Administration awarded \$343 million in FY 1998 to help compensate crime victims, including domestic violence survivors, for their losses; provide victims with emergency shelter, food and medical care; and improve, through police-and court-training, how the criminal justice system handles their cases.

Helping victims gain access to the legal system. On June 20, 1996, President Clinton announced \$46 million in grants to localities to utilize community policing to combat domestic violence. The Justice Department's Office of Community-Oriented Policing Services has funded grants to over 300 jurisdictions for innovative community policing strategies aimed at curbing domestic violence. In addition, the Justice Department has encouraged mandatory arrests policies for the primary aggressor in domestic violence cases by awarding grants to 122 communities which are pursuing this strategy to combat violence.

Strengthening the health care system's ability to screen, treat, and prevent family and intimate violence. The Clinton Administration is helping to train those in the medical profession to identify and deal with the problem of battered women. These efforts include development of a framework for evaluating health care provider training programs; surveying all medical schools to determine the extent to which students are being prepared to deal effectively with issues of family and intimate violence; and working with national nursing organizations to begin collaborations and the development of a national nursing strategy on dealing with domestic violence.

LEADING A NATIONAL EFFORT TO RAISE AWARENESS OF DOMESTIC VIOLENCE

The Advisory Council on Violence Against Women. President Clinton created the Advisory Council Against Women on July 13, 1995. Co-chaired by Attorney General Janet Reno and Secretary of Health and Human Services Donna Shalala, the Council consists of 47 experts -- representatives from law enforcement, media, business, sports, health and social services, and victim advocacy -- working together to prevent violence against women and raise awareness of this pressing problem.

Raising Awareness in the federal workplace. President Clinton signed an executive memorandum on October 2, 1995, requiring all federal departments to begin employee awareness efforts on domestic violence. The Justice Department has distributed more than 90,000 copies of a domestic violence awareness booklet entitled "Stop the Cycle of Violence." In addition, Secretary Shalala distributed workplace violence guidelines for employees of the Department of Health and Human Services with a special section addressing domestic violence. These guidelines both help create and support a work environment in which potentially violent situations in HHS are prevented and effectively addressed and increase employee understanding of the nature of workplace violence. **The Office of Personnel Management produced two publications, distributed government wide: "Dealing with Workplace Violence: A Guide for Agency Planners" (published in February 1998) and "A Manager's Handbook: Handling Traumatic Events" (published in December 1996). Both publications include guidance for agencies in handling domestic violence that spills over into the workplace.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:08:41.00

SUBJECT: SOU/Budget Meeting

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

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

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

TEXT:

We hope to have you attend the meeting referenced below which will provide an opportunity for us to hear from our primary constituency groups at one time ---meaning one meeting rather than a bunch. I should have a proposed date by the end of the week.

----- Forwarded by Mickey Ibarra/WHO/EOP on 11/03/98

04:04 PM -----

Mickey Ibarra
11/02/98 06:56:27 PM
Record Type: Record

To: Fred DuVal/WHO/EOP, William H. White Jr./WHO/EOP, Lynn G. Cutler/WHO/EOP
cc: See the distribution list at the bottom of this message
Subject: SOU/Budget Meeting

I spoke with Bill Pound today. He liked the idea of pulling the Big Seven executive directors and principals together for a SOU and Budget (FY 2000) Roosevelt Room meeting with Gene, Bruce, Jack and Maria. He will be back in touch this week for a suggested date. He understands we want to do this as early in November as possible.

Message Copied

To: _____

Maria E. Soto/WHO/EOP
Maria Echaveste/WHO/EOP
Gene B. Sperling/OPD/EOP
Jacob J. Lew/OMB/EOP
Bruce N. Reed/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:50:50.00

SUBJECT: SOU Time

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

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

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

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

TEXT:

----- Forwarded by Christa Robinson/OPD/EOP on 11/03/98
03:51 PM -----

Karin Kullman
11/03/98 01:00:40 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Stephanie S. Streett/WHO/EOP, Jeffrey A. Forbes/WHO/EOP, Rachel A. Redington/WHO/EOP, Heather L. Davis/WHO/EOP
Subject: SOU Time

Per the State of the Union Timeline Memorandum, the Scheduling Office is currently holding time on the following days on the President's schedule for SOU preparation:

Tuesday, November 24th

Monday, December 7

We are also tentatively holding Wednesday, January 6th for the Thinker's Dinner, but need to confirm this date with the Social Office.

As soon as the actual date for the State of the Union is nailed down we will get back to you about time for the other requested prep.

Thank you.

Message Sent

To: _____
Maria Echaveste/WHO/EOP
Marjorie Tarmey/WHO/EOP
Sara M. Latham/WHO/EOP

Robert L. Nabors/OMB/EOP
Beth A. Viola/CEQ/EOP
Adrienne C. Erbach/OMB/EOP
Christa Robinson/OPD/EOP
Cathy R. Mays/OPD/EOP
Melissa G. Green/OPD/EOP
Michael Waldman/WHO/EOP
Joshua S. Gottheimer/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 16:55:54.00

SUBJECT: POTUS memo on directive

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:

Phil Caplan wanted a short memo to the President on why the domestic violence directive was needed. Here is a draft. Phil said he needed it by 6pm tonight so the President could sign the directive tonight. Could you please review it by then. Thanks, Mary===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D41]MAIL48610470B.326 to ASCII,
The following is a HEX DUMP:

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F9B3BBD285C52693AB3B394DE1096E46843D725EAF29E01D727B288597EE8AE599B1FD94241560

November 3, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
ELENA KAGAN
MARY SMITH

SUBJECT: DIRECTIVE TO OPM FOR DOMESTIC VIOLENCE RESOURCE
GUIDE

On Wednesday, November 4, the Vice President will host a domestic violence event where he will announce that the Social Security Administration will now make it easier for victims of domestic violence to change their social security numbers. For the first time, victims of domestic violence will be able to get a new Social Security number by providing written affirmation of their domestic abuse from a third party, such as a local shelter, or treating physician.

In addition, the Vice President will announce the attached directive to the Office of Personnel Management requiring the development of a resource guide for federal employees who are victims of domestic violence. This directive builds upon your 1995 executive memorandum requiring all federal departments to begin employee awareness efforts on domestic violence. While some agencies, such as the Department of Health and Human Services and the Department of Justice, have developed their own resource guides, this new guide is needed to provide one uniform guide across all federal agencies and for all federal employees.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 18:22:44.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Fyi- Maria just called & they want to do Insta-Check event Thursday- Jose is now consulting w/ Christa

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1998 19:09:26.00

SUBJECT: congrats

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

READ:UNKNOWN

TEXT:

I heard your news and I think you made a good decision, which is good because it's fundamentally what you want to do -- which is why any decision of this kind is good. I'll look forward to hearing details at some point. And by the way -- you'll be great at this. Good luck. tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 09:43:05.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

John Podesta would like to see you now in his office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 09:48:34.00

SUBJECT: Great American Smokeout 11/19 -- Possible VP Event

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

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

TO: Christa Robinson (CN=Christa Robinson/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:

The Great American Smokeout, the American Cancer Society's 22nd annual "commit to quit" day is Thursday November 19th. The President is out of the country, but perhaps the VP could do an event? Announcement options include:

- 1) New PSAs aimed at parents to urge them to protect their kids, and smoke outside
(sponsored by EPA, the American Medical Assoc, Consumer Federation of Amer)
Print, radio, and tv ads -- I have the transcript, am getting the tape.
- 2) New ACHPR guidelines for health professionals about how to promote cessation (I'm getting more information... I think these new guidelines now include all 5 cessation treatments, the previous ones just had 3).
- 3) Direct the Federal Employees Health Plan to enhance coverage for cessation services
- 4) Direct DOL to expand its drug-free workplace initiative to provide information to employers on steps they can take to reduce tobacco use among employees and OPM
could disseminate a model workplace cessation program for all federal agencies.
(Cost: about \$100,000)
- 5) Possibly some research related announcement -- this summer at a National Institute of Drug Abuse meeting, the VP announced that NCI would devote \$38 million towards tobacco research. There is apparently a meeting next Thursday and Friday (11/12&13)
of NCI's scientific advisory board to review proposed tobacco control

research funding

-- thus, the VP could announce the decision on the 19th.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 09:54:37.00

SUBJECT: It's time to decide on Food Stamp privatization

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:

Arizona is sending a letter to USDA threatening to go forward if they hear no response by 11/15. McCain of course has sent us a letter saying state law requires this plan to be fully operational by January 1. I think we could quietly roll these out (I assume we'll have to say no) at the same time as FICA?

Here's the chart (same one you have in hard copy). ===== ATTACHMENT
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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The following is a HEX DUMP:

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B9866E01DF3E1CF739EBF8975152E9F076B64558CF1081D94FC8DF39D4763E8C768747303B64C6

**Comparison of Whether Demonstration Requests Meet Guiding Principles
for Privatization of Food Stamp and Medicaid Certification Process .
DRAFT -- DRAFT -- DRAFT -- DRAFT (10/4/98)**

	Arizona	Florida	Wisconsin
Affected Programs	Food Stamps, Medicaid, Child Care, State General Assistance	Food Stamps, Medicaid	Food Stamps
Deadline	State law requires program to be fully operational on 1/1/99; state plans to go forward with RFP on 11/1/99		Must provide response by 10/5 (seeking information or giving yes/no answer)
<p>Public employees should retain discretionary decision-making around eligibility.*, **</p> <p>(Activities involving the use of discretion that could result in potential applicants being screened out must be performed by State merit system employees. Discretionary functions include initial contact, application, data entry, interview process, request for and evaluation of appropriate documentation as well as the resulting eligibility decision and benefit calculation. Most if not all activities involving personal contact with an applicant or recipient, including data entry during an interactive discussion with the applicant, have the potential to involve the use of discretion or judgment, and to directly influence or affect eligibility determination process.*)</p> <p>(There are narrow instances in which non-public employees may be involved. In the outstationing provisions of the Medicaid program, non-public employees are permitted to perform a number of initial processing activities, but are not permitted to evaluate the information presented by the applicant, or make the actual eligibility determination. Under the Food Stamp program, volunteers may simply assist potential clients in filing applications with the State.*)</p>	<p>Probably no.</p> <p>State would like to have private employee interview and gather information and enter it into the computer, and then have the public employee use the data to make the determination.</p> <p>State would like to either "detail" public employees to the private entity or allow private entity to have management control over private employees.</p>	<p>No. Certification of Medicaid and Food Stamp applicants who are subject to work requirements would be transferred to a private or non-profit organization; those exempt from work requirement would continue to be certified by public employees.</p> <p>Note: On-site inspections of TANF demonstration projects show that intake and referral activities for food stamp certification have been transferred to the private vendor, which may not meet principles outlined in HHS letter.</p>	<p>No. Food Stamp households that are subject to work requirements could be certified by private employees if private bidder wins county contract. Individuals that are exempt from work requirements would continue to be certified by public employees (25% of caseload).</p> <p>Note: On-site inspections of TANF demonstration projects show that intake and referral activities for food stamp certification have been transferred to the private vendor, which may not meet principles outlined in HHS letter.</p>

- * Principle articulated in the 5/13/97 letter from HHS to Texas.
- ** Principle articulated by labor community.
- *** FNS recommendation.
- **** IRS has told other federal agencies that they will not share their data with private entities.

Automated Records Management System
Hex-Dump Conversion

	Arizona	Florida	Wisconsin
Public employees should retain discretionary decision-making in setting program policy.*, **	Yes. State retains responsibility for policy, quality control, and fair hearings.	Yes. State retains responsibility for policy, quality control, and fair hearings.	Yes. State retains responsibility for policy, quality control, and fair hearings.
Demonstration projects, if allowed, should be time-limited and sub-state.*	No -- state could expand initial pilot statewide. Initial pilot would operate in one urban and one rural site for 4 years, but state would be able to expand statewide at end of pilot without federal approval.	Yes (operates in one urban, one suburban and one rural site across 5 counties for 3 years).	No. Every county in which a private bidder won the contract would become private. Currently private entities in 8 counties, including Milwaukee, have won contracts (now applies only to TANF).
Demonstrations projects should include a strong research component to test the effects of program privatization on client accessibility, confidentiality, program integrity, administration and costs, and effective monitoring and oversight.*** Evaluation should be on-going, with state monitoring, benchmarks and reporting, including protections for whistle-blowers.**	Evaluation would be done by an independent evaluator, but state has not provided other details.	State law requires an evaluation, but the state has not provided other details.	State proposal doesn't include an evaluation, but performance would be reviewed during the bidding process every 3 years.
States must prove that proposals to waive important statutory requirements will not result in harm to claimants or customers.**	Unknown	Unknown	Unknown
States must justify the need for an experiment, and explain why they have been unable to rectify the problems through public sector interventions. Experiments should not be justified by insufficient public performance, fraud, cost savings or vendor expertise that cannot be efficiently replicated; experiments should not be based solely on an interest in exploring private provisions.**	Unknown	Unknown	Unknown
States must show evidence of labor-management cooperation in design, seeking input from all workers in	Unknown	Unknown	Unknown

* Principle articulated in the 5/13/97 letter from HHS to Texas.

** Principle articulated by labor community.

*** FNS recommendation.

**** IRS has told other federal agencies that they will not share their data with private entities.

	Arizona	Florida	Wisconsin
the program redesign process.**			
The program should be designed through extensive public input; vendors should have documentation of experience available for public evaluation.**	Unknown	Unknown	Unknown
Plans must provide structures which avoid conflict of interest -- i.e., creating incentives that discourage vendors from providing services to individuals or encourage them from deeming clients ineligible for services.**	Unknown	Unknown	Unknown
Plans must ensure privacy and confidentiality.**	Unknown****	Unknown****	Unknown****
Plans must contain public “failsafe” provisions, making vendors aware that they will be required to facilitate the return to public provision should the experiment fail, and requiring them to demonstrate that they can return programs to state provision without interruption of benefits or services.**	Unknown	Unknown	Unknown

* Principle articulated in the 5/13/97 letter from HHS to Texas.

** Principle articulated by labor community.

*** FNS recommendation.

**** IRS has told other federal agencies that they will not share their data with private entities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1998 16:47:22.00

SUBJECT: No crime event tomorrow.

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

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

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

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

TEXT:

Daschle and Gephardt are coming in to do a statement w/ POTUS tomorrow, so our crime event is off. Jose has an interest in proposing a full event for later in the month. Shall I submit a proposal for that -- or do you want to proceed with a leak for Monday? Please advise. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 08:50:43.00

SUBJECT: I'll be @ Food Stamp meeting out of the building from 9-3

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

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

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

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

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

TEXT:

I'll be attending a roundtable discussion on food stamps held by FCS Undersecretary Shirley Watkins so I'll miss the DPC staff meeting. Bruce/Elena: we're continuing to refine new ideas. Had a helpful brainstorming session w/ CBPP yesterday. Please page me if you need me during the day.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 10:48:28.00

SUBJECT: Crime Strategy Meeting

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

READ:UNKNOWN

TO: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP @ EOP [ONDCP])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael Deich (CN=Michael Deich/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

There will be a Crime Strategy Meeting on Monday, November 9, at 3:00 p.m. in Bruce Reed's office (2 Floor, West Wing).

Agency folks attending: Jim Johnson and Ann Harkins.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Charles J. Payson (CN=Charles J. Payson/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 5-NOV-1998 11:14:24.00

SUBJECT: Message Event Planning & Coordination Mtg.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

payson (payson [WHO])
READ:UNKNOWN

TEXT:

Jennifer Palmieri, Stephanie Streett and Stacy Spector will be holding a Message Event Planning and Coordination Meeting at 5:30 pm today in the Ward Room. Please let me know if you will not be able to make it. Thank you.

Ann Lewis
Doug Sosnik
Bruce Reed/ Elena Kagan
Christa Robinson
Jake Siewert
Gene Sperling
Michael Waldman
Minyon Moore
Beverly Barnes

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Laura Emmett to Elena Kagan. Personal. (1 page)	11/05/1998	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[11/01/1998-11/11/1998]

2009-1006-F
vz140

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]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 15:09:55.00

SUBJECT: First take on gun directive -- I'm send to agencies for comment now...jc3

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D38]MAIL42483490W.326 to ASCII,
The following is a HEX DUMP:

FF5750430C050000010A020100000002050000002214000000020000609A86158A1A481D6E6E66

D R A F T --- D R A F T --- D R A F T

November 6, 1998

MEMORANDUM FOR THE ATTORNEY GENERAL
SECRETARY OF THE TREASURY

Subject Preventing firearms sales to prohibited purchasers

Since 1993, my Administration has worked to give law enforcement agencies and the communities they serve the tools they need to rid our neighborhoods of gangs, guns and drugs -- and to reduce crime and the fear of crime. Our strategy is working. Through the historic 1994 Crime Act, we have helped drive down the crime rate for six years in a row -- to its lowest point in a generation. Keeping guns out of the hands of criminals has been a key part of our strategy, and tough -- but sensible -- measures like the Brady Law and ban on assault weapons have contributed to our success. In fact, over the past 5 years, the Brady Law has helped prevent well over a quarter of a million handgun sales to felons, fugitives, domestic violence abusers and other prohibited purchasers -- saving countless lives and preventing needless injuries.

On November 30, 1998, the permanent provisions of the Brady Law will take effect, and the Department of Justice will implement the National Criminal Background Instant Check System (NICS). The NICS will allow law enforcement officials to access to a fuller set of records than is now available and will -- for the first time -- apply to the sale of long guns and to firearms transfers at pawnshops. Overall, under the NICS, the number of background checks conducted before the purchase of a firearm will increase from an estimated 4 million to more than 12 million.

We can, however, take additional steps to strengthen the Brady Law and to keep our streets safe from gun-carrying criminals. Each year, an untold number of firearms are bought and sold at the estimated 5,000 private gun shows that take place across the country -- with most of these sales skirting the Brady background check requirement. This loophole makes gun shows prime targets for criminals and gun traffickers -- and effectively thwarts law enforcement efforts to trace firearms that are later used in crimes. It should be closed once and for all.

Therefore, I request that, within 60 days, you recommend to me what actions our Administration can take -- including proposed legislation -- to ensure that firearms sales at gun shows are not exempt from our federal gun laws.

**Automated Records Management System
Hex-Dump Conversion**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 16:13:29.00

SUBJECT:

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

TEXT:

Chuck Ruff needs to speak to you urgently 62632

RECORD TYPE: PRESIDENTIAL (NOTES,MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 16:11:37.00

SUBJECT:

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

TEXT:

FYI- the health care mtg. is starting

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Devorah R. Adler (CN=Devorah R. Adler/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 5-NOV-1998 21:49:17.00

SUBJECT: the weekly report!

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

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

TEXT:

The weekly report is attached. Sarah has an insert on the Patients Bill of Rights, which she will send to you after it is reviewed by Chris.

Thanks -- please call with questions.

Devorah

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D95]MAIL433896901.326 to ASCII,
The following is a HEX DUMP:

FF575043B0040000010A0201000000020500000075110000000200009DFC59415332DA685B2D8D
993F4BEDB5A1766FE18A18E2CA6354DEAB454DF8A821F21D7EDA99A537F890A65586EE1FE1EE55

Requiring Prescription Contraceptive Benefits for Federal Employees. On Friday, the Office of Personnel Management issued a benefits directive letter that required approximately 280 health plans in FEHBP to adjust their benefit packages to ensure that FDA approved, prescription contraceptive options are covered. This requirement, which was strongly advocated by Congresswoman Lowey and numerous advocacy groups, was included in the omnibus appropriations act only after strong intervention by the White House. It will become effective for this fall's open enrollment period for plans available in January of 1999. Congresswoman Lowey indicated her interest in using this letter to remind the women's rights groups of the essential role you played in securing this benefit.

Prescription Drug Benefits For Medicare Beneficiaries in Massachusetts. We continue to work with Senator Kennedy, Congressman McGovern, and other members of the Massachusetts delegation to attempt to find a viable solution to ensure that a Medicare HMO in Massachusetts who is providing a comprehensive drug benefit will not be forced to drop out of the program. This particular plan incorrectly believed it needed to comply with a State law that requires a comprehensive drug benefit. As a consequence, it finds itself at an extraordinary competitive disadvantage with plans offering less generous benefits and is now facing such a financial drain on its resources that it will withdraw from the program in the absence of relief. As you recall, Senator Kennedy requested that we support a provision in the budget that would provide statutory authority to address this matter without excessively harming Medicare beneficiaries. Unfortunately, the Republican leadership rebuffed our efforts and we were forced to consider administrative action as an alternative. As we review these options, we are attempting to avoid establishing a precedent that would make us vulnerable to other States desiring to decrease benefits offered to beneficiaries while alleviating the excessive burden placed on plans desiring to provide a comprehensive drug benefit. Our hope is that HHS can help strike this balance and we are urging them to do so in close collaboration with Senator Kennedy and the rest of the Massachusetts delegation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 22:23:24.00

SUBJECT: Re:

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: -
oops. guess supposed to forward to you. sb

Sarah A. Bianchi
11/05/98 10:10:58 PM
Record Type: Record

To: Devorah R. Adler/OPD/EOP
cc:
Subject:

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D59]MAIL404007902.326 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000510C00000002000083D96A506E7C5CBE59C6C8

Post-Election Status of Patients' Bill of Rights. This week's election has virtually assured us a working majority in the House for a strong enforceable patients' bill of rights. Last summer, the Dingell-Ganske legislation lost by a 212-217 vote. Of the 210 Democrats who supported this legislation, 189 are returning to the House as are nine of the ten Republicans and the one Independent. In addition, almost every one of the 22 newly-elected Democrats campaigned on this issue and we expect most if not all of them to support a strong bill. As a result, before even counting any Republicans who might alter their position as a result of how strong this issue played in the campaign (we believe there may be five or more), that at least 220 Members would be likely supporters of legislation very similar to the Dingell-Ganske bill. On the Senate side, we believe that it may be possible to get as many as 50 votes on a bill that is a slightly strengthened version of the Graham-Chafee legislation, that includes virtually all of the protections advocated by your Quality Commission and is viewed by Congressman Dingell's staff as a very strong bill. In addition to the 45 Democrats who would support the final legislation, we would expect Senators Chafee and Spector and possibly Snowe, Collins, Jeffords, Voinovich and Bunning to support it. Although there are a number of outstanding issues, the primary roadblock to a compromise is likely to be related to the Dingell-Ganske state court enforcement. There is even relatively good news there because some of the trade unions are strongly insisting on a less controversial enforcement approach that has the dual benefit of being more attractive to moderate Republicans.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1998 22:33:51.00

SUBJECT: Gun Shows Paper

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

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

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

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

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

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

TEXT:
BR/EK:

Below is the draft paper for tomorrow. I've sent the EO/memo to Phil for final clearance, as well as to the agency hacks for one last review. I understand final press paper is due by 12 noon. jose iii

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D76]MAIL45010790B.326 to ASCII,
The following is a HEX DUMP:

FF5750430C050000010A020100000002050000006115000000020000623FB806413601F9EA8711
1802EEF713A146EA837EA4F5091D0E8B29CFDD9577077265C2E31607FDC2720609B09DD5AC4B05

D R A F T --- D R A F T --- D R A F T

November 6, 1998

MEMORANDUM FOR THE SECRETARY OF THE TREASURY
ATTORNEY GENERAL

Subject Preventing firearms sales to prohibited purchasers

Since 1993, my Administration has worked hand-in-hand with law enforcement agencies and the communities they serve to rid our neighborhoods of gangs, guns and drugs -- and by doing so to reduce crime and the fear of crime throughout the country. Our strategy is working. Through the historic 1994 Crime Act, we have given communities the tools and resources they need to help drive down the crime rate for six years in a row, to its lowest point in a generation. Keeping guns out of the hands of criminals through Brady background checks has also been a key part of this strategy. Over the past 5 years, Brady background checks have helped prevent a quarter of a million handgun sales to felons, fugitives, domestic violence abusers, and other prohibited purchasers -- saving countless lives and preventing needless injuries.

On November 30, 1998, the permanent provisions of the Brady Law will take effect, and the Department of Justice will implement the National Instant Criminal Background Check System (NICS). The NICS will allow law enforcement officials access to a more inclusive set of records than is now available and will -- for the first time -- extend the Brady Law's background check requirement to long guns and firearms transfers at pawnshops. Under the NICS, the overall number of background checks conducted before the purchase of a firearm will increase from an estimated 4 million annually to as many as 12 million.

We can, however, take additional steps to strengthen the Brady Law and keep our streets safe from gun-carrying criminals. Under current law, firearms can be -- and an untold number are -- bought and sold entirely without background checks, at the estimated 5,000 private gun shows that take place across the country. This loophole makes gun shows prime targets for criminals and gun traffickers, and we have good reason to believe that firearms sold in this way have been used in serious crimes. In addition, the failure to do background checks at gun shows often thwarts needed law enforcement efforts to trace firearms. Just days ago, Florida voters overwhelmingly passed a ballot initiative designed to facilitate background checks at gun shows. It is now time for the federal government to take appropriate action, on a national basis, to close this loophole in the law.

Therefore, I request that, within 60 days, you recommend to me what actions our Administration can take -- including proposed legislation -- to ensure that firearms sales at gun shows are not exempt from Brady background checks or other provisions of our federal gun laws.

Gun Shows Radio Address
Questions and Answers
November 7, 1998

Gun Shows

Q: How many guns are sold at gun shows?

A: Since gun shows are largely unregulated and most gun show participants are not required to keep records of sales, ATF does not have an estimate of the number of firearms sold. However, the National Association of Arms Shows estimates that there are more than 100 gun shows every weekend (5,200 shows annually); that more than 5 million people attend these shows; and that they generate billions of dollars in sales.

Q. Who sells guns at gun shows? Why are they essentially unregulated?

A. Gun shows are events where private citizens as well as federally-licensed gun dealers can buy and sell firearms and related paraphernalia. These shows are usually held on weekends in auditoriums, fairgrounds, school gyms, and other outlets in almost every state in the nation.

In 1986, a law was passed which enabled federally-licensed gun dealers to sell firearms at gun shows for the first time. Licensed dealers are required to conduct background checks and keep other appropriate records for firearms sold at gun shows. However, the same law permitted "hobbyists" (individuals without federal firearms licenses) to sell their personal collections at gun shows without similar requirements. The result was to expand the opportunities for private citizens to buy and sell firearms at gun shows, and raise the threshold for what constitutes being engaged in the business of selling firearms, which requires a federal firearms license (FFL).

Q. How do you know that guns purchased at gun shows are used in crimes?

A. While guns sold at gun shows are difficult -- if not impossible -- to trace, ATF has conducted numerous investigations where firearms have been obtained by criminals at gun shows. A Justice Department survey of prison inmates indicated that 30 percent of the guns they used in crimes were purchased at gun stores -- but that the remaining 70 percent were obtained in secondary gun markets, like gun shows. In addition, there is a wide range of anecdotal evidence indicating that criminals, juveniles, and other prohibited purchasers are obtaining their guns at gun shows and using them to commit crimes.

Q. Do you support specific legislation, such as the bill introduced by Representative Blagojevich, which essentially imposes the same requirements on nonlicensed gun show participants as those on federally-licensed gun dealers?

A. Today's directive calls on the Secretary and Attorney General to develop recommendations to ensure that criminals cannot exploit gun shows to arm themselves. They certainly will be looking at legislative proposals as part of this review. Until we receive their recommendations in the next 60 days, it would be premature to announce that we will be supporting any specific legislation.

Brady/NICS

Q: Last week, didn't the Justice Department express some concern over the National Instant Criminal Background Check System (NICS) being able to handle all of the background checks during the holiday season -- traditionally big months for gun sales?

A: We do not have any reason to believe that the FBI will be unable to handle the workload during the busy holiday season. While there are significantly more guns sold during the October - December time period, the NICS is being prepared to handle the full load. The FBI has been training hundreds of staff, everything is on schedule, and the Attorney General is confident that the FBI can handle demands placed on the NICS once it comes online.

Q: How will background checks under the NICS be paid for? Didn't Congress pass a prohibition on passing the cost of the check along to the consumer?

A: This summer, the Senate passed a provision that would have prohibited the FBI from charging the same fee for Brady background checks as it does for other checks, such as those for child care and elder care workers. The Administration strongly opposed that provision, particularly since no alternative source of funding was identified at the time. Since then, however, the final appropriations bill included over \$40 million to pay for the NICS' first year of operation.

It is also worth noting that, as originally passed, this Senate provision would have required the immediate destruction of all Brady records -- and effectively delayed implementation of the NICS by as much as 6 months. Due to the President's strong opposition, this language was struck from the final appropriations bill.

Helping to Prevent Illegal Firearms Sales November 7, 1998

In his radio address to the nation, President Clinton will direct the Secretary of the Treasury and Attorney General to recommend, within 60 days, what actions the Administration can take to ensure that firearms sold at gun shows are not exempt from Brady background checks or other federal gun laws.

Closing the Gun Show Loophole

- **Gun shows: A haven for criminals and gun traffickers.** Every year, about 5 million people attend an estimated 5,000 gun shows that take place in convention centers, school gyms, and on fairgrounds across the country. Under current law, firearms can be -- and an untold number are -- bought and sold entirely without background checks at these shows. This loophole makes gun shows prime targets for criminals and gun traffickers, and often thwarts needed law enforcement efforts to trace firearms used in crimes.
- **Following Florida's lead.** This week, Florida voters overwhelmingly passed a statewide ballot initiative requiring sellers at gun shows to adhere to the same standards as properly licensed gun dealers. Specifically, the initiative allows counties to require criminal history background checks and minimum waiting periods prior to firearms sales at gun shows and on other public property. In his radio address, the President will call on the Treasury Secretary and the Attorney General to recommend to him, within 60 days, the appropriate actions to take to close this loophole on the national level.

Strengthening the Brady Law

- **Final Brady provisions taking effect.** After nearly 5 years of working with law enforcement agencies, last week the Attorney General certified that the FBI's National Instant Criminal Background Check System (NICS) is set to take effect on November 30, 1998, as required by the Brady Law. The NICS will allow law enforcement officials access to a more inclusive set of records than is now available -- including information on criminal aliens, drug users, and persons subject to domestic violence restraining orders. Under the NICS, federally-licensed gun dealers will be required to call a state point-of-contact or FBI representative through an 800 number, and relay a prospective gun purchaser's information. For the vast majority of cases, the sale will be approved within minutes. Where there are discrepancies, the FBI will have up to 3 days to clarify a record, and approve or deny the gun sale.
- **Millions more firearms sales to be covered.** As of November 30th, the Brady Law will be strengthened in 2 additional ways: (1) purchases of all firearms, not just handguns, will be subject to Brady background checks; and (2) pawnshop redemptions, which are 4 times as likely to involve a prohibited purchaser, will be subject to background checks for the first time. Overall, it is estimated that the number of background checks conducted nationally will increase from about 4 million to between 10 and 12 million.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 10:09:21.00

SUBJECT: Complete Weekly Report 11/6/98

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

READ:UNKNOWN

TEXT:

There are no education or immigration items this week.===== ATTACHMEN

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

TEXT:

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The following is a HEX DUMP:

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November 6, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Health Care -- Post-Election Status of Patients' Bill of Rights: This week's election has virtually assured us a working majority in the House for a strong enforceable patients' bill of rights. Last summer, the Dingell-Ganske legislation lost by a 212-217 vote. Of the 210 Democrats who supported this legislation, 189 are returning to the House as are nine of the ten Republicans and the one Independent. In addition, almost every one of the 22 newly-elected Democrats campaigned on this issue and we expect most if not all of them to support a strong bill. As a result, before even counting any Republicans who might alter their position as a result of how strong this issue played in the campaign (we believe there may be five or more), at least 220 Members would be likely supporters of legislation very similar to the Dingell-Ganske bill. On the Senate side, we believe that it may be possible to get as many as 50 votes on a bill that is a slightly strengthened version of the Graham-Chafee legislation, that includes virtually all of the protections advocated by your Quality Commission and is viewed by Congressman Dingell's staff as a very strong bill. In addition to the 45 Democrats who would support the final legislation, we would expect Senators Chafee and Spector and possibly Snowe, Collins, Jeffords, Voinovich and Bunning to support it. Although there are a number of outstanding issues, the primary roadblock to a compromise is the state enforcement provision in the Dingell-Ganske bill. There is even relatively good news there because some of the trade unions are strongly insisting on a less controversial enforcement approach that has the dual benefit of being more attractive to moderate Republicans.

Health Care -- Requiring Prescription Contraceptive Benefits for Federal Employees: On Friday, the Office of Personnel Management issued a benefits directive letter that required approximately 280 health plans in FEHBP to adjust their benefit packages to ensure that FDA approved, prescription contraceptive options are covered. This requirement, which was strongly advocated by Congresswoman Lowey and numerous advocacy groups, was included in the omnibus appropriations act only after strong intervention by the White House. It will become effective for this fall's open enrollment period for plans available in January of 1999. Congresswoman Lowey indicated her interest in using this letter to remind the women's rights groups of the essential role you played in securing this benefit.

Health Care -- Prescription Drug Benefits For Medicare Beneficiaries in Massachusetts: We continue to work with Senator Kennedy, Congressman McGovern, and other members of the Massachusetts delegation to find a viable solution to ensure that a Medicare HMO in Massachusetts, who is providing a comprehensive drug benefit, will not be forced to drop out of the program. This particular plan incorrectly believed it needed to comply with a State law that requires a comprehensive drug benefit. As a consequence, it finds itself at an extraordinary competitive disadvantage with plans offering less generous benefits and is now facing such a financial drain on its resources that it will withdraw from the program in the absence of relief. As you recall, Senator Kennedy requested that we support a provision in the budget that would provide statutory authority to address this matter without excessively harming Medicare beneficiaries. Unfortunately, the Republican leadership rebuffed our efforts and we were forced to consider administrative action as an alternative. As we review these options, we are attempting to avoid establishing a precedent that would make us vulnerable to other States desiring to decrease benefits offered to beneficiaries while alleviating the excessive burden placed on plans desiring to provide a comprehensive drug benefit. Our hope is that HHS can help strike this balance and we are urging them to do so in close collaboration with Senator Kennedy and the rest of the Massachusetts delegation.

Welfare Reform -- Welfare Indicators Report: HHS is transmitting to the Hill the second annual report on Indicators of Welfare Dependence. This report was required by the Welfare Indicators Act of 1994 and reflects the recommendations of a bipartisan Advisory Board. Similar to last year, the report defines welfare dependence as the proportion of families who receive more than half of their annual income from AFDC/TANF, Food Stamps, and/or SSI which is not associated with work activities. However, data is not yet available that breaks out what portion of assistance is related to a work requirement. The latest available data from 1994 showed that 6 percent of the total population received more than half their income from AFDC, Food Stamps or SSI but this does not reflect the large caseload reductions over the past few years or the increase in welfare recipients who are involved in work. The report also provides data on a wide range of risk factors and predictors of welfare receipt including poverty, employment, disability, education and health conditions, intergenerational dependence, marital status, and teen births.

Children and Families -- Task Force on Violence Against Abortion Providers: On Monday, November 9, the Attorney General will announce the formation of a task force to address violence committed against abortion providers. The task force will be led by the Civil Rights Division and will consist of attorneys from both that division and the Criminal Division; it will also include investigators from the FBI, ATF and the U.S. Marshals Service. The task force will coordinate the Department of Justice's activities regarding the investigation and prosecution of acts of violence against abortion providers. It will also make recommendations to clinics and providers regarding security, and provide training to federal, state and local law enforcement personnel.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 10:44:39.00

SUBJECT: VP participation in W2W Event

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

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

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

TEXT:

There was some confusion about whether the VP will be participating in the W2W Partnership's event in D.C. on Nov. 18. As of Ron Klain's scheduling meeting this morning, the answer is No. There has also been a request pending for the VP to do a meeting of his Welfare to Work Coalition to Sustain Success, and that may happen on the 19th. Apparently these two things got mixed up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 12:07:45.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Rich is on his way here for tobacco lunch- he'll be in Bruce's office in 5 minutes

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 12:33:50.00

SUBJECT: BRIDGE

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

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

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

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

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

TEXT:

FYI from DOL regarding yet another option under the "interagency process."

-- Ceci

----- Forwarded by Cecilia E. Rouse/OPD/EOP on 11/06/98
12:32 PM -----

harris-seth @ dol.gov
11/06/98 09:33:00 AM

Record Type: Record

To: Cecilia E. Rouse
cc:
Subject: BRIDGE

Since I haven't heard anything since Monday, I thought I would check in with you to find out where we stand on a BRIDGE deputies' meeting.

I also wanted to let you know that Kitty has asked us to develop a compromise on the "Interagency Process" issue that strikes a balance between Option #1 (interagency board) and Option #2 (DOL administers in consultation with everybody). The compromise would be (1) DOL/ETA administers the program and the grants, (2) ETA borrows staff from other involved agencies who would help in the application review process, and (3) the Task Force serves as a "Steering Committee" helping ETA with program design issues. Let me know what you think.

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

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

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

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===== ATTACHMENT 2 =====

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

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6 Nov 1998 09:43:45 EST

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06 Nov 1998 09:43:08 -0500 (EST)

Received: by dol.gov (5.x/SMI-SVR4) id AA18939; Fri, 06 Nov 1998 09:36:32 -0500

Received: from unknown(166.96.250.73) by gatekeeper via smap (V1.3)
id sma013169; Fri Nov 6 09:29:50 1998

Received: by esfpb03.dol.gov with SMTP

(Microsoft Exchange Server Internet Mail Connector Version 4.0.995.52)

id <01BE0968.855DAC30@esfpb03.dol.gov>; Fri, 06 Nov 1998 09:33:33 -0500

X-Mailer: Microsoft Exchange Server Internet Mail Connector Version 4.0.995.52

X-Ms-Tnef-Correlator:

===== END ATTACHMENT 2 =====

**Clinton Presidential Records
Automated Records Management
System [EMAIL]**

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

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

File Name: p_d1041154_who_html_1.tnf

Attachment Number: [ATTACH.D66]MAIL46511401E.326

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 14:02:10.00

SUBJECT:

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

TEXT:

do you want me to bring press conference Q&A's to review or do you want to hold off? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 15:12:55.00

SUBJECT: Status of Equal Pay MOUs

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:

You asked about the status of the MOUs between the Department of Labor and the EEOC that were announced at the Equal Pay event on April 2 by the Vice President. The "damages" MOU (that permits the Office of Federal Contractor Compliance to serve as EEOC's agent for purposes of seeking damages within the context of their conciliation efforts) is almost completed. This is the MOU that the women's groups are mostly concerned with.

This MOU, which will go out for notice and comment, has been cleared by OMB and Labor. WH Legis Affairs is fine with us proceeding with the MOU now that the confirmation and appropriations process is over. EEOC will have to vote on it, and then they will send it out for comment. Assuming that EEOC votes to proceed, they are planning on sending it out for comment soon.

However, last May, Rep. Fawell sent letters to both the EEOC and OFCCP indicating that he thought the "damages" MOU would radically increase OFCCP's authority. Both EEOC and OFCCP have responded to Fawell, either orally or in writing, and explained that the change would be narrow in scope and would further the efficient resolution of these cases.

In order for the damages MOU to move forward, we need three things to happen: (1) the EEOC and OFCCP need to send the final version of the document to OMB for clearance (we understand that it is near completion); (2) for the agencies to make sure that Rep. Fawell has all of the information that he needs, to make sure that he understands the nature of the agreement; and (3) for us to be comfortable that the release of the MOU will not jeopardize either the EEOC or OFCCP appropriations process.

I talked to Ellen Varygas about the timing tonight, and she agrees with the three things that still need to be done. I am waiting to hear back from the Department of Labor regarding their sense of timing in order not to jeopardize the appropriations process. However, both EEOC (Ellen Varygas) and Labor agree that we could not do this before the middle of August at the earliest.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 16:22:15.00

SUBJECT: clinic safety

TO: Elena Kagan (CN=Elena Kagan/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:

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

TEXT:

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Ensuring Support for Abortion Clinics in the Face of Violence: We propose a comprehensive initiative to address violence against providers of reproductive health services. This initiative will better coordinate information on clinic violence in order to track down perpetrators, better protect clinics and providers, and respond more effectively to the needs of clinics to ensure minimal interference with this constitutionally-protected right once violence has taken place. First, the Department of Justice is announcing on November 9th the formation of a National Task Force that will also establish a central location for information related to clinic violence, and provide training to federal, state and local law enforcement personnel. Second, we propose additional funds for security measures at clinics identified to be at risk of violence as well as stepped up U.S. Marshal support. Third, we propose federal guarantees of loans by clinics that must rebuild after they've been attacked. Cost: Unknown at this time.

*Automated Records Management System
Hex-Dump Conversion*

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 17:50:32.00

SUBJECT: Thursday event

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Chris spoke to Ganske and he will not come to a Patient's Bill of Rights event here on Thursday -- but he is willing to participate after the Leadership elections. Chris thinks that Forbes will have the same reaction. Begala, however, is still trying to push Forbes and wants Chris to continue to push for Morella or another R -- but Chris has expressed his concern that doing this event without Ganske is detrimental to the passage of the legislation and we should not do the event now. SO....if this Patient's Bill of Rights event falls through we would probably want to pursue the Afterschool event, which means that, Bruce, you may want to call Riley tonight to see if it would be possible. I'll let you know whether Begala still wants to fight for the Patients BOR event as soon as he gets off a conference call (around 6pm).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1998 18:59:18.00

SUBJECT: privacy insert

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:

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

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

TEXT:

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Calling on Congress to pass long overdue legislation to keep medical records confidential.

In the rapidly changing health care system that relies increasingly on technology and third party payors, Americans are extremely concerned that their medical records will not be kept confidential. In fact, a recent study showed that 75 percent of Americans are concerned that computerized medical records will have a negative effect on the privacy of their medical records.

Highly publicized media accounts have only fueled these fears. For example, until recently at a Boston-based HMO, every single clinical employee could tap into patients' medical records, and in another well publicized case, a local newspaper published the information about a

Congressional candidate's attempted suicide. Over a year ago, the Administration released a report outlining important new protections to assure medical records are kept confidential.

These protections include: assuring that personal health information is used only for appropriate purposes; requiring those who do keep medical records to guard them safely and not inappropriately give them out; assuring that individuals can review and modify their own medical records; and severely punishing those who violate these rules and an individual's privacy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1998 17:05:22.00

SUBJECT: 2 PM MESSAGE EVENT PLANNING MEETING

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

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

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

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

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

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

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

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

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

TEXT:

I am trying to reschedule the message event planning meeting with Sosnik we tried to schedule last Thursday and Friday.

Can folks do Monday at 2 pm?

The point of the meeting, to refresh, is a process meeting to discuss event planning and amplification.

thanks, all.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1998 11:39:06.00

SUBJECT: agenda for 3:00pm crime strategy meeting TODAY

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

READ:UNKNOWN

TO: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP @ EOP [ONDCP])

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D33]MAIL42719521Q.326 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000970A0000000200000511B5CBBDAFAEE30B36DC4
5C2DD4EF6DADA72A801913E8427A215E056629160C933BD7552DD7D9716390A4FA009179E209B8

Crime Meeting Agenda
November 9, 1998

I. FY 2000 Budget/ State of the Union : Crime Bill II

- A. COPS II
- B. Certainty of punishment and deterrence
- C. Intensive firearms enforcement
- D. Values-based crime prevention
- E. Extension of other 1994 Crime Act programs (e.g, VAWA, drug courts)
- F. Seniors/ telemarketing fraud

II. Pending announcements

- A. 11/22 -- final 1997 UCR release
- B. Grants/guidance
 - 1. Community prosecutors
 - 2. Coerced abstinence
 - 3. School safety earmark
 - 4. YCGII report
 - 5. Gun shows recommendations

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1998 11:39:38.00

SUBJECT: H2A meeting this afternoon

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:

It is very likely that the issue of H-2A "reform" will come up again next session (as you know, the Secretary of Labor is meeting with Graham and Wyden the first week of December to discuss agricultural guestworkers). The goal of this afternoon's meeting is to establish our strategy for moving forward. Two key questions:

1. Process vis-a-vis the Hill -- convene bipartisan mtgs (consistent with DOL's commitment to Coverdell, but unlikely to produce anything) vs. outreach to selected Members individually -- on both sides of the issue (though, perhaps, not the aisle) -- who are looking for a reasonable compromise (Berman; Graham; Kennedy).

2. Internal process -- should we continue to move forward on developing our internal recommendations re: both legislative and administration options (including pilot proposals). Example: AgNet?

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1998 14:29:43.00

SUBJECT: Civil Rights Meeting

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

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

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

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

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

TEXT:

The meeting with Bill Lee and Chris Edley in Chuck Ruff's office has now been rescheduled for 2:00 Tuesday. We will discuss school desegregation and Title VI among other things.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1998 15:06:08.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- Just heard that Maria's office is holding a Central American
Immigration mtg. today at 3:30 in her office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1998 17:34:29.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Question- do you want your return address to be Ms. or Professor? -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy Weiss (CN=Amy Weiss/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-NOV-1998 18:41:29.00

SUBJECT: Issues I will be Handling

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

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

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

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

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

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

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

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

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

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

TEXT:

As we go into the 106th Congress, and I have a better grasp on life in the Lower Press Office, Barry & I have split up some key issues. Following are the ones which fall into my portfolio. Pls let me know if you have guidance, reading materials, q&a, any stories brewing, or anything else I should know, need to know or ought to know on these issues. Thanks!

Campaign Finance Reform
Education/School Construction
Patients' Bill of Rights
Politics/Counsel Issues

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul E. Begala (CN=Paul E. Begala/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 9-NOV-1998 19:37:30.00

SUBJECT: values and SOTU

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

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

TEXT:

In addition to my lame little card, I think we ought to consider some thoughtful comment on the science/values tension typified by last week's news stories about research on human embryos. Neal Lane has written a brief memo on this, and he should be our guide for some of the values in science issues.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-NOV-1998 09:14:10.00

SUBJECT:

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

TEXT:

FYI- Bruce will miss most if not all of the staff mtg. b/c of parent conf.
so you should run it

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dominique L. Cano (CN=Dominique L. Cano/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:10-NOV-1998 10:47:20.00

SUBJECT: Long Term Planning Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Doug Sosnik would like to convene a long-term planning meeting tomorrow at 2pm. Please confirm your availability as soon as possible.

Many thanks.

Lori Anderson

x65611

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul D. Glastris (CN=Paul D. Glastris/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:10-NOV-1998 13:49:06.00

SUBJECT: two policy ideas, reworked

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Mike, Bruce, Elena:

I very much appreciate how open you've been to the policy ideas I've been sending in. I also appreciate the honest criticism you've given them. With those criticisms in mind, I have reworked the following two ideas, which I still believe have merit:

1-How to improve minority college success rate, and keep elite colleges diverse, the Army way: The Clinton administration will continue to support the right of colleges and universities to take race into account for admissions purposes. And rightly so, because it's clear from studies--including the new book by Derek Bok and William Bowen--that diversity works. But there are two problems. First, minority college students complete third studies at lower-than-average rates. Second, courts and ballot measures have chipped away at the legal basis of race-conscious admissions policies, and will probably continue to do so.

What's needed is a second front for affirmative action--a way of creating a supply of minority students who will graduate college at higher rates and whose test scores and academic performance are high enough that they can be admitted to elite schools without racial preferences. Such a system already exist in the U.S. military. The Army, for instance, has a larger proportion of blacks in its upper ranks than almost any other large institution in America. It's secret: The U.S. Military Academic Preparatory School (USMAPS) in New Jersey. Every year, USMAPS accepts hundreds of promising but academically ill-prepared minority high school graduates. These

cadets go through a grueling 10-month course of training in reading, math, military discipline, and good study habits. Cadets who make it through go on to West Point, their SAT scores having risen 110 points higher than when they entered USMAPS. Just as important, USMAPS cadets graduate from West Point at the same or higher rate than their West Point classmates who didn't go through USMAPS (by contrast, blacks at elite civilian colleges graduate at substantially lower rates than whites). Action: The POTUS should empanel a commission of military generals and elite college presidents to explore the possibility of adapting the USMAPS model to civilian higher education.

2-Report cards for public schools:

Picking a school can be the most important choice a parent will ever make for a child. Yet parents today do so with little solid information. Most rely on word-of-mouth. If they're lucky, their local school district will provide SAT scores, teacher-to-pupil ratios,

spending-per-student, and other data on individual schools. But these numbers are not universally available. Moreover, they are proxies for school quality. They measure inputs and norms, not actual performance. Though not wholly unreliable, these measures fail to capture the things parents care most about (or should care about): how much actual learning goes on in the school, and how well-prepared are its graduates for the world beyond that school?

In his State of the Union address, the President should announce as one of his major education goals that every public school in America should be graded, just as every student is graded, so that parents can make more informed choices when picking schools for their children. We are already planning to advance a variation of this idea as part of our proposed reauthorization of the elementary and secondary school act: Having school districts issue "report cards" on individual schools. So raising the idea in the SOTU in a general way makes sense.

It would also leave open the possibility of proposing more federal action that we are currently contemplating. Obviously we would need to debate what those further actions, if any, might be. But in addition to requiring school districts to grade their own schools, we should consider having the federal government collect data on the performance of individual schools, so that objective rating systems could be developed. Specifically, the Department of Education should collect, on a nationwide but voluntary basis, one or more of the following three new sets of data:

1-student achievement tests broken down to the school level. The federal government already has a reliable measuring rod in the National Assessment of Educational Progress. Broader use of the NAEP would be expensive and controversial. But it would work.

2-graduation rates for every high school. Currently each state calculates graduation rates differently and the data they gather is incomplete. Federal standards would make the information much more reliable and comparable

3-data tracking students, achievements 3-to-5 years after graduation (job, income, further education, etc).

It's important to note that Washington would merely be providing data that would make rating systems possible. The federal government would not be doing the actual rating of schools. That job is better left to school districts, to private organizations such as newsmagazines, and to education reform groups. Each of these organizations would be free to weigh the data differently and to throw other criteria into the mix, such as SAT scores or extracurricular programs. The point is, without the federal government providing some or all of the above data, no rating system can work (which explains why no one has tried to put one together).

However far we want to go, the basic notion of requiring school report cards is a good one. It would empower parents to make better, more informed choices. More than that, it would be a powerful engine for school reform. Numerous experts have noted that the vast majority of parents have the Lake Wobegon view that their kids, schools are above average. This system might help shake off that complacency. Experts have also noted that the mere act of grading institutions causes managers of those institutions to make improvements.

The more rigorous the grading we require, the stiffer the opposition we can expect from conservative Republicans and liberal Democrats and the Black and Hispanic Caucuses. But we are bound to face this kind of opposition on a number of fronts--for instance, our efforts to ban social promotion, or any new efforts we might make for national tests and standards. Grading public schools merely provides further rationale for those other efforts. Republicans will probably object that this idea means more federal spending and federal intrusion into state and local education matters. In fact, measuring school performance is less intrusive than other policies, such as setting high academic standards

(and the measurement system can probably be done on a voluntary basis). But just as the standards debate highlighted an internal contradiction in conservative ideology (you cannot be for local control and high standards), this debate will highlight another (you cannot be for parental choice in education but against giving parents the information they need to make those choices wisely).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-NOV-1998 15:01:52.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

The BRIDGE Mtg. is about to start in 239 & Sally hopes you'll come soon

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:10-NOV-1998 15:52:56.00

SUBJECT: DOL will be ready to go w the W2W grants on 11/20

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

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

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

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

TEXT:

They are excited about the idea of getting other Cabinet to travel or do satellites. Stacie - do you want to set up a mtg?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1998 09:18:31.00

SUBJECT: Tobacco mtg. 1:15p today - COS ofc

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

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

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

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

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

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

TO: BRUCE R. (Pager) #LINDSEY (BRUCE R. (Pager) #LINDSEY [UNKNOWN])
READ:UNKNOWN

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

TO: LAWRENCE (SKY) (Pager) #STEIN (LAWRENCE (SKY) (Pager) #STEIN [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1998 11:56:29.00

SUBJECT: Women's Mtg

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

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

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

TO: Maureen T. Shea (CN=Maureen T. Shea/OU=WHO/O=EOP @ EOP [WHO])
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: 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: 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 at 9am on Thursday in room 100. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1998 12:09:51.00

SUBJECT: Late Amnesty and Las Vegas

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

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

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

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

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

TEXT:

Maria/Elena,

Last Thursday, I met with a group of advocates from Las Vegas. According to them, there are approximately 27,000 immigrants in the Las Vegas area who were issued fraudulent work authorizations by the INS between 1989 and 1991. The INS began notifying this group in 1996 that their documentation was fraudulently obtained and that they need to come forward to assert the legitimate basis for having work authorization (which would include being a prima facie member of one of the "late amnesty" classes). Otherwise, their authorization was to be revoked.

It is likely that some who obtained fraudulent work authorizations thought that they were undergoing a legitimate process and perhaps even claimed (to the notario or lawyer involved) that they were eligible for "late amnesty." However, all of the authorizations were fraudulently obtained. Only those who can demonstrate a legitimate basis for obtaining the authorization (e.g., had a legitimate "late amnesty" claim) will have their work papers renewed -- a very small number.

The only problem is the equities that many of these immigrants have built up over eight or nine years. They have lived and worked in the U.S.; bought homes; paid taxes; etc. It is going to be a significant hardship for many of them to have to return home. However, I don't think that we want to be in a position of rewarding fraud.

The advocates for these folks have been making the rounds. They spoke with the VP when he was in Las Vegas some weeks ago (his office is interested in what has been going on); have involved the AFL-CIO (some of those with fraudulent documents are union members); have contacted the INS; the Office of Special Counsel at Justice and even Secretary Richardson (whose office called here to inquire about the situation).

I will keep you posted on any further developments.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dawn L. Smalls (CN=Dawn L. Smalls/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:11-NOV-1998 13:14:01.00

SUBJECT: Pls come to COS ofc for 1:15 Tobacco Mtg. Thanks!

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

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

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

TO: BRUCE R. (Pager) #LINDSEY (BRUCE R. (Pager) #LINDSEY [UNKNOWN])
READ:UNKNOWN

TO: LAWRENCE (SKY) (Pager) #STEIN (LAWRENCE (SKY) (Pager) #STEIN [UNKNOWN])
READ:UNKNOWN

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

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1998 15:50:27.00

SUBJECT: Podesta Q&As

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

READ:UNKNOWN

TEXT:

John is going to meet with Susan Page and Mara Liason tomorrow for an on the record interview. I pulled these Q&As together from materials that have been circulating recently. Can you take a look at them? Are there any other issues that you think he should definitely be prepped for? Thanks a lot for your time

PRESIDENT□, S AGENDA

Q: Is the President frustrated that he has not been able to accomplish more of his agenda? What are his priorities for the coming months?

A: If you look at the priorities the President set forth in last January□,s State of the Union address, we□,ve achieved some significant accomplishments. First, we saved the surplus for the hard work of Social Security reform early next year. Second, we made major strides in renewing our public schools, especially with the historic commitment of 100,000 new teachers to reduce class size in the early grades. And third, we made a profound commitment to strengthening our own economy by funding our share of the IMF and assuming our responsibility in stabilizing the global economy on which so much of our prosperity depends.

Unfortunately, Republicans in the last Congress killed, at least for now, several critical priorities, including the President□,s school rehabilitation and construction proposal, the patients' bill of rights, tobacco reform, campaign finance reform and the minimum wage. In the days to come the President will work hard to conclude this unfinished business.

The President will also work to build on the achievements of the past year. He will continue to lead the effort to reserve the surplus until we can develop a bipartisan plan to reform Social Security. He will build on our successes to develop policies and programs that ensure a cleaner environment for our children. And, he will continue to lead efforts to protect and strengthen the international economy and U.S. economy.

TOBACCO

Q: What is the Administration's position on the state tobacco settlement that reportedly will be announced later this week?

A: We will review the state settlement as soon as it becomes available. From what we know, the settlement is a real step in the right direction, and we appreciate the work the state Attorneys General have done to hold the tobacco industry to account for marketing their product to children. But even with this settlement, there is a great deal left to do, and we will continue to push the Congress to enact comprehensive legislation to substantially reduce youth smoking.

Q: Is it true that the Fourth Circuit denied the Administration's request for a rehearing in the FDA case? What's the next step for the Administration?

A: The Fourth Circuit did decline the Administration's request for an en banc review, and the Solicitor General has now decided to seek a review of the Fourth Circuit's decision in the Supreme Court. Any further questions on this matter should be directed to the Justice Department.

Q: Will the President propose to increase cigarette taxes, as reported in today's Wall Street Journal?

A: Absolutely no decisions have been made about what, if anything, the President's budget will include on tobacco. Staff members are in the process of considering many options, and have made no recommendations of any kind to the President. Of course, the President will continue to take action to reduce youth smoking, but it's too early to say what his budget will include or what specific tobacco control policies he will call for.

Q: If the states settle their tobacco cases for \$200 billion, will the Administration propose something smaller than the per-pack price increase called for in last year's budget?

A: It is completely premature to speculate on what the President will include in his budget, or on how the settlement will affect the President's proposals. We have not even seen the state settlement yet, and we certainly do not know how many states will opt into it or how large it will be.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1998 18:34:01.00

SUBJECT: NYC Update: Conflict bet Jason Turner and Mayor Guiliani

TO: Andrea Kane (CN=Andrea Kane/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

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

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

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

TEXT:

Unfortunately, as this Times story indicates, the conflict between Jason Turner and Mayor Guiliani over the Food Stamp/Medicaid application policy has heated up (there have also been stories in the Daily News and Newsday).

We're right on the policy: PRWORA amended Food Stamp law to say "a State agency... shall permit an applicant household to apply to participate in the program on the same day that the household first contacts a food stamp office in person during office hours." NYC is resting its argument that it can force applicants to wait until their second visit to get a Food Stamp application on the fact that USDA has not promulgated regs yet.

Devorah or Jeanne -- could you verify the basis for the Medicaid policy (i.e., statute or reg) and get a copy of it?

I've gotten USDA out of the limelight -- they are only talking to reporters on background to correct factual errors, and they are not engaged in any discussions with the city (regional office staff are still on site checking records). What worries me is that Guiliani is way out there, and views this issue as a challenge to his work first welfare strategy. I'm trying to figure out what if anything we can do. Any thoughts?

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SECTION: Section B; Page 6; Column 1; Metropolitan Desk

LENGTH: 620 words

HEADLINE: Mayor Backs City Policy On Welfare

BYLINE: By RACHEL L. SWARNS

BODY:

Mayor Rudolph W. Giuliani yesterday defended his policy of delaying the distribution of food stamp and Medicaid applications to the poor and denied that his Welfare Commissioner had ever said the policy would change.

Mr. Giuliani's remarks came as Federal officials from the Department of Agriculture and the Health Care Financing Administration continued their inquiry into the city's welfare policies. The Federal officials have said the city appeared to be violating the law by delaying applications in an effort to discourage the needy from applying for welfare.

On Sunday, the Welfare Commissioner, Jason A. Turner, told The New York Times that he planned to speed up the distribution of applications as an "extra precaution" to mollify Federal officials. "Our new policy is just to hand them a food stamp application," Mr. Turner said in the telephone interview, calling the change "an improvement."

But yesterday, Mr. Giuliani denied that Mr. Turner had ever made that statement. The Mayor did not explain why he did not dispute those comments on Monday, the day when Mr. Turner's comments appeared, and Colleen Roche, a spokeswoman for Mr. Giuliani, declined to elaborate yesterday. Mr. Turner was not available for comment yesterday, according to his press secretary, Debra Sproles.

"The Commissioner didn't say that," Mr. Giuliani said during a news conference yesterday, referring to the comments published in The Times. "Sometimes, things aren't reported exactly the way somebody says something because there is an emotional or ideological bias that drives the way something is reported."

Joyce Purnick, the metropolitan editor of The Times, dismissed Mr. Giuliani's accusations.

"Our reporter had two extensive conversations with Mr. Turner on Sunday, took detailed notes, and never got a subsequent complaint from him saying he was quoted incorrectly," Ms. Purnick said. "We do not make things up, nor are our reporters politically motivated."

Mr. Giuliani's remarks were the city's latest response to questions about the Federal inquiry into his welfare policies. The topic is sensitive for the Giuliani administration since the Mayor has repeatedly described his tough welfare policy as one of his primary accomplishments.

The Mayor is particularly proud of his decision to convert welfare offices

into "job centers," where the needy are encouraged to rely on jobs, relatives and food pantries instead of on government checks.

In the job centers, the vast majority of people receive applications only on their second visit, the practice that touched off the Federal inquiry. Federal law requires city officials to give food stamp and Medicaid applications upon an applicant's first visit.

Mr. Turner said on Sunday that the city would expedite the distribution of applications. On Monday, city officials appeared to reverse themselves, saying they would not speed the process after all. Anthony P. Coles, a senior adviser to Mr. Giuliani, said the Agriculture Department had decided to judge the city's programs based on the 1996 Federal welfare law, which allows states and cities to delay welfare applications.

The current law governing food stamps and Medicaid, however, requires city officials to distribute applications without delay. And officials from the Department of Agriculture and Health Care Financing Administration said those existing laws still applied.

On Friday, Medicaid officials are to meet with state health officials, who are responsible for monitoring the city's Medicaid program. The Federal officials, who have requested copies of the city's application and referral procedures, hope to determine whether the city's program complies with Federal law.