

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -001**

**[02/04/1997-02/10/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Ron Klain to Elena Kagan. Personal. (1 page)	02/04/1997	Personal Misfile
002. email	Trooper Sanders to Elena Kagan. Subject: DPC meeting (2 pages)	02/07/1997	P6/b(6)
003. email	Trooper Sanders to Elena Kagan. [Subject: Follow-up] (1 page)	02/07/1997	P6/b(6)
004. email	Debbie Bengtson to Elena Kagan. Personal (1 page)	05/02/1997	Personal Misfile
005. email	Debbie Bengtson to Elena Kagan at 16:08. [Subject: Birthday] (1 page)	08/07/1997	Personal Misfile
006. email	Debbie Bengtson to Elena Kagan at 16:37. [Subject: Birthday] (1 page)	08/07/1997	Personal Misfile
007. email	Ron Klain to Elena Kagan. Personal (1 page)	08/26/1997	Personal Misfile
008. email	Ron Klain to Elena Kagan. Personal. [partial] (1 page)	08/26/1997	P6/b(6)
009. email	Ron Klain to Elena Kagan. Re: Two Things (1 page)	09/22/1997	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
 Tape Restoration Project [Email]  
 OPD ([Kagan])  
 OA/Box Number: 250000

**FOLDER TITLE:**

[02/04/1997-02/10/1998]

2009-1006-F

vz150

**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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Ron Klain to Elena Kagan. Personal. (1 page)	02/04/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F  
vz150

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Trooper Sanders to Elena Kagan. Subject: DPC meeting (2 pages)	02/07/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F  
vz150

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Trooper Sanders to Elena Kagan. [Subject: Follow-up] (1 page)	02/07/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F  
vz150

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:24-APR-1997 08:51:49.00

SUBJECT: Tobacco

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

Charles W. Burson ( CN=Charles W. Burson/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

Elena: I missed you after the 7:45 this morning, but given the VP's central role in advising the President on this, I assume you will insure that in: (1) any group on the response to the NC decision, Don Gipps and Ginny Terzano of our office are included; (2) any group on the Tobacco settlement talks, Don Gipps and Charles Burson of our office are included.

Let me know if this poses a problem. Thanks!

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Debbie Bengtson to Elena Kagan. Personal (1 page)	05/02/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F  
vz150

### 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 (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:12-MAY-1997 18:52:18.00

SUBJECT: Catch up

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

READ:UNKNOWN

TEXT:  
Elena,

It looks like I am going to become one of Mrs. Gore's policy advisors.  
Whenever you get a minute I'd really appreciate have a chat to help me  
figure out how I/our office can add value to the Administration's policy  
work. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 6-JUN-1997 18:31:10.00

SUBJECT: VP on sunset of cloning

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

READ:UNKNOWN

TEXT:

----- Forwarded by Toby Donenfeld/OVP on 06/06/97 06:24

PM -----

Toby Donenfeld

06/06/97 06:27 PM

To: Elizabeth Drye/OPD/EOP @ EOP

cc:

Subject: VP on sunset of cloning

The VP responded that he supports that the ban continues unless Congress acts to discontinue the ban and that there should be something written into the legislation that call for a general review (after 5 years) to explore the safety and moral issues. The VP said "a review, not a sunset or expiration."

Hope that's helpful. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

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

CREATION DATE/TIME: 9-JUL-1997 10:34:26.00

SUBJECT: tobacco

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

TEXT:

we're asking the VP whether he wants a pool at the top of the meeting or  
not. what's your understanding of who will go to the stakeout afterward?

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

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

CREATION DATE/TIME: 9-JUL-1997 11:04:03.00

SUBJECT: Pool/Tobacco

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

TEXT:

We will not have a pool in the tobacco meeting. We hope to release the

White House photo.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:17-JUL-1997 10:05:52.00

SUBJECT: VP's participation in meeting tomorrow

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

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

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

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

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

CC: Wendy Hartman ( CN=Wendy Hartman/O=OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

The VP is tentatively set to participate in the tobacco meeting tomorrow morning w/ the industry researchers. Our scheduler is waiting for confirmation of when the President is coming back from Arkansas tomorrow, but has the VP tentatively scheduled for this meeting from 9:30 - 10:30, if that's ok w/ you all.

Elizabeth, can we talk later about the details of the meeting? Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME: 22-JUL-1997 14:28:33.00

SUBJECT: Homeless Issues

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

READ: UNKNOWN

TEXT:

John Lozier of Healthcare for the Homeless dropped by the talk about the homeless advocacy organization press conference. He says that he has traded voice mail messages with you. He says the organizations are sending a letter to the president c/o you re: a White House Commission on Homeless. I didn't give any sort of reaction since I didn't know what DPC feels about this proposal.

We are looking at the nexus between welfare-to-work and homelessness. Marriott seems to be pulling back from the "hardest cases", including homeless welfare recipients. We may try to feed into the VP's work to develop support systems to keep welfare recipients in jobs.

Let me know if we can be of some help.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:31-JUL-1997 12:15:13.00

SUBJECT: VP's Tobacco Event Monday -- CANCELLED

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

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

CC: David R Thomas ( CN=David R Thomas/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

The tobacco event on the VP's schedule for Monday is off.

If OMB and DPC approve, we'd like to send a letter from the VP to Sen. Harkin supporting his efforts to restore funding to the FDA for the enforcement on the tobacco rule. We'll draft some language and get it around. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 5-AUG-1997 19:24:54.00

SUBJECT: Re: thanks

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

TEXT:

Thanks for the tip.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Debbie Bengtson to Elena Kagan at 16:08. [Subject: Birthday] (1 page)	08/07/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F  
vz150

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. email	Debbie Bengtson to Elena Kagan at 16:37. [Subject: Birthday] (1 page)	08/07/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F

vz150

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. email	Ron Klain to Elena Kagan. Personal (1 page)	08/26/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F

vz150

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	Ron Klain to Elena Kagan. Personal. [partial] (1 page)	08/26/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F

vz150

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 26-AUG-1997 15:42:19.00

SUBJECT: Re: Weekend

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

TEXT:

P6/(b)(6)

[008]

On a business note, there is an item in the paper today that the tobacco industry delivered their bottom line to the WH. What is it? Can we see it?

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 26-AUG-1997 15:50:35.00

SUBJECT: Re: Weekend

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

READ: UNKNOWN

TEXT:

It is in the Hotline today. The tobacco industry's chief negotiator gave them an interview. Perhaps I misread it, and the "document" the negotiator was referring to was the settlement agreement itself -- but basically, he was asked if he was in negotiations with the WH and said that that was not quite the right term to describe his dialogue, but then said he had delivered a document to the WH that spelled out how far the industry would go....

In addition, he certainly seemed to rule out that the tax bill tax credit would be added on top of the \$368 billion in the settlement....

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:28-AUG-1997 17:45:41.00

SUBJECT: Vice President's Welfare-to-Work Coalition

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

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

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

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

TEXT:

The Vice President's Welfare-to-Work Coalition is meeting Wednesday, September 3. Coalition members and state and local officials will be in attendance. There will be a stand-up lunch and informal mix-and-mingle session from 11.30-1.00 in the Indian Treaty Room. We would really appreciate each of you spending some time working the room meeting with his coalition members. Ideally we would like you in room 450 at 11.15 so that the Vice President can acknowledge you before everyone heads over to the Indian Treaty Room. If you cannot make 11.15 but will be able to drop by the lunch please let me know. Thank yo

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-SEP-1997 23:54:23.00

SUBJECT: VP'S WELFARE TO WORK COALITION MEETING

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

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

TEXT:  
TIME CHANGE

Please drop by the lunch session of the Vice President's Welfare-to-Work Coalition meeting from 12.00-1.00p.m. today in the Indian Treaty Room. We very much hope you can meet as many coalition members and state and local officials involved in the welfare-to-work effort. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:16-SEP-1997 15:45:10.00

SUBJECT: POTUS Announcement

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

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

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

TEXT:

Bruce: It is my understanding that you are contemplating have the POTUS announce that he is putting the VP in charge of the effort to win Congressional support for our tobacco position. The VP would be very happy if this could happen, and could be featured in the POTUS remarks tomorrow. This would give us a good boost at this time.

Then, we could sell his meeting on Thursday (Koop, Kessler, et al.) as a launching pad for this effort.

Let me know if there are any problems with this. It is important to us, and I did not want to bug you today with a phone call given how crazy things are -- but it really matters. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Michael J. Burton ( CN=Michael J. Burton/O=OVP [ OVP ] )

CREATION DATE/TIME:17-SEP-1997 12:00:21.00

SUBJECT: VP Briefing

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

READ:UNKNOWN

TEXT:

Will you be available for a Thursday, 3:50 pm - 4:10 pm AFL-CIO pre-brief  
in the VP's West Wing Office?

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Michael J. Burton ( CN=Michael J. Burton/O=OVP [ OVP ] )

CREATION DATE/TIME:17-SEP-1997 18:03:57.00

SUBJECT: VP AFL-CIO BRIEFING TIME CHANGE -- THURSDAY, 9:45 AM, WEST WING OFFICE

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

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

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

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

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

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

TO: Michael B. Feldman ( CN=Michael B. Feldman/O=OVP [ OVP ] )  
READ:UNKNOWN

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

TO: Steven W. Adamske ( CN=Steven W. Adamske/O=OVP [ OVP ] )  
READ:UNKNOWN

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

Wendy Hartman ( CN=Wendy Hartman/O=OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

Sorry about moving the time, but we hit an unavoidable conflict in the afternoon. If you can't make it, please let me know.

Here's the agenda --

Overview of Pittsburgh Schedule

Review of One-on-One Meetings

Review of Climate Change and Fast-Track Meetings

Review of Other Issues

Thank you.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. email	Ron Klain to Elena Kagan. Re: Two Things (1 page)	09/22/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/04/1997-02/10/1998]

2009-1006-F

vz150

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:22-SEP-1997 15:26:43.00

SUBJECT: Re: Two Things

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

TEXT:

I think that the immigration review process should be led by DPC, at NPR's request. There is some precedent for this. Jeff Morales will be our person on this, and you should chat with him. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 6-OCT-1997 12:48:44.00

SUBJECT: Regional Tobacco Forums

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

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

TEXT:

Bruce, thanks again for participating in the tobacco forum in Tampa on Florida. It looks like we got good press and everyone was happy with how it turned out. Please let me know if you have any suggestions or changes for the next forum.

We're looking forward to scheduling the other two forums. Very tentatively we're looking at Seattle (Nov. 6-7) and Chicago (Dec. 17). The goal is to make these actually regional and bipartisan. I'm working w/ our Leg Affairs office to see if Lugar would come to Chicago or Hatch would come to Seattle. I also asked Fred DuVal about getting other elected officials outside of their state to attend one of these events. Any other thoughts or suggestions on making these regional and bipartisan would be appreciated.

Do any of you have any thoughts or red flags on either of these locations? Please advise. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:14-OCT-1997 20:04:04.00

SUBJECT: Seattle Trip -- The saga goes on...

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

TEXT:

The VP can't go to Seattle on Friday, Nov. 7 because it is the target date of adjournment for Congress and Ron wants him to be here in case he's needed for any votes. So, we're looking at other dates in November, but it looks more likely that it will be bumped to December, which means that we'll have to do two forums in December.

Sorry for any inconvenience. I'd still like to know what Gregoire says when you know, Bruce. I'll keep you all posted from over here...

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:15-OCT-1997 17:08:17.00

SUBJECT: Homeless

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I had a good conversation with Cuomo's staff regarding the Interagency Council for the Homeless. They are in the process of hiring a new executive director. I believe it is essential that once the new executive director is hired, s/he have a strong working relationship with our office and with the DPC and other administration bodies and even, given our fairly limited resources, really be able to take the staff lead on homeless policy. Once the director is hired, it would be useful to get them with you and other administration people and really focus on what this council should do both in terms of generating innovative policy ideas and serving the homeless service communit

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:23-OCT-1997 18:15:36.00

SUBJECT: Tobacco Town Halls

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

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

TO: mdonahue ( mdonahue @ os.dhhs.gov @ INET [ UNKNOWN ] )  
READ:UNKNOWN

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

TEXT:

We're very close to confirming the VP's tobacco forums: Nov. 17 in Chicago  
and Dec. 16 in Seattle. He is also doing a mini-forum in Waterloo, Iowa  
this Saturday (Oct. 25). Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:27-OCT-1997 16:03:09.00

SUBJECT: Tobacco Legislative Strategy

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

READ:UNKNOWN

TEXT:

I heard that Ron spoke to you about meeting sometime this week to discuss the tobacco legislative strategy. Assuming that I heard correctly can we set up a meeting w/ your team and Ron, Don and I for sometime later this week? (Don is out until Wednesday). Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 29-OCT-1997 14:29:32.00

SUBJECT: Tobacco Town Halls...

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

TEXT:

We were so close to doing the midwest tobacco forum in Chicago on Nov. 17, however, the two Senators cannot do the event w/ us on that day. Since Shalala is out of the country for three weeks, our scheduling office informs us that Nov. 17 is really the only day the VP can travel for a tobacco event. So, Cleveland is back in the picture. Bruce, you had said earlier that you thought a tobacco event might work b/c of Rep. Sherrod Brown. Any other thoughts on the Governor or AG or any other input on a tobacco event in Cleveland?

Thanks again.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 6-NOV-1997 17:18:00.00

SUBJECT: VP Letter to the American Cancer Society

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

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

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

TO: Heidi Kukis ( CN=Heidi Kukis/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

Attached is a draft of a VP letter to the American Cancer Society annual meeting. Sorry for the late notice, but I have to fax it to them tonight. Please let me know if you have edits or suggestions ASAP.  
  
Thanks.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D49]ARMSZZ000CVZH.000 to ASCII,  
The following is a HEX DUMP:

FF5750434F0A0000010A0201000000020500000071160000000200001421B3E93F98F188E84E54  
072380C80F9976349AB3891AD8CB43C4252D9868B807C8425DB5D14AEEA68BB65B838648E84127  
FD6E48D0422AF0D8B13C804BA080A68E939318E0DBCE4D75334589574645D2777528C44921F52E  
8713334B10E9B54FE663869F6BBE1FFC3EB85590D6B1E51C4D1343712980817375FD8EA7D6C16C  
A9E76897BE15B9363265D083CC44C9A0B4460ED12EE81C1640938050F511AF4D645E63564FBD72  
DA732ADAA1C29553D7D7F3AB7985917C6451B362E18C96B3B03B694C0D3EA416878ACFE6EEA580  
0585F23A80CF652A8A8DC96A32FE8E74EBDAFE47F8EF558943D5B21BAF1DC49CCFF6A06354914B  
D06AA86D8C15199DF163CF6803D30108CDD8774705753E5CB42A54DCB9E1BDF71408E4B05F91A2  
422EBF32ED07B1A077A3A625EE0AA0CA0673FE62786FA6CAEBFB7457D19D50BC813E67393B5DFE  
43C8446548F7A82E71A47E187D491D7693E1E74700474578EFA59437E849266CC41C53055A89B2  
EA2EA822B91FD9ECBB56BB2015ABCAC0C3D002976882FDC39A52378C11E09DA0B985F5CFED1174  
926947B0F3D87DACE289B42BB25032063B2790AA707F00B4235E766D61D7D2971A0A28B3A8A362  
455401CC9E7AC8217DFD3AD188DDF3F4C3BAB91DCF7BE729FE3CA1447713BED4921036B86D142B  
14675CAC510200380000000000000000000000000823010000000B01000010050000005501000000  
4E0000001B06000009250100000006000000690600000B3003000000280000006F060000087701  
00000040000000970600000941010000007F000000D70600000834010000001400000056070000

DRAFT-DRAFT-DRAFT-DRAFT

November 6, 1997

*Automated Records Management System  
Hex-Dump Conversion*

George Dessart, Chairman of the Board  
Myles Cunningham, President  
John Seffrin, CEO  
American Cancer Society  
1599 Clifton Road, N.E.  
Atlanta, GA 30329

Dear Friends:

I am writing to thank you for your tireless efforts to promote the public health. I admire your efforts on issues ranging from cancer research funding to reducing teen smoking to encouraging Americans to eat healthier diets. I regret that I cannot be with all of you in Los Angeles for your annual meeting and wish you the best of luck.

As you know, the President and I are committed to drastically reducing the number of young people who get addicted to the deadly habit of cigarette smoking. We feel that the agreement reached with the Attorneys General and the tobacco industry last June represents an unprecedented opportunity to truly change the face of this epidemic. As you would agree, the President and I will not support any legislation that does not include: a comprehensive plan to reduce youth smoking, including tough financial penalties on tobacco companies if reductions in youth smoking are not met; full authority to regulate cigarettes by the FDA; changes in the way the tobacco industry does business, including ending the marketing and promoting of tobacco products to kids and requiring the disclosure of certain industry documents; investing in other public health goals and protecting farmers and their communities. No legislation is better than any legislation that allows the tobacco industry to continue to hook thousands of kids to their deadly products every year.

As you may know, the President asked me to travel around the country to get ideas and build support for this effort. I have met with young people and their parents, public health experts, doctors, nurses, police officers and teachers in Florida, in Iowa and in Washington, D.C. From these meetings I have gained new insights and have a newfound respect for the efforts to reduce youth smoking that are happening at the local levels. I look forward to continuing these meetings in other parts of the country and bringing what I learn back to Washington, D.C. so that I can push for legislation that will truly make a positive difference for millions all Americans. I support a very open and honest discussion on this important issue and look forward to working with Congress this winter.

I very much appreciate all the work that you all have done and look forward to working with you in the future. Best of luck with your conference.

Sincerely,

Al Gore

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 7-NOV-1997 17:20:55.00

SUBJECT: Kennedy-Lautenberg-Durbin bill -- Has anyone seen the bill yet?

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

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

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

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

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

TEXT:  
bc-TFK-smokefree-act

TFK Statement on Healthy and Smokefree Children Act

To: National Desk, Health Writer

Contact: Shelley Caplan or Bernadette Voelker, 202-296-5469,  
both of the Campaign for Tobacco-Free Kids

WASHINGTON, Nov. 7 /U.S. Newswire/ -- The following is a  
statement by Matthew Myers, executive vice president and general  
counsel of the Campaign for Tobacco-Free Kids, regarding  
introduction of the Healthy and Smokefree Children Act:

The Campaign for Tobacco-Free Kids applauds today's introduction  
of the Healthy and Smokefree Children Act by Sens. Kennedy,  
Lautenberg and Durbin. We welcome the introduction of this bill. It  
moves us an important step closer to the enactment of legislation  
that will reduce youth tobacco use, save lives and end our nation's  
tobacco epidemic. We thank these three members for their  
introduction of this bill and their longstanding commitment to  
protect children from tobacco.

The Campaign is committed to working with the entire Congress to develop bipartisan legislation that will have widespread support in the public health community. A comprehensive, well-funded and sustainable tobacco control policy is essential to truly protect the lives of America's kids. -0-/U.S. Newswire 202-347-2770/  
APNP-11-07-97 1658EST

Copyright (c) 1997 The Associated Press

Received by NewsEDGE/LAN: 11/7/97 5:02 PM

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 24-DEC-1997 12:01:45.00

SUBJECT: Called you back

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

READ: UNKNOWN

TEXT:

I called you back. If you miss me, call me at 69000, or, at home.

Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:19-JAN-1998 16:45:31.00

SUBJECT: Womens Meeting Tomorrow

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

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

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

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

CC: Elizabeth Harrington ( CN=Elizabeth Harrington/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

I've reserved the VP's Ceremonial office (OEEOB 276) for the meeting w/  
womens groups tomorrow. It is on the VP's schedule from 5:00 p.m. - 5:30  
p.m. w/ a five minute brief in his WW office from 4:50 - 4:55. The room  
is reserved until 6pm if others want to stay and take questions.

I am told that 20 people max fit comfortably at the table (including the  
VP and the First Lady), so please keep that in mind when you are inviting,  
especially if you want any senior staff at the table.

Audrey, our Counsel's office needs to vet all people who attend meeting w/  
the VP. Can you e-mail to me the full names of the participants, the  
dates of birth if possible and the state they live in ASAP. Thanks very  
much.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME:22-JAN-1998 08:18:16.00

SUBJECT: Family Planning press handouts

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

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

TEXT:

I think we should be prepared for press inquiries on the family planning announcement today (let's hope someone cares about policy today). If Neera could clean up the two pager to be in releaseable form, I think that would do it. Do you think we need q and a's as well? The speech is around 1:00 pm so we should get this ready this morning and get it to WH press folks as well as OVP press folks. thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 5-FEB-1998 17:53:10.00

SUBJECT: tobacco

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

READ:UNKNOWN

CC: Donald H. Gips ( CN=Donald H. Gips/O=OVP @ OVP [ OVP ] )

READ:UNKNOWN

TEXT:

This is the e-mail Ron sent that Don and I were talking to you about.

Would you mind giving me a call at your convenience so we can sort this out? We are starting to plan for a VP Wednesday event and I want to make sure we're all on the same page. Thanks.

Toby

x6-6265

----- Forwarded by Toby Donenfeld/OVP on 02/05/98 05:54

PM -----

Ron Klain

02/04/98 03:29 PM

To: Albert Gore/OVP

cc: (bcc: Toby Donenfeld/OVP)

Subject: tobacco

The proposal to emerge from Erskine's meeting was as follows:

1. We would try to put YOU out next week to fire a shot across the bow of the GOP to say that any tobacco bill must be comprehensive, i.e., include a price hike. We are working to see if OMB/Treas can generate numbers as to a projected reduction in teen smoking under our plan, so we

would have news to announce when you go out.

2. We expect Conrad's bill the following week. When it comes, POTUS will make a statement praising it, saying it is a good bill that is consistent with his principles. He will also say that he hopes this issue can be bipartisan, and not just partisan -- and he hopes others will come forth with bills that are also consistent with his principles (so as to not scare off the moderate Repubs who want to help, and so as to not alienate other Dems like Waxman, Harkin, etc., who are also drafting bills).

3. Erskine will begin quiet conversations with moderate Repubs to try to see if they will come onto Conrad or something very close to Conrad.

I think that this is a good approach.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 5-FEB-1998 11:52:36.00

SUBJECT: Tobacco Events Next Week

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

TEXT:

Ron asked me to follow up with you on your conversation about the possibility of an event next week where the VP could announce an OMB or Treasury analysis of the reduction of youth smoking that could be generated by the President's tobacco plan. We are tentatively looking at a VP event for Wednesday where he releases the analysis and calls on Congress to enact comprehensive, not piece-meal legislation.

Two things: 1) When is the President scheduled to do a tobacco event next week? (We obviously would not want the VP's event to interfere and would want to schedule it advance of any Presidential event). 2) Do you have any information on whether or not OMB or Treasury will be able to generate these numbers for next week and can you please let me know how or who you would like me to follow up with.

Thanks very much.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:10-FEB-1998 17:12:30.00

SUBJECT: Conrad Event and Briefing

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

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

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

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

TO: Kay Casstevens ( CN=Kay Casstevens/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

CC: David R Thomas ( CN=David R Thomas/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

CC: Steven W. Adamske ( CN=Steven W. Adamske/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

Ron has requested that the following people participate with him in the pre-briefing w/ the VP tomorrow immediately prior to the Conrad event:

Bruce, Elena, Don, Toby, Jerry, Pat Ewing, Larry Haas and Kay Casstevens.

The briefing is scheduled from 1:50 p.m. - 2:20 p.m. in the VP's Senate office in the Capitol. (He's coming from the State Dept., sorry for the inconvenience) I've arranged for a VP driver to drive us all to the Capitol. The van will leave the South court at 1:25pm (please try to be

on time).

Below is the latest schedule for the VP:

1:50 pm BRIEFING

2:20 pm Senate Office

Contact: Toby Donenfeld

2:25 pm THE VICE PRESIDENT departs The Senate

En Route: Russell SOB

Drive Time: 5 minutes

2:30 pm THE VICE PRESIDENT arrives RSOB

2:30 pm MEET AND GREET WITH SENATORS

2:40 pm 488A RSOB

Contact: David Thomas, Toby Donenfeld

WHITE HOUSE PHOTO ONLY

2:45 pm REMARKS AT □&HEALTH KIDS ACT□8 INTRODUCTION

3:30 pm ANNOUNCEMENT

485 RSOB

Contact: Toby Donenfeld, David Thomas

OPEN PRESS

Advance: DT

Format:

-- A child (tbd) announces the VP, Senator

Daschle and Senator Conrad into the room.

-- Senator Daschle makes opening remarks  
and introduces Senator Conrad.

-- Senator Conrad makes remarks and  
introduces the Vice President.

-- The Vice President makes remarks.

-- Senator Conrad ends the program.

-- The Vice President departs.

-- Senator Conrad remains on stage to  
answer questions.

3:35 pm THE VICE PRESIDENT departs Russell SOB

En Route: The White House

Drive Time: 10 minutes

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:10-FEB-1998 17:27:53.00

SUBJECT: Tobacco Letter from Ford, Hollings, Robb and Cleland

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

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

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

TEXT:

Senators Ford, Hollings, Robb and Cleland have just sent a letter to the VP saying that the President called for "comprehensive, bipartisan legislation," and that they too want a bipartisan solution. They want the VP to use tomorrow's event to "detail the steps the Administration is willing to take, and to enter into direct negotiations with Republican leaders by a date certain to achieve a bipartisan solution." They end with another call for the Administration to take "concrete steps to initiate negotiations as soon as possible."

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -002**

**[02/11/1998-05/15/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Waves Confirmation to Elena Kagan (1 page)	03/12/1998	P6/b(6), b(7)(C), b(7)(E), b(7)(F)
002. email	Ron Klain to Elena Kagan re: Two Things 12:48:09 [partial] (1 page)	03/27/1998	P6/b(6)
003. email	Ron Klain to Elena Kagan re: Two Things 16:03:59 [partial] (1 page)	03/27/1998	P6/b(6)
004. email	Toby Donenfeld to Donald Gips, Elena Kagan, Ron Klain re: VP Koop Phone Call [partial] (2 pages)	03/30/1998	P6/b(6)
005. email	Toby Donenfeld to Bruce Reed et al. re: Tobacco [partial] (1 page)	04/20/1998	P6/b(6)
006. email	Patricia Kaeding to Elena Kagan re: fax (1 page)	05/22/1998	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

**FOLDER TITLE:**

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

**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]



**Q & A ON TOBACCO FOR THE VICE PRESIDENT  
HEALTHY KIDS ACT PRESS CONFERENCE  
FEBRUARY 11, 1998**

THE CONRAD BILL

**Q. Is the Administration endorsing Senator Conrad's tobacco legislation? If the Administration is not endorsing the bill, why are you here?**

A. The Administration congratulates Senator Conrad for drafting a strong bill that meets the President's five principles to reduce youth smoking and protect the public health. Senator Conrad has taken an important step toward enacting comprehensive tobacco legislation by introducing a bill that the President could sign. The President would sign this bill, or any bill that does as much to meet the President's goals and principles. We hope and expect other Democrats and Republicans to sign onto this legislation or other legislation that meets our core principles. Ultimately, any successful bill must have broad, bipartisan support. The President and I are committed to working with members of both parties to shape the best ideas and proposals into a truly bipartisan bill.

I am here to support this important step forward and to encourage other members to support comprehensive tobacco legislation and pass it this year.

**Q. There have been conflicting reports in the papers that you are endorsing Senator Conrad's legislation or that you are shunning the Democrats and not endorsing the legislation because it is not bipartisan. Which is it? And are you trying to distance yourself from the Democrats?**

A. As we have said, we support Senator Conrad and the other Democrats' efforts to introduce comprehensive tobacco legislation designed to reduce youth smoking that meets the President's five principles. The President would sign this bill, or any bill that does as much to meet the President's goals and principles. We hope and expect other Democrats and Republicans to sign onto this legislation or other legislation that meets our core principles. Ultimately, any successful bill must have broad, bipartisan support. The President and I are committed to working with members of both parties to shape the best ideas and proposals into a truly bipartisan bill.

**Q. Are you concerned that no Republicans and only a handful of Democrats have signed on to Senator Conrad's legislation?**

A. The Administration is very pleased that these Democratic leaders have come forward with a comprehensive bill designed to reduce youth smoking that meets the President's five principles. It is our hope that Senator Conrad's actions will push others in both parties to sign onto his legislation or to come forward with their own comprehensive tobacco legislation. I believe that it is very important to keep momentum going and to pass comprehensive tobacco legislation this year.

**Q. What are the major differences between the President's budget and Senator Conrad's bill?**

A. There are a few differences in Senator Conrad's bill and the President's budget on the allocation of tobacco money, but largely Senator Conrad's bill invests in the areas that the Administration believes is important: smoking prevention, smoking cessation, health research and other programs designed to benefit children. Further, Senator Conrad's bill meets the President's challenge to encompass his five principles and attack the problem of youth smoking in a comprehensive and long term manner.

#### TOBACCO AND THE BUDGET

**Q. In September, the President said the focus of tobacco legislation should not be about money. In the budget the President submitted, more than 60 percent of the proposed increase in discretionary spending is paid for by tobacco legislation. Why have you and the President changed course?**

The President's course has not changed -- Congress should send the President legislation that will dramatically reduce youth smoking. Experts all agree the single most important step we can take to reduce youth smoking is to raise the price of a pack of cigarettes significantly. That is why last September, and again in the State of the Union speech, the President called for Congress to pass legislation that raises cigarette prices by up to \$1.50 per pack over the next ten years as necessary to reduce youth smoking. Our budget simply scores that part of President's plan, and allocates the revenues to programs that promote public health and assist children.

**Q. How can you assume revenues from tobacco legislation when it's not certain whether this legislation will pass?**

It is a normal part of the budget process to account for any revenues that will be raised from proposed legislation. And we believe strongly that Congress will pass comprehensive tobacco legislation this year. If everyone who says they are committed to protecting children from tobacco rolls up their sleeves and gets to work, we will pass a significant piece of legislation.

**Q. Why is it that some of the programs funded with tobacco revenues have no relation to tobacco?**

A. Most of the spending is directly related to tobacco, such as health-related research and smoking cessation programs. The rest goes to programs that will assist our children. We wanted to ensure that states get a substantial share of the resources, because of the state's contribution in negotiating the original proposed settlement. It is money that goes to children's programs -- to improve child care and reduce class size -- in recognition that

these are shared federal and state goals.

**Q. In your budget, how much money do you expect to raise from tobacco legislation next year? What about over five years? How did you come to this figure?**

A. This budget is designed to reduce youth smoking by 30% in five years and 50% in seven years which is the President's goal. We calculate that the necessary increase in the price per pack will result in about \$10 billion in revenue next year and \$65 billion over five years.

**Q. How much does your plan increase the cost of cigarettes?**

A. In order to reach the President's goal of reducing youth smoking by 30% in five years and 50% in seven years, this budget projects about a \$1.10 increase in the price of cigarettes over five years.

#### LIABILITY

**Q. Has your position on including liability protections for the tobacco industry in a comprehensive tobacco bill changed? Will you support a bill that has liability protections in it? Has your opinion changed in light of the tobacco industry documents that have been released recently?**

The President will evaluate tobacco legislation as a whole to determine whether it protects the public health. As we have said before, we do not want to include liability protections in comprehensive tobacco legislation, however, if that legislation includes the President's five principles designed to reduce youth smoking, liability limits would not necessarily be a deal-breaker for us. What's important is achieving comprehensive legislation that includes a large per-pack price increase, penalties for marketing to children and broad restrictions on children's access to tobacco.

It should be noted that no one is talking about immunity from criminal prosecution: if tobacco industry officials committed perjury, lied to Congress or committed other crimes, they will be prosecuted. The limits on liability contained in the AG's proposed settlement applied only to civil suits.

#### LAWYERS FEES

**Q. Lawyers in both Texas and Florida have asked for obscene amounts of money for their role in bringing about the state settlements with the tobacco industry. Will the President support a provision in national legislation to limit fees for lawyers?**

A. The President is primarily concerned with ensuring that tobacco legislation reduces youth

smoking and protects the public health -- not with collecting and distributing money from a settlement. The lawyers who brought these suits have expended lots of time and effort and deserve to be well recompensed for their work. But everyone agrees that fees should not be wildly out of proportion to the work that was done.

#### STATE SHARE

**Q. There are various reports about how much money from tobacco legislation will go to the states, and whether the federal government has any right to this money. What do you think the states are entitled to?**

The President's first goal is to pass national tobacco legislation to reduce teen smoking. The specific allocation of monies is a secondary issue, which I will work to resolve with the states and Congress. Both the states and the Administration have worked hard to create the conditions for national legislation. I am confident we will be able to reach, and to incorporate into legislation, a mutually agreeable approach to the allocation issues that fully recognizes the states' contribution.

#### A "LIGHT" BILL

**Q. Some Republicans have been talking about enacting tobacco legislation piecemeal, with legislation on youth smoking this year. Would the Administration go along with such a plan?**

A. We believe that Congress must enact comprehensive tobacco legislation this year. We will not be able to reduce youth smoking -- let alone meet our other public health objectives -- without a comprehensive measure. To reduce youth smoking over the long term, we must not only establish a system of penalties for failing to meet youth smoking targets, but also increase the price of cigarettes, guarantee the FDA jurisdiction over tobacco, establish a licensing system, and regulate access and advertising. Those measures are also necessary to improve the health of adults. We should not abandon the effort to enact comprehensive legislation.



**TALKING POINTS ON THE CONRAD BILL**

**2/11/98**

- **The President wants to sign a comprehensive tobacco bill that meets his five principles --and most important, that includes a significant price increase to reduce youth smoking.**
- **The Conrad bill meets each of the President's five principles. The President is proud to support it and would gladly sign it.**
- **By introducing this very strong bill, Sen. Conrad has taken an important step toward the enactment of comprehensive tobacco legislation. His bill adds to the momentum for comprehensive legislation, and serves as a challenge to all other Members to work toward this goal.**
- **Of course, the President will also support other bills that meet his principles, whether introduced by Democrats or Republicans. His Administration will work with as many Members as possible on the issues involved in comprehensive legislation.**
- **The President, however, will not support piecemeal tobacco legislation. In particular, he will not support a bill without the significant price increase necessary to reduce youth smoking.**

**Q & A ON TOBACCO FOR THE VICE PRESIDENT  
HEALTHY KIDS ACT PRESS CONFERENCE  
FEBRUARY 11, 1998**

THE CONRAD BILL

**Q. Is the Administration endorsing Senator Conrad's tobacco legislation? If the Administration is not endorsing the bill, why are you here?**

A. The Conrad bill is a very strong bill; we support it; and we think it deserves broad congressional support. We'll get behind any bill that meets the President's five principles. We want to work with as many Members as we can, from both sides of the aisle, to adopt comprehensive tobacco legislation.

I am here to support this important step forward and to encourage other members to support comprehensive tobacco legislation and pass it this year.

**Q. There have been conflicting reports in the papers that you are endorsing Senator Conrad's legislation or that you are shunning the Democrats and not endorsing the legislation because it is not bipartisan. Which is it? And are you trying to distance yourself from the Democrats?**

A. As we have said, we support Senator Conrad and the other Democrats' efforts to introduce comprehensive tobacco legislation designed to reduce youth smoking that meets the President's five principles. The President would sign this bill, or any bill that does as much to meet the President's goals and principles. We hope and expect other Democrats and Republicans to sign onto this legislation or other legislation that meets our core principles. Ultimately, any successful bill must have broad, bipartisan support. The President and I are committed to working with members of both parties to shape the best ideas and proposals into a truly bipartisan bill.

**Q. Are you concerned that no Republicans and only a handful of Democrats have signed on to Senator Conrad's legislation?**

A. The Administration is very pleased that these Democratic leaders have come forward with a comprehensive bill designed to reduce youth smoking that meets the President's five principles. It is our hope that Senator Conrad's actions will push others in both parties to sign onto his legislation or to come forward with their own comprehensive tobacco legislation. I believe that it is very important to keep momentum going and to pass comprehensive tobacco legislation this year.

**Q. What are the major differences between the President's budget and Senator Conrad's bill?**

A. There are a few differences in Senator Conrad's bill and the President's budget on the allocation of tobacco money, but largely Senator Conrad's bill invests in the areas that the Administration believes is important: smoking prevention, smoking cessation, health research and other programs designed to benefit children. Further, Senator Conrad's bill meets the President's challenge to encompass his five principles and attack the problem of youth smoking in a comprehensive and long term manner.

#### TOBACCO AND THE BUDGET

**Q. In September, the President said the focus of tobacco legislation should not be about money. In the budget the President submitted, more than 60 percent of the proposed increase in discretionary spending is paid for by tobacco legislation. Why have you and the President changed course?**

The President's course has not changed -- Congress should send the President legislation that will dramatically reduce youth smoking. Experts all agree the single most important step we can take to reduce youth smoking is to raise the price of a pack of cigarettes significantly. That is why last September, and again in the State of the Union speech, the President called for Congress to pass legislation that raises cigarettes prices by up to \$1.50 per pack over the next ten years as necessary to reduce youth smoking. Our budget simply scores that part of President's plan, and allocates the revenues to programs that promote public health and assist children.

**Q. How can you assume revenues from tobacco legislation when it's not certain whether this legislation will pass?**

It is a normal part of the budget process to account for any revenues that will be raised from proposed legislation. And we believe strongly that Congress will pass comprehensive tobacco legislation this year. If everyone who says they are committed to protecting children from tobacco rolls up their sleeves and gets to work, we will pass a significant piece of legislation.

**Q. Why is it that some of the programs funded with tobacco revenues have no relation to tobacco?**

A. Most of the spending is directly related to tobacco, such as health-related research and smoking cessation programs. The rest goes to programs that will assist our children. We wanted to ensure that states get a substantial share of the resources, because of the state's contribution in negotiating the original proposed settlement. It is money that goes to children's programs -- to improve child care and reduce

- class size -- in recognition that these are shared federal and state goals.
- Q. In your budget, how much money do you expect to raise from tobacco legislation next year? What about over five years? How did you come to this figure?**
- A. This budget is designed to reduce youth smoking by 30% in five years and 50% in seven years which is the President's goal. We calculate that the necessary increase in the price per pack will result in about \$10 billion in revenue next year and \$65 billion over five years.
- Q. How much does your plan increase the cost of cigarettes?**
- A. In order to reach the President's goal of reducing youth smoking by 30% in five years and 50% in seven years, this budget projects about a \$1.10 increase in the price of cigarettes over five years.

#### LIABILITY

- Q. Has your position on including liability protections for the tobacco industry in a comprehensive tobacco bill changed? Will you support a bill that has liability protections in it? Has your opinion changed in light of the tobacco industry documents that have been released recently?**
- A. The President will evaluate tobacco legislation as a whole to determine whether it protects the public health. As we have said before, we do not want to include liability protections in comprehensive tobacco legislation, however, if that legislation includes the President's five principles designed to reduce youth smoking, liability limits would not necessarily a deal-breaker for us. What's important is achieving comprehensive legislation that includes a large per-pack price increase, penalties for marketing to children and broad restrictions on children's access to tobacco.

It should be noted that no one is talking about immunity from criminal prosecution: if tobacco industry officials committed perjury, lied to Congress or committed other crimes, they will be prosecuted. The limits on liability contained in the AG's proposed settlement applied only to civil suits.

LAWYERS FEES

- Q. Lawyers in both Texas and Florida have asked for obscene amounts of money for their role in bringing about the state settlements with the tobacco industry. Will the President support a provision in national legislation to limit fees for lawyers?**
- A. The President is primarily concerned with ensuring that tobacco legislation reduces youth smoking and protects the public health -- not with collecting and distributing money from a settlement. The lawyers who brought these suits have expended lots of time and effort and deserve to be well recompensed for their work. But everyone agrees that fees should not be wildly out of proportion to the work that was done.

STATE SHARE

- Q. There are various reports about how much money from tobacco legislation will go to the states, and whether the federal government has any right to this money. What do you think the states are entitled to?**

The President's first goal is to pass national tobacco legislation to reduce teen smoking. The specific allocation of monies is a secondary issue, which I will work to resolve with the states and Congress. Both the states and the Administration have worked hard to create the conditions for national legislation. I am confident we will be able to reach, and to incorporate into legislation, a mutually agreeable approach to the allocation issues that fully recognizes the states' contribution.

A "LIGHT" BILL

- Q. Some Republicans have been talking about enacting tobacco legislation piecemeal, with legislation on youth smoking this year. Would the Administration go along with such a plan?**
- A. We believe that Congress must enact comprehensive tobacco legislation this year. We will not be able to reduce youth smoking -- let alone meet our other public health objectives -- without a comprehensive measure. To reduce youth smoking over the long term, we must not only establish a system of penalties for failing to meet youth smoking targets, but also increase the price of cigarettes, guarantee the FDA jurisdiction over tobacco, establish a licensing system, and regulate access and advertising. Those measures are also necessary to improve the health of adults. We should not abandon the effort to enact comprehensive legislation.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:23-FEB-1998 17:51:27.00

SUBJECT: Tobacco Event Conference Call

TO: Bruce N. Reed ( CN=Bruce N. Reed/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: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Nathan B. Naylor ( CN=Nathan B. Naylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TO: Wendy Hartman ( CN=Wendy Hartman/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TO: mdonahue ( mdonahue @ os.dhhs.gov@INET [ UNKNOWN ] )  
READ:UNKNOWN

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

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

READ:UNKNOWN

TEXT:

The VP is tentatively scheduled to announce the FDA compliance billboard and radio campaign on Wednesday morning. The President may participate if he is still here in D.C.

at that time. We hope Secretary Shalala will be able to join us for the announcement. (HHS is checking her schedule).

We are scheduling a conference call to discuss the event/announcement for tomorrow (Tuesday) morning at 9:30 a.m. Folks from HHS will be on the call.

Please call 456-6777 or 456-6799 code #9867. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Reed Gary ( Reed Gary <reed-gary@dol.gov> [ UNKNOWN ] )

CREATION DATE/TIME:24-FEB-1998 18:50:18.00

SUBJECT: Q&A on Press Reports of H-1B Policy Discussion

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

READ:UNKNOWN

TEXT:

You mentioned that you had done a Q&A on how to respond to press inquiries regarding the NY Times (and today's Wall St. Journal) article on the H-1B policy deliberations. I assume that we should be saying much of the same thing to Congressional inquiries. Could you send me a copy of your Q&A so that I could put it in Ray Uhalde's briefing book?

I will send to you and others several other Q&A's that we are preparing for Ray later this afternoon for your review and input.

Thanks

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:11-MAR-1998 16:35:45.00

SUBJECT: Draft VP letter to Harkin attached...

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

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

TO: Kay Casstevens ( CN=Kay Casstevens/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

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

TEXT:  
Please send me edits you have as soon as possible. Thanks very much.

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D55]ARMSZZ000IFTP.000 to ASCII,  
The following is a HEX DUMP:

FF575043F2040000010A02010000000205000000C21000000002000001FD125DB6A6F98C71A3DCF  
A2C9E76C73E4B15C7C0FD4013AAD81D812EEF59EE3C09656B9E2730AA01BC1FE141DD0F9E918F  
61B3683936641C70477C3F7D49D8DAEBB686BCCBB4B093E6B42FC3437DBB54D5889C6ED8BC7F03  
71631CB80ADA020E44681ED5E0B0BF35EE63D79C6A098172470229F32D37B9C56D2CABE3CA114A  
1BD3269254E06A17EE5AE8F4B5278D0438EA9D03CC6773B7AE66DE57B8324342A3F4BDAF5460D2  
3A94EDE425465B96C309B3E00AF4EA162641657D137FD2E99BFDEA1744E86676568AA8B12FF953  
F34974A072C760FC7A871F69855C57B541633999C442027B18DE284E117BFA9D89A333961859F5  
AF35FFC07989D6E713D1A02DD8288708295B26988E9326FBDD88C2428753040F316B2426C555E4  
52B03BA5535CD754CAD676657BFB971240E214853821248A1E72080FFE5821D26F5B2D8F88ACE  
C660EE1DC6FD526E66A907E6E2BB28AED1B206A3DDAC9FD4BEB88B04A766E3F556A08D64BB854A  
273A627F0DA72FB5B171ADA57DE7E76923898A785476D8B5E4C7E0A5D984A0079718DC1363B10D  
FEB8CF1516F4338B5663C967451FAAA483351EBE2981F310EB3A2335C84FF654F59BDE45E53880  
7A2E2C6CAFD2C9699CB5B78038D2F6F604E71C0C5157B90246BCA1805BCA360E4DD954CB822F87

- DRAFT -

Automated Records Management System  
Hex-Dump Conversion

March 12, 1998

Senator Tom Harkin  
Senator John Chafee  
Senator Bob Graham  
U.S. Senate  
Washington, D.C. 20501

Dear Senators Harkin, Chafee and Graham:

Congratulations on your introduction of the first bipartisan comprehensive bill to drastically reduce youth smoking which encompasses the President's five principles. I regret that I cannot be there with you today as we take another crucial step forward in the fight to protect young people from the addiction and disease of tobacco and the next big step toward writing tough anti-tobacco measures into law.

We all know that ultimately any successful bill must have broad bipartisan support. I have been pleased to see that support for tough anti-tobacco measures crosses all lines of party and politics. Now, we must seize this historic opportunity, and build on this growing coalition.

The President and I look forward to working with you and other in the Congress to enact tough anti-tobacco legislation this year. We would like to work with you to ensure that any legislation sent to the President encompasses the five principles he has outlined: **(1) a price increase of up to \$1.50 per pack and tough penalties if youth smoking reduction targets are not met; (2) reaffirmation of the FDA's authority to regulate tobacco products; (3) changes to the way the industry does business so it will no longer market its products to children; (4) progress toward other public health goals; and (5) protection of tobacco farmers and their communities.** Further, we look forward to working with you to ensure that the revenues raised through any tobacco legislation will be invested in programs to benefit our children which the President has outlined.

The President and I want this Congress to be remembered as the Congress that finally protects our children from nicotine addiction and disease - and gives American the healthy kids and families we deserve.

Sincerely,

Al Gore

Automated Records Management System  
Hex-Dump Conversion

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Waves Confirmation to Elena Kagan (1 page)	03/12/1998	P6/b(6), b(7)(C), b(7)(E), b(7)(F)

---

**COLLECTION:**

Clinton Presidential Records  
 Tape Restoration Project [Email]  
 OPD ([Kagan])  
 OA/Box Number: 250000

---

**FOLDER TITLE:**

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

---

### 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 (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME:19-MAR-1998 11:47:12.00

SUBJECT: Pay Equity

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

TEXT:

I am the contact person in OVP for this issue. Please let me know when you  
are convening again so that the VP's perspective can be included. thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:20-MAR-1998 16:21:30.00

SUBJECT: Tobacco and the AGs

TO: Bruce N. Reed ( CN=Bruce N. Reed/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: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

TO: Lawrence J. Haas ( CN=Lawrence J. Haas/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

The VP is scheduled to be on the conference call w/ AGs on Monday from 2:35 - 2:45. He will deliver brief remarks and will not take questions. After he drops off the call, we will open the call to questions from the AGs or reporters for Administration staff.

The following staff members have been invited, and we hope will participate following the VP's conference call w/ the AGs.

Elena Kagan, Deputy Assistant to the President for Domestic Policy  
and/or

Cynthia Rice, Special Assistant to the President for Domestic  
Policy

Jim O'Hara, Deputy Assistant Secretary for Health (confirmed)

Mike Eriksen -- Director, OFC on Smoking and Health, CDC

(confirmed)

Jonathan Gruber, Deputy Assistant Secretary for Economic Policy

(confirmed pending possible Summers testimony)

Fred Duval will get the conference call and code numbers. Thanks.



**DRAFT**  
**3/22/98 4pm**

**Talking Points for Conference Call with State Attorneys General**  
**March 23, 1998**

- **Thank you for joining me today to discuss an issue important to all of us -- reducing youth smoking. I appreciate your continued leadership and commitment on this issue.**
- **As you know, we are meeting regularly with members of Congress in both parties in order to ensure passage of comprehensive, bipartisan legislation this year.**
- **Today, I am unveiling new state-by-state numbers which show that states will have an average 42 percent reduction in youth smoking and premature deaths if the President's principles for legislation are enacted into law. The data also show that three million teens will be kept from smoking over the next five years --and that one million lives will be saved as a result.**
- Individual states will see reductions in youth smoking ranging from a few thousand in the smaller states up to about 248,000 in California and 205,000 in Texas. Approximately 56,000 young people will be saved from premature death in Florida, 57,000 in Ohio, 37,000 in Michigan and 24,000 in Missouri.
- **I am very encouraged by these new data and I hope these new facts will help build the momentum necessary to pass bipartisan comprehensive federal legislation this year. I strongly encourage each of you to announce these new statistics in your state, to help raise awareness that we need to put an end to teen smoking. By using these statistics, you can convey that comprehensive federal legislation is necessary to significantly reduce the number one cause of preventable death in this country and an addiction that is trapping our young people.**
- **We must act quickly. We all know that every day, 3,000 kids become regular smokers and 1,000 of them will die prematurely from smoking-related diseases. Congress must act quickly so that we can save millions of young people from this deadly addiction.**
- Thank you again for all of your hard work and commitment to reducing youth smoking. Keep up the good work.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:23-MAR-1998 11:37:56.00

SUBJECT: AG call-in #

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

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

CC: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

If you are joining the VP's conf. call w/ AGs please use the # below. As

Signal only gave us 25 lines total for both AGs and staff if you could

call in on one line we'd appreciate it. Thanks.

----- Forwarded by Toby Donenfeld/OVP on 03/23/98 11:40  
AM -----

Dan J. Taylor

03/23/98 10:17 AM

To: Emory L. Mayfield/WHO/EOP @ EOP

cc: Toby Donenfeld/OVP

Subject: AG call-in #

To call in, AGs should use 202/757-2104 #2377. Staff should not call in to this number, as there are a limited number of lines available for the call.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Ron Klain to Elena Kagan re: Two Things 12:48:09 [partial] (1 page)	03/27/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:27-MAR-1998 12:48:09.00

SUBJECT: Two Things

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

READ:UNKNOWN

TEXT:

1. Please tell me we are not signing off on \$1.10.

P6/(b)(6)

[002]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Ron Klain to Elena Kagan re: Two Things 16:03:59 [partial] (1 page)	03/27/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 27-MAR-1998 16:03:59.00

SUBJECT: Re: Two Things

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

READ: UNKNOWN

TEXT:

1. I hear you. But our \$1.10 was \$1.10 real, \$1.25 nominal, right? And  
it certainly added up to alot more than \$505 billion, didn't it?

P6/(b)(6)

[003]

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Vicky\_Stroud ( Vicky\_Stroud@ed.gov (Vicky Stroud) [ UNKNOWN ] )

CREATION DATE/TIME:27-MAR-1998 21:15:37.00

SUBJECT: Re: Unz meeting

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

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

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

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

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

TO: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: Delia\_Pompa ( Delia\_Pompa@ed.gov (Delia Pompa) [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

CC: Rebecca Hunter ( CN=Rebecca Hunter/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:  
Mike,

Mike will come but will probably be 1/2 hour late getting there.

Vicky

---

Reply Separator

---

Subject: Unz meeting

Author: Michael\_Cohen@opd.eop.gov at Internet

Date: 3/27/98 3:51 PM

In order to revise and then complete the memo to POTUS on Unz, we need to meet and discuss the recommendations we want to make. Those of us who have been in the Congressional meetings have new insights and have moved our thinking along. I know that the Education Department is also developing some additional ideas--but I'm not sure that we are all still moving along the same track.

I've scheduled the meeting for Monday, March 30 at 1:00pm in OEOB 211. Let me know if you can make it.

but I don't know that we are all moving in the same direction like us to meet on Monday March 30, at 1:00 in OEOB211 to discuss the next version of the Unz memo to POTUS. We need to n

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Toby Donenfeld to Donald Gips, Elena Kagan, Ron Klain re: VP Koop Phone Call [partial] (2 pages)	03/30/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

### 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 (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:30-MAR-1998 14:50:54.00

SUBJECT: VP Koop Phone Call Memo

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

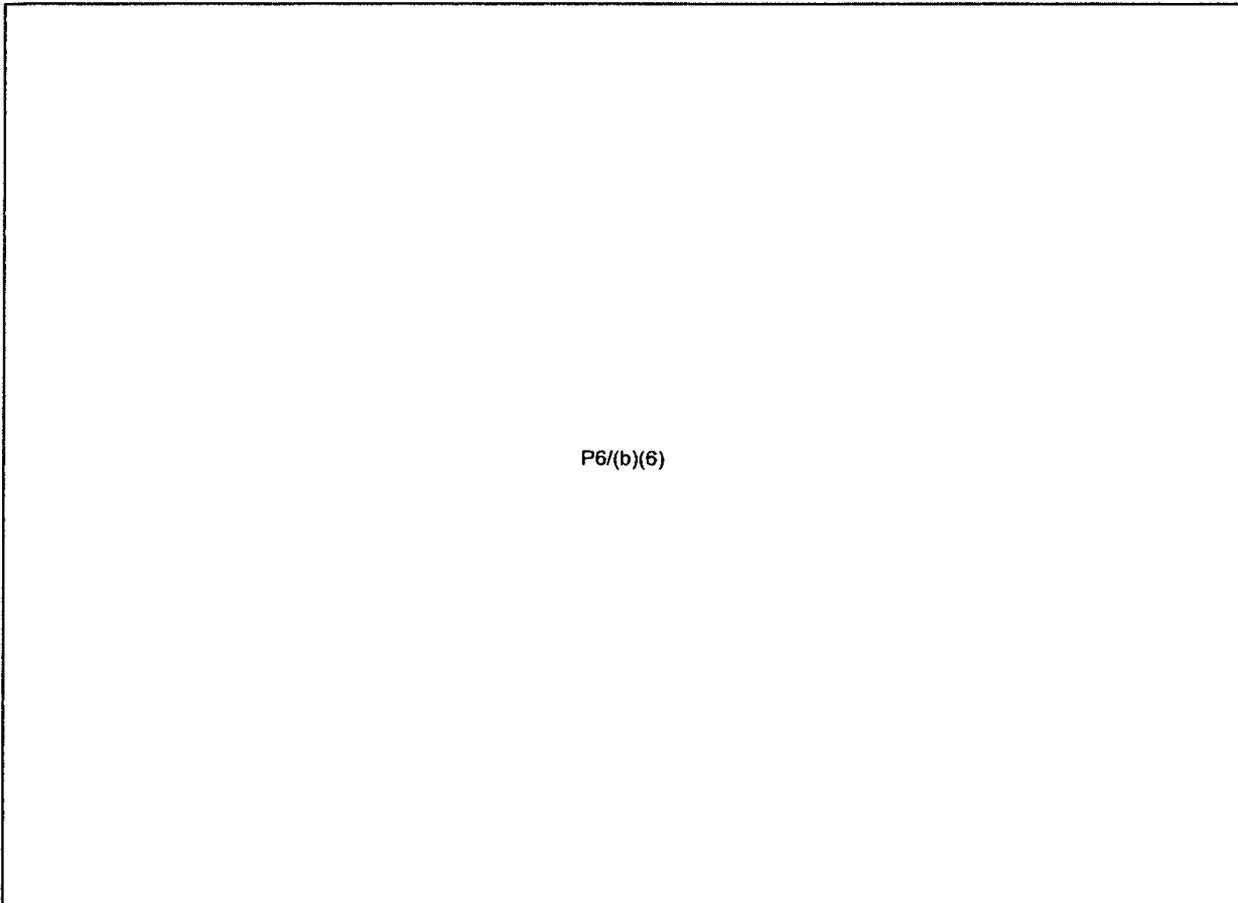
TO: Elena Kagan ( CN=Elena Kagan/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TEXT:  
Please make any necessary edits and I'll send it out! Thank you.

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D24]ARMSZZ000HVYA.000 to ASCII,  
The following is a HEX DUMP:



[004]

[Auto DATE FEATURE]  
~~March 4, 2010~~

Automated Records Management System  
Hex-Dump Conversion

### RECOMMENDED PHONE CALL

TO: Dr. C. Everett Koop

RECOMMENDED  
BY: Ron Klain

Prepared by: Toby Donenfeld

PURPOSE: You are returning Dr. Koop's phone call. We are not certain as to why he called you but expect that it would be to discuss the McCain tobacco bill.

### BACKGROUND:

#### Highlights of the McCain Bill

\$1.10 price increase by 2003.

Youth Smoking Reduction Targets:	<u>cigarettes</u>	<u>smokeless</u>
3 years	15	12.5
5 years 30	25	
7 years 50	35	
10 years	60	45

Industry Penalties: \$80 million for each percentage point missed between 0 - 5 , \$160 million for each percentage point between 6-10 and \$240 million for each percentage point over 11 . Annual amount of industry penalties is capped at \$3.5 billion.

No company specific penalties.

No tax deductability of penalty payments.

Full FDA authority.

Marketing and advertising restrictions.

No position on liability yet.

#### Administration Position Thus Far:

Today, Erskine delivered a speech to The Center for National Policy said this of the McCain bill: that it will "lay a strong foundation for further action, but also has room for improvement."

Particularly, the Administration does not believe the McCain bill will impose strong enough lookback penalties on companies and does not agree with the way the tobacco revenues are spent. On the positive side, the McCain bill does include a substantial price increase on a pack of cigarettes, gives the FDA full authority to regulate tobacco products and is expected to contain a strong plan to protect tobacco farmers and their communities.

Kessler/Koop

David Kessler has been quoted as saying this about the McCain bill: "On the issue that matters most, reducing the number of kids who smoke ... the bill does not measure up."  
Dr. Koop has not said anything publicly on the McCain bill.

Safe Kids Reception

You are hosting a reception at the Naval Observatory on Tuesday, April 7 for the Safe Kids Coalition, which Dr. Koop chairs. You agreed to host this reception for him when you were together in Seattle, WA for a tobacco forum. The plans for the event are moving along fine.

CONTACT PERSON AND

TELEPHONE NUMBERS: In the office until 3:00 p.m.  
At home tonight:

301-493-6603

P6/(b)(6)

[004]

DATE OF SUBMISSION: March 4, 2010

ATTACHMENTS:

Your talking points.  
Side-by-side analysis of the McCain bill.  
Q&A on the McCain bill.  
Summary of the McCain bill.

*Talking Points*

- I am returning your call. As you may know, I have been on vacation for the past week, so I am not current on all of the details of the tobacco legislative debate. I am interested in learning what your opinion is on the McCain bill.
- The Administration believes that the McCain bill is a good foundation for further action, but we see room for significant improvement. We are pleased that the bill includes a substantial price increase on a pack of cigarettes and that it give full authority to the FDA to regulate tobacco. We are very interested in strengthening the lookback penalties provisions.
- I know that Dr. Kessler has come out with some pretty strong language against the McCain bill. It is my hope that we can all work together in the next few days to push McCain for the changes we need to drastically reduce youth smoking.



March 30, 1998

Automated Records Management System  
Hex-Dump Conversion

MEMORANDUM FOR THE VICE PRESIDENT

FROM: TOBY DONENFELD

SUBJECT: ADDENDUM TO THE KOOP PHONE CALL MEMO

Since we sent you the phone call memo for your call to Dr. Koop, Senator McCain held a press conference to announce the liability portion of his tobacco bill. His bill includes a \$6.5 billion annual cap on liability payments and no ban on class action lawsuits. We are unclear at this time whether or not the bill includes the elimination of punitive damages for past conduct, although it appears that it will not include such an elimination.

As we understand it, Dr. Kessler and Dr. Koop have been lobbying aggressively to not eliminate class action lawsuits or punitive damages.

No Administration position on the liability provisions in the McCain bill has been made public. Erskine's speech occurred several hours before McCain released the details on liability. In general, the White House position has been that we are working to make sure that the bill encompasses the President's five principles, and until it does that, we are not going to discuss the issue of liability.

As you can see if the side-by-side faxed to you earlier, the settlement called for a \$5 billion annual cap and the Harkin/Chafee bill called for a \$12 billion annual cap.

Early reaction on CNN from Senators Conrad and Dorgan were very negative toward the McCain bill for granting the tobacco industry "special protections."

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:30-MAR-1998 18:28:26.00

SUBJECT: Tobacco Bill

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

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

CC: Kay Casstevens ( CN=Kay Casstevens/O=OVP [ OVP ] )  
READ:UNKNOWN

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

TEXT:

Gephardt put out a statement blasting the McCain bill, FYI. He called it "strike one" in Congress' attempt to protect kids from tobacco. I guess it's not hard to figure out where he is headed, huh?

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:31-MAR-1998 11:19:50.00

SUBJECT: Koop

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

READ:UNKNOWN

TEXT:

You should know that Koop called the VP last night, very upset about the McCain bill, and what he saw as our overly positive reaction to it. He is very off the wall. FYI.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 1-APR-1998 18:46:29.00

SUBJECT: A few things

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

READ:UNKNOWN

CC: Donald H. Gips ( CN=Donald H. Gips/O=OVP [ OVP ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Regarding the Kick Butts Day event tomorrow:

1) Remarks. Andrei Cherny is working on the VP's remarks and is putting in a place-holder on the McCain part. Who do we need to have look at the remarks and advise on that portion and can we get one point of contact for outside of OVP changes? Thank you. FYI: The VP is leaving the WH for another event at approximately 10am and then going straight to the KBD event. Ideally, we'd send his final remarks before he leaves.

2) Briefing. Ron Klain asked that either Bruce or Elena be in his hold at the school to brief him in person or by speaker-phone on the latest up-to-date information on what's happening on the hill on the tobacco legislation. The event is at Hine Jr. High School, 335 8th Street, S.E. near Eastern Market. The VP arrives at 12:15. Please let me know who will be joining us. Thanks.

3) Channel One. The VP is announcing four small anti-youth smoking commitments from organizations: NEA/AFT, Channel One, the Girl

Scouts and Girls Inc. There was some initial concern w/ an announcement on Channel One given the controversy of advertising in schools. I checked w/ Mike Cohen who directed me to Terry Peterson at Education who told me that it was ok to announce as long as it was part of several other announcements. Obviously, this was before the head of Channel One appeared on the Today Show this morning to be accused in a new report of costing the taxpayers millions of dollars. We're kind of far down the line on having the VP at least mention this tomorrow, but I would like your opinion on this. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-APR-1998 10:14:20.00

SUBJECT: VP's Kick Butts Day Briefing

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

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

TEXT:

Ron still wants one of you to attend the briefing before the VP's KBD event today.

The event is at Hine Jr. High School, 335 8th Street, S.E. near Eastern Market. The VP arrives at 12:15 p.m. We've got a staff van departing at 11:20 if you want to come then or you can meet us there. Please let me know who can come. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-APR-1998 14:02:12.00

SUBJECT: Thank you

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

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

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

TEXT:

Thank you all so much for your help on the VP's Kick Butts Day event, I think it went very well. And Elena, thanks for coming up to the school to brief.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME: 3-APR-1998 17:53:22.00

SUBJECT: thanks

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

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

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

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

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

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

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

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

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

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

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

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

CC: Lawrence J. Haas ( CN=Lawrence J. Haas/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

Many, many thanks from all of us in OVP-land to all of you who worked so hard on the two women's events yesterday. In particular, the Equal Pay announcement took so much work on the part of so many people all over the

White House, and we are so very appreciative of everything you all did to pull it off. Audrey, you and your shop really kept at it, and it really paid off yesterday! Thanks as well to all of the many communications' gurus who helped us with our day full of messages! Can't wait for a repeat!

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:20-APR-1998 17:30:17.00

SUBJECT: Tobacco - Industry Response to POTUS statement

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

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

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

TEXT:  
In case you didn't see this...

----- Forwarded by Toby Donenfeld/OVP on 04/20/98 05:25  
PM -----

Jodi R. Sakol

04/20/98 05:26 PM

To: Toby Donenfeld/OVP

cc:

Subject: Tobacco

WASHINGTON, April 20 /PRNewswire/ -- The following statement should be attributed to Scott Williams, tobacco industry spokesperson, in response to the President's comments today regarding tobacco legislation:

"There is a growing understanding across the country that Washington's real agenda is to fund a huge tax-and-spend program while saying it wants to pass comprehensive legislation. The industry has been open and

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Toby Donenfeld to Bruce Reed et al. re: Tobacco [partial] (1 page)	04/20/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

### 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]

honest about what it can and will do to transform the way tobacco products are manufactured, marketed, and sold in this country. Instead of seeking a comprehensive solution that will work, Washington has decided that politics is more profitable for government. The industry does not expect to win a popularity contest, but the country does not like big brother government run amok. The tobacco plan the Administration supports will raise over half a trillion dollars in new taxes to fund a host of programs and special interests unrelated to smoking and public health. It will create 17 new federal bureaucracies, and force the price of a pack of cigarettes over \$5 in five years, which will in turn create a huge black market that will have unregulated access to kids."

SOURCE Scott Williams

-0-

04/20/98

/CONTACT: Scott Williams, [P6/(b)(6)] or Steve Duchesne,

[005]

[P6/(b)(6)]/

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: sgegenhe ( sgegenhe@os.dhhs.gov [ UNKNOWN ] )

CREATION DATE/TIME:21-APR-1998 20:32:49.00

SUBJECT: Calls to Editorial Writers on Needle Exchange

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

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

TEXT:

Melissa Skolfield asked me to let you know that Secretary Shalala spoke with New York Times and USA Today editorial writers this afternoon on needle exchange. In addition, Melissa spoke with Walter Shapiro, who writes a political column for USA Today. She says he may call you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:22-APR-1998 14:03:17.00

SUBJECT: Meeting w/ Kennedy and Conrad

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: David R Thomas ( CN=David R Thomas/O=OVP @ OVP [ OVP ] )

READ:UNKNOWN

CC: Kay Casstevens ( CN=Kay Casstevens/O=OVP @ OVP [ OVP ] )

READ:UNKNOWN

TEXT:

Regarding the VP's paper briefing for his meeting w/ Senators Kennedy and Conrad, I was wondering if anyone had any thoughts on what information to include in the briefing. I have a two-pager that Kennedy sent to the VP on his concerns w/ the McCain bill. I can include that and any information you have on Conrad's concerns. I'm happy to call over to Conrad's office, but I don't want to interfere w/ your communications with the Hill.

I assume much of the information will be told to the VP in person in the briefing prior to the meeting tomorrow. Let me know. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:30-APR-1998 18:09:37.00

SUBJECT: Wonderwonk

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

READ:UNKNOWN

TEXT:

Very nice piece. My advice is to get out before it gets worse. It only goes down hill from the fawning TNR profile.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Bjlepard ( Bjlepard <Bjlepard@aol.com> [ UNKNOWN ] )

CREATION DATE/TIME:10-MAY-1998 19:48:22.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

I. What We Need to Get

#### A. Lookback Penalties

The most important (and most difficult) concession we need to secure in these

discussions is to strengthen the lookback penalties by increasing the cap and

adding a company-by-company component. Along with liability, this is the number-one concern for Conrad, Waxman, and many public health advocates.

But

Hollings and the industry will vehemently resist any increase in penalties as

a backdoor way to drive up the price of a bill they think costs too much already. McCain might have given us these changes in committee, but

Hollings

said no.

In its current form, the McCain bill includes industrywide penalties of up to \$3.6 billion, the precise equivalent of a 20% miss. Instead of a company-specific penalty, the McCain bill includes a provision that could theoretically deny liability protection to a company that missed the targets

by more than 20% -- but in its current form the provision is meaningless.

In an earlier memo, we described three options on how to meet our concerns:

1) raise the cap to \$4-5 billion, and add a company-specific penalty of \$500 per youth smoker; 2) raise the cap to \$4-5 billion, and add a company-specific penalty of \$20 million per percentage point (the virtual equivalent of \$500 per youth smoker); or 3) raise the cap to \$5 billion, with companies paying the first \$4 billion on the basis of adult market share and the last \$1 billion on the basis of youth market share. These are the options you described to McCain in your office. We offered to explain these options in more detail to John Raidt, but he has yet to take us up on it.

We now think we have an even better idea that stacks these approaches in a way that might sound more attractive to the public health community but also fits more neatly into the current McCain bill. Here's how it would work: The first 20% would be paid industrywide, as in McCain. Once that level was reached, any company that missed by more than 20% would be assessed an uncapped company-specific penalty of \$500 for each youth smoker beyond the 20% miss. Under this scheme, there is no cap on penalties - just an industrywide tier for the first 20% and a company-specific tier beyond 20%. But because the company-specific component is reasonable, and doesn't kick in until 20%,

there's no need for a cap because it won't put anybody out of business. Treasury estimates that even if youth smoking didn't decline at all, and companies had to pay for a 60% miss in year 10, Philip Morris would pay a company-specific penalty of less than \$500 million.

Waxman will never be satisfied with these amounts, and whatever we get will suffer by comparison to the Meehan-Hansen bill, with over \$1.00 a pack in company-specific penalties. But being able to say we have penalties that are uncapped with a company-specific component will go a long way with the rest of the public health crowd. Moreover, it only requires one change in the McCain bill: replacing the current unworkable company-specific provision linking a 20% miss to liability protection with our company-specific idea. We might be able to convince Hollings that such a trade isn't so bad from the industry's standpoint. (The public health community doesn't seem to care about the current provision, but industry analysts were somewhat alarmed by it.)

Recommended starting position: In order to end up with the plan we outlined, we may have to stake out an opening bargaining position that is somewhat stronger: for example, raising the industry cap to \$5 billion, and adding an uncapped company-specific penalty of \$500 for every youth smoker (not just the

ones above a 20% miss). (We could start at \$750, although that is more than

we discussed with McCain.) Another idea we could raise to frighten Hollings

(and eventually relent on) is the prospect of seeking to strengthen the link

between a 20% miss and loss of liability protection.

## II. What We Can Give

### A. Volume Adjustment

The most valuable concession we can make in these discussions is to allow the annual payments to be adjusted for volume in the first five years (the current volume adjustment doesn't begin until after year 6). This change would give the industry the certainty of knowing that the annual payments won't increase cigarette prices by more than \$1.10 a pack, even if volume plunges. It could also reduce available revenue in the 5-year budget window by \$5-10 billion. But it is a concession we almost certainly have to make in order to keep Joint Tax from scoring the McCain bill as an increase of \$2 a pack. (Joint Tax is currently assuming higher retail markups and other factors that will keep

the  
price around \$1.50 even with a volume adjustment.)

In the first five years, the McCain bill provides for fixed payments by tobacco manufacturers of \$93 billion (plus a \$10 billion voluntary upfront payment). We estimate that these payment levels will reduce consumption by 23% and result in an effective real price increase of \$1.10 per pack by 2003. Beginning in 2005, the McCain bill would adjust these payments as consumption rises or falls, thereby keeping the per pack cost constant.

The industry and Wall Street were quick to criticize this approach as a death spiral, because the companies would still have to pay \$93 billion over 5 years even though they expect consumption to drop nearly twice as fast as we projected. Our \$1.10 is based on consumption at 17.7 billion packs in 2003. If consumption fell to 13 million packs, as many analysts predict, that would rise to \$1.50. The industry also argues that at those prices, black market sales would significantly reduce legal consumption, driving the price of the settlement per pack higher still.

The major drawback of a volume adjustment is that instead of locking in \$65 billion over 5 years, we'll end up with somewhat less. Joint Tax is

likely to

assume a larger drop in consumption than Treasury, so with fewer packs sold,

\$1.10 a pack will bring in less money. (We've asked OMB and Treasury to prepare a memo on where they think Joint Tax will come out.)

We propose a volume adjustment that begins in year 2, and would be based on the difference in the prior year between actual volume and the estimated level. The June 20th settlement was volume adjusted from the outset, which made the 25-year sticker price (\$368.5 billion) sound bigger than it really was (\$303 billion after volume adjustments, by our estimate). We have the opposite goal - to come as close to \$516 billion as we can.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Bjlepard ( Bjlepard <Bjlepard@aol.com> [ UNKNOWN ] )

CREATION DATE/TIME:10-MAY-1998 19:51:48.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

We are meeting with McCain and Hollings' staff on Monday morning to discuss a number of design issues that might be resolved before we reach the principals' level. These include 1) how much to charge smokeless manufacturers; 2) how to structure the \$6.5 billion liability fund; 3) licensing and anti-smuggling provisions; 4) document disclosure; 5) inflation adjustments and other technical issues; 6) whether to reduce the 17 so-called new federal bureaucracies; 7) asbestos; and 8) a new title that would contain any consent decree with the industry.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:13-MAY-1998 14:39:38.00

SUBJECT: Dr. Koop - FYI

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

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

TEXT:

The only feedback I got back from the VP on the Koop call is that Koop is very worried about the Finance Committee bill.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:15-MAY-1998 17:38:42.00

SUBJECT: 100,000 Teachers

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

TEXT:

Why would we take this off the list of authorized spending? This makes no sense to me.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. email	Patricia Kaeding to Elena Kagan re: fax (1 page)	05/22/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/11/1998 - 05/15/1998]

2009-1006-F  
ds285

### 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]

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -003**

**[05/26/1998-09/04/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Ron Klain to Elena Kagan re: Personal (1 page)	07/02/1998	Personal Misfile
002. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Tuesday 15:29:55 (1 page)	07/19/1998	Personal Misfile
003. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Tuesday 16:14:12 (3 pages)	07/20/1998	Personal Misfile
004. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Personal (1 page)	07/28/1998	Personal Misfile
005. email	Christopher Edley, Jr. to Elena Kagan and Maria Echaveste re: Personal (1 page)	08/26/1998	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

**FOLDER TITLE:**

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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 (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:26-MAY-1998 20:02:10.00

SUBJECT: Dr. Kessler

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

TEXT:

The Vice President spoke to Dr. Kessler today and reported that Dr.

Kessler wants the White House to issue a statement encouraging the Senate to keep working on the McCain bill and to pass it (even if it has flaws) and keep the ball moving. He said he felt like we needed to keep the momentum moving. The VP said he thought that was a good idea and would push for it.



## Senator Gramm's Marriage Penalty Proposal

### Proposal

The proposal would give a deduction of \$3,450 (in 1999) to married couples filing a joint return who have combined incomes below \$50,000. (This \$3,450 deduction is the difference between the sum of the standard deductions for a single filer and a head of household filer and the standard deduction for a joint filer.) The deduction would be available to all such couples, whether or not they itemized deductions (i.e., the deduction would be "above-the-line"). Since couples in this income range are in the 15 percent bracket, the deduction is worth \$518 as long as they have sufficient tax liability. The deduction also reduces income for purposes of the phaseout of the Earned Income Tax Credit (EITC), so couples with incomes in the phaseout range of the EITC will get a larger credit.

*Example.* For a couple with two children and \$30,000 of wage income, taxes would decline by \$1,244. The decline is larger than \$518 because this couple would receive a larger EITC. For couples with income above approximately \$32,000 (and below \$50,000), the tax cut would normally be \$518.

### Pros

- o Gives a tax cut to 20.1 million filers which is quite progressive, since only couples with income below \$50,000 would benefit.
- o Would extend the EITC to additional low-income working families, and increase the EITC for many current recipients.

### Cons

- o Would cost **\$46.4 billion through 2003**, and approximately **\$10.5 billion per year** after 2003. This would crowd out much of the proposed expenditures in the tobacco bill.
- o The proposal has little to do with marriage penalties (other than the fact that it is giving a significant tax cut only to married taxpayers).
  - For example, a one-earner childless couple with \$50,000 of income already has a marriage bonus of over \$3,000; the proposal would simply increase this bonus. The marriage penalty for a childless two-earner couple, each with \$25,000 of income, is only about \$200; the proposal would more than eliminate this penalty.
  - Only about **40 percent** of the revenue loss would actually reduce marriage penalties.
- o The provision would create a "cliff," whereby couples with \$50,000 of income would get a tax cut of \$518 while a couple with \$1 more of income would get nothing. This creates large disincentives to earn income or large incentives to misreport income for taxpayers with incomes above the cliff.

## Alternative to Gramm Marriage Penalty Proposal: A "Mini-Gramm" Proposal

### Proposal

The cost of the Gramm proposal could be substantially reduced by basing the deduction on the difference between the sum of the standard deductions for two single filers and the standard deduction for a joint filer (this would make the deduction \$1,450 in 1999). The deduction could also be phased in, 25 percent in 1999, 70 percent in 2000, and 100 percent beginning in 2001. In addition, the cliff would be removed by phasing out the deduction by \$0.10 for each \$1.00 of income above \$50,000. The \$50,000 income limit would be indexed after 1999, as in the Gramm proposal, but using a \$1,000 round down rule (rather than the \$5,000 round down rule in the Gramm proposal).

In 1999 the deduction would be  $25\% \times \$1,450 = \$362.50$ , which would have a tax value at 15 percent of \$54. When fully phased in, the deduction (at the 1999 level of \$1,450) would have a tax value of \$218.

**Example.** Using the fully phased in value of the deduction at 1999 levels, for a couple with two children and \$30,000 of wage income, taxes would decline by \$523. The decline is larger than \$218 because this couple would receive a larger EITC. For couples with income above approximately \$32,000 (and below \$50,000), the tax cut would normally be \$218. Couples with incomes between \$50,000 and \$64,500 (where the phaseout of the deduction would end) would receive some tax cut.

### Advantages Relative to the Gramm Proposal

- o The cost of this "Mini-Gramm" proposal would be **\$19.3 billion through 2003** and approximately **\$5.7 billion per year** after 2003, about half the cost of the full Gramm proposal.
- o This proposal would provide a tax cut to more couples (27.3 million versus 20.1 million), because of the phaseout of the deduction above \$50,000 of income.

### Disadvantages Relative to the Gramm Proposal

- o Most of the revenue loss would still go to marriage bonuses.
- o This proposal is less progressive than the full Gramm proposal, although nearly all of the tax cut, over 83 percent, would still go to couples with incomes below \$50,000.

## **Alternative to Gramm Marriage Penalty Proposal: Increase Standard Deduction for Joint Filers to Double the Single Amount**

### **Proposal**

The standard deduction for joint filers would be increased to double the amount for single filers (this increase would be \$1,450 in 1999). The increase in the standard deduction would also reduce income for purposes of the phaseout of the EITC. The increase would be phased in, 25 percent in 1999, 50 percent in 2000, 75 percent in 2001 and 100 percent beginning in 2002.

In 1999 the increase in the standard deduction for joint filers would be  $25\% \times \$1,450 = \$362.50$ , which would have a tax value for couples in the 15 percent bracket of \$54 and \$102 for couples in the 28 percent bracket. When fully phased in, the increase in the standard deduction (at the 1999 level of \$1,450) would have a tax value of \$218 for couples in the 15 percent bracket, and \$406 for couples in the 28 percent bracket.

*Example.* Using the fully phased in value of the increase in the standard deduction at 1999 levels, for a couple with two children who use the standard deduction and have \$30,000 of wage income, taxes would decline by \$523. The decline is larger than \$218 because this couple would receive a larger EITC. Couples who itemize deductions with incomes below roughly \$32,000 would have modest tax reductions because of the change in the EITC phaseout.

### **Advantages Relative to the Gramm Proposal**

- o The cost of this proposal would be **\$20.0 billion through 2003** and approximately **\$6.8 billion per year** after 2003.
- o The proposal would simplify filing, reducing the number of filers who itemize deductions by 3.1 million (from 39.2 million to 36.1 million). (These counts, and those given below, are based on fully phased in levels of the increase in the standard deduction in 1999.)
  - The Gramm proposal would make tax returns and filing somewhat more complex.
- o This proposal is more efficiently targeted at reducing marriage penalties than the Gramm proposal, with more than 50 percent of the revenue loss directly reducing marriage penalties (the corresponding figure for the Gramm proposal is 40 percent).
- o More couples (26.1 million versus 20.1 million) would receive a tax cut under this proposal than under the Gramm proposal.

### **Disadvantages Relative to the Gramm Proposal**

- o The proposal is less progressive than the full Gramm proposal, with **62 percent** of the benefits would go to couples with incomes below \$50,000, and over **95 percent** would go to couples with incomes below \$100,000.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-JUN-1998 09:29:30.00

SUBJECT: Tobacco event for VP

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

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

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

CC: Lawrence J. Haas ( CN=Lawrence J. Haas/O=OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

Bruce: I want to make sure that the VP is doing something public to try to push the bill along (and so that there are no claims that he and POTUS were AWOL if the bill flags this week). I also, of course, do not want to do anything provocative for our efforts.

What do you think of bringing in some groups to meet with him in the Roosevelt Room on Thursday or Friday, and then having a pool spray at the top where the VP just says, 'I hope the Senate will work hard to make as much progress as soon as possible.'

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 4-JUN-1998 17:15:18.00

SUBJECT: VP's Tobacco Event on Friday

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

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

TEXT:

Ron Klain requests that Bruce and/or Elena attend the VP's briefing before his tobacco event tomorrow (Friday). The briefing is scheduled from 12:45 - 1:00 in the VP's WW office and the event is on in the Roosevelt Room from 1 - 1:45 and will include the VP and 40 tobacco-free kids. Thanks very much.

I will let you know if the time changes.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 8-JUN-1998 10:04:39.00

SUBJECT: VP Interview w/ New York Times

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

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

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

TEXT:

The VP is scheduled to do an interview this afternoon w/ Jeff Goldberg of the New York Times Magazine re: the tobacco industry. After speaking to Cynthia on Friday, Larry and I came up w/ the attached draft Q & A. (Goldberg told Larry these are the questions he'll ask the VP).

Could you please review the attached document and let me know if you have any changes. Thank you.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D99]ARMSZZ000N1DE.000 to ASCII,  
The following is a HEX DUMP:

```
FF575043B4040000010A02010000000205000000361E000000020000032EB807D1D25274693E626
538A168A23ED7930DFC72F58B53B7716AD1647E419A4CC8D90AF54D581EA79DA6541501C32C35D
9B5C0B0EB3A3CDBD767A963ECE9418C50411E754ADC05D0BE055B51B757AC897A3F56A8331A91F
65106A7BD00ECE7C0CC0EAE51EFC60EE5BFDC31886B31D06E7B775C24051D73E2FAD716B9CCB7
34DB813BB3A2794B8FCE427B5E5F540DCFBA71E71C582A245398967DD96F20CDE76FE52782587A
BD8ED45E898F59204564FEF2045647243480E5FC59D8A3C7B111C836F0A6E8BAB6E2AD9582E86F
D12A913483D9523957CA8FE1E4A1484EF176B64ACED9D23DE64F29D9E45237A86BD663FE088A64
90B04067F4FD21132084B478171CF87723FBA226B51C902D1B43079C4EEFA3A0FC343DF5532260
B3B5039D6B578C10ACC5599C5F30F4217D9DF1E49050DE04AD582A0AFBA3D79E415661508D3DD0
25FE17CE80BA424EEA1306D146E951D9A6C1A577DC427B3598CABF88F5C121F585C59D02B8A7D1
AB952AEE2ED7432C8846A2EE0962354CF03AB0D48A378396F7F848ABC3C555DE89CD447C14E23A
1581722B70E37A87AAC3296EA518BEB9EE5F449C845E2981D327D0226E0ECCEE88179F8254D98D
4929EAE6B6BB2085BDDD3318D2BEB5780235664811F910440FEF2883BA8B975AD4960FE2559875
```

**Q AND A**

**INTERVIEW WITH JEFF GOLDBERG, *NEW YORK TIMES* MAGAZINE**

**Q: How do you explain the shifting moral climate with regard to cigarettes and the tobacco industry?**

**A: I would point to a few things:**

- 1. The release of the company documents, showing that the tobacco industry has been targeting their addictive and deadly product to our children.**
- 2. The aggressive advertising campaigns, such as the one around Joe Camel, which so obviously was geared toward children.**
- 3. The growing consciousness of Americans of the need to care for their own health and that of their children.**

**Q: How do you explain the fact that the companies have lost all their friends in Congress?**

**A: Well, they clearly have lost some friends in Congress.**

**I would point to a few things:**

- 1. The release of the company documents, showing that the tobacco industry has been targeting their addictive and deadly product to our children.**
- 2. The aggressive advertising campaigns, such as the one around Joe Camel, which so obviously was geared toward children.**
- 3. The growing consciousness of Americans of the need to care for their own health and that of their children.**

**But I'm not sure they have lost all of their friends in Congress.**

**There are many in Congress who do not believe we need legislation to reduce youth smoking and have spent weeks trying to defeat it.**

**Otherwise, we would already have a bill in place.**

**I think the tobacco industry is still very powerful.**

**In fact, they have spent more than \$50 million in the last couple of months on advertising on television to try to kill the tobacco legislation.**

**Q: What do you think was wrong with the original settlement?**

**A: The main problems are that:**

- 1. It did not raise the price of cigarettes enough to result in a real and dramatic reduction in youth smoking (the settlement would only raise the cigarette price by 62 cents a pack),**
- 2. It weakened the FDA's authority to regulate tobacco products, and**
- 3. It did nothing to protect tobacco farmers and their communities.**

**Q: What do you think the country will look like, in terms of smoking, in 10-15 years?**

**A: We expect that tough legislation will be enacted this year and will result in a dramatic downturn in smoking, especially among young people.**

**With a significant per pack price increase, tobacco advertising restrictions, and further efforts to enforce youth access to tobacco products, we expect to cut youth smoking nearly in half in five years.**

**Therefore, I expect there will be far fewer smokers, especially young smokers in 10-15 years.**

**I hope that as a result of the advertising restrictions, and a new sense of activism among young people, there will be a shift in attitudes among young people away from the idea that smoking is cool and toward the position that smoking is an addictive and deadly habit.**

**Q: What impact do you think the Administration had on the debate?**

**A: I think we have had an enormous impact.**

**President Clinton was the first President to take on the powerful tobacco industry and take a tough stand to protect our nation's young people from the dangers of tobacco.**

**In 1995, the President announced a new FDA rule to restrict advertising, promotion, distribution and marketing of cigarettes to teenagers.**

**Last year, the first phase of this rule went into effect, making it the law of the land that no one under 18 can buy tobacco products and that retailers must check the ID of anyone under 27.**

**Following the release of the tobacco settlement, the Administration pointed out the flaws in that settlement (see above), and the President outlined the five guiding principals that must be present in any tobacco legislation.**

**It was these principals that formed the framework for the debate in Congress.**

**Now, the President is calling for comprehensive tobacco legislation that will reduce youth smoking by nearly half over the next five years --stopping almost 3 million young people from smoking and preventing almost 1 million premature deaths by 2003.**

**This Administration continues to work closely with Congress.**

**Following the Senate Commerce Committee vote of 19-1 on the McCain bill, we sought the following improvements to the bill:**

- 1. Strengthen the penalties, by including a company-specific component and increasing the industry-wide surcharge cap above \$3.5 billion.**
- 2. Eliminate the "opt-out" provision that allows states to adopt weaker environmental tobacco smoke ("second-hand smoke") laws.**
- 3. Eliminate or narrow the antitrust exemption.**
- 4. Ensure spending on research, public health, and farmers, and press for spending on child care and education (or at least a menu including these programs).**

**Due to this Administration's leadership and commitment to reducing youth smoking, we are on the brink of improving the health and well-being of a generation of children and reversing the dangerous practices of the tobacco**

Automated Records Management System  
Hex-Dump Conversion

**industry.**

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 8-JUN-1998 15:23:53.00

SUBJECT: VP Call to the NY Times

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

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

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

TEXT:

The VP's interview w/ Jeff Goldberg at the New York Times went fine.

Goldberg didn't really ask any of the questions we were expecting. He

asked the VP about the lack of momentum on the bill...where the

Administration is....if he thinks Stephen Goldstone and the other tobacco

executives are evil ... how he responds to their charges that this

legislation is all a big lie...

I think the VP did a good job in answering these questions. He strongly talked about how the Administration has been pushing this for years and that the issue is really about children (a pediatric disease). He said he would not get personal about his disagreements w/ Larry Tisch or Goldstone. He said the tide shifted on this issue as people saw the documents and realized this is about children. He said that we are in no way trying to limit tobacco companies from marketing and selling to adults.

Thanks for all of your help again.



DRAFT

**STATEMENT ON TOBACCO DOCUMENTS  
FOR THE VICE PRESIDENT  
JUNE 30, 1998**

*Automated Records Management System  
Hex-Dump Conversion*

But before we begin, I want to comment on a recent development, by using some of the plainest language I know: Smoking Kills. Just this past weekend we found even more evidence to prove that the tobacco companies have been targeting our children for decades -- a Lorillard document from 1978 state bluntly: the "base of our business is the high school student."

Let me say on behalf of President Clinton that the base of our business is protecting Americas children. That is why the President and have been working so hard to pass comprehensive tobacco legislation to reduce youth smoking and save one million precious lives.

The tobacco company documents revealed over the weekend only reinforce what we have seen in hundreds of other documents released in the past several months which confirm that for decades: the tobacco industry did intense research on the smoking habits of children as young as 12, the tobacco companies knew their product was addictive and deadly, tobacco companies knew a price increase would drive down the number of young people smoking and that tobacco companies have continued to market their products to young people.

In one 1984 RJR document entitled "Younger Adult Smokers: Strategies and Opportunities" they say young adult smokers are "the only source of replacement smokers." A 1987 Philip Morris memo states "It is clear that price has a pronounced effect on the smoking prevalence of teenagers." Another RJR document from 1973 states that "many manufacturers have "studied" the 14-20 year-old market in hopes of uncovering the "secret" of the instant popularity some brands enjoy."

These outrageous and immoral actions by the tobacco industry aimed at our kids is why the President and I have worked so hard to reduce youth smoking. The President and I worked with Congress to pass comprehensive legislation to: raise the price of cigarettes, stop tobacco companies from marketing to kids, invest in anti-smoking programs and research and give kids a healthy future.

The President and I strongly believe that high school students should not be the base of business for the tobacco industry and neither should Congress. The President and I will continue to expose the deceptions and lies of the tobacco industry through these documents and not stop until comprehensive legislation is passed by Congress and signed into law by the President.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Ron Klain to Elena Kagan re: Personal (1 page)	07/02/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:14-JUL-1998 11:28:18.00

SUBJECT: Vice President's NAACP speech

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

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

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

TEXT:

Below, and attached, are text of memo I gave, at request of VP's staff, to Maria yesterday concerning a proposed education insert for the VP's NAACP address on Thursday. The problem is that the speech is a rather content-free, and this is a proposed solution, complementing the usual laundry list of accomplishments and such. It suggests four "principles" in an effort to me modestly visionary.

1. Standards/excellence,VNT (yes, I choked)
2. Opportunity to learn - but note how mild, watered down, non-federal and bully-pulitish
3. Cut attainment gap in half -- modeled after the health disparities initiative, but state-focused and hortatory
4. Integration, based on POTUS sentiments on the subject, voiced most recently at the PBS roundtable.

The question is whether it is possible to clear something along these lines for the Vice President to use, even though we haven't consulted governors

and the Organization of American States.

I sent this to Mike Cohen yesterday because Maria was going to call him, but you ought to have it because now she says she may call you, sometime this morning.

Eli Attie is working on the speech.

Ciao.

PS: Thanks for your counsel yesterday.

-----  
  
7/13/98

To: Maria Echaveste

From: Christopher Edley, Jr.

Re: Vice President's Gore's NAACP Speech - Clearance of Education  
Issues

Attached is a series paragraphs containing some education ideas I would

like the Vice President to consider for his NAACP speech on Thursday. I know time is short. The question is, can something like this get clearance? The VP's office is interested, but we have not shared it with the Vice President yet. Everyone's concern is that the policy process just moves too slowly to get this done. Is that true?

I apologize for my tardiness. I should have proposed this weeks ago. I was wasting my time on other matters.

Cc:

Mike Cohen, DPC

Eli Attie, OVP

[insert follows . . .]

I believe we can do better. I believe we can hold ourselves to a higher standard. I believe that if we give them the opportunity, every child in America can learn. And I believe it's time to stop pointing fingers and start joining hands to fix our schools -- because we don't have a child to waste.

Today, I want to suggest four clear principles to guide us, four core values to guide us as we move forward in the struggle: excellence, opportunity, achievement, and integration.

First, we will not get excellence from our children until we demand it - demand it from students, parents, teachers and administrators. - from

everyone. That is why President Clinton has called for voluntary national tests in the basics: 4th grade reading, and 8th grade math. excellence from all requires accountability for all. When it comes to education, the era of excuses must be over.

Second, I believe that every state and school district should define a basic level of opportunity for our children -- including the right resources and the right climate for learning -- and then measure whether classrooms and schools are meeting that goal. if kids don't get a chance to take algebra, or learn English; should we be surprised by low sat scores or high drop out rates? every child deserves a basic opportunity to learn, and the NAACP can play a role in holding local schools and officials accountable.

Third, I believe that every state and school district should set a goal of cutting in half the achievement gap between the richest and the poorest students, and among different racial and ethnic groups, over the next decade. And fourth, at time when America is becoming more diverse, too many of our schools are becoming less diverse. I believe we must reverse this trend, and recommit ourselves to integration and diversity in our schools using voluntary tools such as public school choice, charter schools and magnet schools. the best education is one which prepares students for the diversity in America. we must break down the walls between us, to understand our neighbors, and since everyone can't be in the army, our best hope for doing that is through the experiences we give our children in school.

These four principles are not some distant dream -- they are the foundation for the education battles we are fighting right now -- battles we must wage for our children's future.

Let's start by passing President Clinton's plan to hire 100,000 highly trained teachers to reduce class size in the early grades from an average of 22 to 18.

Then let's hire another 35,000 teachers in our poorest schools, and improve the quality of their teaching.

Let's pass Senator Carol Moseley-Braun's \$22 billion plan to rebuild and modernize our schools -- because we can't lift our children up in schools that are falling down.

Let's pass Congressman Chaka Fattah's High Hopes program -- to tell children as early as elementary school: if you work hard and stay in school, we'll give you mentoring, we'll give you tutoring, and we will guarantee you the help you need to pay for college.

And in this new economy and Information Age, let us close the digital divide that throws up new barriers to opportunity, and to the high-paying jobs of the future.

Think about it: if we put computers and the Internet in every classroom and school library in America, along with trained teachers, we'll never again have to worry that schools lack the latest textbooks, or good library collections. Every child in every community -- from the most remote rural district to the poorest inner city school -- will have access to the same vast universe of information.

And now we need the E-Rate -- so Internet connections will be greatly discounted for 30,000 schools, and almost free for the poorest schools.



7/13/98

To: Maria Echaveste

From: Christopher Edley, Jr.

Re: Vice President's Gore's NAACP Speech – Clearance of Education Issues

Attached is a series paragraphs containing some education ideas I would like the Vice President to consider for his NAACP speech on Thursday. I know time is short. The question is, can something like this get clearance? The VP's office is interested, but we have not shared it with the Vice President yet. Everyone's concern is that the policy process just moves too slowly to get this done. Is that true?

I apologize for my tardiness. I should have proposed this weeks ago. I was wasting my time on other matters.

Cc:

Mike Cohen, DPC  
Eli Attie, OVP

[insert follows . . .]

I believe we can do better. I believe we can hold ourselves to a higher standard. I believe that if we give them the opportunity, every child in America can learn. And I believe it's time to stop pointing fingers and start joining hands to fix our schools -- because we don't have a child to waste.

Today, I want to suggest four clear principles to guide us, four core values to guide us as we move forward in the struggle: excellence, opportunity, achievement, and integration.

**First, we will not get excellence from our children until we demand it -- demand it from students, parents, teachers and administrators. -- from everyone. That is why President Clinton has called for voluntary national tests in the basics: 4th grade reading, and 8th grade math. excellence from all requires accountability for all. When it comes to education, the era of excuses must be over.**

**Second, I believe that every state and school district should define a basic level of opportunity for our children -- including the right resources and the right climate for learning -- and then measure whether classrooms and schools are meeting that goal. if kids don't get a chance to take algebra, or learn English; should we be surprised by low sat scores or high drop out rates? every child deserves a basic opportunity to learn, and the NAACP can play a role in holding local schools and officials accountable.**

**Third, I believe that every state and school district should set a goal of cutting in half the achievement gap between the richest and the poorest students, and among different racial and ethnic groups, over the next decade. And fourth, at time when America is becoming more diverse, too many of our schools are becoming less diverse. I believe we must reverse this trend, and recommit ourselves to integration and diversity in our schools using voluntary tools such as public school choice, charter schools and magnet schools. the best education is one which prepares students for the diversity in America. we must break down the walls between us, to understand our neighbors, and since everyone can't be in the army, our best hope for doing that is through the experiences we give our children in school.**

**These four principles are not some distant dream -- they are the foundation for the education battles we are fighting right now -- battles we must wage for our children's future.**

Let's start by passing President Clinton's plan to hire 100,000 highly trained teachers to reduce class size in the early grades from an average of 22 to 18.

Then let's hire another 35,000 teachers in our poorest schools, and improve the quality of their teaching.

Let's pass Senator Carol Moseley-Braun's \$22 billion plan to rebuild and modernize our schools -- because we can't lift our children up in schools that are falling down.

Let's pass Congressman Chaka Fattah's High Hopes program -- to tell children as early as elementary school: if you work hard and stay in school, we'll give you mentoring, we'll give you tutoring, and we will guarantee you the help you need to pay for college.

And in this new economy and Information Age, let us close the digital divide that throws up new barriers to opportunity, and to the high-paying jobs of the future.

Think about it: if we put computers and the Internet in every classroom and school library in America, along with trained teachers, we'll never again have to worry that schools lack the latest textbooks, or good library collections. Every child in every community -- from the most remote rural district to the poorest inner city school -- will have access to the same vast universe of information.

And now we need the E-Rate -- so Internet connections will be greatly discounted for 30,000 schools, and almost free for the poorest schools.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Tuesday 15:29:55 (1 page)	07/19/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Tuesday 16:14:12 (3 pages)	07/20/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal re: Personal (1 page)	07/28/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:30-JUL-1998 17:48:14.00

SUBJECT: POTUS Race Book "Accomplishments" chapter

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

READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )

READ:UNKNOWN

TEXT:

I have a team of PIR staff helping me with the book, and Michele Cavataio has agreed to be the "project manager" for this little part of the exercise. But DPC, NEC and OMB are, obviously, the real contributors here.

What I envision is that Michele will help me make sure that the help we need from those offices doesn't fall through the cracks in the press of ordinary business. I'm looking to you, however, as the senior person to be most involved in ensuring that the White House story is developed. Make sense?

If so, then the question is, with whom in your shop should Michele work as a point of contact? (And will you instruct that person accordingly, if it isn't you.) Can you also please identify an appropriate person at NEC? -- But I'd really rather just work with you on this.

As a first step, Michele is going to (a) put together a couple of options for how the accomplishments chapter might be structured, and (b) build a file of existing Administration Accomplishments documents. When she's completed the options (in a couple of days), perhaps the three of us should have a conference call to discuss the right structure, and then strategize about a production process?

Also -- how would you feel about involving my dear friend Josh? He has lots of horses at his disposal, and might be feeling a bit underutilized.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 5-AUG-1998 23:42:35.00

SUBJECT: Re: next steps

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

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:  
Fabulous notes. Geez.

Small comments, in no particular order:

a. I would say that MAYBE these need elevation to POTUS. I favor developing the memo (with all the work that entails) and dropping out or adding as that process indicates. In other words, this shouldn't be viewed as a final list.

b. We really are killing four birds with one stone, and it makes sense to bear that in mind. The birds are: (1) updating POTUS on a few items; (2) plotting Administration priorities for the next two years and getting the needed policy signals to accomplish that; (3) flagging anything that has budget implications for FY 2000; (4) getting some bold thinking in front of POTUS for his race book.

c. In regard to the last item, b(4), we need a mini-working group not only to help process the memo, but also to think about ideas that may not be federal, or that may be longer range, or whatever. And, I dunno, maybe there's something about Native Americans. Maybe discrimination in the context of immigration enforcement. Anyway, I'd like a little working group, with charter not only to assist with Eddie's POTUS memo, but the broader brainstorming I need for the book.

d. I don't want any of this morning's discussion to leave the impression that I am anything but wildly enthusiastic about biting the bullet on 8(a) and SDB programs -- or at least putting before POTUS the option of doing so. I believe Maria agrees. BUT I DID NOT LEAVE THE DISCUSSION WITH A SENSE OF WHO HAS THE LEAD IN DRIVING 8(a) REFORMS FORWARD. If not WH COUNSEL, then who? Would be nice to get something signed off on by the time of the book. Erskine and Cassandra designed a package of changes that are sitting on the shelf to consider.

e. I just want to reiterate that there is serious intellectual work involved in many of these issues. There is hard conceptual stuff that ought to be framed in a way with the general way POTUS will discuss racial and ethnic justice, etc. Obvious point, but when the lawyers in the basement start arguing about everything, we'll have to remind folks to keep the big picture in mind. (Once we paint it.)

f. This is a large agenda. I urge Eddie to make use of Jacinta Ma, an attorney with a strong civil rights background, from the PIR staff. In addition, Maria will have a White House Fellow starting in September, who is an attorney with some civil rights experience and interest.

\*\*\*\*\*

At 04:52 PM 8/5/1998 -0400, Edward\_W.\_Correia@who.eop.gov wrote:

> Chris asked me to summarize my notes of our meeting this morning in  
> order to review the civil rights enforcement issues we identified as  
> particularly significant. I list these below, as well as my recollection  
of

> the remainder of our discussion. Please let me know if you have  
corrections  
> or additions.

>

> We identified the following "frontier" civil rights enforcement  
issues

> as significant enough to warrant review by the President:

> 1) higher education admissions, including the use of standardized  
> tests and the way we choose to articulate and support the Bakke decision;

> 2) high stakes testing in other settings, such as elementary and  
> secondary schools;

> 3) single sex schools;

> 4) magnet and charter schools, including the appropriate use of race  
> by these schools in creating a diverse student body and our enforcement  
> strategy if schools exclude groups in violation of the civil rights laws;

> 5) the importance of testers in civil rights enforcement, as used by  
> the EEOC and other enforcement agencies;

> 6) achieving diversity in employment and ownership in the  
broadcasting

> industry, including the status of the challenge to the FCC's employment  
> rules and strategies to diversify ownership;

> 7) our efforts to achieve "environmental justice," i.e., challenging  
>decisions of local government or other recipients of federal funds in land  
>use planning decisions that have a discriminatory impact.

>

> In addition to these issues, we may, after further review, want to  
>include language discrimination by employers and religious discrimination.  
>Also, the question of reforms in the 8(a) program may warrant review, both  
>as a legal matter based on our need to comply with Adarand and as a policy  
>matter, based on the desire to make the program more effective.

>

> In regard to policy issues that Chuck and I contemplated including in  
>a memo to the President, particularly pipeline strategies for higher  
>education, there was a strong recommendation to include these as a part of  
>the regular budget process. I will convey this recommendation to Chuck and  
>discuss with Elena and Mike Cohen how that would be done. Finally, there  
>was a consensus that we need some kind of regular White House review of  
>civil rights enforcement policy and strategies. One possibility is a  
>meeting every month (perhaps 6 weeks) involving DPC, Counsel's Office,  
>other White House staff where appropriate, the heads of the enforcement  
>agencies and some agency staff.

>

>

>

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 6-AUG-1998 20:57:30.00

SUBJECT: Race Book working groups

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:

Elena, Mike, Josh:

Here's where we are and where I'd like to go.

1. Working groups in Education, Criminal Justice, Economic Development and, sort of, Civil Rights Enforcement. My partners on each topic are, respectively, Elena/Mike, Elena, Josh and Eddie.

2. For the time being, at least, working with me as staff are: Michele Cavataio (K-12); Scott Palmer (higher ed and criminal justice); John Goering (economic dev); and Jacinta Ma (civil rights).

3. I'd like to have initial meetings of these working groups ASAP. Eddie is trying to arrange Civil Rights for Monday around 3 pm; Jacinta is working

4. (a)

with him on a

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 9-AUG-1998 20:22:51.00

SUBJECT: book working groups -- RETRANSMIT

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jane T. Price-Smith ( CN=Jane T. Price-Smith/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

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

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

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:  
Sorry -- hit the send button before I was done.

Maria, Elena, Mike, Joshua:

Here's where we are and where I'd like to go w.r.t. bold idea working  
groups for the workplan chapter of the book.

[[MARIA: After reading this, I'd like you to send an email to all addresses

conveying your sense of the process, the priority you want DPC, NEC and OMB to assign to this, and what you want me to do if and when those offices decide [as seems inevitable, in my experience] they are too busy to engage. I'd like everyone on the same page process-wise. Thanks. ]]

1. Working groups in Education, Criminal Justice, Economic Development and, sort of, Civil Rights Enforcement. [perhaps additional topics later] My partners on each topic are, respectively, Elena/Mike on education, Elena on crime, Josh on economic development, and Eddie on enforcement.

2. For the time being, at least, working with me as staff are: Michele Cavataio (K-12); Scott Palmer (higher ed, and criminal justice); John Goering (economic dev); and Jacinta Ma (civil rights).

3. Near-term goal is an abbreviated piece of Think Paper with four headings: (a) major Administration accomplishments; (b) pending hot/important policy problems that may need to be addressed before or in the book; (c) ideas or problems in addition to the above that are "out there" that are candidates for discussion in the book, even if there is no policy exigency or, even, policy decision -- the so-called "hard-questions"; (d) bold ideas, including state, local and private measures.

4. CIVIL RIGHTS: I'd like to have initial meetings of these working groups ASAP. Eddie is trying to arrange Civil RIGHTS for Monday around 3:30 pm; Jacinta is working with him on the Think Paper. I suggest that Mike Cohen attend that meeting because of education overlaps.

5. EDUCATION: Mike Cohen agreed to organize the Education meeting this coming week. [Not Wednesday. I suggest Thursday, any time other than 2pm,

when Maria has another race mtng scheduled. Mike, please invite Eddie, as well as Shireman. Invite Josh, but because Josh and Barbara Chow are scheduled to be on vacation, Josh wants you to invite Barbara's career dputy, Barry White. I concur. I've known him for 20 years. I've asked Scott Palmer and Michele Cavataio, working with Mike or his designee, to start on the Think Paper.

6. ECONOMIC DEVELOPMENT: On economic development, Josh is away, but I'll work with OMB staff to get the thing started, along with John Goering, so that when Josh returns that work group can get going in high gear. I will also ask Sperling who he wants involved.

7. CRIMIINAL JUSTICE, ETC.: Elena, will you please take the lead in convening a group? I've asked Scott Palmer to start on a Think Paper, but it needs DPC input ASAP. Who is Scott's cotact? Jose? Can you please set something up this coming week? Again, not Wednesday (I must be in Boston).

MY GOAL: is to get some preliminary thinking to POTUS [and VPOTUS] within a couple of weeks, for his quick reaction, to calibrate our boldness, and to help us set priorities in further, detailed idea development. Also, remember that those few ideas that may have budgetary implications will have to feed into that process.

Thanks one and all.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:11-AUG-1998 12:22:18.00

SUBJECT: hi there

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm anxious about getting the brainstorming efforts on crime and education going this week. I'm in Boston on Wednesday, back Wednesday evening.

We don't have tons of time, but DPC has the lead on these issues, so . . .

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:19-AUG-1998 13:58:40.00

SUBJECT: book

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena:

1. My understanding is that you and Maria have spoken again about DPC engagement on ideas for the workplan chapter. Mike Cohen is fully engaged, and I'm really pleased at how that effort is moving along thus far.

2. CRIME: I've suggested that Scott Palmer contact Jose Cerda directly to get the criminal justice piece moving, because we are running out of time. Scott has drafted something to help get the juices flowing.

3. HEALTH: On Health, it seems to me we have to do something, but the question in my mind is whether there anything to be said in the workplan chapter beyond recapitulation of the Health Disparities initiative announced a couple of months ago. I've suggested that David Camppt of PIR raise this with Chris Jennings before reaching out to HHS and outside experts for their thoughts. Unless people feel there are substantial possibilities on this front, it doesn't seem like it deserves a workgroup effort comparable to education, economic development, crime, or even civil rights.

The particular wrinkle I suggested to David Camppt, as he studies the documents and chats with Jennings, is whether the Health Disparities

initiative contains a comprehensive set of non-federal elements. It probably does. Just a question to explore.

PLEASE SAY SOMETHING TO JENNINGS SO HE HAS CONTEXT FOR THIS.

Thanks.

4. SOCIAL SERVICES: I haven't given much thought to this general programmatic area. [I assume that we will handle job training stuff either in the economic opportunity working group or the education working group -- which ever makes sense to you and Sperling.] Unless you have feel otherwise, let's not attempt any serious work on this front for now. Child care can be handled as an adjunct of job strategies.

5. DEADLINE: Maria has, I hope, said something about the 9/10 deadline for my memorandum to POTUS. Getting that written, vetted, cleared and submitted by 9/10 will be tough.

So, tell me honestly: Are you on board, or are you "actively skeptical"?

ciao

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:25-AUG-1998 12:59:58.00

SUBJECT: Re: Chapter on Accomplishments

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Maria, Elena, Sidney:

This (accomplishments chapter) is one of the topics for dinner tonight.

At 03:58 PM 8/24/1998 -0400, Michele\_Cavataio@pir.eop.gov wrote:

>Chris and I were hoping to get some feedback from you on the attached memo

>which proposes a format for the accomplishments chapter in the President's

>book on race. We hope that our next step will be to meet with Michael

>Waldman and others to flesh out the themes. (See attached file:

>ACCOMPS2.WPD)

>Thanks.

>

>Attachment Converted: "c:\Documents\Attachments\ACCOMPS21.WPD"

>

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Christopher Edley, Jr. to Elena Kagan and Maria Echaveste re: Personal (1 page)	08/26/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[05/26/1998 - 09/04/1998]

2009-1006-F  
ds286

### 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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:28-AUG-1998 12:14:17.00

SUBJECT: I-200 and loose nukes

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

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

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

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

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

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

TO: Maureen T. Shea ( CN=Maureen T. Shea/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

TO: Lisa M. Brown ( Lisa M. Brown@OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:

In advance of Maria's 11:30 meeting on I-200, I offer one substantive observation on the level of principle. My sense is that some, probably most, WH staff believe that the fate of I-200 is basically a local concern, and that the Administration's posture should be one of "support", rather than "responsibility." From that, it follows that you should just monitor, and be reactive and responsive.

The alternative principle is that if I-200 passes it will ignite a

firestorm of Prop 209-like activity, and in combination with adverse lower court rulings, broaden and deepen the risks to affirmative action policies the President and Vice President strongly support. This is no more a "local" problem than loose nukes in the Former Soviet Union.

What I hear is that "No-200" is in serious financial trouble, relative to the need; that the battle is winnable (as Prop 209 probably was); and that the local folks are pretty good (which was only half true on Prop 209).

So the first question is, What's our principle? If you agree with me, then the second question is, What would the Administration have to do to maximize the chances of defeating I-200, and how much of that are we actually willing to undertake, given everything else?

Finally, I'll play the WW parlor game: I'll bet that if the issues and arguments were put before the President, he would say that he does not want to preside over the dismantling of affirmative action; that he wants an aggressive (not reactive) strategy to defend his mend-it-don't-end-it policy; and that he would make these points with an edge of impatience.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 4-SEP-1998 21:19:45.00

SUBJECT: Draft POTUS memo on race book

TO: aedmonds1 ( aedmonds1@home.com [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

TO: Terry.Edmonds ( terry.edmonds@ssa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC: David Campt ( CN=David Campt/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jane T. Price-Smith ( CN=Jane T. Price-Smith/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Lin Liu ( CN=Lin Liu/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michael Wenger ( CN=Michael Wenger/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:  
Comrades:

Have a good weekend. You will enjoy it more if you take a look at the attached draft memorandum, which has been sent to the Staff Secretary for clearance. Maria is holding a clearance meeting on Tuesday afternoon at 4 pm, but comments are welcome before or after that. The memo is due in to POTUS mid-week. Sorry I couldn't finish this earlier in the day.

- Memo-v6.wpd===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D56]ARMSZZ000SF4R.000 to ASCII,  
The following is a HEX DUMP:

FF57504305630000010A0201000000020500000052840100000200000B07C5FE67E807EE65E852  
CB3D35DC586A6738F72CB1B6ECA51C659D7FDB5C8FFD266DFB99A551D293E6CE0902536A495F97  
632F9992D4928B507D27D72FEC13E2DB9C85B10787F5D693B47697F02911724C40B6F5D5E1104B  
5CC662E6B3DE2E2893630459A22613A0894E0336817809C735B5890F93018CEE17C55812FA5DE0  
6ADA0E83877BDF44230D7539C35162A0C09C48AA10563F790E35632744E9C64D2D65528549524

*Draft v6*

September 9, 1998

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Maria Echaveste  
Deputy Chief of Staff

Re: Progress Report on the Race Book, and Request for Interim Guidance

This memorandum is organized in the following sections:

- I. Introduction, process and organization of the effort
- II. The Vision (book chapter 2), and basic themes
- III. The Workplan (chapter 6)
- IV. Leadership (chapter 7)
- V. Next steps, and summary of decisions requested

*I. INTRODUCTION, PROCESS AND ORGANIZATION OF THE EFFORT*

The purpose of this memorandum is to review our progress, confirm our general direction, and solicit interim guidance on a few substantive matters. Most important, Part II is a first attempt to sketch your "vision" of One America with racial justice and equal opportunity in the 21<sup>st</sup> century. Then, Part III adds some flesh to key portions of the "workplan" chapter outline you have already seen, offering a partial menu of ideas.<sup>1</sup> We want to know if this conceptual

---

<sup>1</sup>The current detailed (and daunting) outline of the book is at Tab A. The chapter outline is:

Introduction: One America in the 21<sup>st</sup> Century

Chapter I: Where Is America On Race, And Where Are We Going?

framework makes sense, and if we are heading for the right mix of bold and pedestrian, thematic and programmatic. White House policy staff are fully engaged and have both contributed to this workplan material and reviewed this memorandum. Important disagreements and special concurrences are noted in this document or accompanying memoranda.

We hope to complete the workplan menu within two weeks and, based on your tentative approval of several ideas, proceed with more detailed policy development between now and early November. This is key: I want these first stages of developing the workplan to emphasize thoughtfulness and boldness in the selection of the challenges, goals, themes and general strategies, connecting those to the vision. The next step, for greater detail over the next two months, is to figure out more concretely what ought to be done by whom (federal government? parents?). Throughout, Maria Echaveste will ensure that the interests of the policy councils are well regarded, that the formal clearance process is used when appropriate, and that I can appeal to you with any conflicts we cannot resolve in a timely way.

We have four working groups to help prepare the policy, or “workplan” chapter. These are co-led by the appropriate NEC or DPC staff and me. As yet, they do not span the entire range of subjects you may want to cover, but they are a good start:

- Education
- Economic Development and Employment Opportunity
- Criminal Justice and Community Security
- Civil Rights Enforcement

We also have less elaborate collaborative discussions moving forward on: Health, Strengthening Families, Native Americans, and Democracy/Civic Engagement. The “book team” includes a handful of PIR staff, and the addition soon of Terry Edmonds. I’m confident that several White House and OMB staff will also play critical roles, as they have in preparation of this document.

**Outreach:** Finally, Maria has assigned Minyon Moore and OPL the overall responsibility for coordinating external consultations by the outreach offices and, through Cabinet Affairs, conversations with key appointees in the agencies. Throughout September, many members of your staff will be making calls or conducting meetings with some 400 individuals, asking about

---

Chapter 2:	More Than A Dream: Racial And Ethnic Justice In The 21 <sup>st</sup> Century
Chapter 3:	Wrestling Lessons: Honest, Constructive Engagement Of Our Vexing Differences
Chapter 4:	Promising Practices: How To Build Bridges That Connect People Across Lines Of Class And Color, Creating Community And Opportunity
Chapter 5:	The Record Of The Clinton-Gore Administration
Chapter 6:	A Workplan For Our Nation
Chapter 7:	Leadership For One America
Chapter 8:	Conclusion

the proposed framework for your report, the most important actions you should take after the Advisory Board's work, and any elements they think it is especially important for you to communicate in your report. We will share some of the substantive responses with you, but all of them will be weighed by the book team.

\*\*

## II. THE VISION CHAPTER, AND BASIC THEMES

This section summarizes my best sense of your central vision for the book -- chapter 2 in the current outline. It builds on earlier material sent to you by Sidney Blumenthal and by me, as well as previous statements by you. In the book, the vision discussion will be preceded by an introduction and by the chapter describing where America has been and is on race, including demographics, discrimination, disparities, and intergroup relations. While not yet in your language, what follows is an effort to capture the key ideas and their interrelationships. At the end of the section, we also want to engage you on some cross-cutting questions, such as the role of government.

(a) *Why is this subject so important for us to tackle?*

*Renewing America for the new century:* For six years, I have worked to prepare America for the challenges of the 21<sup>st</sup> century. We have put our fiscal house in order, taken important steps to strengthen the international economic system, worked at home and abroad to create a post-cold war national security framework, launched an investment program in vital areas of education, training, new technologies and environmental protection. One additional area, without which we cannot succeed in the decades ahead, is overcoming the divisions of race and ethnicity so that we can be One America, united in a web of mutuality that gives us the strength to be our best as individuals, as communities and as a nation.

*Global and historical context:* The difficulty of the problem is evident not only from our own national history, but from events around the world – even today. The conflict is commonplace, as differences give rise to hatreds and then bloodshed. As President, I've seen it over and over again, and struggled to find ways that, through our actions and example, this nation could help troubled societies see their shared humanity and find peace. But make no mistake: This struggle to build peace and strength out of differences is a struggle against deep failings and sinfulness that seem inherent in the human spirit. In

my own religious tradition, sin can be overcome through struggle and faith, and it is a never-ending struggle. We should expect no easier a task when it comes to dealing with our differences here in America.

*The stakes:* On a more practical plane, making diversity a source of strength rather than division promises great rewards in social peace and home and economic success globally.

*New complexity:* The civil rights movement of three and four decades ago was largely framed in black and white, but led to bursts of energy and progress for other minorities and for women. Today's diversity gives us great opportunities, but also more complex challenges.

*Cause for confidence:* There is cause for confidence, because our ideals and values are far more than words locked behind glass in the National Archives. They are an incandescent beacon for peoples worldwide, and the lodestar by which we chart our own course and criticize our missteps. Our noblest moments and wisest leaders are marked not by the exploitation of difference, but by recalling us to the commitments of equality, tolerance, opportunity and justice. In my life, I have seen this most profoundly in the struggle against racial segregation and bigotry. No nation matches our capacity for moral greatness.

- (b) *What would it mean to have a full measure of racial justice and opportunity in America? What would our relationships be like, and what would society look like?*

*Vision of community:* [Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, correspondence, etc.)]

“One America” does not mean that we lose our ethnic identities, becoming some homogenized undifferentiated mass. We can be proud of our cultural identities and distinctiveness, and at the same time be proud of and loyal to America – indeed, that is one of the most important elements of our nation's greatness.

In religion, for example, scholars tell us that we are the most observant of developed nations, and that freedom of religion and separation of church and state are important parts of the explanation. We are a nation full of religious individuals, yet we do not all worship in the same way. Indeed, our civic values are that we tolerate and respect different religious traditions, and celebrate the legal and civic values that make diversity

possible. We are proud of that diversity, and together with tolerance, recognize it as a defining greatness of America. And much of the rest of the world recognizes this too.

So, too, with our racial and ethnic diversity. Our greatness in the decades ahead depends not merely on overcoming prejudice and bigotry rooted in our differences, and not only in tolerating differences. We must instead celebrate those differences as a source of richness and strength. Our personal lives are enriched by this diversity, and our society and economy are strengthened by it.

In the community of America, the things that connect us must be stronger than those that divide us. A "community" means shared interests. But we must also have a shared concern for our collective advancement, and mutual concern for each other. Transcending differences, while respecting them, is part of creating such a community.

So there is a delicate balance, because we have far too much to lose if we retreat into ethnic enclaves – walled off from one another by prejudice, stereotypes or even simple ignorance and misunderstanding. We sacrifice greatness and goodness, richness and riches, if by circumstance or choice we separate ourselves into subcommunities along the very fracture lines that have traced our national racial tragedies since Europeans arrived on these shores.

*Vision of opportunity:* [Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, correspondence etc.)]

We have legacies of slavery, conquest and colonialism; of Jim Crow and racist immigration quotas. The inheritance is evident in the patterns of our lives: the racially isolated communities, the gaping disparities in educational achievement, employment, criminal victimization and wealth; the still too-rare close friendships across lines of race. This inheritance is a burden to our spirits and a tax on our prosperity. Perhaps most tragically, for too many of our fellow citizens, the legacy has shackled dreams that are every American's inalienable right. This is wrong, and we can do better.

One way our children and grandchildren will know when we have achieved racial justice and opportunity is that the evidence of America's legacy of inequality will be found only in history books, and not in brutal social and economic disparities surrounding them.

*Vision of responsibility:* Responsibilities of citizenship; responsibility to reach out to others; responsibility of each of to combat whatever stereotypes and fears we may have;

and responsibility to take advantage of opportunities. (Examples from forums, letters, etc.)

We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles, including civil rights battles, to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

(c) *Why is this vision preferable to alternative, competing visions?*

Why embracing “equal opportunity” is necessary, but insufficient alone to produce a full measure of justice and fairness in One America.

Why color blindness makes sense, and why it doesn’t.

Why assimilation as Americans is important, but not an assimilation that seeks to erase our diverse identities. Is tolerance of differences sufficient, or must there be more?

\*\*

### III. THE WORKPLAN CHAPTER

The purpose of this chapter is to explain the most important steps the nation must take over the next decade in pursuit of your vision of racial justice and opportunity, as described earlier in the book. As with the promising practices chapter, you want to provide inspiring “news you can use” to people in communities and organizations across the nation who are looking for ideas. The workplan is organized by policy sectors, and within each sector it will contain federal, state, local, private and personal elements. This is *not* just about the federal government, or government generally. Few items will have FY 2000 budget impacts, although several will have “down payments” in Administration accomplishments and earlier proposals. (The ideas which follow reflect substantial contributions from DPC, NEC and OMB; this memorandum has been through an accelerated clearance process. Comments from your advisors are noted in this document or in appended memoranda.)

The book should be highly thematic, avoiding an exhaustive and mind-numbing recitation of comprehensive programmatic details. But it must contain just enough pointed recommendations to leave the reader with a sense that you have provided concrete direction, not just rhetoric. This also entails being very selective – not *every* good idea for addressing *every* important problem. In areas where thoughtfulness or clarity requires more program detail, the final document can use

textual boxes set apart from the flow of the narrative.

Two final points. The boldness you have requested in policy ideas seems in some cases to come in the statement of a national goal (“close disparities in education achievement by X percent”), and in other cases may not be evident until we offer specific public or private interventions to advance the goal. Relatedly, in the stating the goals we have repeatedly between brave aspirations and statements that are more cautious and achievable. We need your general guidance on this.

\*

## *§ 6.2 THE EDUCATION SECTION OF THE WORKPLAN*

Apart from the economy, I assume that education will be the clear first-among-equals in your workplan for the nation, receiving disproportionate emphasis throughout the book. Despite improvements over the last several decades, racial disparities in opportunity and achievement persist throughout the education pipeline, and these disparities are powerful obstacles to achieving your vision. We’ve tolerated it for too long. It is wrong. Therefore, the workplan focuses on areas of significant disparity that have the greatest impact on educational outcomes. It also emphasizes the instrumental and ethical necessity of heightened responsibility and accountability.

In addition, racial isolation, often in combination with poverty concentration, remains a problem both among and within our schools, presenting barriers to achievement, excellence, and to your vision of mutual understanding and community. This is the third pillar of the education workplan.

### *-- Outline of the section*

#### *Introduction/Context*

- Education is primary [only central?] to achieving my vision. This requires:
  - (1) eliminating racial disparities in educational opportunity and achievement;
  - (2) reinforcing responsibility and strengthening accountability for administrators, teachers and students, as well as for the political institutions governing education; and
  - (3) promoting racial and economic integration in education.

- These problems have long gone unsolved because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government and of the family in education. The old formulas need revision, the old problems need new thinking, and the old values need new life.
- We need to provide every family, regardless of race or zip code, with an Education Bill of Rights.<sup>2</sup>

(a) **Close the racial gap in opportunity and achievement.** Notwithstanding important progress, significant racial disparities in achievement persist. We must close these gaps and raise the bar for everyone. This means overcoming racial disparities in the educational opportunity available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. Beyond this, we must improve our ability to make targeted, individualized efforts to ensure that every child succeeds to his or her full potential. Among the key elements of an education bill of rights for equal opportunity and achievement:

*Parenting and early childhood:* Ensure that every child has a parent or other adult actively engaged in that child’s learning, and that every young child has access to early learning opportunities.

*Teaching:* Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for students of all races.

*Curriculum and standards:* Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or

---

<sup>2</sup> Such a Bill of Rights might include the following:

- (1) Every child shall have a parent or other adult actively engaged in his/her learning and have access to support services to help that child achieve to his/her full potential.
- (2) Every child shall have access to early learning opportunities.
- (3) All parents have the right to send their children to equitably funded schools that are accountable for their child’s learning.
- (4) Every child shall have access to high-quality teachers.
- (5) Every child shall be held to high expectations and standards and have access to challenging curricula.
- (6) Every child shall have access to adequate facilities and modern technology.
- (7) Every LEP child shall have access to the tools necessary to help him/her learn English within three years.
- (8) Every child shall learn in a safe environment.
- (9) All parents and children shall have the right to choose to attend racially and ethnically integrated schools.
- (10) Every high school graduate shall have the financial support and opportunity to go to college.

her full potential. Students of color are often tracked into special education and out of honors courses.

*English acquisition:* Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.

*Infrastructure:* Close the racial disparity in full access to adequate facilities and modern technology.

*Post-secondary attainment:* Overcome racial disparities in high school graduation rates, and in college participation, retention and graduation rates.

- (b) Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without much stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we will have to design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform. The Voluntary National Test is such an intervention, as is public school choice, and we must build on such approaches while providing needed safeguards against abuses.

*Tests and accountability:* Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers, and students accountable for educational achievement. The accountability should flow “up” from parents and “down” from Federal taxpayers and presidential leadership. The range of tools, both carrots and sticks, should stretch from more effective parental action, to political mobilization, to school reconstitution or receivership, to fiscal incentives – and everything in between.

*Governance and leadership:* If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems.

- (c) Promote integration and diversity in education to enrich the learning experience for all students.** We also care about integration, so that students have the opportunity to learn together in ways that dissolve stereotypes and improve race relations. Parents and students should have a right to chose an integrated education. But, after a burst of progress in the late 1960s and early 1970s, segregation in K-12 education is worsening. For example, a recent study reports that one-third of black and Hispanic students attend schools with more than 90 percent minority enrollment, and almost nine in 10 of those

schools are predominantly poor. High-quality integrated schools provide a more complete educational experience for all students than high-quality segregated schools. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement.

*Educate the public on the value of inclusion, diversity and integration -- reviving that ideal:* An inclusive community of students and educators can: improve teaching and learning by enriching the learning environment with diverse perspectives; strengthen students' critical-thinking skills by challenging their existing perspectives; teach students how to interact comfortably with people different from themselves and thereby how to function as good neighbors, colleagues and citizens in our diverse democratic society; improve students' preparation for employment by teaching them the value of diverse perspectives, how to function in diverse business settings, and how to communicate effectively in our increasingly diverse domestic marketplace and the expanding global marketplace; and foster the advancement of knowledge by spurring study in new areas of concern.

*Reduce racial segregation and isolation among schools:* This is not a call for massive, federally mandated strategies where there is no constitutional violation demanding court-supervised remedies. Instead, parents and educators should make use of a range of measures such as magnet schools, multidistrict transfer programs, and so forth. Most important, we must better appreciate the important stake we have in making diversity work in the world of our children. Schools of unquestioned excellence are the easiest to make and keep diverse.

*Reduce segregation within schools:* Even in diverse schools, evidence shows that students are often resegregated into racially homogenous classes through tracking and other mechanisms, thereby reducing their opportunities to learn together and have positive cross-racial interactions.

*Inclusion in higher education:* Promote access and diversity in higher education, and foster the educational benefits of diversity. Mend, don't end, affirmative action. And wherever possible, use creative race-neutral mechanisms in admissions and in the K-12 pipeline. Ensure that in sustaining the crucial role of HBCUs, HSIs, and Tribal colleges (which are integrated) we don't "excuse" historically white institutions from the principle of excellence-through-inclusion.

***-- Discussion issues on the education workplan***

Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation?

Do the bulleted items capture your personal priorities? Are any high priorities missing?  
Can any of them be demoted for attention in textual boxes rather than in your narrative?

Can we explore some rethinking of the federal role in order to tackle these disparities?

\*

## § 6.4 CRIMINAL JUSTICE AND COMMUNITY SECURITY

From hate crimes to crack houses, from police misconduct to police hiring, from disparate incarceration rates to racial profiling -- barely a week goes by without some aspect of crime and criminal justice standing as a lightning rod for racial and ethnic tensions. No area is more freighted with divisive stereotypes and misunderstanding. Yet it must be tackled with vigor because victimization and criminality destroy communities and families, just as they fuel alienation and division.

### *– Outline of the section*

#### **Introduction/Context**

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice: communities of color disproportionately bear the social, economic, and personal costs of crime, and, according to polls, have less confidence in the fairness of the criminal justice system than do whites.
  - Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly, and thereby closes the trust gap while making community security a right enjoyed equally.
- (a) **Community Security: Eliminate racial disparities in victimization.** The right to be secure cannot be discounted by race. Every American is entitled to live in a safe community, and the race of residents shouldn't tell us the crime rate. From 1992 to 1997, rates of violent crime in America have decreased, but disparate victimization rates persist. Tackling this problem directly is part of the opportunity agenda, as well as a matter of decent fairness. The Administration's record has numerous elements, which we can build upon and target to close the disparities.
- (b) **Keep young people out of the criminal justice system, and for those who have contact with it, make it their last.** Racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including

violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. The realities are flatly inconsistent an American vision of racial justice and equal opportunity.

- (c) **Build greater fairness and trust in the criminal system.** Several past and present factors contribute to mistrust in our criminal justice system among persons of color, including negative interactions, disparities in the administration of justice (incarceration, sentencing, death penalty), and lagging diversity in law enforcement (police, prosecutors, judges, juries). Without more trust, creating safe communities is impossible, because legitimacy, support and cooperation don't come free.

- *Prohibit the use of racial profiling:*<sup>3</sup> No American should be subject to disparate application of the state's policing power because of his/her race. Statistically efficient allocation of resources, some claim, justifies impositions on innocent persons, while perpetuating stereotypes and contributing to tensions. Targeting based on color, without individualized evidence, is rarely if ever fair and just.

- *Pursue zero tolerance for racially suspect police misconduct and brutality:* While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur. We are deeply divided in perceptions of the magnitude of the problem.

- *Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.*

- *Increase diversity and representation in the criminal justice system.*

– *Discussion issues on the criminal justice workplan*

- Can we speak of community safety as a “right”, and the racial disparities in victimization as flatly inconsistent with your vision? If so, are disparities a fair index of this aspect of racial justice and opportunity?

- Should we “prohibit” racial profiling, or “restrict” it?

---

<sup>3</sup>Profiling will also be considered in the “Wrestling Lessons” chapter, as one of the hard questions that forces us to think about differences in values and perceptions.

· Similarly, should we tackle disparities in rates of incarceration, presumably with targeted attention to prevention, diversion and post-incarceration?

· Can we assume that the primary public sector role is state and local, or do you envision continued growth in the federal role?

\*

## § 6.7 THE CIVIL RIGHTS ENFORCEMENT SECTION OF THE WORKPLAN

We have considered distributing the civil rights law enforcement issues in several sectoral subsections – as components of the education or jobs strategies, for example. But for now, I want to press ahead as sketched below because the audience will appropriately expect some attention to the traditional antidiscrimination enforcement agenda. This also permits you to teach about this unfinished work. Moreover, the best opportunities for boldness are in cross cutting issues, among them: policy judgments about the lawfulness under Title VI of persistent resource disparities; retooling agency enforcement strategies to emphasize proactive technical assistance and voluntary action; and rethinking the legal framework and enforcement priorities to reflect our 21<sup>st</sup> century diversity.

We are joined at the hip with Chuck Ruff, and will cooperate in his effort to put before you suggested civil rights enforcement priorities for the next two years.

### *– Outline of the section*

#### **Introduction/Context**

- Persistence of discrimination, and of enforcement backlogs.
  - We have opportunities to strengthen and more aggressively enforce civil rights principles, and also support appropriate voluntary actions that promote equal opportunity and access. This includes defending disparate impact doctrine, and defending affirmative action.
  - The traditional agenda needs renovation to (i) increase its efficiency at handling the retail problem of discrimination; (ii) contribute more directly to the opportunity agenda in education, jobs and community economics; (iii) reflect our 21<sup>st</sup> century diversity.
- (a) **Overcome racial disparities in opportunity by expanding the use of civil rights enforcement.** Civil rights enforcement can play an especially important role in

overcoming barriers to educational and economic opportunity, and we should strengthen and focus civil rights enforcement to complement the opportunity agenda.

- *Strengthen antidiscrimination laws and enforcement procedures:* For example, we could amend Title II, which prohibits discrimination in public accommodations, to include businesses that provide goods and services. At present, racial discrimination in retail sales (e.g., the Eddie Bauer case in which a black teenager was ordered by a security guard to strip off his shirt because he did not have a sales receipt) does not raise a strong federal cause of action. We nearly abandoned pattern and practice investigations during the 1980s. That was wrong.
  - *Use Title VI to address racial disparities:* No federal money should be spent in a manner that supports unjustified racial disparities in opportunity. For example, in education, Title VI prohibits policies and practices that have an unjustified disparate impact on select racial groups in terms of access to educational resources, tracking into challenging courses, the use of unvalidated high stakes tests, and more. We should strengthen Title VI enforcement.
  - *How much discrimination is there?* We should expand research on the extent of racial discrimination, using the best available methodologies (testers where appropriate), in such areas as employment, housing, and access to capital. The results of such testing should be published in an annual report card.
- (b) **Fully address all forms of discrimination affecting our increasingly diverse population by strengthening civil rights laws and enforcement.** We must retool our civil rights laws and refocus enforcement efforts to fully address civil rights issues affecting our diverse citizenry.
- *New immigrants:* Strengthen laws and enforcement to promote the rights of new immigrants. For example, in immigration and employment, we could expand enforcement against labor abuses in “sweatshops,” the victims of which are often new immigrants of Hispanic or Asian origin, and amend present laws to stabilize the immigration status of persons who report labor abuses so those persons do not fear reprisal, official or private.
  - *Language acquisition:* Promote the rights of LEP populations. For example, in education, we could develop regulations to clarify the *Lau* standard concerning what legal requirements schools must meet in educating LEP students.
  - *Learning your rights:* Educate immigrant and LEP populations about civil rights laws and mechanisms. We should promote outreach to immigrant and LEP populations whose rights are protected but who are underutilizing civil rights laws.

- (c) **Address discrimination and disparities by promoting voluntary efforts in conjunction with enforcement of civil rights laws.** In addition to reacting to civil rights complaints, civil rights enforcement agencies should act proactively to encourage and support voluntary compliance with civil rights laws and values.
- Expand civil rights consultations and clarify legal standards:* There are civil rights areas where both the law and policy are unclear and where people of good will may be managing inappropriate programs. We should act to clarify legal standards and to encourage actors to seek guidance concerning their civil rights obligations. We could promote laws or regulations encouraging voluntary consultations with civil rights agencies. If an actor voluntarily submits his/her practice for civil rights review, he/she is safe harbored and/or any agreement approved by the civil rights agency following that review would be defended by the federal government if later challenged by a third party.
- Expand proactive enforcement:* Absent a formal complaint, where potential civil rights violations are discovered, civil rights agencies should follow up with the party to correct the injustice. If discussions are not fruitful, the enforcement agency reserves the right to launch a more formal civil rights enforcement examination. For example, in education, the Department of Education's Office of Civil Rights (OCR) recently learned of a Georgia education policy that placed students into gifted and talent programs based solely on IQ test scores, despite the fact that the IQ test was not validated for that purpose nor validated to be the *sole* factor for any purpose. This policy led to a disproportionately low number of minority students being admitted to gifted and talented programs. OCR consulted with Georgia officials, and the policy was properly amended.
- (d) **Mend, don't end, affirmative action as enforcement remedy and voluntary measure to promote access and inclusion**
- (e) **[Hate crimes.]**

-- *Discussion issues on the civil rights workplan*

After further interagency discussion, we will need policy guidance about a number of Title VI issues.

Should we develop a package addressing "the new diversity"?

How much technical assistance should be done proactively to implement “mend don’t end” in various sectors?

\*\*

#### IV. THE LEADERSHIP CHAPTER

Following the workplan chapter, you can challenge leaders in a range of sectors to do their part, and combine this with a vision of locally-based efforts to use the promising practices and devise locally-oriented workplans. Finally, in this chapter you should describe the ongoing mechanism within the White House to help support the sectoral leadership, community-based leadership, and the Federal government elements of your workplan.

##### (a) *Challenges for sectoral leadership*

We expect, by the publication date, to have worked successfully with leadership groups in a few sectors, prompting them to develop a list of action steps tailored to their sector, and a practical strategy for implementation. A brief status report on what we have initiated follows.

*Higher Education:* With staff support from the American Council on Education, a core group of college and university presidents is working to establish a broader coalition that will lead a coordinated campaign to educate the public about the value of diversity in higher education and to share campus practices that promote diversity. We expect them to launch the effort, designed with Frank Greer as lead consultant, sometime this fall. (There is a possibility of using a White House event to bless the undertaking.)

***Faith Community: Sandy Cloud of the National Conference for Community and Justice has agreed to lead a steering committee in convening, on October 22 and October 23, an implementation summit at which a group of faith leaders will write and commit to a practical work plan for both national and community-based action, and devise a coalition mechanism for follow through. This will include special efforts to reach those faith communities that have not traditionally been leaders in racial justice. In addition, at your September 11 breakfast for religious leaders, you will have an opportunity to mention Sandy Cloud’s leadership, and encourage those in the room to respond positively to the effort.***

*Corporate:* Secretary Daley will informally convene a group of CEOs in October to identify the most appropriate elements of a corporate sector initiative, and strategies for enlisting support from key executives. In preparation for that session, White House and agency staff will brainstorm with some current and former Administration officials in corporate leadership.

*Youth:* We are organizing a team of White House staff and representatives from national youth-oriented organizations to prepare a workplan intended for widespread endorsement and dissemination. (The outside collaborators will include USSA, Young Democrats, Young Republicans, the youth divisions of the NAACP, Urban League, La Raza and the Congress of Asian Pacific American Youth.) Tentatively, we think the plan's three major components will be: (i) a national campaign to educate the youth sector about the intricacies and history of race and racism; (ii) an initiative to improve race-related curriculum and teaching in grades K-16; and (iii) a mechanism to ensure youth sector involvement.

*(b) Options for an ongoing structure to carry out your work plan*

While the work plan is not yet completed, we know that there will be some general components which will require continuity and should compose the major responsibilities of the new entity:

- Policy making (including research and data collection)
- Outreach and leadership development (including technical assistance to communities)
- Communication campaign (including an awards program)
- Support for promising practices (such as a clearinghouse, conferences, grant funding)

The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors is needed to ensure continued momentum and follow up from outside efforts. Non-federal leaders engaged on the workplan will expect a central point of contact and technical assistance.

*Option A: President's Council for One America*

*AI: President's Council for One America Plus an External Advisory Committee*

The continuing effort could take a form similar to the Council for Environmental Quality or the Office of Science and Technology Policy. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating

authority. The council, created by Executive Order, would be run by an Assistant to the President (as Executive Director) with a small staff and a blue ribbon advisory committee.

A council staff should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination.

It would also have a communications component, which would help lead a public education campaign, support a promising practices clearinghouse, and conduct outreach to help improve race relations.

- Pros:
- Location places the Presidency squarely behind racial reconciliation effort
  - Relatively stable structure
  - Staff appointed by you ensures White House control
  - Advisory committee offers opportunity for showcasing diverse leadership, provides credibility in building partnerships

- Cons:
- Location and staffing make the stakes high
  - Advisory committee requires support and nurturing; the familiar headaches

**A2:** *President's Council for One America, No Advisory Committee*

This option would be the same as option A1 but it would not include an Advisory Committee.

- Pros:
- Staff would not be distracted by the day-to-day demands of managing an Advisory Committee

- Cons:
- Lacks the outside validation that an Advisory Committee can provide

**Option B: Dedicated Staff reporting to the Office of the Chief of Staff**

An Assistant to the President with a small staff, reporting to the Chief of Staff's office, could take responsibility for managing Administration efforts.

- Pros:
- Closely linked to you and the White House
  - At the center of activity

- Cons:
- Not a formal structure, may not be stable
  - May not be viewed publicly as a significant enough commitment

**Option C: Private Foundation Model**

**C1: *One America Foundation***

The structure could take the form of a private foundation, established at your urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros: • Serves as umbrella to coordinate several areas of activity  
• Independence  
• Ability to raise money

- Cons: • May not be viewed as closely connected to the White House  
• Requires someone's time and attention to pull together

**C2: *Clinton Library Model***

This option is similar to the Foundation model above except that it would be an endeavor for you after your final term ends, possibly as part of the Clinton library. Staff could begin immediately to design the structure.

- Pros: • More time to put together the funding and structure  
• You will have more time to devote to it

- Cons: • Delays significant Presidential involvement for a few more years  
• May be partisan resistance to participating in activities because of close alignment with this Administration

V. *NEXT STEPS*

...

Attachments:

Current book outline.

*P\_R4FS000Z\_OPD\_HTML\_1[1]*

NEC memorandum on employment issues  
???

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -004**

**[09/08/1998-05/21/1999]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Home address. [partial] (1 page)	09/09/1998	P6/b(6)
002a. email	Ellen Cosgrove to Elena Kagan. Personal. (5 pages)	09/17/1998	Personal Misfile
002b. email attachment	Ellen Cosgrove to Elena Kagan. Personal. (2 pages)	09/17/1998	Personal Misfile
003. email	Ron Klain to Elena Kagan. [Subject: Holiday] (1 page)	09/23/1998	Personal Misfile
004. email	Ron Klain to Elena Kagan. [Subject: Holiday] (1 page)	09/25/1998	Personal Misfile
005. email	Phone No. [partial] (1 page)	10/14/1998	P6/b(6)
006. email	jmo to Elena Kagan at 18:53. Personal (1 page)	11/17/1998	Personal Misfile
007. email	jmo to Elena Kagan at 19:12. Personal (1 page)	11/17/1998	Personal Misfile
008. email	jmo to Elena Kagan at 19:48. Personal (1 page)	11/17/1998	Personal Misfile
009. email	jmo to Elena Kagan at 20:49. Personal (1 page)	11/17/1998	Personal Misfile
010. email	Ron Klain to Elena Kagan. Personal (1 page)	12/31/1998	Personal Misfile
011. email	Ron Klain to Elena Kagan. Personal (1 page)	01/29/1999	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

**FOLDER TITLE:**

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

**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]

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.

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
012. email	Ron Klain to Elena Kagan at 13:00. Personal (1 page)	02/05/1999	Personal Misfile
013. email	Ron Klain to Elena Kagan at 15:34. Personal (1 page)	02/05/1999	Personal Misfile
014. email	Ron Klain to Elena Kagan. Personal (1 page)	03/12/1999	Personal Misfile
015. email	Ron Klain to Elena Kagan. Personal (1 page)	05/20/1999	Personal Misfile
016. email	Ron Klain to Elena Kagan. Personal (1 page)	05/21/1999	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
 Tape Restoration Project [Email]  
 OPD ([Kagan])  
 OA/Box Number: 250000

**FOLDER TITLE:**

[09/08/1998-05/21/1999]

2009-1006-F

vz151

**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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 8-SEP-1998 21:27:30.00

SUBJECT: POTUS meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Last I heard, it is still likely that we will have a small group discussion with POTUS concerning the race book some time this Friday. That could change, but . . . .

We should get together to share ideas about how best to use that time.

Maria is probably traveling with POTUS tomorrow (Wednesday), but the three of us could try. Would late afternoon or early evening work? That way, if we agree on some additional piece of paper, I'd have time to write it on Thursday.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 9-SEP-1998 12:47:36.00

SUBJECT: FYI -- Tom Payzant's false claims

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )

READ:UNKNOWN

TO: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )

READ:UNKNOWN

TEXT:

Thought you might find this interesting -- the problem with all the social promotion hype.

>Date: Tue, 8 Sep 1998 20:38:09 -0400

>Subject: FYI -- Tom Payzant's false claims

>Sender: mkennedy@sover.net

>To: kornhaber@pz.harvard.edu,

> orfielga@hugsel.harvard.edu,

> edley@law.harvard.edu

>From: mkennedy@sover.net

>

>Date: Tue, 08 Sep 1998 20:32:25 -0400

>To: ombudsman@globe.com, Letter@globe.com

>

>To the Editor:

>

>Please, please tell me why the Boston Globe continues to perpetuate the

>impression that Boston Public Schools has historically been captive of the

>"social promotion phenomenon" (Thomas Payzant, "Boston Is Taking Strong

>Steps Toward Better Schools," 9/8/98). This is simply untrue.

>

>In 1988, over one out of every nine Boston students (11%) was retained in  
>grade. In addition, over one quarter of all ninth graders were not  
>promoted, with rates even higher for African American and Latino students.  
>Those retained included 1000 first graders. By the time students entered  
>sixth grade, approximately 40% were one year behind their appropriate  
grade.

>

>Once in middle school, students faced more non-promotions: 9.7% in Grade  
6,  
>14.0% in Grade 7, and 10.9% in Grade 8 were not promoted. Many students  
>retained in the middle grades repeated their grade at a lower "ability  
>level." This pattern mirrors research that finds that students retained  
in  
>grade are more likely to end up in special education placements. Yet  
>being categorized as special education students does not protect them from  
>further grade retention. Just 10 years ago, in 1988, 17% of Boston's  
>mainstreamed special education students were retained in grade.

>

>As Boston's own data revealed that grade retention was not producing  
>achievement gains, Boston school gradually reduced retention rates. Did  
>test scores drop dramatically? No. Test scores stayed about the same.  
>But gradually, the dropout rate has declined. In other words, grade  
>retention undermined students' persistence in school, but made no  
>difference to achievement. Do we want to return to the days of low  
>achievement AND high dropout rates? We can do better, and it does not  
>require filling up the elementary and middle grades with overage students.

>

>Superintendent Thomas Payzant shows an alarming lack of awareness of the

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Home address. [partial] (1 page)	09/09/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

>history of the district he is supposed to lead. He seems oblivious to the  
>fact that grade retention hits the most vulnerable students hardest.  
>Equally bad, he shows an alarming inattention to research on the way that  
>non-promotion actually lowers achievement. Why?

>

>Grade retention is not a true "second chance." It is fundamentally a  
>sorting practice that depresses achievement. If grade retention "worked,"  
>Boston students' problems would have been cleared up long ago.

>

>Finally, why does the Globe go along with this foolishness when articles  
in  
>its own archives attest to the truth that Boston Public Schools has had in  
>its past a solid record of retaining students in grade with little but low  
>achievement and high dropout rates to show for itself?

>

>Sincerely,

>Anne Wheelock (Education writer, researcher, policy consultant)

P6/(b)(6)

[out]

>

>

>

>> Boston is taking strong steps toward

>> better schools

>>

>> By Thomas W. Payzant, 09/08/98

>>

>> A number of important breakthroughs for the Boston

public

>> schools this past year persuades me that our five-year

>school

>> reform plan, Focus on Children, is on the right track

>and that

>> we are now turning the corner on improving student

>> achievement.

>>

>> <clip, clip>

>>

>> In June the Boston School Committee adopted a new

student

>> promotion policy, the first since 1983. This policy

sets

>high

>> standards of attendance and achievement for every

>student and

>> eliminates the social promotion phenomenon that has

damaged

>> our credibility for decades by allowing unprepared

>students to

>> advance and to graduate.

>-----

--

>Michael Kennedy or Anne Wheelock

>Brattleboro, Vermont ---- mkennedy@sover.net

>-----

---

>Anne divides her time between Brattleboro and Boston. Please CC replies

>to her messages to her Boston e-mail address ---- wheelock@shore.net.

>

>

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Krislov Marvin ( Krislov Marvin <krislov-marvin@dol.gov> [ UNKNOWN ] )

CREATION DATE/TIME:14-SEP-1998 15:07:34.00

SUBJECT: FW: Union health plans' tobacco litigation

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

READ:UNKNOWN

TEXT:

this is what we found out--no one here seems to be closely involved.

does this work for you?

-----  
From: Colwell John

Sent: Friday, September 11, 1998 5:09 PM

To: Krislov Marvin

Subject: Union health plans' tobacco litigation

Importance: High

Spoke to Damon Silvers of AFL-CIO Legal Dept. They aren't running these cases, but do try to follow them. There's something called the Coalition for Workers Health Funds (headed by Brian McQuade) that serves as a coordinating group; the Connerton and Ray law firm is heavily involved.

Cases have been filed in 38 states, involving several hundred union funds. If a class were certified in some cases, it could include as many as 2,500 plans and 30 million participants. Some cases have been dismissed in whole or in part. Other cases (Okla., Wash., Ore. W. Va.) are set for trial.

AFL has no position on the cases; BCTD may have endorsed. Most Taft-Hartley funds--other than those involving workers in the tobacco

industry--have joined in the litigation.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:15-SEP-1998 22:35:40.00

SUBJECT: economic development

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena -- Maria's feeling was that the very fine economic development/job outline Julie, Paul et al. have developed is "too late" to attach to the paper we've already sent to POTUS. But if we in fact meet with him tomorrow, we can hand it to him depending on how the meeting goes.

I suggest you chat with Julie about my comments on the draft, and our plans for the next steps.

[of course, all of this assumes he wants to move forward, and that he wants to do so using Maria's process]

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Einer Elhauge ( Einer Elhauge <elhauge@law.harvard.edu> [ UNKNOWN ] )

CREATION DATE/TIME:17-SEP-1998 15:02:31.00

SUBJECT: Ohio Opinion

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

READ:UNKNOWN

TEXT:

A somewhat more convenient version of the Ohio opinion is now available on

westlaw: 1998 W.L. 602033.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. email	Ellen Cosgrove to Elena Kagan. Personal. (5 pages)	09/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002b. email attachment	Ellen Cosgrove to Elena Kagan. Personal. (2 pages)	09/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F  
vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Ron Klain to Elena Kagan. [Subject: Holiday] (1 page)	09/23/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Ron Klain to Elena Kagan. [Subject: Holiday] (1 page)	09/25/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:29-SEP-1998 09:26:27.00

SUBJECT: Fatherhood

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

READ:UNKNOWN

TEXT:

Keep in mind as you work on this that this is a big VP issue. He directs the Federal Fatherhood Initiative, at the President's request, which submits an annual report to the President on how federal policies/agencies are doing in our efforts to implement the President's EO on Fatherhood. This was also the subject of the 1993 Gore Family Conference, the first one that POTUS attended. The VP also regularly attends/speaks at national fatherhood conventions and meetings (indeed, it was at the 1998 National Fatherhood Conference where the VP made his infamous Michael Jackson/Michael Jordan slip-up, after he followed fatherhood-spokesman Mike Singeltarry to the podium.) Nancy Hoit of our operation handles this issue for

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 1-OCT-1998 14:09:28.00

SUBJECT: Tobacco Memo

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

TEXT:  
A few things:

1. I think we should make clear that our terms will be as tough as they were on McCain. We are going to have a very high bar.
2. Also, we should provide for inclusion/consultation of the anti-tobacco forces, esp. Koop/Kessler. The last thing we need right now is these folks saying we are selling out on this issue. If they blast us, we lose. We need to get them on board.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 5-OCT-1998 16:37:01.00

SUBJECT: State Medicaid/Tobacco Legislation

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

READ:UNKNOWN

TEXT:

I am starting to get calls from our liberal friends expressing concerns about the Congress waiving the fedl claims to the state settlements. I have pretty much told them to forget it, but there is carping out there.

One point that I cannot easily waive off: fears that the federal release will be "conditioned" on the states agreeing to limit attorneys fees. This would be a political problem for us. Let me know if this is looming.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Lotus Pager Gateway ( Lotus Pager Gateway [ UNKNOWN ] )

CREATION DATE/TIME:12-OCT-1998 11:48:56.00

SUBJECT:

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

TEXT:

To: JOHN D. (SKY) (Pager) #PODESTA

cc:

From: Elena Kagan

Date: 10/12/1998

Time: 11:44:50

Subject:

Body:

have big ed testing problem. need you to lay down marker. elena

Priority:

-----  
Message history for recipient JOHN D. (SKY) PODESTA [Pager]

Monday 12 Oct 1998 11:47:45 Eastern Standard Time - Message received by  
Pager Gateway

Monday 12 Oct 1998 11:47:52 Eastern Standard Time - Message received by  
Paging Service

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:12-OCT-1998 16:03:24.00

SUBJECT: After-School Announcements

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

READ:UNKNOWN

CC: Patricia M. Ewing ( CN=Patricia M. Ewing/O=OVP [ OVP ] )

READ:UNKNOWN

TEXT:

The other day, Bruce mentioned that we should be able to quickly announce After-School grants as soon as Congress OKs the money. Given the VP's strong interest in this piece of the Child Care Initiative, we'd obviously love to have him participate in this -- either here in a WH ceremony, or, on the road in an area where there will be winners. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Lotus Pager Gateway ( Lotus Pager Gateway [ UNKNOWN ] )

CREATION DATE/TIME:13-OCT-1998 13:07:58.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

To: JACOB J. (Pager) #LEW

cc:

From: Elena Kagan

Date: 10/13/1998

Time: 13:05:28

Subject:

Body:

no bunning if no kennedy jeffords. elena

Priority:

-----  
Message history for recipient JACOB J. LEW [Pager]

Tuesday 13 Oct 1998 13:07:02 Eastern Standard Time - Message received by  
Pager Gateway

Tuesday 13 Oct 1998 13:07:34 Eastern Standard Time - Message received by  
Paging Service

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Phone No. [partial] (1 page)	10/14/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: Lotus Pager Gateway ( Lotus Pager Gateway [ UNKNOWN ] )

CREATION DATE/TIME:14-OCT-1998 14:13:28.00

SUBJECT:

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

TEXT:

To: ELENA (Pager) #KAGAN

cc:

From: Elena Kagan

Date: 10/14/1998

Time: 14:10:50

Subject:

Body:

Call Hugh Rodham as soon as you are able; call P6(b)(6) ask for Hugh in [005]  
solarium

Priority:

-----

Message history for recipient ELENA KAGAN [Pager]

Wednesday 14 Oct 1998 14:12:30 Eastern Standard Time - Message received

by Pager Gateway

Wednesday 14 Oct 1998 14:13:09 Eastern Standard Time - Message received

by Paging Service

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:17-NOV-1998 13:33:22.00

SUBJECT: VP - Thurs

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Bruce/Elena: As you know, the VP is scheduled to do an anti-smoking on Thursday, national smoke-out day. Because of the intense criticism the state deal is getting from the health groups, on the one hand, and the sense that we have endorsed it, on the other, I am concerned about making sure we are all in synche for this event.

Because I am only going to be in for a few hours today and Wednesday, I'd appreciate if you guys could work with Pat Ewing on some language for this. I assume it would suggest WH neutrality on whether states should opt-in/opt-out of the deal, combined with a sharp point about how the deal does not protect teens, do FDA, etc.

Thanks.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006, email	jmo to Elena Kagan at 18:53. Personal (1 page)	11/17/1998	Personal Misfile

---

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

---

**FOLDER TITLE:**

[09/08/1998-05/21/1999]

2009-1006-F

vz151

---

**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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. email	jmo to Elena Kagan at 19:12. Personal (1 page)	11/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	jmo to Elena Kagan at 19:48. Personal (1 page)	11/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F  
vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. email	jmo to Elena Kagan at 20:49. Personal (1 page)	11/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: Mike Cohen ( Mike Cohen <mikec\_20904@yahoo.com> [ UNKNOWN ] )

CREATION DATE/TIME:21-NOV-1998 14:31:21.00

SUBJECT: education item for weekly

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

TEXT:

I realized last night that I forgot to give you the ESEA item you requested yesterday. Here it is. Please respond to let me know if you receive this or have any difficulty with it, since its the first e-mail I've sent from home.

ESEA Reauthorization. DPC staff met with Education Department staff to review the Department's progress in developing an ESEA reauthorization proposal. Education's approach overall is to maintain the fundamental focus throughout ESEA programs on helping students reach high standards and, for the most part, to maintain the current programs (though they and we are unsure how best to deal with Goals 2000). Some small programs are likely to be consolidated, and Education is developing proposals to expand the role of Title 1 in providing preschool programs, and to create a new emphasis on improving high school education in ESEA. DPC is working with Education to ensure that the reauthorization proposal provides stronger accountability for results and more effective interventions for low performance than current law, more vigorously promotes public school choice, and more effectively

ensures that program funds are used to support educational practices that work. We are also working to ensure that positions you have previously taken on strengthening bilingual education and the Safe and Drug Free Schools Program are fully incorporated into the reauthorization proposal. Together with the Education Department we are developing a strategy to place a greater and more effective emphasis on improving the quality of teaching, especially in high poverty schools, though we are not yet clear on how best to achieve this. DPC, OMB and Education believe it is important to transmit a proposal to Congress shortly after the next session begins. To accomplish this, Education will have to significantly speed up its work. To help move this along, we will provide ED with detailed proposals on key issues, review Education's progress again the week after Thanksgiving, and establish a process for completing major policy decisions by the end of this year.

---

DO YOU YAHOO!?

Get your free @yahoo.com address at <http://mail.yahoo.com>

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
010. email	Ron Klain to Elena Kagan. Personal (1 page)	12/31/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)  
CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )  
CREATION DATE/TIME: 2-JAN-1999 22:14:09.00  
SUBJECT: School breakfast pilot program  
TO: Elena Kagan ( CN=Elena Kagan/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN  
TEXT:  
Elena --

I understand the FY 2000 budget may contain a \$13 million USDA school breakfast pilot program. Mrs. Gore may do a USDA education related event in New Hampshire in a couple of weeks (highlighting, among other things, the Child Nutrition Re-authorization act the President signed authorizing afterschool snack program funds). We would like to consider having Mrs. Gore announce this budget proposal during the event. From your perspective, is this ok? Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Moe Vela ( CN=Moe Vela/O=OVP [ OVP ] )

CREATION DATE/TIME:21-JAN-1999 09:09:33.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Elena:

As you saw in the e-mail, Janet Murguia suggested I contact you to see if you would be willing to assist me as we prepare the VP for a meeting tomorrow morning with the national Hispanic Leadership Agenda. The topics that I believe you are the expert on that they are going to discuss with the VP are naturalization, temporary status for Central Americans and benefit restoration.....do you think you could help me by putting together some brief talking points for him and a short backgrounder on each---

If I need to seek assistance elsewhere, will you let me know?

Thanks so much

M

69002

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:26-JAN-1999 14:14:22.00

SUBJECT: Welfare Debate, Redux

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

TEXT:

In the immortal words of one of our previous Democratic Presidential  
nominees, "This isn't just my  
fight, it's your fight, too:"

Bradley warming up for big game

By RON FOURNIER=

AP Political Writer=

CONCORD, N.H. (AP) Democrat Bill Bradley offered a glimpse of  
his battle plan against Vice President Al Gore by charging today  
that the 1996 welfare reform signed by President Clinton ``cut the  
bond between the mother and the child.''

``I think we clearly have a difference on welfare,' ' Bradley  
said when pressed during a morning radio interview to distinguish  
himself from Gore, the presumed front-runner for the Democratic  
presidential nomination in 2000.

The law that Clinton signed in 1996 over objections from  
liberals transformed welfare from a federal entitlement to a block  
grant that enabled states to craft their own plans to help the  
needy.

``I thought there was a federal obligation to individual

children who are poor," Bradley said, "not simply an obligation to take a pot of money and send it from one group of politicians to another group of politicians in a state."

Gore is not responding to Bradley's remarks, but spokesman Chris Lehane said: "Yesterday, President Clinton announced that America's welfare rolls were at their lowest in 30 years. Under the leadership of the Clinton-Gore administration, millions of Americans, including many in New Hampshire, have moved from welfare to work. Vice President Gore believes that this is the best help we can give to children, mothers and families."

Making his first campaign swing through New Hampshire, site of the nation's first presidential primary, the former New Jersey senator and Hall of Fame basketball player is trying to answer the most critical question of his Democratic presidential campaign: Why should primary voters side with him, not the vice president?

"Because they think I would be a better president and would have a better chance of winning," Bradley said at a Monday news conference in Manchester, N.H., to open the three-day trip.

But Gore has the power of the White House behind him; he jets across the country aboard Air Force Two and enjoys the support of a popular president. In New Hampshire, he stuffed mail boxes full of Christmas cards and White House invitations, and raised thousands of dollars for Democrats who now owe him big.

So why does Bradley think he would have a better chance than Gore of winning the presidency?

"I think in part because I'd be better able to attract independents and Republicans in a general election," he said. Bradley says he proved during 18 years in the Senate that he can draw votes from both parties.

Gore might argue that he also can court GOP and independent

voters, having served a president who forged the party's centrist ``third way.''

No matter; Bradley has other rationale for his candidacy.

``I have not been a part of the partisanship that has shaped the debate the last couple of years,' ' Bradley said. Without saying so, Bradley was clearly trying to cast himself as the anti-Washington Democrat in a race against the son of a Tennessee senator who has never wandered too long from Washington.

He and Gore have ``different personal histories,' ' the former senator said.

Bradley was raised in a small Missouri town, earned a Rhodes Scholarship, played in the National Basketball Association for 10 years, served a diverse state in the Senate and left to lecture and teach.

``I've been on the road 30 years in America as senator, a basketball player and writer, a lecturer and a businessman. I had a life before I got into politics and a life after I left the Senate,' ' he said.

It all seemed designed to make Gore pale in comparison, but Bradley denied any such motive.

``I'm not really running against Al Gore, I'm running because of what I want to do ... for the country,' ' he said.

Bradley says he wants to restore integrity to public office, ``bring out the best in people,' ' help troubled children and ease economic woes of working families in what he calls this ``age of insecurity.''

He has to win first. And most Democratic operatives say his is a long-shot bid.

``This is something Bradley should have done six years ago,' ' said consultant Harold Hodes of New Jersey, a longtime Bradley

backer now in Gore's camp.

Still, the vice president has not locked anything up. Bradley senses an undercurrent of insecurity among voters and a general disgust with anything or anybody related to Washington.

``A lot of people see (Bradley) as a good way to change, to clean the slate,'' said Jim Gilmour, a Democratic voter interviewed over a bagel in nearby Keene, N.H.

Another Democratic voter, Frank Shlauter of Keene, said Bradley's chances ``will depend on how much heat Gore takes.''

Bradley plans to turn up the heat, especially if no other Democrat enters the race.

During a brief shoot-around with New Hampshire youths Monday, the old pro bent his knees and flicked his Hall of Fame wrist to send a basketball arcing toward the hoop. He missed his first few shots, watching the ball spin off the rim, before finding his range.

The ball ripped through the net with a whisper.

Swish!

Swish! Swish!

``It takes a while to warm up,'' Bradley said afterward, a warning to competitors in basketball and politics alike.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
011. email	Ron Klain to Elena Kagan. Personal (1 page)	01/29/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: IMCEACCMail-Vicky ( Vicky Stroud at Wdcb04 <"IMCEACCMail-Vicky+20Stroud+20a

CREATION DATE/TIME: 4-FEB-1999 15:28:00.00

SUBJECT: RE: Weekly Education Strategy Meeting

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP [ OSTP ] )  
READ:UNKNOWN

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

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

TO: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TEXT:

Cathy,

Mike is out on travel (California) and Diane Rogers is out sick today.

Let me know if they want someone to attend from here.

Thanks,

Vicky

---

Reply Separator

---

Subject: Weekly Education Strategy Meeting

Author: "Cathy\_R.\_Mays@opd.eop.gov" [SMTP:Cathy\_R.\_Mays@opd.eop.gov] at

USDOED

Date: 2/3/99 4:51 PM

We will be having the weekly Education Strategy meeting tomorrow, February 4, at 5:15 p.m. in Bruce Reed's office, 2 Floor, West Wing.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
012. email	Ron Klain to Elena Kagan at 13:00. Personal (1 page)	02/05/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
013. email	Ron Klain to Elena Kagan at 15:34. Personal (1 page)	02/05/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F  
vz151

### 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 (TRP NOTES MAIL)

CREATOR: David R Thomas ( CN=David R Thomas/O=OVP [ OVP ] )

CREATION DATE/TIME: 9-FEB-1999 13:23:42.00

SUBJECT: Note to Congressman Rangel

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

READ:UNKNOWN

TEXT:

I am going to forward a copy of the Vice President's remarks at the National Drug Control Strategy event to Congressman Rangel. Please review the cover note below and let me know if it is OK with you.

February 9, 1999

The Honorable Charles Rangel  
United States House of Representatives  
2354 Rayburn House Office Building  
Washington, DC 20501

Dear Charlie:

I have enclosed a copy of my remarks from yesterday's Nation Drug Control Strategy event at the White House. Many thanks for all of your assistance with the event, and for your continued commitment to fighting our Nation's drug problems. I look forward to working with you on this (and many other) issues this year.

Sincerely,

Al Gore

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: IMCEACCMail-Vicky ( Vicky Stroud at Wdcb04 <"IMCEACCMail-Vicky+20Stroud+20a

CREATION DATE/TIME:11-FEB-1999 16:25:00.00

SUBJECT: RE: Education Strategy Meeting

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP [ OSTP ] )  
READ:UNKNOWN

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

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

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

TO: Lorrie McHugh ( CN=Lorrie McHugh/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

TEXT:

Cathy,

Can the meeting run from 5:30-6:30pm instead of 5:15pm?

Vicky

401-4160

---

Reply Separator

---

Subject: Education Strategy Meeting

Author: "Cathy\_R.\_Mays@opd.eop.gov" [SMTP:Cathy\_R.\_Mays@opd.eop.gov] at

USDOED

Date: 2/11/99 10:40 AM

We will be having an Education Strategy Meeting on Tuesday, February 16, at 5:15 p.m. in Bruce Reed's office.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
014. email	Ron Klain to Elena Kagan. Personal (1 page)	03/12/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 3-MAY-1999 12:48:53.00

SUBJECT: Larry King Live

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

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

TEXT:

We are going to accept their invitation to have the VP guest host their  
show on Thursday  
night, in Larry's absence. Topic will be Kids and the Lessons of  
Littleton. Any ideas you  
have on guests are welcome.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
015. email	Ron Klain to Elena Kagan. Personal (1 page)	05/20/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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 (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:20-MAY-1999 15:04:54.00

SUBJECT: Re: FYI -- Bill Galston asked me to share this with you as an FYI

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

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

TEXT:

I totally agree, and have recommended as much to the VP.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
016. email	Ron Klain to Elena Kagan. Personal (1 page)	05/21/1999	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
OPD ([Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[09/08/1998-05/21/1999]

2009-1006-F

vz151

### 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]

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -005**

**[05/23/1997-07/14/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Debbie Bengtson to Elena Kagan et al. re: Birthday (1 page)	08/07/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/23/1997 - 07/14/1998]

2009-1006-F  
ds287

### 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 (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME: 23-MAY-1997 15:06:11.00

SUBJECT: working groups

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

READ: UNKNOWN

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

READ: UNKNOWN

TO: Thurgood Marshall Jr. ( CN=Thurgood Marshall Jr./O=OVP [ OVP ] )

READ: UNKNOWN

TEXT:

Dennis Hayashi, the director of HHS' Office of Civil Rights, has a long history (both before and during the Administration) on both the race and hate crimes issues. Sec. Shalala would like to have him included in the work on race and on hate crimes. Sylvia prefers not to expand the large group even further, but would like us to plug Dennis into our efforts on hate crimes and (I think) the thinking about affirmative action replacement strategies. Dennis and I worked together in 93-94 on the antiviolenace hate crime work, and he worked closely with Warnath on these and other issues throughout the first term. He was a part of all of the work on affirmative action in 95 and 96, and is a great team player, with good instincts and judgment about these issues. Dennis comes from the San Francisco Asian civil rights community, and can be very helpful on several fronts. His number is 619-040

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME: 28-MAY-1997 21:16:30.00

SUBJECT: Minority enrollment

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

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

TEXT:

Susan has to be with Mrs. Gore tomorrow. She has asked me to attend the minority enrollment meeting in her place. Please let me know if this is a problem or if anything changes. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

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

CREATION DATE/TIME: 9-JUL-1997 11:04:03.00

SUBJECT: Pool/Tobacco

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

TEXT:

We will not have a pool in the tobacco meeting. We hope to release the  
White House photo.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:17-JUL-1997 10:05:52.00

SUBJECT: VP's participation in meeting tomorrow

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

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

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

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

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

CC: Wendy Hartman ( CN=Wendy Hartman/O=OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

The VP is tentatively set to participate in the tobacco meeting tomorrow morning w/ the industry researchers. Our scheduler is waiting for confirmation of when the President is coming back from Arkansas tomorrow, but has the VP tentatively scheduled for this meeting from 9:30 - 10:30, if that's ok w/ you all.

Elizabeth, can we talk later about the details of the meeting? Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME: 21-JUL-1997 17:12:39.00

SUBJECT: Heads-up

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

READ: UNKNOWN

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

READ: UNKNOWN

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

READ: UNKNOWN

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

READ: UNKNOWN

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

READ: UNKNOWN

TEXT:

John Lozier of Healthcare for the Homeless, who has worked with Mrs. Gore in the past, called today to let us know that a group of homeless advocacy organizations will hold a press conference tomorrow on the occasion of the 10th anniversary of the McKinney Act to call for more action to address homeless issues and a White House commission on the homeless. He didn't think we should be concerned about anything but just wanted to reach out.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Debbie Bengtson to Elena Kagan et al. re: Birthday (1 page)	08/07/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/23/1997 - 07/14/1998]

2009-1006-F  
ds287

### 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 (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:28-AUG-1997 17:45:41.00

SUBJECT: Vice President's Welfare-to-Work Coalition

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

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

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

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

TEXT:

The Vice President's Welfare-to-Work Coalition is meeting Wednesday, September 3. Coalition members and state and local officials will be in attendance. There will be a stand-up lunch and informal mix-and-mingle session from 11.30-1.00 in the Indian Treaty Room. We would really appreciate each of you spending some time working the room meeting with his coalition members. Ideally we would like you in room 450 at 11.15 so that the Vice President can acknowledge you before everyone heads over to the Indian Treaty Room. If you cannot make 11.15 but will be able to drop by the lunch, please let me know. Thank yo

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-SEP-1997 23:54:23.00

SUBJECT: VP'S WELFARE TO WORK COALITION MEETING

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

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

TEXT:  
TIME CHANGE

Please drop by the lunch session of the Vice President's Welfare-to-Work Coalition meeting from 12.00-1.00p.m. today in the Indian Treaty Room. We very much hope you can meet as many coalition members and state and local officials involved in the welfare-to-work effort. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:16-SEP-1997 15:45:10.00

SUBJECT: POTUS Announcement

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

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

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

TEXT:

Bruce: It is my understanding that you are contemplating have the POTUS announce that he is putting the VP in charge of the effort to win Congressional support for our tobacco position. The VP would be very happy if this could happen, and could be featured in the POTUS remarks tomorrow. This would give us a good boost at this time.

Then, we could sell his meeting on Thursday (Koop, Kessler, et al.) as a launching pad for this effort.

Let me know if there are any problems with this. It is important to us, and I did not want to bug you today with a phone call given how crazy things are -- but it really matters. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Michael J. Burton ( CN=Michael J. Burton/O=OVP [ OVP ] )

CREATION DATE/TIME:17-SEP-1997 18:03:57.00

SUBJECT: VP AFL-CIO BRIEFING TIME CHANGE -- THURSDAY, 9:45 AM, WEST WING OFFICE

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

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

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

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

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

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

TO: Michael B. Feldman ( CN=Michael B. Feldman/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

TO: Steven W. Adamske ( CN=Steven W. Adamske/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

TEXT:

Sorry about moving the time, but we hit an unavoidable conflict in the afternoon. If you can't make it, please let me know.

Here's the agenda --

Overview of Pittsburgh Schedule

Review of One-on-One Meetings

Review of Climate Change and Fast-Track Meetings

Review of Other Issues

Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:14-OCT-1997 20:04:04.00

SUBJECT: Seattle Trip -- The saga goes on...

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: Fred Duval ( CN=Fred DuVal/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

The VP can't go to Seattle on Friday, Nov. 7 because it is the target date of adjournment for Congress and Ron wants him to be here in case he's needed for any votes. So, we're looking at other dates in November, but it looks more likely that it will be bumped to December, which means that we'll have to do two forums in December.

Sorry for any inconvenience. I'd still like to know what Gregoire says when you know, Bruce. I'll keep you all posted from over here...

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:19-JAN-1998 16:45:31.00

SUBJECT: Womens Meeting Tomorrow

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

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

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

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

CC: Elizabeth Harrington ( CN=Elizabeth Harrington/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

I've reserved the VP's Ceremonial office (OEOB 276) for the meeting w/  
womens groups tomorrow. It is on the VP's schedule from 5:00 p.m. - 5:30  
p.m. w/ a five minute brief in his WW office from 4:50 - 4:55. The room  
is reserved until 6pm if others want to stay and take questions.

I am told that 20 people max fit comfortably at the table (including the  
VP and the First Lady), so please keep that in mind when you are inviting,  
especially if you want any senior staff at the table.

Audrey, our Counsel's office needs to vet all people who attend meeting w/  
the VP. Can you e-mail to me the full names of the participants, the  
dates of birth if possible and the state they live in ASAP. Thanks very  
much.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME:22-JAN-1998 08:18:16.00

SUBJECT: Family Planning press handouts

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I think we should be prepared for press inquiries on the family planning announcement today (let's hope someone cares about policy today). If Neera could clean up the two pager to be in releaseable form, I think that would do it. Do you think we need q and a's as well? The speech is around 1:00 pm so we should get this ready this morning and get it to WH press folks as well as OVP press folks. thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:10-FEB-1998 17:12:30.00

SUBJECT: Conrad Event and Briefing

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

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

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

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

TO: Kay Casstevens ( CN=Kay Casstevens/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

CC: David R Thomas ( CN=David R Thomas/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

CC: Steven W. Adamske ( CN=Steven W. Adamske/O=OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

Ron has requested that the following people participate with him in the pre-briefing w/ the VP tomorrow immediately prior to the Conrad event:  
Bruce, Elena, Don, Toby, Jerry, Pat Ewing, Larry Haas and Kay Casstevens.

The briefing is scheduled from 1:50 p.m. - 2:20 p.m. in the VP's Senate office in the Capitol. (He's coming from the State Dept., sorry for the inconvenience) I've arranged for a VP driver to drive us all to the Capitol. The van will leave the South court at 1:25pm (please try to be

on time).

Below is the latest schedule for the VP:

1:50 pm BRIEFING

2:20 pm Senate Office

Contact: Toby Donenfeld

2:25 pm THE VICE PRESIDENT departs The Senate

En Route: Russell SOB

Drive Time: 5 minutes

2:30 pm THE VICE PRESIDENT arrives RSOB

2:30 pm MEET AND GREET WITH SENATORS

2:40 pm 488A RSOB

Contact: David Thomas, Toby Donenfeld

WHITE HOUSE PHOTO ONLY

2:45 pm REMARKS AT □&HEALTH KIDS ACT□8 INTRODUCTION

3:30 pm ANNOUNCEMENT

485 RSOB

Contact: Toby Donenfeld, David Thomas

OPEN PRESS

Advance: DT

Format:

-- A child (tbd) announces the VP, Senator

Daschle and Senator Conrad into the room.

-- Senator Daschle makes opening remarks  
and introduces Senator Conrad.

-- Senator Conrad makes remarks and  
introduces the Vice President.

-- The Vice President makes remarks.

-- Senator Conrad ends the program.

-- The Vice President departs.

-- Senator Conrad remains on stage to  
answer questions.

3:35 pm THE VICE PRESIDENT departs Russell SOB  
En Route: The White House  
Drive Time: 10 minutes

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:23-FEB-1998 17:51:27.00

SUBJECT: Tobacco Event Conference Call

TO: Bruce N. Reed ( CN=Bruce N. Reed/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: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Lisa A. Berg ( CN=Lisa A. Berg/O=OVP [ OVP ] )  
READ:UNKNOWN

TO: Nathan B. Naylor ( CN=Nathan B. Naylor/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

TO: Wendy Hartman ( CN=Wendy Hartman/O=OVP [ OVP ] )  
READ:UNKNOWN

TO: mdonahue ( mdonahue @ os.dhhs.gov @ INET [ UNKNOWN ] )  
READ:UNKNOWN

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

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

READ:UNKNOWN

TEXT:

The VP is tentatively scheduled to announce the FDA compliance billboard and radio campaign on Wednesday morning. The President may participate if he is still here in D.C.

at that time. We hope Secretary Shalala will be able to join us for the announcement. (HHS

is checking her schedule).

We are scheduling a conference call to discuss the event/announcement for tomorrow (Tuesday) morning at 9:30 a.m. Folks from HHS will be on the call.

Please call 456-6777 or 456-6799 code #9867. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:23-FEB-1998 20:05:28.00

SUBJECT: Tobacco Event Conference Call

TO: Bruce N. Reed ( CN=Bruce N. Reed/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: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Nathan B. Naylor ( CN=Nathan B. Naylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

TO: Wendy Hartman ( CN=Wendy Hartman/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TO: mdonahue ( mdonahue @ os.dhhs.gov @ INET [ UNKNOWN ] )  
READ:UNKNOWN

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

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

READ:UNKNOWN

TEXT:

Due to the Secretary Shalala's schedule, and pending any other concerns, we are recommending that the VP and the Secretary do the tobacco announcement on FRIDAY instead on WEDNESDAY.

I'd like to still have the conference call Tuesday morning at 9:30 so we can get started on planning for the event. Thank you.

----- Forwarded by Toby Donenfeld/OVP on 02/23/98 08:07 PM -----

Toby Donenfeld

02/23/98 05:51 PM

To: Bruce N. Reed/OPD/EOP @ EOP, Elena Kagan/OPD/EOP @ EOP, Thomas L. Freedman/OPD/EOP @ EOP, Jerold R. Mande/OSTP/EOP @ EOP, Cynthia A. Rice/OPD/EOP @ EOP, Patricia M. Ewing/OVP, Donald H. Gips/OVP, Eli G. Attie/OVP, Kimberly H Tilley/OVP, Wendy Hartman/OVP, mdonahue @ os.dhhs.gov @ INET, Dan J. Taylor/OVP, Lawrence J. Haas/OMB/EOP @ EOP, Nathan B. Naylor/OVP, Jodi R. Sakol/OVP, Lisa A. Berg/OVP  
cc: Cathy R. Mays/OPD/EOP @ EOP, Laura Emmett/WHO/EOP @ EOP  
Subject: Tobacco Event Conference Call

The VP is tentatively scheduled to announce the FDA compliance billboard and radio campaign on Wednesday morning. The President may participate if he is still here in D.C. at that time. We hope Secretary Shalala will be able to join us for the

announcement. (HHS  
is checking her schedule).

We are scheduling a conference call to discuss the event/announcement for  
tomorrow (Tuesday) morning at 9:30 a.m. Folks from HHS will be on the  
call.

Please call 456-6777 or 456-6799 code #9867. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME:19-MAR-1998 11:47:12.00

SUBJECT: Pay Equity

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

TEXT:

I am the contact person in OVP for this issue. Please let me know when you are convening again so that the VP's perspective can be included. thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME:20-MAR-1998 16:21:30.00

SUBJECT: Tobacco and the AGs

TO: Bruce N. Reed ( CN=Bruce N. Reed/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: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

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

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

TO: Lawrence J. Haas ( CN=Lawrence J. Haas/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TEXT:

The VP is scheduled to be on the conference call w/ AGs on Monday from 2:35 - 2:45. He will deliver brief remarks and will not take questions. After he drops off the call, we will open the call to questions from the AGs or reporters for Administration staff.

The following staff members have been invited, and we hope will participate following the VP's conference call w/ the AGs.

Elena Kagan, Deputy Assistant to the President for Domestic Policy  
and/or

Cynthia Rice, Special Assistant to the President for Domestic  
Policy

Jim O'Hara, Deputy Assistant Secretary for Health (confirmed)

Mike Eriksen -- Director, OFC on Smoking and Health, CDC

(confirmed)

Jonathan Gruber, Deputy Assistant Secretary for Economic Policy

(confirmed pending

possible Summers testimony)

Fred Duval will get the conference call and code numbers. Thanks.



**DRAFT**  
3/22/98 4pm

**Talking Points for Conference Call with State Attorneys General  
March 23, 1998**

- **Thank you for joining me today to discuss an issue important to all of us -- reducing youth smoking. I appreciate your continued leadership and commitment on this issue.**
- **As you know, we are meeting regularly with members of Congress in both parties in order to ensure passage of comprehensive, bipartisan legislation this year.**
- **Today, I am unveiling new state-by-state numbers which show that states will have an average 42 percent reduction in youth smoking and premature deaths if the President's principles for legislation are enacted into law. The data also show that three million teens will be kept from smoking over the next five years --and that one million lives will be saved as a result.**
- Individual states will see reductions in youth smoking ranging from a few thousand in the smaller states up to about 248,000 in California and 205,000 in Texas. Approximately 56,000 young people will be saved from premature death in Florida, 57,000 in Ohio, 37,000 in Michigan and 24,000 in Missouri.
- **I am very encouraged by these new data and I hope these new facts will help build the momentum necessary to pass bipartisan comprehensive federal legislation this year. I strongly encourage each of you to announce these new statistics in your state, to help raise awareness that we need to put an end to teen smoking. By using these statistics, you can convey that comprehensive federal legislation is necessary to significantly reduce the number one cause of preventable death in this country and an addiction that is trapping our young people.**
- **We must act quickly. We all know that every day, 3,000 kids become regular smokers and 1,000 of them will die prematurely from smoking-related diseases. Congress must act quickly so that we can save millions of young people from this deadly addiction.**
- Thank you again for all of your hard work and commitment to reducing youth smoking. Keep up the good work.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:26-MAR-1998 19:53:03.00

SUBJECT: Vice President's Birthday -- March 31st

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

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

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

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

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

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

TO: Erskine B. Bowles ( CN=Erskine B. Bowles/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: Janet Murguia ( CN=Janet Murguia/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: John Podesta ( CN=John Podesta/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: Maria Echaveste ( CN=Maria Echaveste/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

TO: Phillip M. Caplan ( CN=Phillip M. Caplan/OU=WHO/O=GOV @ WHO [ WHO ] )  
READ:UNKNOWN

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

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

TO: Stacie Spector ( CN=Stacie Spector/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: Thomas A. Kalil ( CN=Thomas A. Kalil/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TEXT:

The OVP staff is throwing a party for the Vice President in honor of his 50th Birthday on Tuesday, March 31st, at 4:30pm in the VP's Ceremonial Office. While our space is very limited, we would love to have you join us. The party will last about a half-hour.

If you can join us, please have someone let Scott Hynes know, at 6-6605.

A full explanation of the rest of our birthday plans for him is given below, for your information.

----- Forwarded by Ron Klain/OVP on 03/26/98 07:42 PM

-----

Ron Klain

03/26/98 07:40 PM

To: All OVP Staff

cc:

Subject: Vice President's Birthday -- March 31st

On March 31st, to celebrate his 50th Birthday, the Vice President and Mrs. Gore have decided to spend a part of their day working on a Habitat for Humanity site, in Southeast Washington (Skyland Terrace).

As a staff (and "extended staff") present to the Vice President, I invite any of you who wish to participate to take this time off from work, and donate your time and effort to this same project. (For those of you not in the OVP, you will need to clear your time off request, of course, with your supervisor.) Anyone interested in participating in this volunteer effort as a "birthday gift" to the Vice President should plan on leaving here at around 11:30am; we will return to the White House at around 4:30pm. (We will have limited van transport available; you may instead choose to drive yourself to the site.) The Gores will be arriving on site at about 1:30pm -- and we want to be well underway by the time they join us.

Attire for the day should be workclothes appropriate to a construction site.

After this effort, we will return to the OEOB where we will have a staff party for the Vice President. The party will begin at approximately 4:30, and last until about 5:15. All of you are invited to join us for the party.

We need a very firm count for the Habitat site, and for the party. Can you please e-mail to Scott Hynes, in my office, by Friday at noon, whether you are: (1) interested in participating in the service effort; (2) want a ride, or will drive; and (3) will be coming to the party?

I know that, given everyone's support for the Vice President, and commitment to service, we will have a great turnout. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Vicky\_Stroud ( Vicky\_Stroud@ed.gov (Vicky Stroud) [ UNKNOWN ] )

CREATION DATE/TIME:27-MAR-1998 21:15:37.00

SUBJECT: Re: Unz meeting

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

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

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

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

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

TO: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: Delia\_Pompa ( Delia\_Pompa@ed.gov (Delia Pompa) [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

CC: Rebecca Hunter ( CN=Rebecca Hunter/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:  
Mike,

Mike will come but will probably be 1/2 hour late getting there.

Vicky

---

Reply Separator

---

Subject: Unz meeting

Author: Michael\_Cohen@opd.eop.gov at Internet

Date: 3/27/98 3:51 PM

In order to revise and then complete the memo to POTUS on Unz, we need to meet and discuss the recommendations we want to make. Those of us who have been in the Congressional meetings have new insights and have moved our thinking along. I know that the Education Department is also developing some additional ideas--but I'm not sure that we are all still moving along the same track.

I've scheduled the meeting for Monday, March 30 at 1:00pm in OEOB 211. Let me know if you can make it.

but I don't know that we are all moving in the same direction like us to meet on Monday March 30, at 1:00 in OEOB211 to discuss the next version of the Unz memo to POTUS. We need to n



March 30, 1998

Automated Records Management System  
Hex-Dump Conversion

MEMORANDUM FOR THE VICE PRESIDENT

FROM: TOBY DONENFELD

SUBJECT: ADDENDUM TO THE KOOP PHONE CALL MEMO

Since we sent you the phone call memo for your call to Dr. Koop, Senator McCain held a press conference to announce the liability portion of his tobacco bill. His bill includes a \$6.5 billion annual cap on liability payments and no ban on class action lawsuits. We are unclear at this time whether or not the bill includes the elimination of punitive damages for past conduct, although it appears that it will not include such an elimination.

As we understand it, Dr. Kessler and Dr. Koop have been lobbying aggressively to not eliminate class action lawsuits or punitive damages.

No Administration position on the liability provisions in the McCain bill has been made public. Erskine's speech occurred several hours before McCain released the details on liability. In general, the White House position has been that we are working to make sure that the bill encompasses the President's five principles, and until it does that, we are not going to discuss the issue of liability.

As you can see if the side-by-side faxed to you earlier, the settlement called for a \$5 billion annual cap and the Harkin/Chafee bill called for a \$12 billion annual cap.

Early reaction on CNN from Senators Conrad and Dorgan were very negative toward the McCain bill for granting the tobacco industry "special protections."

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:30-MAR-1998 18:28:26.00

SUBJECT: Tobacco Bill

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

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

CC: Kay Casstevens ( CN=Kay Casstevens/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

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

TEXT:

Gephardt put out a statement blasting the McCain bill, FYI. He called it "strike one" in Congress' attempt to protect kids from tobacco. I guess it's not hard to figure out where he is headed, huh?

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 1-APR-1998 18:46:29.00

SUBJECT: A few things

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

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

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

TEXT:

Regarding the Kick Butts Day event tomorrow:

1) Remarks. Andrei Cherny is working on the VP's remarks and is putting in a place-holder on the McCain part. Who do we need to have look at the remarks and advise on that portion and can we get one point of contact for outside of OVP changes? Thank you. FYI: The VP is leaving the WH for another event at approximately 10am and then going straight to the KBD event. Ideally, we'd send his final remarks before he leaves.

2) Briefing. Ron Klain asked that either Bruce or Elena be in his hold at the school to brief him in person or by speaker-phone on the latest up-to-date information on what's happening on the hill on the tobacco legislation. The event is at Hine Jr. High School, 335 8th Street, S.E. near Eastern Market. The VP arrives at 12:15. Please let me know who will be joining us. Thanks.

3) Channel One. The VP is announcing four small anti-youth smoking commitments from organizations: NEA/AFT, Channel One, the Girl

Scouts and Girls Inc. There was some initial concern w/ an announcement on Channel One given the controversy of advertising in schools. I checked w/ Mike Cohen who directed me to Terry Peterson at Education who told me that it was ok to announce as long as it was part of several other announcements. Obviously, this was before the head of Channel One appeared on the Today Show this morning to be accused in a new report of costing the taxpayers millions of dollars. We're kind of far down the line on having the VP at least mention this tomorrow, but I would like your opinion on this. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-APR-1998 10:14:20.00

SUBJECT: VP's Kick Butts Day Briefing

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Ron still wants one of you to attend the briefing before the VP's KBD event today.

The event is at Hine Jr. High School, 335 8th Street, S.E. near Eastern Market. The VP arrives at 12:15 p.m. We've got at staff van departing at 11:20 if you want to come then or you can meet us there. Please let me know who can come. Thanks.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 2-APR-1998 14:02:12.00

SUBJECT: Thank you

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

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

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

TEXT:

Thank you all so much for your help on the VP's Kick Butts Day event, I think it went very well. And Elena, thanks for coming up to the school to brief.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME: 3-APR-1998 17:53:22.00

SUBJECT: thanks

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

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

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

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

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

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

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

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

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

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

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

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

CC: Lawrence J. Haas ( CN=Lawrence J. Haas/O=OVP [ OVP ] )  
READ:UNKNOWN

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

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

TEXT:

Many, many thanks from all of us in OVP-land to all of you who worked so hard on the two women's events yesterday. In particular, the Equal Pay announcement took so much work on the part of so many people all over the

White House, and we are so very appreciative of everything you all did to pull it off. Audrey, you and your shop really kept at it, and it really paid off yesterday! Thanks as well to all of the many communications' gurus who helped us with our day full of messages! Can't wait for a repeat!

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 4-JUN-1998 17:15:18.00

SUBJECT: VP's Tobacco Event on Friday

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Ron Klain requests that Bruce and/or Elena attend the VP's briefing before his tobacco event tomorrow (Friday). The briefing is scheduled from 12:45 - 1:00 in the VP's WW office and the event is on in the Roosevelt Room from 1 - 1:45 and will include the VP and 40 tobacco-free kids. Thanks very much.

I will let you know if the time changes.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 8-JUN-1998 10:04:39.00

SUBJECT: VP Interview w/ New York Times

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

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

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

TEXT:

The VP is scheduled to do an interview this afternoon w/ Jeff Goldberg of the New York Times Magazine re: the tobacco industry. After speaking to Cynthia on Friday, Larry and I came up w/ the attached draft Q & A. (Goldberg told Larry these are the questions he'll ask the VP).

Could you please review the attached document and let me know if you have any changes. Thank you.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D99]ARMSZZ000N1DE.000 to ASCII,  
The following is a HEX DUMP:

FF575043B4040000010A02010000000205000000361E00000002000032EB807D1D25274693E626  
538A168A23ED7930DFC72F58B53B7716AD1647E419A4CC8D90AF54D581EA79DA6541501C32C35D  
9B5C0B0EB3A3CDBD767A963ECE9418C50411E754ADC05D0BE055B51B757AC897A3F56A8331A91F  
65106A7BD00ECE7C0CC0EAE51EFC60EE5BFDC31886B31D06E7B775C24051D73E2FAD716B9CCB7  
34DB813BB3A2794B8FCE427B5E5F540DCFBA71E71C582A245398967DD96F20CDE76FE52782587A  
BD8ED45E898F59204564FEF2045647243480E5FC59D8A3C7B111C836F0A6E8BAB6E2AD9582E86F  
D12A913483D9523957CA8FE1E4A1484EF176B64ACED9D23DE64F29D9E45237A86BD663FE088A64  
90B04067F4FD21132084B478171CF87723FBA226B51C902D1B43079C4EEFA3A0FC343DF5532260  
B3B5039D6B578C10ACC5599C5F30F4217D9DF1E49050DE04AD582A0AFBA3D79E415661508D3DD0  
25FE17CE80BA424EEA1306D146E951D9A6C1A577DC427B3598CABF88F5C121F585C59D02B8A7D1  
AB952AEE2ED7432C8846A2EE0962354CF03AB0D48A378396F7F848ABC3C555DE89CD447C14E23A  
1581722B70E37A87AAC3296EA518BEB9EE5F449C845E2981D327D0226E0ECCEE88179F8254D98D  
4929EAE6B6BB2085BDDD3318D2BEB5780235664811F910440FEF2883BA8B975AD4960FE2559875

**Q AND A**

**INTERVIEW WITH JEFF GOLDBERG, *NEW YORK TIMES* MAGAZINE**

**Q: How do you explain the shifting moral climate with regard to cigarettes and the tobacco industry?**

**A: I would point to a few things:**

- 1. The release of the company documents, showing that the tobacco industry has been targeting their addictive and deadly product to our children.**
- 2. The aggressive advertising campaigns, such as the one around Joe Camel, which so obviously was geared toward children.**
- 3. The growing consciousness of Americans of the need to care for their own health and that of their children.**

**Q: How do you explain the fact that the companies have lost all their friends in Congress?**

**A: Well, they clearly have lost some friends in Congress.**

**I would point to a few things:**

- 1. The release of the company documents, showing that the tobacco industry has been targeting their addictive and deadly product to our children.**
- 2. The aggressive advertising campaigns, such as the one around Joe Camel, which so obviously was geared toward children.**
- 3. The growing consciousness of Americans of the need to care for their own health and that of their children.**

**But I'm not sure they have lost all of their friends in Congress.**

**There are many in Congress who do not believe we need legislation to reduce youth smoking and have spent weeks trying to defeat it.**

**Otherwise, we would already have a bill in place.**

**I think the tobacco industry is still very powerful.**

**In fact, they have spent more than \$50 million in the last couple of months on advertising on television to try to kill the tobacco legislation.**

**Q: What do you think was wrong with the original settlement?**

**A: The main problems are that:**

- 1. It did not raise the price of cigarettes enough to result in a real and dramatic reduction in youth smoking (the settlement would only raise the cigarette price by 62 cents a pack),**
- 2. It weakened the FDA's authority to regulate tobacco products, and**
- 3. It did nothing to protect tobacco farmers and their communities.**

**Q: What do you think the country will look like, in terms of smoking, in 10-15 years?**

**A: We expect that tough legislation will be enacted this year and will result in a dramatic downturn in smoking, especially among young people.**

**With a significant per pack price increase, tobacco advertising restrictions, and further efforts to enforce youth access to tobacco products, we expect to cut youth smoking nearly in half in five years.**

**Therefore, I expect there will be far fewer smokers, especially young smokers in 10-15 years.**

**I hope that as a result of the advertising restrictions, and a new sense of activism among young people, there will be a shift in attitudes among young people away from the idea that smoking is cool and toward the position that smoking is an addictive and deadly habit.**

**Q: What impact do you think the Administration had on the debate?**

**A: I think we have had an enormous impact.**

**President Clinton was the first President to take on the powerful tobacco industry and take a tough stand to protect our nation's young people from the dangers of tobacco.**

In 1995, the President announced a new FDA rule to restrict advertising, promotion, distribution and marketing of cigarettes to teenagers.

Last year, the first phase of this rule went into effect, making it the law of the land that no one under 18 can buy tobacco products and that retailers must check the ID of anyone under 27.

Following the release of the tobacco settlement, the Administration pointed out the flaws in that settlement (see above), and the President outlined the five guiding principals that must be present in any tobacco legislation.

It was these principals that formed the framework for the debate in Congress.

Now, the President is calling for comprehensive tobacco legislation that will reduce youth smoking by nearly half over the next five years --stopping almost 3 million young people from smoking and preventing almost 1 million premature deaths by 2003.

This Administration continues to work closely with Congress.

Following the Senate Commerce Committee vote of 19-1 on the McCain bill, we sought the following improvements to the bill:

1. Strengthen the penalties, by including a company-specific component and increasing the industry-wide surcharge cap above \$3.5 billion.
2. Eliminate the "opt-out" provision that allows states to adopt weaker environmental tobacco smoke ("second-hand smoke") laws.
3. Eliminate or narrow the antitrust exemption.
4. Ensure spending on research, public health, and farmers, and press for spending on child care and education (or at least a menu including these programs).

Due to this Administration's leadership and commitment to reducing youth smoking, we are on the brink of improving the health and well-being of a generation of children and reversing the dangerous practices of the tobacco

**industry.**

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

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP [ OVP ] )

CREATION DATE/TIME: 8-JUN-1998 15:23:53.00

SUBJECT: VP Call to the NY Times

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

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

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

TEXT:

The VP's interview w/ Jeff Goldberg at the New York Times went fine.

Goldberg didn't really ask any of the questions we were expecting. He

asked the VP about the lack of momentum on the bill...where the

Administration is....if he thinks Stephen Goldstone and the other tobacco

executives are evil ... how he responds to their charges that this

legislation is all a big lie...

I think the VP did a good job in answering these questions. He strongly talked about how the Administration has been pushing this for years and that the issue is really about children (a pediatric disease). He said he would not get personal about his disagreements w/ Larry Tisch or Goldstone. He said the tide shifted on this issue as people saw the documents and realized this is about children. He said that we are in no way trying to limit tobacco companies from marketing and selling to adults.

Thanks for all of your help again.



DRAFT

**STATEMENT ON TOBACCO DOCUMENTS  
FOR THE VICE PRESIDENT  
JUNE 30, 1998**

But before we begin, I want to comment on a recent development, by using some of the plainest language I know: Smoking Kills. Just this past weekend we found even more evidence to prove that the tobacco companies have been targeting our children for decades -- a Lorillard document from 1978 state bluntly: the "base of our business is the high school student."

Let me say on behalf of President Clinton that the base of our business is protecting Americas children. That is why the President and have been working so hard to pass comprehensive tobacco legislation to reduce youth smoking and save one million precious lives.

The tobacco company documents revealed over the weekend only reinforce what we have seen in hundreds of other documents released in the past several months which confirm that for decades: the tobacco industry did intense research on the smoking habits of children as young as 12, the tobacco companies knew their product was addictive and deadly, tobacco companies knew a price increase would drive down the number of young people smoking and that tobacco companies have continued to market their products to young people.

In one 1984 RJR document entitled "Younger Adult Smokers: Strategies and Opportunities" they say young adult smokers are "the only source of replacement smokers." A 1987 Philip Morris memo states "It is clear that price has a pronounced effect on the smoking prevalence of teenagers." Another RJR document from 1973 states that "many manufacturers have "studied" the 14-20 year-old market in hopes of uncovering the "secret" of the instant popularity some brands enjoy."

These outrageous and immoral actions by the tobacco industry aimed at our kids is why the President and I have worked so hard to reduce youth smoking. The President and I worked with Congress to pass comprehensive legislation to: raise the price of cigarettes, stop tobacco companies from marketing to kids, invest in anti-smoking programs and research and give kids a healthy future.

The President and I strongly believe that high school students should not be the base of business for the tobacco industry and neither should Congress. The President and I will continue to expose the deceptions and lies of the tobacco industry through these documents and not stop until comprehensive legislation is passed by Congress and signed into law by the President.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:14-JUL-1998 11:28:18.00

SUBJECT: Vice President's NAACP speech

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Below, and attached, are text of memo I gave, at request of VP's staff, to Maria yesterday concerning a proposed education insert for the VP's NAACP address on Thursday. The problem is that the speech is a rather content-free, and this is a proposed solution, complementing the usual laundry list of accomplishments and such. It suggests four "principles" in an effort to me modestly visionary.

1. Standards/excellence,VNT (yes, I choked)
2. Opportunity to learn - but note how mild, watered down, non-federal and bully-pulitish
3. Cut attainment gap in half -- modeled after the health disparities initiative, but state-focused and hortatory
4. Integration, based on POTUS sentiments on the subject, voiced most recently at the PBS roundtable.

The question is whether it is possible to clear something along these lines for the Vice President to use, even though we haven't consulted governors

and the Organization of American States.

I sent this to Mike Cohen yesterday because Maria was going to call him, but you ought to have it because now she says she may call you, sometime this morning.

Eli Attie is working on the speech.

Ciao.

PS: Thanks for your counsel yesterday.

-----  
  
7/13/98

To: Maria Echaveste

From: Christopher Edley, Jr.

Re: Vice President's Gore's NAACP Speech - Clearance of Education  
Issues

Attached is a series paragraphs containing some education ideas I would

like the Vice President to consider for his NAACP speech on Thursday. I know time is short. The question is, can something like this get clearance? The VP's office is interested, but we have not shared it with the Vice President yet. Everyone's concern is that the policy process just moves too slowly to get this done. Is that true?

I apologize for my tardiness. I should have proposed this weeks ago. I was wasting my time on other matters.

Cc:

Mike Cohen, DPC

Eli Attie, OVP

[insert follows . . .]

I believe we can do better. I believe we can hold ourselves to a higher standard. I believe that if we give them the opportunity, every child in America can learn. And I believe it's time to stop pointing fingers and start joining hands to fix our schools -- because we don't have a child to waste.

Today, I want to suggest four clear principles to guide us, four core values to guide us as we move forward in the struggle: excellence, opportunity, achievement, and integration.

First, we will not get excellence from our children until we demand it - demand it from students, parents, teachers and administrators. - from

everyone. That is why President Clinton has called for voluntary national tests in the basics: 4th grade reading, and 8th grade math. excellence from all requires accountability for all. When it comes to education, the era of excuses must be over.

Second, I believe that every state and school district should define a basic level of opportunity for our children -- including the right resources and the right climate for learning -- and then measure whether classrooms and schools are meeting that goal. if kids don't get a chance to take algebra, or learn English; should we be surprised by low sat scores or high drop out rates? every child deserves a basic opportunity to learn, and the NAACP can play a role in holding local schools and officials accountable.

Third, I believe that every state and school district should set a goal of cutting in half the achievement gap between the richest and the poorest students, and among different racial and ethnic groups, over the next decade. And fourth, at time when America is becoming more diverse, too many of our schools are becoming less diverse. I believe we must reverse this trend, and recommit ourselves to integration and diversity in our schools using voluntary tools such as public school choice, charter schools and magnet schools. the best education is one which prepares students for the diversity in America. we must break down the walls between us, to understand our neighbors, and since everyone can't be in the army, our best hope for doing that is through the experiences we give our children in school.

These four principles are not some distant dream -- they are the foundation for the education battles we are fighting right now -- battles we must wage for our children's future.

Let's start by passing President Clinton's plan to hire 100,000 highly trained teachers to reduce class size in the early grades from an average of 22 to 18.

Then let's hire another 35,000 teachers in our poorest schools, and improve the quality of their teaching.

Let's pass Senator Carol Moseley-Braun's \$22 billion plan to rebuild and modernize our schools -- because we can't lift our children up in schools that are falling down.

Let's pass Congressman Chaka Fattah's High Hopes program -- to tell children as early as elementary school: if you work hard and stay in school, we'll give you mentoring, we'll give you tutoring, and we will guarantee you the help you need to pay for college.

And in this new economy and Information Age, let us close the digital divide that throws up new barriers to opportunity, and to the high-paying jobs of the future.

Think about it: if we put computers and the Internet in every classroom and school library in America, along with trained teachers, we'll never again have to worry that schools lack the latest textbooks, or good library collections. Every child in every community -- from the most remote rural district to the poorest inner city school -- will have access to the same vast universe of information.

And now we need the E-Rate -- so Internet connections will be greatly discounted for 30,000 schools, and almost free for the poorest schools.



7/13/98

To: Maria Echaveste

From: Christopher Edley, Jr.

Re: Vice President's Gore's NAACP Speech -- Clearance of Education Issues

Attached is a series paragraphs containing some education ideas I would like the Vice President to consider for his NAACP speech on Thursday. I know time is short. The question is, can something like this get clearance? The VP's office is interested, but we have not shared it with the Vice President yet. Everyone's concern is that the policy process just moves too slowly to get this done. Is that true?

I apologize for my tardiness. I should have proposed this weeks ago. I was wasting my time on other matters.

Cc:

Mike Cohen, DPC  
Eli Attie, OVP

[insert follows . . .]

I believe we can do better. I believe we can hold ourselves to a higher standard. I believe that if we give them the opportunity, every child in America can learn. And I believe it's time to stop pointing fingers and start joining hands to fix our schools -- because we don't have a child to waste.

Today, I want to suggest four clear principles to guide us, four core values to guide us as we move forward in the struggle: excellence, opportunity, achievement, and integration.

**First, we will not get excellence from our children until we demand it -- demand it from students, parents, teachers and administrators. -- from everyone. That is why President Clinton has called for voluntary national tests in the basics: 4th grade reading, and 8th grade math. excellence from all requires accountability for all. When it comes to education, the era of excuses must be over.**

**Second, I believe that every state and school district should define a basic level of opportunity for our children -- including the right resources and the right climate for learning -- and then measure whether classrooms and schools are meeting that goal. if kids don't get a chance to take algebra, or learn English; should we be surprised by low sat scores or high drop out rates? every child deserves a basic opportunity to learn, and the NAACP can play a role in holding local schools and officials accountable.**

**Third, I believe that every state and school district should set a goal of cutting in half the achievement gap between the richest and the poorest students, and among different racial and ethnic groups, over the next decade. And fourth, at time when America is becoming more diverse, too many of our schools are becoming less diverse. I believe we must reverse this trend, and recommit ourselves to integration and diversity in our schools using voluntary tools such as public school choice, charter schools and magnet schools. the best education is one which prepares students for the diversity in America. we must break down the walls between us, to understand our neighbors, and since everyone can't be in the army, our best hope for doing that is through the experiences we give our children in school.**

**These four principles are not some distant dream -- they are the foundation for the education battles we are fighting right now -- battles we must wage for our children's future.**

Let's start by passing President Clinton's plan to hire 100,000 highly trained teachers to reduce class size in the early grades from an average of 22 to 18.

Then let's hire another 35,000 teachers in our poorest schools, and improve the quality of their teaching.

Let's pass Senator Carol Moseley-Braun's \$22 billion plan to rebuild and modernize our schools -- because we can't lift our children up in schools that are falling down.

Let's pass Congressman Chaka Fattah's High Hopes program -- to tell children as early as elementary school: if you work hard and stay in school, we'll give you mentoring, we'll give you tutoring, and we will guarantee you the help you need to pay for college.

And in this new economy and Information Age, let us close the digital divide that throws up new barriers to opportunity, and to the high-paying jobs of the future.

Think about it: if we put computers and the Internet in every classroom and school library in America, along with trained teachers, we'll never again have to worry that schools lack the latest textbooks, or good library collections. Every child in every community -- from the most remote rural district to the poorest inner city school -- will have access to the same vast universe of information.

And now we need the E-Rate -- so Internet connections will be greatly discounted for 30,000 schools, and almost free for the poorest schools.

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -006**

**[07/19/1998-05/03/1999]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal. Personal (1 page)	07/19/1998	Personal Misfile
002. email	Christopher Edley, Jr. to Elena Kagan et al. Personal (3 pages)	07/20/1998	Personal Misfile
003. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal et al. Personal (1 page)	07/28/1998	Personal Misfile
004. email	Christopher Edley, Jr. to Elena Kagan and Maria Echaveste. Personal (1 page)	08/26/1998	Personal Misfile
005. email	Sujata Tejwani to Bgreen et al. [partial] (1 page)	11/19/1998	P6/b(6)

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

**FOLDER TITLE:**

[07/19/1998-05/03/1999]

2009-1006-F

vz152

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001, email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal. Personal (1 page)	07/19/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[07/19/1998-05/03/1999]

2009-1006-F  
vz152

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Christopher Edley, Jr. to Elena Kagan et al. Personal (3 pages)	07/20/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[07/19/1998-05/03/1999]

2009-1006-F  
vz152

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Christopher Edley, Jr. to Elena Kagan and Sidney Blumenthal et al. Personal (1 page)	07/28/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[07/19/1998-05/03/1999]

2009-1006-F

vz152

### 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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME:30-JUL-1998 17:48:14.00

SUBJECT: POTUS Race Book "Accomplishments" chapter

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

READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I have a team of PIR staff helping me with the book, and Michele Cavataio has agreed to be the "project manager" for this little part of the exercise. But DPC, NEC and OMB are, obviously, the real contributors here. What I envision is that Michele will help me make sure that the help we need from those offices doesn't fall through the cracks in the press of ordinary business. I'm looking to you, however, as the senior person to be most involved in ensuring that the White House story is developed. Make sense?

If so, then the question is, with whom in your shop should Michele work as a point of contact? (And will you instruct that person accordingly, if it isn't you.) Can you also please identify an appropriate person at NEC? -- But I'd really rather just work with you on this.

As a first step, Michele is going to (a) put together a couple of options for how the accomplishments chapter might be structured, and (b) build a file of existing Administration Accomplishments documents. When she's completed the options (in a couple of days), perhaps the three of us should have a conference call to discuss the right structure, and then strategize about a production process?

Also -- how would you feel about involving my dear friend Josh? He has lots of horses at his disposal, and might be feeling an bit underutilized.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Jeff Weintraub ( Jeff Weintraub [ UNKNOWN ] )

CREATION DATE/TIME: 3-AUG-1998 14:31:20.00

SUBJECT: Yad Vashem statement

TO: Dr. Eugene Fisher ( "Dr. Eugene Fisher" [ UNKNOWN ] )  
READ:UNKNOWN

TO: Fr. John Pawlikowski ( "Fr. John Pawlikowski" [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mark W. Weisstuch ( "Mark W. Weisstuch" [ UNKNOWN ] )  
READ:UNKNOWN

TO: Abe Brumberg ( Abe Brumberg <102142.2545@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Andy Baker ( Andy Baker <103424.2534@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Antony Polonsky ( Antony Polonsky [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce Ramer ( Bruce Ramer [ UNKNOWN ] )  
READ:UNKNOWN

TO: Deborah B. Mohile ( CN=Deborah B. Mohile/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: Czeslaw Karkowski ( Czeslaw Karkowski [ UNKNOWN ] )  
READ:UNKNOWN

TO: Daniel Eisenstadt ( Daniel Eisenstadt [ UNKNOWN ] )  
READ:UNKNOWN

TO: David Singer ( David Singer <103424.2303@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Deborah Lipstadt ( Deborah Lipstadt [ UNKNOWN ] )  
READ:UNKNOWN

TO: Feliks Tych ( Feliks Tych [ UNKNOWN ] )  
READ:UNKNOWN

TO: Gene DuBow ( Gene DuBow <103424.1665@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: George Szabad ( George Szabad [ UNKNOWN ] )  
READ:UNKNOWN

TO: IEPipes ( IEPipes [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ilana Berenbaum ( Ilana Berenbaum [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jacek Nowakowski ( Jacek Nowakowski [ UNKNOWN ] )

READ:UNKNOWN

TO: Jason Isaacson ( Jason Isaacson <103424.2533@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jerzy Halberstadt ( Jerzy Halberstadt [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jim Rudin ( Jim Rudin <76001.2122@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: John Kordek ( John Kordek [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jon Levine ( Jon Levine <103424.2461@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Joram Kagan ( Joram Kagan [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ken Stern ( Ken Stern <74577.1074@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Konstanty Gebert ( Konstanty Gebert [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leonard Grossman ( Leonard Grossman [ UNKNOWN ] )  
READ:UNKNOWN

TO: marilyn henry ( marilyn henry [ UNKNOWN ] )  
READ:UNKNOWN

TO: Martin Bresler ( Martin Bresler [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Berenbaum ( Michael Berenbaum [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Steinlauf ( Michael Steinlauf [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Traison ( Michael Traison [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mike Slotznick ( Mike Slotznick [ UNKNOWN ] )  
READ:UNKNOWN

TO: Myra Lenard ( Myra Lenard [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ralph Grunewald ( Ralph Grunewald [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ronald Modras ( Ronald Modras [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ruth Block ( Ruth Block [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ruth Gruber ( Ruth Gruber [ UNKNOWN ] )

READ:UNKNOWN

TO: Scott Leff ( Scott Leff [ UNKNOWN ] )  
READ:UNKNOWN

TO: Shana Penn ( Shana Penn [ UNKNOWN ] )  
READ:UNKNOWN

TO: Shula Bahat ( Shula Bahat <103424.1707@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Stan Blejwas ( Stan Blejwas [ UNKNOWN ] )  
READ:UNKNOWN

TO: Stephen Steinlight ( Stephen Steinlight <103424.2262@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TO: Steve Kurzman ( Steve Kurzman [ UNKNOWN ] )  
READ:UNKNOWN

TO: Susan Kaplow ( Susan Kaplow [ UNKNOWN ] )  
READ:UNKNOWN

TO: Theodore Zawistowski ( Theodore Zawistowski [ UNKNOWN ] )  
READ:UNKNOWN

TO: Vitold Tchaikovsky ( Vitold Tchaikovsky <72633.1623@compuserve.com> [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

August 2, 1998

Holocaust museum demands removal of  
crosses at Auschwitz

JERUSALEM (AP) -- Israel's Holocaust museum Sunday demanded  
that

Polish authorities immediately remove dozens of wooden  
crosses put up by

Catholics outside the former Auschwitz death camp.

A statement from the Yad Vashem Holocaust Memorial called  
the erection

of the Christian symbol a "provocative act" by "extreme  
groups."

Yad Vashem said the act violated an agreement reached

earlier this year

by the Israeli memorial, the U.S. Holocaust Museum in Washington and

Polish government and church authorities. The agreement said no religious,

ideological or political symbols would be erected on the site.

"The placing of the crosses, after special efforts have been made to reduce

tensions, may aggravate the situation and may prevent further dialogue

between the sides about the future of the site," the statement said.

No response was available Sunday from Polish officials.

Last week, several dozen Catholics from Silesia placed a three-metre

cross and about 50 smaller ones outside the walls of the camp.

The wooden crosses surround a eight-metre cross erected outside the

camp to commemorate a 1979 papal mass. Jewish groups have said the

large cross, visible from the former death camp, disturbs the memory of the

1.5 million Jews who died there.

The agreement reached earlier this year between Polish authorities and

Jewish groups did not resolve the dispute over whether the papal cross

should be left at the site.

Yad Vashem director Avner Shalev said Sunday that the placement of the

new crosses was "a clear provocation" that was "very painful for any

member of the Jewish people and many others."

Shalev said he hoped government and church officials in Poland would act

immediately to remove the crosses.

"Everyone agrees and understands that Auschwitz should be kept in the

authentic way that it was left," he said.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 5-AUG-1998 23:42:35.00

SUBJECT: Re: next steps

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

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:

Fabulous notes. Geez.

Small comments, in no particular order:

a. I would say that MAYBE these need elevation to POTUS. I favor developing the memo (with all the work that entails) and dropping out or adding as that process indicates. In other words, this shouldn't be viewed as a final list.

b. We really are killing four birds with one stone, and it makes sense to bear that in mind. The birds are: (1) updating POTUS on a few items; (2) plotting Administration priorities for the next two years and getting the needed policy signals to accomplish that; (3) flagging anything that has budget implications for FY 2000; (4) getting some bold thinking in front of POTUS for his race book.

c. In regard to the last item, b(4), we need a mini-working group not only to help process the memo, but also to think about ideas that may not be federal, or that may be longer range, or whatever. And, I dunno, maybe there's something about Native Americans. Maybe discrimination in the context of immigration enforcement. Anyway, I'd like a little working group, with charter not only to assist with Eddie's POTUS memo, but the broader brainstorming I need for the book.

d. I don't want any of this morning's discussion to leave the impression that I am anything but wildly enthusiastic about biting the bullet on 8(a) and SDB programs -- or at least putting before POTUS the option of doing so. I believe Maria agrees. BUT I DID NOT LEAVE THE DISCUSSION WITH A SENSE OF WHO HAS THE LEAD IN DRIVING 8(a) REFORMS FORWARD. If not WH COUNSEL, then who? Would be nice to get something signed off on by the time of the book. Erskine and Cassandra designed a package of changes that are sitting on the shelf to consider.

e. I just want to reiterate that there is serious intellectual work involved in many of these issues. There is hard conceptual stuff that ought to be framed in a way with the general way POTUS will discuss racial and ethnic justice, etc. Obvious point, but when the lawyers in the basement start arguing about everything, we'll have to remind folks to keep the big picture in mind. (Once we paint it.)

f. This is a large agenda. I urge Eddie to make use of Jacinta Ma, an attorney with a strong civil rights background, from the PIR staff. In addition, Maria will have a White House Fellow starting in September, who is an attorney with some civil rights experience and interest.

\*\*\*\*\*

At 04:52 PM 8/5/1998 -0400, Edward\_W.\_Correia@who.eop.gov wrote:

> Chris asked me to summarize my notes of our meeting this morning in  
> order to review the civil rights enforcement issues we identified as  
> particularly significant. I list these below, as well as my recollection  
of

> the remainder of our discussion. Please let me know if you have  
corrections  
> or additions.

>

> We identified the following "frontier" civil rights enforcement  
issues

> as significant enough to warrant review by the President:

> 1) higher education admissions, including the use of standardized  
> tests and the way we choose to articulate and support the Bakke decision;

> 2) high stakes testing in other settings, such as elementary and  
> secondary schools;

> 3) single sex schools;

> 4) magnet and charter schools, including the appropriate use of race  
> by these schools in creating a diverse student body and our enforcement  
> strategy if schools exclude groups in violation of the civil rights laws;

> 5) the importance of testers in civil rights enforcement, as used by  
> the EEOC and other enforcement agencies;

> 6) achieving diversity in employment and ownership in the  
broadcasting

> industry, including the status of the challenge to the FCC's employment  
> rules and strategies to diversify ownership;

> 7) our efforts to achieve "environmental justice," i.e., challenging  
>decisions of local government or other recipients of federal funds in land  
>use planning decisions that have a discriminatory impact.

>

> In addition to these issues, we may, after further review, want to  
>include language discrimination by employers and religious discrimination.  
>Also, the question of reforms in the 8(a) program may warrant review, both  
>as a legal matter based on our need to comply with Adarand and as a policy  
>matter, based on the desire to make the program more effective.

>

> In regard to policy issues that Chuck and I contemplated including in  
>a memo to the President, particularly pipeline strategies for higher  
>education, there was a strong recommendation to include these as a part of  
>the regular budget process. I will convey this recommendation to Chuck and  
>discuss with Elena and Mike Cohen how that would be done. Finally, there  
>was a consensus that we need some kind of regular White House review of  
>civil rights enforcement policy and strategies. One possibility is a  
>meeting every month (perhaps 6 weeks) involving DPC, Counsel's Office,  
>other White House staff where appropriate, the heads of the enforcement  
>agencies and some agency staff.

>

>

>

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 6-AUG-1998 20:57:30.00

SUBJECT: Race Book working groups

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:

Elena, Mike, Josh:

Here's where we are and where I'd like to go.

1. Working groups in Education, Criminal Justice, Economic Development and, sort of, Civil Rights Enforcement. My partners on each topic are, respectively, Elena/Mike, Elena, Josh and Eddie.

2. For the time being, at least, working with me as staff are: Michele Cavataio (K-12); Scott Palmer (higher ed and criminal justice); John Goering (economic dev); and Jacinta Ma (civil rights).

3. I'd like to have initial meetings of these working groups ASAP. Eddie is trying to arrange Civil Rights for Monday around 3 pm; Jacinta is working

with him on a

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 9-AUG-1998 20:22:51.00

SUBJECT: book working groups -- RETRANSMIT

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

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

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

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

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jane T. Price-Smith ( CN=Jane T. Price-Smith/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

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

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

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:

Sorry -- hit the send button before I was done.

Maria, Elena, Mike, Joshua:

Here's where we are and where I'd like to go w.r.t. bold idea working groups for the workplan chapter of the book.

[[MARIA: After reading this, I'd like you to send an email to all addresses

conveying your sense of the process, the priority you want DPC, NEC and OMB to assign to this, and what you want me to do if and when those offices decide [as seems inevitable, in my experience] they are too busy to engage. I'd like everyone on the same page process-wise. Thanks. ]]

1. Working groups in Education, Criminal Justice, Economic Development and, sort of, Civil Rights Enforcement. [perhaps additional topics later] My partners on each topic are, respectively, Elena/Mike on education, Elena on crime, Josh on economic development, and Eddie on enforcement.

2. For the time being, at least, working with me as staff are: Michele Cavataio (K-12); Scott Palmer (higher ed, and criminal justice); John Goering (economic dev); and Jacinta Ma (civil rights).

3. Near-term goal is an abbreviated piece of Think Paper with four headings: (a) major Administration accomplishments; (b) pending hot/important policy problems that may need to be addressed before or in the book; (c) ideas or problems in addition to the above that are "out there" that are candidates for discussion in the book, even if there is no policy exigency or, even, policy decision -- the so-called "hard-questions"; (d) bold ideas, including state, local and private measures.

4. CIVIL RIGHTS: I'd like to have initial meetings of these working groups ASAP. Eddie is trying to arrange Civil Rights for Monday around 3:30 pm; Jacinta is working with him on the Think Paper. I suggest that Mike Cohen attend that meeting because of education overlaps.

5. EDUCATION: Mike Cohen agreed to organize the Education meeting this coming week. [Not Wednesday. I suggest Thursday, any time other than 2pm,

when Maria has another race mtng scheduled. Mike, please invite Eddie, as well as Shireman. Invite Josh, but because Josh and Barbara Chow are scheduled to be on vacation, Josh wants you to invite Barbara's career dputy, Barry White. I concur. I've known him for 20 years. I've asked Scott Palmer and Michele Cavataio, working with Mike or his designee, to start on the Think Paper.

6. ECONOMIC DEVELOPMENT: On economic development, Josh is away, but I'll work with OMB staff to get the thing started, along with John Goering, so that when Josh returns that work group can get going in high gear. I will also ask Sperling who he wants involved.

7. CRIMIINAL JUSTICE, ETC.: Elena, will you please take the lead in convening a group? I've asked Scott Palmer to start on a Think Paper, but it needs DPC input ASAP. Who is Scott's cotact? Jose? Can you please set something up this coming week? Again, not Wednesday (I must be in Boston).

MY GOAL: is to get some preliminary thinking to POTUS [and VPOTUS] within a couple of weeks, for his quick reaction, to calibrate our boldness, and to help us set priorities in further, detailed idea development. Also, remember that those few ideas that may have budgetary implications will have to feed into that process.

Thanks one and all.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME:11-AUG-1998 12:22:18.00

SUBJECT: hi there

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

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

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

TEXT:

I'm anxious about getting the brainstorming efforts on crime and education going this week. I'm in Boston on Wednesday, back Wednesday evening.

We don't have tons of time, but DPC has the lead on these issues, so . . .

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME:19-AUG-1998 13:58:40.00

SUBJECT: book

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

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

TEXT:  
Elena:

1. My understanding is that you and Maria have spoken again about DPC engagement on ideas for the workplan chapter. Mike Cohen is fully engaged, and I'm really pleased at how that effort is moving along thus far.

2. CRIME: I've suggested that Scott Palmer contact Jose Cerda directly to get the criminal justice piece moving, because we are running out of time. Scott has drafted something to help get the juices flowing.

3. HEALTH: On Health, it seems to me we have to do something, but the question in my mind is whether there anything to be said in the workplan chapter beyond recapitulation of the Health Disparities initiative announced a couple of months ago. I've suggested that David Campt of PIR raise this with Chris Jennings before reaching out to HHS and outside experts for their thoughts. Unless people feel there are substantial possibilities on this front, it doesn't seem like it deserves a workgroup effort comparable to education, economic development, crime, or even civil rights.

The particular wrinkle I suggested to David Campt, as he studies the documents and chats with Jennings, is whether the Health Disparities

initiative contains a comprehensive set of non-federal elements. It probably does. Just a question to explore.

PLEASE SAY SOMETHING TO JENNINGS SO HE HAS CONTEXT FOR THIS.

Thanks.

4. SOCIAL SERVICES: I haven't given much thought to this general programmatic area. [I assume that we will handle job training stuff either in the economic opportunity working group or the education working group -- which ever makes sense to you and Sperling.] Unless you have feel otherwise, let's not attempt any serious work on this front for now. Child care can be handled as an adjunct of job strategies.

5. DEADLINE: Maria has, I hope, said something about the 9/10 deadline for my memorandum to POTUS. Getting that written, vetted, cleared and submitted by 9/10 will be tough.

So, tell me honestly: Are you on board, or are you "actively skeptical"?

ciao

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 25-AUG-1998 12:59:58.00

SUBJECT: Re: Chapter on Accomplishments

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

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

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ: UNKNOWN

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

TEXT:

Maria, Elena, Sidney:

This (accomplishments chapter) is one of the topics for dinner tonight.

At 03:58 PM 8/24/1998 -0400, Michele\_Cavataio@pir.eop.gov wrote:

>Chris and I were hoping to get some feedback from you on the attached memo  
>which proposes a format for the accomplishments chapter in the President's  
>book on race. We hope that our next step will be to meet with Michael  
>Waldman and others to flesh out the themes. (See attached file:  
>ACCOMPS2.WPD)  
>Thanks.

>

>Attachment Converted: "c:\Documents\Attachments\ACCOMPS21.WPD"

>

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Christopher Edley, Jr. to Elena Kagan and Maria Echaveste. Personal (1 page)	08/26/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[07/19/1998-05/03/1999]

2009-1006-F

vz152

### 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 (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 28-AUG-1998 12:14:17.00

SUBJECT: I-200 and loose nukes

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

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

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

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

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

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

TO: Maureen T. Shea ( CN=Maureen T. Shea/OU=WHO/O=EOP [ WHO ] )  
READ: UNKNOWN

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

TO: Lisa M. Brown ( Lisa M. Brown@OVP [ UNKNOWN ] )  
READ: UNKNOWN

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

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

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ: UNKNOWN

TEXT:

In advance of Maria's 11:30 meeting on I-200, I offer one substantive observation on the level of principle. My sense is that some, probably most, WH staff believe that the fate of I-200 is basically a local concern, and that the Administration's posture should be one of "support", rather than "responsibility." From that, it follows that you should just monitor, and be reactive and responsive.

The alternative principle is that if I-200 passes it will ignite a

firestorm of Prop 209-like activity, and in combination with adverse lower court rulings, broaden and deepen the risks to affirmative action policies the President and Vice President strongly support. This is no more a "local" problem than loose nukes in the Former Soviet Union.

What I hear is that "No-200" is in serious financial trouble, relative to the need; that the battle is winnable (as Prop 209 probably was); and that the local folks are pretty good (which was only half true on Prop 209).

So the first question is, What's our principle? If you agree with me, then the second question is, What would the Administration have to do to maximize the chances of defeating I-200, and how much of that are we actually willing to undertake, given everything else?

Finally, I'll play the WW parlor game: I'll bet that if the issues and arguments were put before the President, he would say that he does not want to preside over the dismantling of affirmative action; that he wants an aggressive (not reactive) strategy to defend his mend-it-don't-end-it policy; and that he would make these points with an edge of impatience.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 4-SEP-1998 21:19:45.00

SUBJECT: Draft POTUS memo on race book

TO: aedmonds1 ( aedmonds1@home.com [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

TO: Terry.Edmonds ( terry.edmonds@ssa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC: David Campt ( CN=David Campt/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jane T. Price-Smith ( CN=Jane T. Price-Smith/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Lin Liu ( CN=Lin Liu/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michael Wenger ( CN=Michael Wenger/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:  
Comrades:

Have a good weekend. You will enjoy it more if you take a look at the attached draft memorandum, which has been sent to the Staff Secretary for clearance. Maria is holding a clearance meeting on Tuesday afternoon at 4 pm, but comments are welcome before or after that. The memo is due in to POTUS mid-week. Sorry I couldn't finish this earlier in the day.

- Memo-v6.wpd===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D86]ARMSZZ000SHR6.000 to ASCII,  
The following is a HEX DUMP:

FF57504305630000010A0201000000020500000052840100000200000B07C5FE67E807EE65E852  
CB3D35DC586A6738F72CB1B6ECA51C659D7FDB5C8FFD266DFB99A551D293E6CE0902536A495F97  
632F9992D4928B507D27D72FEC13E2DB9C85B10787F5D693B47697F02911724C40B6F5D5E1104B  
5CC662E6B3DE2E2893630459A22613A0894E0336817809C735B5890F93018CEE17C55812FA5DE0  
6ADA0E83877BDF44230D7539C35162A0C09C48AA10563F790E35632744E9C64D2D65528549524

*Draft v6*

September 9, 1998

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Maria Echaveste  
Deputy Chief of Staff

Re: Progress Report on the Race Book, and Request for Interim Guidance

This memorandum is organized in the following sections:

- I. Introduction, process and organization of the effort
- II. The Vision (book chapter 2), and basic themes
- III. The Workplan (chapter 6)
- IV. Leadership (chapter 7)
- V. Next steps, and summary of decisions requested

*I. INTRODUCTION, PROCESS AND ORGANIZATION OF THE EFFORT*

The purpose of this memorandum is to review our progress, confirm our general direction, and solicit interim guidance on a few substantive matters. Most important, Part II is a first attempt to sketch your "vision" of One America with racial justice and equal opportunity in the 21<sup>st</sup> century. Then, Part III adds some flesh to key portions of the "workplan" chapter outline you have already seen, offering a partial menu of ideas.<sup>1</sup> We want to know if this conceptual

---

<sup>1</sup>The current detailed (and daunting) outline of the book is at Tab A. The chapter outline is:

Introduction: One America in the 21<sup>st</sup> Century  
Chapter I: Where Is America On Race, And Where Are We Going?

framework makes sense, and if we are heading for the right mix of bold and pedestrian, thematic and programmatic. White House policy staff are fully engaged and have both contributed to this workplan material and reviewed this memorandum. Important disagreements and special concurrences are noted in this document or accompanying memoranda.

We hope to complete the workplan menu within two weeks and, based on your tentative approval of several ideas, proceed with more detailed policy development between now and early November. This is key: I want these first stages of developing the workplan to emphasize thoughtfulness and boldness in the selection of the challenges, goals, themes and general strategies, connecting those to the vision. The next step, for greater detail over the next two months, is to figure out more concretely what ought to be done by whom (federal government? parents?). Throughout, Maria Echaveste will ensure that the interests of the policy councils are well regarded, that the formal clearance process is used when appropriate, and that I can appeal to you with any conflicts we cannot resolve in a timely way.

We have four working groups to help prepare the policy, or “workplan” chapter. These are co-led by the appropriate NEC or DPC staff and me. As yet, they do not span the entire range of subjects you may want to cover, but they are a good start:

- Education
- Economic Development and Employment Opportunity
- Criminal Justice and Community Security
- Civil Rights Enforcement

We also have less elaborate collaborative discussions moving forward on: Health, Strengthening Families, Native Americans, and Democracy/Civic Engagement. The “book team” includes a handful of PIR staff, and the addition soon of Terry Edmonds. I’m confident that several White House and OMB staff will also play critical roles, as they have in preparation of this document.

**Outreach:** Finally, Maria has assigned Minyon Moore and OPL the overall responsibility for coordinating external consultations by the outreach offices and, through Cabinet Affairs, conversations with key appointees in the agencies. Throughout September, many members of your staff will be making calls or conducting meetings with some 400 individuals, asking about

---

Chapter 2:	More Than A Dream: Racial And Ethnic Justice In The 21 <sup>st</sup> Century
Chapter 3:	Wrestling Lessons: Honest, Constructive Engagement Of Our Vexing Differences
Chapter 4:	Promising Practices: How To Build Bridges That Connect People Across Lines Of Class And Color, Creating Community And Opportunity
Chapter 5:	The Record Of The Clinton-Gore Administration
Chapter 6:	A Workplan For Our Nation
Chapter 7:	Leadership For One America
Chapter 8:	Conclusion

the proposed framework for your report, the most important actions you should take after the Advisory Board's work, and any elements they think it is especially important for you to communicate in your report. We will share some of the substantive responses with you, but all of them will be weighed by the book team.

\*\*

## II. THE VISION CHAPTER, AND BASIC THEMES

This section summarizes my best sense of your central vision for the book -- chapter 2 in the current outline. It builds on earlier material sent to you by Sidney Blumenthal and by me, as well as previous statements by you. In the book, the vision discussion will be preceded by an introduction and by the chapter describing where America has been and is on race, including demographics, discrimination, disparities, and intergroup relations. While not yet in your language, what follows is an effort to capture the key ideas and their interrelationships. At the end of the section, we also want to engage you on some cross-cutting questions, such as the role of government.

(a) *Why is this subject so important for us to tackle?*

*Renewing America for the new century:* For six years, I have worked to prepare America for the challenges of the 21<sup>st</sup> century. We have put our fiscal house in order, taken important steps to strengthen the international economic system, worked at home and abroad to create a post-cold war national security framework, launched an investment program in vital areas of education, training, new technologies and environmental protection. One additional area, without which we cannot succeed in the decades ahead, is overcoming the divisions of race and ethnicity so that we can be One America, united in a web of mutuality that gives us the strength to be our best as individuals, as communities and as a nation.

*Global and historical context:* The difficulty of the problem is evident not only from our own national history, but from events around the world – even today. The conflict is commonplace, as differences give rise to hatreds and then bloodshed. As President, I've seen it over and over again, and struggled to find ways that, through our actions and example, this nation could help troubled societies see their shared humanity and find peace. But make no mistake: This struggle to build peace and strength out of differences is a struggle against deep failings and sinfulness that seem inherent in the human spirit. In

my own religious tradition, sin can be overcome through struggle and faith, and it is a never-ending struggle. We should expect no easier a task when it comes to dealing with our differences here in America.

*The stakes:* On a more practical plane, making diversity a source of strength rather than division promises great rewards in social peace and home and economic success globally.

*New complexity:* The civil rights movement of three and four decades ago was largely framed in black and white, but led to bursts of energy and progress for other minorities and for women. Today's diversity gives us great opportunities, but also more complex challenges.

*Cause for confidence:* There is cause for confidence, because our ideals and values are far more than words locked behind glass in the National Archives. They are an incandescent beacon for peoples worldwide, and the lodestar by which we chart our own course and criticize our missteps. Our noblest moments and wisest leaders are marked not by the exploitation of difference, but by recalling us to the commitments of equality, tolerance, opportunity and justice. In my life, I have seen this most profoundly in the struggle against racial segregation and bigotry. No nation matches our capacity for moral greatness.

- (b) *What would it mean to have a full measure of racial justice and opportunity in America? What would our relationships be like, and what would society look like?*

*Vision of community:* [Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, correspondence, etc.)]

“One America” does not mean that we lose our ethnic identities, becoming some homogenized undifferentiated mass. We can be proud of our cultural identities and distinctiveness, and at the same time be proud of and loyal to America – indeed, that is one of the most important elements of our nation's greatness.

In religion, for example, scholars tell us that we are the most observant of developed nations, and that freedom of religion and separation of church and state are important parts of the explanation. We are a nation full of religious individuals, yet we do not all worship in the same way. Indeed, our civic values are that we tolerate and respect different religious traditions, and celebrate the legal and civic values that make diversity

possible. We are proud of that diversity, and together with tolerance, recognize it as a defining greatness of America. And much of the rest of the world recognizes this too.

So, too, with our racial and ethnic diversity. Our greatness in the decades ahead depends not merely on overcoming prejudice and bigotry rooted in our differences, and not only in tolerating differences. We must instead celebrate those differences as a source of richness and strength. Our personal lives are enriched by this diversity, and our society and economy are strengthened by it.

In the community of America, the things that connect us must be stronger than those that divide us. A “community” means shared interests. But we must also have a shared concern for our collective advancement, and mutual concern for each other. Transcending differences, while respecting them, is part of creating such a community.

So there is a delicate balance, because we have far too much to lose if we retreat into ethnic enclaves – walled off from one another by prejudice, stereotypes or even simple ignorance and misunderstanding. We sacrifice greatness and goodness, richness and riches, if by circumstance or choice we separate ourselves into subcommunities along the very fracture lines that have traced our national racial tragedies since Europeans arrived on these shores.

*Vision of opportunity:* [Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, correspondence etc.)]

We have legacies of slavery, conquest and colonialism; of Jim Crow and racist immigration quotas. The inheritance is evident in the patterns of our lives: the racially isolated communities, the gaping disparities in educational achievement, employment, criminal victimization and wealth; the still too-rare close friendships across lines of race. This inheritance is a burden to our spirits and a tax on our prosperity. Perhaps most tragically, for too many of our fellow citizens, the legacy has shackled dreams that are every American’s inalienable right. This is wrong, and we can do better.

One way our children and grandchildren will know when we have achieved racial justice and opportunity is that the evidence of America’s legacy of inequality will be found only in history books, and not in brutal social and economic disparities surrounding them.

*Vision of responsibility:* Responsibilities of citizenship; responsibility to reach out to others; responsibility of each of to combat whatever stereotypes and fears we may have;

and responsibility to take advantage of opportunities. (Examples from forums, letters, etc.)

We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles, including civil rights battles, to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

(c) *Why is this vision preferable to alternative, competing visions?*

Why embracing “equal opportunity” is necessary, but insufficient alone to produce a full measure of justice and fairness in One America.

Why color blindness makes sense, and why it doesn’t.

Why assimilation as Americans is important, but not an assimilation that seeks to erase our diverse identities. Is tolerance of differences sufficient, or must there be more?

\*\*

### III. THE WORKPLAN CHAPTER

The purpose of this chapter is to explain the most important steps the nation must take over the next decade in pursuit of your vision of racial justice and opportunity, as described earlier in the book. As with the promising practices chapter, you want to provide inspiring “news you can use” to people in communities and organizations across the nation who are looking for ideas. The workplan is organized by policy sectors, and within each sector it will contain federal, state, local, private and personal elements. This is *not* just about the federal government, or government generally. Few items will have FY 2000 budget impacts, although several will have “down payments” in Administration accomplishments and earlier proposals. (The ideas which follow reflect substantial contributions from DPC, NEC and OMB; this memorandum has been through an accelerated clearance process. Comments from your advisors are noted in this document or in appended memoranda.)

The book should be highly thematic, avoiding an exhaustive and mind-numbing recitation of comprehensive programmatic details. But it must contain just enough pointed recommendations to leave the reader with a sense that you have provided concrete direction, not just rhetoric. This also entails being very selective – not *every* good idea for addressing *every* important problem. In areas where thoughtfulness or clarity requires more program detail, the final document can use

textual boxes set apart from the flow of the narrative.

Two final points. The boldness you have requested in policy ideas seems in some cases to come in the statement of a national goal (“close disparities in education achievement by X percent”), and in other cases may not be evident until we offer specific public or private interventions to advance the goal. Relatedly, in the stating the goals we have repeatedly between brave aspirations and statements that are more cautious and achievable. We need your general guidance on this.

\*

## § 6.2 *THE EDUCATION SECTION OF THE WORKPLAN*

Apart from the economy, I assume that education will be the clear first-among-equals in your workplan for the nation, receiving disproportionate emphasis throughout the book. Despite improvements over the last several decades, racial disparities in opportunity and achievement persist throughout the education pipeline, and these disparities are powerful obstacles to achieving your vision. We’ve tolerated it for too long. It is wrong. Therefore, the workplan focuses on areas of significant disparity that have the greatest impact on educational outcomes. It also emphasizes the instrumental and ethical necessity of heightened responsibility and accountability.

In addition, racial isolation, often in combination with poverty concentration, remains a problem both among and within our schools, presenting barriers to achievement, excellence, and to your vision of mutual understanding and community. This is the third pillar of the education workplan.

-- *Outline of the section*

### *Introduction/Context*

- Education is primary [only central?] to achieving my vision. This requires:
  - (1) eliminating racial disparities in educational opportunity and achievement;
  - (2) reinforcing responsibility and strengthening accountability for administrators, teachers and students, as well as for the political institutions governing education; and
  - (3) promoting racial and economic integration in education.

- These problems have long gone unsolved because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government and of the family in education. The old formulas need revision, the old problems need new thinking, and the old values need new life.
- We need to provide every family, regardless of race or zip code, with an Education Bill of Rights.<sup>2</sup>

- (a) **Close the racial gap in opportunity and achievement.** Notwithstanding important progress, significant racial disparities in achievement persist. We must close these gaps and raise the bar for everyone. This means overcoming racial disparities in the educational opportunity available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. Beyond this, we must improve our ability to make targeted, individualized efforts to ensure that every child succeeds to his or her full potential. Among the key elements of an education bill of rights for equal opportunity and achievement:

*Parenting and early childhood:* Ensure that every child has a parent or other adult actively engaged in that child's learning, and that every young child has access to early learning opportunities.

*Teaching:* Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for students of all races.

*Curriculum and standards:* Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or

---

<sup>2</sup> Such a Bill of Rights might include the following:

- (1) Every child shall have a parent or other adult actively engaged in his/her learning and have access to support services to help that child achieve to his/her full potential.
- (2) Every child shall have access to early learning opportunities.
- (3) All parents have the right to send their children to equitably funded schools that are accountable for their child's learning.
- (4) Every child shall have access to high-quality teachers.
- (5) Every child shall be held to high expectations and standards and have access to challenging curricula.
- (6) Every child shall have access to adequate facilities and modern technology.
- (7) Every LEP child shall have access to the tools necessary to help him/her learn English within three years.
- (8) Every child shall learn in a safe environment.
- (9) All parents and children shall have the right to choose to attend racially and ethnically integrated schools.
- (10) Every high school graduate shall have the financial support and opportunity to go to college.

her full potential. Students of color are often tracked into special education and out of honors courses.

- *English acquisition:* Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.
- *Infrastructure:* Close the racial disparity in full access to adequate facilities and modern technology.
- *Post-secondary attainment:* Overcome racial disparities in high school graduation rates, and in college participation, retention and graduation rates.

(b) **Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without much stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we will have to design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform. The Voluntary National Test is such an intervention, as is public school choice, and we must build on such approaches while providing needed safeguards against abuses.

*Tests and accountability:* Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers, and students accountable for educational achievement. The accountability should flow “up” from parents and “down” from Federal taxpayers and presidential leadership. The range of tools, both carrots and sticks, should stretch from more effective parental action, to political mobilization, to school reconstitution or receivership, to fiscal incentives – and everything in between.

*Governance and leadership:* If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems.

(c) **Promote integration and diversity in education to enrich the learning experience for all students.** We also care about integration, so that students have the opportunity to learn together in ways that dissolve stereotypes and improve race relations. Parents and students should have a right to chose an integrated education. But, after a burst of progress in the late 1960s and early 1970s, segregation in K-12 education is worsening. For example, a recent study reports that one-third of black and Hispanic students attend schools with more than 90 percent minority enrollment, and almost nine in 10 of those

schools are predominantly poor. High-quality integrated schools provide a more complete educational experience for all students than high-quality segregated schools. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement.

*Educate the public on the value of inclusion, diversity and integration -- reviving that ideal:* An inclusive community of students and educators can: improve teaching and learning by enriching the learning environment with diverse perspectives; strengthen students' critical-thinking skills by challenging their existing perspectives; teach students how to interact comfortably with people different from themselves and thereby how to function as good neighbors, colleagues and citizens in our diverse democratic society; improve students' preparation for employment by teaching them the value of diverse perspectives, how to function in diverse business settings, and how to communicate effectively in our increasingly diverse domestic marketplace and the expanding global marketplace; and foster the advancement of knowledge by spurring study in new areas of concern.

*Reduce racial segregation and isolation among schools:* This is not a call for massive, federally mandated strategies where there is no constitutional violation demanding court-supervised remedies. Instead, parents and educators should make use of a range of measures such as magnet schools, multidistrict transfer programs, and so forth. Most important, we must better appreciate the important stake we have in making diversity work in the world of our children. Schools of unquestioned excellence are the easiest to make and keep diverse.

*Reduce segregation within schools:* Even in diverse schools, evidence shows that students are often re-segregated into racially homogenous classes through tracking and other mechanisms, thereby reducing their opportunities to learn together and have positive cross-racial interactions.

*Inclusion in higher education:* Promote access and diversity in higher education, and foster the educational benefits of diversity. Mend, don't end, affirmative action. And wherever possible, use creative race-neutral mechanisms in admissions and in the K-12 pipeline. Ensure that in sustaining the crucial role of HBCUs, HSIs, and Tribal colleges (which are integrated) we don't "excuse" historically white institutions from the principle of excellence-through-inclusion.

***– Discussion issues on the education workplan***

Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation?

Do the bulleted items capture your personal priorities? Are any high priorities missing?  
Can any of them be demoted for attention in textual boxes rather than in your narrative?

Can we explore some rethinking of the federal role in order to tackle these disparities?

\*

## § 6.4 CRIMINAL JUSTICE AND COMMUNITY SECURITY

From hate crimes to crack houses, from police misconduct to police hiring, from disparate incarceration rates to racial profiling -- barely a week goes by without some aspect of crime and criminal justice standing as a lightning rod for racial and ethnic tensions. No area is more freighted with divisive stereotypes and misunderstanding. Yet it must be tackled with vigor because victimization and criminality destroy communities and families, just as they fuel alienation and division.

### *– Outline of the section*

#### **Introduction/Context**

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice: communities of color disproportionately bear the social, economic, and personal costs of crime, and, according to polls, have less confidence in the fairness of the criminal justice system than do whites.
  - Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly, and thereby closes the trust gap while making community security a right enjoyed equally.
- (a) **Community Security: Eliminate racial disparities in victimization.** The right to be secure cannot be discounted by race. Every American is entitled to live in a safe community, and the race of residents shouldn't tell us the crime rate. From 1992 to 1997, rates of violent crime in America have decreased, but disparate victimization rates persist. Tackling this problem directly is part of the opportunity agenda, as well as a matter of decent fairness. The Administration's record has numerous elements, which we can build upon and target to close the disparities.
- (b) **Keep young people out of the criminal justice system, and for those who have contact with it, make it their last.** Racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including

violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. The realities are flatly inconsistent an American vision of racial justice and equal opportunity.

- (c) **Build greater fairness and trust in the criminal system.** Several past and present factors contribute to mistrust in our criminal justice system among persons of color, including negative interactions, disparities in the administration of justice (incarceration, sentencing, death penalty), and lagging diversity in law enforcement (police, prosecutors, judges, juries). Without more trust, creating safe communities is impossible, because legitimacy, support and cooperation don't come free.

- *Prohibit the use of racial profiling:*<sup>3</sup> No American should be subject to disparate application of the state's policing power because of his/her race. Statistically efficient allocation of resources, some claim, justifies impositions on innocent persons, while perpetuating stereotypes and contributing to tensions. Targeting based on color, without individualized evidence, is rarely if ever fair and just.

- *Pursue zero tolerance for racially suspect police misconduct and brutality:* While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur. We are deeply divided in perceptions of the magnitude of the problem.

- *Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.*

- *Increase diversity and representation in the criminal justice system.*

– *Discussion issues on the criminal justice workplan*

- Can we speak of community safety as a “right”, and the racial disparities in victimization as flatly inconsistent with your vision? If so, are disparities a fair index of this aspect of racial justice and opportunity?

- Should we “prohibit” racial profiling, or “restrict” it?

---

<sup>3</sup>Profiling will also be considered in the “Wrestling Lessons” chapter, as one of the hard questions that forces us to think about differences in values and perceptions.

- Similarly, should we tackle disparities in rates of incarceration, presumably with targeted attention to prevention, diversion and post-incarceration?
- Can we assume that the primary public sector role is state and local, or do you envision continued growth in the federal role?

\*

## § 6.7 THE CIVIL RIGHTS ENFORCEMENT SECTION OF THE WORKPLAN

We have considered distributing the civil rights law enforcement issues in several sectoral subsections – as components of the education or jobs strategies, for example. But for now, I want to press ahead as sketched below because the audience will appropriately expect some attention to the traditional antidiscrimination enforcement agenda. This also permits you to teach about this unfinished work. Moreover, the best opportunities for boldness are in cross cutting issues, among them: policy judgments about the lawfulness under Title VI of persistent resource disparities; retooling agency enforcement strategies to emphasize proactive technical assistance and voluntary action; and rethinking the legal framework and enforcement priorities to reflect our 21<sup>st</sup> century diversity.

We are joined at the hip with Chuck Ruff, and will cooperate in his effort to put before you suggested civil rights enforcement priorities for the next two years.

### *– Outline of the section*

#### **Introduction/Context**

- Persistence of discrimination, and of enforcement backlogs.
  - We have opportunities to strengthen and more aggressively enforce civil rights principles, and also support appropriate voluntary actions that promote equal opportunity and access. This includes defending disparate impact doctrine, and defending affirmative action.
  - The traditional agenda needs renovation to (i) increase its efficiency at handling the retail problem of discrimination; (ii) contribute more directly to the opportunity agenda in education, jobs and community economics; (iii) reflect our 21<sup>st</sup> century diversity.
- (a) **Overcome racial disparities in opportunity by expanding the use of civil rights enforcement.** Civil rights enforcement can play an especially important role in

overcoming barriers to educational and economic opportunity, and we should strengthen and focus civil rights enforcement to complement the opportunity agenda.

- *Strengthen antidiscrimination laws and enforcement procedures:* For example, we could amend Title II, which prohibits discrimination in public accommodations, to include businesses that provide goods and services. At present, racial discrimination in retail sales (e.g., the Eddie Bauer case in which a black teenager was ordered by a security guard to strip off his shirt because he did not have a sales receipt) does not raise a strong federal cause of action. We nearly abandoned pattern and practice investigations during the 1980s. That was wrong.
  - *Use Title VI to address racial disparities:* No federal money should be spent in a manner that supports unjustified racial disparities in opportunity. For example, in education, Title VI prohibits policies and practices that have an unjustified disparate impact on select racial groups in terms of access to educational resources, tracking into challenging courses, the use of unvalidated high stakes tests, and more. We should strengthen Title VI enforcement.
  - *How much discrimination is there?* We should expand research on the extent of racial discrimination, using the best available methodologies (testers where appropriate), in such areas as employment, housing, and access to capital. The results of such testing should be published in an annual report card.
- (b) **Fully address all forms of discrimination affecting our increasingly diverse population by strengthening civil rights laws and enforcement.** We must retool our civil rights laws and refocus enforcement efforts to fully address civil rights issues affecting our diverse citizenry.
- *New immigrants:* Strengthen laws and enforcement to promote the rights of new immigrants. For example, in immigration and employment, we could expand enforcement against labor abuses in “sweatshops,” the victims of which are often new immigrants of Hispanic or Asian origin, and amend present laws to stabilize the immigration status of persons who report labor abuses so those persons do not fear reprisal, official or private.
  - *Language acquisition:* Promote the rights of LEP populations. For example, in education, we could develop regulations to clarify the *Lau* standard concerning what legal requirements schools must meet in educating LEP students.
  - *Learning your rights:* Educate immigrant and LEP populations about civil rights laws and mechanisms. We should promote outreach to immigrant and LEP populations whose rights are protected but who are underutilizing civil rights laws.

- (c) **Address discrimination and disparities by promoting voluntary efforts in conjunction with enforcement of civil rights laws.** In addition to reacting to civil rights complaints, civil rights enforcement agencies should act proactively to encourage and support voluntary compliance with civil rights laws and values.
- Expand civil rights consultations and clarify legal standards:* There are civil rights areas where both the law and policy are unclear and where people of good will may be managing inappropriate programs. We should act to clarify legal standards and to encourage actors to seek guidance concerning their civil rights obligations. We could promote laws or regulations encouraging voluntary consultations with civil rights agencies. If an actor voluntarily submits his/her practice for civil rights review, he/she is safe harbored and/or any agreement approved by the civil rights agency following that review would be defended by the federal government if later challenged by a third party.
- Expand proactive enforcement:* Absent a formal complaint, where potential civil rights violations are discovered, civil rights agencies should follow up with the party to correct the injustice. If discussions are not fruitful, the enforcement agency reserves the right to launch a more formal civil rights enforcement examination. For example, in education, the Department of Education's Office of Civil Rights (OCR) recently learned of a Georgia education policy that placed students into gifted and talent programs based solely on IQ test scores, despite the fact that the IQ test was not validated for that purpose nor validated to be the *sole* factor for any purpose. This policy led to a disproportionately low number of minority students being admitted to gifted and talented programs. OCR consulted with Georgia officials, and the policy was properly amended.
- (d) **Mend, don't end, affirmative action as enforcement remedy and voluntary measure to promote access and inclusion**
- (e) **[Hate crimes.]**

-- *Discussion issues on the civil rights workplan*

After further interagency discussion, we will need policy guidance about a number of Title VI issues.

Should we develop a package addressing "the new diversity"?

How much technical assistance should be done proactively to implement “mend don’t end” in various sectors?

\*\*

#### IV. THE LEADERSHIP CHAPTER

Following the workplan chapter, you can challenge leaders in a range of sectors to do their part, and combine this with a vision of locally-based efforts to use the promising practices and devise locally-oriented workplans. Finally, in this chapter you should describe the ongoing mechanism within the White House to help support the sectoral leadership, community-based leadership, and the Federal government elements of your workplan.

##### (a) *Challenges for sectoral leadership*

We expect, by the publication date, to have worked successfully with leadership groups in a few sectors, prompting them to develop a list of action steps tailored to their sector, and a practical strategy for implementation. A brief status report on what we have initiated follows.

*Higher Education:* With staff support from the American Council on Education, a core group of college and university presidents is working to establish a broader coalition that will lead a coordinated campaign to educate the public about the value of diversity in higher education and to share campus practices that promote diversity. We expect them to launch the effort, designed with Frank Greer as lead consultant, sometime this fall. (There is a possibility of using a White House event to bless the undertaking.)

***Faith Community:*** Sandy Cloud of the National Conference for Community and Justice has agreed to lead a steering committee in convening, on October 22 and October 23, an implementation summit at which a group of faith leaders will write and commit to a practical work plan for both national and community-based action, and devise a coalition mechanism for follow through. This will include special efforts to reach those faith communities that have not traditionally been leaders in racial justice. In addition, at your September 11 breakfast for religious leaders, you will have an opportunity to mention Sandy Cloud’s leadership, and encourage those in the room to respond positively to the effort.

*Corporate:* Secretary Daley will informally convene a group of CEOs in October to identify the most appropriate elements of a corporate sector initiative, and strategies for enlisting support from key executives. In preparation for that session, White House and agency staff will brainstorm with some current and former Administration officials in corporate leadership.

*Youth:* We are organizing a team of White House staff and representatives from national youth-oriented organizations to prepare a workplan intended for widespread endorsement and dissemination. (The outside collaborators will include USSA, Young Democrats, Young Republicans, the youth divisions of the NAACP, Urban League, La Raza and the Congress of Asian Pacific American Youth.) Tentatively, we think the plan's three major components will be: (i) a national campaign to educate the youth sector about the intricacies and history of race and racism; (ii) an initiative to improve race-related curriculum and teaching in grades K-16; and (iii) a mechanism to ensure youth sector involvement.

*(b) Options for an ongoing structure to carry out your work plan*

While the work plan is not yet completed, we know that there will be some general components which will require continuity and should compose the major responsibilities of the new entity:

- Policy making (including research and data collection)
- Outreach and leadership development (including technical assistance to communities)
- Communication campaign (including an awards program)
- Support for promising practices (such as a clearinghouse, conferences, grant funding)

The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors is needed to ensure continued momentum and follow up from outside efforts. Non-federal leaders engaged on the workplan will expect a central point of contact and technical assistance.

*Option A: President's Council for One America*

*AI: President's Council for One America Plus an External Advisory Committee*

The continuing effort could take a form similar to the Council for Environmental Quality or the Office of Science and Technology Policy. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating

authority. The council, created by Executive Order, would be run by an Assistant to the President (as Executive Director) with a small staff and a blue ribbon advisory committee.

A council staff should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination.

It would also have a communications component, which would help lead a public education campaign, support a promising practices clearinghouse, and conduct outreach to help improve race relations.

- Pros:
- Location places the Presidency squarely behind racial reconciliation effort
  - Relatively stable structure
  - Staff appointed by you ensures White House control
  - Advisory committee offers opportunity for showcasing diverse leadership, provides credibility in building partnerships

- Cons:
- Location and staffing make the stakes high
  - Advisory committee requires support and nurturing; the familiar headaches

**A2:** *President's Council for One America, No Advisory Committee*

This option would be the same as option A1 but it would not include an Advisory Committee.

- Pros:
- Staff would not be distracted by the day-to-day demands of managing an Advisory Committee

- Cons:
- Lacks the outside validation that an Advisory Committee can provide

**Option B: Dedicated Staff reporting to the Office of the Chief of Staff**

An Assistant to the President with a small staff, reporting to the Chief of Staff's office, could take responsibility for managing Administration efforts.

- Pros:
- Closely linked to you and the White House
  - At the center of activity

- Cons:
- Not a formal structure, may not be stable
  - May not be viewed publicly as a significant enough commitment

**Option C: Private Foundation Model**

**C1:** *One America Foundation*

The structure could take the form of a private foundation, established at your urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros:
- Serves as umbrella to coordinate several areas of activity
  - Independence
  - Ability to raise money

- Cons:
- May not be viewed as closely connected to the White House
  - Requires someone's time and attention to pull together

**C2:** *Clinton Library Model*

This option is similar to the Foundation model above except that it would be an endeavor for you after your final term ends, possibly as part of the Clinton library. Staff could begin immediately to design the structure.

- Pros:
- More time to put together the funding and structure
  - You will have more time to devote to it

- Cons:
- Delays significant Presidential involvement for a few more years
  - May be partisan resistance to participating in activities because of close alignment with this Administration

V. *NEXT STEPS*

...

Attachments:

Current book outline.

*P\_6RHS000Z\_WHO\_HTML\_1[1]*

NEC memorandum on employment issues  
???

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." [ UNKNOWN ] )

CREATION DATE/TIME: 8-SEP-1998 21:27:30.00

SUBJECT: POTUS meeting

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

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

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

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

TEXT:

Last I heard, it is still likely that we will have a small group discussion with POTUS concerning the race book some time this Friday. That could change, but . . . .

We should get together to share ideas about how best to use that time.

Maria is probably traveling with POTUS tomorrow (Wednesday), but the three of us could try. Would late afternoon or early evening work? That way, if we agree on some additional piece of paper, I'd have time to write it on Thursday.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Sujata Tejwani to Bgreen et al. [partial] (1 page)	11/19/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
WHO ([Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[07/19/1998-05/03/1999]

2009-1006-F

vz152

### 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]

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]

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.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Sujata Tejwani ( Sujata Tejwani [ UNKNOWN ] )

CREATION DATE/TIME:19-NOV-1998 15:01:47.00

SUBJECT: P6/(b)(6) [005]

TO: Andy\_McDonald ( andy\_mcdonald@wellstone.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: BGreen ( BGreen@dnc.democrats.org [ UNKNOWN ] )  
READ:UNKNOWN

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

TO: danielfee ( danielfee@worldnet.att.net [ UNKNOWN ] )  
READ:UNKNOWN

TO: david\_sandretti ( david\_sandretti@boxer.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: eallen ( eallen@emilyslist.org [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elyse\_Wasch ( Elyse\_Wasch@reed.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: Hart90125 ( Hart90125@aol.com [ UNKNOWN ] )  
READ:UNKNOWN

TO: hawkins ( hawkins@dccc.dnh.org [ UNKNOWN ] )  
READ:UNKNOWN

TO: kak318 ( kak318@worldnet.att.net [ UNKNOWN ] )  
READ:UNKNOWN

TO: karahughes98 ( karahughes98@yahoo.com [ UNKNOWN ] )  
READ:UNKNOWN

TO: Karen\_Olick ( karen\_olick@boxer.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: Kauffmann ( Kauffmann@dnc.democrats.org [ UNKNOWN ] )  
READ:UNKNOWN

TO: Kim ( Kim@dnc.democrats.org [ UNKNOWN ] )  
READ:UNKNOWN

TO: Matt\_Kagan ( Matt\_Kagan@boxer.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: nadeam\_elshami ( nadeam\_elshami@boxer.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: perry\_lange ( perry\_lange@wellstone.senate.gov [ UNKNOWN ] )  
READ:UNKNOWN

TO: pwetterlund ( pwetterlund@emilyslist.org [ UNKNOWN ] )

READ:UNKNOWN

TO: SINOWAY ( SINOWAY@dnc.democrats.org [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

AP J8442 rn utut- UT-Cook-Staff, 1st Ld-Writethru,0957 11-19 9:14a

Report: Cook's former chief of staff said boss was "wacko"

EDS: RECASTS lede to remove reference to rehiring

rg1

SALT LAKE CITY (AP) - Congressman Merrill Cook's re-election win was followed by a flurry of staff firings and profanity-laden tirades, according to memos obtained by The Salt Lake Tribune.

One memo, written by former Chief of Staff Janet Jenson, said that Cook thought he was in the midst of a losing campaigns, days after his double-digit win.

Jenson warned staff that Cook's behavior put all of their jobs in jeopardy if they did not humor the increasingly erratic congressman, The Tribune said in a copyright story Thursday.

"Whatever he asks you to do or say, however crazy, you should just say 'Whatever you think is best,'" Jenson advised staffers in a Nov. 7 intra-office e-mail obtained by the paper. "If he asks you to fax his underwear to the speaker's office, please just do it."

In an e-mail the next day, Jenson said, "Merrill has taken up permanent residence in wacko land, and we are all in serious jeopardy."

An example of Cook's state of mind, according to Jenson's memos, was a profanity-laden tirade two days after the Nov. 3 election where Cook used the harshest expletives referring to his chief of staff, telling her it was her fault they were going to lose the re-election campaign.

"I told him that he's already won it by double digits, and maybe he should get some sleep or go on a vacation or something," according to the memo.

Meantime, Cook's office on Wednesday confirmed the resignations of two more staffers - Frank Vlossak in Washington and Georgia Peterson in Salt Lake City. They come just more than a week after Jenson's resignation and the firing of Utah District Director Robert Jeppsen.

Cook declined an interview, as he has since allegations of his violent temper surfaced.

SpokeswomanMARIanne Funk said Wednesday that Cook was too "hurt and surprised" to respond. "He's, frankly, feeling devastated."

Funk said that Cook never threatened to fire the entire staff. Jenson, however, had been singled out for replacement before the election because of a deteriorating relationship.

Her e-mails, Funk said, were sent after she was asked to resign and were a "tremendous effort to save her job by attackingCongressman Cook's credibility in a manner that offended most staff."

Funk could not explain how attacking Cook might save Jenson's job.

Funk also denied that Cook verbally abused staffers and used profanity. And she rejected suggestions that her boss was too disoriented to comprehend his election victory.

She did say he was hurt by some of the personal aspects of the campaign, including ads run by Democratic challenger Lily Eskelsen poking fun at his appearance.

Cook's third-ranking Washington employee, senior legislative assistant Martin McGuinness, described Cook's behavior as typical

high-energy Washington politics.

"It's cutthroat D.C., hardball, breakneck politics and legislation. It's not bridge club," McGuinness said. But he said there was no staff abuse or out-of-control anger.

But two other former staffers - Jeppsen and one-time chief of staff David Irvine - went public last week with concerns about Cook's temper and depression.

And some current staff members also have told The Tribune of disturbing actions by Cook, including locking himself in the office for hours, communicating by slipping notes under the door.

Funk said Cook only closed his office doors for private phone calls or a nap during marathon workdays.

In addition to the allegations by departing staff, a week before the election he was banned from state GOP headquarters for a cursing tantrum after he was left off a get-out-the-vote phone message recorded by Sen. Bob Bennett.

Jenson had declined comment on her Nov. 9 resignation. On Wednesday, she acknowledged writing the e-mail memos, but said they were intended to be private.

"I am very sad that one or more members of the staff has made them public," Jenson said. "I do not want to damage Merrill in any way publicly."

The two resignations announced Wednesday were expected, she added.

Vlossak, a part-time legislative assistant, left to work for a law firm. Peterson, Cook's state transportation liaison, resigned in protest of the firings of Jenson and Jeppsen.

Peterson, who worked part time from her home, said she had not witnessed any outbursts, verbal abuse or moodiness.

"I knew there were some problems," Peterson said. "Some of the secretaries would talk to me on occasion that they had had experiences that were not good."

In a phone interview Wednesday from her home in suburban Washington, Jenson confirmed that her concerns prompted her contact Gov. Mike Leavitt and the state Republican Party to seek help in the days following the election.

"Basically, they were very concerned, and they asked me if there was any way the family could deal with it privately," said Jenson, who called Cook's brother-in-law after the talk.

Leavitt Chief of Staff Ted Stewart said he talked to Jenson the day after the election and she told him of proposed staff changes and what she said were threats to fire the entire Washington staff.

"Like anyone else, I was taken aback," said Stewart, who passed on the information to Leavitt, but was unaware of any intervention by the governor.

Stewart said he did not discuss Cook's mental health during his conversation with Jenson.

(PROFILE

(CAT:Political;)

(SRC:AP; ST:UT;)

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: IMCEACCMAIL-Vicky ( Vicky Stroud at Wdcb04 <"IMCEACCMAIL-Vicky+20Stroud+20a

CREATION DATE/TIME: 4-FEB-1999 15:28:00.00

SUBJECT: RE: Weekly Education Strategy Meeting

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP [ OSTP ] )  
READ:UNKNOWN

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

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

TO: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TEXT:

Cathy,

Mike is out on travel (California) and Diane Rogers is out sick today.

Let me know if they want someone to attend from here.

Thanks,

Vicky

---

Reply Separator

---

Subject: Weekly Education Strategy Meeting

Author: "Cathy\_R.\_Mays@opd.eop.gov" [SMTP:Cathy\_R.\_Mays@opd.eop.gov] at

USDOED

Date: 2/3/99 4:51 PM

We will be having the weekly Education Strategy meeting tomorrow, February 4, at 5:15 p.m. in Bruce Reed's office, 2 Floor, West Wing.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: IMCEACCMail-Vicky ( Vicky Stroud at Wdcb04 <"IMCEACCMail-Vicky+20Stroud+20a

CREATION DATE/TIME:11-FEB-1999 16:25:00.00

SUBJECT: RE: Education Strategy Meeting

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP [ OSTP ] )  
READ:UNKNOWN

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

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

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

TO: Lorrie McHugh ( CN=Lorrie McHugh/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

TEXT:

Cathy,

Can the meeting run from 5:30-6:30pm instead of 5:15pm?

Vicky

401-4160

---

Reply Separator

---

Subject: Education Strategy Meeting

Author: "Cathy\_R.\_Mays@opd.eop.gov" [SMTP:Cathy\_R.\_Mays@opd.eop.gov] at

USDOED

Date: 2/11/99 10:40 AM

We will be having an Education Strategy Meeting on Tuesday, February 16, at 5:15 p.m. in Bruce Reed's office.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME: 3-MAY-1999 12:48:53.00

SUBJECT: Larry King Live

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

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

TEXT:

We are going to accept their invitation to have the VP guest host their  
show on Thursday  
night, in Larry's absence. Topic will be Kids and the Lessons of  
Littleton. Any ideas you  
have on guests are welcome.

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -007**

**[09/04/1998]**

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Christopher Edley, Jr. ( "Christopher Edley, Jr." <edley@law.harvard.edu> [

CREATION DATE/TIME: 4-SEP-1998 21:19:45.00

SUBJECT: Draft POTUS memo on race book

TO: aedmonds1 ( aedmonds1@home.com [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

TO: Terry.Edmonds ( terry.edmonds@ssa.gov [ UNKNOWN ] )  
READ:UNKNOWN

CC: David Campt ( CN=David Campt/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Jane T. Price-Smith ( CN=Jane T. Price-Smith/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Lin Liu ( CN=Lin Liu/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michael Wenger ( CN=Michael Wenger/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

CC: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP [ PIR ] )  
READ:UNKNOWN

TEXT:  
Comrades:

Have a good weekend. You will enjoy it more if you take a look at the attached draft memorandum, which has been sent to the Staff Secretary for clearance. Maria is holding a clearance meeting on Tuesday afternoon at 4 pm, but comments are welcome before or after that. The memo is due in to POTUS mid-week. Sorry I couldn't finish this earlier in the day.

- Memo-v6.wpd===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D56]ARMSZZ000SF4R.000 to ASCII,  
The following is a HEX DUMP:

FF57504305630000010A0201000000020500000052840100000200000B07C5FE67E807EE65E852  
CB3D35DC586A6738F72CB1B6ECA51C659D7FDB5C8FFD266DFB99A551D293E6CE0902536A495F97  
632F9992D4928B507D27D72FEC13E2DB9C85B10787F5D693B47697F02911724C40B6F5D5E1104B  
5CC662E6B3DE2E2893630459A22613A0894E0336817809C735B5890F93018CEE17C55812FA5DE0  
6ADA0E83877BDF44230D7539C35162A0C09C48AA10563F790E35632744E9C64D2D65528549524

Draft v6

September 9, 1998

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.  
Professor of Law

Through: Maria Echaveste  
Deputy Chief of Staff

Re: Progress Report on the Race Book, and Request for Interim Guidance

This memorandum is organized in the following sections:

- I. Introduction, process and organization of the effort
- II. The Vision (book chapter 2), and basic themes
- III. The Workplan (chapter 6)
- IV. Leadership (chapter 7)
- V. Next steps, and summary of decisions requested

*I. INTRODUCTION, PROCESS AND ORGANIZATION OF THE EFFORT*

The purpose of this memorandum is to review our progress, confirm our general direction, and solicit interim guidance on a few substantive matters. Most important, Part II is a first attempt to sketch your "vision" of One America with racial justice and equal opportunity in the 21<sup>st</sup> century. Then, Part III adds some flesh to key portions of the "workplan" chapter outline you have already seen, offering a partial menu of ideas.<sup>1</sup> We want to know if this conceptual

---

<sup>1</sup>The current detailed (and daunting) outline of the book is at Tab A. The chapter outline is:

Introduction: One America in the 21<sup>st</sup> Century  
Chapter 1: Where Is America On Race, And Where Are We Going?

framework makes sense, and if we are heading for the right mix of bold and pedestrian, thematic and programmatic. White House policy staff are fully engaged and have both contributed to this workplan material and reviewed this memorandum. Important disagreements and special concurrences are noted in this document or accompanying memoranda.

We hope to complete the workplan menu within two weeks and, based on your tentative approval of several ideas, proceed with more detailed policy development between now and early November. This is key: I want these first stages of developing the workplan to emphasize thoughtfulness and boldness in the selection of the challenges, goals, themes and general strategies, connecting those to the vision. The next step, for greater detail over the next two months, is to figure out more concretely what ought to be done by whom (federal government? parents?). Throughout, Maria Echaveste will ensure that the interests of the policy councils are well regarded, that the formal clearance process is used when appropriate, and that I can appeal to you with any conflicts we cannot resolve in a timely way.

We have four working groups to help prepare the policy, or “workplan” chapter. These are co-led by the appropriate NEC or DPC staff and me. As yet, they do not span the entire range of subjects you may want to cover, but they are a good start:

- Education
- Economic Development and Employment Opportunity
- Criminal Justice and Community Security
- Civil Rights Enforcement

We also have less elaborate collaborative discussions moving forward on: Health, Strengthening Families, Native Americans, and Democracy/Civic Engagement. The “book team” includes a handful of PIR staff, and the addition soon of Terry Edmonds. I’m confident that several White House and OMB staff will also play critical roles, as they have in preparation of this document.

**Outreach:** Finally, Maria has assigned Minyon Moore and OPL the overall responsibility for coordinating external consultations by the outreach offices and, through Cabinet Affairs, conversations with key appointees in the agencies. Throughout September, many members of your staff will be making calls or conducting meetings with some 400 individuals, asking about

---

Chapter 2:	More Than A Dream: Racial And Ethnic Justice In The 21 <sup>st</sup> Century
Chapter 3:	Wrestling Lessons: Honest, Constructive Engagement Of Our Vexing Differences
Chapter 4:	Promising Practices: How To Build Bridges That Connect People Across Lines Of Class And Color, Creating Community And Opportunity
Chapter 5:	The Record Of The Clinton-Gore Administration
Chapter 6:	A Workplan For Our Nation
Chapter 7:	Leadership For One America
Chapter 8:	Conclusion

the proposed framework for your report, the most important actions you should take after the Advisory Board's work, and any elements they think it is especially important for you to communicate in your report. We will share some of the substantive responses with you, but all of them will be weighed by the book team.

\*\*

## II. THE VISION CHAPTER, AND BASIC THEMES

This section summarizes my best sense of your central vision for the book -- chapter 2 in the current outline. It builds on earlier material sent to you by Sidney Blumenthal and by me, as well as previous statements by you. In the book, the vision discussion will be preceded by an introduction and by the chapter describing where America has been and is on race, including demographics, discrimination, disparities, and intergroup relations. While not yet in your language, what follows is an effort to capture the key ideas and their interrelationships. At the end of the section, we also want to engage you on some cross-cutting questions, such as the role of government.

(a) *Why is this subject so important for us to tackle?*

*Renewing America for the new century:* For six years, I have worked to prepare America for the challenges of the 21<sup>st</sup> century. We have put our fiscal house in order, taken important steps to strengthen the international economic system, worked at home and abroad to create a post-cold war national security framework, launched an investment program in vital areas of education, training, new technologies and environmental protection. One additional area, without which we cannot succeed in the decades ahead, is overcoming the divisions of race and ethnicity so that we can be One America, united in a web of mutuality that gives us the strength to be our best as individuals, as communities and as a nation.

*Global and historical context:* The difficulty of the problem is evident not only from our own national history, but from events around the world – even today. The conflict is commonplace, as differences give rise to hatreds and then bloodshed. As President, I've seen it over and over again, and struggled to find ways that, through our actions and example, this nation could help troubled societies see their shared humanity and find peace. But make no mistake: This struggle to build peace and strength out of differences is a struggle against deep failings and sinfulness that seem inherent in the human spirit. In

my own religious tradition, sin can be overcome through struggle and faith, and it is a never-ending struggle. We should expect no easier a task when it comes to dealing with our differences here in America.

*The stakes:* On a more practical plane, making diversity a source of strength rather than division promises great rewards in social peace and home and economic success globally.

*New complexity:* The civil rights movement of three and four decades ago was largely framed in black and white, but led to bursts of energy and progress for other minorities and for women. Today's diversity gives us great opportunities, but also more complex challenges.

*Cause for confidence:* There is cause for confidence, because our ideals and values are far more than words locked behind glass in the National Archives. They are an incandescent beacon for peoples worldwide, and the lodestar by which we chart our own course and criticize our missteps. Our noblest moments and wisest leaders are marked not by the exploitation of difference, but by recalling us to the commitments of equality, tolerance, opportunity and justice. In my life, I have seen this most profoundly in the struggle against racial segregation and bigotry. No nation matches our capacity for moral greatness.

- (b) *What would it mean to have a full measure of racial justice and opportunity in America? What would our relationships be like, and what would society look like?*

*Vision of community:* [Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, correspondence, etc.)]

“One America” does not mean that we lose our ethnic identities, becoming some homogenized undifferentiated mass. We can be proud of our cultural identities and distinctiveness, and at the same time be proud of and loyal to America – indeed, that is one of the most important elements of our nation's greatness.

In religion, for example, scholars tell us that we are the most observant of developed nations, and that freedom of religion and separation of church and state are important parts of the explanation. We are a nation full of religious individuals, yet we do not all worship in the same way. Indeed, our civic values are that we tolerate and respect different religious traditions, and celebrate the legal and civic values that make diversity

possible. We are proud of that diversity, and together with tolerance, recognize it as a defining greatness of America. And much of the rest of the world recognizes this too.

So, too, with our racial and ethnic diversity. Our greatness in the decades ahead depends not merely on overcoming prejudice and bigotry rooted in our differences, and not only in tolerating differences. We must instead celebrate those differences as a source of richness and strength. Our personal lives are enriched by this diversity, and our society and economy are strengthened by it.

In the community of America, the things that connect us must be stronger than those that divide us. A "community" means shared interests. But we must also have a shared concern for our collective advancement, and mutual concern for each other. Transcending differences, while respecting them, is part of creating such a community.

So there is a delicate balance, because we have far too much to lose if we retreat into ethnic enclaves – walled off from one another by prejudice, stereotypes or even simple ignorance and misunderstanding. We sacrifice greatness and goodness, richness and riches, if by circumstance or choice we separate ourselves into subcommunities along the very fracture lines that have traced our national racial tragedies since Europeans arrived on these shores.

*Vision of opportunity:* [Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, correspondence etc.)]

We have legacies of slavery, conquest and colonialism; of Jim Crow and racist immigration quotas. The inheritance is evident in the patterns of our lives: the racially isolated communities, the gaping disparities in educational achievement, employment, criminal victimization and wealth; the still too-rare close friendships across lines of race. This inheritance is a burden to our spirits and a tax on our prosperity. Perhaps most tragically, for too many of our fellow citizens, the legacy has shackled dreams that are every American's inalienable right. This is wrong, and we can do better.

One way our children and grandchildren will know when we have achieved racial justice and opportunity is that the evidence of America's legacy of inequality will be found only in history books, and not in brutal social and economic disparities surrounding them.

*Vision of responsibility:* Responsibilities of citizenship; responsibility to reach out to others; responsibility of each of to combat whatever stereotypes and fears we may have;

and responsibility to take advantage of opportunities. (Examples from forums, letters, etc.)

We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles, including civil rights battles, to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

(c) *Why is this vision preferable to alternative, competing visions?*

Why embracing “equal opportunity” is necessary, but insufficient alone to produce a full measure of justice and fairness in One America.

Why color blindness makes sense, and why it doesn't.

Why assimilation as Americans is important, but not an assimilation that seeks to erase our diverse identities. Is tolerance of differences sufficient, or must there be more?

\*\*

### III. THE WORKPLAN CHAPTER

The purpose of this chapter is to explain the most important steps the nation must take over the next decade in pursuit of your vision of racial justice and opportunity, as described earlier in the book. As with the promising practices chapter, you want to provide inspiring “news you can use” to people in communities and organizations across the nation who are looking for ideas. The workplan is organized by policy sectors, and within each sector it will contain federal, state, local, private and personal elements. This is *not* just about the federal government, or government generally. Few items will have FY 2000 budget impacts, although several will have “down payments” in Administration accomplishments and earlier proposals. (The ideas which follow reflect substantial contributions from DPC, NEC and OMB; this memorandum has been through an accelerated clearance process. Comments from your advisors are noted in this document or in appended memoranda.)

The book should be highly thematic, avoiding an exhaustive and mind-numbing recitation of comprehensive programmatic details. But it must contain just enough pointed recommendations to leave the reader with a sense that you have provided concrete direction, not just rhetoric. This also entails being very selective – not *every* good idea for addressing *every* important problem. In areas where thoughtfulness or clarity requires more program detail, the final document can use

textual boxes set apart from the flow of the narrative.

Two final points. The boldness you have requested in policy ideas seems in some cases to come in the statement of a national goal ("close disparities in education achievement by X percent"), and in other cases may not be evident until we offer specific public or private interventions to advance the goal. Relatedly, in the stating the goals we have repeatedly between brave aspirations and statements that are more cautious and achievable. We need your general guidance on this.

\*

## § 6.2 THE EDUCATION SECTION OF THE WORKPLAN

Apart from the economy, I assume that education will be the clear first-among-equals in your workplan for the nation, receiving disproportionate emphasis throughout the book. Despite improvements over the last several decades, racial disparities in opportunity and achievement persist throughout the education pipeline, and these disparities are powerful obstacles to achieving your vision. We've tolerated it for too long. It is wrong. Therefore, the workplan focuses on areas of significant disparity that have the greatest impact on educational outcomes. It also emphasizes the instrumental and ethical necessity of heightened responsibility and accountability.

In addition, racial isolation, often in combination with poverty concentration, remains a problem both among and within our schools, presenting barriers to achievement, excellence, and to your vision of mutual understanding and community. This is the third pillar of the education workplan.

-- *Outline of the section*

### *Introduction/Context*

- Education is primary [only central?] to achieving my vision. This requires:
  - (1) eliminating racial disparities in educational opportunity and achievement;
  - (2) reinforcing responsibility and strengthening accountability for administrators, teachers and students, as well as for the political institutions governing education; and
  - (3) promoting racial and economic integration in education.

- These problems have long gone unsolved because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government and of the family in education. The old formulas need revision, the old problems need new thinking, and the old values need new life.
- We need to provide every family, regardless of race or zip code, with an Education Bill of Rights.<sup>2</sup>

(a) **Close the racial gap in opportunity and achievement.** Notwithstanding important progress, significant racial disparities in achievement persist. We must close these gaps and raise the bar for everyone. This means overcoming racial disparities in the educational opportunity available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. Beyond this, we must improve our ability to make targeted, individualized efforts to ensure that every child succeeds to his or her full potential. Among the key elements of an education bill of rights for equal opportunity and achievement:

*Parenting and early childhood:* Ensure that every child has a parent or other adult actively engaged in that child's learning, and that every young child has access to early learning opportunities.

*Teaching:* Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for students of all races.

*Curriculum and standards:* Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or

---

<sup>2</sup> Such a Bill of Rights might include the following:

- (1) Every child shall have a parent or other adult actively engaged in his/her learning and have access to support services to help that child achieve to his/her full potential.
- (2) Every child shall have access to early learning opportunities.
- (3) All parents have the right to send their children to equitably funded schools that are accountable for their child's learning.
- (4) Every child shall have access to high-quality teachers.
- (5) Every child shall be held to high expectations and standards and have access to challenging curricula.
- (6) Every child shall have access to adequate facilities and modern technology.
- (7) Every LEP child shall have access to the tools necessary to help him/her learn English within three years.
- (8) Every child shall learn in a safe environment.
- (9) All parents and children shall have the right to choose to attend racially and ethnically integrated schools.
- (10) Every high school graduate shall have the financial support and opportunity to go to college.

her full potential. Students of color are often tracked into special education and out of honors courses.

*English acquisition:* Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.

*Infrastructure:* Close the racial disparity in full access to adequate facilities and modern technology.

*Post-secondary attainment:* Overcome racial disparities in high school graduation rates, and in college participation, retention and graduation rates.

- (b) **Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without much stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we will have to design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform. The Voluntary National Test is such an intervention, as is public school choice, and we must build on such approaches while providing needed safeguards against abuses.

*Tests and accountability:* Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers, and students accountable for educational achievement. The accountability should flow “up” from parents and “down” from Federal taxpayers and presidential leadership. The range of tools, both carrots and sticks, should stretch from more effective parental action, to political mobilization, to school reconstitution or receivership, to fiscal incentives – and everything in between.

*Governance and leadership:* If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems.

- (c) **Promote integration and diversity in education to enrich the learning experience for all students.** We also care about integration, so that students have the opportunity to learn together in ways that dissolve stereotypes and improve race relations. Parents and students should have a right to chose an integrated education. But, after a burst of progress in the late 1960s and early 1970s, segregation in K-12 education is worsening. For example, a recent study reports that one-third of black and Hispanic students attend schools with more than 90 percent minority enrollment, and almost nine in 10 of those

schools are predominantly poor. High-quality integrated schools provide a more complete educational experience for all students than high-quality segregated schools. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement.

*Educate the public on the value of inclusion, diversity and integration -- reviving that ideal:* An inclusive community of students and educators can: improve teaching and learning by enriching the learning environment with diverse perspectives; strengthen students' critical-thinking skills by challenging their existing perspectives; teach students how to interact comfortably with people different from themselves and thereby how to function as good neighbors, colleagues and citizens in our diverse democratic society; improve students' preparation for employment by teaching them the value of diverse perspectives, how to function in diverse business settings, and how to communicate effectively in our increasingly diverse domestic marketplace and the expanding global marketplace; and foster the advancement of knowledge by spurring study in new areas of concern.

*Reduce racial segregation and isolation among schools:* This is not a call for massive, federally mandated strategies where there is no constitutional violation demanding court-supervised remedies. Instead, parents and educators should make use of a range of measures such as magnet schools, multidistrict transfer programs, and so forth. Most important, we must better appreciate the important stake we have in making diversity work in the world of our children. Schools of unquestioned excellence are the easiest to make and keep diverse.

*Reduce segregation within schools:* Even in diverse schools, evidence shows that students are often re-segregated into racially homogenous classes through tracking and other mechanisms, thereby reducing their opportunities to learn together and have positive cross-racial interactions.

*Inclusion in higher education:* Promote access and diversity in higher education, and foster the educational benefits of diversity. Mend, don't end, affirmative action. And wherever possible, use creative race-neutral mechanisms in admissions and in the K-12 pipeline. Ensure that in sustaining the crucial role of HBCUs, HSIs, and Tribal colleges (which are integrated) we don't "excuse" historically white institutions from the principle of excellence-through-inclusion.

***-- Discussion issues on the education workplan***

Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation?

- Do the bulleted items capture your personal priorities? Are any high priorities missing? Can any of them be demoted for attention in textual boxes rather than in your narrative?
- Can we explore some rethinking of the federal role in order to tackle these disparities?

\*

## § 6.4 CRIMINAL JUSTICE AND COMMUNITY SECURITY

From hate crimes to crack houses, from police misconduct to police hiring, from disparate incarceration rates to racial profiling -- barely a week goes by without some aspect of crime and criminal justice standing as a lightning rod for racial and ethnic tensions. No area is more freighted with divisive stereotypes and misunderstanding. Yet it must be tackled with vigor because victimization and criminality destroy communities and families, just as they fuel alienation and division.

### *– Outline of the section*

#### **Introduction/Context**

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice: communities of color disproportionately bear the social, economic, and personal costs of crime, and, according to polls, have less confidence in the fairness of the criminal justice system than do whites.
  - Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly, and thereby closes the trust gap while making community security a right enjoyed equally.
- (a) **Community Security: Eliminate racial disparities in victimization.** The right to be secure cannot be discounted by race. Every American is entitled to live in a safe community, and the race of residents shouldn't tell us the crime rate. From 1992 to 1997, rates of violent crime in America have decreased, but disparate victimization rates persist. Tackling this problem directly is part of the opportunity agenda, as well as a matter of decent fairness. The Administration's record has numerous elements, which we can build upon and target to close the disparities.
- (b) **Keep young people out of the criminal justice system, and for those who have contact with it, make it their last.** Racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including

violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. The realities are flatly inconsistent an American vision of racial justice and equal opportunity.

- (c) **Build greater fairness and trust in the criminal system.** Several past and present factors contribute to mistrust in our criminal justice system among persons of color, including negative interactions, disparities in the administration of justice (incarceration, sentencing, death penalty), and lagging diversity in law enforcement (police, prosecutors, judges, juries). Without more trust, creating safe communities is impossible, because legitimacy, support and cooperation don't come free.

- Prohibit the use of racial profiling:*<sup>3</sup> No American should be subject to disparate application of the state's policing power because of his/her race. Statistically efficient allocation of resources, some claim, justifies impositions on innocent persons, while perpetuating stereotypes and contributing to tensions. Targeting based on color, without individualized evidence, is rarely if ever fair and just.

- Pursue zero tolerance for racially suspect police misconduct and brutality:* While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur. We are deeply divided in perceptions of the magnitude of the problem.

- Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.*

- Increase diversity and representation in the criminal justice system.*

**– Discussion issues on the criminal justice workplan**

- Can we speak of community safety as a “right”, and the racial disparities in victimization as flatly inconsistent with your vision? If so, are disparities a fair index of this aspect of racial justice and opportunity?

- Should we “prohibit” racial profiling, or “restrict” it?

---

<sup>3</sup>Profiling will also be considered in the “Wrestling Lessons” chapter, as one of the hard questions that forces us to think about differences in values and perceptions.

Similarly, should we tackle disparities in rates of incarceration, presumably with targeted attention to prevention, diversion and post-incarceration?

Can we assume that the primary public sector role is state and local, or do you envision continued growth in the federal role?

\*

## § 6.7 THE CIVIL RIGHTS ENFORCEMENT SECTION OF THE WORKPLAN

We have considered distributing the civil rights law enforcement issues in several sectoral subsections – as components of the education or jobs strategies, for example. But for now, I want to press ahead as sketched below because the audience will appropriately expect some attention to the traditional antidiscrimination enforcement agenda. This also permits you to teach about this unfinished work. Moreover, the best opportunities for boldness are in cross cutting issues, among them: policy judgments about the lawfulness under Title VI of persistent resource disparities; retooling agency enforcement strategies to emphasize proactive technical assistance and voluntary action; and rethinking the legal framework and enforcement priorities to reflect our 21<sup>st</sup> century diversity.

We are joined at the hip with Chuck Ruff, and will cooperate in his effort to put before you suggested civil rights enforcement priorities for the next two years.

### *– Outline of the section*

#### **Introduction/Context**

- Persistence of discrimination, and of enforcement backlogs.
  - We have opportunities to strengthen and more aggressively enforce civil rights principles, and also support appropriate voluntary actions that promote equal opportunity and access. This includes defending disparate impact doctrine, and defending affirmative action.
  - The traditional agenda needs renovation to (i) increase its efficiency at handling the retail problem of discrimination; (ii) contribute more directly to the opportunity agenda in education, jobs and community economics; (iii) reflect our 21<sup>st</sup> century diversity.
- (a) **Overcome racial disparities in opportunity by expanding the use of civil rights enforcement.** Civil rights enforcement can play an especially important role in

overcoming barriers to educational and economic opportunity, and we should strengthen and focus civil rights enforcement to complement the opportunity agenda.

*Strengthen antidiscrimination laws and enforcement procedures:* For example, we could amend Title II, which prohibits discrimination in public accommodations, to include businesses that provide goods and services. At present, racial discrimination in retail sales (e.g., the Eddie Bauer case in which a black teenager was ordered by a security guard to strip off his shirt because he did not have a sales receipt) does not raise a strong federal cause of action. We nearly abandoned pattern and practice investigations during the 1980s. That was wrong.

*Use Title VI to address racial disparities:* No federal money should be spent in a manner that supports unjustified racial disparities in opportunity. For example, in education, Title VI prohibits policies and practices that have an unjustified disparate impact on select racial groups in terms of access to educational resources, tracking into challenging courses, the use of unvalidated high stakes tests, and more. We should strengthen Title VI enforcement.

*How much discrimination is there?* We should expand research on the extent of racial discrimination, using the best available methodologies (testers where appropriate), in such areas as employment, housing, and access to capital. The results of such testing should be published in an annual report card.

**(b) Fully address all forms of discrimination affecting our increasingly diverse population by strengthening civil rights laws and enforcement.** We must retool our civil rights laws and refocus enforcement efforts to fully address civil rights issues affecting our diverse citizenry.

*New immigrants:* Strengthen laws and enforcement to promote the rights of new immigrants. For example, in immigration and employment, we could expand enforcement against labor abuses in “sweatshops,” the victims of which are often new immigrants of Hispanic or Asian origin, and amend present laws to stabilize the immigration status of persons who report labor abuses so those persons do not fear reprisal, official or private.

*Language acquisition:* Promote the rights of LEP populations. For example, in education, we could develop regulations to clarify the *Lau* standard concerning what legal requirements schools must meet in educating LEP students.

*Learning your rights:* Educate immigrant and LEP populations about civil rights laws and mechanisms. We should promote outreach to immigrant and LEP populations whose rights are protected but who are underutilizing civil rights laws.

- (c) **Address discrimination and disparities by promoting voluntary efforts in conjunction with enforcement of civil rights laws.** In addition to reacting to civil rights complaints, civil rights enforcement agencies should act proactively to encourage and support voluntary compliance with civil rights laws and values.
- Expand civil rights consultations and clarify legal standards:* There are civil rights areas where both the law and policy are unclear and where people of good will may be managing inappropriate programs. We should act to clarify legal standards and to encourage actors to seek guidance concerning their civil rights obligations. We could promote laws or regulations encouraging voluntary consultations with civil rights agencies. If an actor voluntarily submits his/her practice for civil rights review, he/she is safe harbored and/or any agreement approved by the civil rights agency following that review would be defended by the federal government if later challenged by a third party.
- Expand proactive enforcement:* Absent a formal complaint, where potential civil rights violations are discovered, civil rights agencies should follow up with the party to correct the injustice. If discussions are not fruitful, the enforcement agency reserves the right to launch a more formal civil rights enforcement examination. For example, in education, the Department of Education's Office of Civil Rights (OCR) recently learned of a Georgia education policy that placed students into gifted and talent programs based solely on IQ test scores, despite the fact that the IQ test was not validated for that purpose nor validated to be the *sole* factor for any purpose. This policy led to a disproportionately low number of minority students being admitted to gifted and talented programs. OCR consulted with Georgia officials, and the policy was properly amended.
- (d) **Mend, don't end, affirmative action as enforcement remedy and voluntary measure to promote access and inclusion**
- (e) **[Hate crimes.]**

-- *Discussion issues on the civil rights workplan*

After further interagency discussion, we will need policy guidance about a number of Title VI issues.

Should we develop a package addressing "the new diversity"?

How much technical assistance should be done proactively to implement “mend don’t end” in various sectors?

\*\*

#### IV. THE LEADERSHIP CHAPTER

Following the workplan chapter, you can challenge leaders in a range of sectors to do their part, and combine this with a vision of locally-based efforts to use the promising practices and devise locally-oriented workplans. Finally, in this chapter you should describe the ongoing mechanism within the White House to help support the sectoral leadership, community-based leadership, and the Federal government elements of your workplan.

##### (a) *Challenges for sectoral leadership*

We expect, by the publication date, to have worked successfully with leadership groups in a few sectors, prompting them to develop a list of action steps tailored to their sector, and a practical strategy for implementation. A brief status report on what we have initiated follows.

*Higher Education:* With staff support from the American Council on Education, a core group of college and university presidents is working to establish a broader coalition that will lead a coordinated campaign to educate the public about the value of diversity in higher education and to share campus practices that promote diversity. We expect them to launch the effort, designed with Frank Greer as lead consultant, sometime this fall. (There is a possibility of using a White House event to bless the undertaking.)

***Faith Community:*** Sandy Cloud of the National Conference for Community and Justice has agreed to lead a steering committee in convening, on October 22 and October 23, an implementation summit at which a group of faith leaders will write and commit to a practical work plan for both national and community-based action, and devise a coalition mechanism for follow through. This will include special efforts to reach those faith communities that have not traditionally been leaders in racial justice. In addition, at your September 11 breakfast for religious leaders, you will have an opportunity to mention Sandy Cloud’s leadership, and encourage those in the room to respond positively to the effort.

*Corporate:* Secretary Daley will informally convene a group of CEOs in October to identify the most appropriate elements of a corporate sector initiative, and strategies for enlisting support from key executives. In preparation for that session, White House and agency staff will brainstorm with some current and former Administration officials in corporate leadership.

*Youth:* We are organizing a team of White House staff and representatives from national youth-oriented organizations to prepare a workplan intended for widespread endorsement and dissemination. (The outside collaborators will include USSA, Young Democrats, Young Republicans, the youth divisions of the NAACP, Urban League, La Raza and the Congress of Asian Pacific American Youth.) Tentatively, we think the plan's three major components will be: (i) a national campaign to educate the youth sector about the intricacies and history of race and racism; (ii) an initiative to improve race-related curriculum and teaching in grades K-16; and (iii) a mechanism to ensure youth sector involvement.

*(b) Options for an ongoing structure to carry out your work plan*

While the work plan is not yet completed, we know that there will be some general components which will require continuity and should compose the major responsibilities of the new entity:

- Policy making (including research and data collection)
- Outreach and leadership development (including technical assistance to communities)
- Communication campaign (including an awards program)
- Support for promising practices (such as a clearinghouse, conferences, grant funding)

The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors is needed to ensure continued momentum and follow up from outside efforts. Non-federal leaders engaged on the workplan will expect a central point of contact and technical assistance.

*Option A: President's Council for One America*

*AI: President's Council for One America Plus an External Advisory Committee*

The continuing effort could take a form similar to the Council for Environmental Quality or the Office of Science and Technology Policy. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating

authority. The council, created by Executive Order, would be run by an Assistant to the President (as Executive Director) with a small staff and a blue ribbon advisory committee.

A council staff should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination.

It would also have a communications component, which would help lead a public education campaign, support a promising practices clearinghouse, and conduct outreach to help improve race relations.

- Pros:
- Location places the Presidency squarely behind racial reconciliation effort
  - Relatively stable structure
  - Staff appointed by you ensures White House control
  - Advisory committee offers opportunity for showcasing diverse leadership, provides credibility in building partnerships
- Cons:
- Location and staffing make the stakes high
  - Advisory committee requires support and nurturing; the familiar headaches

*A2: President's Council for One America, No Advisory Committee*

This option would be the same as option A1 but it would not include an Advisory Committee.

- Pros:
- Staff would not be distracted by the day-to-day demands of managing an Advisory Committee
- Cons:
- Lacks the outside validation that an Advisory Committee can provide

**Option B: Dedicated Staff reporting to the Office of the Chief of Staff**

An Assistant to the President with a small staff, reporting to the Chief of Staff's office, could take responsibility for managing Administration efforts.

- Pros:
- Closely linked to you and the White House
  - At the center of activity
- Cons:
- Not a formal structure, may not be stable
  - May not be viewed publicly as a significant enough commitment

**Option C: Private Foundation Model**

**C1:** *One America Foundation*

The structure could take the form of a private foundation, established at your urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros:
- Serves as umbrella to coordinate several areas of activity
  - Independence
  - Ability to raise money

- Cons:
- May not be viewed as closely connected to the White House
  - Requires someone's time and attention to pull together

**C2:** *Clinton Library Model*

This option is similar to the Foundation model above except that it would be an endeavor for you after your final term ends, possibly as part of the Clinton library. Staff could begin immediately to design the structure.

- Pros:
- More time to put together the funding and structure
  - You will have more time to devote to it

- Cons:
- Delays significant Presidential involvement for a few more years
  - May be partisan resistance to participating in activities because of close alignment with this Administration

V. *NEXT STEPS*

...

Attachments:

Current book outline.

*P\_R4FS000Z\_CEA\_HTML\_1[1]*

NEC memorandum on employment issues  
???

Automated Records Management System  
Hex-Dump Conversion

*P\_R4FS000Z\_CEA\_HTML\_1[1]*

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -008**

**[11/20/1996-03/26/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cheryl Sweitzer to Elena Kagan re: Departing (1 page)	12/19/1996	P6/b(6)
002. email	JBAMI to Elena Kagan re: Personal (2 pages)	01/15/1997	Personal Misfile
003. email	JBAMI to Elena Kagan re: Personal (1 page)	01/16/1997	Personal Misfile
004. email	jsmartt to Elena Kagan et al. re: stuff [partial] (1 page)	03/18/1997	P6/b(6)

---

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

---

**FOLDER TITLE:**

[11/20/1996 - 03/26/1997]

2009-1006-F

ds288

---

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Cheryl L. Sweitzer ( Cheryl L. Sweitzer@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )

CREATION DATE/TIME:20-NOV-1996 13:09:00.00

SUBJECT: Appointment on Friday

TO: Cheryl D. Mills ( Cheryl D. Mills@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 20-NOV-1996 12:09:00

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Cheryl L. Sweitzer ( Cheryl L. Sweitzer@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:16-DEC-1996 12:07:00.00

SUBJECT:

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 16-DEC-1996 11:07:00

I know this is the least of your cares; however, who do you think will be attending the welfare reform meeting for Jack once you've gone ... that is, of course, if you insist on leaving (I'm still holding out hope)!

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Cheryl Sweitzer to Elena Kagan re: Departing (1 page)	12/19/1996	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[11/20/1996 - 03/26/1997]

2009-1006-F  
ds288

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	JBAMI to Elena Kagan re: Personal (2 pages)	01/15/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[11/20/1996 - 03/26/1997]

2009-1006-F  
ds288

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	JBAMI to Elena Kagan re: Personal (1 page)	01/16/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 110000

### FOLDER TITLE:

[11/20/1996 - 03/26/1997]

2009-1006-F  
ds288

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Cathy R. Mays ( Cathy R. Mays@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:27-JAN-1997 19:41:00.00

SUBJECT: BR Scheduled (Tentative)

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 27-JAN-1997 18:41:00

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

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

TEXT:

The following attachments were included with this message:

-----  
TYPE : FILE  
NAME : schedule.j28  
-----

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

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

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D84]ARMSZZ0005399.001 to ASCII,  
The following is a HEX DUMP:

FF57504336320000010A02010000000205000000BC3A000000020000061B4467AFEFA917594532F  
EA813EB3B7A04D942584DF2E127039906054A4A200F3FEB30A10E165764C1554314E31BB4FA6C1  
AC3CA0B1041AC2986CB722792CE60E117E064E93FE91C5CE3BE8649EBE0D902214092B4C7E2C94  
73A692FEF50DA9C920B3B0C16DDD66437E444F75437FD9B267B16124FA03445B8BE973C606E7AC  
6CC32AB36B3F3E5C997193717564CF6E0BDD4D61DEBE32B3EEE3750CA761442AAC92CADBF3B77F  
BEA46477BFEAC66353C7572BA8F35EEE3A01A38709600926058C5C699EDFFD001DF9DE3B718601  
447822AC6DBF0DE877A849FDCA0C488985EA92BCCB5B3FFD257E5D32A53F3B69FC9465A729B1D3  
40681B6788362E3056B4707B8AEFEB8391C3246911BA89B21ADC9F72AC294B5D9E815FA518366B  
AE2F4E69BCCF7D45BA0F228F7938C36BEC56886B96C8735E8C336900CF2EADCA91952863523676  
54F847BFF1A458DDA521985C66B8CFA321A0B3393F1DBDBA4A0E166E6F1D511F7A235B88D3A38E  
A5BB7E269CE2A3062CC63292AC8740A6BE11E1BC74886948B557BC7209A11A6B3C6246B0E3522B  
3D148BA8808964287AFC82BCD9AF5CDF19ED4760C8C3276D96101C32E866C303E37FDCB76C541A  
C4B7114386071387D3D857F21A5F9ED3E44E40DBD62F9D4E081A10CC4549D02FEC0448B734FFF0  
ED308A78E502003000  
0600000DA0400000B300100000034010000E00400000B300100000034010000140600000B3001  
000000BF000000480700000B300100000040010000070800000B30010000004801000047090000  
0B3001000000940100008F0A000000550100000042000000230C00000B30010000004501000065  
0C00000B30010000000C010000AA0D0000060801000000B4010000B60E00000B3002000000E600  
00006A10000000650100000001000000501100000B30010000007F010000511100000B30010000  
0072010000D01200000B30010000002A010000421400000B3001000000E10000006C1500000B30  
010000003A0100004D1600000B30010000004C010000871700000B3001000000EA000000D31800  
000B30010000007C000000BD1900000B30010000009B000000391A00000B30010000001C010000  
D41A00000B3001000000F2000000F01B00000B3001000000A8000000E21C00000B300100000041  
0100008A1D00000B30010000003B010000CB1E00000B300100000022010000062000000B300100  
000058010000282100000B300100000042010000802200000B30010000005C010000C22300000B  
3001000000420100001E2500000B30010000006C010000602600000B300100000078010000CC27

**BRUCE REED**

**Daily Schedule for  
Tuesday  
January 28, 1997**

---

**11:00 Andrew Cuomo  
(Your office)**

**4:00 CFR Meeting with  
POTUS-Common Cause  
EK?**

**4:00 WR Strategy Mtg  
(Room 211)**

**5:30 POTUS Strategy  
Meeting  
(Residence)**

**7:00 Reception**

**8:00 Congressional Dinner  
Money Magazine  
(Washington Hilton)**

**Schedule printed 1/27**

Automated Records Management System  
Hex-Dump Conversion



January 27, 1997

MEMORANDUM FOR THE PRESIDENT

FROM BRUCE REED

SUBJECT *Add On To The Micro Credit Awards Event*

On Thursday, January 30, 1997 you are scheduled to take part in the micro credit ceremony in the East Room. The First Lady and Secretary Rubin, with you, will present the first annual Presidential Awards in Excellence for *domestic* micro credit programs. You will be honoring seven successful micro-entrepreneurs. A reception will follow.

In addition, you will be able to make two related announcements -- a new public-private partnership to pursue highly aggressive welfare to work efforts, and a commitment to increase CDFI funding. The announcements will emphasize new private sector involvement and funding for welfare to work efforts, including microenterprise. The public-private partnership will give you the opportunity to highlight another corporation -- Chase Bank -- stepping up to meet your welfare to work challenge to corporate America.

1. *Announce the Chase Manhattan Bank/Rockefeller Foundation/HUD Welfare-to-Work \$9.0 Million Dollar Partnership.*

Chase Manhattan Bank and the Rockefeller Foundation have teamed with HUD in a three-way partnership to plan and fund long-term private sector welfare-to-work demonstrations designed to raise employment rates by as much as 20-30 percent in small urban neighborhoods. Chase and Rockefeller have committed a total of \$7.5 million to the project along with an initial \$1.5 million commitment from HUD. The Rockefeller Foundation expects to raise an additional \$7.5 million from corporations, foundations, and government agencies.

Organizations in 15 *urban* communities throughout the country will be selected to participate in these demonstrations. *Systematic research* will monitor activities and community outcomes to determine whether dramatic increases in employment can be achieved.

Funding will go in part to community organizations committed to undertaking intensive training and private sector job placement efforts with four common elements: work incentives; state-of-the-art job placement and retention services; expanded access to capital for neighborhood residents and business owners; and a creation of a community culture that supports work. Funding will also go to Public Housing Authorities in 5-6 cities to train and place public housing residents in jobs while simultaneously modifying welfare and housing policies to encourage work.

Peter Goldmark, President of the Rockefeller Foundation, the Vice Chair of Chase Bank, and a high level representative from HUD will be present.

**2. Reiterate commitment to increase the Community Development Financial Institutions (CDFI) Fund budget.**

Your new budget includes a \$1 billion increase over five years for the CDFI Fund, which coordinates the Administration's numerous microenterprise programs. The exact dollar amount for our FY '98 budget has not yet become public.

Automated Records Management System  
Hex-Dump Conversion

6164646974696F6E616CCF24372E35806D696C6C696F6E8066726F6D80636F72706F726174696F
6E732C80666F756E646174696F6E732C80616E6480676F7665726E6D656E74806167656E636965
732ECCCE0110C000000008070C00E04F7267616E697A6174696F6E7380696E80313580F20CF2
757262616EF30CF380636F6D6D756E6974696573807468726F7567686F75748074686580636F75
6E7472798077696C6C8062658073656C656374656480746FD0011500000B00090001BC230C1F22
0001201500D0706172746963697061746580696E8074686573658064656D6F6E7374726174696F
6E732E8080F20CF253797374656D61746963807265736561726368F30CF38077696C6C806D6F6E
69746F72806163746976697469657380616E6480636F6D6D756E697479D0011500000B00090001
AC24FC1F230001201500D06F7574636F6D657380746F8064657465726D696E6580776865746865
72806472616D6174696380696E6372656173657380696E80656D706C6F796D656E748063616E80
62658061636869657665642ECCCE0110C000000008070C00E046756E64696E678077696C6C80
676F80696E807061727480746F80636F6D6D756E697479806F7267616E697A6174696F6E738063
6F6D6D697474656480746F80756E64657274616B696E6780696E74656E73697665CF747261696E
696E6780616E64807072697661746580736563746F72806A6F6280706C6163656D656E74806566
666F727473807769746880666F757280636F6D6D6F6E80656C656D656E74733A80776F726B8069
6E63656E74697665733BCF7374617465846F668474686584617274806A6F6280706C6163656D65
6E7480616E6480726574656E74696F6E8073657276696365733B80657870616E64656480616363
65737380746F806361706974616C80666F72CF6E65696768626F72686F6F64807265736964656E
747380616E6480627573696E657373806F776E6572733B80616E648061806372656174696F6E80
6F66806180636F6D6D756E6974798063756C74757265807468617480737570706F727473CF776F
726B2E8046756E64696E678077696C6C80616C736F80676F80746F805075626C696380486F7573
696E6780417574686F72697469657380696E803584368063697469657380746F80747261696E80
616E6480706C616365807075626C6963CF686F7573696E67807265736964656E747380696E806A
6F6273807768696C658073696D756C74616E656F75736C79806D6F64696679696E678077656C66
61726580616E6480686F7573696E6780706F6C6963657380746FCF656E636F757261676580776F
726B2E8080CCCE0110C000000008070C00E0506574657280476F6C646D61726B2C8050726573
6964656E74806F668074686580526F636B6566656C6C657280466F756E646174696F6E2C807468
658056696365804368616972806F668043686173658042616E6B2CCF616E648061806869676880
6C6576656C80726570726573656E7461746976658066726F6D804855448077696C6C806265809C
70726573656E742EF1004201F1CC9BF1023E01F1D0061500000B00090001AC30FC2B3000012015
00D0F1033E01F1F1014201F1F1004101F19BF1014101F1F1003F01F1F1023E01F1CCF1033E01F1
9BF1023E01F1D0061500000B00090001D830282C300001201500D0F1033E01F1F1013F01F1F102
4001F1CCF1034001F19BD0061500000B00090001AC30FC2B300001201500D0F20CF2D41A1F0087
010800080058027C7F0100580201005802030058027C7F1F00D4322EE0300C0000000008070C00
E052656974657261746580636F6D6D69746D656E7480746F80696E637265617365807468658043
6F6D6D756E69747980446576656C6F706D656E748046696E616E6369616CD0011500000B000900
01B00400000001201500D0496E737469747574696F6E73802843444649298046756E64806275
646765742ED0041700000D000B0002080728230807282302201700D0F30CF3CCE0110C0000000
08070C00E0596F7572806E65778062756467657480696E636C7564657380618024318062696C6C
696F6E80696E637265617365806F766572806669766580796561727380666F7280746865804344
46498046756E642C80776869636880CF636F6F7264696E61746573807468658041646D696E6973
74726174696F6EF01C04F073806E756D65726F7573806D6963726F656E74657270726973658070
726F6772616D732E8054686580657861637480646F6C6C617280616D6F756E74CF666F72806F75
7280465980F01D04F039388062756467657480686173806E6F7480796574806265636F6D658070
75626C69632ED41A230086010300080058027C7F0100580201005802080058027C7FF20D000023
00D4

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

==== ATTACHMENT 2 =====

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

TEXT:

The following attachments were included with this message:

TYPE : FILE
NAME : WEL2.ROK

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Carol\_Rasco ( Carol\_Rasco@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:29-JAN-1997 19:10:00.00

SUBJECT: Early Childhood Research

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

First, congrats on a terrific meeting today!

Two items on the early childhood brain development front:

a. Secretary Riley asked that I re-emphacize to you the research group he referenced that is working on early childhood work. It is housed in the Department of Education Office of Educational Research and Improvement (OERI) and within OERI it is specifically the

National

Institute on Early Childhood Development and Education which is chaired by Naomi Karp...Jeannine Smartt has worked with Naomi, I believe.

I have learned that in 1995 Naomi established an Early Childhood Research Working Group which brings together the early childhood staff

in 8 Federal departments and the GAO. It is about 80 people who are involved in research, data collection, and ;or service delivery programs that affect children from birth through 8 years of age and their families. The group meets four times a year, produces a

quarterly newsletter, and has served as a mechanism that encourages partnerships across agencies. The next meeting is 1:30 p.m. to 3:30 p.m. on February 5th in Room 326 of 555 Capital Place and I will be attending that meeting. I know they would welcome White House participation if you all wish to send someone or even more than one person. This particular quarterly meeting will focus on how the country's collective knowledge bases about young children and

families

a=have benefited from the Federal investment in research and what issues are Federal agencies now struggling to answer. Let me know if anyone/several people wish to go and I'll alert Naomi. I have asked her to send me some newsletters and previous reports, and I know she would be willing to send you a packet as well.

They plan to have their next meeting on reading and early childhood, but I am sure they would speed up their research on this issue if you wish to use them as a resource. It may be that this group has on it the very people who were suggested today to have around the table for a briefing for the White House.

2. On February 19 I will be meeting in my office at 11 a.m. with Stephen Herb who is the President of the Association of Library Services for Children which is a division of the American Library Association. He is the head of the Education Library at Penn State University and his President is one of the 20 on our college work study steering committee. He is an expert in children's literature, has a great deal of experience on outreach programs to parents, and has written a book on reading development for young children. Coming with him will be Susan Roman, exec. director of ALSC. She has directed programs like the ones we envision in the Parents as

First Teachers Grants, including the Head Start Museum project and the "Born to Read" project which the First Lady spoke of at the Children's Hospital just before Christmas. I would welcome White House participation at this meeting as well. It will be 30 minutes

to an hour.===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IESM26Z4MO00PY0N@PMDF.EOP.GOV>; Wed,

29 Jan 1997 18:11:01 -0400 (EDT)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IESM226ZXU007IO2@STORM.EOP.GOV>; Wed, 29 Jan 1997 18:10:57 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])

by oeri.ed.gov (8.7.5/8.7.3) with SMTP id SAA26212; Wed,

29 Jan 1997 18:12:40 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)  
id 2efd8790; Wed, 29 Jan 1997 18:08:41 -0500

Content-description: cc:Mail note part

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Beverly.Godwin ( Beverly.Godwin@npr.gsa.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:30-JAN-1997 15:00:00.00

SUBJECT: Oregon, NGA Meeting, and JTPA Waiver Approval

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Here's some opportunity for while Governors in town next week. I

just

heard from the Dept of Labor that they are about to approve Oregon's waiver request under Job Training Partnership Act -- and are looking for opportunities on how to best say YES. Here are some facts:

Oregon is the FIRST state to get a JTPA waiver; others states are invited to come forward for similar waivers.

The waivers are for improved performance of workforce systems and outcomes through more flexibility to states/locals to make decisions about serving their customers. Removes administrative barriers to achieving results.

This is new statutory waiver authority for the Secy of Labor, which resulted in part from the Oregon Option partnership

President or VP could announce waiver approval at NGA meeting as part of points of providing greater flexibility; and invite other Govs to come forward.

Or, given VP's involvement in Oregon Option, he could meet separately with Gov or some other event to make announcement.

I'll be glad to help in any way.===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

## RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IETPK50VZK00JG3D@PMDF.EOP.GOV>; Thu,

30 Jan 1997 13:02:34 -0400 (EDT)

Received: from sunshine.gsa.gov by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IETPJYD8QA007IO2@STORM.EOP.GOV>; Thu, 30 Jan 1997 13:02:26 -0700 (MST)

Received: from CCGATE1.GSA.GOV by sunshine.gsa.gov (5.0/SMI-SVR4)  
id AA11613; Thu, 30 Jan 1997 12:54:00 +0500

Received: from ccMail by CCGATE1.GSA.GOV (SMTPLINK V2.11.01)  
id AA854658027; Thu, 30 Jan 1997 13:00:51 -0500 (EST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Beverly.Godwin ( Beverly.Godwin@npr.gsa.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:31-JAN-1997 14:54:00.00

SUBJECT: daughter of local flex

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan D. Breul ( Jonathan D. Breul@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Kenneth S. Apfel ( Kenneth S. Apfel@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

To address a few concerns:

This version is NOT more comprehensive than Local Flex bill last year.

That bill was govt-wide, and included regulatory agencies -- was a lot of opposition from regulatory side, particularly environmentalists.

This version also includes only programs under jurisdiction of Labor-HHS-Ed Appropriations subcommittee - not justice, agriculture, et al.

Strong opposition last year came from, in addition to environmentalists, the education voucher issue (which needs to be addressed through exclusion) and from labor unions. Re: labor unions, the Admin's exclusions list for Local Flex addressed this ... a more specific list is part of the Workforce Flexibility provisions passed in approp. act last year. These were worked out with labor unions and include the following exclusions:

For Title I-III of JTPA (EXCEPTIONS for requirements relating to wage and labor standards, grievance procdures and judicial review, non-discrimination, allotment of funds (would not want this if want funding flexibility), and eligibility (don't recommend this; really restricts flexibility0)

For Wagner-Peyser Act (EXEMPTIONS FOR: requirements relating to the provision of services to unemployment insurance claimants and venterans, and to univesal access to basic labor exchange services

without cost to job sekkers)===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id &lt;01IEV3OBKMZK00WRPB@PMDF.EOP.GOV&gt;; Fri,

31 Jan 1997 12:57:36 -0400 (EDT)

Received: from sunshine.gsa.gov by STORM.EOP.GOV (PMDF V5.0-7 #6879)

id &lt;01IEV3O65CCE007IO2@STORM.EOP.GOV&gt;; Fri, 31 Jan 1997 12:57:32 -0700 (MST)

Received: from CCGATE1.GSA.GOV by sunshine.gsa.gov (5.0/SMI-SVR4)

id AA13465; Fri, 31 Jan 1997 12:49:00 +0500

Received: from ccMail by CCGATE1.GSA.GOV (SMTPLINK V2.11.01)

id AA854744125; Fri, 31 Jan 1997 12:54:47 -0500 (EST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Carol\_Rasco ( Carol\_Rasco@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 4-FEB-1997 20:02:00.00

SUBJECT: Brain development conference

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

I visited with Rob Reiner and crew this afternoon at the National Education Goals Panel meeting. They are eager for the meeting tomorrow with Bruce; they have made a phenomenal impact on governors during the last two days and on the state legislators at the Panel meeting today. For those of us who have tried to work hard on early childhood development for years it is so exciting!

They are hopeful you will be in the meeting with them.

Happy State of the Union!===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IF0ZG6045S001UE3@PMDF.EOP.GOV> for kagan\_e@al.eop.gov; Tue, 04 Feb 1997 18:01:15 -0400 (EDT)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879) id <01IF0ZG4180A007IO2@STORM.EOP.GOV> for kagan\_e@al.eop.gov; Tue, 04 Feb 1997 18:01:13 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])

by oeri.ed.gov (8.7.5/8.7.3) with SMTP id SAA26884 for <kagan\_e@al.eop.gov>; Tue, 04 Feb 1997 18:02:46 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)

id 2f7bf910; Tue, 04 Feb 1997 18:00:33 -0500

Content-description: cc:Mail note part

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: JOConnor ( JOConnor@dol.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-FEB-1997 16:07:00.00

SUBJECT: Comp time decision memo

TO: Ananias Blocker III ( Ananias Blocker III@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jody J. Kaplan ( Jody J. Kaplan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Date

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN HILLEY & GENE SPERLING

SUBJECT: COMP TIME/ FAMILY MEDICAL LEAVE ACT LEGISLATION

I. BACKGROUND/ANALYSIS

This memorandum offers options for how to achieve the optimal outcome from the current legislative debate on comp time and expansion of the Family and Medical Leave Act (FMLA).

This week and next week, the House and Senate labor committees are holding hearings regarding comp time legislation: the Ballenger bill in the House and the Ashcroft bill in the Senate. Both bills address only comp time and not FMLA expansion, and

they

provide fewer

guarantees of employee choice and fewer protections against potential abuse

than your bill,

which was sent to Congress last September. For example, the Republican bills:

1) Do not exclude vulnerable workers;

2) Do not include special protections for workers whose employers go

bankrupt or shut down unexpectedly;

3) Do not guarantee real choice for employees because they allow

employers to refuse employees+ use of comp time if it would

unduly

disrupt operations. (Your bill, on the other hand, allowed

employees to

take comp time for FMLA purposes at any time, and to take

it

for other

purposes with two weeks notice unless it would cause the

employer

substantial and grievous injury. );

4) Allow employers to cash out employees+ comp time over 80 hours,

thereby denying them the use of comp time;

5) Provide weaker remedies for violations. Your bill has solutions to all of

these problems.

In addition, the Ashcroft bill has additional provisions that would effectively eliminate the 40 hour week by allowing employers to establish 80 hour biweekly schedules and, in certain circumstances, to pay employees straight time, not time and a half, for hours worked over 40 in a week or 80 in two weeks. Sen. Jeffords plans to mark up the Ashcroft bill on February 26, and Rep. Ballenger plans to mark up his bill in early March.

Senator Dodd, Sen. Murray, Rep. Clay, and Rep. Maloney have instead introduced bills to expand the FMLA. The bills introduced by Maloney and Murray would expand FMLA for an additional twenty-four hours for the purposes of routine medical care for children and elderly parents or school related activities, similar to your bill. The bills introduced by Dodd and Clay would lower the threshold of FMLA applicability from 50 employees to 25 employees, which would cover an additional 10 million employees in small businesses.

The FMLA bills have support from women+s groups and the labor movement, both of which are more enthusiastic about dropping the threshold than providing an

additional 24 hours of  
leave. The labor movement strongly opposes the Republican comp time  
bills,  
and finds the  
provisions in the Ashcroft bill that eliminate the 40-hour work week to be  
particularly  
offensive. Most Republicans oppose any expansion of FMLA.

The current legislative strategy among congressional Democratic leaders is  
to criticize the  
comp time bills and try to add the various FMLA expansions to the  
Republican  
bills. Your  
bill has not been introduced, nor is there any Democratic version of a  
comp  
time bill. The  
labor movement has requested that the Administration threaten to veto any  
bill that doesn't 1)  
improve the comp time provisions to provide real choice and real  
protections  
for employees,  
and 2) link FMLA and comp time.

## II. ACTION-FORCING EVENT

The Vice President will be addressing the AFL-CIO at an annual meeting on  
February 18 and  
will be forced to address these issues either in remarks or in questions  
and  
answers. Thus, a

decision must be made now regarding whether to adopt a strategy of insisting on linkage between FMLA and comp time, and whether to issue any veto threats. The options are laid out below. In each case, the Vice President would articulate the Administration position on February 18 at the AFL-CIO meeting.

### III. OPTIONS

1. Threaten to veto the bill if your principles are not addressed. The Administration

would lay out a set of principles needed for a bill to be truly family friendly. We

would say that the bill should include FMLA expansion, and that any bill that doesn't

meet certain principles will be vetoed, but we would not link a veto to

FMLA

expansion. These principles are embodied in your bill from last year:

A) Real Choice for Employees, including the right to take comp time when needed for

FMLA purposes, the right to choose to use comp time for any purpose with two weeks

notice to their employer unless use of comp time will cause substantial

and grievous

injury to the employer, the right to cash out comp time for overtime pay on 15 days

notice and employers can't choose to cash out comp time; and

B) Real Protection Against Employer Abuse, including the various protective

provisions in your bill that are not present in the Republican bills, such as exclusions

for vulnerable workers, special protections in case employers go bankrupt or close

down unexpectedly, a prohibition against employers substituting comp time for paid

vacation or sick leave benefits, a prohibition against employers penalizing employees

who choose overtime pay instead of comp time, and strong provisions for

enforcement.

C) Preservation of Basic Worker Rights. The Administration would threaten a veto of

any bill that eliminates the 40 hour work week, as the Ashcroft bill does.

Pros: A. Would strengthen the position of congressional Democrats arguing to improve the

Republican bills. Would encourage congressional Republicans to negotiate in an effort

to produce a bill that would become law.

B. If the strategy resulted in changes to the bills, it would significantly improve upon

bills that presently do not carry gu===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDf V5.0-4 #6879) id <01IF50DDM3XC00WMCG@PMDf.EOP.GOV>; Fri,

07 Feb 1997 15:10:24 -0400 (EDT)  
Received: from dol.gov (BUBBA.DOL.GOV) by STORM.EOP.GOV (PMDf V5.0-7 #6879)  
id <01IF50D3NKOI007IO2@STORM.EOP.GOV>; Fri, 07 Feb 1997 15:10:19 -0700 (MST)  
Received: by dol.gov (5.x/SMI-SVR4) id AA11348; Fri, 07 Feb 1997 15:07:22 -0500

Received: from smtpgw(166.96.2.20) by gatekeeper via smap (V1.3)  
id sma011154; Fri Feb 7 15:07:03 1997  
Received: by gatekeeper with Microsoft Mail id <32FB45B3@gatekeeper>; Fri,  
07 Feb 1997 15:09:39 -0500 (EST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: JOConnor ( JOConnor@dol.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-FEB-1997 16:08:00.00

SUBJECT: comp time decision memo -- wordperfect

TO: Ananias Blocker III ( Ananias Blocker III@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jody J. Kaplan ( Jody J. Kaplan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
[[ comp2 : 3930 in comp2. ]]

<WP Attachment Enclosed>===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
RFC-822-headers:  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IF50DANQTS00C9WE@PMDF.EOP.GOV>; Fri,  
07 Feb 1997 15:10:21 -0400 (EDT)  
Received: from dol.gov (BUBBA.DOL.GOV) by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IF50D19KMK007IO2@STORM.EOP.GOV>; Fri, 07 Feb 1997 15:10:16 -0700 (MST)  
Received: by dol.gov (5.x/SMI-SVR4) id AA11352; Fri, 07 Feb 1997 15:07:22 -0500

Received: from smtpgw(166.96.2.20) by gatekeeper via smap (V1.3)  
id sma011211; Fri Feb 7 15:07:08 1997  
Received: by gatekeeper with Microsoft Mail id <32FB45B8@gatekeeper>; Fri,  
07 Feb 1997 15:09:44 -0500 (EST)

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

===== ATTACHMENT 2 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
WPCf  
2  
BVT  
w (TT)7PC2X  
DXP\ P6QXPTimes New Roman (TT)3|PPLAS4.WRSSX  
@,,4&"joX@2Z@  
g0HP LaserJet 4/4M PostScriptpiHPLAS4.WRSSXN\ P,,4&"joXP"Small Circle5i"W?(h\F

=2H5"XN\ PXP(hH  
Z6Times New Roman RegularX22@L3|x"5@^2CRdd\$CCdq2C28ddddddddd  
d88qqYzoCNzoozzC8C^dCYdYdYCdd88d8dddddCN8ddddy`(`12CC!CCPRCddYYYYYYzYzYzYzYC8C8  
C8C8dddddddddYdddddoddyYYYYYzYzYzYdddddPdCdCCCdNdz8zRdddCRoNoNNF2 [dCYddddd7>d<  
d<CCYdCCddCYC<tCnnnnqyy2Psg7cddnCzshcnonvyXzXshn~|y2CRdd\$CCdq2C28ddddddddd88q  
qqYzoCNzoozzC8C^dCYdYdYCdd88d8dddddCN8ddddy`(`1CdYddCoCCCYFdcNC2Cddddd(dC7dqCdPn  
<<Cs[2C<>dYzzzzCCCCqodYYYYYYYYYYYY8888dddddndddd2dG/Date

TP  
MEMORANDUM FOR THE PRESIDENT

X-FROM: JOHN HILLEY & GENE SPERLING

Xv-SUBJECT: COMP TIME/ FAMILY MEDICAL LEAVE ACT LEGISLATION

XH-I.XxBACKGROUND/ANALYSIS(#

This memorandum offers options for how to achieve the optimal outcome from the current legislative debate on comp time and expansion of the Family and Medical Leave Act (FMLA).

This week and next week, the House and Senate labor committees are holding hearings regarding comp time legislation: the Ballenger bill in the House and the Ashcroft bill in the Senate. Both bills address only comp time and not FMLA expansion, and they provide fewer guarantees of employee choice and fewer protections against potential abuse than your bill, which was sent to Congress last September. For example, the Republican bills:

XK-X` hp x (##'0\*,.8135@8:<H?A,Xhp x (##'0\*,.8135@8:<H?AXx1)Do not exclude vulnerable workers; (#

X4-Xx2)Do not include special protections for workers whose employers go bankrupt or shut down unexpectedly; (#

X-Xx3)Do not guarantee real choice for employees because they allow employers to refuse employees use of comp time if it would unduly disrupt operations. (Your bill, on the other hand, allowed employees to take comp time for FMLA purposes at any time, and to take it for other purposes with two weeks notice unless it would cause the employer substantial and grievous injury.); (#

X|-Xx4)Allow employers to cash out employees comp time over 80 hours, thereby denying them the use of comp time; (#

XN-Xx5)Provide weaker remedies for violations. Your bill has solutions to all of these problems. (#

In addition, the Ashcroft bill has additional provisions that would effectively eliminate the 40 hour week by allowing employers to establish 80 hour biweekly schedules and, in certain circumstances, to pay employees straight time, not time and a half, for hours worked over 40 in a week or 80 in two weeks. Sen. J

effords plans to mark up the Ashcroft bill on February 26, and Rep. Ballenger plans to mark up his bill in early March.

Senator Dodd, Sen. Murray, Rep. Clay, and Rep. Maloney have instead introduced bills to expand the FMLA. The bills introduced by Maloney and Murray would expand FMLA for an additional twentyfour hours for the purposes of routine medical care for children and elderly parents or school related activities, similar to your bill. The bills introduced by Dodd and Clay would lower the threshold of FMLA applicability from 50 employees to 25 employees, which would cover an additional 10 million employees in small businesses. "(0\*0\*0\*"The FMLA bills have support from womens groups and the labor movement, both of which are more enthusiastic about dropping the threshold than providing an additional 24 hours of leave. The labor movement strongly opposes the Republican comp time bills, and finds the provisions in the Ashcroft bill that eliminate the 40hour work week to be particularly offensive. Most Republicans oppose any expansion of FMLA.

The current legislative strategy among congressional Democratic leaders is to criticize the comp time bills and try to add the various FMLA expansions to the Republican bills. Your bill has not been introduced, nor is there any Democratic version of a comp time bill. The labor movement has requested that the Administration threaten to veto any bill that doesn't 1) improve the comp time provisions to provide real choice and real protections for employees, and 2) link FMLA and comp time.

#### X-II.XxACTIONFORCING EVENT(#

The Vice President will be addressing the AFLCIO at an annual meeting on February 18 and will be forced to address these issues either in remarks or in questions and answers. Thus, a decision must be made now regarding whether to adopt a strategy of insisting on linkage between FMLA and comp time, and whether to issue any veto threats. The options are laid out below. In each case, the Vice President would articulate the Administration position on February 18 at the AFLCIO meeting.

#### X-III.XxOPTIONS (#

X-1.Xx□Threaten to veto the bill if your principles are not addressed.□ The Administration would lay out a set of principles needed for a bill to be truly family friendly. We would say that the bill should include FMLA expansion, and that any bill that does not meet certain principles will be vetoed, but we would not link a veto to FMLA expansion. These principles are embodied in your bill from last year: (#  
Xx(#

XN-XxA)□ Real Choice for Employees□, including the right to take comp time when needed for FMLA purposes, the right to choose to use comp time for any purpose with two weeks notice to their employer unless use of comp time will cause substantial and grievous injury to the employer, the right to cash out comp time for or overtime pay on 15 days notice and employers cant choose to cash out comp time; and (#

X -XxB) □Real Protection Against Employer Abuse□, including the various protective provisions in your bill that are not present in the Republican bills, such as exclusions for vulnerable workers, special protections in case employers go bankrupt or close down unexpectedly, a prohibition against employers substituting comp time for paid vacation or sick leave benefits, a prohibition against employers penalizing employees who choose overtime pay instead of comp time, and strong provisions for enforcement.(#

X□(-XxC) □Preservation of Basic Worker Rights.□ The Administration would threaten a veto of any bill that eliminates the 40 hour work week, as the Ashcroft bill does.(#"0\*0\*0\*'"

X-Pros:XxA. Would strengthen the position of congressional Democrats arguing to improve the Republican bills. Would encourage congressional Republicans to negotiate in an effort to produce a bill that would become law.(#

XxB. If the strategy resulted in changes to the bills, it would significantly improve upon bills that presently do not carry guarantees of employee choice or adequate protection against employer abuse.(#

XxC. Would be welcomed by constituency groups that view the Republican bills as a weakening of employee protection laws, and would strengthen the leadership position of Democrats on womens issues.(#

XxD. Since this strategy doesn't threaten a veto if the FMLA expansion is not in a final bill, it has the effect of assisting the Democrats who are trying to add FMLA expansion to the bills without locking you in to a veto on that specific issue. (#

X-Con: XxYou might have to veto a comp time bill, although it would be one that would fall far short of the family friendly principles you have laid out. (#

XK-2. Xx☐ Threaten to veto a bill if your principles are not addressed AND FMLA expansion is not included. ☐ This strategy is the same as #1 above except that a fourth veto principle would be the expansion of FMLA. The rationale is that FMLA and comp time are linked family friendly policies. Since comp time is not mandatory, the only guarantee that covered workers will have any additional leave is through FMLA expansion amendments. FMLA is one of your signature programs and this is one way to ensure its passage in a Republican Congress. (#

X-Pros: XxSame as A, B & C above. In addition, the AFLCIO has requested this particular strategy and veto threat. Sen. Kennedy also prefers this strategy and veto threat. (#

XN-Cons: XxA. Sen. Daschle is skeptical that his colleagues will support a strategy that insists on FMLA expansion as the price for any comp time bill, however strong. It is difficult to defend the logic of refusing to accept one positive change in the law merely because a second positive change has not also been made. (#

XxB. If the strategy fails to produce a bill that includes FMLA expansion, you might have to veto a very strong comp time bill just because it doesn't include FMLA expansion. (#

X#-3. Xx☐ Introduce principles for a family friendly bill. ☐ We would lay out the principles listed in #1 above and would insist that they are all vital to a family friendly bill, but would not explicitly threaten a veto. (#

X#'-Pros: XxA. Would lay out principles for a bill without locking you in to a veto. (#

XxB. Would leave open the option of vetoing a weak comp time bill or a bill that fails" (0\*0\*0\*'"to expand FMLA. (#

X-Cons: XxNot likely to produce changes to the Republican bills, thus could make it more likely that you face signing a bill that doesnt include sufficient employee choice and protections. Signing such a bill would have the dual results of significantly altering the Fair Labor Standards Act without sufficient safeguards and also seriously angering the labor movement and disappointing womens groups. (#

XH-IV. XxDECISION: (#

X  
-Option 1 \_\_\_ Option 2 \_\_\_ hOption 3 \_\_\_ Lets Discuss \_\_\_ ===== END ATTA

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Nicole R. Rabner ( Nicole R. Rabner@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:10-FEB-1997 13:35:00.00

SUBJECT: interagency meeting

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 10-FEB-1997 12:35:00

Thanks for your message about the interagency meeting -- how does 4pm on  
February 17th or 18th sound to you for the meeting? I'll get the memos  
faxed  
out today.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Nicole R. Rabner ( Nicole R. Rabner@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:10-FEB-1997 13:59:00.00

SUBJECT: Re: interagency meeting

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 10-FEB-1997 12:59:00

2pm is fine for the interagency meeting -- I'll set it for 2pm on Tuesday,  
2/18.

Also, we're setting up a meeting on the elusive HHS adoption report for  
tomorrow -- internal WH meeting at 5:00pm (rm 100), with HHS folks joining  
us

at 5:30pm, so that we can give them united WH comment. I'll have Olivia  
fax

the report to me when it's ready today and have copies walked around to  
the

usual suspects.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Carol\_Rasco ( Carol\_Rasco@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:21-FEB-1997 07:49:00.00

SUBJECT: Newsweek and commitments to America Reads

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Pauline M. Abernathy ( Pauline M. Abernathy@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Pauline told me of your inquiry about Newsweek printing the

Scholastic

figure. As I shared with her, the commitments being made to the Summit are not on the whole being shared with us nor any agency as best I can tell. I am working hard to have a smooth working

operation

with the Corporation on America Reads and feel success is in place on that front. However, the Summit is not something we work on daily together. I have suggested periodically with them we need to be kept abreast of what is happening with the Summit and quite frankly I get the impression at times that those at the Corporation itself aren't always aware of what commitments are being received. If you have ideas about what I should do differently let me know. I think it is

a

bigger system problem than just America Reads being somewhat in the dark as I have heard other departments/agencies saying they are getting calls from folks with whom they work saying they are confused about the relationship of the Summit to ongoing relationships with

various agencies and departments with which they work.===== ATTA

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

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IFO55CRXTS00RYN6@PMDF.EOP.GOV>; Fri,

21 Feb 1997 07:52:32 -0500 (EST)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IFO55AV7RA000045@STORM.EOP.GOV>; Fri, 21 Feb 1997 07:52:30 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])

by oeri.ed.gov (8.7.5/8.7.3) with SMTP id HAA29617; Fri,

21 Feb 1997 07:54:27 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)  
id 30d99fb0; Fri, 21 Feb 1997 07:50:03 -0500

Content-description: cc:Mail note part

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Stuart M. Schear ( Stuart M. Schear@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:28-FEB-1997 10:04:00.00

SUBJECT: STUART SCHEAR VIA PAGER

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dennis Burke ( Dennis Burke@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Melissa Green ( Melissa Green@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 28-FEB-1997 10:04:00

Colleagues:

My WHCA pager is out of commission. Until further notice, please page me  
via  
skypager through signal.

Thank you very much,

Stuart Schear

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Carol\_Rasco ( Carol\_Rasco@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 5-MAR-1997 23:03:00.00

SUBJECT: Conference on Early Learning

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

I have seen today a fax that Deborah Stark (Cong. Pete Stark's wife) sent you on Feb. 25 where she is saying she would like to help with the Conference. She was a terrific, absolutely terrific person with whom to work when she was in HHS. I don't make sure statements lightly. If you all need someone to help really get things in top notch shape for the conference you should consider her.

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

TEXT:

RFC-822-headers:

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IG6I5432M800TWLX@PMDF.EOP.GOV>; Thu,

06 Mar 1997 11:18:27 -0500 (EST)

Received: from oeri.ed.gov (oeri.ed.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IG6I44049M000045@STORM.EOP.GOV>; Thu, 06 Mar 1997 11:18:24 -0700 (MST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.217.37])  
by oeri.ed.gov (8.7.5/8.7.3) with SMTP id LAA01825; Thu,

06 Mar 1997 11:19:14 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 1.04b)  
id 31e355f0; Wed, 05 Mar 1997 22:09:19 -0500

Content-description: cc:Mail note part

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: DChang ( DChang@hcfa.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:12-MAR-1997 11:04:00:00

SUBJECT: CASA Act -Reply

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: jeanne lambrew ( Jeanne Lambrew@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: William H. White Jr. ( William H. White Jr.@EOP [ UNKNOWN ] )  
 READ:UNKNOWN

TEXT:  
 Diana -- I think we have something. I'll have don send you message or fax,  
 also, we are doing some internally thinking.

Debbie

>>> <FORTUNA\_D@a1.eop.gov> 03/11/97 08:22pm >>>

As you know, we have this outstanding meeting with ADAPT and  
 other

disability groups on home and community-based services and other  
 disability issues. ADAPT is certain to want to talk about the  
 CASA bill, and so we need HCFA's analysis of it.

I'm not sure that the bill as introduced (by Gunderson, I think?)  
 is as extreme as earlier summaries I had seen. We would be  
 particularly interested in cost implications. Could you get us  
 something in the next week?===== ATTACHMENT 1 =====

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

TEXT:

## RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IGEVHPSHHC01412G@PMDF.EOP.GOV>; Wed, 12 Mar 1997 11:07:34 -0500 (EST)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IGEVHNFACW00U7OG@PMDF.EOP.GOV>; Wed,

12 Mar 1997 11:07:31 -0500 (EST)

Received: from hcfa.gov (gate.hcfa.gov) by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IGEVHIZOSU006PCB@STORM.EOP.GOV>; Wed, 12 Mar 1997 11:07:28 -0500 (EST)  
Received: from HCFA-Message\_Server by hcfa.gov with Novell\_GroupWise; Wed,  
12 Mar 1997 11:06:05 -0500.

X-Mailer: Novell GroupWise 4.1

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: MANNING.COURTNEY ( MANNING.COURTNEY@EPAMAIL.EPA.GOV@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:14-MAR-1997 19:20:00.00

SUBJECT: EPA Preview of New Policies Targeted to Children in their Earli

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Pauline M. Abernathy ( Pauline M. Abernathy@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
March 14, 1997

(I also faxed this information to each of you)

MEMORANDUM FOR ELENA KAGAN

FROM: Gary S. Guzy

SUBJECT: EPA POLICIES TARGETED TO CHILDREN IN THEIR EARLIEST YEARS

Below is a preview of new plans and proposals EPA is exploring in response to the President\*s February 24 Memorandum:

THE ISSUE:

Children today need significant and unique protection from a wide range of environmental hazards. A series of diseases, known or suspected to be of environmental origin, are increasing in children:

\* Asthma: Rates are increasing sharply, and asthma has become the leading cause of admission of young children to the hospital.

- \* Cancer: Incident rates of leukemia and brain cancer, the two most common types of cancer, have been increasing steadily for two decades.
- \* Birth defects: The incidence of certain birth defects has doubled over the past fifteen years.
- \* Lead poisoning: Despite significant advances, lead poisoning still affects thousands children.

#### THE RESPONSES:

##### 1. Executive Order to Protect Children From Environmental Health Threats

EPA has been working with White House offices and other agencies to craft an Executive Order on Children\*s Environmental Health and Safety, which would recognize and address the oftentimes greater impact that environmental pollutants have upon the health of children, by committing the government to set health and safety standards tailored to protecting children wherever possible, and by coordinating areas where additional research is necessary. To oversee the implementation of these requirements, the Executive Order would establish the Children\*s Environmental Health Working Group, composed of representatives of each federal department or agency that bears responsibility for the regulation of activities or substances that may affect children\*s health or that conducts research on issues related to children\*s health and environmental risk.

##### 2. Principles for Family Right-to-know Legislation Providing Consumer Information Labels

EPA has proposed that the Clinton Administration challenge Congress to pass legislation that would provide enhanced labeling information to assist families in making informed choices about consumer products exposing children to toxic chemicals. We have been working with White House offices and other agencies to develop these principles. The basic approach would require manufacturers of consumer products to provide information labels on those products that are reasonably expected to have a unique and potentially detrimental effect upon infants and children due to their toxic constituents.

3. Protecting Urban Children from Health Threats, such as Lead Poisoning and Consumption of Contaminated Fish

Children living in urban areas are exposed to urban pollution due to factors such as the high concentrations of industrial activity. For example:

\* Lead poisoning remains widespread at low levels among American children, affecting as many as 1.7 million children age five and under. Pregnant women poisoned by lead can pass that on to a developing fetus.

\* Contaminated Fish and Polluted Waters: Polluted waters not only affect children when they swim in our lakes and streams, but also when they eat fish. Children whose mothers are exposed to cancer-causing PCBs (polychlorinated biphenyls) when pregnant may develop learning disabilities and experience delayed development, and chemicals such as PCBs also tend to accumulate in breast milk.

Building on the President's February 24 Memorandum and his Kalamazoo commitment to provide improved information for families on toxics, EPA will pursue a number of administrative steps to ensure that parents living in urban areas are armed with the information they need in order to take action to solve local environmental problems that affect the health and safety of their infants and small children.

4. Protecting Children from Carcinogens, Neurotoxins and Reproductive Toxins

Children are more heavily exposed to these three classes of toxics than are adults and they are especially vulnerable to them. To protect children against cancer, birth defects, developmental delays, neurotoxicity, and reproductive impairment caused by environmental chemicals, EPA proposes an expanded program of toxic tests that takes into account the special vulnerabilities of young children. Also, EPA is enhancing the already ongoing research to characterize the toxic effects of environmental chemicals on children's early development.

5. Protecting Children from Secondhand Smoke

Infants and young children whose parents smoke are among the most seriously affected by exposure to environmental tobacco smoke, or secondhand smoke, which is a carcinogen and presents significant health risks to children. Children are at increased risk of lower respiratory tract infections such as pneumonia and bronchitis. EPA estimated in a 1992 risk assessment report that

secondhand smoke exposure is responsible for between 150,000 and 300,000 lower respiratory tract infections in infants and children under 18 months of age annually, resulting in between 7,500 and 15,000 hospitalizations each year.

EPA proposes to collaborate with other federal agencies and departments to educate and encourage parents to reduce their children\*s exposure to secondhand smoke. EPA is also planning to develop a media campaign on secondhand smoke and children in cooperation with a nationally recognized citizen group.

cc: Dr. Philip Landrigan, EPA Office of Children\*s Health Protection=====

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IGI2TC3CTS0092KL@PMDF.EOP.GOV>; Fri, 14 Mar 1997 18:09:22 -0500 (EST)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IGI2T9WUTS00S2FJ@PMDF.EOP.GOV>; Fri,

14 Mar 1997 18:09:18 -0500 (EST)

Received: from RT-MAIL2.RTPTOK.EPA.GOV by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IGI2T4UXTY007K9X@STORM.EOP.GOV>; Fri, 14 Mar 1997 18:09:13 -0500 (EST)

Received: from RTPMAINHUB-Message\_Server by RT-MAIL2.RTPTOK.EPA.GOV with  
Novell\_GroupWise; Fri, 14 Mar 1997 18:08:58 -0500

X-Mailer: Novell GroupWise 4.1

Content-disposition: inline

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

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Ron Klain ( CN=Ron Klain/O=OVP [ OVP ] )

CREATION DATE/TIME:17-MAR-1997 12:43:17.00

SUBJECT: Liquor Letter

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

TEXT:

VP thinks we should go ahead, although he personally would rather include  
beer, he is willing to go forward with just hard rather than do nothing.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: jsmartt ( jsmartt@OSASPE.DHHS.GOV@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:18-MAR-1997 12:30:00.00

SUBJECT: stuff

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Pauline M. Abernathy ( Pauline M. Abernathy@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IGNA3EEZQ00W76O@PMDF.EOP.GOV>; Tue, 18 Mar 1997 11:31:28 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IGNA3AYY20004P59@PMDF.EOP.GOV>; Tue,  
18 Mar 1997 11:31:23 -0500 (EST)

Received: from hhs-custos.dhhs.gov by STORM.EOP.GOV (PMDF V5.0-7 #6879)  
id <01IGNA35I7R2007QLE@STORM.EOP.GOV>; Tue, 18 Mar 1997 11:31:19 -0500 (EST)

Received: from OSASPE.DHHS.GOV by hhs-custos.dhhs.gov with SMTP  
(SMI-8.6/2.9-eef) id LAA05590; Tue, 18 Mar 1997 11:29:39 -0500

Received: from aspwise-Message\_Server by OSASPE.DHHS.GOV with  
Novell\_GroupWise; Tue, 18 Mar 1997 11:31:07 -0500

X-Mailer: Novell GroupWise 4.1

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

===== ATTACHMENT 2 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Just wanted to give you a quick update on things and get your thoughts.  
(Please let me know if you received this even if you don't have any  
thoughts right now)

Synthesis Document

Rima Shore - who is also the writer for the Families and Work Institute  
Report , "Rethinking the Brain" - will let me know on Thursday if this is  
something that she can complete no later than three weeks after the  
conference. And will let Naomi Karp, Dept. of Ed, know how much this  
may cost.

I talked with Rima about the brief outline that I put together and she  
seemed to feel the bases were covered but to keep in mind that the final  
document with illustrations etc. would probably be @30 pages.

Please let me know if this is how you would like to proceed. If so, on  
Thursday when I speak with her I would like to set up some time for her  
to speak with you all and folks from the Communications team to make

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	jsmartt to Elena Kagan et al. re: stuff [partial] (1 page)	03/18/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ({Kagan})  
OA/Box Number: 1100000

### FOLDER TITLE:

[11/20/1996 - 03/26/1997]

2009-1006-F  
ds288

### 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]

sure we are all on the same page.

If not and you would prefer to take some other route please let me know before Thursday.

The Web Page

I talked with Lori Anderson. I am going to get to her (which I will forward to all of you) an outline of what the web page may look like.

I can be reached at P6(b)(6). Take Care - Jeanine  
===== END ATTACHMENT 2 =====

[004]

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )

CREATION DATE/TIME:21-MAR-1997 11:47:00.00

SUBJECT: DPC Staff Meetings

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dennis K. Burke ( Dennis K. Burke@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diane C. Regas ( Diane C. Regas@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elizabeth Drye ( Elizabeth Drye@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Eric P. Goosby ( Eric P. Goosby@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lyn A. Hogan ( Lyn A. Hogan@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Pauline M. Abernathy ( Pauline M. Abernathy@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Stephen C. Warnath ( Stephen C. Warnath@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )

READ:UNKNOWN

TO: William R. Kincaid ( William R. Kincaid@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Bruce N. Reed ( Bruce N. Reed@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Elena Kagan ( Elena Kagan@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Laura Emmett ( Laura Emmett@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 21-MAR-1997 10:47:00

Starting next week, DPC staff meetings will be held Tuesday and Thursday  
at  
9:00 am.

Please make certain that you do not schedule any other meetings during  
those  
times. Bruce wants everyone to attend our staff meetings and to be on  
time  
(yes myself included). We believe switching to Tuesday and Thursday  
should  
insure that everyone will attend.

The meetings will still be held in room 211.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Michele\_Cavataio ( Michele\_Cavataio@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:26-MAR-1997 17:02:00.00

SUBJECT: Mtg follow up

TO: Dennis Burke ( Dennis\_Burke@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena\_Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael\_Cohen@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: William R. Kincaid ( William\_R\_Kincaid@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Folks:

I wanted to follow up with some information from today's meeting.

Below is the text that we are proposing to insert in appropriation's language. You'll note the last sentence says that the programs need to be consistent with the principles published in the federal

register

by the Secretary. This means that we do have some flexibility for their content, although we are expected to get significant outside input via the federal register. Our counsel's office is still assessing whether we would have to go back to the federal register if we wanted to make a change down the road. At this point, they

believe

that we would have to go through some formal rule-making procedures.

I am going to talk to Deputy Secretary Smith about whether he thinks we should pursue a stronger enforcement approach to the principles.

He conceived of them initially, and I am not sure that this was what he had in mind, but we can look at some options.

I am also attaching the document I passed out which was missing a

page. It lays out several strategies for responding to the RTI study.

Please let me know if your computers can read it (it's in MS WORD.)

Thanks for your time this morning. We look forward to discussing these items further with you. (Bill/Dennis- I am not sure I have the right email address for Mike or Elena. Could you make sure they receive this note?)

Thanks,

Michele

#### SCHOOL IMPROVEMENT PROGRAMS

##### Appropriation's Language

For carrying out school improvement activities authorized by titles II, IV [A-1], V-A and B, [VI], IX, X and XIII of the Elementary and Secondary Education Act of 1965; the Stewart B. McKinney Homeless Assistance Act; and the Civil Rights Act of 1964; [\$1,425,631,000] \$1,299,222,000, of which [ \$1,202,478,000 ] \$977,000,000 shall become available on July 1, [1997] 1998, and remain available through September 30, [1998] 1999: Provided, That of the amount appropriated, [\$310,000,000] \$360,000,000 shall be for Eisenhower professional development State grants under title II-B of the Elementary and Secondary Education Act; \$100,000,000 shall be for charter schools under title X, part C of such Act; and [\$310,000,000 shall be for



## **RESPONSE TO ISSUES RAISED ON DRUG PROGRAM EFFECTIVENESS**

The RTI study of drug prevention programs identified several problem areas in program implementation (as well as some positive areas.) The issues in this paper are intended to address the RTI study as well as information from the recent meeting with prevention researchers.

ED has at least four overarching objectives which could form the basis for our message on drug and violence prevention:

1. Schools need to use research-based approaches that have demonstrated effectiveness and eliminate or modify what doesn't work.
2. Schools need to set measureable goals and objectives to change behavior.
3. Schools, communities and families need to reinforce each other with zero tolerance messages and with messages of hope.
4. ED needs to do a better job of sharing information about what works.

In response to the study and conversations with researchers, the Department has identified seven areas for improvement:

### **1. Increase use of research-based prevention approaches**

#### **A. Improve effectiveness of prevention programming**

- FY98 appropriations language puts in place "principles of prevention" that will help strengthen the ability of ED to encourage the use of research-based approaches. ED will put the principles into the federal register for comments.
- The Safe and Drug Free Schools (SDFS) program will spend \$2 million to replicate programs that have demonstrated success in smaller, controlled settings.
- The SDFS program plans to implement a 5-year, \$15 million, demonstration project to identify broad-based strategies that work. A team has been put together to examine options for the design of this program. This program might take the form of a challenge grant.

#### **B. The RTI study and other studies have stated that approaches to prevention other than curricular approaches can have positive impacts. The Department should consider approaches which will contribute to the improvement of the overall school climate. For example,**

- Increase recognition opportunities by reinstating Safe and Drug Free schools recognition program
- Focus on initiatives such as peer mediation, mentoring, student courts, class size, after school programs
- Promote student compacts to stay drug free

### **2. Improve knowledge about what works among various customers**

*Planned activities:*

*SEAs*

- Meet in next 6 months with all SEA drug prevention coordinators and LEA coordinators from large districts to disseminate information and bring researchers together with practitioners

*Teachers*

- Prepare three issues of Challenge Newsletter to teachers on effective programs (put this information into common media used by teachers)

*General public*

- Put into federal register information about promising practices?
- Create website with information about what works
- Disseminate publication on what works and doesn't work
- hold teleconference to promote effective programs

*LEAs -- the Department does not do a good job in communicating with them*

- Develop listserv to share information and create dialogue among drug coordinators at local level

*For consideration:*

- ED could establish an independent research organization or board responsible for determining what programs have demonstrated effectiveness OR ED could rely on research from peer reviewed journals.
- The comprehensive assistance centers (CACs) do not provide assistance in the area of drug and violence prevention. The SDFS program hopes to continue funding for the National School Safety Center, but this center tends to have a crisis intervention approach rather than a strategic technical assistance approach because of its limited resources. ED will consider having some of the CACs specialize in the area of drug and violence prevention (in addition to their "comprehensive" duties.)

**3. Improve consistency and effectiveness in the delivery of programs**

- Teachers often face competing priorities and drug and violence prevention often lose air time to more academic work. And when teachers do implement drug prevention programs, they often do not implement a program the way it was designed. In addition, they are often inexperienced with the kind of interactive teaching that works best for prevention programs. In response, ED is currently assessing the state of teacher training programs and exploring options for who, in addition to teachers, might successfully deliver prevention programs (outside folks, in-school health specialist, etc). The SDFS program has set aside \$2 million to respond to the information gathered, possibly through a grant program.

**4. Consider targeting at district level**

- 97 percent of schools receive some funds from the SDFS program which means as little as \$6-8 per child. States are already required to target extra 30 percent of funds to 10 percent of districts. But districts have no targeting requirements. Typically, districts spend a significant portion of money on a full or part time drug coordinator. The SDFS program will use some of its FY97 national programs money to examine

the question of whether we should target at the district level. The results will be used to inform reauthorization.

**5. Increase the amount of planning and evaluation by schools**

- Schools and/or districts are not doing a good job of using data to improve practice, and in some cases they don't do a good job of collecting the data. The SDFS program is planning a \$5 million demonstration program to help SEAs and LEAs collect and analyze information on drug use and violence in schools and use that information to improve practices.
- The SEA/LEA conference hosted by the SDFS program is also designed to address this issue. It will have three components: 1) model needs assessment, 2) programs that have demonstrated success, 3) how to do evaluation.

**6. Change attitudes of acceptance of drugs by youth and parents**

- Media campaign by Administration (ONDCP is leading this effort); ED will work to ensure our participation early on so that we can amplify the message in schools.
- Parents guide "How to Raise Drug-free Kids" will be distributed to over 18 million people and advertised on ABC in March.

**7. Improve research base**

- Several research organizations (NIDA, NIAAA, OJJDP, NAS, NIJ) are doing research related to drug and violence prevention. ED will meet with these groups to discuss a longer term research agenda. OERI and NCES will be brought into discussions to see how they can support research needs.

**8. Help improve effectiveness of DARE program**

- Federal agencies who fund DARE are meeting to discuss how they can work together to make DARE a more effective program.

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -009**

**[03/28/1997-08/11/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. [partial] (1 page)	05/06/1997	P6/b(6)
002. email	Ron Klain to Elena Kagan. Personal. (1 page)	05/19/1997	Personal Misfile
003. email	DBF to Elena Kagan. Subject: Greetings. (1 page)	06/23/1997	Personal Misfile
004. email	DBF to Elena Kagan. Subject: Chicago. (1 page)	06/24/1997	Personal Misfile
005. email	Elizabeth Drye to Elena Kagan. Subject: re: public health groups meeting with VP [partial] (1 page)	07/10/1997	P6/b(6)
006. email	Christopher Edley, Jr. to Elena Kagan and Laura Emmett. Subject: Judy Winston, etc. [partial] (1 page)	07/10/1997	P6/b(6)
007. email	JOConnor to Elena Kagan. Subject: tobacco. [partial] (1 page)	07/23/1997	P6/b(6)
008. email	DBF to Elena Kagan. Personal. (1 page)	07/31/1997	Personal Misfile
009. email	Christopher Edley, Jr. to Andrew Mayock and Elena Kagan. Subject: Anything for me to do? [partial] (1 page)	08/06/1997	P6/b(6)

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

**FOLDER TITLE:**

[03/28/1997-08/11/1997]

2009-1006-F

vz153

**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]

- 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]

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.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Stuart M. Schear ( Stuart M. Schear@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:28-MAR-1997 11:49:00.00

SUBJECT: ABC DROPS GUESTS

TO: Brian D. Smith ( Brian D. Smith@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Deborah Falk ( Deborah Falk@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dennis Burke ( Dennis Burke@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Melissa Green ( Melissa Green@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 28-MAR-1997 11:49:00

THIS WEEK (ABC)

ABC has decided to focus exclusively on the suicide story. ABC has  
dropped

both Shalala and Sasser.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-APR-1997 15:58:00.00

SUBJECT: Hearing List for Week of 4/7/97

TO: Bruce N. Reed ( Bruce N. Reed@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dennis K. Burke ( Dennis K. Burke@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elizabeth Drye ( Elizabeth Drye@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Eric P. Goosby ( Eric P. Goosby@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan Prince ( Jonathan Prince@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lyn A. Hogan ( Lyn A. Hogan@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Pauline M. Abernathy ( Pauline M. Abernathy@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Stephen C. Warnath ( Stephen C. Warnath@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: William R. Kincaid ( William R. Kincaid@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 7-APR-1997 15:58:00

FYI

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on

04/07/97

03:56 PM -----

Alison C. Perkins

04/07/97 03:15:03 PM

Record Type: Record

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

cc: Alison C. Perkins/OMB/EOP

Subject: Hearing List for Week of 4/7/97

HEARING LIST 4/7/97

Date Cte. Bill

\*4/8 HRC SUBCOMMITTEE OVERSIGHT HEARING

Forest and Forest Health Subcommittee will hold a hearing on livestock grazing

policies on public domain lands in National Forests (4/7 - OMB cleared USDA

testimony for the hearing)

\*4/9 HAC/HRC JOINT OVERSIGHT HEARING

Impact of Federal forest policy on the health of National Forests

\*4/10 HAC SUBCOMMITTEE OVERSIGHT HEARING

Risk Management and Speciality Crops Subcommittee will hold a hearing on the

implementation of the risk management provisions in the Federal Agricultural

Improvement and Reform Act of 1996

\*4/10 HRC SUBCOMMITTEE MARK-UP AND HEARING

National Parks and Public Lands Subcommittee will hold a mark-up on HR449

-

Southern Nevada Public Land Management Act, and a hearing on HR136 - Marjory

Stoneman Douglas Wilderness Area (OMB has cleared Interior testimony supporting

HR136), and HR 765 - Cape Lookout National Seashore Wild Horses (OMB is circulating testimony which THREATENS VETO if HR 765 were to pass)

\*4/10 SAC CONFIRMATION HEARINGS

Confirmation hearings on the nominations of V. Ann Jorgensen to be a member of the board of directors of the Farm Credit Administration, and Lowell Lee Junkins to be a member of the board of directors of Farmer Mac

\*4/15 HRC SUBCOMMITTEE OVERSIGHT HEARING

National Parks and Public Lands Subcommittee and the Forest and Forest Health Subcommittee will hold an oversight hearing on the implementation of the 1964 Wilderness Act

\*4/16,4/23 HRC FULL COMMITTEE MEETING

Committee will meet to consider pending business

\*4/17 HRC SUBCOMMITTEE MEETING

Energy and Mineral Resources Subcommittee will meet to consider pending business

\*4/17,4/29 HRC SUBCOMMITTEE HEARINGS

Energy and Mineral Resources Subcommittee will hold hearings on 4/17 - Forest Service budget, 4/29 - Forest Health

\*4/17 SAC OVERSIGHT HEARING

Oversight hearing on the Federal Crop Insurance program focusing on subsidies for a recently created program that offers protection to farmers who

experience

drastic drops in crop revenue

\*4/24 HRC SUBCOMMITTEE HEARING

Energy and Mineral Resources Subcommittee will hold a hearing on the Administration's proposed buyouts of timber and mining lands using Mineral

Leasing Act revenues: Headwaters Forests and New World Mine

\*4/24 HRC SUBCOMMITTEE HEARING

National Parks and Public Lands Subcommittee will hold a hearing on NPS budget

issues and will receive a GAO report on budget formulation concerning NPS

\*4/29 HRC SUBCOMMITTEE OVERSIGHT HEARING

National Parks and Public Lands Subcommittee will hold an oversight hearing on

the management of Grand Staircase-Escalante National Monument

\*TBA SENRC HEARING

Hearing on the Administration's FY98 budget proposals for programs under its

jurisdiction

---

Committee Abbreviations:

HAP House Appropriations Committee

HRC House Resources Committee

HNPS House National Parks, Forests and Lands Subcommittee

HEMRS House Energy and Mineral Resources Subcommittee  
HAC House Agriculture Committee  
HEIPS House Int. Economic Policy and Trade Subcommittee  
HGRO House Government Reform and Oversight Committee  
SAC Senate Agriculture Committee  
SENRK Senate Energy and Natural Resources Committee  
SEOIS Senate Energy Oversight and Investigation Subcommittee  
SPHPS Senate Parks, Historic Preservation, and Recreation Subcommittee  
SFPLS Senate Forests and Public Land Management Subcommittee  
\* New or Revised Listing

Message Sent

To: \_\_\_\_\_

GLAUTHIER\_T @ A1 @ CD @ LNWTWY

WARD\_A @ A1 @ CD @ LNWTWY

COGSWELL\_R @ A1 @ CD @ LNWTWY

WEATHERLY\_M @ A1 @ CD @ LNWTWY

IRWIN\_J @ A1 @ CD @ LNWTWY

HEATH\_D @ A1 @ CD @ LNWTWY

STIDMAN\_A @ A1 @ CD @ LNWTWY

FRERICHS\_S @ A1 @ CD @ LNWTWY

NOLIN\_CL @ A1 @ CD @ LNWTWY

SAUNDERS\_R @ A1 @ CD @ LNWTWY

KASDIN\_S @ A1 @ CD @ LNWTWY

ERBACH\_A @ A1 @ CD @ LNWTWY

GREEN\_M @ A1 @ CD @ LNWTWY

ENGELBERG\_N @ A1 @ CD @ LNWTWY

WAGNER\_J @ A1 @ CD @ LNWTWY

FLOWERLAKE\_D @ A1 @ CD @ LNGTWY

MINKLER\_J @ A1 @ CD @ LNGTWY

CRUTCHFIEL\_J @ A1 @ CD @ LNGTWY

REISNER\_G @ A1 @ CD @ LNGTWY

GROVE\_K @ A1 @ CD @ LNGTWY

ROSTKER\_D @ A1 @ CD @ LNGTWY

DENTON\_M @ A1 @ CD @ LNGTWY

PETERSON\_RK @ A1 @ CD @ LNGTWY

Paul J. Weinstein Jr./OPD/EOP



## SEC REPORT ON SECURITIES LITIGATION

### ***Background***

The SEC is releasing to the public on Wednesday a report to the President and Congress on how last year's securities litigation legislation has played out.

The report was written at the President's request. He asked for it last year after the legislation went into effect over his veto. It examines questions like whether the number of federal court suits has gone down and what effect there has been on state court litigation.

The report's major conclusions are summarized in the attached two pages from the report. *(I would append pages 4 and 5.)*

### ***Possible Questions and Answers***

- Q. So does this mean that the President was wrong to veto the bill?
- A. No, it doesn't mean that. The President's veto was based on his concerns about whether the legislation would unfairly raise the bar for injured plaintiffs to get into court. We want to study the report to see what the SEC learned about how the pleading standards in the bill are operating in practice. The concern is still there; we want to see how it has played out.
- Q. During the campaign, the President told some Silicon Valley CEOs that he thought that California's Proposition 211 should be preempted if enacted. Some of the CEOs thought that he was gung-ho about this and wanted to do it right away, even if Prop 211 didn't pass. Where does he stand now, and what influence will this report have on his thinking?
- A. When he was in California, the President was speaking against the backdrop of Prop 211, which subsequently was roundly defeated. The SEC tried to answer the question of whether the Act had played out in a way that required further legislative action at this time. They concluded that this is not the case. If that case is to be made on the basis of other data, we certainly would listen, and White House staff, with the help of the agencies will do just that. Keep in mind, though, that the evidence would have to be pretty convincing to change a sixty-year-old division of responsibility between the states and the feds on the basis of one year's experience.
- Q. Who's in charge of this issue in the White House?
- A. Counsel's Office and the National Economic Council are coordinating the process.
- Q. Is the SEC involved?

A. They are involved as technical advisers to our process.

*Automated Records Management System  
Hex-Dump Conversion*

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Stuart M. Schear ( Stuart M. Schear@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 2-MAY-1997 20:32:00.00

SUBJECT: PUNDIT CALL LIST

TO: Brian D. Smith ( Brian D. Smith@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Deborah Falk ( Deborah Falk@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Dennis Burke ( Dennis Burke@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
 READ:UNKNOWN

TO: Melissa Green ( Melissa Green@eop [ UNKNOWN ] )  
 READ:UNKNOWN

TEXT:

Message Creation Date was

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

TEXT:

The following attachments were included with this message:

---

TYPE	: FILE
NAME	: CALL2.WPD

---

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

===== ATTACHMENT 2 =====  
 ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D6]ARMSZZ000841M.001 to ASCII,  
 The following is a HEX DUMP:

```
FF575043FF030000010A02010000000205000000A80B000000020000B6434297EEF685F2EA38D6
D8415A4A3A6600152F03165F55F492EDDED596A43FA9EEDCE7B1FD11BF6B881FCF04B228911A21
```

MEMORANDUM FOR DISTRIBUTION  
FROM ANN LEWIS, JAKE SIEWERT & STUART SCHEAR  
SUBJECT WEEKEND PUNDIT & ANCHOR PHONE CALL LIST

CALL LIST:

CALLERS RAHM EMANUEL  
GENE SPERLING  
FRANKLIN RAINES  
HILLEY & CO. @ LEG AFFAIRS

Automated Records Management System  
Hex-Dump Conversion

EMANUEL CALLS:

Wolf Blitzer, Inside Politics Weekend  
Tim Russert, MEET THE PRESS  
George Stephanopoulos, THIS WEEK  
Margaret Carlson, LATE EDITION  
Steve Roberts, LATE EDITION

SPERLING CALLS:

Bob Novak, Evans & Novak  
Suan Page, Evans & Novak  
Juan Williams, Fox News Sunday  
Bob Schieffer, FACE THE NATION  
Gloria Borger, FACE THE NATION

RAINES CALLS:

Tony Snow, Fox News Sunday  
Mara Liasson, Fox News Sunday  
Cokie Roberts, THIS WEEK  
Sam Donaldson, THIS WEEK  
Frank Sesno, LATE EDITION

LEGISLATIVE AFFAIRS CALLS:

Rep. Bonior, Evans & Novak  
Rep. Rangel, Inside Politics Weekend  
Sen. Wellstone, Late Edition

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: john.kamensky ( John.Kamensky@npr.gsa.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 6-MAY-1997 13:40:00.00

SUBJECT: NPR's "31 Agency Initiative"

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Kathleen M. Wallman ( Kathleen M. Wallman@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

This is a "heads up" about a series of meetings starting next week that you or your staff may find of interest.

NPR is undertaking a different approach to its work over the next few years by redirecting its energies toward a handful of about 31 bureau-level agencies that have a big impact on the public, business, or other government agencies.

Elaine Kamarck has been meeting with each of the agency heads from these "reinvention impact centers." The goal is to have them commit to

a set of goals that have high customer/citizen impact by 2000. OMB is helping through the GPRA process and their spring management review. We've grouped the 31 into 6 "customer clusters" to allow the agencies to learn from each other and possibly work together on some initiatives. We've asked each of the 31 to prepare a draft 1-page set

of goals to share with other members of their clusters. The refined versions will be shared with Gore as he meets with the agencies heads each of the 6 clusters next month.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. [partial] (1 page)	05/06/1997	P6/b(6)

**COLLECTION:**

Clinton Presidential Records  
 Tape Restoration Project [Email]  
 Default ([Kagan])  
 OA/Box Number: 1100000

**FOLDER TITLE:**

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

### 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]

The first of the staff-level cluster meetings to review the 1-pagers before we send them to Gore is next week.

We've got OMB, Departmental, agency, and designated NPR staff attending, so the meetings will be tight. If there are any meetings your staff would be dying to attend, please let Helene Carlson know FO(b)(6) or email at: helene.carlson@npr.gsa.gov). She can also answer any questions. The schedule is:

[001]

BUSINESS - Cluster #1

Commerce, Health and Human Services, Small Business Administration, Health Care Financing Administration, Patent and Trademark Office, U.S. Foreign and Commercial Service

Wednesday, May 14 at 2:00 at the National Performance Review  
750 17th Street, N.W. Suite 200

INTERNAL GOVERNMENT - Cluster #2

Treasury, General Services Administration, Office of Personnel Management, Department of Defense Acquisition and Financial Management

Service

Thursday, May 15 at 2:00 at the National Performance Review

TRAVELERS AND OUTDOORS ENTHUSIASTS - Cluster #3

Agriculture, Interior, Justice, State, Treasury, Animal and Plant Health Inspection Service, Bureau of Consular Affairs, Bureau of Land

Management, Customs Service, Forest Service, Immigration and Naturalization Service, Park Service.

Friday, May 16 at 2:00 at the National Performance Review

GENERAL PUBLIC - Cluster #4

Commerce, Education, Treasury, FEMA, NASA, Census Bureau, National  
Weather Service, Student Loans, IRS

Monday, May 19 at 2:00 at the National Performance Review

BENEFICIARIES - Cluster #5

Health and Human Services, Agriculture, Veterans Affairs, Social  
Security Administration, Veterans Benefits Administration, Veterans  
Health Administration, Administration for Children and Families, Food  
and Consumer Service.

Tuesday, May 20 at 2:00 at the National Performance Review

REGULATORS - Cluster #6

Agriculture, Health and Human Services, Labor, Transportation,  
Environmental Protection Agency, Federal Aviation Administration,  
Animal and Plant Health Inspection Service, Food and Drug  
Administration, Occupational Safety and Health Administration, Food  
Safety and Inspection Service

Wednesday, May 21 at 2:00 at the National Performance Review

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IIK5AC4FIO0012KU@PMDF.EOP.GOV>; Tue, 06 May 1997 18:38:57 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IIK5A8L6400019P6@PMDF.EOP.GOV>; Tue,

06 May 1997 18:38:52 -0500 (EST)

Received: from sunshine.gsa.gov ([159.142.1.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with SMTP id <01IIK5A2ED52000HVZ@STORM.EOP.GOV>; Tue,  
06 May 1997 18:38:45 -0400 (EDT)

Received: from CCGATE1.GSA.GOV by sunshine.gsa.gov (5.0/SMI-SVR4)  
id AA04073; Tue, 06 May 1997 18:29:14 +0500

Received: from ccMail by CCGATE1.GSA.GOV (SMTPLINK V2.11.01)  
id AA862968989; Tue, 06 May 1997 18:40:46 -0500 (EST)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Kathleen M. Wallman ( Kathleen M. Wallman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:15-MAY-1997 11:54:00.00

SUBJECT:

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 15-MAY-1997 11:54:00

----- Forwarded by Kathleen M. Wallman/WHO/EOP on

05/15/97

12:55 PM -----

Kathleen M. Wallman

05/15/97 11:52:23 AM

Record Type: Record

To: KAGAN\_E @ A1 @ CD @ LNGTWY

cc:

Subject:

'Absolutely No Need'

TWO DOZEN GROUPS SEEK MANDATORY COUNTER ADS TO TV-RADIO ALCOHOL  
COMMERCIALS

Citing cigarettes as precedent, 24 groups petitioned FCC Wed.  
to require TV and radio stations to air counter ads for beer, wine

and hard liquor commercials. Petition claimed that ads "threaten the public interest and public safety by glamorizing their appeal to children." Request was filed by National Council on Alcoholism & Drug Dependence (NCADD) and Mothers Against Drunk Driving (MADD), plus 22 other groups. In immediate response, NAB Pres. Edward Fritts said "there is absolutely no need" for Commission to require such ads.

In related action, American Academy of Pediatrics urged FCC to "investigate the impact of liquor advertising on television on children." In letter to FCC Chmn. Hundt, Council Pres. Robert Hannemann said group supports Commission investigation of liquor ads and "strongly urges that such a hearing be inclusive of the beer and wine industry... As pediatricians, we see the influence the media... historically have had on America's children and adolescents. Equating alcohol use with athletic prowess, social popularity and physical beauty serves to draw this particularly susceptible population into illegal use and abuse of alcohol."

NCADD and MADD charged alcoholic beverage industry "has used the nation's airwaves to create a distorted view of a product which, in reality, is associated with the leading causes of death among teenagers. Without intervention of the kind the FCC has taken before [on cigarettes], parents, schools and public health organizations will never have the resources to compete with the millions of dollars worth of prodrinking messages that are broadcast into American homes every year."

Petition asks FCC to require any station or network that airs commercials for alcoholic beverages (including beer and wine) to

carry "a significant amount" of counter ads free "within reasonable proximity" of alcohol ads. Petition cites as legal justification 1967 FCC rule (before cigarette ads were banned by Congress) under now-defunct fairness doctrine that required stations to air one free antismoking spot for every 4 paid cigarette commercials. Catalyst for petition, groups said, was Distilled Spirits Council deletion of ban against broadcast hard-liquor ads from its voluntary code.

Beer Institute official Jeff Becker said brewers "have a history of responsible public service announcements... We've done a tremendous amount of work in being part of the solution to drunk driving and alcohol abuse." Elizabeth Board of Distilled Spirits Institute said TV stations and networks have refused to accept industry efforts to pay for commercials on alcohol abuse when sponsoring company is named.

Fritts said surveys indicate that TV-radio stations are "widely disseminating antialcohol abuse prevention messages... Our latest estimates indicate that approximately one billion dollars annually" in time are donated to such messages by broadcasters. NAB's own effort -- Stations Target Alcohol Abuse Reduction (STARS) -- has "played a significant role in creating an awareness of the dangers of alcohol abuse," he said.

Hundt has called repeatedly for FCC investigation and hearing into alcohol ads, but has been unable to get necessary 3 votes to start inquiry (CD May 13 p6). Comrs. Chong and Quello contend that FTC, not FCC, has authority over liquor ads; Comr. Ness said she believes Commission could conduct investigation but she hasn't

decided whether it has jurisdiction to take any specific action (CD  
May 14 p7). After filing of petition Wed., Hundt said "FCC's  
statutory duty to ensure that the public airwaves are used in the  
public interest requires us to act." President Clinton also is  
among those calling for FCC action on liquor ads.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:16-MAY-1997 14:59:00.00

SUBJECT: Re:

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 16-MAY-1997 14:59:00

Yes.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Ron Klain to Elena Kagan. Personal. (1 page)	05/19/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[03/28/1997-08/11/1997]

2009-1006-F

vz153

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: KChadwick ( KChadwick@alumni.stanford.org@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:19-MAY-1997 23:52:00.00

SUBJECT: Re: Shaw plan on legal immigrants markup

TO: Diana Fortuna ( Diana Fortuna@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

FYI -- I got phone calls yesterday with Cecilia Munoz of National Council  
of La Raza

and Eric Gould of Rep. Levin's office who are both very concerned about  
this. The

broader question they asked is how hard is the White House going to fight  
to keep

extraneous provisions off of the budget bill -- in other words, we can  
oppose these not

only because we oppose the policy but because they violate the budget  
agreement.

CR in Calif.=====

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)

id <01IJHAZXNBXS005F4M@PMDF.EOP.GOV>; Fri, 30 May 1997 12:18:30 -0500 (EST)

Received: from gatekeeper.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)

id <01IJHAZUBAY8006RMO@PMDF.EOP.GOV>; Fri, 30 May 1997 12:18:26 -0500 (EST)

Received: from dej.thinline.com by gatekeeper.eop.gov;

(5.65v3.2/1.1.8.2/17Oct95-0424PM) id AA13082; Fri, 30 May 1997 12:17:48 -0400

Received: from LOCALNAME (pmp13.thinline.com [206.170.79.63])

by dej.thinline.com (8.7.4/8.7.3) with SMTP id JAA26123; Fri,

30 May 1997 09:22:31 -0700 (PDT)

X-Mailer: Mozilla 2.01KIT (Win16; U)

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



RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Susan M. Liss ( CN=Susan M. Liss/O=OVP [ OVP ] )

CREATION DATE/TIME:23-MAY-1997 15:06:11.00

SUBJECT: working groups

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Thurgood Marshall Jr. ( CN=Thurgood Marshall Jr./O=OVP [ OVP ] )

READ:UNKNOWN

TEXT:

Dennis Hayashi, the director of HHS' Office of Civil Rights, has a long history (both before and during the Administration) on both the race and hate crimes issues. Sec. Shalala would like to have him included in the work on race and on hate crimes. Sylvia prefers not to expand the large group even further, but would like us to plug Dennis into our efforts on hate crimes and (I think) the thinking about affirmative action replacement strategies. Dennis and I worked together in 93-94 on the antiviolenace hate crime work, and he worked closely with Warnath on these and other issues throughout the first term. He was a part of all of the work on affirmative action in 95 and 96, and is a great team player, with good instincts and judgment about these issues. Dennis comes from the San Francisco Asian civil rights community, and can be very helpful on several fronts. His number is 619-040

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:28-MAY-1997 21:16:30.00

SUBJECT: Minority enrollment

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Susan has to be with Mrs. Gore tomorrow. She has asked me to attend the minority enrollment meeting in her place. Please let me know if this is a problem or if anything changes. Thank you.

RECORD TYPE: PRESIDENTIAL (TRP NOTES MAIL)

CREATOR: Trooper Sanders ( CN=Trooper Sanders/O=OVP [ OVP ] )

CREATION DATE/TIME:30-MAY-1997 19:21:01.00

SUBJECT: Personnel Inquiry

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

TEXT:

We are looking for one person to be executive assistant to Mrs. Gore and Susan Liss, her chief of staff. Are there any people who've come through the DPC universe who might be suitable? Thank you.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Kathleen M. Wallman ( Kathleen M. Wallman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 5-JUN-1997 14:21:00.00

SUBJECT: liquor advertising

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 5-JUN-1997 14:21:00

I am told that June 10 is the anniversary of the first liquor advertising

on TV

in case you may want to do anything.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Elizabeth Drye ( Elizabeth Drye@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 6-JUN-1997 12:25:00.00

SUBJECT: Re: Cloning

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

CC: Jordan Tamagni ( Jordan Tamagni@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 6-JUN-1997 12:25:00

I don't think the President should speak to the embryo research issue. We

just

need a good Q&A. Otherwise sounds good.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Catherine A. Cornelius ( Catherine A. Cornelius@EOP@LNGTWY@LNGTWY [ UNKNOWN

CREATION DATE/TIME:12-JUN-1997 13:14:00.00

SUBJECT: Re: SECOND DRAFT MANIFEST-TRIP of THE POTUS to SAN DIEGO

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 12-JUN-1997 13:14:00

At this point they have not told me..I will tell you we are already  
overbooked

by 5 people..so 5 are going to have to come off as it is..

I'll let you know as soon as I hear.



**TALKING POINT  
REGARDING SECURITIES LITIGATION LEGISLATION**

**Background**

At the urging of a number of Silicon Valley companies, Congresswoman Anna Eshoo has introduced legislation to preempt private securities fraud class actions brought under state law. Only “nationally marketed” securities would be covered by this preemption measure.

You likely will be asked whether you have decided whether the Administration will support the Eshoo bill. An interagency group has been meeting under the auspices of the NEC and Counsel’s Office to develop a recommendation to you. The group is reviewing the evidence and studies on national uniform standards; there is weight on both sides. Among the recent studies is a report from the SEC, which you requested, that concludes that it is premature to consider further federal legislation on securities litigation.

The interagency group is considering not only the option of taking a position for or against the bill, but also intermediate options, short of supporting the bill, that could stake out a position in favor of some preemption to achieve some measure of uniformity among the states in litigation standards. But the bill is not moving at the moment; no hearings have been scheduled in the House yet and no bill has been introduced in the Senate. Thus, there is no urgency in the sense of legislative scheduling to your announcing a position now.

**Suggested Talking Point:**

- The issue of national uniform standards for securities fraud class actions is an important issue and we are continuing to look at it carefully as I said we would do in my letter responding to Congresswoman Eshoo. We have benefited from your thoughtful input in that process. We are not on a specific timetable to complete the review. We will watch the legislation carefully as the process unfolds.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Stuart M. Schear ( Stuart M. Schear@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:20-JUN-1997 16:50:00.00

SUBJECT: SCHEAR

TO: Brian D. Smith ( Brian D. Smith@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: david t. johnson ( david t. johnson@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Deborah Falk ( Deborah Falk@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lorraine L. Wytkind ( Lorraine L. Wytkind@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Marjorie Tarmey ( Marjorie Tarmey@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Melissa Green ( Melissa Green@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michele Jolin ( Michele Jolin@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 20-JUN-1997 16:50:00

Colleagues:

I will be in NYC this weekend. If you need to reach me, ask signal to  
contact

me via skypager.

Thanks

Stuart

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	DBF to Elena Kagan. Subject: Greetings. (1 page)	06/23/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[03/28/1997-08/11/1997]

2009-1006-F

vz153

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	DBF to Elena Kagan. Subject: Chicago. (1 page)	06/24/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:25-JUN-1997 09:48:00.00

SUBJECT: Re: Brainstorming Meetings

TO: Andrew J. Mayock ( Andrew J. Mayock@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

I'll see you today (Wed) at 5:30 in OEOB 222. I haven't arranged any additional meetings -- specifically, with agency folks. I have pleny on my plate. We can perhaps discuss this a bit before or after chatting with Janet & CEA staff.

I have a 6:30 commitment, so . . . .

Counting on Laura or June to clear me in -- 111-44-8011; 1/13/53. Thanks.

At 07:25 PM 6/24/97 -0500, Andrew\_J.\_Mayock@oa.eop.gov wrote:

>Message Creation Date was at 24-JUN-1997 19:25:00

>

>Per our prior conversation, I hope that Jose was able to catch up with Chris

>regarding meetings over the next two days.

>

>If not, I spoke with Chris and he asked me to pass this on:

>

>He would like to have general brainstorming sessions with you and agency

policy

>people, as discussed in last week's race initiative policy meeting. (He  
has a  
>number of people in mind.) He hopes that one of you or both of you have  
time  
>tomorrow. If not, he would still like to pursue conversations with these  
>folks. Wednesday is very good for him. On Thursday, he is only available  
from  
>3 - 5 pm.

>  
>Please let me know what you are able to work out. THANKS.

>  
>  
Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IKHL2N3B1C005EMZ@PMDF.EOP.GOV>; Wed, 25 Jun 1997 11:35:32 -0500 (EST)  
Received: from gatekeeper.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IKHL2LMIY8005HKS@PMDF.EOP.GOV>; Wed, 25 Jun 1997 11:35:30 -0500 (EST)  
Received: from law.harvard.edu by gatekeeper.eop.gov;  
(5.65v3.2/1.1.8.2/17Oct95-0424PM) id AA15075; Wed, 25 Jun 1997 11:35:27 -0400

Received: from edley.law.harvard.edu (ip139.washington12.dc.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA216082924; Wed,  
25 Jun 1997 11:35:24 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 9-JUL-1997 13:38:00.00

SUBJECT: test

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

please let me know if you receive this. Thanks.

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IL1BLQWKW007Y0P@PMDF.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,  
09 Jul 1997 14:40:26 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IL1BLJ4UHS007856@PMDF.EOP.GOV> for  
kagan\_e@a1.eop.gov; Wed, 09 Jul 1997 14:40:20 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTP id <01IL1BILZHMO0027QE@STORM.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,

09 Jul 1997 14:37:57 -0400 (EDT)

Received: from edley.law.harvard.edu (ip200.westford.ma.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA179683473; Wed,  
09 Jul 1997 14:37:53 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGETWY [ UNKNOWN ] )

CREATION DATE/TIME: 9-JUL-1997 22:29:00.00

SUBJECT: Friday

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

okay, so if this really works, maybe we can save the world.

I'm coming to town Friday, through at least Monday. Have promised Erskine and Sylvia a memo with my sense of the Big Picture -- promised it to Sylvia for Saturday or Sunday, that is, for her to review while traveling. Will spend some time with Minyon on Friday discussing it. Was wondering whether you will have any time on Friday afternoon. Failing that, I'll share the draft with you when I have it, and perhaps we can talk over the weekend before I give something to Sylvia.

So, how's Friday? I arrive at 2:20 and have a 6:15 dinner.

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)

id <01IL1U2D63DS008MGX@PMDF.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,

09 Jul 1997 23:28:27 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)

by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IL1U2CBTHS008BM1@PMDF.EOP.GOV> for

kagan\_e@a1.eop.gov; Wed, 09 Jul 1997 23:28:26 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IL1U1NZV8Q0021WV@STORM.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,

09 Jul 1997 23:27:54 -0400 (EDT)

Received: from edley.law.harvard.edu (ip149.westford.ma.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA077445272; Wed,  
09 Jul 1997 23:27:52 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Elizabeth Drye to Elena Kagan. Subject: re: public health groups meeting with VP [partial] (1 page)	07/10/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

{03/28/1997-08/11/1997}

2009-1006-F

vz153

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Elizabeth Drye ( Elizabeth Drye@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:10-JUL-1997 19:52:00.00

SUBJECT: re: public health groups meeting with VP

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 10-JUL-1997 19:52:00

[005]

Upon further deliberation (taking Waldman's note under advisement) we're sticking with the plan of putting her in tomorrow's pm meeting (which now only

has 9 people). [REDACTED] P6(b)(6)

[REDACTED] P6(b)(6)

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006. email	Christopher Edley, Jr. to Elena Kagan and Laura Emmett. Subject: Judy Winston, etc. [partial] (1 page)	07/10/1997	P6/b(6)

---

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

---

**FOLDER TITLE:**

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

---

**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: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:10-JUL-1997 22:58:00.00

SUBJECT: Judy Winston, etc.

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Hope you can still do 3:00, or so. In light of the news, I think it makes sense to include Judy Winston. So I called and left a voicemail invited her to join us at 3:00. Hope that is okay. Can Laura arrange to clear us in, and we can get started at about 3:00 and be joined by you when every you are free? I wanted to brainstorm about overall structure, and a "theory" for the interrelationship of WH policy process, the Advisory Board, the speeches, and the President's final report.

In case Laura didn't keep my stats: Christopher Edley Jr., [REDACTED]

[REDACTED] Judy Winston is at [REDACTED] I don't have confirmation that she can attend, but . . . .

[wot]

I defer to you on participation by others in the WH complex. Whatever you feel comfortable with, including no one. Indeed, if you'd rather leave at Judy, that's fine too. We could try to have some quality time with her late Monday or on Tuesday morning. (I'm available on Sunday, but not Saturday.)

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDf V5.0-4 #6879)  
id <01IL39CIR1Y8004LIA@PMDf.EOP.GOV>; Thu, 10 Jul 1997 23:57:20 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDf V5.0-4 #6879) id <01IL39CFH64G0066W8@PMDf.EOP.GOV>; Thu,

10 Jul 1997 23:57:16 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])

by STORM.EOP.GOV (PMDf V5.1-7 #6879)

with ESMTp id <01IL39CC5VGM0028CO@STORM.EOP.GOV>; Thu,

10 Jul 1997 23:57:10 -0400 (EDT)

Received: from edley.law.harvard.edu (ip155.westford.ma.pub-ip.psi.net)

by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA265933428; Thu,

10 Jul 1997 23:57:08 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:13-JUL-1997 12:26:00.00

SUBJECT: EEOC backlog

TO: Andrew J. Mayock ( Andrew J. Mayock@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Sylvia asks for process on getting EEOC backlog funded. The process is straightforward, as these things go. Elena should call OMB and ask them to prepare and present two or three options. Call could be Michael Deich (the PAD), Josh Gotbaum, or Jack Lew. Doesn't matter. They work to deadlines, so give them a deadline of anything between 24 hours and three days. Have the options presented at a small meeting of WH and OMB policy folks. Make a decision.

Here are some hard questions:

1. Just EEOC backlog, or are we also concerned with backlog in other civil rights enforcement programs? If you want to restrict it to employment, you should include OFCCP enforcement. If you go broader, you should include fair housing, credit discrimination, and education (OCR). But the big ticket item is EEOC.
2. Over what time frame? (The maximum rate will be limited by EEOC capacity to absorb growth.) Could probably help this by contracting out the work to state EEO agencies, somehow.
3. Are we getting the best deal we can from the FY 1998 appropriation process? Note that the FY98 Pres Bud included an enforcement investment, but only enough at EEOC to keep the backlog from growing. Do we want to

consider a budget amendment to put additional pressure on this year's appropriations process?

4. It is the season for agencies to assemble their budget plans for submission to OMB this September. Now is the time to instruct agencies that they must include in their recommendations sufficient funding to meet priorities X, Y, and Z. OMB handles this. The policy meeting I described above can pursue this.

If anyone wants more info on the budget process, chat with me or Michael Deich (5-3120).

Michael Deich at OMB and ask OMB to prepare

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IL8061WC8G007NIG@PMDF.EOP.GOV>; Mon, 14 Jul 1997 20:55:10 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IL805ZXVKW003A2Z@PMDF.EOP.GOV>; Mon,

14 Jul 1997 20:55:08 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IL805BBVNG002QGZ@STORM.EOP.GOV>; Mon,

14 Jul 1997 20:54:35 -0400 (EDT)

Received: from edley.law.harvard.edu (nas2-23.fas.harvard.edu)

by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA043918070; Mon,

14 Jul 1997 20:54:30 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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



RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-JUL-1997 20:32:00.00

SUBJECT: big think

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

I'm going to send to you a fax of the memo I gave to Sylvia today on policy stuff. Hope we can get together to discuss at an appropriate time. Very concerned about the speech discussion today. Made me feel as though this whole thing could wind up accomplishing just about nothing. But maybe I'm just tired.

Kept trying to twist around so that I could pull you into the intense conversation that Riley and I were having on testing, standards, etc. But Riley was focused on me like a laser, and every time I turned, you were dutifully chatting in the other direction. Ugh.

I'll be around town tomorrow, seeing various people. If there is anything I should come to, please have Laura or June page me. Thanks.

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IL8PG0CMR4007PM5@PMDF.EOP.GOV> for kagan\_e@al.eop.gov; Mon,  
14 Jul 1997 21:32:13 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IL8PFYO2Z4009QEQ@PMDF.EOP.GOV> for  
kagan\_e@al.eop.gov; Mon, 14 Jul 1997 21:32:11 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IL8PF9V75M002N5T@STORM.EOP.GOV> for kagan\_e@al.eop.gov; Mon,

14 Jul 1997 21:31:39 -0400 (EDT)  
Received: from edley.law.harvard.edu (nas2-37.fas.harvard.edu)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA235140292; Mon,  
14 Jul 1997 21:31:32 -0400  
X-Sender: edley@pop.law.harvard.edu  
X-Mailer: Windows Eudora Pro Version 3.0.1 (32)  
===== END ATTACHMENT 1 =====

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
007. email	JOConnor to Elena Kagan. Subject: tobacco. [partial] (1 page)	07/23/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: JOConnor ( JOConnor@dol.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:23-JUL-1997 17:23:00.00

SUBJECT: tobacco

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Hi there -- if you have a minute today or tomorrow, can you please give me

a quick call at FO(b)(6) Kitty had a tobacco-related meeting today that

[007]

I

think you should hear about and I can fill you in in a couple of minutes.

Hope all is well.....!!!!===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01ILL1FG6934000UXH@PMDF.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,  
23 Jul 1997 17:24:55 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ILL1FDV74G0021J4@PMDF.EOP.GOV> for  
kagan\_e@a1.eop.gov; Wed, 23 Jul 1997 17:24:49 -0400 (EDT)

Received: from dol.gov ([166.96.254.1]) by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with SMTP id <01ILL1EW20E0003HCN@STORM.EOP.GOV> for kagan\_e@a1.eop.gov; Wed,  
23 Jul 1997 17:24:26 -0400 (EDT)

Received: by dol.gov (5.x/SMI-SVR4) id AA12892; Wed, 23 Jul 1997 17:19:36 -0400

Received: from unknown(166.96.250.74) by gatekeeper via smap (V1.3)  
id sma012766; Wed Jul 23 17:19:20 1997

Received: by essmtp01.dol.gov with SMTP  
(Microsoft Exchange Server Internet Mail Connector Version 4.0.995.52)  
id <01BC9785.52803630@essmtp01.dol.gov>; Wed, 23 Jul 1997 16:27:33 -0500

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
008. email	DBF to Elena Kagan. Personal. (1 page)	07/31/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Laura D. Schwartz ( Laura D. Schwartz@EOP@LNWTWY@LNWTWY [ UNKNOWN ] )

CREATION DATE/TIME:28-JUL-1997 22:25:00.00

SUBJECT: Budget Interviews, 7/29

TO: Brian D. Smith ( Brian D. Smith@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: david t. johnson ( david t. johnson@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Deborah Falk ( Deborah Falk@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Marjorie Tarmey ( Marjorie Tarmey@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Melissa Green ( Melissa Green@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michele Jolin ( Michele Jolin@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 28-JUL-1997 22:25:00

GOOD MORNING AMERICA

Guest: Franklin Raines

Correspondent: Elizabeth Vargus

Other Guests: Economic expert from private sector tbd

Time: 7:07am

TODAY

Guest: Secretary Rubin

Other Guests: Rubin will follow Senator Domenici

Correspondent: Katie or Matt (tbd)

Time: 7:09am

CBS THIS MORNING

Guest: Gene Sperling

Other Guests: tbd

Correspondent: Bill Plante

Time: 7:00am

CNN MORNING NEWS

Guest: Secretary Rubin

Other Guests: Possible economic expert from private sector tbd

Correspondent: Marty Savage or Katie Pilgrim

Time: 7:20am

# Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
009. email	Christopher Edley, Jr. to Andrew Mayock and Elena Kagan. Subject: Anything for me to do? [partial] (1 page)	08/06/1997	P6/b(6)

---

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

---

**FOLDER TITLE:**

[03/28/1997-08/11/1997]

2009-1006-F  
vz153

---

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 6-AUG-1997 06:46:00.00

SUBJECT: Anything for me to do?

TO: Andrew J. Mayock ( Andrew J. Mayock@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

I've been busy raising money for my civil rights think tank, feeling guilty about my reticence in not sending memoranda to you folks. But I'll be better starting the end of the month. Probably.

Meanwhile, I'll be on a 9:00 flight to DC today (Wednesday) for a meeting with Bell Atlantic executives 12-2:00 in Arlington. If there's any value in meeting with anyone, please page me [redacted] or let my secretary know. 617-495-4614.

[009]

Ciao.

Christopher Edley, Jr.

Professor of Law

Harvard Law School

Cambridge MA 02138

617-495-4614===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IM3Z79MHN4004X8L@PMDF.EOP.GOV>; Wed, 06 Aug 1997 06:46:04 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IM3Z76THGG004ZT0@PMDF.EOP.GOV>; Wed,

06 Aug 1997 06:46:00 -0400 (EDT)  
Received: from law.harvard.edu ([140.247.200.68]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTTP id <01IM3Z6HV0PG001991@STORM.EOP.GOV>; Wed, 06 Aug 1997 06:45:27 -0400 (EDT)

Received: from edley.law.harvard.edu (ip242.westford.ma.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA079224324; Wed,  
06 Aug 1997 06:45:24 -0400

X-Sender: edley@pop.law.harvard.edu

X-Mailer: Windows Eudora Pro Version 3.0.1 (32)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Mike\_Smith ( Mike\_Smith@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:11-AUG-1997 20:11:00.00

SUBJECT: Re[3]: Welfare to Work (Work-Study)

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Bruce, Elana, and Mike,

Sarah Lichtman on my staff recently went to a DPC meeting on the federal work study aspect of welfare to work. I understand we are thinking about sending out a letter from the two Secretaries to the states to give some guidance on how to handle work-study and whether it should or will count as work.

This does not seem to me to be a difficult question. Folks who are on work-study shelf books, clean labs, tutor children, file materials, transcribe data, process student aid applications, meet and guide parents and future students around campus . etc.. This is work by any measure. Thus it seems entirely appropriate that a welfare participant's 8-15 hours or more

on

work-study, should count toward fulfillment of their welfare work requirement. We should make it clear to the states that we think that is our

preferred position and figure out a way to let work-study participants know

that we support this interpretation, but that the state makes the final determination.

The latest version of the draft letter takes a less clear position. If we

send out a letter, it should be clear on our position and it should be strong. Call Sarah Lichtman on my staff at: 202-260-1728 or e-mail me back

with your thoughts. I will not be back in the office until Thursday, but am

reachable by e-mail.

Since we are under the time constraints of school starting, please let me know the outcome and how I can be helpful.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IMBQWHJS4G005SS1@PMDF.EOP.GOV>; Mon, 11 Aug 1997 20:14:39 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMBQWEAP8000624G@PMDF.EOP.GOV>; Mon,

11 Aug 1997 20:14:35 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTP id <01IMBQVOJ2V4001TWN@STORM.EOP.GOV>; Mon,

11 Aug 1997 20:14:01 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])

by vader.ed.gov (8.8.5/8.8.4) with SMTP id UAA15908; Mon,

11 Aug 1997 20:11:56 -0400 (EDT)

Received: from ccMail by smtpgw1.ed.gov  
(IMA Internet Exchange 2.11 Enterprise) id 000079B6; Mon,  
11 Aug 1997 20:14:10 -0400  
===== END ATTACHMENT 1 =====

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 101 - FOLDER -010**

**[08/14/1997-09/08/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	jsmartt to Elena Kagan. Subject: Hello! (2 pages)	08/14/1997	Personal Misfile
002. email	Cashins to Elena Kagan. Subject: Advice on Chicago. (1 page)	08/26/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[08/14/1997-09/08/1997]

2009-1006-F

vz154

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	jsmartt to Elena Kagan. Subject: Hello! (2 pages)	08/14/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[08/14/1997-09/08/1997]

2009-1006-F

vz154

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Leslie\_Thornton ( Leslie\_Thornton@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:19-AUG-1997 18:05:00.00

SUBJECT: Re: Minority Enrollment Meeting

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Kathryn B. Stack ( Kathryn B. Stack@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mickey Ibarra ( Mickey Ibarra@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Timothy A. Rosado ( Timothy A. Rosado@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: William R. Kincaid ( William R. Kincaid@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

There is a White House Race Initiative Data collection meeting at

2:00

Thursday called by Judy Winston. We've already committed to that.

---

Reply Separator

---

Subject: Minority Enrollment Meeting

Author: Essence\_P.\_Washington@oa.eop.gov at Internet

Date: 8/19/97 5:52 PM

Message Creation Date was at 19-AUG-1997 17:52:00

On Thursday, August 21 at 2:00 p.m. in Room 211 of the Old Executive Building, we will hold the Minority Enrollment Meeting.

Thanks

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMMSWMFVA8007HGV@PMDF.EOP.GOV>; Tue, 19 Aug 1997 18:10:45 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMMSWJVFQO008KA5@PMDF.EOP.GOV>; Tue,

19 Aug 1997 18:10:41 -0400 (EDT)

Received: from vader.ed.gov ([165.224.216.253]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTMP id <01IMMSW8ZUVK002CLB@STORM.EOP.GOV>; Tue, 19 Aug 1997 18:10:28 -0400 (EDT)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37]) by vader.ed.gov (8.8.5/8.8.4) with SMTP id SAA26962; Tue, 19 Aug 1997 18:08:17 -0400 (EDT)

Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 2.11 Enterprise) id 0001022E; Tue, 19 Aug 1997 18:10:40 -0400

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



RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:22-AUG-1997 15:21:00.00

SUBJECT: Chaka Fattah memo to POTUS

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 22-AUG-1997 15:21:00

I expect to be finalizing this memo with Gene on Tuesday. I need any edits and

official positions for recommendations by Monday night. [Note: There are

a

few blanks for Education to fill in].

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

TEXT:

The following attachments were included with this message:

-----  
TYPE : FILE  
NAME : fattah.wpd  
-----

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

=====  
ATTACHMENT 2  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D37]ARMSZZ000A18R.001 to ASCII,  
The following is a HEX DUMP:

FF575043A90F0000010A0201000000020500000005D98000000020000AE56AF4D008055A38E5E91  
1882204745BC410B0079640BD10E9B5DD183334967FF6117E3ACD322DB3DD09806CA0AA70E9548  
8239F41A875325BD0B156D71D7F6AD6A667CA97DF6CD66DB2E4EC04EA1B67FBBA3500B8522EF96  
28D2B86FD6D21D3D19B7A53ED187AABC13E907B70BE19B32928A1E93815E8F7BE8972BD01DD62F  
F02F3F7507C185163DF54C7898176C86BE47983E928217011DC27BEE8DB31A864A4601DF084204  
4165F5D4997F870F89B251C38F7F9FBABABB50D1F673A0CDA4D049B1321A686AF97D01E2D2E5B5  
058372D3A6BB47D719BCBACD85AAED70EFF5EC9A4C8E49A04256CBB375756ED14A22D2654E6798  
A438339BC5E24EE6ADD0C5160E3BECA48CD2706ED1487C9FC80B779A947DCD5E91F0F7BD22D24B  
090CEFB1D2E3F1ED231CB1CFB6425A4A72BA7E8A5C641FE030135C108769D27015B068EB7BFC98  
B60218E8FDC40BEB212F6C5DBF65B1111BC7494CB92AA5DB117215CE6A9C12CF3F30A9E21F9BEA  
338FDC737D359473A6B2D38731897A85949EED0E50DA7C5306783A3D0422AC039367746425152B  
35672B30788A9F2DFF182AC7F72FB70E92F526E3BDA62101E9E1CDC6A498409A7F2C7B0209BF97  
CAEFE5E5722E92CAF36755DD705ABE78EFEF072AFB441E7844E7F62DD4B894C5C9CDC3CD5909E2  
D15CFAA70A02002B0000000000000000000000000823010000000B0100005A040000020801000000  
CA00000065050000092501000000060000002F0600000B30060000002800000035060000081601  
000000320000005D06000000551A000000420000008F0600000055040000003A000000D1060000

[DRAFT SPERLING MEMO TO POTUS 8/22]

### OVERVIEW

Your advisors (NEC, DPC, OMB, and Education) have reviewed and analyzed Congressman Fattah's "21st Century Scholars Act." We are in agreement that the idea has enormous appeal, but that due to budget, efficiency, and implementation problems, we do not recommend adopting its central element: a "guarantee" of a future Pell Grant. (Congressman Fattah is aware of the problems that have arisen in our analysis).

We agree, however, that the Fattah legislation points out two critical needs: (1) low-income families need to know more, earlier, about the financial aid that is available for college; and, (2) students at high-poverty schools need more academic support, mentoring and other encouragement to attend college, starting *before* the high school years. This memo lays out two options for addressing each need:

#### *Options for getting out the word about Federal aid:*

1. A creative national campaign celebrating the universal availability of college through the education tax cuts, Pell Grant increases, and student loan improvements, with a concentrated effort aimed at high-poverty schools and low-income families.
2. A national campaign as in option A, but with a gimmick aimed at the poorest schools: a *promise* of at least \$21,000 in grants *or loans* over five years (an amount that everyone is already eligible for in loans, assuming the programs remain in effect).

#### *Options for bringing early intervention services to more high-poverty middle and junior-high school students:*

- A. An extension of current TRIO programs such as Upward Bound and Talent Search, which are administered by community groups and colleges.
- B. Promoting partnerships between colleges and high-poverty schools, through both new Federal grants and allowing colleges to spend funds they currently administer in a revolving loan fund (the Federal Perkins Loan program).

*Recommendations:* On the information campaign, I think the “guarantee” continues to have appeal, so I prefer option 2 as an approach that would increase the effectiveness of the information campaign in poor areas, and allow us to capitalize on the interest in the Fattah bill. [OMB strongly feels that the promise is not necessary for the campaign to be effective and that it adds administrative complexity. DPC thinks that a promise to an existing entitlement does not add enough to be worth the effort. Education? . . .]. On the early intervention program, all of your advisors recommend the school-college partnerships as the best approach.

## INTRODUCTION

A number of private programs have had success in improving educational outcomes for impoverished youth by guaranteeing -- at an early age -- that the money will be there for college if they choose to go. These programs are based on the theory that middle- and upper-class families benefit enormously from the family and school expectation that they will be graduating from high school and attending college. At high-poverty schools, where dropout rates are high and few parents have college degrees, these expectations are absent. These early intervention programs aim to change those expectations. Many of the programs stress that, while the financial aid is an important hook for the child and family, additional mentoring, tutoring, and other support services are a key to success.

Rep. Chaka Fattah (D-Penn.) has introduced legislation to establish a large-scale, national effort of this type. He would guarantee a maximum Pell Grant to all of the children graduating from high-poverty elementary schools (75 poverty). The “21st Century Scholars Act” would provide these students with:

- an entitlement to four years of the maximum Pell Grant at the time the promise is made or at the time the student attends college, whichever amount is higher;
- an annual notice from the Department of Education reminding the student and family of the future availability of the college aid; and,
- automatic *eligibility* for services under current (TRIO) early intervention, mentoring, counseling and other services.

The Education Department estimates that the Fattah legislation would apply to 7,300 schools with about 500,000 sixth graders (approximately 15 of the national total). Assuming inflation-based increases in the maximum Pell Grant, each of these students in the sixth grade in 1998-99 would be promised a total of almost \$14,000 in aid over four years.

The Department estimates that on average, this type of program could increase college

participation rates by this population by about 8 percent, meaning that just over half of the students would use all or a portion of the promised aid. (Without this program, 45 percent of these students would be expected to enroll in some type of postsecondary education within two years of graduating from high school.<sup>1</sup> Just under half of those students would be expected to still be enrolled by the fourth year of college.<sup>2</sup> With a successful early intervention program, the Education Department estimates that college enrollment rates for this population could be increased so that they matched the enrollment rates for students at schools with 31-50 percent low-income students -- an increase of 8 percentage points, to 53 percent.)

While this increase in enrollment may seem low, college is only one of the intended outcomes of early intervention programs. They also seek to promote high school completion, job readiness, and lower incidence of drug abuse and delinquent behavior.

Rep. Fattah introduced his bill on February 13. As of July 17, he had 93 cosponsors, including seven Republicans (Christopher Shays, Ken Calvert, J.C. Watts, Jr., Richard Baker, Joe Scarborough, David McIntosh, and James Greenwood). On June 5, he testified before the House Education and the Workforce Committee's postsecondary subcommittee and received a warm reception from both sides of the aisle. The House hopes to move a bill reauthorizing the Higher Education Act by the end of this year. No companion bill has been introduced in the Senate.

An article in the *Chronicle of Higher Education* on July 11 noted the bipartisan support for the concepts in Rep. Fattah's bill, but also cited specific concerns that:

- it does not provide for the support services (tutoring, mentoring, etc.) that are needed for the proposal to be successful;
- it may guarantee help to too many non-needy students; and,
- it is a new entitlement, which many would oppose solely on that basis.

### ANALYSIS

There are a number of issues and concerns to consider with respect to the Fattah legislation:

---

<sup>1</sup> 21 percent at four-year colleges, 19 percent at less-than-4-year public institutions (mostly community colleges), and 5 percent at less-than-4-year private institutions (mostly proprietary trade schools).

<sup>2</sup> 83 percent would be retained in the second year, 67 percent in the third year, and 48 percent in the fourth year, based on data from the Beginning Postsecondary Survey.

## 1. Inefficient targeting and higher-than-expected cost

Supporters have argued that virtually any student at a high-poverty school probably would have qualified for a full Pell Grant anyway, even without the guarantee -- therefore, the program only costs money if it is *successful* in encouraging youth to go to college. The data do not bear this out: more than half of the cost of this program would be for students who would have gone to college anyway but wouldn't have gotten as much aid as the guarantee is providing. It appears that many families who are poor when their children are in middle school, improve their financial situation somewhat by the time their children graduate from high school. In addition, the students who go to college are more likely to be from the relatively higher income families. The Education Department estimates that the outlays associated with the first cohort of sixth graders would be \$2.45 billion. These outlays (which begin in the 2005-6 school year and are spread over the following three years) would be composed of:

- \$761 million, or 31 , for Pell Grant amounts that would have been spent anyway on these students who would have gone to college anyway;
- \$370 million, or 15 , for students who attend college *because of* the promised aid (students induced by the program); and,
- \$1,320 million, or 54 , for additional aid provided to students who would have gone to college anyway but would not have been eligible for the full \$3,000 (or would not have received a Pell Grant at all).

The *added* cost, therefore, from this first group of sixth graders, is \$1.7 billion over four years. (Viewed on an annual budget basis rather than by cohort, as each of the first four cohorts get phased in, the added annual outlays will increase to \$1.7 billion by the fourth year after the first group graduates high school and attends college, then will increase each year roughly by inflation.) *More than three times as much additional money is spent on students who already would have attended college than is spent on those who attend college because of the aid.*

## 2. Need for additional support services

Research has shown that mentoring, counseling, tutoring and support services are *essential* to prevent students from dropping out of school and to increase their academic preparation and aspirations that lead to college. Rep. Fattah's proposal does not expand the availability of early intervention services (it simply makes participants eligible for the few programs we fund now). But without those services, the early Pell Grant promise *probably will not have a significant impact*. The I Have a Dream program estimates that the support services for each new cohort, provided primarily by volunteers, cost about \$150,000 for a coordinator and other expenses.

For the 7,300 high-poverty schools, the cost of this type of program of support services would be \$1 billion (per year). Education thinks this estimate is low.

### 3. The issue of a new entitlement

The Fattah legislation is written as an entitlement, and in order to comply with the budget agreement, the proposal would at least need to remain on the mandatory side of the budget.<sup>3</sup> As an entitlement, the proposal could be portrayed as (1) another potential area of runaway spending, and (2) a gimmick to provide promises now for spending that is outside the 5-year budget window.

### 4. Inequities and perverse incentives

As with empowerment zones and any other effort to draw a line around a “very” poor area, there will be some apparent inequities. A school with 76 percent poverty will get the benefit, while a 73 percent poverty school nearby will be denied it. In addition, school populations change, so a school may be part of the program one year, then be denied the next.

In addition, there would be inequities among students at a school: Most sixth graders attend a different school within 1-3 years. At most of the higher-poverty junior high and high schools, not all of the students will have come from the highest-poverty elementary schools. There could be some odd incentives as well. If a student who attends a particular school for one part of one year can get a promise of at least \$14,000 in financial aid, someone will find a way to game the system. It may even create incentives for further concentration of poverty in order to provide the Pell Grant promise to poor students who had attended a school with a lower concentration of poverty.

### 5. Entitlement without Accountability

Some of your advisors object to providing expanded college aid without demanding more from students (and schools) before they reach college. The Fattah proposal does not require any particular level of achievement or high-skill curriculum. Indeed, it does not even require high school graduation (since Pell Grants are available to non-high school graduates for job training and remedial courses in some circumstances).

---

<sup>3</sup> The “promise” of aid would count as budget authority in the year that the promise is made, even if the student never uses the promised aid. If the program was on the discretionary side, this BA would need to be counted within the Function 500 limits. Given that much of the BA will never result in outlays, this would not be a priority use of the scarce funds.

## OPTIONS

We attempted to develop approaches to the 21st Century Scholars Act that would patch up the various problems and improve targeting, but were not able to find a satisfactory approach.

In the meantime, Congressman Fattah has become aware of some of the difficulties associated with his approach, and has suggested alternatives that look more broadly at the grants *and loans* that students are currently eligible for. He also agrees that additional early intervention efforts are critical to the success of any plan.

Below we provide two options for getting information out to more families about the availability of Federal financial aid, and two options for expanding early intervention in middle and junior-high schools.

### Options for spreading the word about financial aid for college

*I. A NATIONAL CAMPAIGN.* Low-income students often receive far more financial aid than just a Pell Grant. Indeed, *everyone*, regardless of income, qualifies for \$17,125 or more in Federal loans over four years of full-time college attendance. In addition, many colleges would include supplemental grants, state grants, work-study, and other assistance in the total financial aid package for a low-income student. Therefore, a campaign that focuses on a Pell Grant guarantee actually *understates* the amount of aid that a child at a high-poverty school could expect if they were to go to college.

This argues for a creative campaign for informing all families, but particularly low-income families, of the package of financial aid for which they would qualify. Many have long argued that we should recruit people to college with the same vigor that we recruit for the armed forces: everyone should know that *"you already qualify for at least \$17,000 in aid to go to college."* This campaign could include:

- Producing PSAs and/or paid media touting the availability of aid for college, linked to an expansion of the current toll-free information line.
- Providing free user-friendly computer programs that provide sample financial aid packages based on the user's income. These could be provided through schools as well as kiosks that could be set up in employment and social services offices.
- Training AmeriCorps and/or others for a concentrated sweep of high schools and/or middle schools in poor areas to provide high-tech presentations on the availability of college aid.
- Naming a steering committee of a diverse group of celebrities and role models who

commit to reaching out to encourage college attendance.

- Securing a commitment of funds and activity by corporations and/or foundations. (For example, the electronics industry is interested in doing more to get students, especially minorities, into computer fields).
- Identifying families that would qualify for Pell Grants and other aid through the IRS, social service offices, or other sources. Mail them a simple postcard that invites them to call or write to get more information about college opportunity. Provide a method for hooking up interested families with counselors at colleges. (In other words, recruit them in the same way that some of the trade schools do).

***[EDUCATION: HOW MUCH SHOULD BE SET ASIDE FOR THIS? IS THERE ALREADY AUTHORITY FOR IT?]***

*Arguments for option 1:*

- An education effort has never really been tried. That's where we should start.
- Particularly with the successes in the budget agreement, the Federal government already has a strong financial aid system, particularly for the poor. We should spread the news rather than undermining our win with the message that aid is not secure enough.
- The campaign could begin without any additional Congressional action.

*Arguments against option 1:*

- A guarantee sends a stronger message. (The poor are skeptical about the staying power of Federal programs. If it's not an iron-clad guarantee, it may not have the desired impact.)

**2. A NATIONAL CAMPAIGN WITH A PROMISE FOR THE POOR.** Instead of focusing solely on Pell Grants, this option would turn the Fattah idea into essentially a packaging of the current Pell Grant and student loan programs (Congressman Fattah has suggested this approach in conversations I have had with him). Students at the middle and junior high schools that feed into the 2100 poorest high schools would be identified as "21st Century Scholars" and provided with a promise of *at least* \$21,000 in college aid over five years.

*Cost:* This approach has minimal budget impact because any student, regardless of income, is *already* eligible for at least \$22,625 in loans for five years of full-time college

attendance -- and the loan programs are already entitlements. The only budget implication is that these students will be guaranteed that they will not be affected by any elimination of the loan programs or reduction in loan limits 5-10 years down the road. That does not result in significant increased outlays other than the extension of the loan programs for these students beyond the current authorization. [EDUCATION: WHAT INCREASE WOULD THE INDUCEMENT EFFECT CAUSE?]

*Number of students:* [NEED ED's ANALYSIS] 2100 high schools represent about 14% of all of the high schools in the country, so this approach would cover roughly the same number of students as the original Fattah legislation (15% of students in 6th grade). By starting from the poorest high schools, and working back to [ABOUT HOW MANY?] feeder schools, it improves the ability to follow the students through their school years..

*Arguments for option 2:*

- It allows for a simple message to poor students: you have \$21,000 at your disposal for college, if you get through high school successfully.
- The aid is iron-clad guaranteed, allowing us to tell families that they can absolutely count on the help.

*Arguments against option 2:*

- This detracts from our message that we have opened up college opportunity to *all*. The \$21,000 promise creates the impression that this aid is only available to these students, when in fact everyone is eligible for at least that much.
- The promise would need to be tracked administratively (just in case), even though it will likely never need to be invoked.
- This would require statutory authority, and any fight on the issue could undermine our message that the aid will be available for those who need it.

*Options for expanding early intervention*

*A. EXTENSION OF TRIO.* The Education Department already spends \$500 million (FY 1997) for intervention efforts to help disadvantaged individuals prepare for and succeed in college. The largest program, Upward Bound, provides grants to community groups and colleges for programs that provide high school students with academic enrichment, summer college experience, and other services. The program, serving 44,700 students, has a high cost -- \$4,000 per participant. But the investment pays off: preliminary results from a scientific

(random assignment) evaluation show [need to fill in].

This option proposes an investment of \$200 million to provide services to approximately 50,000 students in FY 1999, ramping up to \$300 million in FY 2000 and \$400 million in FY2001, serving 100,000 students. Current Upward Bound programs that propose to reach further down into middle and junior high schools would receive a priority in funding.

*Arguments for option A:*

- Extends a *proven* program, giving us greater confidence that there will be positive results.
- The group representing current TRIO program, a strong lobby, would support the significant increase in funding (as long as its membership is favored in receiving the grants).

*Arguments against option A:*

- The Federal government covers 97% of the cost of Upward Bound programs. Extending that approach eliminates the possibility of leveraging more of a contribution from colleges.
- Upward Bound only works with selected disadvantaged students. By starting in middle school, it is critical to focus on *all* children. This whole-school or whole-cohort approach requires different strategies than those used by the current Upward Bound grantees.
- The budget is very tight in FY 1999. Any new investment reduces the pot of funds available for existing programs (such as Pell Grants) or other new initiatives.

**B. SCHOOL-COLLEGE PARTNERSHIPS.** This option adopts the view that colleges should be doing more to connect with students at high-poverty schools no later than the middle school years. Through partnerships with those schools, colleges can encourage students (and their families) to choose a demanding academic program, while the college provides academic enrichment and intensive mentoring, tutoring and other support services.

College involvement is critical because they have the tools, the expertise, and the stability to commit to a long-term project, and to provide the monitoring needed to ensure its success. They know what academic preparation they need from schools, so are in a good position to

work with high-poverty schools to improve and supplement their curriculum, to prepare students for success in college. While in some cases mentoring might be provided by undergraduate students, universities also can tap alumni, businesses, and other community resources to get serious commitments of time for the effort. Finally, it is critical that there always be a full-time, serious and energetic coordinator running the efforts.

Stronger school-college partnerships would not only serve to promote college-going, they could also help to bring higher standards to impoverished schools. (This is also a perfect complement to America Reads: while the reading tutoring effort starts with parents of young children and works through the early elementary years to lift up student achievement in reading, this partnership would reach down from the university level, and help to pull those same children along into high hopes and high achievement in all subject areas.)

Under this approach, the Federal government would encourage and partially fund partnerships between colleges and high-poverty schools or school districts. These would consist of:

- **Partners:** Each partnership would at least include a high-poverty high school, its feeder schools, and a degree-granting institution of higher education. Most would also include businesses and/or a community groups which may provide supplemental funds and/or may be a source of mentors and other assistance for the children.

[HOW SHOULD WE IDENTIFY HIGH-POVERTY SCHOOLS/DISTRICTS?  
SHOULD IT BE FLEXIBLE, PURSUANT TO REGS?]

- **An Academic Plan:** The school would agree to offer a curriculum that prepares students for college.
- **Support Services:** The college would agree to provide structured, long-term supplemental academic enrichment, mentoring, tutoring, and other assistance to all students starting not later than the eight grade.
- **Financial Aid information and bonus:** The partnership would provide financial aid counseling, and could provide financial incentives for students to stick with the program, take the right classes and/or to get good grades. (In some existing programs, colleges guarantee admittance and aid if students reach certain goals in high school).

**Funding.** This option would aim for \$400 million in funding through (1) aiming to get colleges to use \$250 million of the Perkins Loan revolving funds for this purpose, and (2) asking for another \$150 million in the FY 1999 Budget for areas that do not have significant Perkins

funds. If the partnership cost an average of \$400,000 [EDUCATION WANT TO TAKE A STAB AT ANOTHER NUMBER? Upward Bound is \$300,000 per project, but only serves 74 participants each], this would fund 1000 partnerships.

*Using the Perkins Loan funds.* 2700 institutions of higher education [need break-down by sector]<sup>4</sup> currently administer a total of \$6.5 billion in Perkins Loan revolving funds. These funds have built up from Federal contributions and matching funds over the past 40 years. Each year, about \$750 million is repaid by students. Colleges put in another \$250 million in matching funds, making \$1 billion available for lending again. With the expansion of loan limits and eligibility in the Direct and Guaranteed programs over the past few years, Perkins has diminished in importance (the other programs are 30 times larger), but political inertia has kept it alive. Your budgets have alternately proposed cutting or straight-lining any new Federal contributions (for FY 1998 you proposed level funding at \$158 million). In the past several years, some of the colleges have floated the idea that the program could end if they could keep the money to spend in other ways. [ED: HOW MANY STUDENTS WHO GET PERKINS HAVE NOT MAXED OUT ON STAFFORD? HOW STRONG IS OUR CLAIM THAT IT ISN'T ALL NEEDED?]

Under this option, colleges would be *allowed* to spend these funds to create or expand early intervention partnerships with schools. The Education Department expects that many would choose to do so, because (1) the program is not as needed as it used to be, (2) it is expensive to administer (the colleges pay for collection of the loans), and (3) the colleges give lip service to early intervention and this would give them the opportunity to put money where their mouths are.

Like the work-study component of America Reads, you would challenge colleges to participate, while also providing a way for them to more easily pay for it. We could start with a steering committee of college presidents who pave the way and encourage their colleagues to sign on. If we got colleges with half of the funds (much is concentrated in some of the large universities) to commit half of that to early intervention, that would represent a \$250 million investment.

*Additional appropriations.* Using the Perkins funds is not sufficient because they are not evenly distributed across the country -- the older, larger, more elite state and private universities have the bulk of it. The southwest and areas that rely more on lower-cost state and community colleges would be under-served if we do not create an alternative pot of funds to make grants to them for the same purpose.

#### *Arguments for option B:*

---

<sup>4</sup>[Describe distribution by schools and in terms of dollars.]

- Guarantees the provision of mentoring, counseling and support services that many say are critical to the success of early intervention programs.
- Provides colleges with a way of partnering with high-poverty schools in a way that may be less threatening, and ultimately more productive, than explicit school reform efforts.
- Given the tight appropriations, may be more likely to be adopted than option A.

*Argument against option B:*

- Using the Perkins Loan fund invites opposition by that program's supporters (including the contractors who collect the loans).

**RECOMMENDATIONS**

[On the information campaign, I think the "guarantee" continues to have appeal, so I prefer option 2 as an approach that would increase the effectiveness of the information campaign in poor areas, and allow us to capitalize on the interest in the Fattah bill.] [OMB strongly feels that the promise is not necessary for the campaign to be effective and that it adds administrative complexity. DPC thinks that a promise to an existing entitlement does not add enough to be worth the effort. Education? . . .]. On the early intervention program, all of your advisors recommend the school-college partnerships as the best approach.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:26-AUG-1997 14:20:00.00

SUBJECT: VA Letter for Review

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:  
Elena:

I got a call from the VA Counsel's office on whether I thought the letter they proposed to send to Senator John Kerry in response to a letter he received from Thomas M. Sobol asking that the VA "seriously consider taking action on behalf of the federal government against the United State tobacco industry," was okay.

I faxed over a copy of their draft letter last week. In their draft response

the VA responds, "The Department of Justice advises us the tobacco industry's potential liability for Federal health-care cost is being considered as part of the Administration's overall review of the proposed settlement of the states' cases against the industry."

I thought the draft was okay, but wanted to make sure you agreed.

Let me know,

Thanks, George

514-5713

(I am interested to see if the Internet e-mail works. If it does, I promise

not to e-mail you too much!))===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IMWDOAAIU80083JS@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Tue,  
26 Aug 1997 14:23:31 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMWD07RP5S006EHQ@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Tue, 26 Aug 1997 14:23:27 -0400 (EDT)

Received: from wdcsun2.usdoj.gov ([149.101.10.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IMWCZQARWE0032N9@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Tue, 26 Aug 1997 14:23:05 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun2.usdoj.gov (8.8.4/8.8.4)  
id OAA21577 for <elena\_kagan@oa.eop.gov>; Tue, 26 Aug 1997 14:22:55 -0400 (EDT  
)

Received: from intmail(10.222.3.6) by wdcsun2.usdoj.gov via smap (V1.3)  
id sma021567; Tue Aug 26 14:22:35 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA125509721; Tue,  
26 Aug 1997 14:22:01 -0400

Received: by TELEMAIL; Tue, 26 Aug 1997 14:20:00 -0400

X-Mailer: Worldtalk (4.1.1-p1)/STREAM

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Cashins to Elena Kagan. Subject: Advice on Chicago. (1 page)	08/26/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project [Email]  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[08/14/1997-09/08/1997]

2009-1006-F

vz154

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGBTWY@LNGBTWY [ UNKNOWN ] )

CREATION DATE/TIME:26-AUG-1997 12:24:00.00

SUBJECT: NEC education pillar

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 26-AUG-1997 12:24:00

This is what I'm giving to Gene for him to review (along with your document).

I prepared it in a way such that if you guys went ahead with yours, this would

complement it (or contradict it, depending on how you look at it). My view is

that it would be best to be late and have something that is joint NEC-DPC, but

I can't say yet when Gene will be ready for that.

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

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

TEXT:

The following attachments were included with this message:

TYPE : FILE
NAME : edpillar.nec

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

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D18]ARMSZZ0009JVZ.001 to ASCII,
The following is a HEX DUMP:

FF575043DB120000010A0201000000020500000002D450000000200000715091086D3E84FBD19597
09D1EE83ECC7598F72E9B2D4B4E91A413DE7DF3A3A6979BFF41024ACB13644D5CCEF9F8749A166
B210B481F32EED779E16283089A7A1875C1A41F2E78D8FC7831A6C170B96095AF624E31BEFDCF6
326B54F7E5FD451472406AECA2D5C763D4FB4127D3B58D03A658FD7500ABC79AA12DA5873C6606
A1D14E0955B799A0A8B604AE563D691654A05FDF98F63E481C58503B3DDE1F51871DB1749AAA02
B99971563C3245C0D50EBD8A32C01F487C5102CC0CC4BA9D1B864218F7B53E50C9B6405328D5C7
A1BCEB064B113EBA9A48BD4B6EA40CBFE87569BB5D32B7BCE32B399D9DAD383446A217BDD4EECE
1F5DC5AB32CD95D39C0F18481B3BEC8D15173D11C06983A5A0F6D1D4FA72E30BA488ECE23EF99D

<b>EDUCATION PILLAR (NEC)</b>						
<b>BUILDING BLOCKS OF PILLAR</b>	<b>DESCRIPTION</b>	<b>TIMELINE</b>	<b>BENEFITS</b>	<b>COSTS/FEASIBILITY</b>	<b>POLITICAL RAMIFICATIONS</b>	<b>PRESIDENTIAL TIME COMMITMENT</b>
1. Education Standards and Reform (including America Reads)	[See DPC document]					
2. Universal access to quality pre-school	Through expansion and improvement of Head Start, Child Care block grant, and tax provisions ensure that all families in America have access to at least two years of quality pre-school care.	Two years: October 1997 or State-of-the Union announcement, push for enactment by Summer 1999.	Results in more children starting school ready-to-learn, reducing the need for remediation.  Mainly helps low-and middle-income families who are using low-quality care or are returning to work under welfare reform.	Billions of dollars, conflict between quality and capacity. (Funds are needed for training and other program improvements, but these investments do not expand the number of slots available).	Head Start has bipartisan support. Concept attractive to both parties.	Significant
3. Educational technology: (a) new initiatives	<ol style="list-style-type: none"> <li>1. Ensure every new teacher knows how to use technology, or one "master" teacher per school</li> <li>2. High visibility content online</li> <li>3. R&amp;D on evaluation, educational software</li> </ol>	2000	<p>Teacher training critical to success of initiative</p> <p>Need R&amp;D to improve state of the art of software, and conduct evaluation on impact of technology on student performance</p>	<p>Currently, over 30 states require teacher training as part of certification process. Goal of "every new teacher" by 2000 is achievable with modest funding, campaign to get additional states on board.</p> <p>Need to fund additional R&amp;D on evaluation, improving state-of-the-art on educational software. Could start out with roughly \$100 - \$200 million.</p> <p>A large Smithsonian Museum</p>	Popular	Significant [???

**EDUCATION PILLAR (NEC)**

				online project could be done for \$5 million/year.		
(b) Current initiative	<p>1. Connect every classroom to Internet by 2000</p> <p>2. Train teachers</p> <p>3. Computers</p> <p>4. Educational software</p>	By "dawn of the new century"	<p>Improves student performance by making learning more exciting, hands-on</p> <p>Prepares students for workplace of 21st century</p> <p>Increases parental involvement</p>	<p>President's budget has \$2 billion Technology Literacy Challenge Fund over next 5 years</p> <p>Universal Service Fund has up to \$2.25 billion/year for schools and libraries for connectivity</p> <p>Current funding is adequate for goal of connecting every classroom to Internet unless Universal Service Fund tied up in courts</p> <p>Won't reach goals on computers - which is 1 multimedia computer per 5 students -- without substantial match from private sector, state, local government</p>	Very popular. Potential for elite media backlash unless you can demonstrate results	
4. College Access and Retention	<p>1. National Information Campaign about financial aid and education tax credits. Possible "guarantee" of aid to poor</p> <p>2. New initiative to promote interventions at high poverty middle and</p>	<p>January to September 1998</p> <p>September 1997 to enactment in 1998</p>	<p>Anyone interested in higher education; especially low-income and minority communities. Also could be aimed at workers who may want or need to upgrade skills.</p> <p>Children and families in high-poverty areas.</p>	<p>Modest cost for pamphlets, PSAs, conferences, and bully pulpit activity.</p> <p>\$200 to \$400 million in FY 1999 (including use of existing loan fund)</p>	<p>Everyone wants to take credit (they might even want to take part in the information campaign); no one should object.</p> <p>Constituency groups would tend to be supportive, but use of Perkins</p>	Significant

EDUCATION PILLAR (NEC)						
	high schools.  3. Restore Pell Grant's buying power through increase of \$1,000 (\$4,000 maximum grant).	September 1997 to enactment in 1998	Helps promote college attendance and retention by low-income individuals. (This population will not benefit significantly from the HOPE and Lifetime Learning Credits because they do not have sufficient tax liability).	Would cost \$3-4 billion/year or more.	would bring some opposition.  Higher education groups would support. Pundits and el-sec group would point to need for greater resources at the el-sec level to better prepare kids for college.	
5. Reducing Hispanic drop-out rate	Combine a major new initiative (such as universal pre-school, middle-school mentoring, or family literacy) with an action plan that includes improvements to a number of Federal programs.	Activities could start this fall. Multi-year effort will be required.	Reducing the dropout rate will allow more Hispanics to enjoy the benefits of the return to education, and improve overall Hispanic economic performance.	Varies depending on extent of effort.	Major effort would be extremely popular with Hispanic caucus. Some elements could prove controversial with other groups.	Limited
6. Family Literacy	1. Parents-as-First-Teachers: part of America Reads  2. Dramatic expansion of programs that	Sept. '97 appropriations; launch by late 1998  FY 99 Budget Proposal.	Families who want to know how to help their children be ready for school. Focus is on low-income areas.  Families with low literacy skills, no high school diploma, and/or limited-English proficiency. These programs	*In current budget for America Reads, though details not yet secured in FY 1998 Budget.  Doubling funding of Adult Basic Education and Even Start would cost additional \$450 million/year.	Bipartisan support, but some right-wing opposition.  Bipartisan support.	Limited  Significant

**EDUCATION PILLAR (NEC)**

	promote whole families that can read and write English well and parents have high school diplomas.		are used heavily by Hispanic community. (Children's skills are closely related to their parents' skills).			
7. School Construction	[See DPC document]					
8. Job Training and Workers in Transition	1. GI Bill for America's Workers. Current initiative to reform and consolidate federal job training, adult ed and voc ed programs. Promote One Stop Career Centers. Empower individuals with Skill Grants	House passed legislation consistent with POTUS's principles. Senate expected to mark up legislation in Senate.	Dislocated workers, students in adult and voc ed programs will be served by a more efficient system with more accountability and individual choice.	Already in budget. Likely to continue moving in Congress, 50% chance of Senate passage this year, final passage likely next year.	Bipartisan. In September there may be an opportunity for the President to laud the bipartisan effort led by Senators Jeffords, DeWine, Kennedy and Wellstone.	Limited
	2. Expand availability of unemployment insurance to ease dislocations and stabilize the economy. <b>Currently, only 35% of unemployed workers get UI benefits, down from @ 50% in</b>	Requires legislation. Could be proposed in FY99 Budget.	Depends on the specific reforms adopted. Range is from 130,000 part-time workers to 680,000 part-time and low-wage workers.	Cost range: \$400 million/yr to 1.8 billion/yr depending on the package of reforms. Source: State UI trust funds. Some states might initially absorb additional beneficiaries without raising tax rates.	Difficult, but would have strong constituency support <i>and</i> validation from the bipartisan Advisory Council on Unemployment Compensation and mainstream economists. The time to act is now because state UI	Limited.

EDUCATION PILLAR (NEC)						
	'50s.				trust funds are in surplus.	
	3. Improve support of dislocated workers.	Requires legislation.	Dislocated workers who can't find another job. Take up rates and eligibility screens would vary with the design of the program. Estimates of participation range from about 250,000 to 750,000.	\$200 million/year to \$2.6 billion depending on the package. (More Training for Dislocated Workers: \$800 million/yr.; Pell Grants for Dislocated Workers: estimates range from \$200 million/yr to \$1 billion/yr.; Pell/Training & Income Support: \$2.6 billion/yr.)	Democrats are generally supportive, but low unemployment may reduce pressure for more training opportunities.	Limited
9. School-to-Work	[See DPC document]					



M'4#N"\\$CQ1"\*F'\0#E"U5>QPX4LY;BRVTMKQ+G/\_#41TM3QK4\_02-F@<T^CB  
MCE.\03`TG\9\
M[^PJK;?M.\Q8#J7);QB%:NRT4AS5`Y6;XU##YC2^[(3=X-`0?0N0R\_U!N#\&  
M+Z8\*2\H\_6YCW`>#QUJ(3TP&(0SQR7LY-:&]UJ+LY\_4^UF`5!\*;0,DIJ\*YCE%  
MPS:F+,,:N\$%(2EEP6F=,YQK/&N09WE:6DQ)6>+.%!"/,]5U\$Q[IDEF=0P=#  
MYI^9;ILZESYTAS8;V!WJJZ]5S#A\R'2JI8&);Z6CQ/B7NNHB!(I;1H?6!5#K  
M3]+M/RIUMR\$DK:GN\$B505Q:Z8M"ZPN\--:ZQGPM1>C<UBB5LAA[P9.U@FJV0X  
M])W--, <O2F2]@[T<0L9>KUL"^(~~~~~LP`P`~(D`~!<!P`~  
M"S`#`~@P`~.4'`~+,`~,`~!V`~:~@`~LP`P`~'8`~#>`~"S`#  
M`~I0`~%0)`~+,`~,`~")`~^0D`~LP`@`~P`~""@`~"S`"~~~~  
M[P`~%X+`~+,`~,`~"Q`~30P`~LP`@`~(!`~#^#`~"S`"~~~~%0\$`~  
M`~.`~+,`~(~~~~I0`~%0\`~LP`@`~#P!`~^\$`~"S`"~~~~3@\$`~'H1  
M`~+,`~(~~~~!A0`~R!(~~~~LP`P`~H`~I%`~"S`#`~KP`~5`~+  
M,`~,`~"O`~LA4`~LP`P`~,X`~!A%@`~"S`#`~QP`~"\7`~+,`~,`~  
M`~#&`~]A<`~LP`P`~.0`~"\&`~"S`#`~K@`~\*9`~+,`~,`~"N  
M`~3AH`~!5"0`~"X`~#\&@`~"24!`~!@`~"H;`~+,`~\$`~#C`~  
M,!L`~D`0`~!H`~3'`~%4\$`~0@`~"T<`~+,`~\$`~5`0`~;QP`~  
M`~D`0`~!H`~"\$`0`~"S`!`~XP`~)X=`~)~\$`~2`~@1X`~LP  
M`0`~.\`~"3'@`~"0!`~&@`~((?`~+,`~\$`~P`0`~G!\`~LP`0`~  
M`.\`~#,(~~~~!@!`~==,`~+LA`~+,`~0`~!G`~+R4`~!%!P`~( `~  
M`"6)0`~!@!`~?@`~)@E`~+,`~(~~~~!G`~%B8`~LP`0`~'D#`~!]  
M)@`~"0!`~%`~/8I`~50(~~~~!"`~"BH`~!5`0`~\$X`~!\*,@`~  
M`&4!`~0`~)HJ`~+,`~4`0!Z`~FRH`~LP`0`~+D`~5\*P`~"0L"  
M`~\$0`~,XK`~+,`~(~~~~]`~WRL`~LP`@`~\$8`~<+`~"S`"~~~~  
M4`~&(L`~),0(~~~~"3`~LBP`~LP`0`~\*X`~!%+0`~"3\$`~!0\$`~  
M`/,M`~+,`~\$`~" [~~~~^"X`~8(0`~&@#`~"S+P`~"S`!`~<P`~!LS  
M`~&"`\$`~"6`P`CC,`~E\$`P`~"L`~D-P`~"!\$`~Q@`~\$W`~+  
M,`~,`~!G`~%3@`~LP`@`~\$H`~!\.~~~~"4\$`~30`~,8X`~0`\$`~  
M`~2`~\$SD`~@1`@`~,8`~E.0`~"S`"~~~~\*`~.LY`~+,`~8`~!G  
M`~\$SH`~E!`!0`~%\$`~!Z.@`~!@!`~B@`~,LZ`~50\$`~X`~



M`"X`";`\$\$P#@X#`3`~~~~~@!+@`N`\$(!Q,`X,S,`0`~~~~0`>@`~~~~~!S  
M`~~~~~@`~~~~~"#\$+!.`@!2`&D`9P!H`'0`(`!0`&\$`<@!;`#(`70`~~~%(`  
M:0!G`&@`=``M`\$\$`;`!I`&<`;`@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'``:``@  
M`\$X`=0!M`&(`90!R`',`~~~#@\$1,`~~~~~"~<N`"X`~0@!\$P#@X-`3`~~~~~&`)  
M+@`N`~`X!Q,`X-L&"P`~`0`!"P#;U#(.``,\$`~~~~~0`.~-1!+MOS"@`#`~`\*  
M`-2`B.``\$P`~~~~~(!RX`+@`!"`<3`.#@,!,`~~~~~8`DN`"X`~6`) \$P#@S,P!  
M`~~~~~!`!6`~~~~~\$H`~~~~~.``~~~~~P`~~~~~(\$!Q`X`\$0`;P!C`'4`;O!E`&X`  
M=`!;`#`,`70`~~~\$0`;P!C`'4`;O!E`&X`=``@`%,`=``!Y`&P`90`~~~,S@\$1,`  
M`~~~~~"~<N`"X`~0@!\$P#@`@SRVP8+`~`!`~`(+`-O4,@X`~P0`~~~~~"~OX`U#\$N  
MU#,\*`~`,`~`H`U(#4"@T`~`0,`~`@`~`#0#4U`L-`~`\$#`~`(`~`T`U,SS#/,!`~~~~~  
M!`!Z`~~~~~(8`~~~~~"~~~~~(,Q\_LZ`%(`:0!G`&@`=``@`%`~`80!R  
M`%L`,P!`=``~`4@!I`&<`:``!T`"T`00!L`&D`9P!N`&4`9`~`@`%`~`80!R`&\$`  
M9P!R`&\$`<`!H`"``3@!U`&T`8@!E`'(`<P`~`.~1\$P`~~~~~(!RX`+@`!"`<3  
M`.#@\$1,`~~~~~8`DN`"X`~6`) \$P#@X-`3`~~~~~+@+@`N`~%0"A,`X-L&"P`~`  
M`0`~`"P#;U#(.``,\$`~~~~~@`.~-OQ+MOS"@`#`~`\*-2`B.``\$P`~~~~~!@"2X`  
M+@`!8`D3`.#@,!,`~~~~~N`LN`"X`~;`@+\$P#@S,P!`~~~~~!`!Z`~~~~~)D`  
M`~~~~~"~~~~~(,)O(Z`%(`:0!G`&@`=``@`%`~`80!R`%L`-`!`=``~`4@!I  
M`&<`:``!T`"T`00!L`&D`9P!N`&4`9`~`@`%`~`80!R`&\$`9P!R`&\$`<`!H`"``  
M3@!U`&T`8@!E`'(`<P`~`.~1\$P`~~~~~(!RX`+@`!"`<3`.#@\$1,`~~~~~8`DN  
M`"X`~6`) \$P#@X!\$3`~~~~~+@+@`N`~&X"Q,`X.#0\$P`~~~~~0#BX`+@`!J`P3  
M`.#;!@L`~`\$`~`PL`V)OR#`@`#!`~~~~~`,`#`@`#482[4,PH`~`P`~`"@#4@(C@`!,`  
M`~~~~~N`LN`"X`~;`@+\$P#@X#`3`~~~~~!`.+@`N`~\$0#A,`X,S,`0`~~~~~0`>@`~`  
M`~~~~~"M`~~~~~@`~~~~~"#!MJ.`@!2`&D`9P!H`'0`(`!0`&\$`<@!;`#4`  
M70`~~~%(`:0!G`&@`=``M`\$\$`;`!I`&<`;`@!E`&0`(`!0`&\$`<@!A`&<`<@!A  
M`'``:``@`\$X`=0!M`&(`90!R`',`~~~#@\$1,`~~~~~"~<N`"X`~0@!\$P#@X!\$3  
M`~~~~~&`)+@`N`~%@"1,`X.~1\$P`~~~~~"X"RX`+@`!N`L3`.#@\$1,`~~~~~\$`XN  
M`"X`~1`. \$P#@X-`3`~~~~~&@0+@`N`~&(#A,`X-L&"P`~`0`\$`P#;U#(.``,\$  
M`~~~~~!`~`.~-OH,2G4,PH`~`P`~`"@#4@(C@`!,`~~~~~\$`XN`"X`~1`. \$P#@X#`3  
M`~~~~~&@0+@`N`~%H\$!,`X,S,`0`~~~~~0`>@`~~~~~#`~~~~~@`~~~~~"  
M#,#2T.`@!2`&D`9P!H`'0`(`!0`&\$`<@!;`#8`70`~~~%(`:0!G`&@`=``M`\$\$`





M%#!#`&\`=0!R`&D`90!R`~~~~~0`9`%@"`0`~~~~0`3`~~~~~"7  
M`~~~~~!`/\_+@!%`\$X`4@!\$`"~~1`~~~~\$4`3@!2`\$0`(!L`&4`  
M=`!E`'(`:~!E`&\$`9`~~~~-05#@`"~~1P`~0`~#@#4T0`,"~~"~&`)#`#1T0\$,  
M`~~~~"+`\$#`#1S-0;`&0"~~0`"~~!8`@`~~~~~%@"6`(`9`-34&E<`@`\$`=~@`  
M`~~~~~J`,`\9OA"F"~~~~\$0D`~~!@`!@1`~~0\*`@!4`&D`;0!E`',`(`!.  
M`&4`=P`@`%(;P!M`&\$`;@`~~~~~!4`%0`~~!7~-1,`\$4`5`!%`%(^2`!\$  
M`#@`+@!\$`\$P`1`~~~~"H`SQF`^\$`\*8(`~~1"0`~~&`&!\$`~!`J`%0`:0!M`&4`  
M<P`@`\$X`90!W`"~~4@!O`&T`80!N`~~~~~%0`5`~~~~\$`~~~~\$`'X`~~~~  
M`~~~~EP`~~~~~0#`\_\_SH`3`!E`'0`=~!E`'(`:~!E`&\$`9`~@`\$4`  
M`~!%`&X`=@!I`'(`;P!N`&T`90!N`'0`80!L`"~~10!N`&8`;P!R`&`,`90!M  
M`&4`;@!T`"~~4P!E`&`,`=~!I`&\`;@`~~~~-05#@`"~~1\`~0`~#@#4T0`,"~~"  
M`&`)#`#1T0\$,`~~~~"+`\$#`#1S-0;`&0"~~0`"~~!8`@`~~~~~%@"6`(`9`-34  
M&E<`@`\$`=~@`~~~~~J`,`\9OA"F"~~~~\$0D`~~!@`!@1`~~0\*`@!4`&D`  
M;0!E`',`(`!.`&4`=P`@`%(;P!M`&\$`;@`~~~~~!4`%0`~~!7~-1,`\$4`  
M5`!%`%(^2`!\$`#<`+@!\$`\$P`1`~~~~\$`~~~~\$`\$P`~~~~~EP`~~~~~  
M`~~~~0#`\_\_S8`30!E`&T`;P!R`&\$`;@!D`'4`;0`~~\$T`90!M`&\`<@!A`&X`  
M9`!U`&T`~`#4%OX`@\$A`~\$`~X`U`-\$`#`~`~@!H\$`P`T=\$!#`~`~@!P!`P`  
MT<S4&QD`@\$`~`~@`6`(`~~~~~!8`E@"&0#4U!I7`(`!'0`(`~~~~~  
M\*#@`/`&;X0I@`@`!\$)`~~~~8`~8\$0`~\$`H`5`!I`&T`90!S`"~~3@!E`'<(`!2  
M`&\`;0!A`&X`~~~~~5`!4`~~~~5P#430!%`\$T`3P`N`\$0`3`!\$`~~~~~0`~  
M`~0`6`~~~~~"7`~~~~~!`/\_.`@!`,`&4`=~!T`&4`<@!H`&4`  
M80!D`"~~3`~~~~\$P`80!N`&0`(`!!`!\$`=0`N`"~~4P!E`&`,`+@`~-05#@`"  
M`2,`~0`~#@#4T0`,"~~"~&`)#`#1T0\$,`~~~~"+`\$#`#1S-0;`&0"~~0`"~~!8  
M`@`~~~~~%@"6`(`9`-34&E<`@`\$`=~@`~~~~~J`,`\9OA"F"~~~~\$0D`  
M`~!@`!@1`~~0\*`@!4`&D`;0!E`',`(`!.`&4`=P`@`%(;P!M`&\$`;@`~~~~~  
M`~!4`%0`~~!7~-1,`\$4`5`!%`%(^2`!\$`#8`+@!\$`\$P`1`~~~~\$`~~~~\$`\$X`  
M`~~~~~X@`~~~~~@#`\_\_RX`3`!A`&(`90!L`',`~~~~R`"~~>`~@  
M`#0`+@`R`#4`(`!L`&\$`8@!E`&P`<P`~`-\$/#0`~P`~~~~~--'1\$PL`~`\$`  
M`~L`T=\$17`~4@`~~~~"0,]@G`~2,@`B`"~~6`~@`#0`+@`R`#4`(@`@`"T`  
M(`~U`#(`,P`R`~~~~~



M=~~~~-T\*\$`"#`2H`P`=2H0`-W3!0P`\$\$`~,`-/"PL`P`!`L`W=0;  
M'P"``1D`"````/HO``!8`@``6` (9`%@"````?`-3@0!(````P!+`\$B@`[!,2  
M`."\$@-H\$#0`#`0`~~~~-`-HQV@4\*``,``H`VH"\$`0`~~~~0`\*`~~~~#\`~~~~  
M`~~~~~!,,H=U)`"J`~~~~J@`~-T\*\$`"#`54`P`K?2\$0`-W3!0P`  
M`\$\$`~,`-/"!@P`\$\$`0`,`-`1#`P`\$\$`0`,`-`!=""PL`P`!`L`W0\$`  
M`\$\$`&H`~~~~~#P,`~~~~~0#\_\_S@`0@!3`\$(`;`!E`'0`=`!E  
M`'(`;`!D`~~~~0@!R`&D`9`!G`&4`=P!A`'0`90!R`"<`<P`@`&P`90!T`'0`  
M90!R`&@`90!A`&0`~~~#4%0X`@\$L`\$`~X`U,S4&QD`@\$`~@`6` (````  
M`!8`E@"&0#4U!I7`(`!+0` (``````)0#T&EP2&@D`!\$)````8`8  
M\$0`\$`H`5`!I`&T`90!S`"``3@!E`!<`(`!2`&`\`;;0!A`&X`~~~~~5`!4  
M`~~~5P#43\$I`.D)30LS,S,S,U!L9`(`!````(`)`!``````D`&0`1D`U-0:  
M8P"``2X`"````````"D`@AHF\$E\ (X@01"0`~`&!&!\$`~!`V`%0`:0!M  
M`&4`<P`@`\$X`90!W`"``4@!O`&T`80!N`~~~~20!T`&\$`;`!I`&,`~~~~~%0`  
M5`~~~~&,`U/(`.\E)%4\$Q9@%1/.O,.\Q"<F%D;&5Y@%,N@\$)R:61G97=A=&5R  
MX(`3`~~~~"@C+@`N`~%6`1,`X%1E;&5P:&]N93J`\*# ,P,RF`,CDQA#\$Y,#" (   
MS\$5N=FER;VYM96YT86R`1&5F96YS98!396-T:6]NX(`3`~~~~"@C+@`N`~%)  
M`1,`X%1E;&5C;W!I97(Z@"@S,#,I@#(Y-(0Q.3,QB,Q3=6ET98`Y-#4L@\$YO  
M<G1H@%10=V5RS#DY.8!%:6=H=&5E;G1H@%-T<F5E=,Q\$96YV97(L@\$-/@(`X  
M,#(P,LS,S-0;&0"``0`"``!8`@`~~~~~%@"6` (9`-34&E<`@`\$M`~@`~~~~  
M`~~~~~E`/0:7!(:"0`\$0D`~!@!@1`~0\*!4`&D`;0!E`',`(`!.`&4`  
M=P`@`%(`;P!M`&\$`;@`~~~~~!4`%0`~!7`-3@\$1,`~~~~~" <N`"X`~0@`  
M\$P#@X!\$3`~~~~&`)+@`N`~%@"1,`X.`1\$P`~~~~"X"RX`+@`!N`L3`.#@\$1,`  
M`\$\$\$`XN`"X`~1`. \$P#@X!\$3`~~~~&@0+@`N`~%HS!,`X.`1\$P`~~~~#`\$BX`  
M+@`!P!(3`.#@\$1,`~~~~&14N`"X`~1@5\$P#@U" (:`~0`%53"/H@`~3Z+`~@  
M`!#Z`~:~-34(`T`@P\$O`~~~~#0#4U"\$\*``,``H`U,Q,`%0`4@!(`\$0`+@\$  
M`\$P`1`~~~~"4`]!I<\$AH)``~1"0`~`&`&!\$`~!`J`%0`:0!M`&4`<P`@`\$X`  
M90!W`"``4@!O`&T`80!N`~~~~~%0`5`~~~~"D`@AHF\$E\ (X@01"0`~`&!`  
M&!\$`~!`V`%0`:0!M`&4`<P`@`\$X`90!W`"``4@!O`&T`80!N`~~~~20!T`&\$`  
M;`!I`&,`~~~~~%0`5`~~~~~!`~~~~~!`!2`~~~~~"8`~~~~~"~~~~~(,  
M\_\_\X`\$(`:0!B`&P`:0!O`&<`<@!P`&@`>0`~`\$(`:0!B`&P`:0!O`&<`<@!A



M\_P\$`P`,!L`0"~~~~G%@"&P#3WP,\_(`"5@`H`"<~~~~~0  
M`,`\_`,`!`+`\$`"#8)Y8~~~~%`\$`~!D1?P#L`0(`~/G/P#?WP,\_(`"5@`H`"  
M`"<~~~~~0`,`%`0!`+`\$`"#8)Y8~~~~%`\$`~!D110\$  
ML`0(`~/G/P#?S,S@D!(~~~~2`-(`P<`P`,2`.`QB,S,X)`2`~~~~`\$#@2`,`'  
M`,`#\$#@,HC,S."0\$@~~~~!(`T@#!P#`Q(`X#. (S,S@D!(~~~~2`-(`P<`  
MP`,2`.`TB,S,X)`2`~~~~`\$#@2`,`',`#\$#@-8C,S."0\$@~~~~!(`T@#!P#`  
M`Q(`X#:(S,S@D!(~~~~2`-(`P<`P`,2`.`WB,S,X)`2`~~~~`\$#@2`,`',`#  
M\$#@.(C,S."0\$@~~~~!(`T@#!P#`Q(`X#F(S,S@D!(~~~~T`+0`@8`P`,2  
M`.`Q,(C,S."0\$@~~~~#0`M`"!@#`Q(`X#\$QB,S,X)`2`~~~~-`"T`(&`,`#  
M\$#@,3\*(S,S@D!(~~~~T`+0`@8`P`,2`.`Q,XC,S."0\$@~~~~#0`M`"!@#`  
M`Q(`X#\$TB,S,X)`2`~~~~-`"T`(&`,`#\$#@,36(S,S@D!(~~~~T`+0`@8`  
MP`,2`.`Q-HC,S."0\$@~~~~#0`M`"!@#`Q(`X#\$WB,S,X)`2`~~~~-`"T`(&  
M`,`#\$#@,3B(S,S@D!(~~~~T`+0`@8`P`,2`.`Q.8C,S."0\$@~~~~#0`M`"  
M!@#`Q(`X#(PB,S,X)`2`~~~~-`"T`(&`,`#\$#@,C&(S,S@D!(~~~~T`+0`  
M`@8`P`,2`.`R,HC,S."0\$@~~~~#0`M`"!@#`Q(`X#(SB,S,X)`2`~~~~-`"  
MT`(&`,`#\$#@,C2(S,S@D!(~~~~T`+0`@8`P`,2`.`R-8C,S."0\$@~~~~#0`  
M`M`"!@#`Q(`X#(VU`45`~`#`\$`@R`#`#`\*Z`H`%0#4`0`~`0`-`~`#`\  
M`~~~~~!\$#]U,@!0`&P`90!A`&0`:0!N`&<~~~~~`,`#@`  
M`@#(~~~~#@#3T0`.~~~~"``#L`0.`-`1`0X`~`(`Z`.P!`X`T=8!%0"~~3P`  
M`0`#`~~~~`#`\_Q4`U@\$`"@`~(P#`#="A`~@P\$G``,`\_`H\$`#=#W0L+`,``  
M`0+`-W4&Q\`@`\$9`~`@`~`#Z+P`6`(`%@"&0!8`@`~`P#4TP`.~~~~`,`@`  
M`~`.~/2`X`~`(`6`\*P!`X`TM(!#`~`@`P!+`\$#@#2TP0;~~~~`#`\_P\$`  
MP`,`!L`0"~~~~G%@"&P#3WP,\_(`"5@`H`"<~~~~~0`,`'  
M\_`,`!`+`\$`"#X\*I8~~~~%`\$`~!D1?P#L`0(`~/J/P#?WP,\_(`"5@`H`"<`  
M`~~~~~0`,`%`0!`+`\$`"#X\*I8~~~~%`\$`~!D110\$`L`0(  
M`~/J/P#?S,S@D!(~~~~2`-(`P<`P`,2`.`QB,S,X)`2`~~~~`\$#@2`,`',`#  
M\$#@,HC,S."0\$@~~~~!(`T@#!P#`Q(`X#. (S,S@D!(~~~~2`-(`P<`P`,2  
M`.`TB,S,X)`2`~~~~`\$#@2`,`',`#\$#@-8C,S."0\$@~~~~!(`T@#!P#`Q(`  
MX#:(S,S@D!(~~~~2`-(`P<`P`,2`.`WB,S,X)`2`~~~~`\$#@2`,`',`#\$#@  
M.(C,S."0\$@~~~~!(`T@#!P#`Q(`X#F(S,S@D!(~~~~T`+0`@8`P`,2`.`Q













M: &5I<H!D86UA9V5S@&%T= ' ) I8G5T86) L98!T;X!S;6]K:6YGA&%T= ' ) I8G5T  
M86) L9<] P=6) L:6. `97AP96YD:71U<F5S+LS,X!\$, `~~~~`@'#`#@5V6`:&%V  
M98!J=7-T@&]B=&%I;F5D@'1H97-E@'!L96%D:6YG<X!A;F2`:&%V98!N;W2`  
M=&AR;W5G:&QYSW)E=FEE=V5D@'1H96TL@&)U=(!I=(!A<'!E87)S@'1H872`  
M36ES<VES<VEP<&F`<75A;G1I9FEE<X!T:' )E9<]P<F]G<F%M<X!F;W\*`=VAI  
M8VB`:72`8VQA:6UE9(!D86UA9V5S.H!-961I8V%I9"R`=&AE@\$UI<W-I<W-I  
M<'!IST-O;7!R96AE;G-I=F6`2&5A;'1H@%!L86Z`\*\*) -0TA0HRDL@&%N9(!U  
M;F-O;7!E;G-A=&5D@&-A<F6`<' )O=FED963/8GF`=&AR966`<'5B;&EC@&AO  
M<W!I=&%L<RZ`@%1H97F`87-S97)T@'1W;X!D:69F97)E;G2`9&%M86=E<\\E  
M<W!I;6%T97,Z@&]N98!I<X!C86QL962`=&AE@\$UO<G1A;&ET>8!2871I;X!!  
M<'!R;V%C:(`HHDU20:,I@&%N9(!T:&7//;W1H97\*`\\0!@`?%I<X#Q`6`!\\71H  
M98!3;6]K:6YGA&%T= ' ) I8G5T86) L98!-;W)T86QI='DL@\$UO<F)I9&ET>2R`  
M86YD@\$5C;VYO;6ECST-O<W2`4')O9W)A;8`HHE-!34U%0Z,I+M`&&0`#P`-  
M``(+?`M,0`!\$@2D\$B`9`-#1%A\$`P<`5`~~~~`"!!\$`T>(\*#@``!`!0`~~~~  
M#@#BT0`.~~~~`"+`\$:`\$.`-`1`0X`~~~~(`L`2P!`X`T>(\*#@``!`~~~~`%``#@#B  
MT1<\*`~,~~~~`H`T<S@\$0P`~~~~`"`,.!.5;F1E<H!T:&6`HDU20:..`87!P<F]A  
M8VB`=&AE>8!E<W!I;6%T98!T:&%T@'1H98!S;6]K:6YG@')E;&%T963/8V]S  
M='.`9G)O;8`Q.3<P@'10@#(P,#`9F]R@'1H98!-961I8V%I9(!P<F]G<F%M  
M@&ES@"OQ+#4X,"PR.3(L,C(T+,]T:&6`34-(4(!I<X`D.30L-34R+#`Q-X!A  
M;F2`=&AE@'5N8V]M<&5N<V%T962`<'5B;&EC@&AO<W!I=&%L@&-O<W3/:7.`  
M)#\$Q,2PX-38L,C`R+H`H5&%B;&6`. "Z`5&]T86R`4VUO:VEN9X1!='1R:6)U  
M=&%B;&6`17AP96YD:71U<F5SSV9O<H!-:7-S:7-S:7!P:2R`,3DW,(0R,#`P  
M@(2`0V]R<F5C=&5D@\$IU;F6`. "R`,3DY-RXIS,S@\$0P`~~~~`"`,.!.5;F1E  
M<H!T:&6`4T%-345#@&%P<' )O86-H@'1H97F`97-T:6UA=&6`=&AA=(!T:&6`  
M<VUO:VEN9\\]R96QA=&5D@&-O<W1S@&9R;VW`,3DW,(!T;X`R,#`P@&9O<H!T  
M:&6`365D:6-A:62`<' )O9W)A;8!I<\\D.#0Q+#DV-BPQ-S0L@'1H98!-0TA0  
M@&ES@"0W-BPT.34L-S`P@&%N9(!T:&6`=6YC;VUP96YS871E9(!P=6)L:6//  
M:]S<&ET86R`8V]S=(!I<X`D,3`U+#8X-"PX,C4N@"A486)L98`X+BG,S.`1  
M#`~~~~`(!PP`X%1H97-E@')E<&]R='.`;6%Y@&)E@&]F@'-O;66`87-S:7-T  
M86YC98!T;X!(2%.`:6Z`979A;'5A=&EN9\\]H;W>`36ES<VES<VEP<&F`86QL

M;V-A=&5S@'1H98!S971T;&5M96YT@'!R;V-E961S@&)E='=E96Z`=&AE<V7/  
M<' )O9W)A;7,N@(#,S.`1#`~~~~`(!PP`X\$]F@&-O=7)S92R`=6YD97\*`= &AE  
M@\$UE9&EC86ED@'!R;V=R86V`= &AE@&9E9&5R86R`9V]V97)N;65N=,]W;W5L  
M9(!B98!E;G1I=&QE9(!T;X!A@'-H87)E@&]F@'1H98!D86UA9V5S@&%T=')I  
M8G5T86)L98!T;X!T:&7/365D:6-A:62`<')O9W)A;8!B87-E9(!O;H!W:&%T  
M979E<H!P97)C96YT86=E@&]F@'1H98!-961I8V%I9,]P<F]G<F%M@'1H98!F  
M961E<F%L@&=O=F5R;FUE;G2`<&%Y<X!I;H!-:7-S:7-S:7!P:2Z`@\$=I=F5N  
M@'1H872`8<]P87EM96YT@&]F@"0Q-S"~;6EL;&EO;H!W87.`<&%I9(!T;X!-  
M:7-S:7-S:7!P:8!O;H!\* =6QY@#\$U+(`Q.3DW+,]P=7)S=6%N=(!T;X!T:&5I  
M<H!S971T;&5M96YT@&%N9(!T:&%T@"0Q@&)I;&QI;VZ`:7.`9V]I;F>`= &^`  
M<&%I9,]O=F5R@'1H98!N97AT@'EE87\*`= &^`1FQO<FED82R`:72`;6%Y@&)E  
M@'!R=61E;G2` \0)?`?%F;W\*`= &AESV%P<')O<')I871E@&]F9FEC:6%L<X!A  
M=(!2%.` \0-?`?%T;X!C;VYT86-T@'1H97-E@'-T871E<X!T;X!D971E<FUI  
M;F7/=VAA=(!A;6]U;G1S@&]F@'1H97-E@'-E='1L96UE;G1S@'1H97F`<&QA  
M;H!T;X!A;&QO8V%T98!T;X!T:&7/365D:6-A:62`<')O9W)A;8!A;F2`9&5R  
M:79A=&EV96QY@'=H872`86UO=6YT<X!T:&5Y@'!L86Z`= &^`8W)E9&ETSW1O  
M@'1H98!F961E<F%L@&=O=F5R;FUE;GONS,S@\$0P`~~~~`" <,`.!)@&AA=F6`  
M86QS;X!E;F-L;W-E9(!T:&6`365M;W)A;F1U;8!O9H!5;F1E<G-T86YD:6YG  
M@')E86-H963;/VZ`2G5L>8`R+(`Q.3DW+(!B971W965N@'1H98!3=&%T98!O  
M9H!-:7-S:7-S:7!P:8!A;F2`= &AE@'1O8F%C8V\_/8V]M<&%N:65S+LS,X!\$,  
M`~~~~`@'#`#@28!H;W!E@'1H97-E@&1O8W5M96YT<X!A<F6`:&5L<&9U;(!T  
M;X!Y;W4N@(!798!A<F6`871T96UP=&EN9\]T;X!O8G1A:6[Q`%X!\7/Q`5X!  
M\8#Q`%P!\? \$"4P'Q<VEM\0-3`?'Q`E0!\6'Q`U0!\? \$"4P'Q;&EA<O\$#4P'Q  
M\0%<`?'Q`EP!\7-I;6EL87+Q`UP!\8!D;V-U;65N='.`9G)O;8!&\0!9`?'Q  
M`E8!\6;Q`U8!\? \$"60'Q;&]R:61A@&%N9(!W:6QL@&9O<G=A<F2`= &AE;8!I  
M9L]W98!A<F6`86)L98!T;X!O8G1A:6Z`= &AE;2Z`S/\$"70'QS/\$#70'QX!\$,  
M`~~~~`@'#`#@X!\$,~~~~`&)#`#@X!\$,~~~~`+@+#`#@X!\$,~~~~`!`.#`#@  
MX!\$,~~~~`&@0#`#@X!\$,~~~~`,~2#`#@X!\$,~~~~`!@5#`#@4VEN8V5R96QY  
M+(#S,S,X!\$,~~~~`@'#`#@X!\$,~~~~`&)#`#@X!\$,~~~~`+@+#`#@X!\$,  
M`~~~~`!`.#`#@X!\$,~~~~`&@0#`#@X!\$,~~~~`,~2#`#@X!\$,~~~~`!@5#`#@

M1V5O<F=E@\$HN%!H:6QL:7!SS,QC8SJ`===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

## RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IMWFS97BLC00AD6N@PMDF.EOP.GOV> for "Elena Kagan"@oa.eop.gov; Tue,  
26 Aug 1997 15:43:18 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IMWFS6NYMO007K5W@PMDF.EOP.GOV> for  
Elena\_Kagan@oa.eop.gov; Tue, 26 Aug 1997 15:43:15 -0400 (EDT)

Received: from wdcsun2.usdoj.gov ([149.101.10.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IMWFRHKPSA0030GS@STORM.EOP.GOV> for Elena\_Kagan@oa.eop.gov;  
Tue, 26 Aug 1997 15:42:41 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun2.usdoj.gov (8.8.4/8.8.4)  
id PAA27545 for <Elena\_Kagan@oa.eop.gov>; Tue, 26 Aug 1997 15:42:33 -0400 (EDT  
)

Received: from intmail(10.222.3.6) by wdcsun2.usdoj.gov via smap (V1.3)  
id sma027531; Tue Aug 26 15:42:13 1997

Received: by wtl (1.39.111.2/16.2-WT4.1) id AA207884499; Tue,  
26 Aug 1997 15:41:39 -0400

Received: by TELEMAIL; Tue, 26 Aug 1997 15:40:00 -0400

X-Mailer: Worldtalk (4.1.1-pl)/STREAM

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: /DDV=340CA612.B2E#1#gphillip#r#/DDT=wpm/O=CIV/P=GOV+DOJ/A=TELEMAIL/C=US/@ju

CREATION DATE/TIME: 2-SEP-1997 19:49:00.00

SUBJECT: Article Quotes Arney As Saying Little Action Expected in House

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
See attached.

This article quotes Dick Arney as saying that he does not expect the House to take any significant action on the tobacco settlement this year beyond a couple of possible exploratory hearings:

"First of all, it has got to be studied enormously by several committees ... I don't expect to see much completed on that other than maybe some preliminary committee investigations," the Texas Republican told reporters."

--George

begin 640 Doc1.wpd

M\_U=00 [,\$`~`!"@(!~~~~`@4`~`!!"@~~~~(``\*"G@UZ' &^(JM4Z3!!<0\_2+&  
M1ZU;FO53A^D+WJV9^:V.#\M@(\_<S8VC,UHQ!;@TQBH'EUGR?UV`ZJ=] C9XB=  
ME&JM17`7X\$=] YH, ([, (@O#QQ7;&- /KDJ=R1J26AR=J3)#!50["]+CS<RD9F`  
M'KM`W78&W:I,/\$G^J`3I5TXF:E[4CM.:W)!A\$+VV&W,";%Z\*3<\_I12-ATNA1  
M+XJ.9N<WBI@L/!":[W\_P6`F>8]L:J))13SI:4F!;^'6V<'OT##;U3;2K\5:6  
MTQ)9R=6'L27T7R>KMK<F"IS^34K6"MR\8EIM\%H#1N##EFNA2O&-=-^P;BN+W

M0: `<@@C9>>?]V?@0'7%G+Z]93@KH`9KD&)5`NAK#B8RC>`DN`:B/B1)=7![=  
M.I\$7\_0'9@52T1-%<BM,CI0X!9)>VH'SAWF)47AM'-Z\*" )C6XN<M?>JZQZB"Q  
M0R\*95K%=LOK(&>=14Q8\*2P1:F5MM!O!ROP5VKWQA)-AX\_"B\*-DS.BY3+F\&`  
MOX=3J<@&^]ZP&,1T4K\O+1B0(MAEOB-98.%SD[OX[2:PU6=QLM6=">QBUME:  
M?!'+"\_U[Y7\*V:VC'\_L=U(^"[\_UBQ\NMM#+GDKDM0,YI`M3D!>C^IV085C2%L  
MIX5Q'ZQ8+@@'-32LJWD/9F\$"``L`~~~~~`@C`0````"\$!``":`@``  
M`%4!````3@````+L#````))0\$````&````"00````LP`@````"@````/!````"!T!  
M`~~~~~`#<\$````(=P\$````!````-P0````@T`0````!0````!W!````"(!````  
M#P````(L\$````(\$`\$````"````F@0````EM`0````!<````"<!````)AM`#0`:0`S  
M`#\$`\$````S````+0`@`\$X`90!T`!<`;P!R`&L`~~~~~`  
M`~~~~~`  
M`~~~~~`+`'\`"P!+\$L`2P!+`'\`#`~~~~~`  
M`~~~~~`  
M`~~~~~`  
M`~~~~~`  
M`~~~~~`'@`R!EH\$@\$@-````1"0````%H`&P\$````!`V`%0`:0!M`&4`<P`@  
M`\$X`90!W````4@!O`&T`80!N````4@!E`&<`=0!L`&\$`<@`~~~~~`\$`  
M`@!8`@\$````\$````@`~~~~~`1("``"0`H0````\*\$````\*  
M`````"P`!`\$4`#`!````(`#0`!`\$4`#`@`!````(`#P`!`\$4`\$`!````(`\$0`!`\$4`  
M\$@`!````(`\$P`!`\$4`%`!````(`XU:^`M%:(B,````````\$;RV@P`(`,WP`>````!  
M`@`%`~~~~~`,!````(``````````#\_51J+\_P````P,#`W0H0`(`,!!``#``(`  
M(1`W=T+"P`#`````\$`P#=FU1U97-D87F`4V5P=&5M8F5R@#\*`-3HS.(!038!%  
M1%2`S,SR#/),:71T;&6`06-T:6]N@\$5X<&5C=&5D@&]N@%108F%C8V^`:6Z`  
M52Y3+H!(;W5S9?,,\)`\$%0``"P`)``&0!N`!`@`!(!4`T,Q705-(24Y'5\$].  
M+(!397!T@#\*`\*%)E=71E<BF`+8!(;W5S98!-86IO<FET>8!,96%D97\*`1&EC  
M:X"B07)M97FC@'-A:62`5'5E<V1A>8!H9<]E>'!E8W1E9(!O;FQY@&-U<G-O  
M<GF`86-T:6]N@'1H:7.`>65A<H!O;H!A@&QA;F1M87)K@'-E='1L96UE;G2`  
M8F5T=V5E;H!S=&%T97.`86YD@'1H98!T;V)A8V-OSVEN9'5S=')Y+H#,S&!@  
M1FER<W2`;V:`86QL+(!I=(!H87.`9V]T@'1O@&)E@'-T=61I962`96YO<FUO  
M=7-L>8!B>8!S979E<F%L@&-O;6UI='1E97.`+BXN@\$F`9&]N)W2`97AP96-T

M@'10@'-E9<]M=6-H@&-O;7!L971E9(!O;H!T:&%T@&]T:&5R\0`+`/','\0\$+  
M`/'Q`@P`\8#Q`PP`\71H86Z`;6%Y8F6`<V]M98!P<F5L:6UI;F\*R>8!C;VUM  
M:71T966`:6YV97-T:6=A=&EO;G,L)R>`=&AESU1E>&%S@%)E<'5B;&EC86Z`  
M=&]L9(!R97!O<G1E<G,N@,S,2&6`<V%I9(!A;GF`8V]M;6ET=&5E@'=O<FN`  
M=V]U;&2`;&EK96QY@&)E@&EN@'!R97!A<F%T:6]N@&9O<H!M;W)E@&9O<FUA  
M;(!A8W1I;VZ`8GF`=&AE@%4N4R[/OV]N9W)E<W.`;F5X=(!Y96\*R+H#,S%1O  
M8F%8V^`9FER;7.`86YD@'-T871E@&%T=&]R;F5Y<X!G96YE<F%L@&EN@\$IU  
M;F6`=V]R:V5D@&]U=(!A@"OS-C@N-8!B:6QL:6]N@'-E='1L96UE;G2`;V;/  
M<&5N9&EN9X!L87=S=6ET<RZ`5&AE\0`-`/','\0\$-`/'Q`@X`\8#Q`PX`\7=I  
M9&4M<F%N9VEN9X!A9W)E96UE;G2`:7.`<W5B:F5C=(!T;X!C;VYG<F5S<VEO  
M;F%L@&%P<')O=F%L+H#,S%5N9&5R@'1H98!T97)M<X!O9H!T:&6`=&5N=&%T  
M:79E@'-E='1L96UE;G0L@'108F%8V^`8V]M<&%N:65S@&%G<F5E9(!T;X!P  
M87F`8FEL;&EO;G.`;V:`9&]L;&%R<]T;X!S971T;&6`<VUO:VEN9RUR96QA  
M=&5D\0`/`/','\0\$/`/'Q`A`\8#Q`Q`\6QA=W-U:71S@&)R;W5G:'2`8GF`  
M:6YD:79I9'5A;'.`86YD@'-T871E<RZ`S,Q4:&5Y@&%L<V^`86=R965D@'1O  
M@&1R87-T:6.`8W5R8G.`;VZ`=&AE:7\*`861V97)T:7-I;F>`86YD@&UA<FME  
M=&EN9X!A;F2`=&AE@'!A>6UE;G2`;V:`8V%S:,]P96YA;'1I97.`:6:`=&AE  
M>8!F86EL962`=&^`;65E=/`\$`\$0#QS/\$!\$0#Q\0(2`/&`\0,2`/%T87)G971S  
M@&9O<H!R961U8VEN9X!Y;W5T:(!S;6]K:6YG+H#,S\$EN@')E='5R;BR`=&AE  
M@'-T871E@&%T=&]R;F5Y<X!G96YE<F%L@'!R;VUI<V5D@'1H96V`:6UM=6YI  
M='F`9G)O;8!A;GF`9G5R=&AE<H"B<'5N871I=F6C@&QI86)I;&ET><]F;W\*`  
M<&%S=(!D96-E<'1I;VXL@&9R875D@&]R\0`3`/','\0\$3`/'Q`A0`\8#Q`Q0`  
/\6-O;G-P:7)A8WDN@,R<

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IN6HM7KPFK00DILZ@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Tue,  
02 Sep 1997 20:23:38 -0400 (EDT)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IN6HM3MY8G00AE0L@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Tue, 02 Sep 1997 20:23:32 -0400 (EDT)  
Received: from wdcsun2.usdoj.gov ([149.101.10.100])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTF id <01IN6HLVY23I002CH9@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Tue, 02 Sep 1997 20:23:23 -0400 (EDT)  
Received: (from daemon@localhost) by wdcsun2.usdoj.gov (8.8.4/8.8.4)  
id UAA03715; Tue, 02 Sep 1997 20:23:12 -0400 (EDT)  
Received: from intmail(10.222.3.6) by wdcsun2.usdoj.gov via smap (V1.3)  
id sma003701; Tue Sep 2 20:22:58 1997  
Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA154294369; Tue,  
02 Sep 1997 19:52:50 -0400  
Received: by TELEMAIL; Tue, 02 Sep 1997 19:49:00 -0400  
X-Mailer: Worldtalk (4.1.1-pl)/STREAM  
===== END ATTACHMENT 1 =====

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME: 8-SEP-1997 12:13:00.00

SUBJECT: Tobacco Settlement Impact on Farmers

TO: Elena Kagan ( elena.kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Jerry and Elena:

I do not know if these two articles from the Lexington Herald about the impact of the "deal" on farmers will come through or not, but is any thought being given to whether the President could also condition his support on help being given to the farmers?

I spent the weekend in North Carolina and got a couple of calls from Kentucky from old friends and while our friends support keeping cigarettes away from kids, they believe the Administration should do something to reassure farmers that the Administration is not going to abandon them.

--George

begin 640 Doc1.wpd

M\_U=00[,,\$`"!@(!~~~~~@4`"!-,0`~~~~(``\$%6IR%!VN50;\*. [ >I; (#C  
M5\$X,, (.RPVRA`X>U] ] FMP (+) TVQ:V-) ~-ASS5J8G:W;%F+"N?T?\_9B6=!) \W  
M!E<E\$] ] O+5EJ7"^3\" ) F=#NS?>T[XO"\_%5\&YBICPT7B-;I) O6XNZD.?EO56  
MZ&\$[E%SSDC&I'#+BM\_D7844F7;8'(!\_!\$CD.OK] `J'\$H)^PUB):RS\*H9:8P\$1  
M\$A[1K=0(P;O\*PE!;6ER;`\_7SY^CT\5G@(N,#RY#)#:+IO[@P=I8<P40+<^=8  
M'\_;0K^W]F#W.@!4[JDU\*/V004D23G.(8\$W\* \*N["Y72!\[K5.U\VAMQWH?6/\$  
MR`GYXIJ5X9-4L2XP:^IW5'65/, \$QIWNZ(QSZZ9\$1#?BJSX9'J7Q9K"IU(]@  
MA),VL7]5667\_-^YG218N\H4>+ZY6?\$5<?Y)\_UI\_5,\M4]NJ:[KECAJ=L"5-Z



M:6YG@&EN=&^`=&AE@' -U;G-E=(!O;H!\*;V6`0V%M96PN(H#,S.`1#`~~~~~(

M!PP`X\$)U=(!M86MI;F>`=&AE@"0S-CB`8FEL;&EO;H!D96%L@' -T:6-K@'=I

M;&R`8F6`9F%R@&9R;VV`=&AA=(!E87-Y@&]R@&ED>6QL:6,N@,S,X!\$,~~~~

M`~@'#`#@0V]N9W)E<W.`86YD@'1H98!7:&ET98!(;W5S98!M=7-T@')A=&EF

M>8!T:&6`<V5T=&QE;65N=(`M+8!W:&EC:(!G<F5W@&]U=(!O9H!S=&%T9<]E

M9F9O<G1S@'10@')E8V]U<(!M;VYE>8!S<&5N=(!O;H!S;6]K:6YG+7)E;&%T

M962`>6QL;F5S<V5S@"TM@&)E9F]R98!I=(!C86Z`=&%K98!E9F9E8W0N@,S,

MX!\$,~~~~~@'#`#@07.`;&%W;6%K97)S@&)E9VEN@' -C<G5T:6YI>FEN9X!T

M:&6`9&5A;(!T:&ES@&UO;G1H+(!I=(!A;')E861Y@&AA<X!C;VUE@'5N9&5R

M@' -H87)P@("`@("`@(#/8W)I=&EC:7-M@&9R;VV`=F%R:6]U<X!C86UP<RZ`

M4V]M98!S87F`>70G<X!T;V^`<V]F=(!O;H!C:6=A<F5T=&6`>6%K97)S.X!O

M=&AE<G.`<V%Y@&ET@&=O97.`@("`@("`@("`@(#/=&]O@&9A<BR`9F]R@&EN

M<W1A;F-E@&EN@&QI;6ET:6YG@&%D=F5R=&ES:6YG+H#,S.`1#`~~~~~(!PP`

MX\$EN@&ME;G1U8VMY+(!T:&6`>]&]U9&5S=(!C<GF`>:&%S@&-O;66`9G)O;8!F

M87)M@&EN=&5R97-T<RZ`S,S@\$0P`~~~~~"`<,>!.!4:&6`9&5A;(!M86ME<X!N

M;X!M96YT:6]N@&]F@'108F%C8V^`9F%R;65R<RR`=VAO@&9E87\*`=&AE:7\*`

M;&EV96QI:&]O9'.`=V]U;&2`8F6`@("`@("`@("`@,]T:')E871E;F5D+H#,

MS.`1#`~~~~~(!PP`X%108F%C8V\M<W1A=&6`>]&]U9&5S=(!C<GF`>:&%S@&-O;66`9G)O;8!F

M962`=&AA=(!T:&6`9&5A;(!W:6QL@&1I98!I9H!I=(!D;V5S@&YO=(!A;&QO

M=X!S;VUE@("`@("`@("`@,]E8V]N;VUI8X!H96QP@&9O<H!G<F]W97)S+H!4

M:&6`4V5N871E@&\$%G<FEC=6QT=7)E@&\$-O;6UI='1E98!H87.`<V-H961U;&5D

M@&&`>:&5A<FEN9X"``@("`@("`@("`@("`@(#/5&AU<G-D87F`=&^`97AA;6EN

M98!T:&6`9&5A;"=S@&5F9F5C=(!O;H!G<F]W97)S+H#,S.`1#`~~~~~(!PP`

MX")@&1O;B=T@&QI:V6`=&AE@' -E='1L96UE;G2`8F5C875S98!T:&6`9F%R

M;65R<X!A<F6`>]F]T@&EN@&ET+"\*`<V%I9(!\$96UO8W)A=(!796YD96QLST9O

M<FOL@&\$ME;G1U8VMY)W.`<V5N:6]R@' -E;F%T;W\*`86YD@'108F%C8V\G<X!C

M:&EE9H!C:&%M<&EO;H!I;H!#;VYG<F5S<RZ`S,S@\$0P`~~~~~"`<,>!.!<X!C

M<F%F=&5D+(!T:&6`<V5T=&QE;65N=(!P<F]M:7-E<X!B:6QL:6]N<X!O9H!D

M;VQL87)S@'10@&-O;7!E;G-A=&6`<W1A=&5S@&9O<H"``@("`@("`@("`@("`

M@("`@("`SW-M;VMI;F<M<F5L871E9(!M961I8V%L@&5X<&5N<V5S@&%N9(!S



M@&] F@' 1H98!C<F5D:72`+2V` (DET@&IU<W2`@("`@("`@, ]S965M<X!L:6ME  
M@&&`9F] O=&)A; &R`<&QA>65R@' 1H872`9V] E<X!D; W=N@&%N9 (!E=F5R>6) O  
M9' F`<&EL97.`; VXL(H!S86ED@\$9O<F2`+2V`; 6\*N>8" `@("`@("`@("`@("`  
M@("`SW%U97-T:6] N@'=H971H97\*`= &AE@&-O; 7!L97B`<V5T=&QE; 65N=(!W  
M:6QL@&UO=F6`872`86QL@&)E9F] R98!#; VYG<F5S<X!R96-E<W-E<X!F; W\*`  
M=&AE@("`@("`@("`@("`SWEE87(L@'!O<W-I8FQY@&EN@&5A<FQY@\$YO=F5M  
M8F5R+H#, S.`1#`~~~~` (!PP`X\$EF@' 1H97)E@&ES@&YO@&%C=&EO; BR`= &AE  
M@&1E86R`8V]U; &2`9F%L; (!A<&%R="R`88!K97F`87)C: &ET96-T@&] F@' 1H  
M98!S971T; &5M96YT@'=A<FYE9 (!L87-T@(#/=V5E:RZ`S, S@\$0P`~~~~`" <,  
M`. `B26: `=&AE>8!D; VXG= (!G972`:72`<&%S<V5D@' 1H:7.`>65A<BR`= &AE  
M@&1Y; F%M:6.`8V]U; &2`8VAA; F=E+ (!S; X!O; F6`<VED98!O<H!T: &6`; W1H  
M97\*`@("`@, ]M:6=H= (!D96-I9&6`; F] T@' 1O@&=O@' 1H<F] U9VB`=VET: (!A  
M@&YA=&EO; F%L@' -E=' 1L96UE; G0L(H! - :7-S:7-S:7!P:8!!=' 1O<FYE>8!'  
M96YE<F%LSTUI8VAA96R`36] O<F6`<V%I9"Z`S, S@\$0P`~~~~`" < , `!/<'!O  
M; F5N= ' . `; V: `=&AE@&1E86PL@&AO=V5V97(L@&%R98!I; H!N; X!R=7-H+H#,  
MS/\$`90'Q@("`@("`@("`@/\$!90'Q\0)F`?'@\$0P`~~~~`" < , `.#Q`V8!\4%T  
M@&&`4V5N871E@&AE87)I; F>`; &%S= (!W965K+ (!T: &6`: &5A9 (!O9H!T: &6`  
M06UE<FEC86Z`3' 5N9X!!<W-O8VEA=&EO; H!C86QL962`= &AE@("`@("`@("`  
MS\_`\$`9P'Q@("`@("`@("`@("`\0%G`?%S971T; &5M96YT@' !L86Z`88`B<W=E  
M972`9&5A; (!F; W\*`= &AE@' 1O8F%C8V^`: 6YD=7-T<GDB@&%N9 (!U<F=E9 (!T  
M: &%T@&ET@&)E@' -C<F%P<&5D+H#, S/\$`: `!Q@("`@("`@("`@+"Q`6@!\?`\$"  
M:@'QX!\$, ~~~~~`@'#`#@\0-J`?'Q`FD!\2+Q`VD!\5=H96Z`<V]M96]N98!T  
M96QL<X!M98!)&AA=F6`= &^`8G5Y@' 1O9&%Y@&)E8V%U<V6`88!D96%L@' 1H  
M:7.`9V]O9 (!W; VXG= (!L87-T+ (!)@&=E= ("`@("`@(#/\0!K`?&`@("`@("`  
M@("`@(#Q`6L!\7-U<W! I8VEO=7, L(H!S86ED@\$IO: &Z`4BZ`1V%R<FES; VXL  
M@\$- %3X!O9H!T: &6`; W)G86YI>F%T:6]N+H#, S("`@("`@("`@(!!; &R`0V]N  
M=&5N= ' . `!\<\$ (!#; W!Y<FEG: '2`, 3DY-X!, 97AI; F=T; VZ`2&5R86QD+4QE  
M861E<BZ`06QL@%)I9VAT<X!297-E<G9E9 (#, \0)M`?' , T`D5`~`+`~`D`~` ;`B  
M`!X@`~`\$@%0#0\0-M`?' , \@SR\0)L`?'4&Q\`AP\$"``@`O`\*`^`@(`NP(`~`%@"  
M`@!8`EJ[' P#4\0-L`?%\$<F] P@&EN@%-M; VMI; F>`0V]U; &2`2'5R= (!&87)M

M97)S\0)L`?'4&R,`A@\$"``@`6`):NP``6`("``+L"``@"\`KZ"BA\$``",`U/\$#  
M;`'Q@/, , \]`\$%0``"P`)``&@! ? ``0`!(!4`T,Q">8!#: &%D@\$-A<FQT;VZ`  
M86YD@\$=A:6R`1VEB<V]NS\$AE<F%L9"U,96%D97\*`4W1A9F: `5W)I=&5R<X#,  
MS.`1#` `````` (!PP`X\$SEF@'1H98!N=6UB97\*`;V: `06UE<FEC86YS@&QI9VAT  
M:6YG@&-I9V%R971T97.`9&5C;&EN97.`<VAA<G!L>8`M+8!A@&-E;G1R86R`  
M9V]A;(!09H!T:&7/<' )O<&]S962`=&]B86-C;X!S971T;&5M96YT@"TM@\$ME  
M;G1U8VMY@&%N9(!I='.`= &]B86-C;X!F87)M97)S@&-O=6QD@&=E=(!B=7)N  
M960N@,S,X!\$,``````@'#`#&5&^`<&%Y@&9O<H!T:&6`)#,V."XU@&)I;&QI  
M;VZ`<V5T=&QE;65N="R`8VEG87)E='1E@&-O;7!A;FEE<X!W:6QL@')A:7-E  
M@!R:6-E<X`V,(!T;X`X, ,]C96YT<X!A@'!A8VLL@&EN9'5S=')Y@&%N86QY  
M<W1S@'!R961I8W0N@%1H98!I;F-R96%S98!C;W5L9(!C=72`8VEG87)E='1E  
M@&-O;G-U;7!T:6]N@#\$P@'!E<F-E;G3/= &^` ,C"``<&5R8V5N=(!I;H!T:&6`  
M;F5X=(!F97>`>65A<G,N@,S,X!\$,``````@'#`#@1F]R@\$ME;G1U8VMY@'1O  
M8F%8V^`9F%R;65R<RR`= &AA=(!C;W5L9(!T<F%N<VQA=&6`= &^`88!S:&]R  
M="UT97)M@&9I;F%N8VEA;(!H:72` :6Z`= &AESW)A;F=E@&]F@"0T,(!M:6QL  
M:6]N@'1O@"0W,(!M:6QL:6]N+(!A8V-O<F1I;F>`= &^`86Z`86YA;'ES:7.`  
M8GF`5VEL;("B4VYE;&RC+(!A@%5N:79E<G-I='F`;V;/2V5N='5C:WF`86=R  
M:6-U;'1U<F6`96-O;F]M:7-T@&%N9(!A;H!A9'9I<V5R@'1O@&)U<FQE>8!A  
M9'908V%T97,N@,S,X!\$,``````@'#`#&5&AA="=S@&&`-H!P97)C96YT@'1O  
M@#\$P@'!E<F-E;G2`9')O<(!I;H!A@&-R;W"``= &AA=(!B<F]U9VAT@"0W,#"``  
M;6EL;&EO;H!T;X!+96YT=6-K><]F87)M97)S@&QA<W2`>65A<BZ`S,S@\$0P`  
M````"``< ,.!!;F2` :72` :7.`86Z`861D962`=6YC97)T86EN='F` :6Z`88!B  
M=7-I;F5S<X!A;')E861Y@'9O;&%T:6QE@&)E8V%U<V6`;V: `=V5A=&AE<H!A  
M;F2` ;W1H97+ /9F%C=&]R<RZ`S,SR#/)!@\$-U;75L871I=F6`169F96-T\PSS  
MT`05````+`D``6@:N!47``\$@%0#0S.`1#` `````` (!PP`X\$%S@&ET@')E861S  
M@&YO=RR`(G1H98!S971T;&5M96YT@&ES@&YO=(!G;VEN9X!T;X!P=72`= &AE  
M@\$ME;G1U8VMY@'108F%8V^`<' )O9'5C97\*`;W5T@&]FS&)U<VEN97-S+"\*`  
MHE-N96QLHX!S86ED+H#,S("``@("``@("``@(`B1F]R96EG;H!C;VUP971I=&EO  
M;H!I<X!N;W2`9V]I;F>`= &^`<'5T@&AI;8!O=72`;V: `8G5S:6YE<W,N@,S,  
M@("``@("``@("``@")"=72`8F]T:(!09H!T:&]S98!A<F6`9V]I;F>`= &^`9VYA

M=X!A=V%Y@&%T(H!P<F]D=6-T:6]N@&QE=F5L<X!A;F2`9F%R;65R<R>`8V]N  
M9FED96YC92S/:&6`<V%I9"Z`S,S@\$0P`~~~~`"`,.!.4;V)A8V-O@&9A<FUE  
M<G.`87)E;B=T@'1H98!O;FQY@&]N97.`=VAO@&-O=6QD@&QO<V4N@,S,X!\$,  
M`~~~~`@'#`#@08!S='5D>8!L87-T@'EE87\*`97-T:6UA=&5D@'1H872`<VEX  
M@'-T871E<X!I;H!T:&6`=&]B86-C;X!R96=I;VZ`8V]U;&2`;&]S98!A@&-O  
M;6)I;F5DSS,V+#`P,.`1#`~~~~`(!PP`X&IO8G.`8GF`=&AE@'EE87\*`,C`P  
M,(!A<X!A@')E<W5L=(!O9H!D96-L:6YI;F>`8VEG87)E='1E@&-O;G-U;7!T  
M:6]N+H#0!!4`~`L`"0`!F";H(20`~`2`5`-#X!\$,~~~~`@'#`#@5&AE@%5N  
M:79E<G-I='F`;V:`36EC:&EG86Z`<W1U9'DL@' =H:6-H@'!R92UD871E<X!T  
M:&6`<V5T=&QE;65N=(!P<F]P;W-A;"R`:7.`<')E9&EC871E9,]O;H!A@#6`  
M<&5R8V5N=(!A;FYU86R`9&5C;&EN98!I;H!C:6=A<F5T=&6`8V]N<W5M<'1I  
M;VXN@,S,X!\$,~~~~`@'#`#@5&AE@&IO8H!L;W-S@' =O=6QD@&-O;66`:6Z`  
M=&]B86-C;X!F87)M:6YG+(!M86YU9F%C='5R:6YG@&%N9(!W:&]L97-A;&6`  
M86YD@')E=&%I;,]T<F%D92R`=&AE@'-T=61Y@'-A:60N@,S0!A4`~`L`"0`!  
M\*"UX\*"L`~`2`5`-#@\$0P`~~~~`"`,.!.3=&EL;"R`<W1A=&5S@' =O=6QD@')E  
M8V]U<(!S;VUE@&]F@'1H;W-E@&QO<W2`:F]B<X!I;H!O=&AE<H!F:65L9',L  
M@&%S@&-O;G-U;65R<R>`<W!E;F1I;F?/:&%B:71S@&-H86YG98!A;F2`=&AE  
M>8!D979O=&6`;6]N97F`=&AE>8!H862`<W!E;G2`;VZ`8VEG87)E='1E<X!T  
M;X!O=&AE<H!T:&EN9W,L@'-A:62`96-O;F]M:7-TSV%N9(!S='5D>8!C;RUA  
M=71H;W\*`1V5O<F=E@\$9U;'1O;BZ`S,SR#/) .871I;VYA;(!/=71L;V]K@\$ES  
M@%!O<VET:79E\PSS@-`\$%0`~`P`~`%P",`#!`~`!(!4`T,S@\$0P`~~~~`"`,  
M`.!);H!F86-T+(!T:&6`;F%T:6]N@&%S@&&`=VAO;&6`=V]U;&2`9V%I;H`U  
M-BPP,#`:`F]B<X`M+8!F87\*`;6]R98!T:&%N@'1H98!P<F]J96-T962`;&]S  
M<X`M+<]A<X!A@')E<W5L=(!O9H!N97>`<W!E;F1I;F<L@&%C8V]R9&EN9X!T  
M;X!T:&6`<W1U9'DL@' =H:6-H@' =A<X!P=6)L:7-H962`:6Z`=&AE@\$%P<FEL  
M@#\$Y.3;/961I=&EO;H!O9H" `=&AE@\$IO=7)N86R`;V:`=&AE@\$%M97)I8V%N  
M@\$UE9&EC86R`07-S;V-I871I;VXN@,S,X!\$,~~~~`@'#`#@26Z`97AA;6EN  
M:6YG@'1H98!C=7)R96YT@'-E='1L96UE;G0G<X!P;W1E;G1I86R`869T97)M  
M871H@&9O<H!B=7)L97F`9F%R;65R<RR`54LG<X"B4VYE;&RCSVQO;VME9(!A  
M=(!T:&6`:6UM961I871E@&%N9(!L;VYG+71E<FV`969F96-T@&]F@#4P+8!A

M;F2`-S4M8V5N="UA+7!A8VN`:6YC<F5A<V5S@&EN@'1H98!C;W-T@&]FSV-I  
M9V%R971T97,N@,S,X!\$,~~~~`@'#`#@08!P<FEC98!I;F-R96%S98`M+8!W  
M:&5T:&5R@&5N86-T962`86QL@&%T@&]N8V6`;W\*`<W1R971C:&5D@&]V97\*`  
M<V5V97)A;(!Y96%R<X`M+8!I<`]E>'!E8W1E9(!T;X!C=7)B@'1H98!N=6UB  
M97\*`;V:`<VUO:V5R<X!B96-A=7-E@&UA;GF`<&5O<&QE@&YO@&QO;F=E<H!W  
M;W5L9(!B98!A8FQE@&]R@'=I;&QI;F?/=&^`869F;W)D@'1H98!H86)I="Z`  
MS,S@\$0P~~~~`<`,`!!<X!T:&6`;G5M8F5R@&]F@'-M;VME<G.`9!)O<`,`L  
M@'-O@'=O=6QD@&1E;6%N9(!F;W\*`8G5R;&5Y@'!R;V1U8W1I;VXL@\*)3;F5L  
M;\*.`<V%I9"Z`S,S@\$0P~~~~`<`,`!&;W\*`:6YS=&%N8V4L@&&`-S4M8V5N  
M=(!I;F-R96%S98!I;H!T:&6`<')I8V6`;V:`88!P86-K@&]F@&-I9V%R971T  
M97.`8V]U;&2`9')I=F6`9&]W;L]C;VYS=6UP=&EO;H!B>8`Q,8!P97)C96YT  
M@'1O@#\$T@'!E<F-E;G0L@&%C8V]R9&EN9X!T;X"B4VYE;&RC)W.`8V%L8W5L  
M871I;VYS+H#,S.`1#`~~~~`(!PP`X%1H872`=V]U;&2`8W5T@'1H98!D96UA  
M;F2`9F]R@\$ME;G1U8VMY@&)U<FQE>8!B>8`R.8!M:6QL:6]N@'1O@#,V@&UI  
M;&QI;VZ`<&]U;F1S@&EN@'1H9<]F:7)S=(!Y96%R@&%F=&5R@'1H98!P<FEC  
M98!I;F-R96%S92R`;W\*`86)O=72`86Z`.(!P97)C96YT@'1O@#\$P@'!E<F-E  
M;G2`<F5D=6-T:6]N@&9R;VV`,3DY-BR`=VAE;L]+96YT=6-K>8!F87)M97)S  
M@'!R;V1U8V5D@#,V-H!M:6QL:6]N@'!O=6YD<X!O9H!B=7)L97DN@,S,X!\$,  
M`~~~~`@'#`#@26Z`9&]L;&%R<RR`=AA=(!W;W5L9(!M96%N@&&`;&]S<X!O  
M9H`D-36`;6EL;&EO;H!T;X`D-S";6EL;&EO;BR`=&AE@&%N86QY<VES@'-H  
M;W=E9"Z`S,SR#/)(:6=H@%!R:6-E<RR`3&]W@%!R;V1U8W1I;VZ`\PSST`05  
M```+`D``>`?,!L=``\$@%0#0S.`1#`~~~~`(!PP`X\$]V97\*`=&AE@&QI9F6`  
M;V:`=&AE@#(U+7EE87\*`<V5T=&QE;65N=(!A9W)E96UE;G0L@'1H98!P;W1E  
M;G1I86R`<')I8V6`:6YC<F5A<V6`8V]U;&2`;&5A9,]T;X!A@'-T965P97\*`  
M9&5C;&EN98!I;H!T;V)A8V-O@'!R;V1U8W1I;VXN@,S,X!\$,~~~~`@'#`#@  
M26Z`=&AE@&QO;F>`=&5R;2R`=&AE@'!R:6-E@&EN8W)E87-E@&-O=6QD@&-U  
M=(!C;VYS=6UP=&EO;H!A8F]U=(`R,(!P97)C96YT+H#,S.`1#`~~~~`(!PP`  
MX\$EN@'1U<FXL@'5S98!O9H!+96YT=6-K>8!B=7)L97F`8V]U;&2`9')O<(`U  
M,(!M:6QL:6]N@'1O@#4X@&UI;&QI;VZ`<&]U;F1S@&-O;7!A<F5DSW=I=&B`  
M8W5R<F5N=(!L979E;`,`N@,S,X!\$,~~~~`@'#`#@5&AA=(!W;W5L9(!M96%N

M@&&` ;&] S<X!O9H`D.3 : ` ; 6EL; &EO;H!T;X`D, 3\$P@&UI; &QI;VZ` : 6Z`8V%S  
M: (!R96-E:7!T<X!C;VUP87)E9(!W:71HSV-U<G)E;G2`;G5M8F5R<RR`HE-N  
M96QLHX!S86ED+H#,S.`1#`~~~~`(!PP`X\$)U<FQE>8!P<F]D=6-T:6]N@&ES  
M@&YO=(!E>`!E8W1E9(!T;X!D<F]P@&%T@'1H98!S86UE@')A=&6`87.`8V]N  
M<W5M<'1I;VXL@&)E8V\*U<V7/86QM;W-T@&AA;&: `=&AE@&QE86: `9W)O=VZ`  
M:6Z`=&AE@%5N:71E9(!3=&%T97.`:7.`97AP;W)T962`=&^`9F]R96EG;H!M  
M87)K971S+("B4VYE;&RC@'-A:60N@,S0!A4`~`L`"0`!\`"U`\*2P`~2`5`-#@  
M\$0P`~~~~`" < , ` . ! 4 : &6` <V5T=&QE;65N="=S@`!R;W9I<VEO;G.`9&^` ;F]T  
M@&%P<&QY@&]V97)S96%S+H#,S.`1#`~~~~`(!PP`X")798!D;VXG=(!S966`  
M86YY=&AI;F>`:6Z`=&AE@&EM;65D:6%T98!F=71U<F6`=&AA=(!I<X!G;VEN  
M9X!T;X!R979E<G-E@&]N@&&`=V]R;&1W:61ESV)A<VES@'1H98!M;V1E<W2`  
M9W)O=W1H@&EN@&)U<FQE>8!T:&%T@'=E)W9E@'-E96Z` : 6Z`=&AE@&QA<W2`  
M9&5C861E@&]R@'-O+`\*`HE-N96QLHX!S86ED+H`B0G5TSW-A>6EN9X!T:&%T  
M+(!K965P@&EN@&UI;F2`=&AA=(!P<F]B86)L>8!O=7\*`9F]R96EG;H!C;VUP  
M971I=&EO;H!I<X!I;H!A@&QO=(!B971T97\*`<&]S:71I;VZ`=&^`=&%K9<]A  
M9'9A;G1A9V6`;V: `=&AA=(!D96UA;F2`9W)O=W1H@'1H86Z`=&AE@%4N4RZ`  
M;6%R:V5T+B\*`S,S@\$0P`~~~~`" < , ` . ! 4 : &6` =&] B86-C;X!A9W)E96UE;G2`  
M9&]E<X!N;W2`:6YC;'5D98!A;GF`<')O=FES:6]N<X!T;X!S;V9T96Z`=&AE  
M@&1E86PG<X!P;W1E;G1I86R`8FQO=\\]T;X!F87)M97)S+H#,S.`1#`~~~~`(  
M!PP`X\$)U=(!A<X!N96=O=&EA=&EO;G.`;VZ`=&AE@'-E='1L96UE;G2`=6YF  
M;VQD+(!F87)M@&=R;W5P<X!P;&%N@'1O@`!U<VB`9F]R@'1O8F%8V\_/8V]M  
M<&%N:65S@'1O@&AA=F6`=&^`8G5Y@&=U87)A;G1E962`86UO=6YT<X!O9H!D  
M;VUE<W1I8X!T;V)A8V-O@&]V97\*`=&AE@&YE>'2`,C6`>65A<G,N@,S,X!\$,  
M`~~~~`@'#`#@5&AE@&5F9F5C=(!O9H!T:&6`<V5T=&QE;65N=(!C;W5L9(!B  
M98!T;W5G:&5R@&]N@&9A<FUE<G.`=&AA;H!T:&6`<')I8V6`:6YC<F5A<V6`  
M86QO;F7/<W5G9V5S=' , N@, S, X!\$, `~~~~`@'#`#@5&AE@`!R;W!O<V5D@'-E  
M='1L96UE;G2`86QS;X!I;F-L=61E<X!P<F]V:7-I;VYS@&9O<H!A;G1I+7-M  
M;VMI;F>`961U8V%T:6]N@&-A;7!A:6=N<\\]A;F2`<VAA<G" <F5S=' ) I8W1I  
M;VYS@&]N@&%D=F5R=&ES:6YG+H!4:&%T@&-O=6QD@&9U<G1H97\*`<F5D=6-E  
M@'1H98!N=6UB97\*`;V: `06UE<FEC86Z`<VUO:V5R<\\M+8!A;F2`=&AU<RR`

M=&AE@&1E;6%N9(!F;W\*`=&]B86-C;RZ`S,S@\$0P`~~~~`<`,`."B4VYE;&RC  
M@&1I9(!N;W2`=V5I9VB`=&AO<V6`9F%C=&]R<X!I;H!H:7.`8V%L8W5L871I  
M;VYS+H!(98!S86ED@&AE@&AA<X!H96\*R9(!V87)I;W5SSV5S=&EM871E<X!F  
M<F]M@'1H98!I;F1U<W1R>8!F;W\*`:&]W@'1H;W-E@'!I96-E<X!M:6=H=(!A  
M9F9E8W2`=&AE@&1O;65S=&EC@&UA<FME=#J`(D%L;(!T:&6`=V%YSV9R;VV`  
M=&AE@'9I97=P;VEN=(!T:&%T@'1H98!E9F9E8W1S@&%R98!G;VEN9X!T;X!B  
M98!V97)Y@&UI;FEM86PL@'1O@&ET)W.`:G5S=(!G;VEN9X!T;X!D979A<W1A  
M=&6`= &AESVEN9'5S=')Y+B\*`S,SR#/)&86-T<X!A;F2`1FEG=7)E<\_,,\X#0  
M!!4``L`"0`!(!QP%QD``2`5`-#;X!\$,``````@'#`#@5&^`8V]M<&EL98!A  
M@&-O=6YT>2UB>2UC;W5N='F`;&]O:X!A=(!C;W5N=&EE<R>`9&5P96YD96YC  
M98!O;H!T;V)A8V-O+(!T:&7/2&5R86QD+4QE861E<H!U<V5D@'-T871E@&9I  
M9W5R97.`;VZ`=&]B86-C;X!P<F]D=6-T:6]N+(!M=6QT:7!L:65D@&)Y@&%V  
M97)A9V6`<'!I8V4L@'1O@&-O;66`=7#/=VET:(!A@&=R;W-S@'-A;&5S@&9I  
M9W5R92Z`5&AA=(!F:6=U<F6`=V%S@&-O;7!A<F5D@&%G86EN<W2`9F5D97)A  
M;(!E<W1I;6%T97.`;V:`<&5R<V]N86R`:6YC;VUE+H#,S.`1#`~~~~`(!PP`  
MX%5S:6YG@'108F%C8V^`<&%Y;65N='.`87.`88!P97)C96YT86=E@&]F@'!E  
M<G-O;F%L@&EN8V]M98!I<X!N;W2`86Z`87!P;&5S+71O+6%P<&QE<\)C;VUP  
M87)I<V]N@"TM@'1H98!F:6=U<F6`9F]R@&9A<FUE<G,G@&=R;W-S@')E8V5I  
M<'1S@&ES@&YO=(!I;F-O;64L@'-I;F-E@&ET@&1O97.`;F]T@&%L;&]W@&9O  
M<H!T:&5I<LQC;W-T<RZ`S,S@\$0P`~~~~`<`,`.)=(!N;VYE=&AE;&5S<X!H  
M96QP<X!S:&]W@' =H:6-H@&%R96%S@&1E<&5N9(!M;W-T@&]N@'108F%C8V\n  
M@\$]T:&5R@')E<V5A<F-H97)S+;]I;F-L=61I;F>`= &AE@%4N4RZ`1&5P87)T  
M;65N=(!O9H!!9W)I8W5L='5R92R`:&%V98!U<V5D@'1H98!S86UE@&UE=&AO  
M9(!T;X!C86QC=6QA=&6`8V]U;G1I97,GSV1E<&5N9&5N8V6`;VZ`=&]B86-C  
M;RZ`S,S@\$0P`~~~~`<`,`.!4:&6`;F5W<W!A<&5R@&-O;7!A<F5D@&9I9W5R  
M97.`9G)O;8`Q.3<U@&%N9(`Q.3DU@'1O@&1E=&5R;6EN98!H;W>`=&]B86-C  
M;R=SSV5C;VYO;6EC@&EM<&]R=&%N8V6`:&%S@&-H86YG960N@\$)E8V%U<V6`  
M,3DY-8!W87.`88!S;6%L;(!C<F]P@'EE87(L@'1H98!N97=S<&%P97\*`86QS  
M;\]E>&%M:6YE9(!P<F5V:6]U<X!Y96\*R<RZ`5&AE@'1R96YD@'1O=V%R9(!A  
M@&1E8W)E87-E@&EN@&EM<&]R=&%N8V6`<F5M86EN962`8V]N<W1A;GON@,S,

M@("`@("`@("`@\$%L;(!#;VYT96YT<X#P%P3P@\$-O<'ER:6=H=(`Q.3DW@\$QE  
M>&EN9W1O;H!(97)A;&0M3&5A9&5R+H!!;&R`4FEG:'1S@%)E<V5R=F5D@,S0  
5!A4```L`"0`!\`U`\*2P``2`5`-`"

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01INEEDY7ECG00EQM7@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Mon,  
08 Sep 1997 12:17:00 -0400 (EDT)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01INEEDVFN9C00DFMQ@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Mon, 08 Sep 1997 12:16:59 -0400 (EDT)  
Received: from wdcsun2.usdoj.gov ([149.101.10.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01INEEDNHNMC0047Q5@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Mon, 08 Sep 1997 12:16:50 -0400 (EDT)  
Received: (from daemon@localhost) by wdcsun2.usdoj.gov (8.8.4/8.8.4)  
id MAA01361 for <elena\_kagan@oa.eop.gov>; Mon, 08 Sep 1997 12:16:36 -0400 (EDT  
)  
Received: from intmail(10.222.3.6) by wdcsun2.usdoj.gov via smap (V1.3)  
id sma001333; Mon Sep 8 12:16:04 1997  
Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA229615327; Mon,  
08 Sep 1997 12:15:27 -0400  
Received: by TELEMAIL; Mon, 08 Sep 1997 12:13:00 -0400  
X-Mailer: Worldtalk (4.1.1-pl)/STREAM  
===== END ATTACHMENT 1 =====

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Mary Morrison ( Mary Morrison@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 8-SEP-1997 17:33:00.00

SUBJECT: Short Term Scheduling Meeting

TO: Allison J. King ( Allison J. King@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Anne M. Edwards ( Anne M. Edwards@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Barry J. Toiv ( Barry J. Toiv@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Beth A. Viola ( Beth A. Viola@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Carolyn E. Cleveland ( Carolyn E. Cleveland@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Evan Ryan ( Evan Ryan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Gene B. Sperling ( Gene B. Sperling@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jason S. Goldberg ( Jason S. Goldberg@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Karin Kullman ( Karin Kullman@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lisa Tamagni ( Lisa Tamagni@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lori Anderson ( Lori Anderson@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michele Jolin ( Michele Jolin@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michelle Crisci ( Michelle Crisci@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nancy V. Hernreich ( Nancy V. Hernreich@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Rebecca A. Cameron ( Rebecca A. Cameron@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Ronda H. Jackson ( Ronda H. Jackson@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Shelley N. Fidler ( Shelley N. Fidler@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Timothy L. Newell ( Timothy L. Newell@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd Stern ( Todd Stern@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tracy B. LaBrecque ( Tracy B. LaBrecque@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 8-SEP-1997 17:33:00

We are back to the grind..... we will have our Short Term Scheduling

Meeting on

Wednesday at 2pm in the Roosevelt Room. Thank you very much for  
attending.

Please call us if you have any questions X62823.

**NLWJC - KAGAN**

**EMAILS CREATED**

**TRP - BOX 102 - FOLDER 001**

**[09/09/1997 – 10/03/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	J Smartt to Elena Kagan re: Good Morning (1 page)	09/26/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[09/09/1997 - 10/03/1997]

2009-1006-F  
eh223

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME: 9-SEP-1997 15:45:00.00

SUBJECT: Tobacco Farmers

TO: Elena Kagan ( elena.kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Ellena:

A couple of articles about the settlement's effect on tobacco farmers are attached.

The tobacco growers get a very small share of the pie from the sale of cigarettes and have traditionally been screwed by the big companies. If the settlement gave them a small portion, which is chicken feed to the companies in light of the dollars being contemplated but enormous to the farmers, it would make a big difference in these small farmers lives and would help them transition out of the crop. The Administration really has an opportunity to help people (usually good, poor country people that the President and the VP have stood up for -- nobody else does) and do good by making sure the farmers get included in the settlement. The coverage of farmers by the settlement should definitely be included in the President's statement!

I apologize for my southern populist roots showing on this one.

--George

begin 640 Doc1.wpd

M\_U=00[,,\$`~"!@(!~~~~~@4~~~~G1P~~~~(`~\*P&,[-,O-O%I.5(S-M#K:V9

M!AF=\;\*43W[IJNLO:4<CS@"A\$L`ON25I1%DB%?%/E\$UO"\$^,=J"C2E::J4SI  
M+AR<S8L5+-CIGR\_:9C`??K4,)KA`SY#S+Z`V;UU<YFU]?C8,?^-B8I9^P2,F  
M<&3YNT[%^F&96\_8/OL6M2"U"4YAVW9/)]5Y`<G\$OI!\*=#>7\_7)30/521BWD%T  
M'40I[]0!^.3[S&9=+.9[FL[A:6ERRCIU.>U4X.C"HF`M!L5;Q^/+\*\_F.]']  
MK][LVZVA\*PA`\=F;CB%;2."="H(\*S>="3S%\*^!9ZF6H^ [&LQ03FDON&6\$0%  
M@`DE2OVG3\HKUFUU% "&2\$QI45V@[^4QL3ZN?LY3=,>4\*\$`HP];;U-Y\_D8W\_Z  
M!I-DF@@4\D0;X9)8Y+,(P/T\$M,732C^J\*\_8S-6AI'7ZMB5,\$'K\OXDD<=F2R  
M1?K(0\/%'+ "ST(EDO=O`+`FS"BX3<?R5:Z\_M,-4=QWM+-^2<DN?W"'Z0<-\*)  
MH5()P',U@NKBS.KLR'CEW\\$;-R-WZG>30:>@`FPI1;<\46(\`L)`G",H"5\*  
M0J@\\$Q9'HH'070/JE6DD2X%,?E#S=C.A[?FFTE+\$&27\:/^Y2]D4:VGQ>9ZY  
MK'W/<L6M\ /KRQF4KH% ^\*L<\ "``L`~~~~~@C`0`~~~"\$!`~":`@`~  
M`%4%`~~~3@`~~~+L#`~~~))0\$`~~~&`~~~"00`~~~LP`@`~~~"@`~~~/!`~~~"!T!  
M`~~~~~#<\$`~~~(=P\$`~~~!`~~~~-P0`~~~@T`0`~~~!0`~~~!W!`~~~"~(!`~~~~  
M#P`~~~(L\$`~~~(\$`\$`~~~"~~~~F@0`~~~EM`0`~~~!<`~~~"<!`~~~~)AM`#0`:0`S  
M`#\$`~-`S`"``+0`@`\$X`90!T`'<`;P!R`&L`~~~~~  
M`~~~~~  
M`~~~~~+'`\`"P!+\$L`2P!+'`\`#`~~~~~  
M`~~~~~  
M`~~~~~  
M`~~~~~  
M`~~~~~ '@`R!EH\$@\$@-`~~~1"0`~~~%H`&P\$`~~~!`V`%0`:0!M`&4`<P`@  
M`\$X`90!W`"``4@!O`&T`80!N`"``4@!E`&<`=0!L`&\$`<@`~~~~~\$`  
M`@!8`@\$`~~~\$`"@`~~~~~1("``0`H0`~~~\*\$`~~~\*  
M`~~~CP\$!`\$0`D`\$!`~~~(`D0\$!`\$0`D@\$!`~~~(`DP\$!`\$0`E`\$!`~~~(`E0\$!`\$0`  
ME@\$!`~~~(`EP\$!`\$0`F`\$!`~~~(`XU:^`J1S\*":(4W-)Z]Q9IP!`OX(,WP`>`~~~  
M`@`F`\$`~~~,`~~~(~~~~~#\_51J+\_P`~`P,#`WOH0`(`,!!`~#`~~~(`  
M(1`~`W=T+"P`#`~~~\$`P#=F\_(,\M0;'P"!'0(`"``\`KZ"``@"[`@`~`6`(`"``%@"  
M`~`?`-14;V)A8V-O@\$=R;W=E<G.`1&EV:61E9(!O;H!\$96%LU!LC` (8!`@`(  
M`%@"6KL`~`%@"`@"[`@(`O`\*`^@A\`~~~~C`-3S#//0!4`~`L`"0`!L`0`~~~~~  
M`2`5`-#;0GF`0D]"@%=>)3\$Q)04U3+(!3=&%F9H!7<FET97+,3D574X`F@\$]"





M88!I<X!F;'5E@&-U<F5D+H" `26Z`2V5N='5C:WF`8G5R;&5Y@'108F%C8V^`  
M:7.`:VEN9RZ`36]S=(!!;65R:6-A;BUS='EL98!C:6=A<F5T=&5SSV%R98!M  
M861E@&9R;VV`86Z`97%U86R`8FQE;F2`;V:`9FQU92UC=7)E9(!A;F2`8G5R  
M;&5Y@&QE868NS,Q&87)M<X!T:&%T@'!R;V1U8V6`9FQU92UC=7)E9(!T;V)A  
M8V-O@&%R98!U<W5A;&QY@&UU8VB`;&%R9V5R@&%N9(!M;W)E@&UE8VAA;FEZ  
M962`=&AA;H!B=7)L97G/9F%R;7,L@'=H:6-H@&%R98!M;W-T;'F`<&%R="UT  
M:6UE@&]P97)A=&EO;G.`=VAE<F6`9F%M:6QY@&UE;6)E<G.`=&5N9(!A@&9E  
M=X!A8W)E<X!O9H!T:&6`8W)O<"Z`T`,5```+``D``2@M>"@K``\$@%0#05&AE  
M@&1I9F9E<F5N8V6`:7.`<F]O=&5D@&EN@'1H96ER@')E<W!E8W1I=F6`86QL  
M;W1M96YT<RR`=&AE@&UE8VAA;FES;8!T:&6`52Y3+H!\$97!A<G1M96YT@&]F  
MST%G<FEC=6QT=7)E@&AA<X!U<V5D@'-I;F-E@'1H98"B,3DS,'.C@'1O@&-O  
M;G1R;VR`=&]B86-C;X!P<F]D=6-T:6]N@&%N9(!P<F]P@'5P@'!R:6-E<RZ`  
M5&AE@&9E9&5R86S/86=E;F-Y@&1O;&5S@&]U=(!A;&QO=&UE;G1S@'1O@&-E  
M<G1A:6Z`9F%R;7.`96%C:(!Y96%R+(!B87-E9(!O;H!T:&5I<H!P87-T@'!R  
M;V1U8W1I;VZ`86YD@&5X<&5C=&5DSV1E;6%N9"Z`S("`@("`@("`@("`@("`  
M@("`@("`@("`@("`@("`@("`@(#,\@SR4VUA;&QE<H!A;&QO=&UE;G1S\PSST`05  
M````+``D``6`)L`0%``\$@%0#0S\$L;&]T;65N='.`:6Z`2V5N='5C:WF`87)E  
M+(!O;H!A=F5R86=E+(!M=6-H@'-M86QL97\*`=&AA;H!T:&]S98!I;H!.;W)T  
M:(!#87)O;&EN82R`;V9T96Z`:G5S=(!A;L]A8W)E@&]R@'1W;RZ`26Z`3F]R  
M=&B`0V%R;VQI;F\$L@&)Y@&-O;7!A<FES;VXL@'1H98!A=F5R86=E@(!A;&QO  
M=&UE;G2`:7.`86)O=72`,3\*`86-R97.`86YD@&UA;GG/87)E@#\$P,(!A8W)E  
M<X!O<H!M;W)E+H" `1G5R=&AE<FEN9X!T:&6`9V%P@&ES@'1H98!F86-T@'1H  
M872`;6]S=(!A;&QO=&UE;G2`:&]L9&5R<X!I;H!.;W)T:(!#87)O;&EN8<]D  
M;VXG=(!A8W1U86QL>8!G<F]W@'108F%C8V\N@\$EN<W1E860L@'1H97F`<F5N  
M=(!O=72`=&AE:7\*`86QL;W1M96YT<X!T;X!T:&6`86-T=6%L@&=R;W=E<G/,  
M;W\*`96YT97\*`:6YT;X!S:&%R96-R;W"87)R86YG96UE;G1S+H!);H!+96YT  
M=6-K>2R`;6]S=(!A;&QO=&UE;G2`:&]L9&5R<X!G<F]W@'1H96ER@&]W;H!T  
M;V)A8V-O+H#,S\$EN@\$YO<G1H@&-A<F]L:6YA@&QA<W2`>65A<BR`9F]R@&5X  
M86UP;&4L@&%B;W5T@#\$Q+#`P,(!F;'5E+6-U<F5D@'108F%C8V^`9W)O=V5R  
M<X!R86ES962`=&AE:7\*`8W)O<,]O;H`R.#<L,#`P@&%C<F5S@"TM86Z`879E





M;H!T:&6`<' )O<&] S962`<V5T=&QE;65N="Z`S("`@("`@("`@("`@("`@("`@  
M@("`@("`@("`@("`@("#,2&%M;2=S@&-O=6YT97)P87)T@&EN@\$ME;G1U8VMY  
M@&)R:7-T; &5S@&%T@&%N>8!S=6=G97-T:6]N<X!T;V)A8V-O@&9O<F-E<X!A  
M<F5N)W2`=6YI=&5D+H"^(D&` ;&]T@&]FSW!E;W!L98!W86YT@'1O@'1H:6YK  
M@'=E)W)E@&1I=FED960L@&)U=(!W98!A<F5N)W0L(H!S86ED@\$1A;FYY@\*)-  
M8TMI;FYE>;,L@&-H:65F@&5X96-U=&EV98!O9F9I8V5RSV]F@'1H98!"=7)L  
M97F`5&]B86-C;X!'<F]W97)S@\$-O;W!E<F%T:79E@\$%S<V]C:6%T:6]N@&EN  
M@\$QE>&EN9W1O;BR`2WDN@")798!A9W)E98!O;H!P<F%C=&EC86QL><]E=F5R  
M>71H:6YG+(!J=7-T@&QI:V6`=V6`86QW87ES@&AA=F6`=VAE;H!I="=S@&-O  
M;66`=&^`<' )O=&5C=&EN9X!T;V)A8V-O+H!792=L;(!F:6YD@&&`=V%Y@'1O  
M@&=E=,]T:&ES@&1O;F4N(H#,@("`@("`@("`@("`@("`@("`@("`@("`@("`@  
M@("`@,SR#/)\$:69F97)E;G2`9&5A;'.`<&]S<VEB;&7S#//0!!4`^`L`"0`!  
M(`UP" `D` `2`5`-# ,2&6`=&AI;FMS@\$-O;F=R97-S@&-O=6QD@&)E@'!E<G-U  
M861E9(!T;X!A<'!R;W9E@&1I9F9E<F5N=(!D96%L<X!F;W\*`9FQU92UC=7)E  
M9(!A;F2`8G5R;&5Y+H"^(E1H97G/8V]U;&2`9V5T@'=H872`=&AE>8!W86YT  
M@&%N9(!W98!C;W5L9(!G972`=VAA=(!W98!W86YT+"\*`<V%I9("B36-+:6YN  
M97FC+H`B28!T:&EN:X!T:&5R98!I<X!A@')E86S/9V]O9(!C:&%N8V6`=&AA  
M=(!C;W5L9(!G972`=&AR;W5G:"XB@("B1F%I<F-L;W1HHX!S86ED@&%L;(!G  
M<F]W97)S@&YE962`=&^`<F5C;V=N:7IE@'1H872`=&AESV9U;F1A;65N=&%L  
M@'!U<G!O<V6`;V: `=&AE@(!T;V)A8V-O@'-E='1L96UE;G2`:7.`=&^`<VEG  
M;FEF:6-A;G1L>8!R961U8V6`<VUO:VEN9X!I;H!T:&6`56YI=&5DSU-T871E  
M<RZ`@(`B5&AE<F4G<X!G;VEN9X!T;X!B98!L97-S@'1O8F%C8V^`=7-E9"PB  
M@&AE@'-A:60N@")4:&5R98!N965D<X!T;X!B98!A@'1R86YS:71I;VZ`<&5R  
M:6]D@'1OSV%L;&]W@&)O=&B`9W)O=V5R<X!A;F2`86QL;W1M96YT@&AO;&1E  
M<G.`=&^`861A<'2`=&^`88!M=6-H@&QO=V5R@'5S86=E@&]F@'1O8F%C8V\N  
M@"XN+H!4:&5R98!I<]U;F%L;&]C871E9(!M;VYE>8!I;H!T:&6`86=R965M  
M96YT@'1H872`8V%N@&)E@'5S962`=&^` :&5L<(!T:&6`9F%R;65R<X`M+8!A  
M;F2`=&AA="=S@'=H872`=V7/6W1O8F%C8V\M<W1A=&6`<V5N871O<G-=@&%R  
M98!G;VEN9X!T;X!H879E@'1O@&AO;&2`;W5T@&9O<BXB@,R`@("`@("`@("`@  
M@("`@("`@("`@("`@("`@("`@("`@("`@("`@S\$%L=&AO=6=H@'-O;66`<' )O<&]N96YT



M=&EA; (!E9F9E8W2`;V: `88!P<F] P;W-E9 (!S971T; &5M96YT@&)E= ' =E96Z`  
M8VEG87)E=' 1E@&UA:V5R<X!A;F3/<W1A=&5S@' 1H872`: &%V98!S=65D@' 1H  
M96V`;W9E<H!T: &6`<' 5B; &EC@&-O<W1S@&] F@' -M;VMI;F<M<F5L871E9 (!D  
M:7-E87-E<RZ`S,Q(;W=E=F5R+(!A@&1E86R`=&AA=(!D<FEV97.`9F%R;65R  
M<X!O=72`;V: `=&AE@&9I96QD<X!A;F2`:6YT;X!T: &6`9F%C=&]R:65S@&-O  
M=6QD@&AA=F6`;W1H97\*`8V]S=&QYS&5F9F5C=',N@%1H98!M;W-T@'9I<VEB  
M; &6`;6EG: '2`8F6`=&AE@&-O;G9E<G-I;VZ`;V: `=&AO<V6`; '5S: "R`9W)E  
M96Z`9FEE; &1S@&EN=&^`8G5I; &1I;F=S@&] F@&)R:6-KS&%N9 (!V:6YY;"Z`  
MS,PB5&AE@&)E<W2`8W)O< (!W98!C86Z`<F%I<V6`<FEG: '2`;F]W@&ES@&AO  
M=7-E<RPB@' -A:62`4G5S='F`5&AO;7!S;VXL@&&`HE=O;V1F;W)DHX!#;W5N  
M='F`9F%R;65RSW=H;X!G<F]W<X`V, (!A8W)E<X!O9H!B=7)L97DN@,S,(D9A  
M<FUE<G.`9&]N)W2`=V%N=(!T;X!D;X!I="R`8G5T@' -O;66`;V: `=&AE;8!W  
M;VXG=(!H879E@&&`8VAO:6-E+"\*`: &6`<V%I9"Z` (DEF@'1H97DG<F6`<'5T  
M@&EN@&'Q`(\!<SQ`8\!<?`\$D`'QS\_#\$D`'Q8V]R;F5R+(!T: &5S98`G4V%V  
M98!T: &6`3&%N9">`<&5O<&QE@&)E='1E<H!W871C: (!O=72`872`=&AE@&9I  
M<V-A;(!C;W5R=(!M965T:6YG<RXB@,S,\@SR08!L86YD@&-H86YG98#S#//O  
M!14``L`"0`!2!R8%QD``2`5`-#,36]R98!T: &%N@#0P@'!E<F-E;G2`;V: `  
M86QL@'1H98!B=7)L97F`9W)O=VZ`:6Z`2V5N='5C:WF`86YD@&YE87)L>8`S  
M,(!P97)C96YT@&]F@'1H98!5;FET962`4W1A=&5S)\]C<F]P@&ES@&=R;W=N  
M@&EN@&&`,C,M8V]U;GLY@')E9VEO;H!S=7)R;W5N9&EN9X!,97AI;F=T;VXN  
M@,S,665T@\$-E;G1R86R`2V5N='5C:WF`: &%S@' -E96Z`88!M87)K962`9&5C  
M; &EN98!I;H!F87)M97)S@&%N9 (!F87)M; &%N9 (!S:6YC98`Q.3@P+(!A@'1R  
M96YD@'1H873,8V]U; &2`86-C96QE<F%T98!D97!E;F1I;F>`;VZ`=&AE@&]U  
M=&-O;66`;V: `=&AE@' -E='1L96UE;G2`: &5A<FEN9W.`:6Z`0V]N9W)E<W.`  
M=&AA=(!B96=I;H!I;O\$`D0'QS/\$!D0'Q\0\*2`?'/\0.2`?%E87)N97-T@'1H  
M:7.`=V5E:RZ`S,Q3:6YC98`Q.3@P+(!T: &6`<F5G:6]N@&AA<X!L;W-T@&]N  
M92UT: &ER9 (!O9H!I='.`9G5L;"UT:6UE@&9A<FUE<G,L@&UO<W2`;V: `=VAO  
M;8!R96QY@&AE879I;'F`;V(Q`),!\<SQ`9,!\?`\$E`'QS\_#\$E`'Q=&]B86-C  
M;RZ`06)O=72`,3\$L,#`P@'!E;W!L98!S=&EL;(!F87)M@&9U; &R`=&EM98!I  
M;H!T: &6`,3<M8V]U;GLY@\$)L=65G<F%S<X!!<F5A@\$1E=F5L;W!M96YT\0"5

M`?' , \0&5`?'Q`I8!\<\_Q`Y8!\41I<W1R:6-T+( !A8V-O<F1I ;F>`= &^`<W1A  
M=&6`96UP; &] Y; 65N= (!F:6=U<F5S+H#, S\$ME;G1U8VMY@&AA<X!L;W-T@&UO  
M<F6`= &AA;H`V, #`L, #`P@&%C<F5S@&] F@&9A<FUL86YD@' 1O@&1E=F5L;W!M  
M96YT@' -I;F-E@#\$Y. #`L@&%C8V] R9&EN9X!T; \QS=&%T98!E<W1I; 6%T97, N  
M@, S, 08!D:7-P<F] P;W) T:6] N871E@' -H87) E@&] F@' 1H98!L;W-S@&AA<X!C  
M;VUE@&EN@\$-E;G1R86R`2V5N= '5C:WDL@' =H:6-H@&AA<X!S965N@&UA<FME  
M9/\$`EP'QS/\$!EP'Q\0\*8`?&`\0.8`?%G<F] W=&C/:6Z`<F5S:61E;G1I86PL  
M@&EN9'5S=' ) I86R`86YD@&-O;6UE<F-I86R`9&5V96QO<&UE;G0N@, S0!A4`  
M`L`"0`!\* "UX\*"L``2`5`-!) ="=S@' 1H;W-E@&9A8W1O<FEE<RR`8G5S:6YE  
M<W-E<X!A;F2`:&] U<V5S@' 1H872`:&%V98!H96QP962`9&EV97) S:69Y@' 1H  
M98!R96=I;VXG<X!E8V] N;VUY+ (!S=7!P; 'EI;F?/:F] B<X!T:&%T@&QU<F5D  
M@&%W87F`9F%R;65R<X!A;F2`>6] U;F>`<&5O<&QE@' =H;X!O=&AE<G=I<V6`  
M;6EG:'2`:&%V98!G;VYE@&EN=&^`9F%R;6EN9RZ`S, PB270G<X!N;W2`:&%R  
M9(!T;X!F:6=U<F6` ;W5T@' =H>8!T:&6` :VED<X!G972` :6Z`= &AE@&-A<H!A  
M;F2`9V^`= &^`= &] W;BPB@' -A:62`5&AO;7!S;VXN@, S, (E=H>8!T86ME@' 1H  
M98!R:7-K@&] F@&AA:6QS=&] R;7.`86YD@&9R;W-T@' =H96Z`>6] U@&-A;H!G  
M972`88!J;V\*`872`88!F86-T;W) Y@' =I=&B`8F5N969I=' .`86YD@&1O;B=T  
MSVAA=F6`= &^`=V] R:X!O;H!T:&6`=V5E:V5N9#\B@, S, 4W5C: (!J;V) S@&%R  
M98!P; &5N=&EF=6PN@%1H98!"; '5E9W) A<W.`<F5G:6] N@&AA<X!T:&6` ;&] W  
M97-T@' 5N96UP; &] Y; 65N= (!R871E@&EN@' 1H98!S=&%T92R`, BXXSW!E<F-E  
M;G0N@, S, (DF`;F5E9(`T, #`<&5O<&QE@' ) I9VAT@&YO=RZ`179E<GF`8V] M  
M<&%N>8!I;H!T;W=N@&ES@&AI<FEN9RPB@' -A:62`0F] B8GF`2'5D<V] N+ (!P  
M<F5S:61E;G2` ;V; , =&AE@% -H96QB>8!#;W5N='F`26YD=7-T<FEA; (!A;F2`  
M1&5V96QO<&UE;G2`1F] U;F1A=&EO;BZ`S, Q4:&%T) W.`;F] T@' 1O@' -A>8!T  
M:&%T@% -H96QB>8!#;W5N='DL@&] N98!O9H!T:&6`<W1A=&4G<X!L87) G97-T  
M@&) U<FQE>8!P<F] D=6-E<G, L@' =O=6QD@&5S8V%P98!T:&7, <W1I;F>`;V: `  
M88!S:&%R<(!D<F] P@&EN@' 1O8F%8V^`9&] L; &%R<RR`<V%I9(! (=61S;VXL  
M@' =H;X!I<X!A; '-O@' !R97-I9&5N= (!O9H!3:&5L8GF`0V] U;G1Y@\$) A;FO/  
M86YD@%1R=7-T+H#, S\$) U= (!B96-A=7-E@' 1H98!C;W5N='DG<X!E8V] N;VUY  
M@&%N9(!F87) M97) S@&AA=F6`8F5C;VUE@&UO<F6`9&EV97) S:69I960L@"))

M@&1O;B=T@'1H:6YK&&ET@,]W;W5L9(!H=7)T@'5S@&&`;&]T+ "\*" :&6`<V%I  
M9"Z`S,Q3=&EL;"R`8W5T=&EN9X!T;V)A8V-O@&UO;F5Y@&]U=(!O9H!S;6%L  
M;(!T;W=N<X!W;W5L9(!H879E@&&`<FEP<&QE@&5F9F5C=(!O;H!L;V-A;(!E  
M8V]N;VUI97.`SW1H<F]U9VAO=72`=&AE@\$)L=65G<F%S<RR`<V%I9(!"=6-K  
M@\*)7;V]D9F]R9\*,L@'!R97-I9&5N=(!O9H!+96YT=6-K>8!"86YK+H!4:&6`  
M8F%N:X!H87.`@&)R86YC:&5SSVEN@'-I>(!#96YT<F%L@\$ME;G1U8VMY@'1O  
M=MVYS+H#,S")096]P;&6`=7-E@'1H;W-E@&1O;&QA<G.`=&^`8G5Y@&=R;V-E  
M<FEE<X!A;F2`8V%R<X!A;F2`8VQO=&AE<X!F;W\*`=&AE:7\*`:VED<RPB@&AE  
M@'-A:60N@,S,(DEF@'1H872`;6]N97F`9&ES87!P96%R<X!A;F2`:7.`;F]T  
M@')E<&QA8V5D@&ET@'=O=6QD@&AU<G2`88!G;V]D@&UA;GF`<V5C=&]R<RXB  
M@,S,OG5T@'1H98!E9F9E8W1S@&]F@&&`9&5C;&EN98!I;H!B=7)L97F`<')O  
M9'5C=&EO;H!W;W5L9(!H=7)T@&EN9&EV:61U86R`9F%R;65R<RR`979E;H!P  
M87)T+71I;65R<RS/;75C:(!M;W)E@'1H86Z`=&AE:7\*`8V]M;75N:71I97,L  
M@\*)7;V]D9F]R9\*.`<V%I9"Z`S,PB5&AI;FN`;V:`:&]W@&ET@'=O=6QD@&%F  
M9F5C=(!U<X!I9H!W98!L;W-T@&&`<VAA<F6`;V:`;W5R@&EN8V]M92PB@&AE  
M@'-A:60N@")798!W;W5L9(!S=&EL;(!B98!A8FQES'1O@'!U=(!F;V]D@&]N  
M@'1H98!T86)L92R`8G5T@&ET@'=O=6QD@&%F9F5C=(!T:&6`<W1A;F1A<F2`  
M;V:`;&EV:6YG+B\*`S,Q#;W5N=&EE<X!O;H!T:&6`961G98!O9H!#96YT<F%L  
M@\$ME;G1U8VMY@'=O=6QD@&QI:V5L>8!S=69F97\*`;6]R98!T:&%N@\*)&87EE  
M='1EHX!A;F2`=&AE@'-I>,]S=7)R;W5N9&EN9X!C;W5N=&EE<RR`<V%I9("B  
M2F%SHX"B4V5K:&]NHRR`97AE8W5T:79E@&1I<F5C=&]R@&]F@'1H98!";'5E  
M9W)A<W.`07)E88!\$979E;&]P;65N=,]\$:7-T<FEC="Z`S,PB272`8V]U;&2`  
M:&%V98!A@&UA:F]R@&5F9F5C=(!I;H!T:&6`<G5R86R`87)E87,L(H!H98!S  
M86ED+H#,S\$AO=V5V97(L@'1H;W-E@&-O=6YT:65S@&%R98!B971T97\*`<')E  
M<&%R962`=&^`:&%N9&QE@&&`8VAA;F=E@&YO=X!T:&%N@'1H97F`=V5R98!J  
M=7-T@&&`9F5W@'EE87)SSV%G;RR`HE-E:VAO;J.`<V%I9"Z`@\$9O<H!E>&%M  
M<&QE+(!,:6YC;VQN@\$-O=6YT>2R`=VAI8VB`:&%D@&1O=6)L92UD:6=I=(!U  
M;F5M<QO>6UE;G2`;&5S<X!T:&%NSV&`9&5C861E@&%G;RR`:&%S@&%T=')A  
M8W1E9(!J;V)S@&%N9(!R97-I9&5N='.`8F5C875S98!O9H!I;7!R;W9E;65N  
M=(!I;H!I='.`=V%T97\*`<WES=&5M@&%N9(!R;V%D<RXN@,S0!A4```L`"0`!

M\ "U`\*2P`^2`5`-!) = ' . `=6YE;7!L;WEM96YT@')A=&6`==&]D87F`:7. `:G5S  
M=( `S+C&`<&5R8V5N="Z` (DYO=X!I<X!A@&=O;V2`= &EM98!T;X!C: &%N9V6`  
M:6: `=V6`: &%V98!T;X!M86MESV&`8VAA;F=E+"\*`: &6`<V%I9"Z`S, SR#/),  
M;W-I;F>`9W)O=6YD\PSS@-`\$%0`"P`) ``&`!] ``" `P`!(!4`T,Q":6QL>8!\*  
M=6YE@%=A<FYE<H!W;W)R:65S@'1H872`: &4G<X!S965I;F>`= &AE@&9U='5R  
M98!O9H!#96YT<F\*L@\$ME;G1U8VMY@&9A<FUI;F>`979E<GF`= &EM98!H9<]S  
M=&5P<X!O=71S:61E+H#,S\$-A='1L92R`: &%Y@&%N9(!T;V)A8V-O@'5S962`  
M=&^`9&]T@'1H98!L86YD@'-U<G)O=6YD:6YG@&AI<X!S;6\*L;(!F87)M@&]N  
M@'1H98!O=71S:VER=' . `;V: `SZ) . :6-H;VQA<W9I; &QEHRZ`S,Q"=72`;F]W  
M@&&`;F5W@&AI9VB`<V-H;V]L@'-I=' . `;VZ`= &AE@'!A<W1U<F6`86-R;W-S  
M@'1H98!R;V%D@&%N9(!A@'-U8F1I=FES:6]N@&ES@'-L871E9(!F;W\*`= &AE  
M@&AA><]A;F2`= &]B86-C;X!F:65L9'. `8F5H:6YD@&AI;2Z`S,PB5&AE>2=R  
M98!T86MI;F>`= &AE@&)E<W2`; &%N9"R`= &AE@&9E<G1I; &6`; &%N9"R`9F]R  
M@'-U8F1I=FES:6]N<RPB@&AE@'-A:60N@,S,072`-S`L@%=A<FYE<H!I<X!S  
M=&EL;(!R86ES:6YG@&9O=7\*`86-R97. `;V: `=&]B86-C;X!W:71H@&AE;' "`  
M9G)O;8!H:7. `=VEF92R`0F\*R8F\*R82R`86YD@&AI<X!C: &EL9')E;BS/0G)E  
M;F1A@&%N9(!"<G5C92Z`S,Q&;W\*`,C. `>65A<G. `<G5N;FEN9RR`5V%R;F5R  
M)W. `8G5R; &5Y@&AA<X!B965N@&IU9=&E9(!+96YT=6-K>2=S@&)E<W2`:6Z`  
M<W1A=&6`9F%I<H!C;VUP971I=&EO;G,N@,S,5V%R;F5R@&AA<X!N;X!I;G1E  
M;G1I;VZ`;V: `9VEV:6YG@'5P@&AI<X!B=7)L97F`8W)O=VZ`;W\*`<V5L; &EN  
M9X!O=72`= &^`9&5V96QO<&5R<RZ`S,PB28!T: &EN:X!T;V^`;75C:(!O9H!'  
M;V0G<X!C<F5A=&EO;H!T;X!C;W9E<H!I=(!U<(!I;H!B; &%C:W1O<(!A;F2`  
M8V]N8W)E=&4L(H!H98!S86ED+H#,S\$)U=(!F:6YA;F-I86R`9V%I;H!I<X!T  
M96UP=&EN9X!M;W)E@&%N9(!M;W)E@&9A<FUE<G. `=&^`<F%I<V6`: &]U<V5S  
M@&EN<W1E862`;V: `8W)O<',N@,S,06YY@'-I9VYI9FEC86YT@&-H86YG98!I  
M;H!T: &6`9F5D97)A;(!T;V)A8V-O@'!R;V=R86TL@'=H:6-H@&AA<X!P<F]T  
M96-T962`0V5N=' )A;(!+96YT=6-K><]F87)M97)S@&%N9(!P<F5S97)V962`  
M=&AE:7\*`9F%R;6QA;F0L@&-O=6QD@&5S8V%L871E@'1H98!T<F5N9"R`<V%I  
M9(! (86YK@\*) '<F%D9'FC+(!A@\$UI9'=A>8" `; &%W>65RSV%T@'1H98!F;W)E  
M9G)O;G2`;V: `;6\*N>8!F87)M; &%N9(!P<F5S97)V871I;VZ`9FEG:'1S@&EN

M@\\$-E;G1R86R`2V5N='5C:WDN@,S,(D1E=F5L;W!M96YT@&%N9(!U<F)A;H!S  
M<' )A=VR`=V]U; &2`8F6`9W)E871E<H!I9H!N;W2`9F]R@'108F%C8V\L(H"B  
M1W)A9&1YHX!S86ED+H#,S"))9H!W98!D;X!N;W2` :&%V98!A@' )E87-O;F%B  
M;'F` :&5A;'1H>8!A9W)I8W5L='5R86R`96-O;F]M>2R`=V6`=VEL;(!P=72`  
M<' )E<W-U<F6`;VZ`;&%N9&]W;F5R<]T;X!D979E;&]P@'1H96ER@&QA;F0N  
M(H#,S\$)U=(!Z;VYI;F>`86YD@&QA;F0M=7-E@' )E<W1R:6-T:6]N<X!A<F6`  
M<W1R;VYG@&5N;W5G:(!I;H!M;W-T@\\$-E;G1R86R`2V5N='5C:WF`8V]U;G1I  
M97.`=&^`<' )E=F5N=,]A@&1R86UA=&EC@&-H86YG98!I;H!T:&6`<G5R86R`  
M;&%N9'-C87!E+(!S86ED@\$)I;&R`3&5A<BR`88!D979E;&]P;65N=(!L87=Y  
M97\*`86YD@&-H86ER;6%N@&]FSTQE>&EN9W1O;H!5;FET960L@&&`9W)O=7"~  
M=&AA=(!P<F]M;W1E<X!E8V]N;VUI8X!D979E;&]P;65N=(!A;F2`97AP86YS  
M:6]N+H#,S"))="=S@&)E96Z`=')U98!F;W\*`88!L;VYG@'1I;66`=&AA=(!F  
M87)M97)S@&-O=6QD@&UA;V6`;6]R98!M;VYE>8!F<F]M@&1E=F5L;W!M96YT  
M@'1H86Z`9G)O;<QG<F]W:6YG@&-R;W!S+"\*`3&5A<H!S86ED+H`B0G5T@'1H  
M872`:&%S;B=T@&QE9(!T;X!W:&]L97-A;&6`9&5V96QO<&UE;G0N(H#,S/(  
M\D=R965N97\*`<&%S='5R97, \_\PSST`05```+`D`0`M4"@K``\$@%0#0T`85  
M```+`D``?`M0"DL``\$@%0#04V]M98!A<F=U98!T:&%T@\\$-E;G1R86R`2V5N  
M='5C:WDL@&%S@'1H98!H96%R=(!O9H!B=7)L97F`<' )O9'5C=&EO;BR`:&%S  
M@'1H98!M;W-T@'1O@&QO<V6`9G)O;8!A@(#/;6%J;W\*`8VAA;F=E@&EN@'1H  
M98!F961E<F%L@'108F%C8V^`<' )O9W)A;2Z`0G5T@&]T:&5R<X!B96QI979E  
M@&ET@&-O=6QD@&AA=F6`=&AE@&UO<W2`=&^`9V%I;BZ`S,Q4:&6`<V5V96Z`  
M8V]U;G1I97.`:6Z`=&AE@&AE87)T@&]F@'1H98!";'5E9W)A<W.`+2V`HD9A  
M>65T=&6C+(!";W5R8F]N+(!#;&%R:RR`2F5S<V%M:6YE+(!-861I<V]N+;]3  
M8V]T=(!A;F2`HE=O;V1F;W)DHX`M+8!H879E@&%L<F5A9'F`<V5E;H!A@'-I  
M9VYI9FEC86YT@&-O;G-O;&ED871I;VZ`;V:`<' )O9'5C=&EO;H!I;H!R96-E  
M;G2`>65A<G,LSV%C8V]R9&EN9X!T;X!S979E<F%L@&-O=6YT>8!A9W)I8W5L  
M='5R86R`97AT96YS:6]N@&%G96YT<RZ`S,Q#96YT<F%L@\$ME;G1U8VMY@&ES  
M@'!R;V1U8VEN9X!T:&6`<V%M98!A;6]U;G2`;V:`8G5R;&5Y@'=I=&B`9F5W  
M97\*`9F%R;65R<RZ`1G5L;"UT:6UE@&9A<FUE<G.`87)ESW)A:7-I;F>`;&%R  
M9V5R@&%N9(!L87)G97\*`8W)O<' ,L@'=I=&B`<V-O<F5S@&=R;W=I;F>`;6]R



RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:17-SEP-1997 12:06:00.00

SUBJECT: Briefings Papers from Today's Event

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena:

Could you have someone fax over whatever briefing papers are available from today's even on tobacco legislation so I can circulate them to the folks here who are following this issue? My fax number is 514-8071.

By the way, I thought the event went very well and you and Bruce deserve a lot of credit. Good work.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01INR5MFQTC000BYVY@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Wed, 17 Sep 1997 15:26:51 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01INR5MECG2800EH9D@PMDF.EOP.GOV> for elena\_kagan@oa.eop.gov; Wed, 17 Sep 1997 15:26:49 -0400 (EDT)

Received: from wdcsun1.usdoj.gov ([149.101.1.100]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTP id <01INR5LT4QKW00366L@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov; Wed, 17 Sep 1997 15:26:21 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4) id PAA17741 for <elena\_kagan@oa.eop.gov>; Wed, 17 Sep 1997 15:24:38 -0400 (EDT)

Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap (V1.3) id sma017649; Wed Sep 17 15:24:28 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA139694319; Wed, 17 Sep 1997 15:25:19 -0400

Received: by TELEMAIL; Wed, 17 Sep 1997 12:06:00 -0400

X-Mailer: Worldtalk (4.1.1-p1)/STREAM

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:22-SEP-1997 15:12:00.00

SUBJECT: Talking Points for the AG on the "Tobacco Settlement" for Overs

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Andy and Elena:

I would be interested in knowing whether you have any comments on the attached, especially on how we propose the AG to respond if she gets a question about whether the federal govt. should be brining suits to recover the monies federal programs have paid out for smoking related diseases.

(Elena: I will also fax this to you.)

--George

begin 640 fdatpag.set

M\_U=00 [=F`~~~!@"(!~~~~~@4`~~~"\$@@~~~~(~/>NH0J<\*P,%G"L#!?LMWCF&
MR;\*8("D:"Y0^OP1&=]\*/;\*.JL[(\P?^Q\T.Y4I#0<:L8367X9Y+:^1FEV"^2
MU,J00-X%W\\*00%NB=5?FN2^WR?S%2@RVEF'5#8EE3TO&')P0%UCPPE1XE7V"
MNGP2D>!]QJ2FE,OP,^Y;M-6]83;N,WQ60"TF0?A\+T5)G=8DI+/8RD72,EK@
MBQN"FUV&9\_OS/[\*D\*LY\S!&YR"K==1<;,T7]'FP-!"K%:U&BY():T]\_J/?R&
MF^GLV94NAO9.+Z.1;/PKEF%^AQOEZ8WTT!#\`R0"5N-@9L18G.">C`~\*2'9)
M5B5T\$7]8MP?[\WM#ZFPX\_F.,;78YJ;=5XL#J#@5>/.K'DJNEEG\$J8<Q0(KRI
M7#;7\$4?0\$D#\+NF0?U\*C/S/B6#Q]HMM/T.UDQI009+)H<JC\$JLBU>9>8NA5D
M"MNP-Z^0+A^O@C;\_?'<=: (F%6#9M[O/E\ )@Y\*X&N[O@BFLWSB/!\*VZ5QNL:T
M"CG\0F?5%"PA1PTY4IQ?Z.ZKA`)&3/\$U!' ,8N<?@\$5\_X,I'SJ6'-9?PF#%N8
MEBN\*);)M!9@]A.\*0\$4(3L2[),2NOG5H@R&%]D,R&,-/,!-F9R^&N&%R)Q@YP







M=~@`%,`=!Y`&P`90`~~~,S@S\$1,~~~~~"~<N`"X`~0@' \$P#@`@SRU#(.~~, \$  
M`~~~~@\$.~-0Q+M0S"@`#`~~~\*~-2`U`H`-`~\$#`(`~`T`U`-0+#0`!`P`"~~~~-  
M`-3,\PSS`0`~~~~0`>@`~~~~~! [~~~~~@`~~~~~"#.CC.@!2`&D`9P!H  
M`'0`(`!0`&\$`<@!;`#`,`70`~~~%(`:0!G`&@`=``M`\$\$`;`!I`&<`;@!E`&0`  
M(`!0`&\$`<@!A`&<`<@!A`'~~~:``@`\$X`=0!M`&(`90!R`',~~~#@S\$1,~~~~~  
M"~<N`"X`~0@' \$P#@X!\$3`~~~~~&`) +@`N`~%@"1,`X.#0\$P`~~~~"X"RX`+@`!  
M4`H3`.#4,@X`P0`~~~~"~~X`U#\$NU#, \*~~,~~~H`U(" (X`~3`~~~~~&`) +@`N  
M`~%@"1,`X.`P\$P`~~~~"X"RX`+@`!N`L3`.#,\$`\$`~~~~\$`'H`~~~~~C@`~  
M`(`~~~~~@Q`D#H`4@!I`&<`:~!T`"~~4`!A`'(`6P`T`%T`~~~!2`&D`  
M9P!H`'0`+0!!`&P`:0!G`&X`90!D`"~~4`!A`'(`80!G`'(`80!P`&@`(`!.  
M`'4`;0!B`&4`<@!S`~~~~X!\$3`~~~~~@'+@`N`~\$(!Q,`X.`1\$P`~~~~!"2X`  
M+@`!8`D3`.#@S\$1,~~~~~N`LN`"X`~;@+\$P#@X`-3`~~~~~!`~.+@`N`~&H#!,`  
MX-OR#@`#!`~~~~~,`#@#482[4,PH`P`~"@"#4@(C@`!,~~~~~N`LN`"X`~;@+  
M\$P#@X#`3`~~~~~!`~.+@`N`~\$0#A,`X,S,`0`~~~~0`>@`~~~~~"B`~~~~~@`~  
M`~~~~~"#"P^.@!2`&D`9P!H`'0`(`!0`&\$`<@!;`#4`70`~~~%(`:0!G`&@`  
M=~`M`\$\$`;`!I`&<`;@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'~~~:``@`\$X`=0!M  
M`&(`90!R`',~~~#@S\$1,~~~~~"~<N`"X`~0@' \$P#@X!\$3`~~~~~&`) +@`N`~%@  
M"1,`X.`1\$P`~~~~"X"RX`+@`!N`L3`.#@S\$1,~~~~~\$`XN`"X`~1`. \$P#@X`-3  
M`~~~~~&@+@`N`~&(#A,`X-OR#@`#!`~~~~~0`#@#4\*#\$IU#, \*~~,~~~H`U(" (  
MX`~3`~~~~~!`~.+@`N`~\$0#A,`X.`P\$P`~~~~!H\$"X`+@`!;!`3`.#,\$`\$`~~~~~\$  
M`'H`~~~~~M0`~~~~(`~~~~~@PU@3H`4@!I`&<`:~!T`"~~4`!A`'(`  
M6P`V`%T`~~~!2`&D`9P!H`'0`+0!!`&P`:0!G`&X`90!D`"~~4`!A`'(`80!G  
M`'(`80!P`&@`(`!.`'4`;0!B`&4`<@!S`~~~~X!\$3`~~~~~@'+@`N`~\$(!Q,`  
MX.`1\$P`~~~~!"2X`+@`!8`D3`.#@S\$1,~~~~~N`LN`"X`~;@+\$P#@X!\$3`~~~~  
M`!`~.+@`N`~\$0#A,`X.`1\$P`~~~~!H\$"X`+@`!;!`3`.#@T!,~~~~~P!(N`"X`  
M`>`0\$P#@U#(.~~, \$`~~~~!0`.~-0H82G4,PH`P`~"@"#4@(C@`!,~~~~~:;!`N  
M`"X`~6@0\$P#@X#`3`~~~~~,`2+@`N`~`\$A,`X,S,`0`~~~~0`>@`~~~~~#'  
M`~~~~~@`~~~~~"#"J].@!2`&D`9P!H`'0`(`!0`&\$`<@!;`#<`70`~~~%(`  
M:0!G`&@`=``M`\$\$`;`!I`&<`;@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'~~~:``@`  
M`\$X`=0!M`&(`90!R`',~~~#@S\$1,~~~~~"~<N`"X`~0@' \$P#@X!\$3`~~~~~&`)

M+@`N`%@"1,`X.`1\$P`~~~~"X"RX`+@`!N`L3`.#@\$1,~~~~`\$`XN`"X`1`.  
M\$P#@X!\$3`~~~~&@0+@`N`%H\$!,`X.`1\$P`~~~~#`\$BX`+@`!P!(3`.#@T!,`  
M`~~~~&!4N`"X";`3\$P#@U#(.`,`,\$`~~~~!@`.~-1I\*=0S"@`#`~~~\*~-2`B.``  
M\$P`~~~~#`\$BX`+@`!P!(3`.#@,!,~~~~&!4N`"X`1@5\$P#@S,P!`~~~~!`!Z  
M`~~~~~H`~~~~"~~~~~(,=N\Z`%(`:0!G`&@`=``@`%`~80!R`%L`  
M.`!`=~~~~4@!I`&<`:~!T`"T`00!L`&D`9P!N`&4`9`~@`%`~80!R`&\$`9P!R  
M`&\$`<`!H`"``3@!U`&T`8@!E`'(`<P`~~.``1\$P`~~~~(!RX`+@`!"`<3`.#@  
M\$1,~~~~8`DN`"X`6`) \$P#@X!\$3`~~~~+@+@`N`&X"Q,`X.`1\$P`~~~~0  
M#BX`+@`!\$`X3`.#@\$1,~~~~:~!N`"X`6@0\$P#@X!\$3`~~~~,`2+@`N`~`  
M\$A,`X.`1\$P`~~~~8%2X`+@`!&!43`.#@T!,~~~~<!<N`"X`0@6\$P#@U#(.  
M`~, \$`~~~~!P`.~-1A\*=0S"@`#`~~~\*~-2`B.``\$P`~~~~8%2X`+@`!&!43`.#@  
M,!,~~~~<!<N`"X`7`7\$P#@S,P!`~~~~!`!6`~~~~~%@`~~~~;~~~~!@`~  
M`(\$K;\$X`\$0`;P!C`'4`;0!E`&X`=~!;`#\$`70`~`\$0`;P!C`'4`;0!E`&X`  
M=~`@`%,`=~!Y`&P`90`~~,S4`PL`~~\$`~~L`U.!!\$P`~~~~#L\$RX`+@`!7A,3  
M`.#R`?+R#/+4"@T`0,~~~~#0#4U#(.`,`,\$`~~~~`\$.~-1)+MOS"@`#`~~~\*  
M`-2`U!8+`~~!`\$+`-34%@L`~~\$`~~L`U-0+#0`!`P`~~~~-`-2(S,SS`~/S  
M#/,!`~~~~!`!L`~~~~~#(~~~~#`~~~~P`~~~~(\$\*B@Z`%0`90!C`&@`~;@!I  
M`&,`80!L`%L`-0!`=~~~~5`!E`&,`:~!N`&D`8P!A`&P`(`!\$`&\`8P!U`&T`  
M90!N`'0`(`!3`'0`>0!L`&4`~~#@\$1,~~~~"``<N`"X`0@'\$P#@`@SRU#(.  
M`~, \$`~~~~!`\$.~-0H,2G4,PH`P`~~"@#4@"Z`@/,,\P\$`~~~\$`&P`~~~~~  
M,@`~~~~,~~~~#`~~~~@0J1#H`5`!E`&,`:~!N`&D`8P!A`&P`6P`V`%T`~~!4  
M`&4`8P!H`&X`:0!C`&\$`;`~@`\$0`;P!C`'4`;0!E`&X`=``@`%,`=~!Y`&P`  
M90`~~.``1\$P`~~~~(!RX`+@`!"`<3`.#R#/+4,@X`P0`~~~%`OX`U"AA\*=0S  
M"@`#`~~~\*~-2`+H`"\PSS`0`~~~~0`;~~~~~O`~~~~)0`~~~~,~~~~"!;(;  
M.@!4`&4`8P!H`&X`:0!C`&\$`;`!;`#(`70`~`%0`90!C`&@`~;@!I`&,`80!L  
M`"``1`!O`&,`=0!M`&4`;@!T`"``4P!T`'D`;~!E`~~~~S/(\,MOR#@`#!`~`  
M`\$!#@#402[4,PH`P`~~"@#4@/(\.M0\*#0`!`P`!`~`-34"PT`0,``0`~  
M#0#4`P[SS,S@\$1,~~~~"``<N`"X`0@'\$P#@`PSS`0`~~~~0`;~~~~~L  
M`~~~~(0`~~~~,~~~~"! (M`.@!4`&4`8P!H`&X`:0!C`&\$`;`!;`#,`70`~`%0`  
M90!C`&@`~;@!I`&,`80!L`"``1`!O`&,`=0!M`&4`;@!T`"``4P!T`'D`;~!E`



M) ~": ~~~~~F@ ~~~. ~P"@ ~~~~~\* ~. #@, ~H ~~~~~" @#X# ~\* ~~~~~H`X. ~~~"@ ~

M ~~~\* ~. (~! ~!0`) ~ (~! ~# ~8 ~0`@ \_\_\\$ ~ (~! ~\\$#`4\\$`7P!E`&L`<0!W

M`'\`AP"-`\$0`;P!C`'4`;0!E`&X`= ~~~`\$0`;P!C`'4`;0!E`&X`= ~`@%,`

M= ~!Y`&P`90 ~~~`\$D`+@ ~~~`#\$`+@ ~~~`\$\$`+@ ~~~`&\$`+@ ~~~`"@ ,0`I ~~~~~\*`!A

M`"D ~~~!I`"D ~~~!A`"D ~~~~~! ~~~~~!`!J ~~~~~~\$0 ~~~~~~\$`

M\_\_\T`%0`90!C`&@` (~!)`&X`:0!T` ~~~`20!N`&D`= ~!I`&\$`; ~!I`'H`90`@

M`%0`90!C`&@`;@!I`&,`80!L` ~~~`4P!T`'D`; ~!E` ~~~`TPXH` (~) (P`6`!,`

M%`~5`!\$`\$@`7`!@`"P ~~~~~~ ("@`T]@&' ~~~`\$@` (~~~~~~

M ~~~~~~<`-@` (~!8`\$P`4`!4`\$0`2`!<`&`~@` \_\_\\$ ~~~~~~\$,`=0!Y

M`(\$`C0`= ~+\$`R0#E`%0`90!C`&@`;@!I`&,`80!L` ~~~`5`!E`&,`:`!N`&D`

M8P!A`&P` (~!\$`&\`8P!U`&T`90!N`'0` (~!3`'0`>0!L`&4` ~~~`Q` ~~~,0`N

M`#\$` ~~~`Q`"X`,0`N`#\$` ~~~`Q`"X`,0`N`#\$`+@`Q` ~~~,0`N`#\$`+@`Q`"X`

M,0`N`#\$` ~~~`Q`"X`,0`N`#\$`+@`Q`"X`,0`N`#\$` ~~~`Q`"X`,0`N`#\$`+@`Q`

M`"X`,0`N`#\$`+@`Q` ~~~,0`N`#\$`+@`Q`"X`,0`N`#\$`+@`Q`"X`,0`N`#\$`

M ~~~! ~~~!`!X` ~~~/P ~~~~~~\$OXWOR`%` ~; ~!E`&\$`9`!I

M`&X`9P` ~~~`\$@`90!A`&0`90!R` ~~~`9@!O`' (~ (~!N`'4`;0!B`&4`<@!E`&0`

M (~!P`&P`90!A`&0`:0!N`&< (~!P`&\$`<`!E`' (~~~`#3`~X` ~~~ (~R` ~~~`X`

MT]\$`#@` ~~~`@`@` [~\$`#@#1T0\$. ~~~`".@#L`0. ~-`6`14`@`\$E`~\$`~P` ~~~~~

M\_\_\5`-8!`~H` ~~~#;`P` ~~~WOHO` (~,!)@`#`" (2\*!`~W=,`%#` ~~~`0` ~~~`P`T],`.

MOP`" `68` ~~~~~~L` \_\_\\$`@`!`~\$`#`20`~0,`~0,`~2`-N

M ~~~~~~!#`-/= "PL`~P`~!`L`W=0;`'P` ~~~`1D`" ~~~~~,IZ

M`~!8`@`~6` (9`%@" ~~~`?`-33`~X` ~~~ (~R` ~~~`X`T] (~#@` ~~~`@!8`K`\$`#@#2

MT@\$ . ~~~`" `+`\$L`0. ~-+3!!L` ~~~`<`~/\_\_`0+`~P`&P!` (~~~`"<6` (~;-/?`S`\`

M@`~)L`"<`)P` ~~~~~~!`~P`#\`P`\$`L`0` (~/@JE@` ~~~`4`~0`~

M`&1%`\_`.P!`~@`~^`"H`\_`-`\_`?`S`\`~@`~)L`"<`)P` ~~~~~~!`~P`~4

M!`\$`L`0` (~/@JE@` ~~~`4`~0`~`&1%`%`2P!`~@`~^`"H`\_`-`\_`,S."0\$@` ~~~`!` (~T@#

M!P#`~`Q` (~X#&(S,S@D! (~~~~`2`- (~P<`P`,2`.~RB,S,X)`2` ~~~~`\$`#@#2`,`'

M`,`#\$`#@#,@,XC,S."0\$@` ~~~`!` (~T@#!P#`~`Q` (~X#2(S,S@D! (~~~~`2`- (~P<`

MP`,2`.~UB,S,X)`2` ~~~~`\$`#@#2`,`',`#\$`#@#-HC,S."0\$@` ~~~`!` (~T@#!P#`

M`Q` (~X#>(S,S@D! (~~~~`2`- (~P<`P`,2`.~XB,S,X)`2` ~~~~`\$`#@#2`,`',`#







M!~~~~~\$`#@#4U#, \*~~, ~~~H`U(" (X`3~~~~~@'+@`N`\$ (!Q, `X.`P\$P`~`  
M`~!"2X`+@`!8`D3`.# ,S`\$`~~~~\$`\$0`~~~~~2`~~~~!\$`~~~~~@3\_`  
M\_R8`, @`U`~~~~1`!O`&, `=0!M`&4`~;@!T`"~~4P!T`'D`~;!E`~~~~S.`1\$P`~`  
M`~`(!RX`+@`!"`<3`.#R#/+; !@L`~`\$`~@L`V] OR#@`#!`~~~~`(!#@#4U#, \*`  
M`~, ~~~H`U(#4"@T`0, ~@`~#0#4U`L-`~\$#`~`(`~T`U,SS#/, !~~~~!`!F`  
M`~~~~~(0`~~~~"~~~~~(, \_\_\F`#(`-@`~`%(`:0!G`&@`=``M`\$\$`~`  
M;`!I`&<`~;@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'~~:``@`\$X`=0!M`&(`90!R`  
M`', ~~~#@\$1, ~~~~~"~<N`"X`0@!\$P#@X!\$3`~~~~~&~)+@`N`~%@"1, `X.#0`  
M\$P`~~~~"X"RX`+@`!N`L3`.#; !@L`~`\$`~@L`V] OR#@`#!`~~~~`(`#@#4U#, \*`  
M`~, ~~~H`U(" (X`3`~~~~~&~)+@`N`~%@"1, `X.`P\$P`~~~~"X"RX`+@`!N`L3`  
M`.# ,S`\$`~~~~\$`&8`~~~~~EP`~~~~`(`~~~~~@S\_\_R8`, @`W`~~~~4@!I`  
M`&<`:`!T`"T`00!L`&D`9P!N`&4`9`~@`%`~80!R`&\$`9P!R`&\$`<`!H`"~~`  
M3@!U`&T`8@!E`'(`<P`~`.~1\$P`~~~~`(!RX`+@`!"`<3`.#@\$1, ~~~~~8`DN`  
M`"X`6`) \$P#@X!\$3`~~~~~+@++@`N`~&X"Q, `X.#0\$P`~~~~0#BX`+@`!\$`X3`  
M`.#; !@L`~`\$`~PL`V] OR#@`#!`~~~~, `#@#4U#, \*~~, ~~~H`U(" (X`3`~~~~`  
M`+@++@`N`~&X"Q, `X.`P\$P`~~~~0#BX`+@`!\$`X3`.# ,S`\$`~~~~\$`&8`~~~~`  
M`~`J@`~~~~`(`~~~~~@S\_\_R8`, @`X`~~~~4@!I`&<`:`!T`"T`00!L`&D`  
M9P!N`&4`9`~@`%`~80!R`&\$`9P!R`&\$`<`!H`"~~3@!U`&T`8@!E`'(`<P`~`  
M`.~1\$P`~~~~`(!RX`+@`!"`<3`.#@\$1, ~~~~~8`DN`"X`6`) \$P#@X!\$3`~~~~`  
M`+@++@`N`~&X"Q, `X.`1\$P`~~~~0#BX`+@`!\$`X3`.#@T!, ~~~~~: !`N`"X`  
M`6@0\$P#@VP8+`~`!`~0+`-O4, @X`PO`~~~~\$`X`U-0S"@`#`~`\*`-2`B.~~`  
M\$P`~~~~0#BX`+@`!\$`X3`.#@, !, ~~~~~: !`N`"X`6@0\$P#@S, P!`~~~~!`!F`  
M`~~~~~+T`~~~~"~~~~~(, \_\_\F`#(`.0`~`%(`:0!G`&@`=``M`\$\$`~`  
M;`!I`&<`~;@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'~~:``@`\$X`=0!M`&(`90!R`  
M`', ~~~#@\$1, ~~~~~"~<N`"X`0@!\$P#@X!\$3`~~~~~&~)+@`N`~%@"1, `X.`1`  
M\$P`~~~~"X"RX`+@`!N`L3`.#@\$1, ~~~~~\$`XN`"X`1`. \$P#@X!\$3`~~~~~&@0`  
M+@`N`~%\$H!, `X.#0\$P`~~~~#`\$BX`+@`!P!(3`.#; !@L`~`\$`!0L`V] OR#@`#`  
M!`~~~~4`#@#4U#, \*~~, ~~~H`U(" (X`3`~~~~~&@0+@`N`~%\$H!, `X.`P\$P`~`  
M`~`\$BX`+@`!P!(3`.# ,S`\$`~~~~\$`&8`~~~~~T`~~~~`(`~~~~~@S\_`  
M\_R8`, P`P`~~~~4@!I`&<`:`!T`"T`00!L`&D`9P!N`&4`9`~@`%`~80!R`&\$`

M9P!R`&\$`<`!H`"``3@!U`&T`8@!E`'(`<P`...`1\$P`~~~~~(!RX`+@`!"`<3`  
M`.#@\$1,~~~~~8`DN`"X`6`) \$P#@X!\$3`~~~~~+@+@`N`&X"Q,`X.`1\$P`~`  
M``0#BX`+@`!\$`X3`.#@\$1,~~~~~: !`N`"X`6@0\$P#@X!\$3`~~~~~,`2+@`N`  
M``'\$A,`X.`#0\$P`~~~~~8%2X`+@`!&!43`.#;!@L`~~`\$`!@L`V]OR#@`#!`~~`  
M``8`#@#4U#, \*`~,`H`U`("X`3`~~~~~,`2+@`N`~~`'\$A,`X.`P\$P`~~~~~8`  
M%2X`+@`!&!43`.#,\$`\$`~~~~`\$`&8`~~~~~XP`~~~~~(~~~~~@S\_\_R8`  
M,P`Q`~~~~4@!I`&<`:`!T`"T`00!L`&D`9P!N`&4`9`~`@`%`~80!R`&\$`9P!R`  
M`&\$`<`!H`"``3@!U`&T`8@!E`'(`<P`...`1\$P`~~~~~(!RX`+@`!"`<3`.#@`  
M\$1,~~~~~8`DN`"X`6`) \$P#@X!\$3`~~~~~+@+@`N`&X"Q,`X.`1\$P`~~~~~0`  
M#BX`+@`!\$`X3`.#@\$1,~~~~~: !`N`"X`6@0\$P#@X!\$3`~~~~~,`2+@`N`~~`  
M\$A,`X.`1\$P`~~~~~8%2X`+@`!&!43`.#@T!,`~~~~~<!<N`"X`7`7\$P#@VP8+`  
M`~~`!`<+`-O4,@X`P0`~~~~`X`U-0S"@`#`~~`\*-2`B.`~\$P`~~~~~8%2X`  
M+@`!&!43`.#@,!,`~~~~~<!<N`"X`7`7\$P#@S,P!`~~~~`!`!\$`~~~~~&\$`  
M`~~`A`~~~~~(\$\_\_\F`#,`,`@`~~`\$0`;P!C`'4`;0!E`&X`=``@`%,`=``!Y`  
M`&P`90`~~~,S4'PL`~~`\$`~~`L`U.!`\$P`~~`#L\$RX`+@`![[,3`.#R`?+R#/+4`  
M"@T`0,`~~~~~#0#4VP8+`~~`!`~~`+`-O4,@X`P0`~~~~~0X`U-0S"@`#`~~`\*`  
M`-2`U!8+`~~`!`\$+`-34%@L`~~`\$`~~`L`U-0+#0`!`P`~~~~~--2(S,SS`?/S`  
M#/,!`~~~~`!`!8`~~~~~#H`~~~~~(\$\_\_\F`#,`,`P`~~`%0`90!C`  
M`&@`;@!I`&`,`80!L`"``1`!O`&`,`=0!M`&4`;@!T`"``4P!T`'D`;`!E`~~~~`  
MX!\$3`~~~~~@'+@`N`~`\$(!Q,`X/(\ML&"P`~~`0`\$P#;U#(.`~`,`\$`~~~~`!`\$.`  
M`-34,PH`~`P`~`"@#4@"Z`@,SS#/,!`~~~~`!`!8`~~~~~#H`~~~~~!`~~~~~`  
M`~`(\$\_\_\F`#,`,`-`~~~~`%0`90!C`&@`;@!I`&`,`80!L`"``1`!O`&`,`=0!M`&4`  
M;@!T`"``4P!T`'D`;`!E`~~~~`X!\$3`~~~~~@'+@`N`~`\$(!Q,`X/(\ML&"P`~`  
M`0`%P#;U#(.`~`,`\$`~~~~`!0\$.`-34,PH`~`P`~`"@#4@"Z`@,SS#/,!`~~~~`!`!8`  
M`~~~~~#@`~~~~`H`~~~~~(\$\_\_\F`#,`,`-0`~~~~`%0`90!C`&@`;@!I`&`,`  
M80!L`"``1`!O`&`,`=0!M`&4`;@!T`"``4P!T`'D`;`!E`~~~~`S/(\ML&"P`~`  
M`0`!"P#;U#(.`~`,`\$`~~~~`0\$.`-34,PH`~`P`~`"@#4@/(\M0\*#0`!`P`!`~`-`  
M`-34"PT`0,`0`0`#0#4\P[SS.`1\$P`~~~~~(!RX`+@`!"`<3`.#,\PSS`0`~`  
M`0`6`~~~~~U`~~~~~)~~~~~"!/\_\_\_)@`S`#8`~~`!4`&4`8P!H`&X`  
M:0!C`&\$`;`~`@`\$0`;P!C`'4`;0!E`&X`=``@`%,`=``!Y`&P`90`~~~,SR#/+;



M`. `VB, S, X) `2`~~~~`\$#@#2`, '`, `#\$@#@-XC, S. "0\$@`~~~~!(`T@#!P#`Q(`  
MX#B(S, S@D!(~~~~2`-(`P<`P`, 2`. `YB, S, X) `2`~~~~-`"T`(&`, `#\$@#@  
M, 3"(S, S@D!(~~~~T`+0`@8`P`, 2`. `Q, 8C, S. "0\$@`~~~~#0`M`"!@#`Q(`  
MX#`\$RB, S, X) `2`~~~~-`"T`(&`, `#\$@#@, 3. (S, S@D!(~~~~T`+0`@8`P`, 2  
M`. `Q-(C, S. "0\$@`~~~~#0`M`"!@#`Q(`X#\$UB, S, X) `2`~~~~-`"T`(&`, `#  
M\$#@#@, 3:(S, S@D!(~~~~T`+0`@8`P`, 2`. `Q-XC, S. "0\$@`~~~~#0`M`"!@#`  
M`Q(`X#\$XB, S, X) `2`~~~~-`"T`(&`, `#\$@#@, 3F(S, S@D!(~~~~T`+0`@8`  
MP`, 2`. `R, (C, S. "0\$@`~~~~#0`M`"!@#`Q(`X#(QB, S, X) `2`~~~~-`"T`(&  
M`, `#\$@#@, C\*(S, S@D!(~~~~T`+0`@8`P`, 2`. `R, XC, S. "0\$@`~~~~#0`M`"  
M!@#`Q(`X#(TB, S, X) `2`~~~~-`"T`(&`, `#\$@#@, C6(S, S@D!(~~~~T`+0  
M`@8`P`, 2`. `R-M0%%0`P`!(, @`P`P"N@\*!4`U`\$`~~~~\$`\$0`~~~~~  
MA0(~~~~~0#`RH`30!E`&T`;P`~`\$0`3P!\*`~`"30!E`&T`;P!H  
M`&4`80!D`T@`, ~~~`"+`\$#`#2T@\$`, ~~~`"(0##`#2T0`, ~~~`"%@`#`#1  
MT0\$, ~~~`"+`\$#`#1U!L9`(`!`~`(`(0#`~~~~~A`. \$`QD`U-0:5P"~`50`  
M"~~~~~"X`Z!P8%=`'`~`1"0`~`&`~`&!\$`~`!`J`%0`:0!M`&4`<P`@  
M`\$X`90!W`"~`4@!O`&T`80!N`~~~~~%0`5`~`%<`U\$UE;6]R86YD=6W@  
M@!, ~~~`5"0N`"X`~`10`\$P#@U!L9`(`!`~`(`+`\$`~~~~~L`2P!!D`U-0:  
MOP"~`54`"~~~~~&0`\$`<0)Q`G`~`600`~`&`~`!)!`~`!`6`\$\$`<@!I  
M`&\$`; ~~~`~`!4`%0`~`!#`-1\$B, S@@!, ~~~`5"0N`"X`~`0H`\$P#@2HC,  
MT@`, ~~~`"+`\$#`#2T@\$`, ~~~`"%@`#`#2U`4-`~`#`~`%H!PT`U-`#`-@`~`FP`  
M)P`G`~~~~~\$`~`#;`\$`0)H!Q`~`T"~~~~~!0`!`~`~`9#8`  
MW]0\$#0`~`P`!G`\`-`-3?`S8`@`L`"(<`)P`~~~~~!`~`P#X  
M%@\$`:<0`+`\$E@`~`4`0`~`&0V`-`\_4!0T`~`, ~`1@, #0#4WP, V`(`";`~`G  
M`"<`~`~`~`~`0`~`(-L`0!`A@, \$`#0(~~~~~%`~`\$`~`!D-@#?  
MS-0;&0"~`0`~`"0`0`~~~~~)~`!D`\$9`-34&E<`@`%6`~`@`~~~~~M  
M`. @&!70!P`~`\$0D`~`!@`!@1`~`0\*!4`&D`;0!E`', `(`!.`&4`=P`@`%(`  
M;P!M`&\$`;@`~~~~~!4`%0`~`!7`-3,+@#H`!@5T`<`~`!\$)~`~`8`~`8\$0`~`  
M\$`H`5`!I`&T`90!S`"~`3@!E`'<(`!2`&\`~`0!A`&X`~~~~~5`!4`~`~`  
M9`~`0)Q`G`\$`<`~`!9!`~`~`8`~`D\$`~`~`\$!8`00!R`&D`80!L`~~~~~%0`5`~`~`  
M`"T`Z!P8%=`'`~`1"0`~`&`~`&!\$`~`!`J`%0`:0!M`&4`<P`@`\$X`90!W`"~`~`

M4@!O`&T`80!N`~~~~~%0`5`~~~~\$`~~~~\$`%`~~~~~30`~~!`~~~~&  
M`~~~~@3\_\_S`~2`!E`&\$`9`!I`&X`9P`~~~\$,`:`!A`'~~=``!E`'(`(`!(`&4`  
M80!D`&D`;@!G`~~~~R`!`\$P`~~~~#L\$RX`+@`!"@`3`.#R`O+R#/+;!@L`~~~\$`  
M`L`V]OR#@`#!`~~~~!#@#422[4,PH`P`~"@#4@-0\*#0`!`P`~~~~-34  
M"PT`~0,`~~~~#0#4B,S,\P+S\PSS`0`~~~~0`=~~~~~!;`~~~~@`~~~~~  
M`~~~"#/\_\_\_-`!2`&D`9P!H`'0`(`!0`&\$`<@`~~~%(`:0!G`&@`~=`M`\$\$`;~!I  
M`&<`;@!E`&0`(`!0`&\$`<@!A`&<`<@!A`'~~~;`~@`\$X`=0!M`&(`90!R`',`  
M`~#@T!,`~~~~~"~<N`"X`~0H`\$P#@VP8+`~~~!`~~~+`-O4,@X`~P0`~~~~~X`  
MU\$DNU#,`\*`~,`~~H`U`("U`0-`~~~#`~#Z\_PT`U.`P\$P`~~~~~(!RX`+@`!#P`3  
M`.#,#,S`\$`~~~~\$`\$P`~~~~~2`~~~~~\`~~~~~#`~~~~~@3\_\_S8`4P!U`&(`:~!E  
M`&\$`9`!I`&X`9P`~~~%,`=0!B`&@`90!A`&0`:0!N`&<`~~~#R#/+;!@L`~~~\$`  
M`0L`V]OR#@`#!`~~~~~\$!#@#402[4,PH`P`~"@#4X!`3`~~~~~@`'+@`N``\$,  
M`!,`X-0\*#0`!`P`!`~~~-34"PT`~0,`~0`~#0#4S,SS#/,!`~~~~!`!B`~~~~  
M`~~~~~L`~~~~~\$`\_\_\V`\$H`=0!S`'0`:0!F`'D`(`!/`&X`~~~!4  
M`'4`<@!N`"~~~;P!N`"~~~:@!U`',`=``!I`&8`:0!C`&\$`=``!I`&\`;@`~~~-,`%  
M"P`~0`!"P#3`0`~~~~0`;`~~~~~B`~~~~~#@`~~~~~"!/\_\_\_.@!B`&P`  
M;P!C`&L`(`!I`&X`9`!E`&X`=~~~~&8`;P!R`"~~~:0!N`&0`90!N`'0`:0!N  
M`&<`(`!Q`'4`;P!T`&\$`=``!I`&\`;@!S`~~~~S-,!#@`~!`~~~~~\$`#@#3X#@3  
M`~~~~~@`'+@`N``\$(!Q,`X-,!#@`~!`~~~~~\$`#@#3`0`~~~~0`D`~~~~~!>  
M`~~~~7@`~~~~~"~/\_\_\_.`!F`&\`;@!T`"~~8P!H`&\$`;@!G`&4`~~~!C`&@`  
M80!N`&<`90!S`"~~9@!R`&\`;0`@`#\$`,`~@`'~~=``N`"~~8P!O`'4`<@!I  
M`&4`<@`@`'0`;P`@`#\$`,@`@`'~~=``N`"~~=``!I`&T`90!S`~~~~U!L9`(`!  
M`~~~(`%@"`~~~~~6`)8`AD`U-0:10"~~5T`"~~~~~"H`SQF`^\$\*8(  
M`~~~1"0`~~~&`~!\$`~!`8`\$,`1P`@`%0`:0!M`&4`<P`~~~~~\$4`U-0;  
M&0`"~~0`"~!8`@`~~~~~%@"6`(`9`-34&D4`@`%=`~@`~~~~~J`,\9  
MOA"F"~~~\$0D`~~~!@`!@1`~~~0&`!#`\$`<(`!4`&D`;0!E`',`~~~~~!%  
M`-0J`,\9OA"F"~~~\$0D`~~~!@`!@1`~~~0&`!#`\$`<(`!4`&D`;0!E`',`~~~~~  
M`~~~~~!`~~~~~!`!D`~~~~~!\$\$`~~~~~\$`\_\_\V`&P`90!T`'0`  
M90!R`&@`90!A`&0`~~~!T`&\`(`!S`'0`80!R`'0`(`!A`&X`(`!/`\$`,`3`~@  
M`&P`90!T`'0`90!R`~~~~T0\`-`~~~#`~~~~~T`T=\$3"P`~0`"P#1T1%<`~!2



M`0%@!!`'(`:0!A`&P`5`!4`0P#41,Q\*S-0%#0`P`!:`<-  
M`-3?`S8`@`)L`"<`)P`!`@VP!`\$`P@<0`-`@`  
M`4`0`&0V`-`\_4!0T`,"`P!#0#4U!L9`(!`!`(`)`!)`D`&0  
M`1D`U-0:8P"``6(`"``"H`(!Q0%-`'Z`,1"0`&`!&!\$`!`V  
M`%0`:0!M`&4`<P`@`\$X`90!W"``4@!O`&T`80!N``20!T`&\$`;`!I`&`,`  
M`%0`5`&`,`U-0\$#0`P`!&14`-1787-H:6YG=&]N+(!\$+D,N@(`R  
M,#4S,-0;&0"``0`"``#T`0`/0!]`\$9`-34&D\`@`%C`@`  
M`!(`!0>#!>,"@`3D`!`!`"5`0(@!#`&\`=0!R`&D`90!R"``3@!E  
M`!<`5`!4`3P#4S,S2`P`(`L`0`,`-+2`0P`(`6`(``,`-+2  
M`P`(`L`0`,`-+2`0P`(`6`(``,`-+2`P`(`L`0`,`-+2`0P`(`L`0`,`  
M`-+1`P`(`L`0`,`-1`0P`(`L`0`,`-14&QD`@`\$`@`]`\$`#T  
M`?0!&0#4U!I/(`!8P`(`2`4`@P7C`H`\$Y`8`H%0`  
M\$`(`0P!O`4`<@!I`&4`<@`\$X`90!W`%0`5`\$`U`T`Z!P8  
M%=`1"0`(`&!\$`!`J`%0`:0!M`&4`<P`@`\$X`90!W"``4@!O`&T`  
M80!N`%0`5`"H`(!Q0%-`'Z`,1"0`&`!&!\$`!`V`%0`:0!M  
M`&4`<P`@`\$X`90!W"``4@!O`&T`80!N``20!T`&\$`;`!I`&`,`%0`  
M5`\$`%!X,%XP\*`!.0`&`\*14`!`B`\$,`,`P!U`'(`:0!E`'(`(!.  
M`&4`=P`!4`%0`"T`.@<7!(H"@`3D`!`!`"L%`0)@!#`&\`  
M=0!R`&D`90!R"``4@!E`&<`=0!L`&\$`<@`\$`\$`"@`"  
M`3(B\$B0`IP`\*`<`#="A`@P%K`,`[94A\$`#=  
MTP4,`!`#`#3T08,`!`\$`#`#1TOP,`!`\$`#`#1TPY#`(`)9@`  
M`"P#\_\_PO"``\$`0,!)`!`P`!`P`!(VX`  
M`\$,`T]T+"P`#`\$`P#=")/\_  
M!`(`0`!`P\$U`#</0!#`\$D`3P!7`%\`90`T`#`\$`\$D`+@`\$`\$`+@`  
M`#\$`+@`&\$`+@`"@`,0`I`\*`!A`"D`!`I`"D`!`A`"D`!`  
M!`H`E`"\$`\$R\_Q\$D`\*0`"D`WHO`(`,!:P`#  
M`.V5(1`W=,%#`0`P`T]`\$&#`0`!`P`T=\$,#`0`!`P`T=,.  
MOP"``68`L`\_\_\`\$`@`!`\$`#`20`0,``0,``2-N  
M`!#`-/"PL`P`!`L`W=,!\$@`!`\$`!  
M`!(`TX"``@(`\`@7RV@X+`,`!`+`-HPV@`\*`,`H`VO,%\P@`!P`(`H`

M"P` ,`T`#@`/`"#\_P0"``\$``0, !-0!U`'L`@0"``(T`E0"=``\*, ``-``R`~~~~  
M4@!I`&<`:`!T`"T`00!L`&D`9P!N`&4`9``@`%``80!R`&\$`9P!R`&\$`<`!H  
M`"``3@!U`&T`8@!E`'(`<P``\$D`+@``\$`\$`+@``#`\$`+@``&\$`+@``"``@`  
M,0`I`~~~~\*`!A`"D`~~~!I`"D`~~~!A`"D`~~~~(,WP`>~~~~@`L`4`~~~\$`JP`\  
M`/X5-A!8!P`~~~3D`~~~!@`"5`~~~0%@!#`&\`=0!R`&D`90!R`~~~~~  
M`~~~~~  
M`~~~~~  
M`~~~~%@"`%X`/X5-A!8!P`~~~010,D`N6`W\$OL!6`)`+@#H`!@5T`<``!\$)  
M`~~~8`~8\$0`~\$`H`5`~!I`&T`90!S`"``3@!E`'(<(`!2`&\`~;0!A`&X`~~~~  
M`~~~5`!4`~~~~~  
M`~~~~~"``\$`X0#J`#H  
M`!@5T`<`~~~~2(%"Y`-`R`1`1`~(0#4&0`\$`<0)Q`G`~~~600`~~~&``)!`~~~!`6  
M`\$\$`<@!I`&\$`~;`~~~~~!4`%0`~~~!O`&T`80!N`~~~~~%0`5`~~~~~  
M`~~~~~  
M`~~~~~L`2P!)`!\$`<0)Q`G`~~~~~!`  
M`\_`"9>0\$`~~~"P!\$`M`..@&!70!P`~~~\$0D`~~~!@`!@1`~~~0\*@!4`&D`~;0!E`',`  
M(`!.`&4`=P`@`%(`;P!M`&\$`~;@`~~~~~!4`%0`~~~~~  
M`~~~~~  
M`~~~~~)``!D`%(`. @&!70!P`~~~!(@4+D`T?H#`~~,OD`%0  
M`\*@#/&;X0I@``!\$)`~~~8`~8\$0`~\$!@`0P!`'``"``5`~!I`&T`90!S`~~~~~  
M`~~~;0!A`&X`~~~~~5`!4`~~~~~  
M`~~~~~  
M`~~~~~!8`E@"=P#/&;X0I@```0(%#L`\$4S-Q+[`5@"4"T`Z!P8%=``'``1  
M"0`~~~(`&!\$`~!`J`%0`~:0!M`&4`<P`@`\$X`90!W`"``4@!O`&T`80!N`~~~~  
M`~~~~~%0`5`~~~~~  
M`~~~~~6`)8`FP`  
MZ!P8%=``'``~\$B!PN0![.E40`0!8`G`J`"``<4!30!^@#\$0D`~~~!@`1@1`~~~0  
M-@!4`&D`~;0!E`',`(`!.`&4`=P`@`%(`;P!M`&\$`~;@`~~~\$D`=``!A`&P`~:0!C  
M`~~~~~!4`%0`~~~~~  
M`~~~~~)``!D`%\$`"``<4!30!^@#`!(@





M<V5T=&QESV]U='-T86YD:6YG@'108F%C8V^`;&EA8FEL:71Y@&QI=&EG871I  
M;VXN@(#="!<`@P'&`(`WV\*V`P`>`\`,`!<`W8S0!!<`T`"P`"``<H(P@'  
M\*","(!<`T(S="0L`P`>`L`W<S=!!`@'&`,`WV+\_\$`#=W04+`,`>`+  
M`-W=!A,`@'&`(`WV(>!0`\$P#=\``\$`. `P#`>`>(!PP`X-T'"P`#`>`  
M"P#=5&AE@")297-O;'5T:6]N(H!I<X!A@&)R;V%D@&%G96YD88!T:&%T@'='O  
M=6QD@')E<75I<F6`;&5G:7-L871I;VZ`=&\_0`14`>`L`"0`!2`WP"@X`2`5  
M`-!I;7!L96UE;G0N@(!)=(!W;W5L9(!N;W2`;VYL>8!S971T;&6`<W5I=' ,L  
M@&)U=(!R9690<FV`86YD@')E<W1R=6-T=7)ESW1H98!M86YU9F%C='5R:6YG  
M+(!M87)K971I;F<L@&%N9(!D:7-T<FEB=71I;VZ`;V:`=&]B86-C;X!P<F]D  
M=6-T<R[="!<`@P'&`(`WV(>!0`\$.04`!<`W8S0!!<`T`"P`"``<H(P@'  
M\*","(!<`T(S="0L`P`>`L`W<S=!!`@'&`,`WV+\_\$`#=W04+`,`>`+  
M`-W=!A,`@'&`(`WV\*!@`\$P#=\``\$`. `P#`>`>(!PP`X-T'"P`#`>`  
M"P#=3VZ`4V5P=&5M8F5R@#`\$W+(`Q.3DW+(!0<F5S:61E;G2`0VQI;G10;H!A  
M;FYO=6YC962`:&ES@&]W;H!P;&%N@'='H:6-HT`\$5`>`+`D`6@0\$`X2`>`\$@  
M%0#08V]N<VES=&5D@&]F@&9I=F6`<' )I;F-I<&QE<X!T:&%T@&AE@&EN<VES  
M=&5D@'-H;W5L9(!B98!T:&6`8V]R;F5R<W10;F5SSV]F@&%N>8!L96=I<VQA  
M=MWOD+`,`>`+`-W,X#`,`>`@'#`#@,2[@,!0`>`8`D(!R@C"``<H(Q0`  
MX\$EN8W)E87-E@'!E;F%L=&EE<X!O;H!T:&6`=&]B86-C;X!I;F1U<W1R>8!I  
M;H!C;VUB:6YA=&EO;H!W:71HT`\$5`>`+`D`8@3,!\$6`>`\$@%0#0:6YC<F5A  
M<V5D@&5X8VES98!T87AE<X!O;H!C:6=A<F5T=&5S+(!U<(!T;X`D,2XU,(!P  
M97\*`<&%C:X!O=F5RSW1E;H!Y96%R<RR`:6:`>6]U=&B`<VUO:VEN9X!N;W2`  
M<F5D=6-E9(`S,"6`:6Z`9FEV98!Y96%R<RR`-3`E@&ENSW-E=F5N@'EE87)S  
M+(!A;F2`-C`E@&EN@'1E;H!Y96%R<SO0!!<`T`"P`"8`DH(V`)\*","(!<`  
MT,S@,`P`>`>`<`,`.`R+N`P%`>`>`!@"0@' \*",(!R@C%`#@4')O=FED98!F  
M=6QL@'-T871U=&]R>8!A=71H;W)I='F`9F]R@'1H98!&1\$&`=&^`<F5G=6QA  
M=&6`;FEC;W1I;F70`14`>`L`"0`!<!<8%1L`2`5`-!W:71H;W5T@&%N>8!C  
M;VYD:71I;VYS.]`\$%P`>`#0`+`>`@"2@C8`DH(P(@%P#0S.`P#`>`>`>(!PP`  
MX#,NX#`4`>`>`&)` ``<H(P@' \*",4`.!297%U:7)E@'1H98!T;V)A8V-O@&EN  
M9'5S=' )Y@'10@&%G<F5E@&YO=(!T;X!M87)K972`=&^` :VED<RR`86YDT`\$5  
M`>`+`D`>@9<!<>`>`\$@%0#0=&^`9&ES8VQO<V6`:6YD=7-T<GF`9&]C=6UE

M;G1S.]`\$%P`#0`+`))@"2@C8`DH(P(@%P#0S.`P#`~~~~~(!PP`X#ONX#`4  
M`~~~~&`)""<H(P@'\*" ,4`.!"86Z`=V]R:W!L86-E@'-M;VMI;F>`86YD@&9U  
M;F2^(G%U:72\$<VUO:VEN9R\*`<')O9W)A;7,[@&%N9-`\$'P`~%0`3`~\$@',@9  
M(0`!`F`)\*)-@"2@C`B`?`-# ,X#` ,~~~~~@'#`#@-2[@ ,!0`~~~~8`D(!R@C  
M""<H(Q0`X\$5N<W5R98!T:&6`9FEN86YC:6%L@' =E;&R\$8F5I;F>`;V:`=&]B  
M86-C;X!F87)M97)S+M`\$'P`~%0`3`~&P'5@;(P`!`F`)\*)-@"2@C`B`?`-# ,  
M\*%-E98!A='1A8VAM96YT@&9O<H!M;W)E@&1E=&%I;"G,S-T\$\$`""`<8`~P#?  
M80\0`-W=!0L`~P`~~~~L`W=T&\$P""`<8`~@#?8H`+`~~~3`-WP`~3PX#` ,~~~~  
M`~@'#`#@W0<+`~ ,~~~~+`-U4:&6`9F]C=7.`;V:`= &AE@\$%D;6EN:7-T<F%T  
M:6]N)W.`969F;W)T<X!I<X!T;X!R961U8V6`=&5E;H!S;6]K:6YG.M`!%0`~  
M"P`~)``'0(' @>)P`!(!4`T");HE1=:&ESHX!I<X!N;W2`<')I;6%R:6QY@&%B  
M;W5T@&UO;F5Y+H!4:&ES@&ES@&%B;W5T@&-H86YG:6YG@'1H9<]B96AA=FEO  
M<H!O9H!T:&6`56YI=&5D@%-T871E<RR`8F]T:(!T:&6`8F5H879I;W\*`;V:~  
M=&AE@'108F%CV\_/\_/8V]M<&%N:65S+(!T:&6`8F5H879I;W\*`;V:~=&AE@\$%M  
M97)I8V%N@'!E;W!L92R`=&AE@&9U='5R98!B96AA=FEO<H!O9L]O=7\*`8VAI  
M;&1R96XN@\$DG;8!T<GEI;F>`= &^`8W)E871E@&%N@&5N=FER;VYM96YT@&AE  
M<F6`=VET:(!T:&5S98!F:79ESW!R:6YC:7!L97.`=&AA=(!)@&)E;&EE=F6`  
M=V]U;&2`86-H:65V98!T:&%T+B+=!"<`@P'&``(`WV\*`"P`~FPL`~!<`W8S0  
M!!<`~T`"P`""<H(P@'\*" ,("(<`T(S="0L`~P`~~~~L`W?O\_\_P!D^`S\\_\_\`  
M9/S=!!`~@&'&`` ,WV+`\_`\$`#=#W04+`~ ,~~~~+`-W=!A,`@@'&``(`WV\*I#0`~  
M\$P#=\`~\$.\.`P#`~~~~~(!PP`X-T'"P`#`~~~~"P#=#5AE@%-T871E@\$%T=&]R  
M;F5Y@\$=E;F5R86QS)X!P<F]P;W-E9(!297-O;'5T:6]N@&-O;G1A:6YE9(!T  
M:&70`14`~`L`"0`!2";P(RX`~2`5`-!E;&EM:6YA=&EO;H!O9H!C;&%S<X!A  
M8W1I;VZ`;&%W<W5I='.`86YD@'!U;FET:79E@&1A;6%G97.`87.`=')A9&50  
M9F9SSV9O<H!I;F1U<W1R>8!C;VYC97-S:6]N<RZ`@%1H98!0<F5S:61E;G2`  
M;6%D98!C;&5A<H!T:&%T@'-U8VC/<F5S=')I8W1I;VYS@' =E<F6`;F]T@&&`  
M<&%R=(!O9H!H:7.`<QA;BR`8G5T@'1H872`:`&6`=V%S@' =I;&QI;F>`= &\_/  
M8V]N<VED97\*`<W5C:(!R97-T<FEC=&EO;G,Z@(`B6Z)476AEHX!Q=65S=&EO  
M;H!T:&5R98!W;W5L9(!B92R`=VAA=(!A<F7/= &AE>8!W:6QL:6YG@'10@&%G  
M<F5E@'10+H!4:&5Y@&YE962`=&^`8V]M98!A;F2` ;65E=(!W:71H@'5S+H!7

M98!N965D@'1OSV1I<V-U<W.`:70L@&%N9(!W98!N965D@'1O@'-E98!W:&5T  
M:&5R@' =E@&-A;H!E;6)O9'F`=&AE<V6`9FEV9<]P<FEN8VEP;&5S+H" `5&AE  
M<V6`87)E@'1H98!T:&EN9W.`22=M@&EN=&5R97-T962`:6XN(H`H4V5E@&%T  
M=&%C:&UE;GON\*=T(%P"#`<8``@#?8JD-``# \$#0``%P#=C-`\$%P``#0`+``((  
M!R@C" `<H(P(@%P#0C-T)"P`#`""P#=@/O\_\_P!D^ \S\\_\_\`9/S=!!``@@"&  
M```,`WV+\_\$`#=W04+```,`+`-W=!A,`@@"&``(`WV)P\$```\$P#=\``\$`. `P  
M#`""""(!PP`X-T" `P`#`""P#=26Z`<F5S<&]N<V6`=&^`88!Q=65S=&EO  
M;H!A<VMI;F>`=VAE=&AE<H!T:&6`4')E<VED96YT@&AA9(!K:6QL962`=&AE  
MT`\$5```+``D``5`M^"HW``\$%#0#0<')O<&]S86R`;V9F97)E9(!B>8!T:&6`  
M4W1A=&6`071T;W)N97F`1V5N97)A;`,`L@%!R97-I9&5N=(!#;&EN=&]NT`,`5  
M```+``D``1@NP"LX``\$%#0#0<F5S<&]N9&5D.H`B5V4G<F6`;F]T@')E:F5C  
M=&EN9X!W:&%T@'1H98!!='1O<FYE>7.`1V5N97)A;(!D:60L@'=E)W)ESV)U  
M:6QD:6YG@&]N@&ET+H" `3&]O:RR`:6:`:72`:&%D;B=T@&)E96Z`9F]R@' =H  
M872`=&AE>8!D:60L@' =E@' =O=6QD;B=T@&E@&AE<F4N(H" `\*%-E98!A='1A  
M8VAM96YT+BG="!<`@P'&``(`WV)P\$```BQ````!<`W8S0!!<````T" `P`" `<H  
M(P@' \*", "(!<`T(S="0L``P````L`W<S=!!``@@"&```,`WV+\_\$`#=W04+```,`  
M```+`-W=!A,`@@"&``(`WV)0\$@```\$P#=\``\$`. `P#`""""(!PP`X-T" `P`#  
M````"P#=5&AE@&1I<W1R:6)U=&EO;H!O9H!F=6YD<X!F;&]W:6YG@&9R;VV`  
M86YY@&QE9VES;&%T:6]N@' =O=6QD@&)E@'5P@'1OT`\$5```+``D``7@%(`,\$  
M```\$%#0#00V]N9W)E<W,L@&)U=(!P<F5S=6UA8FQY@\$-O;F=R97-S@'=I;&R`  
M8V]N<VED97\*`:6Z`861D:71I;VZ`=&^`365D:6-A:63/9G5N9'. `=VAI8VB`  
M=V5R98!P87)T:6%L;'F`<&%I9(!B>8!T:&6`<W1A=&5S+(!T:&6`;6]N:65S  
M@'!A:62`;W5T@&]V97+/=&AE@'EE87)S@&)Y@&]T:&5R@\$9E9&5R86R`<')O  
M9W)A;7.`:6YC;'5D:6YG@\$UE9&EC87)E+(!);F1I86Z`2&5A;'1HSU-E<G9I  
M8V4L@\*)#2\$%-4%53HX`H;6EL:71A<GDI+(!\$97!A<G1M96YT@&]F@%9E=&5R  
M86XG@\$%D;6EN:7-T<F%T:6]N+(!A;F3/=&AE@\$9E9&5R86R`16UP;&]Y965S  
M@\$AE86QT:(!"96YE9FET@%!R;V=R86TN@(!798!B96QI979E@&&`<&]T96YT  
M:6%L;'G/:&EG:&5R@'!R:6-E@'1A9X!F;W\*`88!L96=I\0\*L!`?%S;&%T:79E  
M\0.L!?'Q`\*T%`?`\$"I@7Q86QT:79E\0.F!?'Q`:T%\8!P<F]P;W-A;(!M87F`  
M8F6`;6]R98!A<'!R;W!R:6%T9?`\$`IP7Q\0\*F!?'&`\0.F!?'Q`:<%`?`\$"J`7Q

M@' 1H86 [/:6YD97!E;F1E;G1L>8!P=7)S=6EN9X!L:71I9V%T:6]N@&'Q`Z@%  
M\?S`J07Q\0\*H!?!S\0.H!?'Q`-D%?\?S"J@7Q=(!T:&ES@'!O:6YT+O\$#J@7Q  
M\0"G!?'Q`J8%\6CQ`Z8%\?S!IP7Q\0"K!?!A;GF`HD-O;G1H97-EHX!P<F]G  
M<F%M<X!I<X!B971T97\*`= &AA;H!P=7)S=6EN9X!L:71I9V%T:6]N@&%T@' 1H  
M:7.`<&]I;G0N\0&K!?!&@("``("``W0@7`(!Q@``"-]B4!(``&L2````7`-V,  
MT`07````-``L``@@"\*";(!R@C`B`7`-";WOD+``;````+`-WR#/+; \0"N!?'0  
M"14````L``0"!S`ZX"P\``2`5`-#Q`X%?\?S"KP7QS/\$#KP7Q0D%#2T=23U5.  
M1/,,\]\`\$%0``"P)```%(#?`\*#@`!(!4`T,S@\$0P``````"``<`,`!!<X!A@'!A  
M<G2`;V:`= &AE@' 1E86V`<F5V:65W:6YG@' 1H98!3=&%T98!!='1O<FYE>8!'!  
M96YE<F%L<R>`4F5S;VQU=&EO;L]W98!I9&5N=&EF:65D@&YU;65R;W5S@&QE  
M9V%L@&-O;F-E<FYS+H"``08!F97>`;V:`= &AE@&UO<F6`<' )O;6EN96YT@&%R  
M93J`SW=H971H97\*`:71S@&%D=F5R=&ES:6YG@&%N9(!A8V-E<W.`<F5S=' )I  
M8W1I;VYS@'9I;VQA=&6`= &AE@\$9I<G-T@\$%M96YD;65N=#O/=VAE=&AE<H!T  
M:&6`9F5D97)A;(!G;W9E<FYM96YT@&-A;H!R97%U:7)E@'-T871E<X!T;X!S  
M:&]U;&1E<H!O;F5R;W5S@&)U<F1E;G//=&^`<VAA<F6` :6Z`= &AE@' 1O8F%  
M8V^`<&%Y;65N=' ,L@&]R@')E<75I<F6`<W1A=&5S@'1O@&%D;W!T@'!R;V-E  
M9'5R86R`86YDSW-U8G-T86YT:79E@')U;&5S@')E9V%R9&EN9X!T;V)A8V-O  
M@&QI=&EG871I;VX[@'=H872` :72`9&]E<X!T;X!&1\$G<\]R96=U;&%T;W)Y  
M@&%U=&AO<FET>8!A<X!C;VYF:7)M962`8GF`;W5R@')E8V5N=(!V:6-T;W)Y  
M@&EN@' 1H98!\$ :7-T<FEC=(!#;W5R=,]I;H!.;W)T:(!#87)O;&EN83N`=VAE  
M=&AE<H!T:&6`86YT:71R=7-T@&5X96UP=&EO;G.`87)E@&]V97)L>8!B<F]A  
M9#N`=VAE=&AE<L]T:&6`8VEV:6R`;&EA8FEL:71Y@&QI;6ET871I;VYS@&%R  
M98!U;F9A:7\*`=VET:&]U=(!K;F]W:6YG@'=H872`979I9&5N8V6`; '5R:W//  
M:6Z`= &AE@' 1O8F%8V^`;6%N=69A8W1U<F5R<R>`9FEL97,[@&%N9(!W:&5T  
M:&5R@' 1H98!P96YA;'1Y@'!R;W9I<VEO;G.`=VEL; ,]H96QP@')E86-H@' 1H  
M98!T87)G971S@&9O<H!R961U8VEN9X!U;F1E<F%G98!U<V6`;V:`= &]B86-C  
M;R[,S.`1#` ```````` (!PP`X%#E@&)E;&EE=F6`= &AA=(!M86YY@&]F@' 1H97-E  
M@&QE9V%L@')I<VMS@&UA>8!A;' -O@&)E@'!R97-E;G2` :6Z`86YYSVQE9VES  
M;&%T:6]N+H"``2&]P969U;&QY+(!C87)E9G5L@&1R869T:6YG+(`H=&AE@%)E  
M<V]L=71I;VZ`;V9F97)E9(!B>8!T:&7/4W1A=&6`071T;W)N97F`1V5N97)A

M; ',G@'=A<X!V97)Y@&)R;V%D@&%N9(!I;H!M86YY@'!L86-E<X!A;6)I9W5O  
M=7.`86YDSV-O;F9U<VEN9RDL@&-O=6QD@&AE;'";6EN:6UI>F6`<V]M98!O  
M9H!T:&5S98!R:7-K<RZ`@,S@\$0P`~~~~"`,`.#,\$\$%T=&%C:&UE;G1SS#\$I  
M@%)E;6%R:W.`8GF`=&AE@%!R97-I9&5N=(!O;H!4;V)A8V-O@%-E='1L96UE  
M;G2`4F5V:65W+(!397!T96UB97\*`,3<L@#\$Y.3<[S#(I@%!R97-S@\$)R:65F  
M:6YG@&)Y@%-E8RZ`HE-H86QA;&&C@&%N9(!"<G5C98!2965D+(!397!T96UB  
M97\*`,3<L@#\$Y.3<[S.`P#`~~~~(!PP`X.``#`~~~~"P!`P`X#,I@%=H:71E  
M@\$AO=7-E@\$108W5M96YT+(`B4')E<VED96YT@\$-L:6YT;VXG<X!0;&%N@&9O

M<H!#;VUP<F5H96YS:79E@%108F%C8V\_/3&5G:7-L871I;VZ`=&^`4')O=&===== ATTA  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01INY6EIGXHC008CO0@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Mon,  
22 Sep 1997 16:04:15 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01INY6ECTKVK00GAUM@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Mon, 22 Sep 1997 16:04:10 -0400 (EDT)

Received: from wdcsun1.usdoj.gov ([149.101.1.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01INY6DRM16A005QHH@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Mon, 22 Sep 1997 16:03:41 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4)  
id QAA00884; Mon, 22 Sep 1997 16:01:52 -0400 (EDT)

Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap  
(V1.3) id sma000646; Mon Sep 22 16:01:20 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA164395645; Mon,  
22 Sep 1997 15:14:05 -0400

Received: by TELEMAIL; Mon, 22 Sep 1997 15:12:00 -0400

X-Mailer: Worldtalk (4.1.1-p1)/STREAM

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	J Smartt to Elena Kagan re: Good Morning (1 page)	09/26/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[09/09/1997 - 10/03/1997]

2009-1006-F  
eh223

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: /DDV=34357DF0.B2E#l#gphillip#r#/DDT=wpm/O=CIV/P=GOV+DOJ/A=TELEMAIL/C=US/@ju

CREATION DATE/TIME: 3-OCT-1997 19:21:00.00

SUBJECT: Indian tobacco provisions -Reply

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Greg:

I would think the Administration would be opposed to having anyone testify about how specific provisions in the tobacco resolution proposed by the state Attorney Generals should be improved. Such comments imply that the Administration has accepted that proposal as the basis for legislation. The President rejected that approach and instead set out the five principles that should be the cornerstones of any legislation.

Additionally, he met with Congressional leaders this week and suggested that they work together to draft legislation that would meet his five objectives. The WH has been very careful not to address any specifics at this point. The concerns of the Tribal Justice office can be raised during the review of any legislation that emerges from the process the President has suggested for global tobacco legislation.

To provide specific comments on the proposal offered by the state Attorneys General would seem contrary to the tack the president is taking on this.

I have taken the liberty of faxing the proposed testimony to Elena Kagan who is Chief of Staff to Bruce Reed who heads up the Office of Domestic Policy in the White House. This will get to them quicker than it would through regular channels.

Thanks, George

cc: Elena Kagan

John Dwyer

James Castello

Tony Sutin

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IODR0R69DC00NHF7@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Fri,  
03 Oct 1997 19:36:46 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IODR0LNQDS00J1BL@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Fri, 03 Oct 1997 19:36:38 -0400 (EDT)

Received: from wdcsun1.usdoj.gov ([149.101.1.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IODR044Q9K006Y8S@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Fri, 03 Oct 1997 19:36:12 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4)  
id TAA08785; Fri, 03 Oct 1997 19:34:13 -0400 (EDT)

Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap  
(V1.3) id sma008778; Fri Oct 3 19:33:42 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA164791685; Fri,  
03 Oct 1997 19:34:45 -0400

Received: by TELEMAIL; Fri, 03 Oct 1997 19:21:00 -0400

X-Mailer: Worldtalk (4.1.1-pl)/STREAM

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

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -002**

**[10/03/1997]**

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME: 3-OCT-1997 19:26:00.00

SUBJECT: Indian tobacco provisions -Forwarded

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena:

Attached is the testimony that the Office of Tribal justice is proposing  
for

clearance for a Congressional Hearing scheduled for October 9th. By an  
earlier e-mail to them, which I copied to you, I told them that I did not  
think

the Administration would think it appropriate to be offering suggestions to  
the specific provisions of the resolution proposed by the state Attorney  
Generals.

I will also fax you the attached.

--George

Date: 10/03/1997 05:30 pm (Friday)

Subject: Indian tobacco provisions

Date: Friday, October 3, 1997 5:30 pm

From: SMO02(VANNORMA)

Subject: Indian tobacco provisions

Dear Greg,







M`&`IP!O`\*`<`;P"G`&`\`IP!O`)P`;P"<`&`\`G`!O`)P`;P!Z`&0`A0!D`)P`  
M;P"G`&`\`IP!O`'H`9`"("<`&`\`<P!O`(4`9`"%"&0`A0!D`(4`9`"%"&0`A0!D  
M`(4`9`"("<`&`\`9`!D`&0`9`!D`&0`9`!D`)P`9`"("<`&0`G`!D`)P`9`"("<`&0`  
MG`!D`)P`;P"<`&`\`0P`X`\$,`!`!`#`#`@`0P`X`(4`;P!#`~~~~?@!D`&0`.!`!D  
M`#`@`9`~`X`&0`3@!D`#`@`G`!O`)P`GP"<`&`\`G`!O`\*`<`;P"G`&`\`O0"J`'H`  
M3@!Z`\$X`>@!.`&0`3@!D`\$X`9`!.`&0`3@!O`\$,`;P!#`&`\`0P"<`&`\`G`!O  
M`)P`;P"<`&`\`G`!O`)P`;P#(`)P`>@!D`!H`9`!Z`&0`>@!D`~~~~~"("<`&\  
M9`~`X`)P`;P!Z`\$X`9`!.`&`\`0P!Z`&0`>@!D`)P`;P"G`&`\`G`!O`!,`.~~~  
M`~~~~~9`!D`~~~~~#`@`~~~~~.~~X`%<`R`#(`,@`  
MR`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(  
M`,`@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`  
M>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'  
M`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'@`>`!X`'  
M`!O`&`\`.!`9`%D`60!O`&`\`M0!O`\$H`2@"R`+(`P!\*`\$H`9`!D`&`\`L@!\*  
M`~~~~.`~X`~~~~70!=`&`\`L@`X`#`@`R`#(`&`\`;P!Z`'H`F`#(`&0`R`!D`)~~  
M9`~~~~'X`K@"N`',`<P`R`~~~~~X`%T`~~~~~9`~~~  
M`~~~~P0`~/P`~~~~~\$H`(@#(`,@`R`#(`)``D`#(`,@`R`!D`)``R`#(`&\  
MD`"0`+(`L@#(`,@`R`~~~~~&0`Y0`R  
M`+(`R`#(`,@`.0`6`~~~~L@!D`\$,`0P#(`,@`R`#(`,@`D`!Z`,`@`L@"0`)``  
MD`"0`)``D`"0`)``D`"0`~~~~.`#(`&0`A0!O`'("<`;P"R`,`@`HP#(`)0`8`~`X  
M`&`\`D`!O`&`\`<P`0`)P`B0#(`,@`D`"0`)``D`"0`)``D`"0`)``D`"0`)``D`#(`,@`  
MR`#(`,@`9`#(`)``D`"0`)``R`#(`,@`R`#(`,@`R`#(`,@`R`#(`,@`R`~~~~  
M`,`@`R`#(`,@`R`#(`)``D`#(`,@`R`#(`,@`R`"N`(4`>@"<`,`@`D`#(`~~~~  
M`~~~~`,`@`R`~~~~~%4`=P`~~~~~  
M`~~~~~  
M`~~~~~D`"0`)``D`~~~~~  
M`~~~~~R`#(`~~~~~  
M`~~~~~R`~~~~~R`#(`~~~~~  
M`~~~~~`,`@`Q0"0`)``D`!D`)``D`#(`)``D`#(`,@`R`~~~~~"0`)``  
M`~~~~~D`!D`~~~~~)``D`"0`)``9`~~~~~"0`)``D`"0`)~~~~~

M`~~~~D`"0`) ~~~~~D`"0`) ~~~~~D`"0`) ~~~~~D`"0`) ~`  
MD`"0`) ~`D`"0`) ~`D`"0`) ~`D`"0`~~~~~"0`~~~~~) ~`D`"0`  
M`) ~`D`"0`~~~~~D`"0`) ~`D`"0`) ~`D`"0`#@`~~~~~D`"0`) ~`  
M. ~~~~~"0`) ~`D`X`~~~~~) ~`D`"0`#@`~~~~~D`"0`) ~`D`~`  
M`~~~~~"0`~~~~~  
M`~~~~~  
M`~~~~~) ~~~~~D`"0`) ~`D`~~~~~"0`) ~`  
MD`#1^(4`<P!Z`' <~~~~~&\`9`"4`',`9`!D`'H`70"<`',`F`!Z`\$,`-`!^  
M`&0`E`!D`+(`=P`<`&\`D`!@`\*`<`<P`C`'H`<P!S`'H`@@`~`%T``;P!`=`H`  
M=P`Y`) ~`>@!O`+D`D`"C`) P`<P!D`',`~`-`T`',`~`=P!W`) P`<P`" ~~~~~G`~`  
M` (D`D`"3`#@`~`!O`&\`~` ;P!O`&\` ~~~~~!O`&\`  
M` ~~~~~<P!S`',`~`<P!S`',`~`<P!S`',`~`<P!S`',`~`<P!S`  
M`',`~`<P!S`',`~`<P!D`&0`9`!D`&0`9`!D`',`~`<P!S`',`~`<P!S`',`~`<P!S`',`~`  
M<P!S`',`~`<P!S`',`~`<P!S`',`~`<P`T`#0`-`~`T`#0`-`~`T`#0`-`~`T`#0`-`!S`  
M`',`~`<P!S`',`~`<P!S`' <`=P!W`' <`=P!W`' <`=P!W`' <`=P!W`') P`G`" <`) P`  
MG`" <`) P`G`" <`) P`G`" <`) P`G`" <`) P`G`" <`) P`G`" X`~~~~~!Z`~~~~~"%`  
M`&0`G`!#`\*`<`>@`C`\$,`~`>@!S`~` (~`9`!9`\$,`~`O`!X`~`.0`!`\$,`~` ;0`] ~`! <`-@`  
MM`#D`~.0` [ `#L`" `! ( ` ' <`~`P!C`",`~`+0`<`!X`-@`O`#8`+P`M`"T`+0`M`"T`  
M`+0`=`~`" (@`B`" ` \ `+P` ;`~`!L`+0`J`"H`\*`@`X`"\$`\*0`U`"L`\*P`@`" @`) ~`  
MD`",`~` (@`G`"L`+`~`L`"P`~.0`T`" ` \ ` -@`N`"X`+@`R`"T`-@`T`"8` ,P`\_`"0`  
M`+P`D`"P`+`~`L`"P`%`@`D`#`~`+`~`<`#0`-`~`L`"P`+`~`~` :`~`!H`#P`L`"P`+`~`  
ML`"P`+P`6`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`  
M`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P`+`~`L`"P` ,P`S`# ,` ,P`Q`#\$` ,0`Q`#\$` ,0`  
MQ`#\$` ,0`Q`#\$`X`/`@`G`" <`+`~`L`"P`+`~`L`"P` ,`~`P`"P`+`~`F`"8`) @`F`#0`  
M`-`~`L`"P`\*P`K`"L`\*P`L`"P`\*`~`H`#0`\*`~`F`"8`) @`F`! <`\$`@`?`"8`+`~`  
ML`!#1R! / ; 65G80!#1R! / ; 65G82! ; VQD`\$ -O=7) I97 (@, 3) P="`Q, " !P:71C`  
M: "`H3&5G86PI ("A) 1BD`2\$ -O=7) I97 (@, 3) P="`Q, " !P:71C: "`H3&5G86PI`  
M(\$) O; &0`\*`\$E`\*0!@0V] U<FEE<B`H3&5G86PI`\$] ,4P!4049&~~~~~  
M`~~~~~! ,151415) (14%\$ ~~~~~  
M`~~~~~< ,#83H`~`%X\$`~`#4`0P`~`~` :1`%@`~`~` ,`~`!4T`4 ,





M~~~~!48#E[L~~)(\*)~#4`0P~~~~:1`%@~~~~,~~'4T`4,~+`\$L`18`K`\$#`~`%  
MT-\$!(P`~6`)W~, \9OA"F"~~~~!`@4.P`B8HW\$OL!`~:IS6`)0(P`!T<\$"``<(   
M!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`P<\$"P!+`   
M\$B@`P<\$"&!48%2T`P<, ,PU4N(% ,N(\$1E<&%R=&UE;G0@;V8@2G5S=&EC9<0,   
MQ`K4`0P`~~~;(`,@`Z0`,~~'4T0\$C`~&P!)`!\$" <0)Q`G`~~~~~!`\_`"9>0\$`   
M`~`#IH&P!\$`C`~`1TP8)`~`I`%@"0`&TTO\*2@K4`0P`~~~~:0`%D`(`, ,~~'4   
MTP8)`~`\$@`]@#`0`&T]\$!(P`#6`)W~, \9OA"F"~~~~!`@4.P`B8HW\$OL!`~:IS   
M6`)0(P`!T<\$"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$"   
M:!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P45X96-U=&EV92!396-R971A<FEA   
M=`H\*"M\$!(P`!D`%/`~, \9OA"F"~~~~!`@4.P`B8HW\$OL!!>N&D`%0(P`!T<, (   
MPPK\$",0\*U`\$,~~&\$`~`(<%#`~!U`~!#"P!+`\$L`18`@P`~=#3!@D`~8<%   
M^`<)`~;3V@5Y`~~~~~/0(!`L`3X!P`~~~~~9`~`   
M`~~~~!D`&0`~~~~~   
M`~~~~~\$`~~~~~!D`!=H\*"L\$"   
M"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`P<\$"   
MP!+`\$B@`P<\$"&!48%2T`P5=A<VAI;F=T;VXL(\$0NORX@(#(P-3,P"M`!#"P   
M!%@"L`2P!`P`~=#1`2,`!`?0!>`#`%3806`<`~`\$4#)`),XQP\$[``#;=U@"   
M0",``=\$\*"M`%#`!8`K`\$L`2P!`P`!=`\*P0((!P@'#P#!P0)@"6`)`%`#!P0\*X   
M"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!3\$E"   
M4U1!1D8`~~~~~\$Q%5%1%4DA%040`~~~~~   
M`~~~~~&K@-=V`~`3)8`~-0!#`~`   
M!IS`6`~`~`P`~`=30!0P`L`2P!%@"L`0,`~70T0\$C`~!8`G<`SQF^\$\*8(`~`~`   
M\$"!0[``)BC<2^P\$!JD18`E`C`~`1P0((!P@'#P#!P0)@"6`)`%`#!P0\*X"[@+   
M&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!PPS#52X@   
M4RX@1&5P87)T;65N="!09B!\* =7-T:6-EQ`S\$"M0!#`~`!L@`R`#I`~`P`~`=31   
M`2,``;`\$D`\$0)Q`G\$"<`~`~`~`\$#\`EY`0`~`~`.F@;`\$0",``='3!@D`~`>D`   
M6`())`~;31`I`\*M,&`0`!(~/8`PD`!M/1`2,`~`U@"=P#/&;X0I@`~`~`0(%#L   
M`(F\*-Q+[`0&J1%@"4",``=\$\*P0((!P@'#P#!P0)@"6`)`%`#!P0\*X"[@+&0#!   
MP0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!2G5S=&EC92!-   
M86YA9V5M96YT(\$1I=FES:6]N"@K4`0P`~~~~:2`%<`.P0,~~'4PPC#P0((!P@'

M#P#!PO)@"6`)%`#!PO\*X"[@+&0#!PO(0#A`. '#!PO)H\$&@0(P#!PO+`\$L`2  
M\*`#!PO(8%1@5+0#!3&EB<F%R>2!3=&%F9L0(Q`H\*U`\$, ````&\$``````T&#````!  
MU-\$!(P`!D`%/`,`\9OA"F"``````!`@4.P`B8HW\$OL!!>N&D`%0(P`!T=`!#`"P  
M!+`\$L`18`@P``=#3!@D``0T&^`<)`;3V@5Y````````/0(!``L`3X!P``````  
M``````````9````````!D`&0``````````````````````````````  
M``\$````````  
M``'D`!=H\*"M0!#````!F\$`10!6!@P``=3!`@@"`"</`,`,!`F`)  
M8`D4`,`,!`K@+N`L9`,`,!`A`. \$`X>`,`,!`F@0:!!`C`,`,!`L`2P!(H`,`,!`A@5  
M&!4M`,`"#",-787-H:6YG=&]N+!"!\$+D,N("`R,#4S,,0(Q`K0`0P`L`18`K`\$  
ML`0,``'0T0\$C``7T`7@`\_A4V\$%@'``````!!%`R0"3.,<!`P``VW=8`D`C```1  
M"@K0!0P`6`\*P!+`\$L`0,``70"L\$"``<(!P`\`P<\$"8`E@"10`P<\$"N`NX"QD`  
MP<\$"\$X0#AX`P<\$":!!H\$`,`P<\$"P!+`\$B@`P<\$"&!48%2T`P?O\_!0`R`!`Y  
M````'`<T#````!`\*@`````%0`P``5"X````D!OP,``\*0Q````\*`0T\$``!C-0``3T1!  
M1P``````````````````````\$Q%5%1%4DA%040``````````````````````  
M``'! =0,%Z@``P@``-0!#````  
M!I\$`6``````P``=30!0P`L`2P!%@"L`0,``70T0\$C``!8`G<`SQF^\$\*8(````  
M\$"!0[``")BC<2^P\$!JD18`E`C```1P0((!P@'`#!PO)@"6`))0#!PO\*X"[@+  
M+@#!PO(0#A`. `#!PO)H\$&@000#!PO+`\$L`22P#!PO(8%1@55`#!PPS#52X@  
M4RX@1&5P87)T;65N="!09B!\* =7-T:6-EQ`S\$"M0!#````!L@`R`#I``P``=31  
M`2,``;`\$D`\$0)Q`G\$"<``````\$#\`EY`0````.F@;`\$0",``='3!@D``>D`  
M6`())``;31`I\*"M0!#````!I``60`@`PP``=33!@D``2`#V`,`,)``;3T0\$C``-8  
M`G<`SQF^\$\*8(````\$"!0[``")BC<2^P\$!JD18`E`C```1P0((!P@'`#!PO)@  
M"6`))0#!PO\*X"[@++@#!PO(0#A`. `#!PO)H\$&@000#!PO+`\$L`22P#!PO(8  
M%1@55`#!3V9F:6-E(&]F('1H92!\$97!U='D@071T;W)N97D@1V5N97)A;`H\*  
M"M\$!(P`!D`%/`,`\9OA"F"``````!`@4.P`B8HW\$OL!!>N&D`%0(P`!T<,(PPK\$  
M",0\*U`\$,````&\$``````(<%#``!U-`!#`"P!+`\$L`18`@P``=#3!@D``8<%^`<)  
M``;3V@5Y````````/0(!``L`3X!P``````````````````````9``````  
M``!D`&0``  
M``\$````````  
M``'D`!=H\*"M0!#````  
M!F\$`1@!6!@P``=14:&4@1&5P=71Y(\$%T=&]R;F5Y(\$=E;F5R86S!`K@+N`LN

M`,'!`A`.\$`XX`,'!`F@0:!!!`,`!`L`2P!)+`,`!`A@5&154`,`!`#`,`-787-H  
M:6YG=&]N+`!\$+D,N(`R,#4S,,0(Q`K0`0P`L`18`K`\$L`0,``'0T0\$C``7T  
M`7@`\_A4V\$%@'````!!%`R0"3.,<!`P``VW=8`D`C``'1"@K0!0P`6`\*P!+`\$  
ML`0,``70"L\$""`<(!QP`P<\$"8`E@"24`P<\$"N`NX"RX`P<\$"\$`X0#C@`P<\$"  
M:!!H\$\$\$`P<\$"P!+`\$DL`P<\$"&!48%50`P5!,04E.1\$]\*````````````````````  
M``!,151415)(14%\$``  
M`````````````````````"/@O9T``#":``#4`0P````:1`%@````````````````````  
ML`18`K`\$#``%T-\$!(P``6`)W`,`\9OA"F"``````!`@4.P`B8HW\$OL!``:IS6`)0  
M(P`!T<\$""`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H  
M\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,,PU4N(%N(\$1E<&%R=&UE;G0@;V8@  
M2G5S=&EC9<0,Q`K4`0P````;(`,@`Z0`,```'4T0\$C```&P!)`!\$"<0)Q`G````  
M``!`\_`"9>0\$````#IH&P!\$`C``'1TP8)``'I`%@"0`&TT0\*2@K3!@D``2`#  
MV`,`),``;3T0\$C``-8`G<`SQF^\$\*8(````\$"!0[")BC<2^P\$!JD18`E`C``'1  
M"@H\*TO\$C``&0`4\`SQF^\$\*8(````\$"!0[")BC<2^P\$%ZX:0`5`C``'1PPC#  
M"LO(Q`K4`0P````80````AP4,``'4T`\$,``+\$L`2P!%@"#``!T-,&"0`!AP7X  
M!PD`!M/:!7D``````]`@`\$`"P!/@"````````````````````!D````  
M``````&0`9``  
M````````````````````0````````````````````````````````>0`%V@H\*U`\$,  
M````&80!%`%8&#``!U,\$""`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0  
M#AX`P<\$":!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,(PU=A<VAI;F=T;VXL  
M(\$ONORX@(#(P-3,PQ`C\$M`!#`"P!%@"L`2P!`P``=#1`2,`!`?0!>`#`^%380  
M6<`````\$4#)`),XQP\$[``#;=U@"0",``=\$\*"M`%#`!8`K`\$L`2P!`P`!=`\*  
MPO((!P@`#P#!PO)@"6`)`%`#!PO\*X"[@+&0#!PO(0#A`. '@#!PO)H\$&@0(P#!  
MPO+`\$L`2\*`#!PO(8%1@5+0#!3U!\$``````````````````````````````\$Q%5%1%  
M4DA%040``  
M````````)9P/F,``4`0``-0!#````!IS`6``````P``=30!0P`L`2P!%@"L`0,  
M``70T0\$C``!8`G<`SQF^\$\*8(````\$"!0[")BC<2^P\$!JD18`E`C``'1P0((  
M!P@`%P#!PO)@"6`) '@#!PO\*X"[@+]@#!PO(0#A`. +@#!PO)H\$&@0-0#!PO+`  
M\$`L`2/0#!PO(8%1@510#!PPS#52X@4RX@1&5P87)T;65N="!O9B!\*=-7-T:6-E  
MQ`S\$M0!#````!L@`R`#I``P``=31`2,``;`\$D`\$0)Q`G\$"<``````\$#\`EY

M`0`~~~~.F@;`\$0",``='3!@D``>D`6`(`)```;31`I\*`M0!#`~~~!I``60`@`PP`  
M`=33!@D``2`#V`,)```;3T0\$C``-8`G<`SQF^\$\*8(```\$"!0[``)BC<2^P\$!  
MJD18`E`C```1P0((!P@!%P#!P0)@`6`)`@#!P0\*X"[@+]@#!P0(0#A`.+@#!  
MP0)H\$&@0-0#!P0+`\$L`2/0#!P0(8%1@510#!3V9F:6-E(&]F(%!O;&EC>2!\$  
M979E;&]P;65N=`H\*`M\$!(P`!D`%/`,`\9OA"F"````!`@4.P`B8HW\$OL!!>N&  
MD`%0(P`!T<,(PPK\$",0\*U`\$,```&\$`~~~~(<%#`~!U-`!#`"P!+`\$L`18`@P`  
M`=#3!@D``8<%^`<)```;3V@5Y`~~~~~/0(!``L`3X!P`~~~~~  
M`~~~~~9`~~~~~!D`&0`~~~~~  
M`~~~~~\$`~~~~~  
M`!D`!=H\*`M0!#`~~~!F\$`1@!6!@P``=1/9F9I8V4@;V8@=&AE(\$1I<F5C=&]R  
MP0\*X"[@+]@#!P0(0#A`.+@#!P0)H\$&@0-0#!P0+`\$L`2/0#!P0(8%1@510#!  
MPPC#5V%\$:&EN9W10;BP@1"Y#+B`@,C`U,S#\$",0\*T`\$,`+`\$6`\*P!+`\$#`~!  
MT-\$!(P`%)]`%X`/X5-A!8!P`~~~~010,D`DSC`!3L`~-MW6`)` (P`!TOH\*T`4,  
M`%@"L`2P!+`\$#`~%T`K!`@@!"`<7`,`!`F`)8`D>`,`!`K@+N`LF`,`!`A`.  
M\$`XN`,`!`F@0:!!`U`,`!`L`2P!(]`,`!`A@5&15%`,`%!04%'3\$,`~~~~~  
M`~~~~~3\$545\$522\$5!1`~~~~~  
M`~~~~~JU`U"L`~#>(```U`\$,```&D0!8`~~~~#`~!  
MU-`%#`"P!+`\$6`\*P!`P`!=#1`2,``%@"=P#/&;X0I@`~~~~0(%#L` (F\*-Q+[  
M`0&Jl%@"4",``='!`@@"`</`,`!`F`)8`D4`,`!`K@+N`L9`,`!`A`..\$`X>  
M`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`A@5&14M`,`##,-5+B!3+B!\$97!A<G1M  
M96YT(&]F(\$IU<W1I8V7\$#,0\*U`\$,```&R`#(`.D`#`~!U-\$!(P`!L`20`1`G  
M\$"<0)P`~~~~~0/P`F7D!`~~~~~Z:!!L`1` (P`!T=,&"0`!Z0!8`@D`!M-\$"DH\*  
MU`\$,```&>`!0`"``#`~!U-,&"0`!(~/8`PD`!M/1`2,``\_0!8P#/&;X0I@`  
M`~~~~0(%#L` (F\*-Q+[`03+F\_0!4",``='!`@@"`</`,`!`F`)8`D4`,`!`K@+  
MN`L9`,`!`A`..\$`X>`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`A@5&14M`,`%=7-T  
M:6-E(\$UA;F%G96UE;G0@1&EV:7-I;VX\*@"K4`0P`~~~9A`\$4`V`,`~~`4T0\$C  
M`20`4`\`SQF^\$\*8(```\$"!0[``)BC<2^P\$%ZX:0`5`C```1PPC#07-S;V-I  
M871E(\$%S<VES=&%N="!!='10<FYE>2!'96YE<F%L"M0!#`~~~!F\$`10!^!`P`  
M`=0@(\$QE9V%L(\$-O=6YS96S\$",0\*U`\$,```&\$`~~~~"0%#`~!U-`!#`"P!+`\$  
ML`18`@P``=#3!@D``20%`^`<)```;3V@5Y`~~~~~/0(!``L`3X!P`~~~~~

M`-----9`-----!D`&0`-----  
M`-----\$`-----  
M`-----'D`!=H\*"M0!#`---!F\$`10!6!@P``=3!`@@!""`</`,`!`F`)8`D4  
M`,`!`K@+N`L9`,`!`A`. \$`X>`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`A@5&!4M  
M`,`'#",-787-H:6YG=&]N+!"!\$+D,N("`R,#4S,,0(Q`K0`0P`L`18`K`\$L`0,  
M`---'0T0\$C`7T`7@`\_A4V\$%@'`-----!!%`R0"3.,<!`P``VW=8`D`C``'1"@K0  
M!0P`6`\*P!+\$`L`0,`70"L\$""`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"  
M\$`X0#AX`P<\$":!!H\$`,`P<\$"P!+\$`B@`P<\$"&!48%2T`P?O\_!0`R`&E+`---+  
M`1L\$``"B.0``#`\$"!`---O3T``T!EP0``+)!`---.1,%``!61@``3&5T=&5R  
M(\$5!1TQ%`-----\$QE='1E<FAE860@\*\$5!1TQ%(\$]F9FEC92P@,3!C  
M<&D@0V]U<FEE<BD`-----+PP,4UP``K78``-0!#`---!I\$`  
M6`-----P``=30!0P`L`2P!%@"L`0,`70T0\$C``!8`G<`SQF^\$\*8(`---\$"!0  
M["`)BC<2^P\$!JD18`E`C``'1P0((!P@!#P#!P0)@"6`)%`#!P0\*X"[@+&0#!  
MP0(0#A`. '@#!P0)H\$&@0(P#!P0+\$`L`2\*`#!P0(8%1@5+0#!PPS#52X@4RX@  
M1&5P87)T;65N="!O9B!\*=-7-T:6-EQ`S\$"M0!#`---!L@`R`#I``P``=31`2,`  
M`;\$D`\$0)Q`G\$"<`-----\$#\`)EY`0`-----.F@;`\$0",``='3!@D``>D`6`()  
M``;31`I\*"M0!#`---!G@`4``@`PP``=33!@D``2`#V`,`)``;3T0\$C``/T`6,`  
MSQF^\$\*8(`---\$"!0["`)BC<2^P\$SRYOT`5`C``'1P0((!P@!#P#!P0)@"6`)  
M%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+\$`L`2\*`#!P0(8%1@5  
M+0#!2G5S=&EC92!-86YA9V5M96YT(\$1I=FES:6]N"M0!#`---!GH`3@!(`@P`  
M`=3!`@@!""`</`,`!`F`)8`D4`,`!`K@+N`L9`,`!`A`. \$`X>`,`!`F@0:!!`C`  
M`,`!`L`2P!(H`,`!`A@5&!4M`,`'#",-%04=,12!/9F9I8V7\$",0\*"M\$!(P`\$  
MD`%/`,`\90A"F"``---!`@4.P`B8HW\$OL!!>N&D`%0(P`!T<,(PPK\$",0\*U`\$,  
M``&\$`-----"0%#``!U-`!#`"P!+\$`L`18`@P``=#3!@D``20%`^<)`-;3V@5Y  
M`-----/0(!`L`3X!P`-----9`-----!D`&0`-----  
M`-----  
M`-----\$`-----'D`!=H\*"M0!#`---!F\$`10!6  
M!@P``=3!`@@!""`</`,`!`F`)8`D4`,`!`K@+N`L9`,`!`A`. \$`X>`,`!`F@0  
M:!!`C`,`!`L`2P!(H`,`!`A@5&!4M`,`'#",-787-H:6YG=&]N+!"!\$+D,N("`R  
M,#4S,,0(Q`K0`0P`L`18`K`\$L`0,`---'0T0\$C`7T`7@`\_A4V\$%@'`-----!!%`







```

M9~~~~~E!#+3$N5U!'~~~~~
M~~~~~0~%@"6`(`~~~~~>0`#VMH#>0"!`X`6`)8
M`K@+L`0~~~~~6`(`~~~~~, "IX'@`9`!D~~~~~"4$,M
M,2Y74$<~~~~~
M~~~~~!~~~~6`)8`@~~~~~!Y`~/:V@-Y`*$`#@!8`E@"$`ZP!~~~~~
M~~~~~!8`@~~~~~P*G@>`!D`&0~~~~~)00RTQ+E=01P~~~~~
M~~~~~$~~~~!8`E@"~~~~~
M~~~~~'D`~]K:~WD`P0`.~%@"6`)H$+`$`~~~~~
M`%@"~~~~~#`J>!X`~&0`9~~~~~E!#+3$N5U!'~~~~~
M~~~~~0~%@"6`(`~~~~~
M>0`#VMH#>0#A`X`6`)8`L`2L`0~~~~~6`(`~~~~~, "IX
M'@`9`!D~~~~~"4$,M,2Y74$<~~~~~
M~~~~~!~~~~6`)8`@~~~~~!Y`~/:V@-Y`~$!
M#@!8`E@"&!6P!~~~~~!8`@~~~~~P*G@>`!D`&0~~~~~
M`~)00RTQ+E=01P~~~~~
M~~~~~$~~~~!8`E@"~~~~~'D`~]K:~WD`(0$.~%@"6`)P%[~$
M~~~~~%@"~~~~~#`J>!X`~&0`9~~~~~E!#+3$N5U!'
M~~~~~0~~~~~
M`%@"6`(`~~~~~>0`#VMH#>0!!`0X`6`)8`L@9L`0~~~~~
M~~~~~6`(`~~~~~, "IX'@`9`!D~~~~~"4$,M,2Y74$<~~~~~
M~~~~~!~~~~6`)8`@~~~~~
M~~~~~!Y`~/:V@-Y`&$!#@!8`E@"(!RP!~~~~~!8`@~~~~~
M`~P*G@>`!D`&0~~~~~)00RTQ+E=01P~~~~~
M~~~~~$~~~~!8`E@"~~~~~'D`~]K:
M`WD`@0$.~%@"6`)X`K`$`~~~~~%@"~~~~~#`J>!X`~&0`
M9~~~~~E!#+3$N5U!'~~~~~
M~~~~~0~%@"6`(`~~~~~>0`#VMH#>0"A`0X`6`)8
M`M`@L`0~~~~~6`(`~~~~~, "IX'@`9`!D~~~~~"4$,M
M,2Y74$<~~~~~
M~~~~~!~~~~6`)8`@~~~~~!Y`~/:"DI54DE3($Q%5%1%4@~~~~~

```





M9WD@4W1A9F;\$",0\*"M\$!(P`#D`%/` ,\90A"F"~~~~!`@4.P`B8HW\$OL!!8#;

MD`%0(P`!T0H\*U`\$,``&\$````\*\$\$#``!U-`!#`"P!+`\$L`18`@P``=#3!@D`

M`:\$^`<)`;3V@5Y`~~~~/0(!`L`3X!P`~~~~~

M9`~~~~~!D`&0`~~~~~

M`~~~~~\$`~~~~~'D`!=H\*

M"L\$""`<(!P`\P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`

MP<\$"P!+`\$B@`P<\$"&!48%2T`P<,(PU=A<VAI;F=T;VXL(\$ONORX@(#(P-3,P

MQ`C\$`M`!#`"P!%@"L`2P!`P``=#1`2,`!5@"=P#/&;XOI@`~~~~0(%#L`(F\*

M-Q+[`0#\95@"4",``=\$\*"M`%#`!8`K`\$L`2P!`P`!=`\*P0((!P@!#P#!P0)@

M"6`)%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8

M%1@5+0#!V`!\$`#,@,2P@-`~~~~~!#;W5R

M:65R(#\$P(\$-020`4`~~~~<`~`(`<`!`~~~~!"!\$`~#8`\_`%#(`)7\$`~!,!

M6`0`~#]?`~`4`6(\$`~"78P`~%0'!!`~`^6<`~!8!900`~,!L`~!#;VT@4W)V

M<P!T97(`~~~~~3\$545\$522\$5!1" `H0V]M<"!3<G9S(%-T869F+"`Q

M,G!T(\$-`(%1I;65S\*0`~~~~~!,`!-@K`~`^IP`~U`\$,``~&B0`\_

M`~`#`~!U-`%#`"P!+`\$6`\*P!`P`!=#1`2,``%@"=P#/&;XOI@`~~~~0(%#L

M`(F\*-Q+[`0#\95@"4",``='!`@@'"`</`,`!'`F`)8`D4`,`!'`K@+N`L9`,`!'

M`A`. \$`X>`,`!'`F@0:!'`C`,`!'`L`2P!(H`,`!'`A@5&!4M`,`'##,-5+B!3+B!\$

M97!A<G1M96YT(&)F(\$IU<W1I8V7\$#,0\*U`\$,``~&EP`Q`,`@`#`~!U-`\$!(P`~

ML`20`1`G\$`<0)P`~~~~~0/P`F7D!`~~~~DEQL`1`(P`!T=,&"0`!R`!8`@D`

M!M-\$"DH\*U`\$,``~&<P`T`)`!#`~!U-,&"0`!D`!8`PD`!M/1`2,``O0!8P#/  
M&;XOI@`~~~~0(%#L`(F\*-Q+[`0/E700!4",``='!`@@'"`</`,`!'`F`)8`D4  
M`,`!'`K@+N`L9`,`!'`A`. \$`X>`,`!'`F@0:!'`C`,`!'`L`2P!(H`,`!'`A@5&!4M  
M`,`%\*=7-T:6-E(\$UA;F%G96UE;G0@1&EV:7-I;VX\*U`\$,``~&<P`T`"<"#`~!

MU,\$""`<(!P`\P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`

MP<\$"P!+`\$B@`P<\$"&!48%2T`P<,(PT-O;7!U=&5R(%-E<G9I8V5S(%-T869F

MQ`C\$`"@K1`2,``Y`!3P#/&;XOI@`~~~~0(%#L`(F\*-Q+[`06`VY`!4",``=\$\*

M"M0!#`~`!A`~`"A!`P``=30`0P`L`2P!+`\$6`(`,``'0TP8)`~&A!/@'"0`&

MT]H%>0`~`~`#T`"0`+`\$^`<`~~~~~&0`~~~~~

M9`!D`~~~~~

M`-----!-----!Y`7:"@K!`@"`</  
M`,!`F`)8`D4`,`!`K@+N`L9`,`!`A`..\$`X>`,`!`F@0:!!`C`,`!`L`2P!(H  
M`,`!`A@5&!4M`,`!`#, -787-H:6YG=&]N+`!\$+D,N("`R,#4S,,0(Q`K0`OP`  
ML`18`K`\$L`0,`!`0T0\$C`58`G<`SQF^\$\*8(`\$\$\$`\$"!0[`)BC<2^P\$`\_&58  
M`E`C`1"@K0!0P`6`\*P!+`\$L`0,`!`70"L\$`" <(!P\`P<\$"8`E@"10`P<\$"  
MN`NX"QD`P<\$"\$X0#AX`P<\$":!!H\$`,`P<\$"P!+`\$B@`P<\$"&!48%2T`P=@`  
M1`S(#\$L(#0`-----0V]U<FEE<B`Q,"!#  
M4\$D`%`-----"!!`0`0`@1`V%1E;&4@4W)V<R`<@`-----  
M`!,151415)(14%\$("A496QE(%-R=G,@4W1A9F8L(#\$R<'0@0T<@5&EM97,I  
M`-----%`H\$DND`+{?`#4`0P`:`) `#\``,`!`4T`4,`+`\$  
ML`18`K`\$#`%T`\$!(P`6`)W`,`\9OA"F"````!`@4.P`B8HW\$OL!~/QE6`)0  
M(P`!T<\$`" <(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$X0#AX`P<\$":!!H  
M\$`,`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,,PU4N(%N(\$1E<&%R=&UE;G0@;V8@  
M2G5S=&EC9<0,Q`K4`0P`:`7`#\$`R`,`!`4T0\$C`"P!)`!\$"<0)Q`G`  
M`!`\_`"9>0\$`"27&P!\$`C`1TP8)`(`%@"0`&TT0\*2@K4`0P`9S  
M`#0`D`\$`,`!`4TP8)`&0`=#"0`&T]\$!(P`)]`%C`,`\9OA"F"````!`@4.P`  
MB8HW\$OL!`^5>]`%0(P`!T<\$`" <(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"  
M\$X0#AX`P<\$":!!H\$`,`P<\$"P!+`\$B@`P<\$"&!48%2T`P4IU<W1I8V4@36%N  
M86=E;65N="!\$:79I<VEO;@K4`0P`9S`#0`)P(,`!`4P0((!P@'#P#!P0)@  
M`6`)`%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8  
M%1@5+0#!PPC#5&5L96-0;6UU;FEC871I;VYS(%-E<G9I8V5S(%-T869FQ`C\$  
M"@K1`2,`!`Y`!3P#/&;X0I@`0(%#L` (F\*-Q+[`06`VY`!4",`!`=\$\*"M0!  
M#`!A`"A!`P`=30`0P`L`2P!+`\$6`(`!`0TP8)`&A!/@"0`&T]H%  
M>0`#T"0`+`\$^<-----&0`-----9`!D  
M`-----  
M`-----!-----!Y`7:"@K!`@"`</`,`!`  
M`F`)8`D4`,`!`K@+N`L9`,`!`A`..\$`X>`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`  
M`A@5&!4M`,`!`#, -787-H:6YG=&]N+`!\$+D,N("`R,#4S,,0(Q`K0`OP`L`18  
M`K`\$L`0,`!`0T0\$C`58`G<`SQF^\$\*8(`\$\$\$`\$"!0[`)BC<2^P\$`\_&58`E`C  
M`1"@K0!0P`6`\*P!+`\$L`0,`!`70"L\$`" <(!P\`P<\$"8`E@"10`P<\$"N`NX

M"QD`P<\$`\$`X0#AX`P<\$`":!!H\$",`P<\$`P!+`\$B@`P<\$`&!48%2T`P=@`1``S  
M(#\$L(#0`-----0V]U<FEE<B`Q,"!#4\$D`  
M%`-----"0`-----0`@1``V\$-O;7`O5&5L92]390!U<FET>0`-----!,  
M151415)(14%\$("A#;VUP+"!496QE("8@4V5C=7)I='DL(#\$R<'0@0T<@5&EM  
M97,I`-----%6\\$^2`\*CE`#4`OP`:`)#\`-----,``'4T`4,`+`\$L`18  
M`K`\$#`T`-\$!(P`6`W`,\9OA"F"````!`@4.P`B8HW\$OL!~/QE6`)0(P`!  
MT<\$`"``<(!P\`P<\$`8`E@"10`P<\$`N`NX"QD`P<\$`\$`X0#AX`P<\$`":!!H\$",`  
MP<\$`P!+`\$B@`P<\$`&!48%2T`P<,,PU4N(%N(\$1E<&%R=&UE;G0@;V8@2G5S  
M=&EC9<0,Q`K4`OP`:`7`#\$`R``,`'4T0\$C`"P!)`!\$"<0)Q`G`-----!`  
M\_`"9>0\$`-----"27&P!\$`C`'1TP8)`(`%@"0`&TT0\*2@K4`OP``9S`#0`  
MD`\$,``'4TP8)`&0`=@#"0`&T)\$!(P`)]`%C`,\9OA"F"````!`@4.P`B8HW  
M\$OL!`^5>]`%0(P`!T<\$`"``<(!P\`P<\$`8`E@"10`P<\$`N`NX"QD`P<\$`\$`X0  
M#AX`P<\$`":!!H\$",`P<\$`P!+`\$B@`P<\$`&!48%2T`P4IU<W1I8V4@36%N86=E  
M;65N="!\$:79I<VEO;@K4`OP``9S`#0`)P(,``'4P0((!P@'#P#!P0)@"6`)  
M%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5  
M+0#!PPC#0V]M<'5T97(@86YD(%1E;&5C;VUM=6YI8V%T:6]N<PW4`OP``9S  
M`#0`S@,(,``'4P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+&0#!P0(0#A`. '@#!  
MP0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!P0)P%W`7,@#!4V5C=7)I='D@  
M4W1A9F;\$",0\*"M\$!(P`#D`%/`,`\9OA"F"````!`@4.P`B8HW\$OL!!8#;D`%0  
M(P`!TOH\*U`\$,``&\$`-----\$%#`!U-`!#"P!+`\$L`18`@P``=#3!@D`4@%  
M^`<)`;3V@5Y`-----/0(!`L`3X!P`-----9`  
M`-----!D`&0`-----  
M`-----`\$`-----M"``<(!P\`P<\$`8`E@"10`P<\$`N`NX"QD`P<\$`\$`X0#AX`P<\$`"  
MP!+`\$B@`P<\$`&!48%2T`P<,(PU=A<VAI;F=T;VXL(\$0NORX@(#(P-3,PQ`C\$  
M"M`!#"P!%@"L`2P!`P`=#1`2,`!5@`=P#/&;XOI@@`-----0(%#L`(F\*-Q+[  
M`0#\95@"4",``=\$\*"M`%#`!8`K`\$L`2P!`P`!=`\*P0((!P@'#P#!P0)@"6`)  
M%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5  
M+0#!V`!\$`#,@,2P@-`-----!#;W5R:65R  
M(#\$P(\$-020`4`-----<`-----(`<`!`-----!"!\$`#84WES(%!O;&EC>0!R`  
M`-----`\$Q%5%1%4DA%040@\*%-Y<R!0;VQI8WD@4W1A9F8L(#\$R<'0@0T<@

M5&EM97,I`-----6#010&P`:/<`-0!#`!I\$`6`-----P`=30  
M!0P`L`2P!%@"L`0,`70T0\$C`!8`G<`SQF^\$\*8(```\$"!0[")BC<2^P\$!  
MJD18`E`C`1P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+&0#!P0(0#A`. '@#!  
MPO)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!PPS#52X@4RX@1&5P87)T;65N  
M="!09B!\*=-7-T:6-EQ`S\$"M0!#`!L@`R`#I`P`=31`2,``;`\$D`\$0)Q`G  
M\$"<````\$#\`EY`0``.F@;`\$0",``='3!@D``>D`6`())``;31`I\*"M0!  
M#`!G@`4``@`PP`=33!@D``2`#V`,)``;3T0\$C``/T`6,`SQF^\$\*8(```  
M\$"!0[")BC<2^P\$R\$YOT`5`C`1P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+  
M&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!2G5S=&EC  
M92!-86YA9V5M96YT(\$1I=FES:6)N"M0!#`!GH`3@!(`@P`=3!`@@"`"</  
M`,`!`F`)8`D4`,`!`K@+N`L9`,`!`A`. \$`X>`,`!`F@0:!!`C`,`!`L`2P!(H  
M`,`!`A@5&!4M`,`!`#",-3>7-T96US(%!0;&EC>2!3=&%F9L0(Q`H\*T0\$C``20  
M`4`\`SQF^\$\*8(```\$"!0[")BC<2^P\$&ZX:0`5`C``1"@K4`0P``80``  
M)`4,``4T`\$,``+\$L`2P!%@"#`!T-,&"0`!)`7X!PD`!M/;!7D``````]`@  
M\$`"P!/@!`-----!D`-----&0`9`-----  
M`-----  
M`-----0`----->0`%V@H\*U`\$,``&80!%`%8&#`!U,\$"  
M`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`P<\$"  
MP!+`\$B@`P<\$"&!48%2T`P<,(PU=A<VAI;F=T;VXL(\$0NORX@(#(P-3,PQ`C\$  
M`M`!#`"P!%@"L`2P!`P`=#1`2,`!E@"=P#/&;X0I@````0(%#L` (F\*-Q+[  
M`0&J1%@"4",``=\$\*"M`%#`!8`K`\$L`2P!`P`!=`\*P0((!P@'#P#!P0)@"6`)  
M%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5  
M+0#!V`!\$`#, @,2P@-`-----!#;W5R:65R  
M(#\$P(\$-020`4`-----<``(`<`!````!`"!\$``#8^\_\`%#(`@(\$``!<!#0`  
M`%=Q``8`0T\$``!E=0``&0\$7!``<GD``!H!]P,``(E)``!3>7,@5&5C:"!-  
M96T`-----365M;R!O;B!L971T97)H96%D(#\$R<'0@0T<@5&EM97,`  
M`-----!>V`V\_4``AUP``U`\$,``&D0!8``  
M#`!U-`%#`"P!+`\$6`\*P!`P`!=#1`2,``%@"=P#/&;X0I@````0(%#L` (F\*  
M-Q+ [`0&J1%@"4",``='!`@@"`"</`,`!`F`)8`D4`,`!`K@+N`L9`,`!`A`.  
M\$`X>`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`A@5&!4M`,`!`#,-5+B!3+B!\$97!A

M<G1M96YT(&]F(\$IU<W1I8V7\$#,0\*U`\$,````&R`#(`.D`#`~!U-\$!(P`!L`20  
M`1`G\$"<0)P`~~~~~0/P`F7D!~~~~~Z:!L`1`(P`!T=,&"0`!Z0!8`@D`!M-\$  
M"DH\*U`\$,````&>`!0`"``##`~!U-,&"0`!(~/8`PD`!M/1`2,``\_0!8P#/&;X0  
MI@@`~~~~0(%#L`(F\*-Q+[`03+F\_0!4",``=``!`@@'"`~/`,`!`F`)8`D4`,`!`!  
M`K@+N`L9`,`!`!`A`..\$`X>`,`!`!`F@0:;!`C`,`!`!`L`2P!(H`,`!`!`A@5&!4M`,`%\*  
M=7-T:6-E(\$UA;F%G96UE;G0@1&EV:7-I;VX\*U`\$,````&>@!.`\$@"#`~!U,\$"  
M"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`P<\$"  
MP!+`\$B@`P<\$"&!48%2T`P<,(PU-Y<W1E;7,@5&5C:&YO;&]G>2!3=&%F9L0(  
MQ`H\*TO\$C``20`4\`SQF`^\$\*8(```\$"!0[``)BC<2^P\$&ZX:0`5`C```1"@K4  
M`0P`~~80`~~~~)4,``!4T`\$,`+`\$L`2P!%@"#`~!T-,&"0`!)`7X!PD`!M/:  
M!7D`~~~~~]`@\$`"P!/@"`~~~~~!D`~~~~~&0`  
M9`~~~~~  
M`~~~~~0`~~~~~>0`%V@H\*U`\$,````&80!%  
M`%8&#`~!U,\$"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$"  
M:!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,(PU=A<VAI;F=T;VXL(\$0NORX@  
M(#(P-3,PQ`C\$M`!#`"P!%@"L`2P!`P`~=#1`2,`!E@"=P#/&;X0I@@`~~~~0  
M(%#L`(F\*-Q+[`0&J1%@"4",``=\$\*@"H\*"M`%#`!8`K`\$L`2P!`P`!`= `\*U`\$,  
M````&D0!8`'(`,#`~!U,,,P\, .PTU%34]204Y\$54W\$#L3\$#,0\*"@I#;7`@4W9S  
M(\$U%34\`3P`~~~~~365M;R!O;B!L971T97)H96%D(#\$R<'0@0T<@5&EM  
M97,`~~~~~!BU`TVP```4;P`~U`\$,````&D0!8  
M`~~~#`~!U-`%#`"P!+`\$6`\*P!`P`!`=#1`2,``%@"=P#/&;X0I@@`~~~~0(%#L  
M`(F\*-Q+[`0&J1%@"4",``=``!`@@'"`~/`,`!`F`)8`D4`,`!`!`K@+N`L9`,`!`!  
M`A`..\$`X>`,`!`!`F@0:;!`C`,`!`!`L`2P!(H`,`!`!`A@5&!4M`,`'##,-5+B!3+B!\$  
M97!A<G1M96YT(&]F(\$IU<W1I8V7\$#,0\*U`\$,````&R`#(`.D`#`~!U-\$!(P`!  
ML`20`1`G\$"<0)P`~~~~~0/P`F7D!~~~~~Z:!L`1`(P`!T=,&"0`!Z0!8`@D`  
M!M-\$"DH\*U`\$,````&>`!0`"``##`~!U-,&"0`!(~/8`PD`!M/1`2,``\_0!8P#/  
M&;X0I@@`~~~~0(%#L`(F\*-Q+[`03+F\_0!4",``=``!`@@'"`~/`,`!`F`)8`D4`  
M`,`!`!`K@+N`L9`,`!`!`A`..\$`X>`,`!`!`F@0:;!`C`,`!`!`L`2P!(H`,`!`!`A@5&!4M`  
M`,`%\*=7-T:6-E(\$UA;F%G96UE;G0@1&EV:7-I;VX\*U`\$,````&>@!.`\$@"#`~!  
MU,\$"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"\$`X0#AX`P<\$":!!H\$",`

MP<\$"P!+`\$B@`P<\$"&!48%2T`P<, (PT-O;7!U=&5R(%-E<G9I8V5S(%-T869F  
MQ`C\$"@K1`2,`!)`!3P#/&;X0I@@`~~~~0(%#L`(F\*-Q+[`0;KAI`!4",``=\$\*  
M"MO!#`~~~!A`~~~~D!OP``=30`OP`L`2P!+`\$6`(`,``'0TP8)``\$D!`?@"0`&  
MT]H%>0`~~~~#T"0`+`\$^`<`~~~~~&0`~~~~~  
M9`!D`~~~~~  
M`~~~~~!`~~~~~!Y``7:"@K4`0P``~9A  
M`\$4`5@8,``'4P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+&0#!P0(0#A`. '@#!  
MP0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!PPC#5V%S:&EN9W1O;BP@1"Y#  
M+B`@,C`U,S#\$",0\*T`\$,`+`\$6`\*P!+`\$#`~!T-\$!(P`&6`)W`,\9OA"F"``~  
M`!`@4.P`B8HW\$OL!`:I\$6`)0(P`!T0H\*@"H\*T`4,`%@"L`2P!+`\$#`~`T`K4  
M`0P``~:1`%@`<@P,``'4PPS#PP[#345-3U)!3D153<0.Q,0,Q`H\*"E1L(%-R  
M=G,@365M;P`~~~~~!-96UO(&]N(&QE='1E<FAE860@,3)P="!#1R!4  
M:6UE<P`~~~~~&;\#Y74``%2`^`~#4`0P``~:1  
M`%@`~~~~,``'4T`4,`+`\$L`18`K`\$#`~`T`-\$!(P`~6`)W`,\9OA"F"``~!`@  
M4.P`B8HW\$OL!`:I\$6`)0(P`!T<\$"``<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`  
MP<\$"\$X0#AX`P<\$":!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,,PU4N(%N  
M(\$1E<&%R=&UE;G0@;V8@2G5S=&EC9<0,Q`K4`0P``~;(`,@`Z0`,``'4T0\$C  
M`~&P!)`!\$"<0)Q`G`~~~~~!`\_`"9>0\$`~~~~#IH&P!\$`C`~'1TP8)`~'I`%@"  
M"0`&TT0\*2@K4`0P``~9X`%`~(`,,``'4TP8)``\$@`]@#"0`&T]\$!(P`#]`%C  
M`,\9OA"F"``~!`@4.P`B8HW\$OL!!;N;]`%0(P`!T<\$"``<(!P\`P<\$"8`E@  
M"10`P<\$"N`NX"QD`P<\$"\$X0#AX`P<\$":!!H\$",`P<\$"P!+`\$B@`P<\$"&!48  
M%2T`P4IU<W1I8V4@36%N86=E;65N="!\$:79I<VEO;@K4`0P``~9Z`\$X`2`(`,  
M`~'4P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+&0#!P0(0#A`. '@#!P0)H\$&@0  
M(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!PPC#5&5L96-O;6UU;FEC871I;VYS(%-E  
M<G9I8V5S(%-T869FQ`C\$"@K1`2,`!)`!3P#/&;X0I@@`~~~~0(%#L`(F\*-Q+[  
M`0;KAI`!4",``=\$\*"MO!#`~~~!A`~~~~D!OP``=30`OP`L`2P!+`\$6`(`,``'0  
MTP8)``\$D!`?@"0`&T]H%>0`~~~~#T"0`+`\$^`<`~~~~~  
M`~~~~~&0`~~~~~9`!D`~~~~~  
M`~~~~~!`~~~~~!Y  
M``7:"@K4`0P``~9A`\$4`5@8,``'4P0((!P@'#P#!P0)@"6`)%`#!P0\*X"[@+



M` `` , `` '4T`4, `+`\$L`2, `;`\$#` ``%T`-\$!(P` ``6`)L` .@&!70!P` ``!(@4+D`  
MVUE5\$`\$` ``=EI6`)0(P` !T<\$`"``<(!P\`P<\$`"8`E@"10`P<\$`"N`NX"QD`P<\$`  
M\$`X0#AX`P<\$`":!!H\$`, `P<\$`P!+`\$B@`P<\$`"&!48%2T`P<,,PU4N4RX@1&5P  
M87)T;65N="!09B!\*=-T:6-EQ`S\$`M0!#` ``!L@`R`#I` ``P` ``=33!@D` ``>D`  
MX`\$)` ``;3T0\$C` ``&P!)`!\$`<0)Q`G` ``````````!` ``"9>0\$` ````#IH&P!\$`C` ``'1  
M1`I\*`M0!#` ``!H` ``2`!T`PP` ``=33!@D` ``70#V`,)``;3T0\$C` ``/T`5@`Z!P8  
M%=` `` `` `` \$B!0N0#;4540`0`\$N) [T`5`C` ``'1P0((!P@`#P#!P0)@"6`)%`#!  
MP0\*X" [@+&0#!P0(0#A` . '@#!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5+0#!  
M2G5S=&EC92!-86YA9V5M96YT(\$1I=FES:6]N"@K4`0P` ``9` ``\$D`W` , , ``'4  
MP0((!P@`#P#!P0)@"6`)%`#!P0\*X" [@+&0#!P0(0#A` . '@#!P0)H\$&@0(P#!  
MP0+`\$L`2\*`#!P0(8%1@5+0#!T0\$C` ``3T`4@`(!Q0%-`'Z`, `B!XN0#!Z540  
M`0`%F`ST`5@C` ``'14WES=&5M<R!496-H;F]L;V=Y(%-T869F"@K1`2, `!9`!  
M2`#H`!@5T`<` `` `` 2(%`Y`-`'Z`P`#`\$`8V=)`!4", ``=\$\*U`\$, ```&\$` `` ``!(&  
M#` ``!U-`!#`"P!+`\$L`18`@P` ``=#3!@D` ``1(&;`<)``;3V@5Y` ````````/0(!` ``  
ML`1L!P` ````````````````````9` ``````````!D`&0` ````````````````````  
M` ``  
M` ``\$` ``  
M!P\`P<\$`"8`E@"10`P<\$`"N`NX"QD`P<\$`\$`X0#AX`P<\$`":!!H\$`, `P<\$`P!+`  
M\$B@`P<\$`"&!48%2T`P=, &"0` ``\`4L`0D`!M/1`2, `!I`!1` ``@`%`4T`?H`P`2  
M('BY`)1L`P`#`\$`=)U)`!6", ``=%787-H:6YG=&]N+`!\$+D,N("`R,#4S,`K1  
M`2, `!U@`>`!D<`<28`D` `` `` \$\$\$\$`E`++951`!` ``!3`U@`0", ``=\$\*`@H\*`M`!  
M#`"P!%@"L`2P!`P` ``=\$\*U`\$, ```&E` ``T` `(,#` ``!U,,P\, .PTU%34]204Y\$  
M54W\$#L3\$#,0\*@"I35%,@=R\@9&%T90` ````````````````````3\$545\$522\$5!1"!3  
M>7-T96T@5&5C:"!3=&%F9BP@,3)P="!#;W5R:65R`&UA;@` ````````````````!PG  
M!(?W` ``G%0` ``U`\$, ```&F@!/` `` `` #` ``!U-`%#`"P!+`\$C`&P!`P`!`=#1`2,`  
M`%@";`#H`!@5T`<` `` `` 2(%`Y`-M951`!` ``!9:5@"4", ``='!`@@"`"``</`,`!  
M`F`)8`D4`, `!`K@+N`L9`, `!`A`.\$`X>`,`!`F@0:``!C`,`!`L`2P!(H`,`!`  
M`A@5&4M`,`!##,-5+E,N(\$1E<&%R=&UE;G0@;V8@2G5S=&EC9<0,Q`K4`0P`  
M` ``;(`,@`Z0`,` ``'4TP8)` ``'I` .`!"0`&T]\$!(P`!L`20`1`G\$`<0)P` ````````  
M0/P`F7D!` ``````Z:IL`1` (P`!T40\*2@K4`0P` `` ``:``\$@`=`,` , ``'4TP8)` ``%T



M(P#!PO+`\$L`2\*`#!PO(8%1@5+0#!0V]M<'5T97(@86YD(%1E;&5C;VUM=6YI  
M8V%T:6]N<PK4`0P`9Z`\$X`\$`,,``'4PO((!P@!#P#!PO)@"6`)%`#!PO\*X  
M"[@+&0#!PO(0#A`. '@#!PO)H\$&@0(P#!PO+`\$L`2\*`#!PO(8%1@5+0#!PO)P  
M%W`7,@#!4V5C=7)I='D@4W1A9F;\$",0\*"M\$!(P`\$D`%/`,\9OA"F"~~~~!`@  
M4.P`B8HW\$OL!!NN&D`%0(P`!TOH\*U`\$,```&\$`~~~~.P%#`~!U-`!#`"P!+`\$  
ML`18`@P``=#3!@D``>P%^^<)``;3V@5Y`~~~~~/0(!``L`3X!P`~~~~~  
M`~~~~~9`~~~~~!D`&0`~~~~~  
M`~~~~~\$`~~~~~  
M`~~~~~'D`!=H\*"M0!#`~!F\$`10!6!@P``=3!`@@"`</`,`!`F`)8`D4  
M`,`!`K@+N`L9`,`!`A`. \$`X>`,`!`F@0:!!`C`,`!`L`2P!(H`,`!`A@5&!4M  
M`,`!`#",-787-H:6YG=&]N+`!\$+D,N("`R,#4S,,0(Q`H\*("`@("`@("`@("`@  
M("`@("`@("`@("`@("`@("`@("`@("`@("`@#8`\$0`,`R`Q+`"T`~~~~~  
M`~~~~~\$-O=7)I97(@,3`@0U!)`10`~~~~!P`~`@!P`\$`~`\$`~`  
M(\$0`~-@\*T`\$,`+`\$6`\*P!+`\$#`~!T-\$!(P`&6`)W`,`\9OA"F"~~~~!`@4.P`  
MB8HW\$OL!`:I\$6`)0(P`!TOH\*`@H\*T`4`,`%@"L`2P!+`\$#`~%T`K4`0P`~`~:1  
M`%@"O@T,``'4PPS#PP{#345-3U)!3D153<0.Q,0,Q`H\*"D1#30`~~~~~  
M`~~~~~!,151415)(14%\$`~~~~~  
M`~~~~~'N(#!A,``-8#`~`#4`0P`~`~:1`%@"`~`~,  
M`~'4T`4,`+`\$L`18`K`\$#`~%T-\$!(P`!6`)W`,`\9OA"F"~~~~!`@4.P`B8HW  
M\$OL!`:I\$6`)0(P`!T<\$`"``<(!P\`P<\$`8`E@"10`P<\$`N`NX"QD`P<\$`\$`X0  
M#AX`P<\$`:!!H\$`,`P<\$`P!+`\$B@`P<\$`&!48%2T`P<,,PU4N4RX@1&5P87)T  
M;65N="!09B!\*-7-T:6-EQ`S\$`M0!#`~!L@`R`#I`~`P`~`=31`2,``;`\$D`\$0  
M)Q`G\$`<`~`~`\$#`\)`EY`0`~`~`.F@;`\$0",``='3!@D``>D`6`())`~;31`I\*  
M"M,&"0`!(`-(`PD`!M/1`2,``U@`=P#/&;X0I@`~`~`0(%#L`(F\*-Q+[`0&J  
M1%@"4",``=\$\*PO((!P@!#P#!PO)@"6`)%`#!PO\*X"[@+&0#!PO(0#A`. '@#!  
MP0)H\$&@0(P#!PO+`\$L`2\*`#!PO(8%1@5+0#!1&5B="!#;VQL96-T:6]N(\$UA  
M;F%G96UE;G0\*PO((!P@!#P#!PO)@"6`)%`#!PO\*X"[@+&0#!PO(0#A`. '@#!  
MP0)H\$&@0(P#!PO+`\$L`2\*`#!PO(8%1@5+0#!2G5S=&EC92!-86YA9V5M96YT  
M(\$1I=FES:6]N"L\$`"``<(!P\`P<\$`8`E@"10`P<\$`N`NX"QD`P<\$`\$`X0#AX`  
MP<\$`:!!H\$`,`P<\$`P!+`\$B@`P<\$`&!48%2T`P5)O;VT@,3,T,`K!`@@"`</



M\$&@0\*#@#!P0+`\$L`2,`#!P0(8%1@5-@#!36%I;B!\*-7-T:6-E(\$)U:6QS:6YG  
M+"!2;V]M(#\$V,3G!8%XB@"53`, \$H,C`R\*34Q-\*DR,3(Q@PK!`@@'"`<2`,`'!  
M`F`)8`D8`,`'!`K@+N`L>`,`'!`A`. \$`XD`,`'!`F@0:!!`J`,`'!`L`2P!(P`,`'!  
M`A@5&!4V`,`\$Q,'1H("8@4&5N;G-Y;'9A;FEA(\$%V96YU92P@3BY7+@K!`@@'  
M"`<2`,`'!`F`)8`D8`,`'!`K@+N`L>`,`'!`A`. \$`XD`,`'!`F@0:!!`J`,`'!`L`2  
MP!(P`,`'!`A@5&!4V`,`%787-H:6YG=&]N+"!\$+D,N("`R,#4S,`K0`0P`L`18  
M`K`\$L`0,``'0T0\$C``7T`7@`\_A4V\$%@"`~~~~!!%`R0"3.,<!.P`&JGM8`D`C  
M``'1"@K0!0P`6`\*P!+`\$L`0,``70"L\$""`<(!Q(`P<\$"8`E@"1@`P<\$"N`NX  
M"QX`P<\$"\$X0#B0`P<\$":!!H\$"\$H`P<\$"P!+`\$C``P<\$"&!48%38`P4],00``  
M`~~~~~! ,151415) (14%\$~~~~~  
M`~~~~~(&\$#(J\$``#H\$``#4`0P```:1  
M`%@`~~~~,``'4T`4,`+`\$L`18`K`\$#``%T`-\$!(P`!6`)W`,`\9OA"F"~~~~!`@  
M4.P`B8HW\$OL!`:I\$6`)0(P`!T<\$""`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`  
MP<\$"\$X0#AX`P<\$":!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P<,,PU4N(% ,N  
M(\$1E<&%R=&UE;G0@;V8@2G5S=&EC9<0,Q`K4`0P```;(`,@`Z0`,```'4T0\$C  
M``&P!)`!\$"<0)Q`G`~~~~~!`\_`"9>0\$~~~~#IH&P!\$`C``'1TP8)``'I`%@"  
M"0`&TT0\*2@K3!@D``2`#V`,`)``;3T0\$C``-8`G<`SQF^\$\*8(`~~`\$"!0[``")  
MBC<2^P\$!JD18`E`C``'1"L\$""`<(!P\`P<\$"8`E@"10`P<\$"N`NX"QD`P<\$"  
M\$`X0#AX`P<\$":!!H\$",`P<\$"P!+`\$B@`P<\$"&!48%2T`P4]F9FEC92!09B!,  
M96=I<VQA=&EV92!!9F9A:7)S"@K1`2,``9`!3P#/&;X0I@`~~~~0(%#L`(F\*  
M-Q+[`03KAI`!4",``='#",,\*Q`C\$M0!#```!A`~~~~"'!0P``=30`0P`L`2P  
M!+`\$6`(`,``'0TP8)``&!`!`?@'"0`&T]H%>0`~~~~#T"0`+`\$^`<~~~~~  
M`~~~~~&0`~~~~~9`!D`~~~~~  
M`~~~~~!  
M`~~~~~!Y``7:"@K4`0P``9A`\$8`5@8,``'43V9F:6-E(&)F('1H92!!  
M<W-I<W1A;G0@071T;W)N97D@1V5N97)A;;,\$"\$X0#AX`P<\$":!!H\$",`P<\$"  
MP!+`\$B@`P<\$"&!48%2T`P<,(PU=A<VAI;F=T;VXL(\$0NORX@(#(P-3,PQ`C\$  
M"M`!#`"P!%@"L`2P!`P``=#1`2,`!/0!>`#^%3806`<`~~`\$4#)`),XQP\$[  
M`#\!%@"0",``=\$\*M`%#`!8`K`\$L`2P!`P`!=`\*P0((!P@'#P#!P0)@`6`)  
M%`#!P0\*X"[@+&0#!P0(0#A`. '##!P0)H\$&@0(P#!P0+`\$L`2\*`#!P0(8%1@5





M;W-E9"!T;V)A8V-O(' -E=' 1L96UE;GON(" !4 :&4@=FEE=W, @97AP<F5S<V5D  
M(' 1O9&\*Y(&\*R90UL:6UI=&5D(' 1O(' 1H;W-E(&ES<W5E<RP@86YD(&1O(&YO  
M=" !S970@9F]R=&@@86X@061M:6YI<W1R871I;VX-<&]L:6-Y(' !O<VET:6]N  
M(&]N(' 1H92!T;V)A8V-O(' -E=' 1L96UE;G0@87, @82!W:&]L92X\*U`\$, ```&  
ME``T``82#``!U,,,P\ '@`?L\$Q`P4=/5D523DU%3E2I5\$^I1T]615).345.  
M5"!214Q!5\$E/3E, @5TE42"! )3D1)04X@5%)0D53Q`S\$@PK!`@@!"`</`, %7  
M:&5N(' =O<FMI;F<@=VET:"!);F1I86X@=' )I8F5S (&ET (&ES (&EM<&]R=&%N  
M="!T;R!B96%R (&EN#6UI;F0@=&AE (&9U;F1A;65N=&%L(' !R:6YC:7!L97, @  
M=&AA="!G=6ED92!T:&4@1F5D97)A;"!';W9E<FYM96YT)W, -<F5L871I;VYS  
M(' =I=&@@=' )I8F%L (&=O=F5R;FUE;G1S+B`@"L\$" "`<(!P\`P51H92!5;FET  
M960@4W1A=&5S (&AA<R!A(' 5N:7%U92!L96=A;"!R96QA=&EO;G-H:7`@=VET  
M:"!);F1I86X-=' )I8F5S (&%S(' -E="!F;W)T:"!I;B!T:&4@0V]N<W1I='5T  
M:6]N+ "!T<F5A=&EE<RP@<W1A='5T97, L (&-O=7)T#61E8VES:6]N<RP@97AE  
M8W5T:79E (&]R9&5R<RP@86YD (&%D;6EN:7-T<F%T:79E (&%C=&EO;BX@(%-I  
M;F-E(' 1H90UF;W)M871I;VX@;V8@=&AE (%5N:6]N+ "!T:&4@56YI=&5D(%-T  
M871E<R!H87, @<F5C;V=N:7IE9"!);F1I86X-=' )I8F5S (&%S (&1O;65S=&EC  
M (&1E<&5N9&5N="!N871I;VYS (' 5N9&5R (&ET<R!P<F]T96-T:6]N+B`@06YD  
M+ "!I;@UN=6UE<F]U<R!T<F5A=&EE<R!A;F0@<W1A='5T97, L (&]U<B!.871I  
M;VX@:&%S (&=U87)A;G1E960@=&AE (' )I9VAT#6]F (\$EN9&EA;B!T<FEB97, @  
M=&\@=&AE (" )H:6=H97-T (&%N9"!B97-T (B!F;W)M (&]F (&=O=F5R;FUE;G0@  
MJ:D-<V5L9JEG;W9E<FYM96YT+B`@PP [#17@@4&%R=&4@0W)O=R!\$;V?#\$L0L  
M(\$P.2!5+E,N(#4U-BP@-38XJ38Y ("@Q.#@S\*2X@#55N9&5R (&]U<B!T<G5S  
M="!R97-P;VYS:6)I;&ET>2!T;R!P<F]T96-T (\$EN9&EA;B!T<FEB97, L (' 1H  
M92!5;FET960-4W1A=&5S (' -H;W5L9"!E>&5R8VES92!T:&4@=71M;W-T (&-A  
M<F4@8V]N8V5R;FEN9R!T<FEB86P@9V]V97)N;65N=`UA=71H;W)I='DN ("##  
M#L-3967\$#L0@PP [#92YG+L0.Q"P@, C4@52Y3+D,N (, `&! , `@, S8P, 2@R\*2`H  
M(G1H92!5;FET960@4W1A=&5S (&AA<]0`'````%N8G`0`````````@```3`J, "HP  
M\*K`\$L`0<`#4"V\$@=' )U<W0@<F5S<&]N<VEB:6QI='D@=&\@96%C:"!T<FEB  
M86P@9V]V97)N;65N="!T:&%T (&EN8VQU9&5S (' 1H90UP<F]T96-T:6]N (&]F  
M (' 1H92!S;W9E<F5I9VYT>2!O9B!E86-H (' 1R:6)A;"!G;W9E<FYM96YT\*3L@

MPP[#<V5E(&%L<V\_#\$L0-,C4@52Y3+D,N(,`&!,#`!@3`(#0U,"P@,30U,2P@  
M,38P,2P@,C4P,:DR-3`R+"`S-S`Q+"!A;F0@-#\$P,2X\*P0((!P@'#P#!5&AE  
M(\$%D;6EN:7-T<F%T:6]N(&%N9"!T:&4@071T;W)N97D@1V5N97)A;"!R97-P  
M96-T(&%N9"!H;VYO<@UT:&4@8V]M;6ET;65N=',@;V8@=&AE(%5N:71E9"!3  
M=&%T97,@=&\@26YD:6%N('1R:6)E<RX@(%1H=7,L(&)O=&@-0V]N9W)E<W,@  
M86YD('1H92!%>&5C=71I=F4@0G)A;F-H(&AA=F4@<F5C;V=N:7IE9"!T:&4@  
M:6UP;W)T86YC92!O9@UW;W)K:6YG('=I=&@26YD:6%N('1R:6)E<R!O;B!I  
M<W-U97,@8V]N8V5R;FEN9R!T<FEB86P@9V]V97)N;65N="P-=')U<W0@<F5S  
M;W5R8V5S+"!A;F0@26YD:6%N('1R96%T>2!R:6=H=',@=VET:&EN('1H92!F  
M<F%M97=O<FL@;V8-9V]V97)N;65N=\*ET;ZEG;W9E<FYM96YT(')E;&%T:6]N  
M<RX@(\$%C8V]R9&EN9VQY+"!W92!R97-P96-T9G5L;'D-<W5B;6ET('1H870@  
MOV]N9W)E<W,@<VAO=6QD(&1E=F5L;W`@=')I8F%L(&=O=F5R;FUE;G0@<')O  
M=FES:6]N<R!I;@UA;GD@;&5G:7-L871I;VX@:6X@=&AI<R!A<F5A(&-O;G-I  
M<W1E;G0@=VET:"!O=7(@9V]V97)N;65N=\*ET;ZIG;W9E<FYM96YT(')E;&%T  
M:6]N<R!W:71H(\$EN9&EA;B!T<FEB97,@86YD('1H92!S=&%T=7,@;V8@26YD  
M:6%N#71R:6)E<R!A<R!D;VUE<W1I8R!D97!E;F1E;G0@;F%T:6]N<RX@"M0!  
M#` ``!IO`.P!0%`P``=3!X#P/[!,@`,`##,-44D5!5\$U%3E0@05,@02!35\$%4  
M1<O,Q(\*P0((!P@'#P#!5&AE('!R;W!O<V5D('1O8F%C8V\@<V5T=&QE;65N  
M="!W;W5L9"!A9F9O<F0@26YD:6%N('1R:6)E<PUT<F5A=&UE;G0@87,@82!S  
M=&%T92P@:68@8V5R=&%I;B!C;VYD:71I;VYS(&%R92!M970N(");B!G96YE  
M<F%L+`UF961E<F%L('T871U=&]R>2`B=')E871M96YT(&%S(&\$@<W1A=&4B  
M(&9O<B!T<FEB86P@9V]V97)N;65N=',-87!P<F]P<FEA=&5L>2!R96-O9VYI  
M>F5S('1H92!G;W9E<FYM96YT86P@<W1A='5S(&]F(\$EN9&EA;B!T<FEB97,L  
M#6%L=&AO=6=H(&%T('1I;65S('-P96-I86P@<')O=FES:6]N<R!A<F4@<F5Q  
M=6ER960@=&\@<F5F;&5C="!T:&4--6YI<75E('I='5A=&EO;B!O9B!T<FEB  
M86P@9V]V97)N;65N='N("!792!A9W)E92!T:&%T(&%N>0UL96=I<VQA=&EO  
M;B!I;B!T:&ES(&%R96\$@<VAO=6QD('!R;W9I9&4@=')E871M96YT(&%S(&\$@  
M<W1A=&4@9F]R#4EN9&EA;B!T<FEB97,N("`\*P0((!P@'#P#!26X@=&AE('!R  
M;W!O<V5D('1O8F%C8V\@<V5T=&QE;65N="P@8V5R=&%I;B!P<F]V:7-I;VYS  
M('H;W5L9`UB92!M;W)E(&-A<F5F=6QL>2!C<F%F=&5D('1O(&5N<W5R92!C

M;VYS:7-T96YC>2!W:71H('1H92!G;W9E<FYM96YT#7-T871U<R!O9B!);F1I  
M86X@=')I8F5S+B`@26X@07!P96YD:7@@24E)+"!396-T:6]N(\$\$H,BDL('1H  
M90UP<F]P;W-E9"!T;V)A8V-O(''-E='1L96UE;G0@=V]U;&0@87!P;'D@9F5D  
M97)A;"!T87AE<R!O;B!T;V)A8V-OU``<`6'B<"`~~~~~"~~~~~,"J@\*\*`H  
ML`2P!!P``-0+;6%N=69A8W1U<F4L(&1I<W1R:6)U=&EO;BP@;W(@<V%L92!T  
M;R!A;GD@26YD:6%N('1R:6)E('1H870@96YG86=E<PUI;B!T:&]S92!A8W1I  
M=FET:65S('1O('1H92!S86UE(&5X=&5N="!A<R!T:&4@9F5D97)A;"!T87AE  
M<R!A<!L>OUT;R!O=&AE<B!P97)S;VYS+B`@26X@86YY(&QE9VES;&%T:6]N  
M(&]N('1H:7,@<W5B:F5C="P@=V4@8F5L:65V90UT:&%T(&ET('=O=6QD(&)E  
M('!R969E<F%B;&4@=&\@:&%V92!A(&=E;F5R86P@<')O=FES:6]N(&%P<&QY  
M:6YG#69E9&5R86P@=&]B86-C;R!T87AE<R!T;R!S=&%T97,@=&AA="!E;F=A  
M9V4@:6X@<W5C:"!A8W1I=FET:65S+"!A;F0-=&AE;B!U;F1E<B!T:&4@=')E  
M871M96YT(&%S(&\$@<W1A=&4@<')O=FES:6]N+"!T:&4@9V5N97)A;"!F961E  
M<F%L#7108F%C8V\@=&%X('!R;W9I<VEO;B!W;W5L9"!A<'!L>2!T;R!);F1I  
M86X@=')I8F5S+B`@26YD:6%N('1R:6)E<PUS:&]U;&0@;F]T(&)E('I;F=L  
M960@;W5T(&9O<B!A<'!L:6-A=&EO;B!O9B!T:&5S92!F961E<F%L('1A>&5S  
M+`UI9B!T:&4@=&%X97,@9&\@;F]T(&%P<&QY(&]N('1H92!S86UE(&)A<VES  
M('1O(''-T871E(&=O=F5R;FUE;G1S+@K!`@@'"`</`,%5;F1E<B!396-T:6]N  
M("A"\*2@R\*2P@:6X@87!P;'EI;F<@=&AE('1R96%T;65N="!A<R!A(''-T871E  
M#7!R;W9I<VEO;B!T:&4@1D1!('=O=6QD(&AA=F4@=&\@96YG86=E(&EN(&9A  
M8W1U86P@9&5T97)M:6YA=&EO;G,@87,-=&\@=VAE=&AE<B!A('!A<G1I8W5L  
M87(@26YD:6%N('1R:6)E(&-A<G)I97,@;W5T(")S=6)S=&%N=&EA;`UG;W9E  
M<FYM96YT86P@<&]W97)S(&%N9"!D=71I97,N(B`@26X@9V5N97)A;"P@0V]N  
M9W)E<W,@:&%S(')E:F5C=&5D#71H92!I9&5A('1H870@=&AE<F4@87)E(&-L  
M87-S97,@;V8@26YD:6%N('1R:6)E<RP@86YD(&EN<W1E860L(&AA<PUI;F1I  
M8V%T960@=&AA="!);F1I86X@=')I8F5S(&%R92!G;W9E<FYM96YT<R!T;R!B  
M92!T<F5A=&5D(&%S('U8V@N(`U);B!I=',@<F5P;W)T(&]N('1H92!&961E  
M<F%L;'D@4F5C;V=N:7IE9"!);F1I86X@5')I8F4@3&ES="!!8W0L(#(U#54N  
M4RY#+B#`!@3`(#0W.6\$L('1H92!(;W5S92!#;VUM:71T964@;VX@4F5S;W5R  
M8V5S(&%C:VYO=VQE9&=E9"!T:&%T#69E9&5R86P@<F5C;V=N:71I;VX@;V8@

M86X@26YD:6%N('1R:6)E(&ES.@K" `5@" " `<(!P\ `PM`" "````@`!" ``" T%MA  
M72!F;W)M86P@<&]L:71I8V%L(&%C=%L[72!I="!P97)M86YE;G1L>2!E<W1A  
M8FQI<VAE<R!A#6=O=F5R;FUE;G2I=&^I9V]V97)N;65N="!R96QA=&EO;G-H  
M:7`@8F5T=V5E;B!T:&4@56YI=&5D#5-T871E<R!A;F0@=&AE(')E8V]G;FEZ  
M960@=')I8F4@87,@82`B9&]M97-T:6,@9&5P96YD96YT#6YA=&EO;BPB(&%N  
M9"!I;7!O<V5S(&]N('1H92!G;W9E<FYM96YT(&\$@9FED=6-I87)Y('1R=7-T  
M#7)E;&%T:6]N<VAI<"!T;R!T:&4@=')I8F4L(&%N9"!I=',@;65M8F5R<RX@  
M(\$-O;F-O;71IJG1A;G1L>2P@:70@:6YS=&ET=71I;VYA;&EZ97,@=&AE('1R  
M:6)E)W,@<75A<VFI<V]V97)E:6=N#7-T871U<RP@86QO;F<@=VET:"!A;&P@  
M=&AE('!O=V5R<R!A8V-O;7!A;GEI;F<@=&AA=`US=&%T=7,@<W5C:"!A<R!T  
M:&4@<&]W97(@=&\@=&%X+"!A;F0@=&\@97-T86)L:7-H(&\$-<V5P87)A=&4@  
M:G5D:6-I87)Y+M`" "````0`" "``" T;0(`@'Q@I(+E(N(%)E<"X@,3`SJ3<X  
M,2P@,3`S<F0@0V]N9RXL(#)N9"!397-S+B`H,3DY-"D@870@,CL@,3DY-`U5  
M+E,NORY#+D\$N3BX@,S<V."P@,S<V.2X@(\$%N(&5X8V5P=&EO;B!T;R!T:&ES  
M(&=E;F5R86P@<G5L92!H87,-8F5E;B!M861E+"###L-I;G1E<L0.Q"###L-A  
M;&EAQ`[\$+"!U;F1E<B!F961E<F%L(&5N=FER;VYM96YT86P@;&%W<R!P<F]V  
M:61I;F?4`!P``!80)P,````````(````P\*J`HH"BP!+`\$'````U`MF;W(@=')E  
M871M96YT(&%S(&\$@<W1A=&4@9F]R(\$EN9&EA;B!T<FEB97,@=VAE<F4@<W1A  
M=&5S('1H96US96QV97,-;75S="!S:&]W(&EN<W1I='5T:6]N86P@8V%P86-I  
M='D@=&\@96YF;W)C92!F961E<F%L('-T86YD87)D<R[0`@@````(``@@`M`@  
M#55N9&5R('1H92!P<F]P;W-E9"!T;V)A8V-O('E='1L96UE;G0L(&AO=V5V  
M97(L('1H92!S=&%T97,@87)E(&YO=`UR97%U:7)E9"!T;R!D96UO;G-T<F%T  
M92!P87)T:6-U;&%R(&EN<W1I='5T:6]N86P@8V%P86-I='D@=&\-;&EC96YS  
M92!T;V)A8V-O('9E;F1O<G,N("!!8V-O<F1I;F=L>2P@:6X@86YY(&QE9VES  
M;&%T:6]N(&]N('1H:7,-<W5B:F5C="!W92!W;W5L9"!R96-O;6UE;F0@=&AA  
M="!);F1I86X@=')I8F5S('-H;W5L9"!B92!P<F5S=6UE9"!T;PUH879E(&-O  
M;7!E=&5N8V4@=&\@<&5R9F]R;2!T:&4@<F5G=6QA=&]R>2!F=6YC=&EO;G,N  
M("!);B!P87)T:6-U;&%R#6-I<F-U;7-T86YC97,L(&EF('1H92!&1\$\$@9FEN  
M9',@=&AA="!A;B!);F1I86X@=')I8F4@9&]E<R!N;W0@:&%V90US=6-H(&EN  
M<W1I='5T:6]N86P@8V%P86-I='DL('1H92!&1\$\$@\*&]R+"!P97)H87!S('1H

M92!\$97!A<G1M96YT(&]F#71H92!);G1E<FEO<BP@PP[#<V5EQ`[\$(#\$X(%4N  
M4RY#+B#`!@3`(#\$Q-C\$@\*&QI<75O<B!R96=U;&%T:6]N\*2D@<VAO=6QD(&AA  
M=F4-875T:&]R:71Y('1O(')E9W5L871E('1O8F\*C8V\@9F]R('1H870@26YD  
M:6%N('1R:6)E+B`@"L\$""`<(!P\`P51H92!P<F]P;W-E9"!T;V)A8V-O(' -E  
M='1L96UE;G0@=V]U;&0@86QS;R!A;&QO=R!T:&4@1D1!('1O#61E;&5G871E  
M(&ET<R!A=71H;W)I='D@;W9E<B!);F1I86X@8V]U;G1R>2!T;R!S=&%T97,L  
M('=I=&AO=70@86YY#7)E<75I<F5M96YT(&]F('!R:6]R('1R:6)A;"!C;VYS  
M96YT+B`@5V4@8F5L:65V92!T:&%T('1H92!&1\$\$-<VAO=6QD(&YO="!D96QE  
M9V%T92!I=' ,@875T:&]R:71Y(&]V97(@26YD:6%N(&-O=6YT<GD@=&\@=&AE  
M(' -T871E<PUW:71H;W5T('1R:6)A;"!C;VYS96YT+B`@07,@4')E<VED96YT  
M(\$IO:&YS;VX@<V%I9"!I;B!R96=A<F0@=&\@=&AE#3\$Y-C@@26YD:6%N(\$-I  
M=FEL(%I9VAT<R!!8W0@86UE;F1M96YT<R!T;R!O=6)L:6,@3&%W(#(X,#H\*  
MP@%8`@@'"`</` ,+0`@@` ``(``0@` `M!&86ER;F5S<R!A;F0@8F%S:6,@9&5M  
M;V-R871I8R!P<FEN8VEP;&5S(')E<75I<F4@=&AA=`U);F1I86YS(&]N('1H  
M92!A9F9E8W1E9"!L86YD<R!H879E(&\$@=F]I8V4@:6X@9&5C:61I;F<- =VAE  
M=&AE<B!A(%-T871E('=I;&P@87-S=6UE(&QE9V%L(&IU<FES9&EC=&EO;B!O  
M;B!T:&5I<@UL86YD+L;0(`@'Q@H\*P@%8`@@'"`</` ,+##L-)( '5R9V4@=&AE  
M(\$-O;F=R97-S('1O(&5N86-T(&QE9VES;&%T:6]N('1H870@=V]U;&0-<')O  
M=FED92!F;W(@=')I8F%L(&-O;G-E;G0@8F5F;W)E(' -U8V@@97AT96YS:6]N  
M<R!O9@UJ=7)I<V1I8W1I;VX@=&%K92!P;&%C9<0.Q"[0`@@` ``\$``@` `M#&  
MT" `(!\8\*,3\$T(\$-O;F<N(%E8RX@-3,Y-\*DY-R`H,3DV."D@\* &5M<&AA<VES  
M(&EN(&]R:6=I;F%L\*3L@,3\$T(\$-O;F<N#5)E8RX@.3\$Q,B`H,3DV."D@\*%!R  
M97-I9&5N="!%:7-E;FAO=V5R(&5A<FQI97(@97AP<F5S<V5D('1H92!V:65W  
M#71H870@0V]N9W)E<W,@<VAO=6QD(')E<75I<F4@8V]N<W5L=&%T:6]N('=I  
M=&@@26YD:6%N('1R:6)E<R`B=&\-87-C97)T86EN('1H92!W:7-H97,@86YD  
M('1H92!D97-I<F5S(&]F(\$EN9&EA;G,B('!R:6]R('1O(&5X=&5N9&EN9PUS  
M=&%T92!J=7)I<V1I8W1I;VX@;W9E<B!);F1I86X@8V]U;G1R>2!U;F1E<B!O  
M=6)L:6,@3&%W(#(X,"DN("!(97)EU``<````6V"<\$``````````"``````,"J@\*\*`H  
ML`2P!!P``-0+=&]O+!"F86ER;F5S<R!R97%U:7)E<R!T:&%T('1R:6)A;"!G  
M;W9E<FYM96YT(&-O;G-E;G0@8F4@;V)T86EN960-<')I;W(@=&\@=&AE(&5N

M86-T;65N="!O9B!A;GD@;&5G:7-L871I;VX@97AT96YD:6YG(' -T871E(&%U  
M=&AO<FET>0UT;R!);F1I86X@8V]U;G1R>2X@(. . .PU-E9<0.Q" `R-2!5+E,N  
MORX@P`8\$P" `Q,S(V("AT<FEB86P@96QE8W1I;VX@<F5Q=6ER960-<' )I;W(@  
M=&\@9G5R=&AE<B!E>'1E;G-I;VX@;V8@<W1A=&4@:G5R:7-D:6-T:6]N('5N  
M9&5R(%!U8FQI8R!,87<- ,C@P\*2["`";`\$8`E@"10`PL9X'F`)Q@K!`@@'"`</  
M`,`%396-T:6]N("A"\*2@R\*2!O9B!T:&4@<' )O<&]S960@=&]B86-C;R!S971T  
M;&5M96YT(&%C:VYO=VQE9&=E<PUT<FEB86P@9V]V97)N;65N="!A=71H;W)I  
M='D@;VYL>2!W:71H(')E9V%R9"!T;R!T<G5S="!L86YD<RX@(%5N9&5R#65X  
M:7-T:6YG(&QA=RP@26YD:6%N('1R:6)E<R!A<R!D;VUE<W1I8R!D97!E;F1E  
M;G0@;F%T:6]N<R!P;W-S97-S#6=O=F5R;FUE;G0@875T:&]R:71Y(&]V97(@  
M=&AE:7(@;65M8F5R<R!A;F0@=&AE:7(@=&5R<FET;W)Y+B`@5&AU<RP-26YD  
M:6%N('1R:6)E<R!M87D@<F5G=6QA=&4@8G5S:6YE<W,@86-T:79I='D@;VX@  
M;&%N9',@;W=N960@8GD-26YD:6%N<R!A<R!W96QL(&%S(&)U<VEN97-S(&%C  
M=&EV:71Y(&EN=F]L=FEN9R!T:&4@26YD:6%N('1R:6)E(&]R#71R:6)A;"!M  
M96UB97)S('=I=&AI;B!);F1I86X@8V]U;G1R>2X@(. . .PTME<G(@36-'964@  
M=BX@3F%V86IO(%1R:6)EQ`[\$+`TT-S\$@52Y3+B`Q.34@\*#\$Y.#4I.R###L--  
M97)R:6]N('8N(\$II8V%R:6QL82!!<&%C:&4@5')I8F7\$#L0L(#0U-2!5+E,N  
M#3\$S,"`H,3DX,BD[(. . .PV-FQ`[\$+B###L-5;FET960@4W1A=&5S('8N(\$UO  
M;G1A;F'\$#L0L(#0U,"!5+E,N(#4T-"P@-38UJ34V-@TH,3DX,"DN("!!<R!T  
M:&4@4W5P<F5M92!#;W5R="!E>'!L86EN960@:6X@PP[#0V%L:69O<FYI82!V  
M+B!#86)A>F]N#4)A;F0@;V8@36ES<VEO;B!);F1I86YSQ`[\$+"`T.#`@52Y3  
M+B`R,#(L(#(P."`H,3DX-RDL("G26YD:6%N#6-O=6YT<GDL)R!A<R!D969I  
M;F5D(&%S(#\$X(%4N4RY#+B#`!@3`(#\$Q-3\$L(&EN8VQU9&5S("=A;&P@;&%N  
M9"!W:71H:6X-=&AE(&QI;6ET<R!O9B!A;GD@26YD:6%N(')E<V5R=F%T:6]N  
M+B`N("X@+B<@(%1H:7,@9&5F:6YI=&EO;@UA<'!L:65S('1O('%U97-T:6]N  
M<R!O9B!B;W1H(&-R:6UI;F%L(&%N9"!C:79I;"!J=7)I<V1I8W1I;VXN(B`@  
M06YY#6QE9VES;&%T:6]N(&EN('1H:7,@87)E82!S:&]U;&0@=7-E('1H92!)  
M;F1I86X@8V]U;G1R>2!D969I;FET:6]N#7-E="!F;W)T:"!A="`Q."!5+E,N  
MORX@P`8\$P" `Q,34Q+B`\*U`\$,````&E```[-`-`@#```!U,'@F`WL\$QT`P<,,PU)%  
M4T525D%424].(\$=%3D52051%1"!604Q51<0,Q(,\*P0((!P@'#P#!0F%S960@

M;VX@=&AE(%5N:71E9"!3=&%T97,G(')E8V]G;FET:6]N(&F('1R:6)A;"!R  
M:6=H=' ,@=&\-<V5L9JEG;W9E<FYM96YT+"!);F1I86X@=')I8F5S(&%N9"!R  
M97-E<G9A=&EO;B!);F1I86YS(&=E;F5R86QL>0UA<F4@97AE;7!T(&9R;VT@  
M<W1A=&4<F5G=6QA=&EO;B!A;F0@=&%X871I;VX@:6X@26YD:6%N(&-O=6YT  
M<GDN(`W##L-3967\$#L0@PP[#92YG+L0.Q"P@PP[#0V%L:69O<FYI82!V+B!#  
M86)A>F]N(\$)A;F0@;V8@36ES<VEO;B!);F1I86YSQ`[\$+"`T.#`@52Y3+M0`  
M'```%AXG!0````````@````#`JH"B@\*+`\$L`0<`#4"S(P,B`H,3DX-RD@\*')E  
M9W5L871I;VXI.R###L--;V4@=BX@4V%L:7-H("8@2V]O=&5N86G\$#L0L(#0R  
M-2!5+E,N(#0V,PTH,3DW-"D@\*'1A>&%T:6]N\*2X@(\$EN(&%D9&ET:6]N+"!W  
M:&5N(\$EN9&EA;B!T<FEB97,@86YD(\$EN9&EA;G,-9V5N97)A=&4@=F%L=64@  
M;VX@=&AE:7(@<F5S97)V871I;VYS+"!F961E<F%L(&QA=R!M87D@86QS;R!P  
M<F5E;7!T#7-T871E('1A>&%T:6]N(&F(&YO;JE);F1I86YS(&5N9V%G960@  
M:6X@26YD:6%N(&-O;6UE<F-E+B`@PP[#4V5EQ`[\$#<,.PU=H:71E(\$UO=6YT  
M86EN(\$%P86-H92!4<FEB92!V+B!"<F%C:V5RQ`[\$+"`T-#@@52Y3+B`Q,S8@  
M\*#\$Y.#`I("AN;VZJ26YD:6%N(&5N9V%G960@:6X@<F5S97)V871I;VX@=&EM  
M8F5R('!R;V1U8W1I;VX@=VET:"!);F1I86X@=')I8F4-=V%S(&5X96UP="!F  
M<F]M('T871E(&UO=&]R(&9U96P@=&%X871I;VXI+B`@26X@PP[#3F5W(\$UE  
M>&EC;R!V+@U-97-C86QE<F\@07!A8VAE(%1R:6)EQ`[\$+"`T-C(@52Y3+B`S  
M,C0@\*#\$Y.#,I+"!F;W(@97AA;7!L92P@=&AE#5-U<'E;64@0V]U<G0@:&5L  
M9"!T:&%T(&YO;JE);F1I86X@:'5N=&5R<R!U<VEN9R!A('1R:6)A;"!H=6YT  
M:6YG#65N=&5R<'I<V4@;VX@<F5S97)V871I;VX@;&%N9',@=V5R92!E>&5M  
M<'0@9G)O;2!S=&%T92!H=6YT:6YG#7)E9W5L871I;VYS+B`@5&AE(\$-O=7)T  
M(&5X<&QA:6YE9"!T:&4@8F%S:7,@9F]R(&ET<R!D96-I<VEO;B!A<PUF;VQL  
M;W=S.@K`5@``<(!P\`PM`"``````@`!"``"T%1H92!4<FEB92!H87,@96YG  
M86=E9"!I;B!A(&-O;F-E<G1E9"!A;F0@<W5S=&%I;F5D#75N9&5R=&%K:6YG  
M('1O(&1E=F5L;W`@86YD(&UA;F%G92!T:&4@<F5S97)V871I;VXG<PUW:6QD  
M;&EF92!A;F0@;&%N9"!R97-O=7)C97,@<W!E8VEF:6-A;&QY(&9O<B!T:&4@  
M8F5N969I=`UO9B!I=' ,@;65M8F5R<RX@(%1H92!P<F]J96-T(&=E;F5R871E  
M<R!F=6YD<R!F;W(-97-S96YT:6%L('1R:6)A;"!S97)V:6-E<R!A;F0@<'O  
M=FED97,@96UP;&]Y;65N="!F;W(-;65M8F5R<R!W:&\@<F5S:61E(&]N('1H

M92!R97-E<G9A=&EO;BX@+B`N("X@(%1H92!4<FEB86P-96YT97)P<FES92!IM;B!T:&ES(&-A<V4@8VQE87)L>2!I;G9O;'9E<R`B=F%L=64@9V5N97)A=&5DM#6]N('1H92!R97-E<G9A=&EO;G,@8GD@86-T:79I=&EE<R!I;G9O;'9I;F<@M=&AE(%1R:6)E+B+&T"^(!\8\*"L,.PTEDQ`[\$+B!A="`S-#`N("!!8V-O<F1IM;F=L>2P@=&AE(%-T871E(&AA9"!N;R!AT`((``!``((``+0=71H;W)I='D@M=&\@:6UP;W-E#6QI8V5N<V4@<F5Q=6ER96UE;G1S(&%N9"!F965S(&]N(&YO M;JE);F1I86YS('5T:6QI>FEN9R!T:&4@=F%L=6%B;&4-U`\$,```&C0`[\`.@<M#`"!U&AU;G1I;F<@<F5S;W5R8V5S(&=E;F5R871E9"!B>2!T:&4@5')I8F4@M;VX@:71S(')E<V5R=F%T:6]N+M8`\*@\$``0``NP+H'````````"L?4`0P````:1M`%@`0!\,``'4C<\$""`<(!P\`P4EN(&-O;G1R87-T+"!W:&5R92!);F1I86X@M=')I8F5S(&UA<FME="!P<F5P86-K86=E9"!G;V]D<RP@=VET:&]U="!A9&1IM;F<-<F5S97)V871I;VX@=F%L=64L(&YO;JE);F1I86X@8V]N<W5M97)S(&UAM>2!B92!R97%U:7)E9"!T;R!P87D@;F]NJ61I<V-R:6UI;F%T;W)Y('T871EM#7-A;&5S('1A>&5S+B`@PP[#5V%S:&EN9W1O;B!V+B!#;VQV:6QL9<0.Q"P@M-#0W(%4N4RX@,3,T("@Q.3@P\*2`H<')E<&%C:V%G960@8VEG87)E='1E<RDNM("J`0#6"L\$""`<(!P\`P4ET(&ES('!O<W-I8FQE('1H870@<V]M92!);F1IM86X@=')I8F5S(&UA>2!R86ES92!T;V)A8V-O+"!O<@UE;F=A9V4@:6X@;6%NM=69A8W1U<F4@;V8@3F%T:79E(\$%M97)I8V%N('108F%C8V\@<')O9'5C=',NM("!)9B!S;RP-=')I8F%L('A;&5S(&UA>2!B92!C;VYS:61E<F5D('1O(&)EM(&)A<V5D(&]N(')E<V5R=F%T:6]N('9A;'5E+`UA;F0@<F5S97)V871I;VX@M<V%L97,@;V8@<')O9'5C=',@8F%S960@;VX@<W5C:"!V86QU92!T;R!N;V[4M`!P``!8H(P8`2P0``0(````P\*J`HH"BP!+`\$'````U\*M);F1I86YS('=O=6QDM('1H96X@8F4@97AE;7!T(&9R;VT@<W1A=&4@=&%X871I;VXN("!!;GD@;&5GM:7-L871I;VX-:6X@=&AI<R!A<F5A('H;W5L9"P@8V]N<VES=&5N="!W:71HM('1H92!R96=U;&%T;W)Y(&]B:F5C=&EV97,@;V8--&AE('T871U=&4L('!RM97-E<G9E('1H870@879E;G5E(&)F(&1E=F5L;W!M96YT(&9O<B!);F1I86X@M=')I8F5S#6-O;G-I<W1E;G0@=VET:"!T:&4@26YD:6%N('E;&:I9&5T97)MM:6YA=&EO;B!P;VQI8WDN"L\$""`<(!P\`P4UR+B!#:&%I<FUA;BP@=&AA="!CM;VYC;'5D97,@;W5R('!R96QI;6EN87)Y('9I97=S(&]N('1H90U);F1I86X@M<')O=FES:6]N<R!O9B!T:&4@<')O<]&]S960@=&]B86-C;R!S971T;&5M96YT

M+B`@===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

## RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IODR0T7EHC00NHTJ@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Fri,  
03 Oct 1997 19:36:49 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IODR0LNQDS00J1BL@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Fri, 03 Oct 1997 19:36:43 -0400 (EDT)

Received: from wdcsun1.usdoj.gov ([149.101.1.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IODR0490L8006QHO@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Fri, 03 Oct 1997 19:36:13 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4)  
id TAA08787; Fri, 03 Oct 1997 19:34:13 -0400 (EDT)

Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap  
(V1.3) id sma008780; Fri Oct 3 19:33:44 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA164921687; Fri,  
03 Oct 1997 19:34:47 -0400

Received: by TELEMAIL; Fri, 03 Oct 1997 19:26:00 -0400

X-Mailer: Worldtalk (4.1.1-pl)/STREAM

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

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -003**

**[10/06/1997-12/15/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	J. Todd Weber to Elena Kagan re: Seeking Your Opinion (3 pages)	10/09/1997	P6/b(6)
002. email	J. Todd Weber to Elena Kagan re: Dinner November 19 [partial] (1 page)	11/14/1997	P6/b(6)
003. email	DFB to Elena Kagan re: Greetings (1 page)	11/24/1997	Personal Misfile
004. email	Jennifer Oconnor to Elena Kagan re: Hello (1 page)	12/11/1997	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

**FOLDER TITLE:**

[10/06/1997 - 12/15/1997]

2009-1006-F

eh224

**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]

- 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]

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.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: George.Phillips ( George.Phillips@justice.usdoj.gov@INET@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME: 6-OCT-1997 15:07:00.00

SUBJECT: Indian tobacco provisions -Reply -Reply - -Forwarded

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena and Jerry:

FYI

--George

Date: 10/06/1997 10:25 am (Monday)

Subject: Indian tobacco provisions -Reply -Reply -

Date: Monday, October 6, 1997 10:25 am

From: SMO02 (VANNORMA)

Subject: Indian tobacco provisions -Reply -Reply -

Please tab for message

begin 640 Reply

M("`@1&%T93H@(\$UO;F1A>2P@3V-T;V)E<B`V+ "`Q.3DW("`@.3HU-"!A;0T\*  
M("`@1G)O;3H@(%--3S`R\*%9!3DY/4DU!\*0T\*4W5B:F5C=#H@(\$EN9&EA;B!T  
M;V)A8V-O('!R;W9I<VEO;G,@+5)E<&QY("U297!L>2`M#0H-"D=E;W)G92P@  
M5&]N>2P@86YD(\$=R96<L#0H-"E=E(&1I9"!N;W0@:&%V92!S=' )O;F<@9F5E  
M;&EN9W,@86)O=70@=&5S=&EF>6EN9R!A="!T:&ES('1I;64N(`T\*5V4@=V5R  
M92!S:6UP;'D<F5S<&]N9&EN9R!T;R!396YA=&]R(\$-A;7!B96QL)W,@<F5Q  
M=65S="!F;W(-"G1E<W1I;6]N>2X-"@T\*22!A<'!R96-I871E(%10;GDG<R!T  
M:&]U9VAT<R!A8F]U="!T:&4@4')E<VED96YT)W,@9FEV92!P;VEN=' ,L#0IB

M=70@=&AO<V4@<F5L871E('1O(&=E;F5R86P@:7-S=65S+"!A;F0@=&AE(\$EN
M9&EA;B!P<F]V:7-I;VYS#0IW97)E('%U:71E('-P96-I9FEC+B`@#0H-"DD@
M=&AI;FL@:70@=V]U;&0@8F4@87!P<F]P<FEA=&4@9F]R('5S('1O(&YO=&EF
M>2!T:&4@8V]M;6ET=&5E#0IT:&%T('=E(&%R92!W:6QL(&YO="!B92!A8FQE
M('1O('1E<W1I9GD@870@=&AI<R!T:6UE+@T\*#0I4:&%N:W,N("!-87)K(%9A
.;B!.;W)M86X-"@T\*#0H`

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)
id <01IOIKY8PPU800EPA2@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Tue,
07 Oct 1997 06:36:51 -0400 (EDT)

Received: from storm.eop.gov (storm.eop.gov)
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IOIKY57J0G00G90Q@PMDF.EOP.GOV> for
elena\_kagan@oa.eop.gov; Tue, 07 Oct 1997 06:36:46 -0400 (EDT)

Received: from wdcsun1.usdoj.gov ([149.101.1.100])
by STORM.EOP.GOV (PMDF V5.1-7 #6879)
with ESMTTP id <01IOIKXCH2EE004I7I@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;
Tue, 07 Oct 1997 06:36:07 -0400 (EDT)

Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4)
id GAA28442; Tue, 07 Oct 1997 06:34:04 -0400 (EDT)

Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap
(V1.3) id sma027637; Tue Oct 7 06:32:05 1997

Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA078064944; Mon,
06 Oct 1997 15:09:04 -0400

Received: by TELEMAIL; Mon, 06 Oct 1997 15:07:00 -0400

X-Mailer: Worldtalk (4.1.1-pl)/STREAM

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	J. Todd Weber to Elena Kagan re: Seeking Your Opinion (3 pages)	10/09/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/06/1997 - 12/15/1997]

2009-1006-F  
ch224

### 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]





M'P"'\`04`"!\`8`M9^`0!8`@``6`("`%@"<5,?`-3@\$`P`~~~~`"`,\`.!4:&%N  
M:X!Y;W6`9F]R@'EO=7\*`;&5T=&5R@&]F@%-E<'1E;6)E<H`Q."R`,3DY-RR`  
M<F5Q=65S=&EN9X!A;M`!%0``"P`)``&0\$.`+#P`!(14`T&%N<W=E<H!T;X!T  
M:&6`<75E<W1I;VZ`;V:`=VAE=&AE<H!T:&6`9F5D97)A;(1G;W9E<FYM96YT  
M@'=I;&R`8F7/8G)I;F=I;F>`88!L87=S=6ET@&%G86EN<W2`=&AE@'108F%C  
M8V^`8V]M<&%N:65S@&90<H!H96%L=&B`8V%R9<]C;W-T<X!C875S962`8GF`  
M=&]B86-C;X!R96QA=&5D@&1I<V5A<V5S+H"07.`97AP;&%I;F5D@&EN@&UY  
MSW!R979I;W5S@&QE='1E<BR`=&AE@\$1E<&%R=&UE;G2`;V:`2G5S=&EC98!A  
M;&]N9X!W:71H@'1H98!I;G90;'9E9,]A9V5N8VEE<X!H879E@&-O;G-I9&5R  
M962`<W5C:(!S=6ET<X!A;F0L@'10@&1A=&4L@&AA=F6`;F]T@&5L96-T963/  
M=&^`871T96UP=(!T;X!R96-O=F5R@'1H97-E@&-O<W1S@'1H<F]U9VB`9&ER  
M96-T@&QI=&EG871I;VXN@(#,S.`1#`~~~~`(!PP`X%1H:7.`061M:6YI<W1R  
M871I;VZ`8F5L:65V97.`=&AA=(!O=7\*`969F;W)T<X!S:&]U;&2`8F7/9&ER  
M96-T962`872`<F5D=6-I;F>`=&5E;H!S;6]K:6YG@'1H<F]U9VB`8V]M<' )E  
M:&5N<VEV98!T;V)A8V-OSVQE9VES;&%T:6]N+H"07.`=&AE@%!R97-I9&5N  
M=(!S86ED+(`B4F5D=6-I;F>`=&5E;H!S;6]K:6YG@&AA<]A;'=A>7.`8F5E  
M;H!!;65R:6-A)W.`8F]T=&]M@&QI;F4N(H"5&AA=(!I<X!W:'F`=&AE@%!R  
M97-I9&5N=(!O;L]397!T96UB97\*`,3=T:(!C86QL962`9F]R@&-O;7!R96AE  
M;G-I=F6`=&]B86-C;X!L96=I<VQA=&EO;H!W:71HSW1H98!G;V%L@&]F@')E  
M9'5C:6YG@'1E96Z`<VUO:VEN9X!B>8`U,(!P97)C96YT@'=I=&AI;H!S979E  
M;H!Y96%R<RZ`S@&\$0P`~~~~`"`,\`.!4:&6`4')E<VED96YT@&%N;F]U;F-E  
M9(!F:79E@&ME>8!E;&5M96YT<X!T:&%T@&UU<W2`8F6`=&AESVAE87)T@&]F  
M@&%N>8!N871I;VYA;(1T;V)A8V-O@&QE9VES;&%T:6]N.LS,X!\$,~~~~`@'  
M#`#@,2[@,`P`~~~~`8`D,`.!!@&-O;7!R96AE;G-I=F6`<&QA;H!T;X!R961U  
M8V6`=&5E;H!S;6]K:6YG+(!I;F-L=61I;F?0`14``L`"0`!H![P&2\$`2`5  
M`-!T;W5G:(!P96YA;'1I97.`:6:`=&%R9V5T<X!A<F6`;F]T@&UE=#O0!!<  
M``T`"P`"8`DH(V`)\*",("(<`T,S@&\$0P`~~~~`"`,\`.R+N`P#`~~~~`!@"OP`  
MX\$9U;&R`875T:&]R:71Y@&90<H!T:&6`1D1!@'10@')E9W5L871E@'108F%C  
M8V^`<' )O9'5C=',[T`0?`5`!,``?@&2!PD``\$"8`DH(V`)\*",("(!\`T,S@  
M\$0P`~~~~`"`,\`.S+N`P#`~~~~`!@"OP`X\$-H86YG97.`:6Z`=&AE@'=A>8!T

M:&6`=&]B86-C;X!I;F1U<W1R>8!D;V5S@&)U<VEN97-S.]`\$'P`~%0`3`~`&(

M(M@=)@`!`F`)\*)-@"2@C`B`?`-#,X!\$,~~~~~`@`#`#@"- "[@,`P`~~~~8`D,

M`.!0<F]G<F5S<X!T;W=A<F2`;W1H97\*`<'5B;&EC@&AE86QT:(!G;V%L<SN`

M86YDT`0?`~~~5`!,`~1@D:!\H`~\$`8`DH(V`)\*)",(!\`T,S@\$0P`~~~~~"~<,

M`.~U+N`P#`~~~~~!@"0P`X%!R;W1E8W1I;VZ`9F]R@'108F%8V^`9F%R;65R

M<X!A;F2`=&AE:7\*`8V]M;75N:71I97,NT`0?`~~~5`!,`~:~E^"~J`~\$`8`DH

M(V`)\*)",(!\`T,S@\$0P`~~~~~"~<,.!2961U8VEN9X!T965N@'-M;VMI;F>`

M:7.`;6]S=(!I;7!O<G1A;G2`8F5C875S98!I=(!W:6QL@'-A=F7/=&AE@&QI

M=F5S@&%N9(!H96%L=&B`;V:`;W5R@&-H:6QD<F5N+M0:(P"&`0(`"~!8`G%3

M`~!8`@\$`6`(%`%@"UGX5`0`~(P#4U!H?`(<!10`(`%@"UGX!`%@"`~!8`@(`

M6`)Q4Q\`U("1FEN86YC:6%L;'DL@')E9'5C:6YG@'1E96[0`14`~L`"0`!

M"A0(RT`~2`5`-!S;6]K:6YG@'=O=6QD@&)E@'1H98!M;W-T@'-I9VYI9FEC

M86YT@'-T97"~=&AA=(!T:&6`061M:6YI<W1R871I;V[/86YD@\$-O;F=R97-S

M@&-O=6QD@'1A:V6`=&^`<V%V98!F=71U<F74&B,`A@\$"~`@`6`)Q4P`~6`(!

M`%@"!0!8`M9^!P@`~",`U-0:'P"1`04`~"~!8`M9^`0!8`@`~6`("`%@"<5,?

M`-2`:&5A;'1H@&-A<F6`8V]S=',NT`05`~+`D`~9`IX"00`~\$@%#0U!HC

M`8!`@`(`%@"<5,`~%@"`0!8`@4`6`+6?N,(~`C`-34&A\`AP\$%`~@`6`+6

M?@\$`6`(`~%@"`@!8`G%3'P#4S.`1#`~~~~~(!PP`X\$-R869T:6YG@'1H98!C

M;VUP<F5H96YS:79E@'108F%8V^`;&5G:7-L871I;VZ`=&AA=(!W:6QLSW-U

M8V-E<W-F=6QL>8!R961U8V6`=&5E;F%G98!T;V)A8V-O@'5S92R`:7.`86Z`

M96YO<FUO=7.`8VAA;&QE;F=E+H#/1F]R9VEN9X!S=6-H@&QE9VES;&%T:6]N

M@'=I;&R`;F5C97-S87)I;'F`8F%L86YC98!T:&6`8V]M<&5T:6YGSVEN=&5R

M97-T<X!O9H!M86YY@&1I9F9E<F5N=(!G;V%L<X!A;F2`<&]L:6-I97,N@(!7

M98!B96QI979E@'1H9=`#&0`~#P`-`~%X+<@H-`~!\$@\$)\$B`9`-!C;VYS:61E

M<F%T:6]N@&]F@'1H98!C;W-T<X!I;F-U<G)E9(!B>8!F961E<F%L@'!R;V=R

M86US@&EN@'1R96%T:6YGSW108F%8V^`<F5L871E9(!D:7-E87-E<X!S:&]U

M;&2`8F6`861D<F5S<V5D@'1H<F]U9VB`=&AESV-O;7!R96AE;G-I=F6`=&]B

M86-C;X!L96=I<VQA=&EO;BZ`@,S,X!\$,~~~~~`@`#`#@56YT:6R`=&AA=(!P

M<F]C97-S@&ES@&-O;F-L=61E9"R`:&]W979E<BR`:72`=V]U;&2`8F7/:6YA

M9'9I<V%B;&6`9F]R@'1H98!\$97!A<G1M96YT@'10@&5X<&QA:6Z`=VAY@&ET

M@&AA<X!N;W2`871T96UP=&5DSW1O@')E8V]V97\*`<W5C:(!C;W-T<X!T:')O  
M=6=H@&1I<F5C=(!L:71I9V%T:6]N@&)E8V%U<V6`979E;G1S@&%N9,]F86-T  
M<X!M87F`9&5V96QO<(!W:&EC:(!W;W5L9(!C86QL@&9O<H!A@&1I9F9E<F5N  
M=(!C;W5R<V6`6Z`=&AESV9U='5R92Z`@%R;VYO=6YC96UE;G1S@&%T@'1H  
M:7.`=&EM98!C;W5L9(!I;7!E9&6`=&AE@\$1E<&%R=&UE;GOG<]A8FEL:71Y  
M@'1O@&-H86YG98!C;W5R<V6`\0\*N`\_%A=(!T:&%T@'1I;67Q`ZX#\?\$`KP/Q  
M\0\*K`\_%S:&]U;&3Q`ZL#\?\$"JP/Q@/\$#JP/Q\0&O`\_'Q`\*H#\?\$"J`/Q<VAO  
M=6QD@&5V96YT\0.H`\_'Q`JD#\7/Q`ZD#\?\$"J`/Q@'=A<G)A;G2`\0.H`\_'Q  
M`:H#\?\$`K`/Q872`\0&L`\_'Q`\*\#\71H872`=&EM9?\$"K0/Q@&-O;67Q`ZT#  
M\?\$!KP/Q\0"G`\_'Q`J0#\8!S:&]U\0.D`\_'Q`J8#\6QD@&5V96YT<X!W87)R  
M86YT\0.F`\_'Q`:<#\2[,@-0:(P"&`0(`"!8`G%3`"!8`@\$`6`(%`%@"UGY-  
M"0`"(P#4U!H?`(<!1!0`(%@"UGX!`%@"`"!8`@(`6`)Q4Q`\U-`\$%0`"P`)  
M`&`#-`'"@`!(14`T.`0#`~~~~~(!PP`X.`0#`~~~~~!@"0P`X.`0#`~~~~~"X  
M"PP`X.`0#`~~~~~0#@P`X.`0#`~~~~~!H\$`P`X.`0#`~~~~~#`\$@P`X%-I;F-E  
M<F5L>2S;S,S,X!\$,~~~~~@`#`#@X!\$,~~~~~&`)#`#@X!\$,~~~~~+@+#`#@  
MX!\$,~~~~~!`.#`#@X!\$,~~~~~&@0#`#@X!\$,~~~~~,`2#`#@2F%N972`4F5N  
E;\S4&B,`A@\$`"@6`)Q4P`6`(!`%@"!0!8`M9^F`T`",`U`~~~~

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

TEXT:  
RFC-822-headers:  
Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IOSZFTBU0G00KLHM@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Tue,  
14 Oct 1997 17:19:49 -0400 (EDT)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IOSZFQ4CZK00K85T@PMDF.EOP.GOV> for  
elena\_kagan@oa.eop.gov; Tue, 14 Oct 1997 17:19:47 -0400 (EDT)  
Received: from wdcsun1.usdoj.gov ([149.101.1.100])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTP id <01IOSZF6PPWQ000LNY@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;  
Tue, 14 Oct 1997 17:19:27 -0400 (EDT)  
Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.8.4/8.8.4)  
id RAA02425; Tue, 14 Oct 1997 17:17:08 -0400 (EDT)  
Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1.usdoj.gov via smap  
(V1.3) id sma002409; Tue Oct 14 17:16:40 1997  
Received: by wt1 (1.39.111.2/16.2-WT4.1) id AA141083869; Tue,  
14 Oct 1997 17:17:49 -0400  
Received: by TELEMAIL; Tue, 14 Oct 1997 17:16:00 -0400  
X-Mailer: Worldtalk (4.1.1-pl)/STREAM  
===== END ATTACHMENT 1 =====



RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Lidice\_Rivas ( Lidice\_Rivas@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 3-NOV-1997 10:35:00.00

SUBJECT: Re: California Bilingual Education Meeting

TO: Allison Balderston ( Allison Balderston@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Gene B. Sperling ( Gene B. Sperling@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Janet Murguia ( Janet Murguia@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Karen E. Skelton ( Karen E. Skelton@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lin Liu ( Lin Liu@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Marjorie Tarmey ( Marjorie Tarmey@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michele Cavataio ( Michele Cavataio@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mickey Ibarra ( Mickey Ibarra@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nelson Reyneri ( Nelson Reyneri@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Robert M. Shireman ( Robert M. Shireman@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: scott r. palmer ( Scott R. Palmer@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: sonya matthews ( Sonya Matthews@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Suzanne Dale ( Suzanne Dale@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Unfortunately, due to a meeting at that time, Terry will not be able to make tomorrow's mtg.

Reply Separator

Subject: California Bilingual Education Meeting
Author: Allison\_Balderston@oa.eop.gov at Internet
Date: 11/03/97 10:13 AM

Message Creation Date was at 3-NOV-1997 10:13:00

This meeting will now take place on Tuesday, November 4 at 2:15 in room 211.

Please let me know if you cannot attend.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IPKJGTF08G00QRBF@PMDF.EOP.GOV>; Mon, 03 Nov 1997 10:44:39 -0500 (EST)
Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IPKJGRQQ3K00VRC5@PMDF.EOP.GOV>; Mon,

03 Nov 1997 10:44:37 -0500 (EST)
Received: from vader.ed.gov ([165.224.216.253]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTP id <01IPKJG10362002Q81@STORM.EOP.GOV>; Mon, 03 Nov 1997 10:44:03 -0500 (EST)
Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37]) by vader.ed.gov (8.8.7/8.8.4) with SMTP id KAA14498; Mon, 03 Nov 1997 10:41:03 -0500 (EST)
Received: from ccMail by smtpgwyl.ed.gov (IMA Internet Exchange 2.12 Enterprise) id 0006B40F; Mon, 03 Nov 1997 10:43:59 -0500

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 5-NOV-1997 10:35:00.00

SUBJECT: Imported Food Draft Bill

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 5-NOV-1997 10:35:00

Thanks -- got your message and I'll not clear the draft bill until you

tell me

its okay to do so.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	J. Todd Weber to Elena Kagan re: Dinner November 19 [partial] (1 page)	11/14/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/06/1997 - 12/15/1997]

2009-1006-F

eh224

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: jtw5 ( jtw5@cdc.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-NOV-1997 08:36:00.00

SUBJECT: Dinner November 19

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena

I hope we are still on for November 19.

I am arriving that morning and have a noon meeting with Todd Summers at the Office of National AIDS Policy [(202) 632-1090]. I don't know how long that will last. I hope to spend a few hours in the afternoon looking for a furnished apartment I can begin renting in January. So, I can probably be available any time. Let me know if you would like to meet somewhere or if I should come by your office at a specific time.

I will be staying that night at the Crowne Plaza Hotel (14th and K Street, NW, Phone: 682-0111 Fax: 682-9525) and leaving the evening of the 20th.

[002]

Todd

Home: P6/(b)(6)

Office: (404) 639-2082===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IPZS30RS6000UBXR@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Fri, 14 Nov 1997 08:32:43 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IPZS2YOHXC010TPV@PMDF.EOP.GOV> for elena\_kagan@oa.eop.gov; Fri, 14 Nov 1997 08:32:41 -0500 (EST)

Received: from mailgate2.cdc.gov ([158.111.3.22]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTP id <01IPZS2AQ130001AV3@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov;

Fri, 14 Nov 1997 08:32:09 -0500 (EST)  
Received: from mcdc-us-ims.cdc.gov ([158.111.3.19])  
by mailgate2.cdc.gov (8.8.5/8.8.5) with ESMTP id IAA06333 for  
<elena\_kagan@oa.eop.gov>; Fri, 14 Nov 1997 08:34:58 -0500 (EST)  
Received: by MDC-US-IMS with Internet Mail Service (5.0.1458.49)  
id <W6C8V1TF>; Fri, 14 Nov 1997 08:29:55 -0500  
X-Mailer: Internet Mail Service (5.0.1458.49)  
X-Priority: 1  
===== END ATTACHMENT 1 =====

# Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	DFB to Elena Kagan re: Greetings (1 page)	11/24/1997	Personal Misfile

## COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

## FOLDER TITLE:

[10/06/1997 - 12/15/1997]

2009-1006-F  
ch224

## 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 3-DEC-1997 22:22:00.00

SUBJECT: School Construction

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 3-DEC-1997 22:22:00

This memo will be distributed by fax Thursday morning. (Early comments are welcome).

December 4, 1997

MEMORANDUM TO: SECRETARY RILEY

SECRETARY RUBIN

DIRECTOR RAINES

BRUCE REED

FROM: GENE SPERLING

BOB SHIREMAN

RE: SCHOOL CONSTRUCTION

The attached draft memorandum lays out options for the President on school construction. It is based on information provided by your staff over the past

several weeks. Please provide any comments, edits, and recommendations to

Bob

Shireman by tomorrow (Friday) at 10 a.m. (fax 456-2223, phone 456-2803).

CC: Mr. Bowles

Secretary Rubin

Dr. Yellen

Ms. Mathews

Mr. Podesta

Mr. Klain

Mr. Hilley

Deputy Secretary Summers

Acting Deputy Secretary Smith

Mr. Lew

Ms. Kagan

Ms. Winston

Mr. Cohen

Mr. Shireman

DRAFT MEMORANDUM TO THE PRESIDENT

You have publicly made it clear on a number of occasions -- most recently at the signing of the Labor-HHS-Education Appropriations Bill -- that you will continue to fight to get Congress to address the problem of the crumbling school infrastructure. There are two issues on school construction that need to be considered in the context of FY 1999 Budget decisions: size and design (spending versus tax). This memorandum briefly describes some of the policy and political dynamics around the question of size, then lays out the pros and cons on the design issue.

#### Size

The passback funds the School Construction initiative at \$1.9 billion -- down from the \$5 billion that was proposed last year. That matches a Daschle-Gephardt proposal developed in the late summer as a last-ditch effort to get a down payment on the school construction issue. The amount was based on the size of the offset they were able to agree on (closing a tax loophole). There is no question that an initiative of that size -- to help address a

\$112

billion problem (not including the need associated with increasing enrollments)

-- would not be met warmly by supporters of a Federal investment in this area.

Pressures for us to re-propose a school construction initiative of at least \$5 billion are coming from a number of quarters:

Defining issue for Democrats. Democrats see this as a popular initiative that sets them clearly apart from Republicans. Some have argued that the funding should be increased above \$5 billion in order to provide more help to suburbs.

Urban needs. In the context of negotiations over the voluntary national tests, School Construction came up a number of times with the Black Caucus as one item that would demonstrate the Administration's commitment to the needs of urban schools.

Class size. Some have suggested that a larger school construction initiative could be tied to the idea of smaller class sizes.

Obviously, the reason to keep our investment in school construction at a lower

level has to do with competing demands in the budget process. You should keep in mind that your proposal was a one-time investment that outlayed over four years. If we are constrained by funds available in the five year budget window, one way to expand our proposal would be to propose a second investment (or if on the tax side, a longer investment) for a total of, say, \$8 billion over 10 years.

#### Design

You need to decide whether we should continue to propose our School Construction initiative as a mandatory spending proposal or shift it to a tax credit.

Spending proposal. The bill you proposed, the Partnership to Rebuild America's Schools, provided a one-time appropriation of \$5 billion for grants to States and localities to pay for up to one-half the cost of repayment of school construction bonds (or an equivalent amount in cases where an alternative financing mechanism is used). One-half of the funding was reserved for the 100 largest school districts. We estimated that the \$5 billion would leverage \$20 billion in new construction/renovation over four years.

## Pros

The Administration bill in the House gained 116 cosponsors, including \_\_ Republicans. A letter signed by 112 of them urges you to include the same, \$5 billion proposal in the FY 1999 Budget.

The bill was designed to spur additional State and local effort (through a competitive portion of the funds) and to leverage the Federal funds. It is more difficult to design a tax credit that accomplishes those goals.

This approach is more efficient at addressing our specific goals than a tax credit (tax incentives associated with bonds inevitably have some inefficiencies associated with them).

The bill is flexible, allowing for creative funding mechanisms such as lease-buybacks, helping districts that are not able to float additional bonds.

## Cons

To propose \$5 billion or more, we probably will need to rely on closing tax loopholes as the offset, creating a "tax-and-spend" scenario.

With a tax-side offset, the spending proposal and the offset would have to

move through different committees, making the plan more difficult to achieve legislatively -- unless there is a reconciliation bill.

While the education groups prefer the spending program in the abstract, they would prefer a tax-side approach if it means more money could be dedicated to the purpose.

Tax proposal. As part of the Taxpayer Relief Act of 1997, Congress enacted a tax credit proposal by Rep. Rangel that includes school renovation (but not construction). The provision allows State and local governments to issue bonds totaling \$800 million over two years. The Federal government essentially covers the interest on the bonds through a tax credit, providing the schools with an interest-free form of financing. These bonds can be used to cover certain costs of "academies" that link businesses with the schools to develop a curriculum that is employment-oriented (the description is not unlike your School-to-Work program). The bond proceeds can be used for a variety of expenses: rehabilitation, repairs, technology, equipment, curriculum development, and teacher training.

While supporters of school construction were pleased to see Congress ratify a

proposal that included school renovation, they do not see the Rangel plan as a sufficient approach for two reasons: (1) its narrow focus on these school-business academies, and (2) the broad use of funds.

This bond/tax credit design could be expanded to focus more squarely on school construction and renovation, and beyond the academies in the Rangel provision.

For example, Rep. Loretta Sanchez introduced legislation in October that would

use the bond mechanism to support school construction in overcrowded districts. We would not need to provide detailed specifics in the budget. We

could simply say that the bond/tax credit would be extended and expanded to assist school districts with their school construction and renovation needs.

Then we could work with Mr. Rangel and others on the details.

#### Pros

We can more easily propose a larger initiative on the tax side.

A tax-side initiative will be revenue-neutral, and both the program and the offset would be handled by the same committees in Congress.

The Senate sponsor of our School Construction legislation -- Sen. Moseley-Braun -- is on the Finance Committee and would support the idea of

a

tax-side approach that she could push there.

We might be able to develop a proposal that would have the strong support of the ranking member in the House (Mr. Rangel).

Cons

The bond/tax-credit approach is unusual, so we do not yet know how well it will work.

The bells and whistles that we built into our School Construction proposal -- leveraging, rewarding State investments, etc. -- would not be possible in a tax-side approach.

The House sponsor of our School Construction legislation -- Rep. Lowey -- prefers the spending bill that we proposed this year.

Rep. Rangel is very committed to his design, and may not be willing to make the changes that we would want to steer this toward school construction and renovation and away from his "academies" approach. There is a chance we would have to part ways with him, or accept something that we do not like and

does not satisfy the constituency groups.

#### Views and Recommendations

[Treasury strongly supports a spending-side strategy. The tax credit approach is awkward and inefficient. While Treasury is making every effort to implement the Rangel provision effectively, it is an unproven approach -- as would be any tax-side approach to subsidizing school construction.]

[I support a tax-side approach because it would be revenue-neutral and might allow us to have an initiative that is larger than \$5 billion, gaining back some of the good will that was lost when we were forced to drop our proposal as part of the budget agreement.]

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 3-DEC-1997 17:33:00.00

SUBJECT: Memos - tight timeline

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 3-DEC-1997 17:33:00

Attached are memos that are being faxed out now on both the Hispanic

Action

plan, and the College-School Early Intervention partnerships (also known

as

"mentoring" or "Fattah-plus"). They ask for comment by noon tomorrow

because

they will be going to the President by COB tomorrow.

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

TEXT:

The following attachments were included with this message:

---

TYPE : FILE  
NAME : mentor2.wpd

---

TYPE : FILE  
NAME : hisp3dec.wpd

=====  
END ATTACHMENT 1

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D26]ARMSZZ000ET5W.001 to ASCII,  
The following is a HEX DUMP:

FF5750439D150000010A02010000000205000000AF68000000020000F6E49D44E59C5C217524BA

December 3, 1997

**MEMORANDUM TO:**        *SECRETARY RILEY*  
                              *DIRECTOR RAINES*  
                              *BRUCE REED*

**FROM:**                 *GENE SPERLING*  
                              *BOB SHIREMAN*

**RE:**                     *MENTORING INITIATIVE*

The attached draft memorandum follows up on the principals meeting of October 14, and the consultation and analysis that has gone on since that time.

A final memo will go into the President by COB tomorrow, so I need your changes and recommendations, if any, *by noon tomorrow, Thursday, December 4*. Please get your changes to Bob Shireman by fax (456-2223) or e-mail and call him (456-2803) to make sure he has received them.

CC: Mr. Bowles  
      Secretary Rubin  
      Dr. Yellen  
      Ms. Mathews  
      Mr. Podesta  
      Mr. Klain  
      Mr. Hilley  
      Acting Deputy Secretary Smith  
      Mr. Lew  
      Ms. Kagan  
      Ms. Winston  
      Mr. Cohen  
      Mr. Shireman

MEMORANDUM TO THE PRESIDENT

RE: COLLEGE-SCHOOL EARLY INTERVENTION INITIATIVE

In preparation for the budget decisions that will need to be made in the next few weeks, this memorandum is intended to provide you with a status report on the development of a possible college-school early intervention initiative, and an opportunity for you to provide direction to our continuing efforts. In order to move forward on the budget, there are three issues that need to be settled: (1) the basic parameters of the early intervention programs, (2) the issue of early notification (the "guarantee" of aid), and, of course, (3) funding.

With the approach described in this memo, you would be able to announce a new 21st Century Scholars program that would:

- Provide families at high-poverty middle schools (and possibly others as well) with an official notification of the \$20,000 or more that is available for their children to go to college; and,
- Through colleges and other partners, provide intensive, long-term early intervention and support services to 250,000 new children each year (at 2200 high-poverty schools) -- 1.5 million children over six years.

## Background

As you remember, this initiative began with your interest in the “21st Century Scholars Act” by Rep. Chaka Fattah. This legislation, which continues to garner significant support, including some Republicans, would guarantee sixth graders at high-poverty schools a maximum Pell Grant when they got to college; send a notice to them annually from the Secretary of Education reminding them of the availability of aid; and make them automatically eligible for the counseling, academic support, and other services provided by TRIO programs (such as Upward Bound) in high school and college.

Working with OMB and Education, we analyzed the specifics of the Fattah approach and found a number of problems: higher-than-expected costs and inefficiencies; inequities and perverse incentives; and the difficult issue of a new entitlement. Most important, the research on early intervention programs indicated that in order for them to be successful, it is *critical* that mentoring, counseling and tutoring be provided to students. Simply making them eligible for TRIO is not enough. As you know, Rep. Fattah is aware of these concerns and is flexible on the design of a program.

We felt strongly that the Administration needed a strong early intervention initiative that goes well beyond a notification about financial aid. Research demonstrates that programs that start early and are sustained for a number of years are effective. For example, in the rigorously-evaluated Quantum Opportunities Program, 42 percent of the participants attended college, compared to 16 percent in the control group. To have a significant impact on college enrollment of disadvantaged youth, it is clear that we need a full-fledged early intervention program.

Our idea is to center this effort on colleges reaching out to high poverty schools. College involvement is critical for a number of reasons. First, this approach creates an ethic of responsibility: it reminds colleges that they are responsible for helping to build a pool of disadvantaged youth -- disproportionately minorities -- who are well-prepared for college. Second, if college is to be the goal that sixth graders see, they need to have some connection to the institution. Third, colleges are best able to tell students -- and the schools they attend -- what types of courses and skills they need to succeed. Indeed, an ancillary benefit of this approach should be higher standards.<sup>1</sup> And finally, a stable,

---

<sup>1</sup>In fact, in response to our consultations on this issue, we already have a proposal from colleges in the California State University system for an early intervention program that would focus on math as the gateway to college.

long-term institution needs to be there to ensure the quality and staying power of a program like this one.

In October, principals discussed options (DPC, Education, PIR, COS, and OLA were represented). At that meeting, there was strong support for the concept of Federal aid to partnerships between colleges and needy schools, to provide sixth graders with mentoring and other support that would be sustained through high school graduation. There was also strong support for getting early information to families about the availability of Federal financial aid for college. But there was concern about any new entitlement to aid: first, it creates budget complications, both politically and practically; second, it creates the impression that the current programs are not secure -- contrary to the "universal access" message that we are sending in the wake of victories on HOPE and Pell.

Since the principals meeting, we have accelerated our consultations and research. I have spoken with more than 200 college presidents, both individually and in groups, and the response has been quite positive. Many of them have provided examples of their own efforts to tap into K-12 schools to recruit and offer help early. Education is reviewing all of the research literature, and with my staff has carried out an effort to identify model programs with the characteristics that we discussed at the principals meeting. Both Mike Smith and I have spoken with Eugene Lang, founder of the "I Have a Dream" program, and he agrees that we are on the right track. Even though he is best known for his promise of aid to Harlem sixth graders, he feels strongly that the early and sustained *support services* are the most important determinant of a successful program (and he agrees with the need for college involvement).

#### Basic Parameters of the College-School Partnerships

Some of the colleges with whom we have consulted want the program to very flexible, to incorporate a wide variety of program models. But we have pressed that while we support flexibility, there needs to be a vision -- some common elements that give the proposal an identity that will propel it to success both legislatively and, ultimately, programmatically. We recommend the following core components:

*Whole Classes/Cohorts at High-Poverty Schools.* Programs must start providing services to *all* of the children in a grade, class, or school. Many programs focus on students who have been pre-judged to have college "potential." But middle school is too early to rule anyone out. In addition, a whole-class approach is

more likely to involve the *school* (rather than just the students) in a way that will bring about improvements in the curriculum.

*College as a Goal.* The programs must hold out college as a primary goal. Special consideration would be given to partnerships that guarantee enrollment in a college for participating students who reach particular milestones, and/or for programs that guarantee additional financial aid to cover the full costs of the college.

*Start Early and Stay with Kids through High School.* Students should begin in the program *not later than* the seventh grade. The program must continue to provide services through high school graduation (or at least for six years). (There will be some attrition due to dropping out of school or of the program, moving out, or participating in another program.)

*An Intensive Element.* Programs must provide intensive assistance to students at least during some part of the program (cost estimates assume that this happens in the first year). For example, this may be a residential summer component at a college.

*Community Involvement.* Community organizations and businesses should be tapped to offer mentors, guarantees of additional financial aid in exchange for student performance, exposure to careers, and other support.

Note on relationship to TRIO programs. Some colleges already have Federal TRIO grants with some of the above characteristics, and/or they have other similar programs. The largest Federal investment, Upward Bound, provides counseling and intensive academic support to *selected* disadvantaged high school students who show aptitude for college. The Talent Search program provides a one-shot program of early information about college to middle school students. Those programs do not come close to addressing all of the need, so there would not normally be a problem with them duplicating some part of this new program. Applicants for the college-school partnership funds would have to describe how their existing early intervention programs would be coordinated with the new program. It is expected that some partnerships would apply for the new grants to extend and expand their programs, so that Upward Bound, for example, could essentially create a grade 4-10 feeder program, and Talent Search could add a more intensive component with follow-up during the high school years. Others might simply focus on high-poverty schools where the students are not

being served by any current program.

### Early Notification/Guarantee

The early intervention effort would be joined with Rep. Chaka Fattah's concept of providing children and their families with *early, official notification* of their eligibility for college financial aid. Because of the combination of student loans, Pell Grants, and HOPE Scholarships, virtually everyone is eligible for at least \$20,000 of aid for four years of college. While a legally enforceable "guarantee" to Pell Grants six years in the future has too many problems, we can still adopt the basic concept by making a firm statement about college aid generally. (As with Federal pensions and some military benefits, the actual amounts would depend on the continuation of the programs.)

This would be part of the larger information campaign on access to higher education. While the focus would be on getting the notifications to families at the highest-poverty schools, we would not need to be that restrictive and could reach a larger number than the Fattah legislation proposes. It would not be unreasonable for us to have a goal of reaching a million students with information and an official notification (double the number that would have been reached by Fattah).

As already noted, we would encourage partnerships to supplement Federal aid with additional financial assistance and/or guaranteed admission to a particular college if the student takes the right classes and works hard.

### Funding

We are discussing two possible approaches. The first would make a simple offer to colleges in a competitive program: tell us how you would use a grant of \$200,000 to \$1 million to create or expand partnerships with the characteristics outlined above. A \$300 million investment would fund 400 colleges, if the average grant size was \$750,000.

They might have partnerships with up to 2000 schools, with 226,000 students (if only one grade level was being served at all of the schools). This would leave it up to the college to determine whether and how to add new cohorts. In providing grants, we would have the flexibility to take into consideration the institution's own resources, so that Ivy League schools would be expected to take most of the costs themselves, while a Tribally Controlled Community College would not.

The other approach would be tied more specifically to the need for an intensive

start, and the cost of adding new cohorts of students each year. It would also require a growing local match.. A \$300 million Federal investment in FY 1999 would allow us to serve 250,000 seventh graders through competitive grants to partnerships with 2200 high-poverty schools, assuming a 20 percent local match and a \$1,500 per participant cost. These funds would provide mentoring to about half of the schools and students that would have been provided the guarantee under Fattah (students at schools with poverty rate of 75 percent or greater). It is five times as many as are now served by Upward Bound.

The average per-student cost would be significantly lower (\$800) in the remaining years, but additional cohorts -- new groups of seventh graders -- would continue to be added each year until there is a full complement. If we assume that the local match can be increased by 10 percent with each new cohort, until the Federal government is covering only 30 percent of the cost, then (assuming some attrition) the funding would reach a steady state at \$619 million in FY 2004. (See line [a] on the table). *Over the six years, 1.5 million kids would be served.*

Federal Cost of Early Intervention Program (in millions of dollars)

	FY99	FY00	FY01	FY02	FY03	FY04	FY05	FY06
a. Full	300	415	502	565	604	619		
b. Phase-in	150	339	430	534	595	632		
c. Smaller								

If we need to reduce FY 1999 appropriations requests, the best way to do so would be to phase in the number of partnerships over two or three years, rather than assuming that all of them would be established in the first year (line b). If the out-years are a problem, then we would need to reduce the total number of schools/partnerships that we are aiming for (line c).

**Add at least \$30 million.** The TRIO programs have a strong, organized constituency. We are working with the association on this proposal, and so far they are supportive. But they are concerned that our interest in this new proposal may weaken our resolve as far as increases for the TRIO programs. Therefore, it is critical that an increase of at least \$30 million be included in the Budget for TRIO if we move forward with the school-college mentoring partnerships.

*Current program authorities and the question of a State role.* We are currently assuming that this would be a new direct grant program from the Department of Education, probably part of our proposal for reauthorization of the Higher Education Act. Education is exploring a couple of current (unfunded) authorities to determine whether we could use one of them for this program. The benefit of doing so is that it makes it easier to get appropriations, because we don't have to wait for an authorization of a new program in order to get appropriations.

Some of the Committee leadership on the Hill and the student association are expected to pursue a state-based model, making use of a program authorized in 1992 called the National Early Intervention and State Scholarship Program. It is funded at \$3.2 million now and funds some useful models. Education opposes using this authority, however, because it would be more difficult to maintain a high-quality, highly targeted effort.

#### Next Steps

If you are comfortable with the general approach, then we will continue to draft the descriptions that will need to be included in the Budget, if funding is to be included. We will then continue to vet the idea, and will begin to develop a roll-out strategy.

#### Views and Recommendations

December 3, 1997

**MEMORANDUM TO:**            *SECRETARY RILEY*  
                                  *SECRETARY SHALALA*  
                                  *SECRETARY HERMAN*  
                                  *DIRECTOR RAINES*  
                                  *BRUCE REED*

**FROM:**                    *GENE SPERLING*  
                                  *BOB SHIREMAN*

**RE:**                        *HISPANIC EDUCATION INVESTMENTS AND ACTIONS*

As you know, the President asked us to develop strategies for improving education opportunities for Hispanic Americans, particularly to reduce the dropout rate. All of you have contributed to this effort. The attached draft memorandum to the President lays out some of the actions we are prepared to take, as well as a proposal for investments in the FY 1999 Budget.

The possible investments will be compared against other requests, in the context of the budget process over the next two weeks. Please let me know *by noon tomorrow, Thursday, December 4*, if you have any suggested changes to the memo, or recommendations to add. Please focus particularly on the investments in section I. Please contact Bob Shireman at 456-2803.

CC:	Mr. Bowles	Mr. Hilley
	Dr. Yellen	Acting Deputy Secretary Smith
	Ms. Mathews	Deputy Secretary Thurm
	Mr. Podesta	Deputy Secretary Higgins
	Ms. Murguia	Mr. Lew
	Ms. Echaveste	Ms. Kagan
	Mr. Ibarra	Ms. Winston
	Mr. Klain	Mr. Cohen

Automated Records Management System  
Hex-Dump Conversion

Mr. Shireman  
Dr. Pompa  
Ms. S. Brown

## DRAFT MEMORANDUM TO THE PRESIDENT

This memorandum provides you with background on our efforts to improve educational opportunities for Hispanic Americans, and a possible further investment strategy for the FY 1999 Budget. Once budget decisions are made, we will have a comprehensive package of research-based recommendations, new investments, and administrative actions ready for an announcement. The announcement would include:

- a report on the Hispanic dropout problem by researchers named by Secretary Riley two years ago (in response to a request by Sen. Bingaman). The report includes advice for schools, families, and all levels of government, but does not include any new data;
- investments in programs that address the needs of Hispanic and LEP children;
- a list of administrative and other actions -- including a Conference on Staying in School -- that Education, Labor and HHS are taking to improve Federal programs so that they better serve the Hispanic (and LEP) community; and,
- the Secretary of Education's plan describing how current programs and our agenda of research, standards and testing, teacher training, and outreach address the needs of Hispanic and LEP children.

Section I of this memo describes the consultations that have taken place and the legislative and appropriations actions that we have already taken. Section II is a reminder of some of the planned or possible FY 1999 investments that are generally important for minorities, but are not explicitly part of the Hispanic plan. *Section III lays out a possible investment strategy for Hispanics and LEP children and families for the FY 1999 Budget.* Section IV describes the other actions that agencies would announce as part of the Hispanic Action Plan. Section V presents the views of your advisors.

## I. Background

In response to your request that we look into the what we can do to address the Hispanic dropout rate and to generally improve the educational opportunities of Hispanic Americans, we set out to identify possible actions in three areas:

- Then-pending Administration initiatives and reauthorization proposals that could be improved in ways that benefit Latinos (for example, funding formulas that do not adequately take into consideration growth areas).
- Appropriation items in the FY98 Budget that have a disproportionate impact on the Latino population, so that we would be sure to take that into consideration in the continuing budget process.
- Additional administrative and legislative proposals that could be aimed at increasing Hispanic educational opportunities.

As a foundation for our efforts, we were able to use a report and recommendations released last year by the President's Advisory Commission on Educational Excellence for Hispanic Americans. We met with constituency groups, and held a series of meetings with Hispanic Caucus members and staff, where officials from Education, Labor, HHS, and USDA discussed their programs and some of the concerns and recommendations that have been raised. Most recently, we have been able to review the not-yet-released report of the Hispanic Dropout Project, by a group of researchers named by Secretary Riley at the suggestion of Senator Bingaman. We have also reviewed legislation proposed by Congressman Hinojosa and Senator Bingaman.

These efforts yielded results this year:

- We insisted that our **35% increase for Bilingual and Immigrant Education** be an explicit part of the Bipartisan Balanced Budget Agreement, a very exclusive list (only 13 items government-wide).
- The \$199 million in Bilingual Education **includes \$25 million for training teachers to help limited English proficient (LEP) kids**, a proposal that Republican appropriators fought last year. (Thank Delia for working with the appropriators this year to assure their support).
- We took another look at our **America Reads** legislation and added provisions to make doubly sure that States would have to make a particular effort to serve LEP children.

- Our proposal for **Adult Education** reauthorization -- a program that provides adult ESL -- includes a **new formula** that targets states with large numbers of LEP adults. (Unfortunately, no one in Congress is pushing the formula).
- We proposed and received an **11% increase for Hispanic-Serving Institutions (HSIs)**.
- In a reversal from our position to eliminate the program a few years ago, we proposed and received a **small increase for HEP-CAMP** (migrant college support services and early intervention program).
- Other selected FY 1998 Appropriations that help Hispanics:
  - Job Corps* -- an effective program in which 70% of the participants are minorities -- got \$92 million increase (to \$1.246 billion). 30 Job Corps Centers teach ESL.
  - Youth Opportunity Areas*: \$250 million to the highest poverty areas to help out-of-school youth (age 16-24) become employable. (Currently six cities are funded. In NYC, 67% of those served are Hispanic; in Houston, 65%; in Los Angeles, 50%.)
  - \$1.4 billion increase in **Pell Grants** for low-income college students.
  - Obey's **Comprehensive School Reform** provides funds that will go to schools that need to be transformed -- first in line should be those with high dropout rates.

## II. Generic Issues

It is important that our overall campaign for high standards and accountability remains to be seen as an important part of the answer for all children, *particularly* those who are at risk. For the announcement of the Hispanic Action Plan, Education has developed a document that describes how the key education programs work for Hispanic and LEP children.

There are also other new initiatives that have already been announced or are being considered that are oriented toward needs that have been identified in our work on Hispanic Education, including:

- **Teacher Training and Recruitment.** Your five-year, \$350 million teacher training and recruitment proposal is aimed at improving teacher preparation particularly for

harder-to-serve populations, and recruiting more minority teachers.

- *Education Opportunity Zones.* This new investment is aimed at spurring and rewarding effective reform efforts in school districts that tend to be predominantly minorities.
- *College-School Early Intervention Partnerships.* This is a proven response to the dropout problem: it takes children at high-poverty schools by the seventh grade, delivers a firm message about college opportunity, and then provides them with support through to high school graduation. We consider this a major initiative that should be announced in a broader context.

### III. Decision: Added Investments

For FY 1999, we recommend that you consider increasing funding in some key programs that are important to Latinos.

<i>Investment (in millions):</i>	<i>FY 1998</i>	<i>Increase</i>	<i>FY 1999</i>
Bilingual Education - Teacher Training	\$25	\$25	\$50
TRIO College Preparation Programs	\$530	\$30-70	\$560
Hispanic-Serving Institutions [non-add; already approved]	\$12	[\$16]	\$28
Adult Education - Model ESL Programs	n/a	\$20	\$20
Migrant Education Program	\$305	\$30-80	\$365
Migrant Education: HEP and CAMP	\$9.7	\$5.3	\$15
TOTAL:		\$110.3-\$200.3	

This package addresses five of the six highest-priority items identified by the Hispanic Education Coalition. The only program identified by the coalition but not included above is Title I. (If the budget process yields a substantial increase in Title I, that could be included as well.) The program above that was *not* identified by the coalition is Adult Education/English-language training for adults.

*1. Bilingual Education - Teacher Training.* This program provides current teachers with the skills they need to address the English language deficiencies of their students. (Despite the

name, it does not require a bilingual program). By doubling the FY 1998 investment and sustaining that level over five years, we could *train 20,000 teachers*. The need in this area is huge -- California alone has a reported shortfall of 20,000.

**2. TRIO College Preparation Programs.** A recent evaluation of the Upward Bound program (support for promising disadvantaged kids to go to college) showed dramatically positive results for Hispanics. This is an opportunity to showcase this success. We will also be making changes to the TRIO statute to encourage more funding to areas that are under-served, such as the Hispanic community. Even though we may be proposing an *earlier* mentoring program, it is important that we propose an increase in TRIO so that the very strong TRIO constituency does not see the new program as a threat. \$30 million is the same increase that the programs received in FY 1998; \$60 million would receive a more enthusiastic response.

**3. Hispanic-Serving Institutions.** These funds go to strengthen colleges where at least 25 percent of the student body is Hispanic and a large portion are needy. This substantial increase is already slated, as a result of Higher Education Act reauthorization and other discussions.

**4. Adult Education - Model ESL Programs.** The largest single source of English-as-a-Second-Language funding comes from the Adult Education program (which also promotes adult literacy and GED attainment). There are a plethora of approaches, and huge demand for these programs. But there is little information about what types of programs are most effective for different populations. This five-year \$100 million investment would go toward improving the ESL programs that we now fund through identification and dissemination of proven and promising practices. It could also be used to provide more training for adult ESL instructors, and/or to expand the use of the televised ESL series "Crossroads Cafe," if the evaluations of that program are as positive as expected.

**5. Migrant Education Program.** Because of their mobility, migrant children -- more than 80 percent of whom are Hispanic -- often do not "belong" to any one school system or even one State. That is why the Federal role in this area is critical. Funded at \$305 million in FY 1998, MEP is a State formula program that supports an extremely wide range of interventions specifically tailored to the needs of the local population it serves. Services range from the identification and recruitment of kids into schools, to all kinds of school-based interventions, to after school programs and summer sessions.

The 1994 reauthorization (of the Elementary and Secondary Education Act) focused MEP on the most mobile families, and resulted in more services are now being provided in the summer and between school sessions. Despite a narrowing of eligibility rules, the number of participating children has been increasing since the reauthorization, in part because of

partnerships between MEP and several major agribusiness partners. These partnerships have led to improved service and coordination by local providers (education, health, public safety, library).

Increased funding would help to address the growing population of children who are being referred to the program, and to continue to provide a richer array of supplemental educational services. *A \$60 million investment is included in the proposal to address Child Labor issues.*

#### *IV. Administrative Actions and Program Improvements*

Based on our review of the Advisory Commission recommendations, other reports, and our meetings with the constituency groups and the Caucus, the agencies have signed off on a number of changes to, or enhancements in, current programs to better serve the Hispanic population. They are described below:

##### *Dropout Prevention:*

- *Comprehensive School Reform.* As part of this new \$150 million program aimed toward transforming failing schools, the Education Department will identify model approaches that show promise in reducing high dropout rates, and that address the needs of limited-English proficient children. The Department's guidelines to States will encourage funds to go to schools that need to address a dropout problem.
- *White House Conference on Staying in School.* The President and the Administration will participate in a conference to share solutions -- lessons from successful efforts to reduce dropout rates and to provide youth with alternatives to traditional high schools.
- *Clearinghouse on Successful Models for Dropout Prevention.* The Education Department, through its various research centers (and other clearinghouses), has a great deal of resources relating to dropout prevention. This would provide school and community leaders with "one-stop shopping" for ideas and information on best practices for keeping kids in school.

##### *General:*

- *Public Service Announcements in Spanish.* Univision has agreed to produce a series of public service announcements on education, such as encouraging parents to read to their children at an early age, and telling families about college financial aid.
- *Toll-Free Number and More Information in Spanish.* The Education Department is developing criteria to systematically determine what publications should be translated so that Spanish-speaking parents have better access to the information. In addition, the Department will establish a toll-free number that is answered in Spanish (or change the current number to prompt non-English speaking callers earlier), to ensure that there are no barriers to parents who want to find out how to better help their children succeed in school.

- **Model High Schools:** Working with the National Council of La Raza and ASPIRA, the Education Department's New American High Schools Initiative will focus attention on schools that better prepare all students for college and careers. Four of the ten schools initially selected have a Hispanic population of 20 percent or more. In addition, the Department has awarded a two-year contract to improve student preparation at six urban high schools and to serve as models for other high schools. Three of the six have substantial Hispanic student participation.

#### *Early Childhood and Parental Involvement*

- **Early Head Start:** [Checking whether new funding in FY 1998 can be geared toward the needs of Hispanic community]
- **Head Start:** The Bipartisan Balanced Budget includes continued expansion of the program, toward the goal of serving one million children by 2002. The Department of Health and Human Services will implement an outreach plan to ensure that programs are reaching the Hispanic community. As a part of that effort, the Department will identify and disseminate a "best practices" guide for serving limited-English proficient (LEP) children.
- **Title I/parent training:** Parents who do not speak English well need extra care and support to gain their active participation in the schooling of their children. The Department of Education is compiling a set of "best practices" for implementing family literacy and parent involvement programs. This will include guidelines for working with LEP parents.

#### *Improving teaching and learning*

- **America Reads:** The Education Department and Scholastic, Inc., have developed and are distributing, posters featuring the message "Reading is Power/Leer es Poder." The back of the poster provides reproducible reading activities for classroom use. Spanish language tutoring kits have been developed and will be distributed to Hispanic communities. LULAC has been an active partner in America Reads effort.
- **Bilingual/Teacher Training:** The Bipartisan Balanced Budget Agreement secures a 27 percent increase for the bilingual education program. As part of that increase, the Education Department will dedicate \$25 million to increase the number of teachers who are qualified to teach LEP children, and to improve teacher preparation programs so that

all teachers can meet the needs of LEP students.

- *Technology:* To ensure that all schools take advantage of the funding available through the \$2 billion Technology Literacy Challenge Fund and the discounts of up to 90 percent (for the poorest schools) that will be available through the FCC's Universal Service Fund, the Education Department will conduct a series of technical assistance workshops, including some that are targeted to communities with large populations of Hispanic students. [Mention VP's leadership of outreach effort?]

### *Migrants*

- ***Technology.*** The Education Department has awarded six grants, at \$15 million over five years, for projects that apply the use of technology to improve teaching and learning for migrant children.
- ***Coordinated eligibility.*** The Education Department is exploring the possibility of waiving eligibility requirements for Migrant Even Start and other education programs so that children of participants in the Job Training Partnership Act's migrant program (section 402), who have already been judged needy, will be automatically eligible.

### *Second chance and job training*

- ***Youth Opportunity Areas.*** \$250 million has been appropriated for FY 1999, targeted to the highest poverty areas in the country to help out-of-school youth (age 16-24) become employable. (Currently six cities are funded. In NYC, 67 of those served are Hispanic; in Houston, 65 ; in Los Angeles, 50 .)
- ***Bilingual Contextual Learning.*** The Labor Department is currently evaluating the results of an innovative approach for training individuals for the burgeoning home health care field. The Department will broadly disseminate the "lessons learned" from this experience.
- ***ESL in Job Training.*** The Labor Department will include guidance for providing services to limited-English-proficient populations in JTPA or successor programs.

### *College opportunity*

- ***TRIO programs.*** The Education Department's reauthorization proposal will include measures designed to make the programs more available in areas that are now under-served by TRIO, including those with substantial Hispanic populations.
- ***Information about college financial aid.*** The largest Spanish language newspaper in the country, La Opinion, is publishing and distributing a Spanish-language version of the Education Department's guide, "Getting Ready for College Early." The Department is seeking out other opportunities to better reach Latino families.
- ***Hispanic-Serving Institutions.*** The Education Department's reauthorization of the Higher Education Act will include the creation of a new part under Title III for Hispanic-Serving

Institutions.

*Other efforts:* The Education Department will release a plan that includes a number of other items, and improvements in data collection and research relating to Hispanic and LEP students.

V. Views and Recommendations

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Jennifer Oconnor to Elena Kagan re: Hello (1 page)	12/11/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/06/1997 - 12/15/1997]

2009-1006-F  
ch224

### 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]

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]

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.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ]

CREATION DATE/TIME:12-DEC-1997 16:25:00.00

SUBJECT: WORKAHOLICS NOTICE!!!Vacation Over The Holidays.

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@EOP@LNGTWY@LNGTWY [ UNKNOWN ]

READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 12-DEC-1997 16:25:00

I am very concerned about the "fry" factor among DPC staff. Many of you  
work

ridiculous hours, all weekends, and do not take time for yourselves to  
cool

down. Well, you are about to be presented with an historic opportunity.

From

approximately December 23rd until January 4, the President, Bruce Reed,  
and

Gene Sperling will all be on vacation. That hopefully means no events,

little

budget work, etc. There will not be an opportunity like this until next August. Therefore, I am asking all of you to take some significant time off

this holiday season in order to preserve your mental sanity, physical health,  
and family ties.

This request is in my own interest. If you take a vacation, then you won't burn out and quit. In addition, you will come back hopefully recharged.

Please go away. Take a week off at a minimum. Don't force me to have to lock you out of the office over the holiday break.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-DEC-1997 20:58:00.00

SUBJECT: Monday 11:30 - 1:00

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 14-DEC-1997 20:58:00

Eugene Lang (founder of I Have a Dream) is making a special trip down from

NY

to discuss the mentoring initiative. Gene would welcome your

participation for

all or part of the session. Please let Peter Weissman know if you can

attend

(6-5804). It will be in Gene's office, unless you hear otherwise.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:15-DEC-1997 15:04:00.00

SUBJECT: Sonyia's coming with marked-up version.

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 15-DEC-1997 15:04:00

I only marked the items that matter.



## Discretionary Budget for the Department of Education Summary

**TOTAL.** This Budget is a 4.7 %, or \$1.4 billion, increase over FY 1998, a total of \$30.9 billion. It funds important new initiatives, maintains or increases major base programs, and continues progress on your previous commitments.

While the increase is substantial, it is half the size of dollar increases Education received each of the last two years. Still, it is a large increase given the caps, and we are working on other investments on the mandatory side (such as school construction and class size). Nevertheless, you can expect Secretary Riley to make a case for a much bigger discretionary increase.

Other than the new initiatives (already described), the budget includes:

### **Base Programs:**

Education testing: \$16 million. The full amount needed to maintain progress on test development.

Pell Grants: \$3,100 maximum. Increasing the maximum grant by \$100 (3.3%) requires an investment over FY 1998 of \$289 million (3.9%). We could spend another \$150 million to increase the grant another \$50; as already noted, doing so would take about \$150 million that could be used instead to increase our investments in the After-School program and Head Start.

America Read, \$260 million. In FY 1998, Congress "advance appropriated" \$210 million for FY 1999 for the Education Department's portion of America Reads, contingent upon enactment of the authorization bill, which has passed the House. The increase to \$260 million reflects our original first-year plan for the Education Department.

Title I, Education for the Disadvantaged, Grants to LEAs: \$ 7,725 million. A \$350 million, 4.5% increase over FY 1998 to serve an additional 400,000 children in poor communities. The education groups will look at this line in the budget to see if we have made a sufficient investment in base programs; Secretary Riley requested \$492 million.

Goals 2000: \$510 million. A \$10 million increase over FY 1998, to maintain momentum in the States for school reform.

Comprehensive School Reform: \$175 million. A \$30 million increase over FY 1998 for demonstrations of school reform models. We hope to gain Cong. Obey's support of our Education Opportunity Zones by establishing a close linkage between his program and ours.

Adult Education: \$394 million. A \$33 million, 9% increase over FY 1998 for basic education and English language training for the disadvantaged, immigrants, and welfare recipients. This is part of the investment in improving education for Hispanic Americans.

Special Education: \$4,811 million. This is the same as the FY 1998 level, which was increased by \$775 million over FY 1997. Secretary Riley will be particularly concerned about lack of an FY 1999 increase. We are convinced that no increase will satisfy the advocates, and would prefer to negotiate this level in the context of competing demands in the appropriation bill, rather than use up scarce funds in your Budget now.

College Work-Study, \$915 million. A \$85 million increase over FY 1998, to accelerate toward your goal of 1 million Work-Study positions by FY 2000. With the reduction in Perkins loans (below), this increase keeps the campus-based aid programs at level funding from FY 1998.

### **Reductions in the Base**

A number of programs have been reduced to make room for initiatives and major base programs, including: Impact Aid (-\$92 million), the Education Block Grant (-\$350 million), Perkins Loans (-\$85 million). Each of these, and others, has a vocal constituency. We believe we can make the case that our funding of initiatives and base programs are all higher priority than these programs.

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -004**

**[12/19/1997-04/09/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	DBF to Cheryl Mills et al re: Happy Holidays (1 page)	12/24/1997	Personal Misfile
002. email	J. Todd Webber to Elena Kagan re: Next Six Months (2 pages)	12/30/1997	P6/b(6)
003. email	DBF to Douglas Band & Elena Kagan re: Minnie Driver Film Club (1 page)	12/31/1997	Personal Misfile
004. email	Edley to Elena Kagan re: How to Reach Me [partial] (1 page)	01/22/1998	P6/b(6)

**COLLECTION:**

Clinton Presidential Records  
 Tape Restoration Project (Email)  
 DEFAULT ([Kagan])  
 OA/Box Number: 1100000

**FOLDER TITLE:**

[12/19/1997 - 04/09/1998]

2009-1006-F

ch226

**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: FEDERAL (TRP NOTES MAIL)

CREATOR: Mike\_Smith ( Mike\_Smith@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:19-DEC-1997 09:09:00.00

SUBJECT: Re: WH and After School Expansion

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Hi folks: The Sec won't change his views on this. We would lose more  
than the

Mott resources. I thought we had a firm agreement -- a small program for  
21st

century schools focused on having the schools take the lead(governmentally  
and

in terms of location) and a massive amount of money for other day care.

Mike

---

Forward Header

---

Subject: Re: WH and After School Expansion

Author: Adriana De Kanter at WDCT01

Date: 12/19/97 07:28 AM

We will also lose our \$10 million from Mott! They are with us to USE THE  
SCHOOL

BUILDING as a community school...Then we'd lose the public-private  
partnership.

What a shame!

---

Reply Separator

---

Subject: WH and After School Expansion

Author: Pauline Abernathy at WDCB01

Date: 12/18/97 6:41 PM

I just got a call from DPC staff to give us a heads up that the WH is being heavily lobbied by community groups (HHS's constituencies) to let community groups get the expanded 21st Century Community Learning Center funds directly rather than through partnerships with schools.

We had persuaded the WH that this was not the way to go, but DPC staff

tell me that it is likely that Bruce and others will ask the Dept. (possibly RWR) strongly to reconsider.

I have a conf. call with DPC and HHS tomorrow to ask HHS to put together paper that makes the case that community groups get funds under the child development block grant for school-age care and will get even more under the expansion. Unfortunately, the word on the street is that there will be "no school-age money for community groups." This is not accurate even though there will not be an explicit pot of money going directly to community groups.

Here are some quick points we can make:

1. 1/3 of the HHS child development block grant funds go to school-age care, and the block grant will be expanded in the FY99 Budget. So there is a pot of money than community groups can tap

directly for school-age care and it is being expanded.

2. We would require schools to partner with other community organizations in order to receive 21st Century funds, and we are proposing a match requirement which will empower the community partners

because the schools will not be the source of all the funds. One of the models for 21st century program is the Virtual Y in which the Y runs afterschool programs in the NYC public schools.

3. We will lose the premise of the 21st Century program -- that we are leveraging underutilized school facilities and resources -- if community groups are allowed to get the funds directly for programs not located at public schools. If the premise of the program is lost,

we are much more likely to end up in a divisive and unproductive voucher debate.

4. ED funds go through the schools -- we are the Dept. of ED!

I hope this is helpful!===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IRCPNYKMDC0030DQ@PMDF.EOP.GOV>; Fri, 19 Dec 1997 09:12:57 -0500 (EST)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRCPNTXY6800XXSL@PMDF.EOP.GOV>; Fri,

19 Dec 1997 09:12:53 -0500 (EST)  
Received: from vader.ed.gov ([165.224.216.253])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IRCPNPS20C003ZMU@STORM.EOP.GOV>; Fri,  
19 Dec 1997 09:12:43 -0500 (EST)  
Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])  
by vader.ed.gov (8.8.7/8.8.4) with SMTP id JAA08168; Fri,  
19 Dec 1997 09:09:18 -0500 (EST)  
Received: from ccMail by smtpgwyl.ed.gov

(IMA Internet Exchange 2.12 Enterprise) id 000AA483; Fri,  
19 Dec 1997 09:12:09 -0500

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Mike\_Smith ( Mike\_Smith@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:23-DEC-1997 10:00:00.00

SUBJECT: 21st Century Schools

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elana;

I thought more about our conversation last night and decided that I

did not make my arguments very well and that I was unconvinced by your

sense that we must have one funding stream. Naturally the Secretary and I will go along with a Presidential decision but my understanding from our conversation is that we have a President's question, not a decision. At the least it seems to me that the Secretary ought to have a shot at weighing in with the President if he believes that a possible policy decision is misguided. The following categorizes some of the arguments. It is not clear to me that we need

to make this decision now -- when it is made the Secretary needs to be

involved!!

1. Some basic facts about the 21st century program:

\* The grant recipients are a school or schools in

COLLABORATION

with other public and nonprofit agencies and organizations.

\* A program could be run by a nonprofit organization (a Y etc.)

in a sub-grant relationship with the schools.

\* The location for the program is a school building -- a major

purpose of the program is to leverage the use of the school

building to a). use a valuable resource more efficiently: b) help

develop the school as a community resource.

\* The cost savings in this approach are substantial -- we estimate a federal cost of \$400/child per year. We ask for a match

of

1-1 and expect to obtain a lot more when things like the building are counted. Other programs cost a number of times more.

\* One major focus of the 21st century schools programs is on educational activities -- this is not the case with the content of many other day care programs. The educational focus is greatly enhanced by the location of the services -- often libraries, materials, etc.

ALL OF THIS ARGUES THAT THE SITE OF THE AFTER SCHOOL PROGRAM IS CRITICAL -- THE ARGUMENT THAT SCHOOLS IN THE PAST HAVE BEEN ADVERSE TO HOUSING AFTER-SCHOOL CARE IS ONE OF THE REASONS THAT WE HAVE BEEN PUSHING THE 21ST CENTURY PROGRAM. WE NEED A CLEAR STIMULUS TO

OVERCOME THIS TENDENCY ON THE PART OF SOME SCHOOLS. The most important

part of this program is to stimulate far more school based programs than we will ever be able to afford.

if WE HAVE AN ALTERNATIVE WE SIMPLY PLAY INTO THE HANDS OF THOSE THAT DO NOT WANT SCHOOLS TO BE A PART OF AFTER SCHOOL PROGRAMS.

2. DEMAND: We expect 3-5 times as many proposals as we can fund this year and even more next year if the appropriation increases. Recent survey results indicate strongly that parents want their students in after-school programs in schools with learning activities.

3. POLITICS: We have met with both the school groups and the community groups like CDF and they are comfortable with dual funding streams. During the child care debate some 10 years ago a one-stream funding mechanism was proposed and the schools and the community groups were at each others throats and sunk the proposals. We need to

learn from this and from the Am Reads experience -- where the proposal

to make community groups a fiscal agent was soundly rejected.

A second political question revolves around vouchers -- if we open up

the program to multiple bidders we are inviting a Republican move to turn it into a voucher program. THE SECRETARY FEELS VERY STRONGLY ABOUT THIS!!!!!!

4. CHILD CARE BLOCK GRANT: HHS estimates that 1/3 of the block

grant

will go to after-school care. This is roughly 1.3 million.

These block grant funds will increase supply by increasing demand!!!

THE BLOCK GRANT AND THE JUSTICE PROGRAM ALREADY CREATE SECOND FUNDING  
STREAMS!!

5. MECHANICS OF FUNDING: The notion of funding community groups by  
exception will be very difficult to make work -- To do it we would  
have to reserve funds for the community groups, go through the  
various

proposals from schools and districts, make these funding decisions,  
look through for what districts were missing and then see if

community

groups came in from the missing school districts. This is possible  
but it does effectively require having two different funding streams  
and competitions. If this is what the President wants to do perhaps  
we should specify a percentage set-aside.

Regarding DC I think we can do this with a separate appropriation!!!

Mike

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IRICLHBWU8016YXZ@PMDF.EOP.GOV>; Tue, 23 Dec 1997 10:03:03 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IRICLFYVSW016Z0F@PMDF.EOP.GOV>; Tue,

23 Dec 1997 10:03:02 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01IRICL6RQ8W003ZMU@STORM.EOP.GOV>; Tue,  
23 Dec 1997 10:02:48 -0500 (EST)  
Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])  
by vader.ed.gov (8.8.7/8.8.4) with SMTP id JAA13075; Tue,  
23 Dec 1997 09:59:20 -0500 (EST)  
Received: from ccMail by smtpgwyl.ed.gov  
(IMA Internet Exchange 2.12 Enterprise) id 000AE2A2; Tue,  
23 Dec 1997 10:02:49 -0500  
===== END ATTACHMENT 1 =====

# Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	DBF to Cheryl Mills et al re: Happy Holidays (1 page)	12/24/1997	Personal Misfile

## COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

## FOLDER TITLE:

[12/19/1997 - 04/09/1998]

2009-1006-F  
eh226

## 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: FEDERAL (TRP NOTES MAIL)

CREATOR: marlough ( marlough@worldnet.att.net@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:27-DEC-1997 16:32:00.00

SUBJECT: Note from Josh Gotbaum on Food Inspection Funding

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

I couldn't get into the EOP computers, so I'm sending via my father-in-law and the Inet:

As I mentioned when we met Wednesday, OMB passed back funding we believed sufficient to fulfill the President's statement. However, the budget office at HHS allocated the funds 80% to domestic initiatives. We have informed them that this is inconsistent with the President's announcement. We hope this will resolve the issue and will report back if it doesn't. Please let us know if you hear otherwise.

And thanks for the heads up.

----- Forwarded by Joshua Gotbaum/OMB/EOP on 12/26/97  
12:11 AM -----

Record Type: Record

To: Joshua Gotbaum/OMB/EOP@EOP, Barry T. Clendenin/OMB/EOP@EOP

cc: Richard J. Turman/OMB/EOP@EOP, Thomas Reilly/OMB/EOP@EOP, Wm G. White/OMB/EOP@EOP, Jill M. Pizzuto/OMB/EOP@EOP

Subject: FDA & CDC Funding for Food Safety Activities

You asked that we provide you with an assessment of the OSTP staff complaint that FDA and CDC have not been provided enough funding to meet

the Administration's stated goals in the President's Food Safety Initiative.

#### FDA's Food Safety Import Funding Level

The passback for FDA included \$24 million in FDA's base to continue food safety initiative activities begun in FY 1998 and an additional \$25 million to fund food import inspection activities and some expanded domestic food safety activities, for a total food safety initiative level of \$49 million.

When we passed back the \$25 million for FDA (we also passed back \$5 million for CDC food safety), we advised HHS that this was all the additional funding they would be getting to cover additional FDA food safety initiative activities and the President's food safety commitments. We did not passback a split for domestic and international food safety and left it to HHS' judgment, assuming that HHS would allocate the funds to meet the President's most recent import inspection commitment.

In previous discussions with FDA, we determined that FDA could reasonably obligate in FY 1999 at least \$15 million to develop a comprehensive international import inspection program and hire over 60 international import inspectors (FDA currently has roughly four FTEs doing international inspection). With such an increase, FDA will be able to evaluate/investigate the food safety systems of 50 to 55 countries phased in over two years.

#### HHS Advised FDA to Spend Less on Imports

Instead of adequately funding the food import inspection initiative to meet the President's commitment to "dramatically expanding" FDA's food import inspections, HHS apparently advised FDA that of the \$25 million we passed back, \$20 million was for domestic food safety and \$5 million for the President's Food Import inspection initiative.

We spoke to Bill Beldon today at ASMB and advised him that the HHS split for domestic and food import was not sufficient to meet the President's commitment for food import inspections and that FDA would need at least \$15 million, although we were not precluding HHS from allocating more than \$15 million to import inspections of the total \$25 million passed back for food safety. Bill acknowledged our concern and said he would communicate this concern to the rest of ASMB and FDA.

It is our considered judgment that the additional \$25 million (+20% over the FY 1998 enacted level for FDA food safety activities) that was passed back to FDA will be enough to meet the Administration's commitments on food safety in FY 1999, but the funds need to be allocated according to Administration priorities i.e., the majority of the \$25 million should go to import inspection.

## Analysis of OSTP Concern Re: CDC Food Safety Funding

In the attached e-mail OSTP staff states that "\$5 million would not enable CDC to put in place the early warning system the President promised last January." We assume OSTP is referring to the "Food Safety: From Farm to Table" initiative announced to support the FY 1998 Budget. If this is the case, the statement is not accurate.

The Food Safety initiative announced by the President last January (and subsequently summarized in a May 1997 report prepared by EPA, HHS and USDA) outlined specific policies and resource levels for FY 1998. While the interagency report identified some "long-term" activities, it did not identify specific resource levels for FY 1999 or other outyears. Specifically, the initiative proposed an additional \$10 million for CDC in FY 1998 (a 222% increase) over FY 1997 to expand from five to eight the number of "Foodnet" active surveillance sentinel sites that conduct epidemiological research on foodborne pathogens, as well as expand the use of molecular "finger-printing" technology to identify the source of infectious agents.

Congress enacted the resources proposed in the FY 1998 Food Safety initiative for CDC. The OMB recommended level for FY 1999 is a \$5 million (+34%) increase over the level proposed by the President in FY 1998 for CDC, but lower than the \$21 million (+145%) increase requested by HHS for FY 1999. The OMB recommendation would allow CDC to build upon the activities that CDC will conduct in FY 1998, although not to the level that HHS would like. HHS is appealing for an additional \$5 million over the OMB

recommendation in FY 1999.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IROBFJUX9S001ZXR@PMDF.EOP.GOV> for kagan\_e@a1.eop.gov; Sat,  
27 Dec 1997 16:34:46 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IROBFH1DSG0036WD@PMDF.EOP.GOV> for  
kagan\_e@a1.eop.gov; Sat, 27 Dec 1997 16:34:43 -0500 (EST)

Received: from mtigwc04.worldnet.att.net ([204.127.131.33])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01IROBF7HM6E003ZMU@STORM.EOP.GOV> for kagan\_e@a1.eop.gov; Sat,

27 Dec 1997 16:34:30 -0500 (EST)

Received: from default ([12.69.77.249]) by mtigwc04.worldnet.att.net  
(post.office MTA v2.0 0613 ) with ESMTTP id AAA13083; Sat,  
27 Dec 1997 21:34:28 +0000

X-Mailer: Microsoft Internet Mail 4.70.1162

X-Priority: 3

X-MSMail-Priority: Normal

=====  
END ATTACHMENT 1

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	J. Todd Webber to Elena Kagan re: Next Six Months (2 pages)	12/30/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[12/19/1997 - 04/09/1998]

2009-1006-F  
eh226

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	DBF to Douglas Band & Elena Kagan re: Minnie Driver Film Club (1 page)	12/31/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[12/19/1997 - 04/09/1998]

2009-1006-F  
ch226

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Pauline\_Abernathy ( Pauline\_Abernathy@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-JAN-1998 18:27:00.00

SUBJECT: budget for children with disabilities

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Elena, per our conversation this afternoon, I faxed to your west wing  
fax a table on the special education budget.

Pauline 401-3007===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01IS3SXSBI7K0024TT@PMDF.EOP.GOV>; Wed, 07 Jan 1998 18:37:44 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01IS3SXPW5WW013ELD@PMDF.EOP.GOV>; Wed,

07 Jan 1998 18:37:41 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTP id <01IS3SX0PLYG000KAZ@STORM.EOP.GOV>; Wed,  
07 Jan 1998 18:37:07 -0500 (EST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])

by vader.ed.gov (8.8.7/8.8.4) with SMTP id SAA15575; Wed,  
07 Jan 1998 18:33:31 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov

(IMA Internet Exchange 2.12 Enterprise) id 000BB831; Wed,  
07 Jan 1998 18:37:15 -0500

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-JAN-1998 09:11:00.00

SUBJECT: Tobacco Settlement Hearings

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 14-JAN-1998 09:11:00

FOR YOUR INFORMATION --

Sen. McCain has announced that the full Committee on Commerce, Science,  
and

Transportation plans to hold hearings on the tobacco settlement beginning  
on

February 24th. Further hearings are scheduled for March 3rd and 17th.

Witnesses have not yet been named. As soon as I receive additional  
information

I will let you know.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:15-JAN-1998 01:38:00.00

SUBJECT: Race Policy

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

I don't seem to be in the policy loop, but I suppose sitting back, stewing in my reticence, is not the right strategy. And I take responsibility for our poor communication on various matters; I know very well that you have a few things on your plate. I'm traveling to NH for a speech today, and rather than play telephone tag, thought I'd try email.

I'd very much like a chance to meet with you or someone on your staff to learn about the items on your menu or race policy ideas. Better yet, I'd like a chance to read any more detailed material -- if that would save your time. I'll be in DC Friday and over the weekend, and can be flexible about time. mid-day Saturday would be ideal, if you are around. Or late afternoon, early evening Friday.

Are you willing?

Are you available?===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01ISEA7DSU8W009RQL@PMDF.EOP.GOV>; Thu, 15 Jan 1998 06:39:46 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISEA7BTA1S00ARAT@PMDF.EOP.GOV>; Thu,

15 Jan 1998 06:39:43 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01ISEA6KWR44001HUN@STORM.EOP.GOV>; Thu,  
15 Jan 1998 06:39:07 -0500 (EST)

Received: from CEHome.law.harvard.edu (ip20.westford.ma.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA286924342; Thu,  
15 Jan 1998 06:39:02 -0500  
X-Sender: edley@pop.law.harvard.edu  
X-Mailer: QUALCOMM Windows Eudora Pro Version 3.0.2 (16)  
===== END ATTACHMENT 1 =====

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:22-JAN-1998 06:03:00.00

SUBJECT: IMPORTANT: Education Policy Rollout

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: June G. Turner ( June G. Turner@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sylvia M. Mathews ( Sylvia M. Mathews@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Sylvia:

I've heard rumblings about impending rollout of the "no social promotions" education policy within the next few days.

I have had no success contacting Elena to learn details or give feedback on this policy. I have tried email, voice mail, hallway greeting, and conversation with her secretary. I don't feel that I have standing to call yet again and be a pest.

HOWEVER: Like the Voluntary National Test of 4th and 8th grade students, there are serious substantive and political pitfalls. The VNT was flawed from the start, which I told everyone who would listen, and which is one reason the liberals and minority caucuses decided to get in bed with the GOP to attack the policy. It's not about standards, its about safeguards to prevent abuses of powerless poor and minority kids. (And, let me add, when in June and July I raised these issues with Secretary Riley and the President, they expressed a great deal of concern, both substantive and political. If indeed they had been presented with the information and perspective I offered prior to adopting the VNT, they either dudn't recall

it, had not been given a fair sense of the weight of those concerns, or gave me Academy Award performances.)

The basic substantive question is whether the safeguards are merely hortatory (my suspicion) or are central and mandatory. I am fearful, because on a wide range of social welfare issues, the Administration has been very reluctant to impose regulatory strings.

It is also important to anticipate and answer the objections many moderate and liberal researchers will raise. For example, students who fall 2 years behind their age cohort in grade have something like a 98 percent HS drop out rate; does that matter, and if so, how is your concern reflected in the design of this policy?

Sylvia, I made a mistake in not making earlier, vigorous objections to all the visibility the White House bestowed on Abigail Thernstrom, when other more responsible conservative voices are available. Then, in a box, I felt the need to go on the record with reporters expressing my dismay. That was an awkward thing for me to do, and I'm sure many at the White House resented it. But I felt compelled to do it, since I'm not on the staff and the terms of our arrangement were that I would keep my own voice, but be judicious. My work with the National Research Council and civil rights groups on the VNT began before consultancy with you on the race initiative.

This rollout of a social promotion policy I know virtually nothing about holds the potential to create a third and far more serious problem for me, because the issue goes to the core of opportunity issues about which I care so deeply. I hope we can find a process that will get me comfortable with whatever you are planning to do, and thereby avoid the problem of deciding

(together) whether I need to resign.

cc: Elena, Maria, Minyon===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01ISOE0657R400QH8D@PMDF.EOP.GOV>; Thu, 22 Jan 1998 12:16:25 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISOE01SGFK01110E@PMDF.EOP.GOV>; Thu,

22 Jan 1998 12:16:20 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68])

by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTTP id <01ISODYDSHTO00004R@STORM.EOP.GOV>; Thu,

22 Jan 1998 12:15:44 -0500 (EST)

Received: from CEHome.law.harvard.edu (ip215.westford.ma.pub-ip.psi.net)

by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA062979337; Thu,

22 Jan 1998 12:15:37 -0500

X-Sender: edley@pop.law.harvard.edu

X-Mailer: QUALCOMM Windows Eudora Pro Version 3.0.2 (16)

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:22-JAN-1998 12:25:00.00

SUBJECT: IMPORTANT Clarification: Education Policy Rollout

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: June G. Turner ( June G. Turner@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Minyon Moore ( Minyon Moore@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sylvia M. Mathews ( Sylvia M. Mathews@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Clarification to the earlier email below: I don't mean to be critical of Elena -- I know she's got many more important things to do than yack with an interloping schmoozer. Life is complicated. But I'm trying to do what you've asked me to do.

Also: forgot to send this to Minyon before.

\*\*\*\*\*

\*\*\*\*\*

Sylvia:

I've heard rumblings about impending rollout of the "no social promotions" education policy within the next few days.

I have had no success contacting Elena to learn details or give feedback on this policy. I have tried email, voice mail, hallway greeting, and conversation with her secretary. I don't feel that I have standing to call yet again and be a pest.

HOWEVER: Like the Voluntary National Test of 4th and 8th grade students, there are serious substantive and political pitfalls. The VNT was flawed from the start, which I told everyone who would listen, and which is one reason the liberals and minority caucuses decided to get in bed with the GOP to attack the policy. It's not about standards, its about safeguards to prevent abuses of powerless poor and minority kids. (And, let me add, when in June and July I raised these issues with Secretary Riley and the President, they expressed a great deal of concern, both substantive and political. If indeed they had been presented with the information and perspective I offered prior to adopting the VNT, they either dudn't recall it, had not been given a fair sense of the weight of those concerns, or gave me Academy Award performances.)

The basic substantive question is whether the safeguards are merely hortatory (my suspicion) or are central and mandatory. I am fearful, because on a wide range of social welfare issues, the Administration has been very reluctant to impose regulatory strings.

It is also important to anticipate and answer the objections many moderate and liberal researchers will raise. For example, students who fall 2 years behind their age cohort in grade have something like a 98 percent HS drop out rate; does that matter, and if so, how is your concern reflected in the design of this policy?

Sylvia, I made a mistake in not making earlier, vigorous objections to all the visibility the White House bestowed on Abigail Thernstrom, when other more resesponsible conservative voices are available. Then, in a box, I felt the need to go on the record with reporters expressing my dismay. That was an awkward thing for me to do, and I'm sure many at the White House

resented it. But it I felt compelled to do it, since I'm not on the staff and the terms of our arrangement were that I would keep my own voice, but be judicious. My work with the National Research Council and civil rights groups on the VNT began before consultancy with you on the race initiative.

This rollout of a social promotion policy I know virtually nothing about holds the potential to create a third and far more serious problem for me, because the issue goes to the core of opportunity issues about which I care so deeply. I hope we can find a process that will get me comfortable with whatever you are planning to do, and thereby avoid the problem of deciding (together) whether I need to resign.

cc: Elena, Maria, Minyon===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01ISOECI2DWG0179Y8@PMDF.EOP.GOV>; Thu, 22 Jan 1998 12:26:20 -0500 (EST)  
Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISOECGP37K00C9H2@PMDF.EOP.GOV>; Thu,  
22 Jan 1998 12:26:19 -0500 (EST)  
Received: from law.harvard.edu ([140.247.200.68])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)  
with ESMTTP id <01ISOEBT8WDA00004R@STORM.EOP.GOV>; Thu,  
22 Jan 1998 12:25:50 -0500 (EST)  
Received: from CEHome.law.harvard.edu (ip215.westford.ma.pub-ip.psi.net)  
by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA087969938; Thu,  
22 Jan 1998 12:25:38 -0500  
X-Sender: edley@pop.law.harvard.edu  
X-Mailer: QUALCOMM Windows Eudora Pro Version 3.0.2 (16)  
===== END ATTACHMENT 1 =====

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Edley to Elena Kagan re: How to Reach Me [partial] (1 page)	01/22/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
DEFAULT ([Kagan])  
QA/Box Number: 1100000

### FOLDER TITLE:

[12/19/1997 - 04/09/1998]

2009-1006-F  
eh226

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: edley ( edley@law.harvard.edu@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:22-JAN-1998 16:55:00.00

SUBJECT: how to reach me

TO: Elena Kagan ( Elena Kagan@EOP [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

I really don't want to be a pest. But if you have the time and inclination,

best way to reach me is pager. P6(b)(6) I'll be in DC tomorrow 004

(Friday) and through the weekend. Only hard commitment is 10-2:30 on

Friday.===== ATTACHMENT 1 =====

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISONRA5YE80179Y8@PMDF.EOP.GOV> for "Elena Kagan"@oa.eop.gov; Thu, 22 Jan 1998 16:56:22 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ISONR8Y0LS00CE1X@PMDF.EOP.GOV> for Elena\_Kagan@oa.eop.gov; Thu, 22 Jan 1998 16:56:20 -0500 (EST)

Received: from law.harvard.edu ([140.247.200.68]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with ESMTTP id <01ISONQM73A80000LT@STORM.EOP.GOV> for Elena\_Kagan@oa.eop.gov; Thu, 22 Jan 1998 16:55:48 -0500 (EST)

Received: from CEHome.law.harvard.edu (ip176.westford.ma.pub-ip.psi.net) by law.harvard.edu with SMTP (1.40.112.8/16.2) id AA055886139; Thu, 22 Jan 1998 16:55:39 -0500

X-Sender: edley@pop.law.harvard.edu

X-Mailer: QUALCOMM Windows Eudora Pro Version 3.0.2 (16)

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



## STATE OF THE UNION ADDRESS: NEW EDUCATION INITIATIVES

DRAFT -- January 23, 1998

President Clinton is proposing new initiatives that will dramatically strengthen elementary and secondary education. These proposals will help ensure that all students start out in a small class with a good teacher, in a safe, modern school. They will also help ensure that students, especially in high poverty urban and rural areas, attend schools where high standards are taken seriously and kids are given the help they need to succeed. The President's proposals will dramatically expand access to safe havens for after-school learning, and ensure that low-income students receive the support and encouragement to finish school and continue on to college.

**Small Classes with Qualified Teachers to Improve Reading in Grades 1-3.** President Clinton is proposing a \$12.4 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help ensure that every child receives personal attention, learns to read independently and gets a solid foundation for further learning. The new initiative will reduce class size from a nationwide average of 22 in grades 1-3 to an average of 18, providing funds to help local school districts hire an additional 100,000 well-prepared teachers. The initiative will also provide funds to states and local school districts to test new teachers, develop more rigorous teacher testing and certification requirements, and train teachers in effective reading instruction practices. Schools districts will be accountable for demonstrating gains in reading achievement. These steps will help ensure that first through third grade students are receiving high-quality reading instruction in smaller classes from competent teachers.

**Modern School Buildings to Improve Student Learning.** In order for students to learn and to compete in the global economy, schools must be well-equipped and they must be able to accommodate smaller class sizes. To address these and other critical needs, President Clinton is proposing Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools. This is more than double the assistance proposed last year, which covered half the interest on an estimated \$20 billion in bonds. The tax credits will cost the Treasury \$5 billion over 5 years, and more than \$10 billion over ten years. Of the \$22 billion in bond authority, nearly \$20 billion is for a new School Modernization Bonds. Half of this bond authority will be allocated to the 100 school districts with the largest number of low-income children, and the other half will be allocated to the States. In addition, the President is proposing a more than \$2.4 billion expansion of the Qualified Zone Academy Bonds, school-business partnerships that will include funding for school construction and renovation.

**Education Opportunity Zones: Helping Students in Poor Communities Reach High Standards.** This initiative will strengthen public schools and help students master the basic and advanced skills where the need is the greatest: in high poverty urban and rural communities where concentrated poverty, low expectations, too many poorly prepared teachers, and overwhelmed school systems create significant barriers to high achievement. The Education Department will select approximately fifty high poverty urban and rural school districts with: (1) a demonstrated commitment to use high standards and tests of student achievement as tools to identify and provide help to students, teachers and schools who need it; (2) a strategy to prevent

students from falling behind by ensuring quality teaching, challenging curricula, and extended learning time; (3) programs to end social promotion and turn around failing schools; and (4) evidence of improved student achievement. Added investments in these communities will accelerate their progress and provide models of successful, standards-based reform for the nation.

The President's initiative will invest \$200 million in FY99, and \$1.5 billion over 5 years, in raising achievement and sharing lessons learned with school districts around the country.

**Expanding Access to Safe After-School Care.** To help create safe, positive learning environments for American school-age children who lack adult supervision during a typical week, the President has proposed to increase the 21st Century Learning Center Program by \$800 million over five years. The program will support school-community partnerships that expand or establish programs providing after-school care for up to half a million children a year.

**Early Intervention to Promote College Attendance.** President Clinton will soon announce a long-term effort to bring college opportunity to children in high-poverty areas by providing their families with early information about financial aid and the best courses to take to be well-prepared for college, as well as support services to help the children stay on track through high school graduation and into college.



**STATE OF THE UNION ADDRESS: NEW EDUCATION INITIATIVES**

DRAFT -- January 23, 1998

President Clinton is proposing new initiatives that will dramatically strengthen elementary and secondary education. These proposals will help ensure that all students start out in a small class with a good teacher, in a safe, modern school. They will also help ensure that students, especially in high poverty urban and rural areas, attend schools where high standards are taken seriously and kids are given the help they need to succeed. The President's proposals will dramatically expand access to safe havens for after-school learning, and ensure that low-income students receive the support and encouragement to finish school and continue on to college.

**Small Classes with Qualified Teachers to Improve Reading in Grades 1-3.** President Clinton is proposing a \$12.4 billion initiative over 7 years (\$7.3 billion over 5 years) to help local schools provide small classes with qualified teachers in the early grades. This will help ensure that every child receives personal attention, learns to read independently and gets a solid foundation for further learning. The new initiative will reduce class size in grades 1-3 to a nationwide average of 18, providing funds to help local school districts hire an additional 100,000 well-prepared teachers. The initiative will also provide funds to states and local school districts to test new teachers, develop more rigorous teacher testing and certification requirements, and train teachers in effective reading instruction practices. Schools districts will be accountable for demonstrating gains in reading achievement. These steps will help ensure that first through third grade students are receiving high-quality reading instruction in smaller classes from competent teachers.

**Modern School Buildings to Improve Student Learning.** In order for students to learn and to compete in the global economy, schools must be well-equipped and they must be able to accommodate smaller class sizes. To address these and other critical needs, President Clinton is proposing Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools. This is more than double the assistance proposed last year, which covered half the interest on an estimated \$20 billion in bonds. The tax credits will cost the Treasury \$5 billion over 5 years, and more than \$10 billion over ten years. Of the \$22 billion in bond authority, nearly \$20 billion is for a new School Modernization Bonds. Half of this bond authority will be allocated to the 100 school districts with the largest number of low-income children, and the other half will be allocated to the States. In addition, the President is proposing a more than \$2.4 billion expansion of the Qualified Zone Academy Bonds, school-business partnerships that will include funding for school construction and renovation.

**Education Opportunity Zones: Helping Students in Poor Communities Reach High Standards.** This initiative will strengthen public schools and help students master the basic and advanced skills where the need is the greatest: in high poverty urban and rural communities where concentrated poverty, low expectations, too many poorly prepared teachers, and overwhelmed school systems create significant barriers to high achievement. The Education Department will select approximately fifty high poverty urban and rural school districts with: (1) a demonstrated commitment to use high standards and tests of student achievement as tools to identify and provide help to students, teachers and schools who need it; (2) a strategy to prevent

students from falling behind by ensuring quality teaching, challenging curricula, and extended learning time; (3) programs to end social promotion and turn around failing schools; and (4) evidence of improved student achievement. Added investments in these communities will accelerate their progress and provide models of successful, standards-based reform for the nation.

The President's initiative will invest \$200 million in FY99, and \$1.5 billion over 5 years, in raising achievement and sharing lessons learned with school districts around the country.

**Expanding Access to Safe After-School Care.** To help create safe, positive learning environments for American school-age children who lack adult supervision during a typical week, the President has proposed to increase the 21st Century Learning Center Program by \$800 million over five years. The program will support school-community partnerships that expand or establish programs providing after-school care for up to half a million children a year.

**Early Intervention to Promote College Attendance.** President Clinton will soon announce a long-term effort to bring college opportunity to children in high-poverty areas by providing their families with early information about financial aid and the best courses to take to be well-prepared for college, as well as support services to help the children stay on track through high school graduation and into college.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:29-JAN-1998 16:59:00.00

SUBJECT: Gene Ludwig and CRA

TO: Bruce N. Reed ( Bruce N. Reed@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

CC: Jose Cerda III ( Jose Cerda III@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Julie A. Fernandes ( Julie A. Fernandes@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 29-JAN-1998 16:59:00

In his resignation letter to the President, Gene Ludwig offered the following

statistics on the impact of the Administration's 1993 reform of the Community

Reinvestment Act (CRA):

"Lending commitments under the CRA have increased 15-fold from the pre-1993

era, from roughly \$3 billion a year to \$43 billion a year. These commitments

represent new credit availability for low- and moderate-income urban and rural

communities, including loans for housing, small farms and small businesses. At

the same time, equity investment by national banks in community development

corporations and projects were six times greater in the last four years than

during the previous 28 years combined. Home mortgages to African Americans and

Hispanic Americans have increased more than 50% over the last four years

--

almost three times the rate of increase for the population as a whole. In some

chronically underserved communities the change has been even more dramatic....

moreover, we have been able to achieve these results while

substantially reducing the supervisory and paperwork burdens that the CRA had

previously imposed on the banking industry."

This paragraph highlights what I maintain is still our most successful, yet

underpublicized community empowerment initiative. It also, in my mind, underscores the need for the President to give a major address which ties what

has been a successful strategy to reinvigorate America's cities with his sizable package for urban America in his FY99 budget.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )

CREATION DATE/TIME:11-FEB-1998 11:00:00.00

SUBJECT: Varmus Cloning Testimony

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 11-FEB-1998 11:00:00

HEADS UP --

Varmus will be testifying tomorrow before the House Commerce Committee on cloning ban legislation. According to HHS staff, his statement will concentrate on the science and will not break new ground. The testimony should

arrive for clearance around 1:00 p.m. -- I'm planning to put a 4:00 p.m. deadline for views.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Leslie\_Thornton ( Leslie\_Thornton@ed.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:11-FEB-1998 18:39:00.00

SUBJECT: Single Sex Schools Case

TO: Charles F. Ruff ( Charles F. Ruff@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

February 11, 1998

NOTE TO: CHUCK RUFF

MICHAEL COHEN

ELENA KAGAN

FROM: LESLIE T. THORNTON

RE: FEB. 10 SINGLE SEX SCHOOLS MEETING

As you know, a small group of ED officials met with representatives from Chancellor Rudy Crew's office yesterday in New York. Overall, the meeting went well and there appears to be a strong willingness on the part of Crew's office to pursue options, particularly the affirmative action/remedial option. Also, there seems to be a willingness to look at, on grounds that relate

to  
educational need, an option of opening a "boys" school. Crew feels  
strongly  
against offering that option in response to a complaint, but Kent McGuire,  
our  
nominated assistant secretary for our research branch, helped Crew's folks  
to  
view it as an educational sound idea separate from the case. He was quite  
indispensable, I believe. Rudy Crew is absolutely opposed to any  
discussion  
of any option involving opening the present school to boys.

The next step is for Lynne (Crew's COS) and I to figure out the  
best  
complement of folks for the next meeting and begin discussions regarding  
what  
type of information the school board has/could get which could help make a  
"remedial" case. I suggested it is probably NOT the complement of folks  
at  
yesterday's meeting (while a number of educators/policy makers, still too  
many  
lawyers). Also, I believe Crew's folks will also be exploring the "boys"  
option.

You should know that in the days prior to the meeting, the New  
York  
Times and Newsday each ran a very short piece (more of a paragraph)  
announcing  
"federal officials" were to be meeting with school board officials.

Though

Crew's COC assured us that this was not a public event for them and they would

not be speaking to the press, there may be press generated from the very impatient complainants.

Let me know if you have questions or suggestions.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879)  
id <01ITGPD86XV4002BD9@PMDF.EOP.GOV>; Wed, 11 Feb 1998 18:44:29 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov)  
by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ITGPD62U0000LHZ7@PMDF.EOP.GOV>; Wed,

11 Feb 1998 18:44:25 -0500 (EST)

Received: from vader.ed.gov ([165.224.216.253])  
by STORM.EOP.GOV (PMDF V5.1-7 #6879)

with ESMTP id <01ITGPCZ5K7Y0027MS@STORM.EOP.GOV>; Wed,  
11 Feb 1998 18:44:15 -0500 (EST)

Received: from smtpgwyl.ed.gov (smtpgwyl.ed.gov [165.224.216.37])  
by vader.ed.gov (8.8.7/8.8.4) with SMTP id SAA17651; Wed,

11 Feb 1998 18:40:21 -0500 (EST)

Received: from ccMail by smtpgwyl.ed.gov

(IMA Internet Exchange 2.12 Enterprise) id 000F435E; Wed,  
11 Feb 1998 18:42:38 -0500

=====  
END ATTACHMENT 1

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: vzonana ( vzonana@os.dhhs.gov@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:13-FEB-1998 10:19:00.00

SUBJECT: q/a's on conrad

TO: Elena Kagan ( elena kagan@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
CONRAD Q's and A's

(Zonana, HHS) 2/12/98

Q: In announcing your support for the Conrad Bill, you singled out the need for "a significant price increase to reduce youth smoking" as the "most important" factor in any bill that the President would support. Is this a change in emphasis?

A: No. In fact, the first principle of the Five Principles President Clinton established for national tobacco legislation last September requires "A Comprehensive Plan to Reduce Teen Smoking, " including "Tough Penalties and Price Increases." (Source: White House fact sheet, "President Clinton's Plan for Comprehensive Tobacco Legislation to Protect America's Children.")

Q: What are the other four principles? And does the President still support them?

A: Absolutely. In fact, we specifically said we like the Conrad bill because it meets each of the Five Principles.

The President will not support piecemeal tobacco legislation. The Five Principles that would have to be addressed in any comprehensive

legislation

are:

A comprehensive plan to reduce teen smoking, including penalties and price increases.

Full authority for the FDA to regulate tobacco products

Changes in the way the industry does business, including an end to marketing to children; document disclosure; and corporate compliance programs.

Progress toward other public health goals, including provisions to reduce exposure to second-hand smoke; help to smokers who wish to enroll in cessation programs; and provide resources for medical research.

Protection for tobacco farmers and their communities.

Q: Why are you supporting a bill that Republican leaders say has no chance of garnering any GOP support?

A: We certainly hope Republicans will support this bill. We're

supporting

the bill because it is a very strong bill that meets each of the President's Five Principles. We view it as an important first step toward the enactment of comprehensive legislation and a challenge to other members to work toward this goal.

But, of course, the President will also support other bills that meet his principles, whether introduced by Democrats or Republicans. We want to work with as many members as we can, from both sides of the aisle, to adopt comprehensive tobacco legislation.

But we will not support a bill without the significant price increase necessary to reduce youth smoking.

Q: Doesn't your embrace of a \$1.50 price increase over three years, coupled with all the new spending the President has proposed, vindicate Republicans who say this is all about raising money and a return to Big Government?

A: Nonsense. This is first and foremost about public health, and saving America's children.

First, let me remind you that the President's proposed budget is the first balanced budget in 30 years. This is not about Big Government; it's about smart, disciplined government.

As for the price increase, we have said all along that price increases are

the most reliable way of achieving reductions in teen smoking. Indeed, it's the first of the President's Five Principles for comprehensive legislation.

Q: But the Five Principles called for \$1.50 a pack increase over the next decade. Conrad calls for it in three years.

A: The President believes that if we can get to our goal of reducing youth smoking more quickly, so much the better. In any case, the timing is for Congress to determine.

Q: Isn't the emphasis on price increases at odds with the FDA's regulation, which relies on restrictions on access and advertising?

A: No. The FDA regulation is part of the President's comprehensive plan to reduce youth smoking. As Secretary Shalala has said, we need to use every tool at our disposal to reduce teen smoking, and we know that price is one of the most effective mechanisms. What we need is a comprehensive approach that relies on price increase, as well as restrictions on youth access and appeal.

Q: If price increases are so important, why didn't the FDA regulation raise prices?

A: FDA used the tools it had in its regulatory arsenal. Now that Congress is taking up the issue of youth smoking, it is incumbent upon the Congress to use the most effective weapon we know of, and that weapon is price increases.

Q: With this emphasis on price, are you backing off from your claims that the FDA regulation would have cut youth smoking by 50% over seven years?

A: No. We just need to use every tool at our disposal to cut the number of children taking up this deadly addiction.

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ITIYBKAN3400JVPK@PMDF.EOP.GOV> for "elena kagan"@oa.eop.gov; Fri, 13 Feb 1998 09:22:01 -0500 (EST)

Received: from storm.eop.gov (storm.eop.gov) by PMDF.EOP.GOV (PMDF V5.0-4 #6879) id <01ITIYBJ2FNK00M3ZP@PMDF.EOP.GOV> for elena\_kagan@oa.eop.gov; Fri, 13 Feb 1998 09:21:59 -0500 (EST)

Received: from B11WDC-OV08B.os.dhhs.gov ([158.70.254.1]) by STORM.EOP.GOV (PMDF V5.1-7 #6879) with SMTP id <01ITIYAVARJG002CYL@STORM.EOP.GOV> for elena\_kagan@oa.eop.gov; Fri, 13 Feb 1998 09:21:27 -0500 (EST)

Received: by B11WDC-OV08B.os.dhhs.gov; Fri, 13 Feb 1998 09:20:50 -0500 (EST)  
X-Priority: 3 (Normal)

=====  
END ATTACHMENT 1

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LN GTWY@LN GTWY [ UNKNOWN ]

CREATION DATE/TIME:27-MAR-1998 16:38:00.00

SUBJECT: DPC Events In April As Directed By Rahm

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LN GTWY@LN GTWY [ UNKNOW

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )

READ:UNKNOWN

CC: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Jennifer L. Klein ( Jennifer L. Klein@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Jonathan H. Schnur ( Jonathan H. Schnur@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Jose Cerda III ( Jose Cerda .III@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Laura Emmett ( Laura Emmett@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Michael Cohen ( Michael Cohen@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Neera Tanden ( Neera Tanden@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

CC: Tanya E. Martin ( Tanya E. Martin@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 27-MAR-1998 16:38:00

1st -- Children's Health Day (Without POTUS).

6th -- Assault Weapons Ban.

9th -- Tobacco (NOTE: RAHM WANTS US TO ISSUE SOME ACTION ITEM FOR THIS EVENT. HE DOESN'T WANT IT TO ONLY BE A SPEECH. HE WANTS STUDY RELEASED, EO, POTUS MEMORANDUM, ANYTHING ACTION ORIENTED).

10th -- Food Safety.

11th -- Radio Address on Taxes (specifically Child Care Tax Credits)

12th -- School Construction in Chicago with Mosely Braun. Need to decide if we do event in suburbs or a school in Chicago impacted by the new \$1 billion bond program.

14th -- COPS event in Houston with Brown in which we also release one of the two studies on school safety.

21st -- Service Event -- Langdon Park cleanup.

24th -- National Teacher Event

27th -- School Uniform Event in NYC at the school that is now requiring all students to wear uniforms.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 9-APR-1998 18:46:00.00

SUBJECT: New Phone and Issues Lists

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOW  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Donna L. Geisbert ( Donna L. Geisbert@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jerold R. Mande ( Jerold R. Mande@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 9-APR-1998 18:46:00

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

TEXT:  
The following attachments were included with this message:

---

TYPE : FILE  
NAME : DPCPHONE.WPD

---

TYPE : FILE  
NAME : ISSUES.DPC

---

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

===== ATTACHMENT 2 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D93]ARMSZZ000JXSZ.001 to ASCII,  
The following is a HEX DUMP:

FF5750439A040000010A02010000000205000000B61A000000020000BFABEF09E3D9B3F45F0428  
D13BCD0BB60AB3074C9E648EF4F1CDA2D145C1EA58519C1D4E7B87377A081DB23BD2484C42A71F  
DCA4DC645305362FECBC34AA38E1506BF825271FD7AC521FC75CDBED9D83D63EDB0E28A29FAA3B  
9438236C84821F3F3E6953BE600EAEA288F7C2911D6036A2D22CBF1308EF1D6135F6BD3881BF35  
E8D6D22D7665BE96B00A6E420D2B3490358F08575E83FBF12474BE144ADA2D643CACC1B49A55AA  
2DA29ECB1D4C479F0AA749B1ED0DB6BCD005E909A2146E1BB91AC3E2AB3B8585CAA0ECE7C7006A  
C1B8709B36509118B68A8A2A6CD18CA4F518B66E91BCDB218D2760618319F2B60CC7453434D4A6  
8D82E81B2A12E7EF8FD9E0E49F9BF4C6A3C50A790D0106DE03EEB3ECC5EAE05DB177190A5275EA  
DE24E7A63F57665386EF2337769BD9DD02C84778AC5BB8077E9734A193049551B0A5146CCE3F28  
58A3974CB3D03267E28CB7C2CDAFDFB603B38E7DF79B806C243FC210E4207EBAAEE371C79176349  
512DBA33FBB64AA6734FB01FF43D42CF35BB31E12228BBE83A0B83D68DAFCE1C23A91526ED556B

**DOMESTIC POLICY COUNCIL (DPC)  
STAFF PHONE LIST**

<u>Person</u>	<u>Phone</u>	<u>Fax</u>	<u>Location</u>
EDUCATION SUPPORT Policy Assistant	65543	65581	217, OEOB
BIANCHI, Sarah Assistant Director	65585	65557	216, OEOB
CERDA, Jose Special Assistant to the President	65568	67028	224R, OEOB
COHEN, Michael Special Assistant to the President	65575	65581	218R, OEOB
DAILARD, Cynthia Associate Director	67871	65581	217L, OEOB
EMMETT, Laura Policy Assistant	65565	62878	2 FL/WW
FERNANDES, Julie Special Assistant to the President	66558	65581	217R, OEOB
FORTUNA, Diana Associate Director	65570	67431	224L, OEOB
FREEDMAN, Tom Special Assistant to the President	65587	67431	213, OEOB
GEISBERT, Donna Policy Assistant	65593	65557	216, OEOB
JENNINGS, Chris Deputy Assistant to the President	65560	65557	216R, OEOB
KAGAN, Elena Deputy Assistant to the President & Deputy Director DPC	67928/65584	62878	218L, OEOB
KANE, Andrea Associate Director	65573	67431	210, OEOB
KLEIN, Jennifer Special Assistant to the President	62599	62878	2 FL/WW
LAMBREW, Jeanne (NEC) Senior Director	65377	67431	209, OEOB
MARTIN, Tanya Associate Director	65228	65581	220, OEOB
MAYS, Cathy Executive Assistant to the Director	66515	62878	2 FL/WW
RABNER, Nicole Associate Director	67263	66244	2 FL/WW

Automated Records Management System  
Hex-Dump Conversion

REED, Bruce Assistant to the President & Director DPC	66515	62878	2 FL/WW
RICE, Cynthia Special Assistant to the President	62846	67431	212R, OEOB
ROBINSON, Christa Associate Director	65165	67431	207, OEOB
SCHNUR, John Associate Director & Senior Education Adviser to the Vice President	65567	65581	218R, OEOB
SHIMABUKURO, Leanne Associate Director	65574	67028	224L, OEOB
SMITH, Mary Associate Director	65571	67431	213 1/2, OEOB
TANDEN, Neera Associate Director	66275	66244	2 FL/WW
WASHINGTON, Essence Policy Assistant	62216	67028	224, OEOB
WEINSTEIN, Paul Special Assistant to the President & Chief of Staff DPC	65577	65581	214, OEOB
<hr/>			
GENERAL DPC NUMBER	62216		
DPC CONFERENCE ROOM	65564		211, OEOB
RAINES, Ashley	62023	61655	145, OEOB
COMPUTER SUPPORT	57370		
WH COMMENT LINE	61111		
WAVES CENTER	66742		

Domestic Policy Council Staff/Issue List

Issue Area	Staffer	Phone	Fax	Room Number
AIDS	Sandy Thurman	6-2437	6-2438	736 Jackson Place
	Todd Summers	6-2437	6-2438	736 Jackson Place
Adoption	Jen Klein	6-2599	6-2878	WW 2FL
	Nicole Rabner	6-7263	6-2878	WW 2FL
	Neera Tanden	6-6275	6-2878	WW 2FL
Agriculture/Rural Development	Carl Whillock	720-2406	720-9286	1400 Independence Ave., SW, Room 216 Administration Building
Budget	Cynthia Rice	6-2846	6-7431	212R OEOB
Choice	Elena Kagan	6-5584	6-2878	WW 2FL
	Cynthia Dailard	6-7871	6-5581	217L OEOB
Children & Families/ Child Care	Jen Klein	6-2599	6-2878	WW 2FL
	Nicole Rabner	6-7263	6-2878	WW 2FL
	Neera Tanden	6-6275	6-2878	WW 2FL
Civil Rights/Race Commission	Elena Kagan	6-5584	6-2878	WW 2FL
	Julie Fernandes	6-6558	6-5581	217R OEOB
Communications/Scheduling Events	Christa Robinson	6-5165	6-7431	207 OEOB
Consumer Issues/Privacy	Tom Freedman	6-6587	6-7431	213 OEOB
	Mary Smith	6-2216	6-7431	213 ½ OEOB
Crime	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
Community Empowerment/ Housing/Economic Development	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
	Paul Weinstein	6-5577	6-7028	214 OEOB
Disabilities	Diana Fortuna	6-5570	6-7431	212L OEOB
Drugs	Jose Cerda	6-5568	6-7028	224R OEOB
	Leanne Shimabukuro	6-5574	6-7028	224L OEOB
Education & Training	Mike Cohen	6-5575	6-5581	218L OEOB
	John Schnur	6-5567	6-5581	218R OEOB
	Tanya Martin	6-5228	6-5581	220 OEOB
Environment	Paul Weinstein	6-5577	6-7028	214 OEOB
Health Care	Chris Jennings	6-5560	6-5557	216R OEOB
	Jeanne Lambrew (NEC)	6-5377	6-7431	209 OEOB
	Sarah Bianchi	6-5585	6-5557	216 OEOB
Immigration	Julie Fernandes	6-6558	6-5581	217R OEOB
Labor	Elena Kagan	6-5584	6-2878	WW 2FL
National Service	Diana Fortuna	6-5570	6-7431	212L OEOB
Policy Planning	Tom Freedman	6-6587	6-7431	213 OEOB
	Mary Smith	6-2216	6-7431	213 ½ OEOB
Campaign Finance/ Government Reform	Paul Weinstein	6-5577	6-7028	214 OEOB
Product Liability	Elena Kagan	6-5584	6-2878	WW 2FL
	Paul Weinstein	6-5577	6-5581	214 OEOB
FDA Reform	Tom Freedman	6-6587	6-7431	213 OEOB
	Mary Smith	6-2216	6-7431	213 ½ OEOB
Tobacco	Cynthia Rice	6-2846	6-7431	212R OEOB
	Cynthia Dailard	6-7871	6-5581	217R OEOB

Welfare Reform

Cynthia Rice  
Diana Fortuna  
Andrea Kane

6-2846  
6-5570  
6-5573

6-7431  
6-7431  
6-7431

212R OEOB  
212L OEOB  
210 OEOB

Automated Records Management System  
Hex-Dump Conversion

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -005**

**[04/10/1998-09/03/1998]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Matthew Cooper to Elena Kagan re: No Subject [partial] (1 page)	06/04/1998	P6/b(6)
002. email	Matthew Cooper to Elena Kagan re: Sorry [partial] (1 page)	06/08/1998	P6/b(6)

---

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

---

**FOLDER TITLE:**

[04/10/1998 - 09/03/1998]

2009-1006-F

eh227

---

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert M. Shireman ( Robert M. Shireman@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:10-APR-1998 11:11:00.00

SUBJECT: Old Professors

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 10-APR-1998 11:11:00

This is my draft for the weekly (part of HEA). Should I add DPC, and/or do you have any other suggestions?

Old Professors: The House bill includes a provision that would allow colleges to offer financial incentives for tenured professors to retire early, to make room for younger (and generally lower-paid) professors. The EEOC -- and the AARP -- have opposed this provision as permitting age-based, arbitrary distinctions in employee benefit plans which would disadvantage older workers because it would allow the colleges to deny the incentive to older professors. The colleges argue that the tenure system is unique, and that this will allow them to diversify the faculty. My staff is working with Education and the EEOC to determine whether there is any reason to reconsider the Administration's position on this issue.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-MAY-1998 19:25:00.00

SUBJECT: Draft Proposal

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 7-MAY-1998 19:25:00

Draft Proposal -- Improving The Event Briefing Process:

In response to Staff Secretary's Office, and because the system has broken down, Christa and I have developed a recommendation on how to improve the event

briefing process. The key is strict deadlines on all of our parts. In the

past, we have not made it clear to DPC staff when briefing materials are due.

Now we will have a set of deadlines that everyone will held to. We propose the

following:

1. The day before the event, DPC policy staff will provide Christa with the

press paper for the event at 1:00 pm. In cases where policy issues are still

unresolved, a draft will be handed to Christa at 1:00 instead. However, final

paper will be sent to Christa in at 3:00, which she will cross check with the earlier draft paper.

2. Christa will transform the press paper into a briefing memo and give it to Laura by 3:30 pm for your review.

3. Laura will schedule a ten to fifteen minute slot between 3:30 pm to 5:30 pm for you to review the briefing paper. Because you are at so many meetings around the complex, Laura will bring the briefing paper to where ever you are in the WH complex so you can review it during that period. Laura will give Christa your edits by 5:30 pm and Christa will make the changes and hand the memo into Staff Secretary by 6:00 pm.

This is obviously a very tight schedule. In order for it to work, policy issues will need to be resolved earlier rather than later. Obviously, in some cases, POTUS or the Chief of Staff may be holding up a policy decision. In those instances we must advise Staff Secretary's office why the issue is held up. In those cases, Christa or I will tell the Staff Secretary or Press Office if the paper will be delayed. However, for this system to function effectively, delays must be the exception, not the rule.

The other issue relates to when you are not on the WH compound from 3:30 to

5:30. In those cases, I would recommend Bruce look at the documents. If Bruce is also not available, I would be happy to serve as the fail safe. However, I will only do so if you both are comfortable with that.

Please let us know what you think of this proposal.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )

CREATION DATE/TIME: 7-MAY-1998 19:30:00.00

SUBJECT: One Edit

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

CC: Laura Emmett ( Laura Emmett@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 7-MAY-1998 19:30:00

In order to make the system work better, starting Monday, Christa, Laura, and I will talk each morning about what paper is due each day (weeklies, briefings, q&a, etc.) We will coordinate with staff to make certain the deadlines are kept.

# Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Matthew Cooper to Elena Kagan re: No Subject [partial] (1 page)	06/04/1998	P6/b(6)

## COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

## FOLDER TITLE:

[04/10/1998 - 09/03/1998]

2009-1006-F

eh227

## 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: FEDERAL (TRP NOTES MAIL)

CREATOR: MCOOPE ( mcoope@nwnet.newsweek.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 4-JUN-1998 15:48:00.00

SUBJECT: - no subject (01IXUE7LWKSI00ELRM) -

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena,

Can you give me a call if you get a chance?

Thanks.

Matthew Cooper

Newsweek

Deputy Bureau Chief/National Correspondent

Suite 1220 | 1750 Pennsylvania Avenue N.W. | Washington, D.C.

20006-4578

Work: 202-626-2046 | Fax: 202-626-2011 | Portable: P6/(b)(6)

[001]

Pager: P6/(b)(6) | Home phone: P6/(b)(6) | Home fax:

P6/(b)(6)

E-mail: mcoope@nwnet.newsweek.com | Private E-Mail: Mattizcoop@aol.com

ewsk

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
id <01IXUE7FM6PS001TFT@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,  
4 Jun 1998 15:49:37 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
with ESMTTP id <01IXUE7A2L4W00E8TS@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,

04 Jun 1998 15:49:31 -0400 (EDT)  
Received: from nwnet ([208.194.106.7]) by STORM.EOP.GOV (PMDF V5.1-10 #22921)  
with SMTP id <01IXUE6VWA8U0010I5@STORM.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,  
04 Jun 1998 15:49:12 -0400 (EDT)  
Received: by NW\_NY\_MAIL with Internet Mail Service (5.5.1960.3)  
id <M2RH9KCG>; Thu, 04 Jun 1998 15:48:52 -0400  
X-Mailer: Internet Mail Service (5.5.1960.3)  
===== END ATTACHMENT 1 =====

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Matthew Cooper to Elena Kagan re: Sorry [partial] (1 page)	06/08/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[04/10/1998 - 09/03/1998]

2009-1006-F  
eh227

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: MCOOPE ( mcoope@nwnet.newsweek.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 8-JUN-1998 17:48:00.00

SUBJECT: Sorry

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Sorry I keep missing you. Give me a call tonight on my cell, 271-6641 or tomorrow at the office. Thanks.

Matthew Cooper

Newsweek

Deputy Bureau Chief/National Correspondent

Suite 1220 | 1750 Pennsylvania Avenue N.W. | Washington, D.C.

20006-4578

Work: 202-626-2046 | Fax: 202-626-2011 | Portable: P6/(b)(6)

Pager: P6/(b)(6) | Home phone: P6/(b)(6) | Home fax:

P6/(b)(6)

E-mail: mcoope@nwnet.newsweek.com | Private E-Mail: Mattizcoop@aol.com

ewsk

[002]

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131) id <01IY03JRXYP500G7PX@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Mon, 8 Jun 1998 17:49:46 EDT

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131) with ESMTTP id <01IY03JP869S0036CJ@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Mon, 08 Jun 1998 17:49:42 -0400 (EDT)

Received: from nwnet ([208.194.106.7]) by STORM.EOP.GOV (PMDF V5.1-10 #29131) with SMTP id <01IY03J8TWKI00056A@STORM.EOP.GOV> for Kagan\_E@a1.eop.gov; Mon, 08 Jun 1998 17:49:19 -0400 (EDT)

Received: by NW\_NY\_MAIL with Internet Mail Service (5.5.1960.3) id <MR18PG2P>; Mon, 08 Jun 1998 17:48:58 -0400

X-Mailer: Internet Mail Service (5.5.1960.3)

X-MS-TNEF-Correlator: <3003EBF35CEFD111BE70006008A881913143E3@NW\_NY\_MAIL>

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

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D53]ARMSZZ000MVHI.001 to ASCII,  
The following is a HEX DUMP:

789F3E223B1501069008000400000000001000100010790060008000000E40400000000000E8  
0001088007001800000049504D2E4D6963726F736F6674204D61696C2E4E6F7465003108010580  
03000E000000CE070600080011003000380001005D0101208003000E000000CE07060008001100  
3000380001005D0101098001002100000046454234414131454436464544313131424537363030  
36303038413838313931004307010480010006000000536F727279001F02010D80040002000000  
020002000103900600FC0500002000000030026000000000030036000000000020109100100  
00009602000092020000A60400004C5A46750405E96EFF000A010F021502A403E405EB02830050  
130574020063680AC07365746E32060006C30283320F7F108733E303C502007072711220071302  
833E340345152507C103E009E06B4CE86F676F02807D0A8008CF09D9E23B18D2323535192F099C  
1A410F02800A810DB10B606E6731305E3314A00B0A14A20C016312E0200B0A850A855305B07279  
2049C4206B09E070206D04010B800867207908602E2047698C766520B021C06120630740C50320  
740220696768054002201320B02030636522502C20328037312D3636343122F0AF05C022800460  
20106F07E0610540D4746821C06F0DD06923602170E25411C06E6B7321701F1C0A8FF30B9112F2  
313605D02510254107E07908506F700490276517262765442920907574203042087065618A7529  
80680890662F4E2510BE6902200740298120100790700220470DB002301F8675697421C031BE32  
01D00AE1284A1EC124307C2F0D692EB037352EF05009F00008079BC6C7600700730158021B06E0A  
50D907B02E572F1F2EF02E331F302FF128F05761732C401D30228123A078442E432170379001D0  
37D036A02D3435373827655705B0D46B3A37A23223F032380001D01E3428F0345F356F28F04661  
78FB391039483100503A2F3B3F319018813901A06C653C8423C627655061EE670490391023E038  
420023F03951783331390DF03D7F37913E9F4873037021C07068022040151D70337C2D31428142  
CF43D1441F4523664F3C661D704220316035342765456E2D00C0031039106D05A029B140646E77  
45A0742E45A017442EFD05A06D46AF47BF3F72051032102E914F4AC029104B022912697A4B5240  
3E6106F04C9227670B64163173347A383E436551BB1EB2243017406BBF282D514D12F22EE12765  
180100575000001E0070000100000006000000536F727279000000020171000100000016000000  
01BD932750DE603EB489FC8F11D192F200A0246D436A00004000390080FE6B3C2793BD010300F1  
3F090400001E00314001000000070000004D434F4F5045000003001A40000000001E0030400100  
0000070000004D434F4F5045000003001940000000000300FD3FE4040000020147000100000033  
000000633D55533B613D203B703D4E4557535745454B3B6C3D4E575F4E595F4D41494C2D393830  
3630383231343835365A2D38343400000201F93F010000004E0000000000000DCA740C8C04210  
1AB4B908002B2FE182010000000000002F4F3D4E4557535745454B2F4F553D4E455753574545  
4B4E542F434E3D524543495049454E54532F434E3D4D434F4F5045000001E00F83F01000000D  
000000436F6F7065722C204D61747400000001E00384001000000070000004D434F4F50450000  
0201FB3F010000004E000000000000DCA740C8C042101AB4B908002B2FE18201000000000000  
002F4F3D4E4557535745454B2F4F553D4E4557535745454B4E542F434E3D524543495049454E54  
532F434E3D4D434F4F5045000001E00FA3F01000000D000000436F6F7065722C204D61747400  
0000001E00394001000000070000004D434F4F504500004000073058F47D202793BD0140000830  
8C5A863C2793BD011E003D00010000000100000000000001E001D0E0100000006000000536F72  
72790000001E00351001000000340000003C333030334542463335434546443131314245373030  
3036303038413838313931333134334533404E575F4E595F4D41494C3E000B002900010000000B  
0023000100000003000610C472E9CB030007107B01000003001010000000000300111000000000  
1E0008100100000065000000534F525259494B4545504D495353494E47594F55474956454D4541  
43414C4C544F4E494748544F4E4D5943454C4C2C3237312D363634314F52544F4D4F52524F5741  
545448454F46464943455448414E4B534D415454484557434F4F5045524E455753570000000002  
017F0001000000340000003C333030334542463335434546443131314245373030303630303841  
3838313931333134334533404E575F4E595F4D41494C3E00607B

=====  
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:** f\_ihvm000z\_default\_html\_2.tnf

**Attachment Number:** [ATTACH.D53]ARMSZZ000MVHI.001 to ASCII

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:19-JUN-1998 11:09:00.00

SUBJECT: Justice Letter on Child Custody/Abortion

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 19-JUN-1998 11:09:00

Yesterday, I circulated for review and comment a Justice Department letter  
on

HR 3862, the Child Custody Protection Act, which would make it illegal to  
transport minors across state lines for the purpose of avoiding state  
parental

involvement laws. The letter is to be transmitted prior to the House  
Committee

on the Judiciary's markup of HR 3862, which is scheduled to resume on  
Tuesday,

June 23rd. JUSTICE WOULD LIKE CLEARANCE OF ITS LETTER TODAY.

please let me know by 1:00 p.m. today if you are going to have any  
comments to

the Justice letter. NOTE: The Justice letter was promised to the  
Committee in

Chief-of-Staff Bowles' June 17th letter to Rep. Hyde on this legislation.

Thanks.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:23-JUN-1998 13:46:00.00

SUBJECT: Senate Markup of S. 1645

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 23-JUN-1998 13:46:00

FYI --

On Thursday June 25th, the Senate Committee on the Judiciary is scheduled to markup S. 1645, the child custody/abortion bill. This bill is almost identical to HR 3682, which is currently being marked up in the House. Did a copy of the Chief-of-Staff's June 17th letter go to Senator Hatch? If not, are we planning to send the Senate Committee a letter prior to Thursday's markup? Thanks.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-JUL-1998 12:25:00.00

SUBJECT: SAP on HR 3682 - Child Custody Protection Act

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 14-JUL-1998 12:25:00

Yesterday we circulated for your review and comment a draft SAP on the House

child custody/abortion bill. The House Rules Committee will meet at 2 p.m.

today on HR 3682 and full House action is scheduled for tomorrow. Please let

me know by 2 p.m. today whether you will have any comments on the proposed SAP. Our plan is to have the SAP ready tonight for final White House sign-off. Thanks.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:23-JUN-1998 15:03:00.00

SUBJECT: House Committee Action on HR 3682

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 23-JUN-1998 15:03:00

FYI --

The House Committee on the Judiciary voted 17-10, along party lines, in favor

of HR 3682, the child custody/abortion rights bill. A vote by the full

House

is expected after Congress returns from its Fourth of July recess.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:20-JUL-1998 09:23:00.00

SUBJECT: Updated Approps Calendar

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOW  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Donna L. Geisbert ( Donna L. Geisbert@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 20-JUL-1998 09:23:00

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on

07/20/98

09:26 AM -----

Kate P. Donovan

07/17/98 08:12:17 PM

Record Type: Non-Record

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

cc: Wesley P. Warren/CEQ/EOP, Lisa M. Kountoupes/WHO/EOP

Subject: Updated Approps Calendar

Don't pay attention to the 1,2,3 in the top row - my computer wasn't getting along with me so I gave up (rather than be charged for destruction of property). Hope this is useful.

Message Sent

To: \_\_\_\_\_

Dario J. Gomez/WHO/EOP

Jade L Riley/WHO/EOP

Janelle E. Erickson/WHO/EOP

Laura Emmett/WHO/EOP

Paul J. Weinstein Jr./OPD/EOP

Melissa G. Green/OPD/EOP

Michelle Crisci/WHO/EOP

Kevin S. Moran/WHO/EOP

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

TEXT:  
The following attachments were included with this message:

-----  
TYPE : FILE  
NAME : july.wpd  
-----

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

=====  
ATTACHMENT 2  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:  
Unable to convert ARMS\_EXT: [ATTACH.D63] ARMSZZ000P13X.001 to ASCII,  
The following is a HEX DUMP:

FF5750434D130000010A020100000000205000000028680000000200004A270BB93386CF1796D20F  
137F3CF9853BB01CA460685C640A22628A21714F28F88C4F97967216DD76581319E541F208A151

1998

# July

1998

SUNDAY	MONDAY	TUESDAY	WEDNESDAY	THURSDAY	FRIDAY	SATURDAY
Updated 7/17			1	2	3	4
19 Week of 7/20: E&W Conf. MilCon Conf.	20 H.Rules Interior S.Floor LegBr S.Floor C/J/S	21 H.Floor VA/HUD H.Floor Interior SAC ForOps SAC DC	22 HAC Trans HAC For Ops H.Floor VA/HUD H.Floor	23 H.Sub. DC H.Floor C/J/S S.Floor Trans	24 H.Floor C/J/S	25
26 Week of 7/26: Agric Conf LegBr Conf S.Floor	27 H.Floor Trans	28	29	30 HAC D.C. H.Floor ForOps	31	(August 6: H. DC Floor)

**HAC = House Appropriations Full Committee  
(tbd)**  
**SAC = Senate Appropriations Full Committee  
(9/15)**

**L/HHS/ED: H.Floor**  
**S.Sub.**

Automated Records Management System  
Hex-Dump Conversion

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:30-JUL-1998 09:29:00.00

SUBJECT: Justice Letter on Assisted Suicide

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 30-JUL-1998 09:29:00

Last night I circulated for your review and comment a draft Justice letter  
on  
HR 4006 - Rep. Hyde's Lethal Drug Abuse Protection Act. Justice is  
anxious to  
get its letter to the Senate tomorrow (hearing) and for a House markup  
next  
week. The deadline for comments is NOON TODAY.

If you didn't receive the fax or have any questions please let me know.  
Thanks.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Robert J. Pellicci ( Robert J. Pellicci@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:30-JUL-1998 15:23:00.00

SUBJECT: Justice Assisted Suicide Letter

TO: Christopher C. Jennings ( Christopher C. Jennings@eop [ UNKNOWN ] )

READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 30-JUL-1998 15:23:00

Justice has just advised that it has been invited to testify tomorrow morning

(10:00 a.m.) before the Senate Committee on the Judiciary on the use of dispensing or distributing controlled substances for purposes of physician assisted suicide. Justice intends to use its letter that you have for review

as its testimony. Justice is anxious to know when we can give them comments?

Please advise. Thanks.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )

CREATION DATE/TIME: 3-SEP-1998 09:42:00.00

SUBJECT: OMB Legislative Report - September 2, 1998

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Donna L. Geisbert ( Donna L. Geisbert@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGETWY@LNGETWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 3-SEP-1998 09:42:00

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on  
09/03/98  
09:42 AM -----

Lisa Zweig  
09/02/98 08:04:43 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: OMB Legislative Report - September 2, 1998

TO: DIRECTOR JACK LEW  
COUNSELOR TO THE DIRECTOR SYLVIA MATHEWS  
ACTING DEP. DIRECTOR FOR MANAGEMENT ED DESEVE  
EXECUTIVE ASSOCIATE DIRECTOR JOSH GOTBAUM

FROM: OMB LEGISLATIVE AFFAIRS

DATE: SEPTEMBER 2, 1998

SUBJECT: LEGISLATIVE REPORT

Finance: The Senate Finance Committee is expected to mark-up a customs & tariff bill on Thursday, September 10th and a tax extenders bill on Tuesday, September 15th.

CONGRESS -- TODAY (9/2):

SENATE:

Passed (78-15) H.R. 629 - Texas Low-Level Radioactive Waste Disposal Compact

Consent Conference Report

[No SAP:informally support]

Passed (90-3)S.2334 - Foreign Operations FY99 Appropriations.

[SAP sent 9/1:senior advisors recommend veto]

Recorded votes occurred on the following amendments:

- o Tabled(74-19) Kyl amendment to withhold funding for the IMF until it adopts tighter credit and loan standards.
- o Not tabled (11-80) McCain amendment to restrict funds for the Korean Peninsula Energy Development Organization unless the President certifies that North Korea is not actively pursuing the acquisition or development of nuclear weapons (subsequently passed by voice).
- o Tabled (50-43) Dodd amendment to declassify human rights abuses in Guatemala and Honduras

SENATE -- TOMORROW (9/3):

The Senate will convene at 9:30 am Thursday morning and will be in morning business until 11:30 am.

If agreement can be reached regarding the McConnell amendment on FEC appointments and the Glenn amendment for additional funding for the FEC, the

Senate could resume consideration of S.2312 - Treasury/Postal FY99 Appropriations

[SAP sent 7/28: Sec. Rubin recommends veto on Hutchinson amendment to sunset tax code]

S. 2237 - Interior FY99 Appropriations (possible, but more likely to come up

next Tuesday)

[SAP pending]

SENATE -- FRIDAY (9/4):

Friday, September 4:

The schedule for Friday is unclear at this time.

S.1301 - Consumer Bankruptcy Reform Bill (Lott plans to file a cloture petition

on Friday of this week, with a cloture vote to occur next week)

[SAP under discussion]

SENATE -- THIS SESSION:

Appropriations bills and/or continuing resolution(s).

A Budget Resolution conference is possible, but the latest indications are that

either there will be no conference report or a de facto budget resolution (simply ratifying what has already been done on appropriations and revenues)

will be adopted at the very end of the session.

Other items the Senate could take up prior to October adjournment:

- o Managed care reform (Democrats have promised to offer managed care reform as

an amendment to other legislation in order to get Floor action; attempts to

get a unanimous consent agreement governing Floor action, prior to the recess,

failed).

- o HR 2183 - Campaign Finance Reform (Floor action on HR 2183, the

House-passed

bill remains unlikely, but Senate Dems and McCain & Feingold hope to build on

the momentum created by House passage).

- o S.10 - Violent and Repeat Juvenile Offender Act of 1997 (possible)

- o H.R. 1122 - Partial birth abortion ban veto override vote (7/23, the House

voted to override 296-132)

- o S.1645 -Child Custody Protection Act (action is likely)

[Bowles letter sent 7/8:strongly oppose: SAP w/ senior advisors veto threat

under development]

- o S.442 - Internet Tax Freedom Act (action is likely)

[informally support]

- o H.R.10 -Financial Services Competition Act (scheduled for mark-up at Senate

Banking Thurs)

[Presidential veto threat on House version: 8/7/98]

- o H.R.2 - Housing Opportunity and Responsibility Act of 1997 (conferees are

reportedly close to agreement)

[SAP sent 4/30/97: HUD Sec. recommends veto]

- o H.R.2431 - Freedom from Religious Persecution Act of 1998 (could be taken up

by the Senate)

[House SAP sent 5/14/98: senior advisors recommend veto]

- o Head Start Reauthorization (could go to conference if it passes the House)

[HHS letter sent 7/29/98: strongly oppose]

- o S.1723 - American Competitiveness Act (Lott has said passing this

legislation is a priority; assuming the House takes up the Senate-passed bill)

[Senate SAP sent 5/11/98: single agency veto threat]

o H.R.6 - Higher Education Reauthorization (conference action is continuing)

[conferee letter sent 8/10/98]

o S.2400 - Trade and Tariff Act of 1998 (including fast-track) -- reported by

Finance Committee prior to the recess.

o S. 1009 - Minimum wage (Senate Dems are likely to offer this as an amendment

to other legislation; Kennedy may offer it on the bankruptcy bill)

o H.R. 3616: Defense authorization (completion of the conference has been delayed over the issues of gender-integrated training and Bosnia) [veto threat]

o Medicare payments for home health care (Archer has said this legislation is a priority)

HOUSE:

The House will not reconvene until September 8th with no votes until September 9th.

Message Sent

To: \_\_\_\_\_

jacob j. lew/omb/eop

charles e. kieffer/omb/eop

robert g. damus/omb/eop

t j. glauthier/omb/eop

joshua gotbaum/omb/eop

joseph j. minarik/omb/eop

william a. halter/omb/eop

janet l. graves/omb/eop

alan b. rhinesmith/omb/eop

kathleen peroff/omb/eop

ronald m. cogswell/omb/eop

barry t. clendenin/omb/eop

philip a. dusault/omb/eop

richard p. emery jr./omb/eop

robert e. barker/omb/eop

susanne d. lind/omb/eop

ellen j. balis/omb/eop

alicia k. kolaian/omb/eop

bruce w. mcconnell/omb/eop

elisa millsap/who/eop

james c. murr/omb/eop

james j. jukes/omb/eop

janet r. forsgren/omb/eop

holstein\_e @ a1 @ cd @ lngtwy

ingrid m. schroeder/omb/eop

jeffrey a. weinberg/omb/eop

brown\_ja @ a1 @ cd @ lngtwy

constance j. bowers/omb/eop

robert j. pellicci/omb/eop

e. holly fitter/omb/eop

annette e. rooney/omb/eop

weinstein\_d @ a1 @ cd @ lngtwy

philip r. dame/omb/eop

todd stern/who/eop

john podesta/who/eop

mickey ibarra/who/eop

douglas b. sosnik/who/eop

janet himler/omb/eop

phillip caplan/who/eop

anita chellaraj/omb/eop

alphonse j. maldon/who/eop

robert j. nassif/omb/eop

melinda d. haskins/omb/eop

robert s. fairweather/omb/eop

janet e. irwin/omb/eop

james b. kazel/omb/eop

mckiernan\_k @ a1 @ cd @ lngtwy

mark a. weatherly/omb/eop

richard a. mertens/omb/eop

peter g. jacoby/who/eop

levin\_p @ a1 @ cd @ lngtwy

kate p. donovan/omb/eop

oliver\_a @ a1 @ cd @ lngtwy

abramson\_k @ a1 @ cd @ lngtwy

justine f. rodriguez/omb/eop

julie e. mason/who/eop

brian a. barreto/opd/eop

mary jo siclari/omb/eop

barry j. toiv/who/eop

toni s. hustead/omb/eop

elena kagan/opd/eop

eugene m. ebner/omb/eop

david h. morrison/omb/eop

rodney g. bent/omb/eop

bruce k. sassser/omb/eop

gary l. bennethum/omb/eop

larry r. matlack/omb/eop

robert m. shireman/opd/eop

richard j. turman/omb/eop

louisa koch/omb/eop

david e. tornquist/omb/eop

david j. haun/omb/eop

francis s. redburn/omb/eop

edward a. brigham/omb/eop

edward m. rea/omb/eop

andrew m. schoenbach/omb/eop

patricia e. romani/omb/eop

jake siewert/opd/eop

charles r. marr/opd/eop

rhodia d. ewell/omb/eop

laura s. marcus/who/eop

mathew c. blum/omb/eop

michael deich/omb/eop

janie l. jeffers/omb/eop

melissa n. benton/omb/eop

carol thompson-cole/omb/eop

kenneth l. schwartz/omb/eop

ronald k. peterson/omb/eop

jennifer ferguson/omb/eop

rosemary evans/omb/eop

m. jill gibbons/omb/eop

ronald e. jones/omb/eop

paul j. weinstein jr./opd/eop  
barry white/omb/eop  
kevin s. moran/who/eop  
maryanne b. green/omb/eop  
bruce n. reed/opd/eop  
robert donnelly/omb/eop  
nancy e. schwartz/omb/eop  
gene b. sperling/opd/eop  
wesley p. warren/ceq/eop  
eric r. anderson/ovp @ ovp  
robin j. bachman/who/eop  
sean e. o'connor/omb/eop  
wayne upshaw/omb/eop  
ruby shamir/who/eop  
sandra yamin/omb/eop  
allan e. brown/omb/eop  
stephen g. elmore/omb/eop  
dario j. gomez/who/eop  
jessica l. gibson/who/eop  
jonathan orszag/opd/eop  
bendick\_g @ al@cd@lngtwy  
peter d. greenberger/who/eop  
peter a. weissman/opd/eop  
theodore wartell/omb/eop  
wendy a. taylor/omb/eop  
barbara chow/omb/eop  
donald r. arbuckle/omb/eop  
anna m. briatico/omb/eop  
jonathan h. adashek/who/eop  
lisa b. fairhall/omb/eop

david a. bernell/omb/eop

sally katzen/opd/eop

lawrence j. haas/ovp @ ovp

ronald l. silberman/omb/eop

roger s. ballentine/who/eop

linda ricci/omb/eop

judy jablow/ceq/eop

martha foley/who/eop

janelle e. erickson/who/eop

michael l. goad/omb/eop

rudman\_m @ al@cd@vaxgtwy

daniel n. mendelson/omb/eop

gina c. mooers/omb/eop

dianne m. wells/omb/eop

chandler g. spaulding/who/eop

steven d. aitken/omb/eop

gary c. reisner/omb/eop

wendy r. fink/omb/eop

lisa m. kountoupes/who/eop.

john a. gribben/who/eop

robert d. kyle/omb/eop

jack a. smalligan/omb/eop

jade l riley/who/eop

Bonnie Galvin/OMB/EOP

Elizabeth Gore/OMB/EOP

Lisa Zweig/OMB/EOP

Robert L. Nabors/OMB/EOP

Adrienne C. Erbach/OMB/EOP

Paul W. Baker/OMB/EOP

Nancy J. Duykers/OMB/EOP

Sylvia M. Mathews/OMB/EOP

Marty J. Hoffmann/WHO/EOP

Charles Konigsberg/OMB/EOP

Charles M. Brain/WHO/EOP

Victoria A. Wachino/OMB/EOP

Nanda Chitre/WHO/EOP

Virginia A. Huth/OMB/EOP

Emory L. Mayfield/WHO/EOP

Christopher Ferris/OMB/EOP

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -006**

**[09/30/1998]**

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:30-SEP-1998 09:42:00.00

SUBJECT: Updated Accomplishments Documents

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Diana Fortuna ( Diana Fortuna@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 30-SEP-1998 09:42:00

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on  
09/30/98  
09:42 AM -----

Robin J. Bachman  
09/29/98 08:52:50 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Rajiv Y. Mody/WHO/EOP, Glen M. Weiner/WHO/EOP, Michael V.  
Terrell/CEQ/EOP,  
Matt Gobush/NSC/EOP  
Subject: Updated Accomplishments Documents

These have been revised. Please share with your colleagues and any other interested party.

THANKS TO EVERYONE WHO HELPED IN THE EFFORT TO UPDATE THESE DOCUMENTS!

[I've updated these with the new income and poverty info so they have changed from last week's set.]

ON THE LABOR DOC, I hope to have it done this week, probably Thursday.

Robin

66237

Message Sent

To: \_\_\_\_\_

Ann F. Lewis/WHO/EOP

Minyon Moore/WHO/EOP

Robert B. Johnson/WHO/EOP

Jocelyn Neis/WHO/EOP  
 Jena V. Roscoe/WHO/EOP  
 Sean P. Maloney/WHO/EOP  
 Barbara A. Barclay/WHO/EOP  
 Eli G. Attie/OVP @ OVP  
 Alejandro G. Cabrera/OVP @ OVP  
 Beverly J. Barnes/WHO/EOP  
 Christopher J. Lavery/WHO/EOP  
 Kevin S. Moran/WHO/EOP  
 Chandler G. Spaulding/WHO/EOP  
 Maritza Rivera/WHO/EOP  
 Joseph C. Fanaroff/WHO/EOP  
 Stacie Spector/WHO/EOP  
 Thomas D. Janenda/WHO/EOP  
 Paul J. Weinstein Jr./OPD/EOP  
 Brenda B. Costello/WHO/EOP  
 Noa A. Meyer/WHO/EOP  
 Jonathan Orszag/OPD/EOP  
 Brian A. Barreto/OPD/EOP

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

TEXT:  
 The following attachments were included with this message:

- 
- TYPE : FILE  
 NAME : sept98.wpd
- 
- TYPE : FILE  
 NAME : accompfn.998
- 
- TYPE : FILE  
 NAME : 2afam98.wpd
- 
- TYPE : FILE  
 NAME : 2asian98.wpd
- 
- TYPE : FILE  
 NAME : 2hispa98.wpd



***Clinton-Gore Administration Accomplishments:***

**American Families Are Better Off Today  
Than They Were Six Years Ago**

Automated Records Management System  
Hex-Dump Conversion

**ECONOMY: The Best American Economy In A Generation**

**Nearly 17 Million New Jobs...**more new jobs in 5 ½ years than were created during the entire 8 years of the Reagan Administration (16.7 million under Clinton vs. 16.0 million under Reagan).

**First Budget Surplus in 30 Years...**from a \$290 billion *deficit* in 1992, to an OMB projected \$39 billion *surplus* in 1998 -- the first budget surplus since 1969.

**Lowest Unemployment in 28 Years...**down from 7.5% in 1992 to 4.5% today -- its lowest level in 28 years.

**Fastest Real-Wage Growth in More Than Two Decades...**after adjusting for inflation, wages have increased 2.5 percent in the past 12 months -- the fastest real-wage growth in more than two decades.

**CHILDREN AND EDUCATION: Greatest Investment in Children's Health & Education in 30 Years**

**Extended Health Care to Millions of Children...**\$24 billion to provide meaningful health care coverage to millions of children included in the 1997 Balanced Budget Act -- the single largest investment in health care for children since 1965.

**\$500 Child Tax Credit For 26 Million Families with 40 Million Children...**included in the Balanced Budget Act.

**200,000 More Kids in Head Start Since 1992...**now reaching more kids than at any time since its creation in 1965.

**Leading a Crusade For Voluntary National Education Standards...**so that by 1999, every 4th grade student will be tested in reading and every 8th grade student will be tested in math.

**Increasing Charter Schools from One to 1,000...**offering parents choice within the public school system.

**Making College More Affordable...**by increasing Pell Grants by 30% from \$2,300 in 1993 to \$3,000 in 1998 and offering flexible repayment options and better service through the Direct Lending Program.

**Biggest Single Increase in Higher Education since the G.I. Bill.** The Balanced Budget Act included the HOPE Scholarship and other tax deductions, putting college within reach for millions -- the largest overall higher education investment in 30 years.

**CRIME: Crime Rates Are Down To The Lowest Levels In A Generation**

**Violent Crime Down 6 Years in a Row...**the longest period of decline since 1960. Juvenile crime, which had been exploding, has declined 2 years in a row. Property and violent crime rates are at their lowest levels in nearly 25 years.

**Putting 100,000 New Police on The Street...**resulting in a nearly 20% increase in our nation's police force. Nearly 80,000 new officers have been funded.

**250,000 Felons, Fugitives and Stalkers Denied Handguns...**since the President signed the Brady Bill into law.

**Developed Comprehensive Anti-Drug Strategy...**and appointed a four-star general as Drug Czar. Expanding the Safe and Drug-Free Schools Program and a new \$195 million anti-drug youth media campaign is attacking the youth drug problem.

**WELFARE: Largest Drop In Welfare Rolls In History**

**5.7 Million People Have Left Welfare...**over 40% decrease from January, 1993 and the largest decline in history. The President signed landmark welfare reform legislation in 1996 requiring work, imposing time limits and dramatically expanding child care spending. And in both 1997 and 1998, the President won changes to the law on protections for legal immigrants and children.

**Nearly 70% Increase in Child Support Collections...** as a result of the toughest child support crackdown in history.

**ENVIRONMENT: Protecting Our Environment For Future Generations**

**Cleaned up Twice as Many Superfund Sites in less than 6 Years as Previous Administrations Did in 12.**

**Safer Food, Drinking Water and Air...**because the President fought for and signed the Safe Drinking Water Act, the Food Quality Protection Act and issued new standards to cut toxic pollution from chemical plants by 90%.

**Ensuring Cleaner Air for Our Children...** by approving strong new clean air standards for soot and smog that will prevent 15,000 premature deaths a year.

***Clinton-Gore Administration Accomplishments:***  
**American Families Are Better Off Today**  
**Than They Were Six Years Ago**

Over the last six years, President Clinton and Vice President Gore have led America in preparing for the 21st Century with a new vision of government -- a government that does not attempt to do everything, nor a government that withdraws to the sidelines. The accomplishments of the Clinton-Gore Administration are giving Americans the tools to realize their potential; providing opportunity while demanding responsibility; and building One America in which all are challenged to serve.

**Economy: the Strongest Economy in a Generation**

**Balanced the Federal Budget -- in 1992, the budget deficit was \$290 billion, a record dollar high. This year, the budget will be in surplus for the first time in 30 years.**

**Nearly 17 Million New Jobs -- more new jobs in 5 ½ years than were created during the entire 8 years of the Reagan Administration (16.7 million under Pres. Clinton vs. 16.0 million under Pres. Reagan).**

**Fastest Real-Wage Growth In More Than Two Decades -- after adjusting for inflation, wages have increased 2.5% in the past 12 months -- the fastest real wage growth in more than two decades.**

**Lowest Unemployment in Nearly Thirty Years -- down from 7.5% in 1992 to 4.5% today.**

***Highest Homeownership Rate in History* -- there are more than 6.5 million new homeowners since the President took office.**

**Families: Strengthening America's Working Families**

**\$500 Per-Child Tax Credit -- 26 million families with 40 million children will receive the \$500 per-child tax credit.**

**Tax Cuts for Working Families -- 15 million working families receive tax relief through the President's expansion of the Earned Income Tax Credit.**

***Largest Four-Year Drop in Child Poverty Since 1960s* -- Under President Clinton, the child poverty rate has declined from 22.7 percent to 19.9 percent -- that's the biggest four-year drop in nearly 30 years (1965-1969).**

**Increased the Minimum Wage from \$4.25 to \$5.15 per hour -- increasing wages for 10 million workers.**

**Protecting Families -- Family Medical Leave allows workers to take up to 12 weeks of unpaid**

leave to care for family members without fear of losing their jobs. Millions of workers have already benefited from FMLA since its enactment.

**Signed Landmark Adoption and Safe Families Act** -- this law will help thousands of children waiting in foster care move more quickly into safe and permanent homes.

**Putting Families First** -- put in place first-ever plan to protect our children from tobacco. Required the installation of V-chips in all new televisions. Encouraged schools to adopt school uniform policies to deter school violence and promote discipline. Produced guidelines on religious expression in public schools.

**Education: Largest Investment in Education in 30 Years**

**Making 13th & 14th Grades as Universal As High School** -- making the first two years of college universally available with \$1,500 HOPE Scholarship credits.

**Expanding College Opportunity with Tuition Tax Credits, Education IRAs, and Largest Increase in Pell Grants in 20 Years** -- 20% tax credit helps offset tuition costs for college or lifetime learning. The expanded IRA allows penalty and tax-free withdrawals for education. Nearly 4 million students will receive a Pell Grant of up to \$3,000, 30% larger than when the President took office.

**Making College More Affordable** -- cut student fees and interest rates on all loans, expanded repayment options including income contingent repayment, and improved service through the Direct Loan Program.

**Paying for College Through Community Service** -- this year, nearly 50,000 young people will take advantage of the opportunity to pay for college (or repay student loans) by performing community service through AmeriCorps.

**Teaching Every Child to Read by the 3rd Grade** -- more than 1000 colleges have committed work-study students to tutor children in reading, and thousands of AmeriCorps members and senior volunteers are organizing volunteer reading campaigns. In addition, the President is working to enact an early literacy bill such as the America Reads Initiative that will provide more tutors after school, improve the teaching of reading in our schools, and help parents help their children learn to read.

**Striving for Excellence with National Education Standards** -- seeking high national standards for all students, the President has proposed a first-ever national test in 4th grade reading and 8th grade math.

**Preparing for the 21st Century with Greater Education Technology** -- created the Technology Literacy Challenge Fund to help connect every classroom to the Internet by the year 2000, increase the number of multimedia computers in the classroom, provide teachers with technology training,

and promote the development of high-quality educational software. Secured an e-rate (discounts worth over \$2.5 billion every year) for schools, libraries, rural health clinics and hospitals to connect to the Internet.

**Expanding Choice and Accountability in Public School** -- supported increase of public charter schools, from only one charter school in the nation in 1993 to more than 1,000 charter schools this year.

**Providing Early Education to More than 830,000 Children with Head Start** -- now reaching more kids than at any time since its creation in 1965 and 200,000 more children than in 1992.

### **Crime and Drugs: Lowest Crime Rates in Nearly 25 Years**

**Putting 100,000 New Police on the Street** -- resulting in a nearly 20% increase in our nation's police force. At this time, almost 80,000 new officers have been funded.

**250,000 Felons, Fugitives and Stalkers Denied Handguns** -- since the President signed the Brady Bill into law.

**Banned 19 of the Deadliest Assault Weapons and Their Copies** -- keeping assault weapons off our streets.

**Developed Comprehensive Anti-Drug Strategy Including \$195 Million Anti-Drug Youth Media Campaign** -- appointed four-star General Barry McCaffrey to be the nation's Drug Czar. Strengthening and expanding the Safe and Drug-Free Schools program.

### **Health Care: Increasing Access for Millions of Americans**

**Protected Medicare** -- protected, modernized and extended the Medicare trust fund for at least a decade while offering new options for patient choice and preventive care.

**Enacted Single Largest Investment in Health Care for Children since 1965** -- the \$24 billion Children's Health Insurance Program (CHIP) will provide health care coverage for up to five million children.

**Passed Meaningful Health Insurance Reform** -- signed the Kassebaum/Kennedy Health Care Bill which limits exclusions for pre-existing conditions, makes coverage portable and helps individuals who lose jobs maintain coverage.

**Raised Immunization Rates to All Time High** -- 90% of toddlers in 1996 received the most critical doses of each of the routinely recommended vaccines -- surpassing the President's 1993 goal.

**Ensuring Safe Food for America's Families** --making food safety a priority. Issued new standards to reduce and prevent contamination of meat, poultry, and seafood; signed the Food Quality

Protection Act with special safeguards for kids; issued new regulations that improve the safety of fruit and vegetable juices; and created a President's Council on Food Safety which will develop a comprehensive food safety strategic plan for federal agencies.

**Welfare Reform and Community Empowerment: Largest Drop in the Welfare Rolls in History**

**5.7 Million People Are Off Welfare Today** -- a more than 40% decrease from 1992 and the largest decline in the welfare rolls in history. Between 1996 and 1997, the number of people who were on welfare in one year and working in the next year increased 30% to 1.7 million people. The President signed the landmark welfare reform law to require work, impose time limits, and dramatically expand child care spending.

**Nearly 70% Increase in Child Support Collections** -- signed into law the toughest child support crackdown in history.

**New Incentives to Move People from Welfare to Work** -- the Balanced Budget included \$3 billion to move long-term welfare recipients into jobs and a tax credit for employers.

**New Funding to Help People Get to Work** -- the Transportation Equity Act for the 21st Century authorizes \$750 million over five years for the President's Access to Jobs initiative and reverse commute grants to help communities design innovative transportation solutions so that families who need to work can get to work.

**Expanded Investment in Urban and Rural Areas** -- by creating over 120 Empowerment Zones and Enterprise Communities and expanding access to capital.

**Environment: New Standards to Protect Our Environment for the Future**

**Issued Toughest New Air Quality Standards in a Generation** -- issued new air quality standards for smog and soot that will prevent 15,000 premature deaths a year and improve the lives of millions of Americans who suffer from respiratory illnesses.

**Cleaning Up Toxic Waste Sites and Redeveloping Brownfields** -- cleaned up twice as many Superfund sites in less than six years as previous administrations did in twelve. The Brownfields tax incentives have leveraged nearly \$1 billion for redevelopment of industrial sites and created over 2,000 jobs.

**Providing Safe Drinking Water** -- proposed and signed legislation to strengthen the Safe Drinking Water Act to ensure that our families have healthy, clean tap water.

**Reducing the Threat of Global Warming** -- negotiated an international treaty to reduce greenhouse gas emissions in an environmentally strong and economically sound way. Proposed a five-year \$6.3 billion package of tax incentives and research investments to reduce greenhouse gas emissions through energy efficiency and clean energy technologies.

**Protecting Our Natural Treasures -- protected or enhanced nearly 150 million acres of public and private lands, from the red rock canyons of Utah to the Florida Everglades. Reached agreements to protect Yellowstone from mining and save the ancient redwoods of California's Headwaters Forest.**

*Foreign Policy: World's Strongest Force for Peace, Freedom and Prosperity*

*Ratified NATO Enlargement* -- ensuring a more stable, democratic Europe and a fully-integrated Russia.

*Brokered Peace In Northern Ireland* -- ending decades of bloodshed.

*Secured Peace In Bosnia* -- by brokering the Dayton Peace accords, sending peacekeepers to the region, supporting democratic institutions, providing for refugees and bringing war criminals to justice.

*Restored Democracy in Haiti* -- ending military dictatorship and stopping the flow of refugees to the United States.

*Protecting Americans from Weapons of Mass Destruction* -- by dramatically reducing Russian and U.S. nuclear arsenals through START treaties; ridding Ukraine, Belarus and Khazakstan of nuclear weapons; extending indefinitely the Non-Proliferation Treaty; and signing the Comprehensive Test Ban Treaty.

*Combatting Terrorism* -- by striking at terrorists in Afghanistan and Sudan, increasing international cooperation and giving law enforcement new and stronger tools.

*Opening Markets Abroad to Create Jobs at Home* -- by negotiating over 240 free-trade agreements, including NAFTA and GATT.

*Secured Ratification of the Chemical Weapons Convention* -- banning the production, stockpiling, and use of chemical weapons.

**Led Efforts to Rid the World of Land Mines** -- eliminating non-self-destructing mines from our arsenals, seeking alternatives to self-destructing mines by 2006 and devoting more resources to removing existing mines than the rest of the world combined.

*Addressing New Threats to National Security* -- from biological weapons and cyber-terrorism by protecting our critical infrastructure, strengthening our ability to respond to attacks and enforcing international treaties.

*Developed International Crime Control Strategy* -- to combat money launderers and catch drug traffickers.

*Strengthened Relations with China* -- engaging its leaders in ground-breaking human rights dialogue.

*Containing Saddam Hussein* -- through diplomacy backed by force.

*Persuaded North Korea To Freeze Its Dangerous Nuclear Weapons Program.*

*Leading International Efforts To Address Global Economic Crisis* -- and stimulate worldwide growth.

*Leading Force For Peace In The Middle East* -- in mediating the Oslo peace process.

*Saved Mexico From Economic Disaster* -- by providing financial relief.

*Improved Partnerships With Africa* -- through historic Presidential trip to Ghana, Uganda, Rwanda, South Africa, Botswana and Senegal.

### **Science and Technology: Leading America into the Next Millennium**

**Historic Investments in Biomedical Research** -- increased funding for the National Institutes of Health (NIH) in critical research areas, such as cancer, the Human Genome Project, HIV/AIDS and heart disease.

**Building the Next Generation Internet** -- now connecting more than 100 universities at speeds that are 100 to 1,000 times faster than today's Internet and developing the next generation of applications, such as telemedicine.

**Ensuring U.S. Leadership in Space, Science and Technology** -- increasing investments in science and technology for five years in a row, while bringing down the deficit. Continuing to support exploration of space including the Mars Pathfinder mission.

**Ensuring the Nation's Security** -- Instituted a science-based program to maintain the safety and reliability of the U.S. nuclear deterrent without the need for nuclear testing, enabling the President to be the first world leader to sign the Comprehensive Test Ban Treaty.

## **PRESIDENT CLINTON AND VICE PRESIDENT GORE:**

### *Supporting Women and Families*

#### ***EXPANDING ECONOMIC OPPORTUNITIES:***

- **Protecting Families.** The Family & Medical Leave Act (FMLA) enables workers to take up to 12 weeks unpaid leave to care for a new baby or ailing family member without jeopardizing their job. Millions of workers have already benefited from FMLA since its enactment. The President also proposed expanding the Family & Medical Leave Act to allow workers up to 24 hours per year of unpaid leave for parent-teacher conferences or routine medical care for a child.
- **Cutting Taxes for 15 Million Working Families** by extending the Earned Income Tax Credit (EITC). In 1997, the EITC lifted 4.3 million people, including 2.2 million children, out of poverty -- double the number of people lifted out of poverty by the EITC in 1993.
- **Increasing the Minimum Wage from \$4.25 to \$5.15**, giving six million women a raise.
- **Narrowing the Wage Gap.** Last year, the median earnings of women working full-time increased 3 percent. In 1997, the median earnings of women represented 74 percent of the median earnings for men, remaining the narrowest gap ever.
- **Fighting for Paycheck Equity.** Called on Congress to pass legislation to strengthen laws prohibiting wage discrimination.
- **Highest Homeownership Rate in History.** There are more than 68 million American families who own homes, more than six million new homeowners since the President took office. Women's homeownership is increasing at a faster rate than the rest of the country -- up five percent since the first quarter of 1994.
- **Increasing Pension Security.** Fought for legislation that has expanded pension coverage, made pensions more secure for 40 million American workers and retirees, and simplified pension plan administration. Promoting new efforts to encourage retirement savings.
- **Saving Social Security First.** In 1999, nearly 60 percent of all Social Security beneficiaries will be women. Social Security will be the major source of retirement income for a majority of these women. President Clinton is committed to saving Social Security for the 21st Century and has urged that budget surpluses be reserved for a bipartisan plan to strengthen Social Security.

#### ***CARING FOR OUR CHILDREN:***

- **Extending Health Care to Millions of Children with the Children's Health Insurance Program (CHIP).** This is the single largest investment in Health Care for children since 1965. The President fought to ensure that the Balanced Budget included \$24 billion to provide real health care coverage to millions of uninsured children.
- **Fought for and Won \$500 Child Tax Credit for 26 Million Families with Over 40 Million Children under Age 17.** Twelve million children from families with income below \$30,000 will receive the child tax credit as a result of the President's efforts.
- **Largest Four-Year Drop in Child Poverty Since 1960s.** Under President Clinton, the child poverty rate has declined from 22.7 percent to 19.9 percent -- the biggest four-year drop in nearly 30 years (1965-1969). While this marks significant progress, **President Clinton will continue to fight for policies that help to raise incomes and reduce poverty.**
- **Ensuring Safe Food for America's Families**, making food safety a priority. Issued new standards to reduce and prevent contamination of meat, poultry, and seafood; signed the Food Quality Protection Act with special safeguards for kids; issued new regulations that improve the safety of

fruit and vegetable juices; and created a President's Council on Food Safety which will develop a comprehensive food safety strategic plan for federal agencies.

- **Held First-Ever White House Conference on Child Care and White House Conference on Early Child Development and Learning.** In April 1997, the President and First Lady held the White House Conference on Early Child Development and Learning to highlight the benefits of early nurturing by parents. And in October 1997, the White House Conference on Child Care began a dialogue on the child care challenges facing parents today -- availability, affordability, and assuring safety and quality.
- **Proposed the Largest Single Investment in Child Care in the Nation's History.** Between FY93 and FY97, federal funding for child care increased by nearly 79 percent, providing child care services for over one million children. If enacted, the President's \$21 billion child care proposal will give child care subsidies to millions of children and increase tax credits for three million working families to help them pay for child care.
- **Signed Landmark Adoption and Safe Families Act.** This law will help thousands of children waiting in foster care move more quickly into safe and permanent homes.
- **Signed the Comprehensive Childhood Immunization Initiative.** Thanks to President Clinton, immunization rates among two-year-olds have reached historic highs.
- **Took Steps to Ensure Children Have Safe Medications.** Unveiled an FDA regulation that protects children by requiring manufacturers to study appropriate dosage levels of drugs for pediatric populations.
- **Launched New Strategies to Reduce the High Rate of Teen Pregnancies.** Teen (aged 15 to 19 years) births have fallen six years in a row, by 12 percent from 1991 to 1996.
- **Increased Child Support Collections by Nearly 70%.** Signed into law the toughest child support crackdown in history.
- **Imposed Strict Measures to Keep Cigarettes out of the Hands of Our Children** by restricting youth-targeted advertising; and the FDA made 18 the minimum age to purchase tobacco products nationwide, requiring photo I.D.s for anyone under the age of 27. And the President is fighting to enact comprehensive tobacco legislation.

#### ***INVESTING IN EDUCATION AND TRAINING:***

- **Largest Investment in Education in 30 Years.** Maintaining his longtime commitment to education, the President enacted the largest investment in education in 30 years -- and the largest investment in higher education since the G.I. Bill -- by signing the 1997 Balanced Budget Act.
- **Providing Early Education to More than 830,000 Children with Head Start.** 200,000 more children are enrolled in Head Start today than in 1992.
- **Teaching Every Child to Read by the 3rd Grade.** More than 1000 colleges have committed work-study students to tutor children in reading, and thousands of AmeriCorps members and senior volunteers are organizing volunteer reading campaigns. In addition, the President is working to enact an early literacy bill such as the America Reads Initiative that will provide more tutors after school, improve the teaching of reading in our schools, and help parents help their children learn to read.
- **Fighting for Critical Education Investments.** The President has called on Congress to pass critical education priorities included in his FY99 Budget that include initiatives to recruit quality teachers, rebuild crumbling schools and reduce class size.
- **Striving for Excellence with National Education Standards.** Seeking high national standards for

all students, the President has proposed a first-ever national test in 4th grade reading and 8th grade math.

- **Expanding Choice and Accountability in Public Schools.** Supported increase of public charter schools, from only one charter school in the nation in 1993 to more than 1,000 charter schools this year.
- **Promoting National Service** and educational opportunities through AmeriCorps.
- **Fought for Passage of Education Tax Breaks to Promote Lifelong Learning.** Representing the largest single increase in higher education since the G.I. Bill, the Balanced Budget includes a \$1,500 Hope Scholarship to make the first two years of college universally available, and a 20-percent tuition tax credit for college juniors, seniors, graduate students, and working Americans pursuing lifelong learning.
- **Largest Increase in Pell Grants in 20 Years.** Nearly 4 million students will receive a Pell Grant of up to \$3,000, 30% larger than when the President took office.

### ***IMPROVING OUR NATION'S HEALTH:***

- **Protected and Strengthened Medicare, Benefiting the 22 Million American Women Enrolled in Medicare.** The Balanced Budget Act extended the life of the Medicare Trust Fund for at least a decade; expanded choices in health plans; and provided beneficiaries new preventive benefits, including more affordable annual mammograms for all beneficiaries, cervical cancer screening, and tests to help detect osteoporosis. The President has also put forth a new proposal that will provide greater access to health insurance for Americans ages 55 to 65, including an option to buy into Medicare.
- **Increased Funding for Breast Cancer Research.** Since the President took office, funding for breast cancer research, prevention and treatment has doubled, from about \$275 million in FY 1993 to \$577 million in the President's FY 1999 budget. In addition, the President has implemented the Mammography Quality Standards Act to ensure the quality of mammograms. Women can now find a certified mammography facility by calling 1-800-4-CANCER.
- **Providing Protection with the Patients' Bill of Rights.** The President is calling on Congress to pass Federally enforceable consumer health care protections that include: guaranteed access to needed health care specialists including direct access to an OB-GYN; access to emergency room services when and where the need arises; continuity of care protections to ensure that patients' care will not abruptly change if their provider is dropped; access to a timely internal and independent external appeals process for consumers to resolve their differences with their health plans; a limit on financial incentives to doctors to limit care and assurances that doctors and patients can openly discuss treatment options. Women are particularly vulnerable without these health care protections because they are greater users of health care services, they make three-quarters of the health care decisions for their families, and they have specific health care needs that are directly addressed by a patients' bill of rights.
- **Preventing Discrimination Based on Genetic Information Both by Health Plans and Employers.** Urging Congress to pass bipartisan legislation to prohibit health plans from inappropriately using genetic screening information to deny coverage, set premiums, or to distribute confidential information. The President also has supported legislation that ensures that employers do not use genetic information to discriminate against employees.
- **Fought for Greater Health Security for America's Families.** The President signed into law the Health Insurance Portability and Accountability Act which helps millions of Americans who move

from one job to another, who are self-employed, or who have pre-existing medical conditions keep their health insurance.

- **Endorsed Legislation That Would Ban Drive-thru Mastectomies**, allowing women to stay in the hospital at least 48 hours following a mastectomy.
- **Ended Drive-Thru Deliveries.** Proposed and signed into law legislation requiring insurers to cover at least 48 hours of a post-natal hospital stay (72 hours for a Cesarean).

#### ***MAKING OUR HOMES AND COMMUNITIES SAFER:***

- **Putting 100,000 More Police on the Streets.** At this time, nearly 80,000 officers have been funded through the 1994 Crime Bill, on the way to 100,000 more police on the streets and in our communities. And violent crime has dropped six years in a row - the longest period of decline in 60 years.
- **Signed the Assault Weapons Ban, the Brady Bill and an Extension of Brady into Law.** The Brady Law has already kept handguns away from 250,000 persons including felons, fugitives and individuals convicted of domestic violence misdemeanors or who are under restraining orders. The President signed into law the extension of the Brady Law, which prohibits anyone convicted of a domestic violence offense -- misdemeanor or felony -- from owning or possessing a firearm.
- **Will Hold the First-Ever White House Conference on School Safety.** On October 15, 1998, the President will host the White House Conference on School Safety. The participants will explore solutions to this national challenge: How do schools, families and communities work together to make sure that every child is safe in every school in America.
- **Signed Megan's Law and the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act**, requiring states to set up sex offender registration systems and allows community notification when sex offenders move into neighborhoods.
- **Championed and Signed the Violence Against Women Act**, the cornerstone of the President's efforts to fight domestic violence, and created an office at the Department of Justice dedicated to combating violence against women.
- **More than Tripled Funding to Domestic Violence Shelters** and instituted new penalties against men who stalk, threaten or abuse women across state lines.
- **Established Nationwide 24-Hour Domestic Violence Hotline.** The hotline (1-800-797-SAFE) provides immediate crisis intervention, counseling and referrals for those in need. Since the hotline opened, there have been 229,000 calls -- averaging 8,000 calls a month -- from all 50 States, the District of Columbia, Puerto Rico, and the U.S. Virgin Islands.

#### ***PROMOTING REPRODUCTIVE HEALTH SERVICES FOR WOMEN:***

- **Reversed the "Gag Rule"** limiting the information federally funded family planning clinics could give to women.
- **Greater Support for Family Planning.** The President's FY99 proposal will increase Title X Family Planning grants by \$15 million -- a 46 percent increase since FY92.
- **Signed the Freedom of Access to Clinic Entrances Act**, establishing a safety-zone around women's health clinics.

#### ***STRENGTHENING EQUAL EMPLOYMENT PROTECTIONS:***

- **Increasing Civil Rights Enforcement.** Proposed for the largest single increase in funding to

enforce existing civil rights laws in nearly two decades. Through new reforms and heightened commitment to enforcement, the Administration will seek to prevent discrimination before it occurs and to punish those who do discriminate in employment, education, housing and health care, and against those with disabilities. **The Clinton Administration's FY99 budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million over last year's funding.**

- **Increasing Funding for the Equal Employment Opportunity Commission (EEOC).** The cornerstone of the improved civil rights enforcement effort is a \$37 million increase (15 percent) for the EEOC. Through increased use of mediation, improved information technology and an expanded investigative staff, the EEOC will reduce the average time for resolving private-sector complaints from over 9.4 months to 6 months and cut the backlog of cases from 64,000 to 28,000, by the year 2000.

#### ***GENERATING MORE BUSINESS OPPORTUNITIES FOR WOMEN:***

- **Women Are Starting Businesses at Twice the Rate of All Businesses.** Women own nearly 40 percent of all firms in the United States. These eight million women-owned firms employ 18.5 million —one in every five U.S. workers — and contribute \$2.3 trillion to the economy. The Small Business Administration's Office of Women's Business Ownership is working to foster this growth.
- **Tripled the Number of Small Business Loans to Women Entrepreneurs.** Between 1993 and 1997 the SBA approved nearly 50,000 loans to women entrepreneurs under the 7(a) and 504 loan programs. Last year alone, the Small Business Administration granted more than 10,000 loans, worth \$1.67 billion, to women small business owners, triple the number of loans granted in 1992.

#### ***WOMEN AS PARTNERS IN DECISION MAKING:***

- **Appointed More Women than Any Other President** -- 41 percent of Administration appointees are women.
- **Women Hold 29 Percent of the Top Positions** -- 29 percent of the positions requiring Senate confirmation (PAS) are held by women. Additionally,
  - 34 percent of Presidential appointments, including boards and commissions, are held by women.
  - 39 percent of non-career Senior Executive Service positions are held by women.
  - 58 percent of Schedule C positions are held by women.
- **Appointed the First Women Ever to Serve as Attorney General, Janet Reno, and Secretary of State, Madeleine Albright.** Including the Attorney General and Secretary of State, women make up 27 percent of the Clinton Cabinet: Alexis Herman, Secretary of Labor; Donna Shalala, Secretary of Health and Human Services; Carol Browner, Administrator of the Environmental Protection Agency; Janet Yellen, Chair of the Council of Economic Advisors; and Charlene Barshefsky, United States Trade Representative all serve in the President's Cabinet.
- **30 Percent of All of the President's Judicial Nominees Are Women.**
- 

**Nomin  
ated  
the  
Secon  
d  
Woma**

n to  
Serve  
on the  
Supre  
me  
Court.

During  
his  
first  
year in  
office,  
Preside  
nt  
Clinto  
n  
nomina  
ted  
Ruth  
Bader  
Ginsbu  
rg to  
the  
United  
States  
Supre  
me  
Court.  
Justice  
Ginsbu  
rg is  
only  
the  
second  
woman  
to  
serve  
on the  
nation'  
s  
highest  
court.

**PRESIDENT CLINTON AND VICE PRESIDENT GORE**  
*Working on Behalf of African Americans*

**ECONOMY**

**Balanced the Federal Budget.** In 1992, the budget deficit was \$290 billion, a record dollar high. This year, the budget will be in surplus for the first time in 30 years.

**Saving Social Security First.** President Clinton is committed to saving Social Security for the 21st Century. The President will fight any attempt to break the budget rules and drain the surplus. His commitment is unwavering: every penny of any future surplus must be reserved until a bipartisan plan to save Social Security is enacted.

**Nearly 17 Million New Jobs.** Under President Clinton, more new jobs have been created in 5 ½ years than were created during the entire 8 years of the Reagan Administration (16.7 million under Pres. Clinton vs. 16.0 million under Pres. Reagan).

**Declining Unemployment.** The unemployment rate for African Americans has dropped from 14.1 percent in January 1993 to 9.0 percent today -- one of the lowest African American unemployment rates on record.

**The Lowest Inflation in More than 30 Years.** Since 1993, the inflation rate has averaged just 2.5 percent -- the lowest average inflation rate since the Kennedy Administration. Over the past year, the Consumer Price Index has increased only 1.6 percent.

**Strong Private Sector Growth.** The private sector of the economy has grown 3.9 percent annually -- the fastest rate of private-sector growth since the Johnson Administration.

**Median Income of African American Households Is Up \$3,354.** The median income of African American households rose 4.3 percent (or \$1,029) last year. And since 1993, the median income of African American households has increased from \$21,696 to \$25,050 -- \$3,354 or a 15-percent increase, adjusted for inflation, between 1993 and 1997.

**Tax Cuts For Low-Income Working Families.** President Clinton's 1993 Economic Plan provided tax cuts to 15 million hard-pressed working families by expanding the Earned Income Tax Credit (EITC). The average family with two kids who received the EITC received a tax cut of \$1,026. In 1997, the EITC lifted 1.1 million African Americans out of poverty.

**Largest Four-Year Drop in African American Poverty in More than Twenty-Five Years.** Since 1993, the African American poverty rate has dropped from 33.1 percent to 26.5 percent -- the largest four-year drop in African American poverty in more than a quarter century (1967-1971) and 26.5 percent is the lowest level on record (data collected since 1959). While this decrease marks significant progress, **President Clinton will continue to fight for policies that help to raise incomes and reduce poverty.**

*Child Poverty Among African Americans Down To Lowest Level on Record.* In 1997, the African American child poverty rate fell from 39.9 percent to 37.2 percent -- its lowest level on record (data collected since 1959). Since 1993, the child poverty rate among African-Americans has dropped from 46.1 percent to 37.2 percent -- the biggest four-year drop on record.

**Minimum Wage Increased.** The President raised the minimum wage to \$5.15 an hour -- directly benefitting 1.3 million African American workers.

**Fighting for Paycheck Equity.** The President has called on Congress to pass legislation to strengthen laws prohibiting wage discrimination. In 1996, the median earnings of African American women represented 65 percent of the median earnings for men.

**Two and a Half Times More Small Business Loans to African American Entrepreneurs.**

Between 1993 and 1997 the Small Business Administration (SBA) approved more than 9,000 loans to African American entrepreneurs under the 7(a) and 504 loan programs. Last year alone, the Small Business Administration granted 1,900 loans, worth \$286 million, to African American small business owners, two and a half times the number of loans granted in 1992.

**Supporting Minority Business Communities and Increasing Access to Capital.** Building on the efforts of the SBA, Vice President Gore unveiled aggressive plans to increase lending and business services to the African American and Hispanic business communities nationwide. The SBA has set a goal of providing an estimated total of \$1.86 billion in loans to African American small businesses over a three-year period. In addition, the **Vice President announced an unprecedented agreement between SBA and the "Big Three" U.S. automakers to increase subcontracting awards to minority businesses by nearly \$3 billion over the next three years -- a 50 percent increase over current levels.**

**Ensuring Minority Business Owners Have a Fair Opportunity to Compete.** The President signed the Transportation Equity Act for the 21st Century into law on June 9, 1998. The Act protects the Disadvantaged Business Enterprise (DBE) Program, a program that ensures that minority and women owned businesses have an opportunity to compete for transportation projects. The Administration helped defeat an amendment to the House version of this bill that would have eliminated the DBE Program. **In a different measure, the President also approved the creation of a new program to target assistance to minority-owned businesses in industries that continue to reflect the effects of discrimination. As a result, thousands of minority-owned businesses will be able to compete more effectively for government contracts.**

**Working on Behalf of Minority Farmers.** The U.S. Department of Agriculture (USDA) is working to strengthen programs and increase outreach targeted to underserved communities, including increasing its lending to minority and women producers. In the past five years there has been a 74 percent increase in direct lending to these groups -- from \$46.5 million in FY93 to \$81 million in FY97. Additionally, the Administration is committed to righting any past wrongs by federal employees and has worked with the Congress in crafting language contained in the Agriculture Appropriations bill that would waive the two-year statute of limitations on discrimination complaints against USDA's farm and housing loan programs. This waiver would allow compensation to be

provided to many minority farmers who were victims of discrimination by USDA from the early 1980's through the 1990's.

**Expanding Access to Capital with Community Development Financial Institutions (CDFI).** The President has expanded access to capital through the creation of the Community Development Financial Institutions Fund, which supports banks and other entities that specialize in lending and investing in under-served communities. **The President's FY99 Budget includes a \$45 million increase in CDFI funding (from \$80 million to \$125 million) to allow the Fund to provide additional support for these institutions, including through an expanded training and technical assistance initiative.**

**Expanding Investment in Urban and Rural Areas.** Thanks to President Clinton and the 1993 Economic Plan, 125 Empowerment Zones and Enterprise Communities have been created, **programs that are spurring economic development in distressed communities. And the President's FY99 budget provides \$150 million a year for 10 years to fund 15 new urban Empowerment Zones (EZs) and \$20 million a year for 10 years to fund five new rural EZs. Additionally, the President's FY99 budget includes \$400 million -- nearly triple the FY98 appropriation -- for a new Community Empowerment Fund (CEF) that is expected to leverage an estimated \$2 billion in private-sector loans to help communities invest in businesses and create jobs.**

**Homeownership Is Up.** In the last four years, 628,000 African Americans have become new homeowners.

**Expanding Low-Income Housing Tax Credit by 40 Percent.** In 1993, President Clinton fulfilled his promise to permanently extend the Low-Income Housing Tax Credit, spurring the private development of low-income housing and helping to build 75,000-90,000 housing units each year. President Clinton now proposes to expand the credit by 40 percent. Over the next five years, this expansion will mean an additional 150,000 to 180,000 quality affordable rental units.

**Put Forth a "Play-by-the-Rules" Homeownership Initiative and a Homeownership Zones Initiative.** The FY99 budget proposal for the Neighborhood Reinvestment Corporation includes \$25 million for a new initiative that would make homeownership more accessible to families who have a good rental history but have difficulty purchasing a home, 10,000 lower-income and minority families who are currently renting would benefit from this initiative. In addition, the President's FY99 budget includes \$25 million for Homeownership Zones, abandoned housing and distressed neighborhoods that communities could reclaim with this funding. Funds could be used for property acquisition, demolition, site preparation, housing construction or rehabilitation, homeownership counseling, relocation, and activities to further fair housing and homeownership.

#### FIGHTING FOR EQUAL OPPORTUNITY

**Building One America.** The President has led the nation in an effort to become One America in the 21st Century: a place where we respect others' differences and, at the same time, embrace the common values that unite us. **Dr. John Hope Franklin, Advisory Board Chair, and Rev. Suzan Johnson Cook served on the Advisory Board to the President's Initiative on Race, which the President charged**

with overseeing this effort, **The President, the Administration and the Advisory Board were actively involved in public outreach efforts -- including holding numerous public meetings and town halls -- to engage Americans across the nation in this historic effort. One of the critical elements of the President's Initiative on Race was identifying, highlighting and sharing with the nation promising practices -- local and national efforts to promote racial reconciliation. The Advisory Board presented their final report to the President on September 18, 1998, and recommended that conversations on race continue.**

**Creating an Administration that Looks Like One America.** The President appointed the most diverse Cabinet and Administration in history. The Clinton Cabinet includes three African Americans: Rodney Slater, Secretary of the Department of Transportation; Togo West, Jr., Secretary of Veterans Affairs and Alexis Herman, Secretary of Labor. Additionally, African Americans serve in the Administration as Surgeon General, Deputy Attorney General for the Department of Justice, Director of the National Park Service, Deputy Secretary of Commerce, Department of Education General Counsel and as the Department of Education's Chief of Staff. Thirteen percent of Clinton Administration appointees are African American, which is twice as many African Americans as any previous administration. White House appointees include: Bob Nash, Assistant to the President and Director of Presidential Personnel; Thurgood Marshall, Jr., Assistant to the President and Director of Cabinet Affairs; Minyon Moore, Assistant to the President and Director of Public Liaison; Cheryl Mills, Deputy Assistant to the President and Deputy Counsel and Robert (Ben) Johnson, Deputy Assistant to the President and Deputy Director of Public Liaison.

**Increasing the Number of Judicial Appointments.** President Clinton has named 12 African Americans as U.S. Attorneys and 12 African Americans as U.S. Marshals. The President has nominated over 54 African Americans to the Federal bench, 17 percent of his total Federal bench nominations.

**Ordered an Assessment of Affirmative Action Programs.** The President ordered a comprehensive review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand educational and economic opportunity to all Americans. **This review of federal affirmative action programs has helped to ensure that these programs are fair and effective and that they can survive legal challenges. As a result, programs that benefit African Americans, including students, working men and women, and business owners, remain in effect and are more likely to be upheld by the courts.**

**Increasing Civil Rights Enforcement.** **On Martin Luther King, Jr., Day, January 19, 1998, Vice President Gore** announced the Administration's proposal for the largest single increase in funding to enforce existing civil rights laws in nearly two decades. Through new reforms and heightened commitment to enforcement, the Administration will seek to prevent discrimination before it occurs and to punish those who do discriminate in employment, education, housing and health care, and against those with disabilities. **The Clinton Administration's FY99 budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million over last year's funding. And an additional \$1 million will allow the Department of Justice's Civil Rights Division to enhance coordination of federal civil rights enforcement policy among agencies. Improved coordination will lead to more consistent enforcement of civil rights laws, broader dissemination of best practices and improved data collection.**

**Increasing Funding for the Equal Employment Opportunity Commission (EEOC).** The cornerstone of the improved civil rights enforcement effort is a \$37 million increase (15 percent) for the EEOC. Through increased use of mediation, improved information technology and an expanded investigative staff, the EEOC will reduce the average time for resolving private-sector complaints from over 9.4 months to 6 months and cut the backlog of cases from 64,000 to 28,000, by the year 2000.

**Creating a National Memorial to Honor Dr. Martin Luther King.** In July of 1998, President Clinton signed a new measure authorizing the creation of a national monument to Dr. King on the National Mall in Washington, D.C.

*Opposed California Prop. 209 and Similar Measures.* The Clinton Administration strongly opposes state and local initiatives to eliminate affirmative action programs that expand opportunities for African Americans and others. The Administration opposed Proposition 209 in California and filed *amicus* briefs opposing Prop. 209, which currently prohibits state affirmative action programs. The Clinton Administration opposed a similar initiative in Houston, which was defeated and is currently opposing an initiative in Washington that is similar to Prop. 209. In all these cases, representatives of the administration have spoken out strongly against these initiatives as unfair and a barrier to equality.

*Ensuring Election Fairness.* The Clinton Administration defended racially fair redistricting plans against claims that they were unconstitutional and prevented election day discrimination against minority voters and voter intimidation and harassment by monitoring polling place activities in a record number of states and counties.

**Increasing Voter Registration.** During 1995 and 1996, the National Voter Registration Act or "Motor Voter" law registered nearly 14 million new voters and made voting easier for millions more. Notably, 1996 saw the highest percentage of voter registration since 1960. [FEC, 6/97]

**Working for Fair Housing.** To respond to the increase in reported cases of serious fair housing violations, HUD will double the number of its civil rights enforcement actions by the year 2000. HUD has also committed \$15 million to 67 fair housing centers around the country to assist in fighting housing discrimination this year. In addition, the President's budget proposes \$10 million for a targeted enforcement initiative that will use paired testing -- identical applicants of different races or genders approaching Realtors or landlords -- to detect and eliminate housing discrimination.

**Defended Fairness.** The Clinton Administration has filed more cases between 1993 and 1997 to enforce fair housing laws than any other Administration (more than 500 cases). For instance, this Administration desegregated a Vidor, Texas, public housing complex and ordered a Mississippi bank to implement remedial lending plans for minority customers who were unfairly denied loans by the bank.

**Eliminated Discriminatory "Redlining" Practices.** The Clinton Administration negotiated agreements with health care agencies to eliminate discriminatory "redlining" practices denying home health care services based on residential location.

**Apologized to the Victims of Tuskegee.** President Clinton apologized to the victims of the Tuskegee Syphilis Experiment and their families, and directed Health and Human Services Secretary Donna Shalala to issue a report about how best to involve communities, especially minority communities, in research and health care. HHS awarded a planning grant to Tuskegee University to help it establish a center for bioethics in research and health care.

**Working to Ensure a Fair and Accurate Census.** The Clinton Administration is working to ensure that Census 2000 is the most accurate census possible using the best, most up-to-date scientific methods as recommended by the National Academy of Sciences. According to the Census Bureau, the 1990 Census missed 8.4 million people and double-counted 4.4 million others. Nationally, 4.4 percent of African Americans were not counted in the 1990 census. While missing or miscounting so many people is a problem, the fact that certain groups -- such as children, the poor, people of color, city dwellers and people who live in rural rental homes -- were missed more often than others made the undercount even more inaccurate. **A fair and accurate Census is a fundamental part of a representative democracy and is the basis for providing equality under the law.** The President is determined to have a fair and full count in 2000.

#### CHILDREN AND FAMILIES

**Protecting Families.** The Family & Medical Leave Act (FMLA) enables workers to take up to 12 weeks unpaid leave to care for a new baby or ailing family member without jeopardizing their job. Millions of workers have already benefited from FMLA since its enactment. The President also proposed expanding the Family & Medical Leave Act to allow workers up to 24 hours per year of unpaid leave for parent-teacher conferences or routine medical care for a child.

**Eliminating Racial and Ethnic Health Disparities.** President Clinton has announced a \$400 million initiative to end racial and ethnic health disparities. The effort sets a national goal of eliminating the longstanding disparities by the year 2010 in six key health areas: infant mortality, diabetes, cancer screening and management, heart disease, AIDS and immunizations. For example, African Americans suffer from diabetes at 70 percent higher rates than white Americans. The President announced a five-step plan -- led by Surgeon General and Assistant Secretary for Health Dr. David Satcher -- to mobilize the resources and expertise of the Federal government, the private sector, and local communities.

**Focused Health Efforts.** Established the Office of the Minority Health Research and Alternative Medicine at the National Institutes of Health. Helped communities develop culturally-competent systems for the care of children with serious emotional disturbances through the Comprehensive Mental Health Services for Children and Families program.

**Fighting to Pass a Strong, Enforceable Patients' Bill of Rights.** President Clinton has called on the Congress to pass a strong, enforceable patients' bill of rights that assures Americans the quality health care they need. The bill should include important patient protections such as: assuring direct access to specialists; real emergency room protections; continuity of care provisions that protect patients from abrupt changes in treatment; a fair, timely, and independent appeals process for patient grievances; and enforcement provisions to make these rights real.

**Protected and Strengthened Medicare, Benefiting the 3.4 Million African Americans Enrolled in Medicare.** The Balanced Budget Act extended the life of the Medicare Trust Fund for at least a decade; expanded choices in health plans; and provided beneficiaries new preventive benefits. The President has also put forth a new proposal that will provide greater access to health insurance for Americans ages 55 to 65, including an option to buy into Medicare.

**Extended Health Care to Millions of Children with the Children's Health Insurance Program (CHIP).** Because of the President's leadership, the Balanced Budget included \$24 billion to provide real health care coverage to up to five million more children, the largest children's health care budget increase since Medicaid was created in 1965. Minority children make up a disproportionate number of the over 10 million uninsured children. African American children make up 25 percent and Hispanic children make up 30 percent of all uninsured children -- more than twice their percentage of the overall population. The Administration is actively reaching out to communities to target and enroll eligible, uninsured children in CHIP.

**Increased WIC -- \$1 Billion Higher.** Under President Clinton, participation in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) has expanded by 1.7 million -- from 5.7 million in 1993 to 7.4 million women, infants, and children in 1998, with funding rising from \$2.9 billion to \$3.9 billion. The President's budget proposes \$4.1 billion in WIC funding to serve 7.5 million women, infants, and children in 1999, fulfilling his goal of full participation in WIC. Research shows that every \$1 increase in the prenatal care portion of the WIC program cuts between \$1.77 and \$3.90 in medical expenses in the first 60 days following childbirth. In 1996, 25 percent of the infants who benefited from WIC were African American.

**Expanded Head Start By Nearly 60 Percent -- Over \$1.5 Billion Higher Per Year.** Since 1993, President Clinton has expanded Head Start by 57 percent, from \$2.8 billion in FY93 to \$4.4 billion in FY98. Of the estimated 830,000 children now enrolled in Head Start, 36 percent of the children are African American. The President's FY99 Budget increases Head Start funding by \$313 million, which would mean Head Start funding would be 68-percent higher in 1999 than in 1993. The President is on track to meet his goal of enrolling one million children in Head Start.

**Proposed the Largest Single Investment in Child Care in the Nation's History. The President's \$21 billion child care proposal will give child care subsidies to millions of children and increase tax credits for three million working families to help them pay for child care.**

**Providing After-School Opportunities for Up to Half a Million Children a Year.** Last year, the President fought for, and won, a \$40 million expansion of the 21st Century Community Learning Centers program. Building on the success of this program, the President's FY99 budget includes a \$200 million major expansion, which will provide safe and educational after-school opportunities for up to 500,000 school-age children in rural and urban communities across the country.

## EDUCATION

**Made the Largest Investment in Education in 30 Years.** Maintaining his longtime commitment to education, the President enacted the largest investment in education in 30 years -- and the largest investment in higher education since the G.I. Bill -- by signing the 1997 Balanced Budget Act.

**Established the First African American Advisory Board.** Established the President's Board of Advisors for Historically Black Colleges and Universities (HBCUs) to strengthen the capacity of historically black colleges and universities to provide quality education and advised on ways to increase the private sector's role in these institutions.

**Increased Funding and Grants for HBCUs.** Increased funding for Historically Black Colleges by over \$250 million between FY92 and FY98 -- an increase of nearly 25 percent. Today, America's 105 HBCUs are educating almost 300,000 African Americans.

**AmeriCorps College Support.** Since 1993, more than 100,000 people have had the opportunity to serve through AmeriCorps, with African Americans comprising 20 percent of all participants (1996 data). This year alone, nearly 50,000 young people will take advantage of the opportunity to serve and earn an award of up to \$4,725 to pay for college or repay student loans.

**Expanding Investments In Youth Education And Training.** One of the President's top priorities is fighting efforts by Congress to eliminate both the Summer Jobs Program, which provides jobs to roughly 530,000 disadvantaged young people, and the new Youth Opportunity Area Initiative, which would help provide job training and help finding jobs for up to 50,000 youth in the poorest communities nationwide. **The Summer Jobs programs provides an estimated 25 percent of the summer jobs held by African American 14-15 years olds and at least 16 percent held by Hispanic 14-15 year olds.** The Youth Opportunity Area Initiative program provides high school dropouts between the ages of 16 and 24 with academic and job-skills training, as well as apprenticeships building and rehabilitating affordable housing.

**Record Enrollment.** A record percentage of African Americans were enrolled in post-secondary education in 1996 -- 35.7 percent of African American high school graduates.

**Expanding College Opportunity with Tuition Tax Credits, Education IRAs, and Largest Increase in Pell Grants in 20 Years.** The President is making the first two years of college universally available with \$1500 HOPE Scholarship credits and a 20 percent tax credit helps offset tuition costs for college or lifetime learning. The expanded IRA allows penalty- and tax-free withdrawals for education. And, in the coming school year, nearly 4 million students will receive a Pell Grant of up to \$3,000, 30 percent larger than when the President took office. In the 1995-96 school year, 57 percent of all African American students enrolled full-time in college received a Pell Grant. In addition, the FY99 budget proposes \$249 million more for Pell Grants, which would help increase the maximum by another \$100 to \$3,100 -- the highest ever. This would reach 3.9 million low- and middle-income undergraduates. If the President's budget were enacted, the maximum grant would be 25-percent higher than in 1996.

**Fostering Diversity.** The White House recently awarded **Presidential Awards for Excellence in Science, Mathematics and Engineering Mentoring Grants to both individual mentors and institutions that foster mentoring, helping to ensure that America's future scientists and engineers come from all of the nation's racial and cultural segments of the population.**

**Modernizing Our Schools.** The President, with the help of Senator Carol Moseley-Braun (D IL), is working to pass federal tax credits to help rebuild, modernize, and build over 5,000 public schools nationwide.

**Reducing Class Size.** The President is pressing Congress to enact his proposal to reduce class size to a national average of 18 students in grades 1-3, by helping local schools hire an additional 100,000 well-prepared teachers. Research shows that minorities, and low-income students in particular, benefit academically from smaller classes.

**Teaching Every Child to Read by the 3rd Grade.** More than 1000 colleges have committed work-study students to tutor children in reading, and thousands of AmeriCorps members and senior volunteers are organizing volunteer reading campaigns. In addition, the President is working to enact an early literacy bill such as the America Reads Initiative that will provide more tutors after school, improve the teaching of reading in our schools, and help parents help their children learn to read.

**Greater Access to Education Technology.** The President has made an unprecedented commitment to bringing technology into the classroom and has called for technology training for teachers and expanded access for teachers and students to computers in the classroom. As a part of this effort, the Clinton Administration has secured the E-Rate, provided for in the Telecommunications Act, a discounted education rate for telecommunications services so schools and libraries will be able to bring technology into the classroom, set up phone lines and access the Internet at a fraction of the cost. Schools and libraries are eligible for up to 90 percent (depending on poverty level) of discounts on telecommunications and information services.

**Striving for Excellence.** Thanks to President Clinton's leadership, the *Title I* program is helping more than 10 million disadvantaged students reach high academic standards by giving them extra help with basic and advanced skills. In the 1994-95 school year, 26 percent of the children benefiting from the Title I program were African American.

**Working to Pass the High Hopes for College Initiative.** The High Hopes for College Initiative will inspire more young people to have high expectations, to stay in school and study hard, and to go to college. The Clinton Administration is working with Congressman Chaka Fattah (D PA) and other Members to pass this initiative which makes a long-term investment -- starting with \$140 million in FY99 -- to promote partnerships between colleges and middle or junior high schools in low-income communities. The President's High Hopes program will provide one million at-risk middle school students (over five years) the mentoring and tutoring needed to raise education expectations and eliminate barriers to college.

**Proposing Education Opportunity Zones.** The President proposed \$1.5 billion, over five years, to bolster reform efforts by high-poverty urban and rural school districts that demonstrate both a commitment to and a track record in improving educational achievement. Funds will be used to improve accountability, turn around failing schools, recognize outstanding teachers, deal with ineffective ones and expand public school choice. Added investments in these communities will accelerate progress and provide successful models of system-wide, standards-based reform.

**Getting Good Teachers to Underserved Areas.** Responding to the need for a diverse and excellent teaching force, President Clinton proposed a \$350 million program to attract talented people of all backgrounds to teach at low-income schools across the nation. The funding also will be used to dramatically improve the quality of training given to future teachers. This new program will help bring nearly 35,000 new teachers into high-poverty schools in urban and rural areas over the next five years.

## FIGHTING CRIME

**Enhanced Penalties for Hate Crimes.** As part of the historic 1994 Crime Act, the President signed the Hate Crimes Sentencing Enhancement Act which provides for longer sentences where the offense is determined to be a hate crime.

**White House Conference on Hate Crimes.** President Clinton hosted the first White House Conference on Hate Crimes, which examined laws and remedies that can make a difference in preventing hate crimes, highlighted solutions that are working in communities across the country, and continued the frank and open dialogue needed to build One America. **The President announced significant law enforcement and prevention initiatives to get tough on hate crimes, including: support for legislation to expand the federal hate crimes law to cover crimes based on sexual orientation, gender, or disability; the creation of a network of local hate crime working groups; the addition of approximately 50 FBI agents and federal prosecutors to enforce hate crimes laws; improved collection of data on hate crimes; and the production of materials to educate the public -- especially youth -- about hate crimes.**

**Took Action Against Church Burnings.** Focused the nation's attention and resources to help stop the rash of church burnings across the country, prosecuted those responsible, and sped the rebuilding process.

**Falling Crime Rates.** Violent crime is down six years in a row, the longest period of decline since 1960. Juvenile crime, which had been exploding, has declined 2 years in a row. Property and violent crime victimization rates are at their lowest levels in nearly 25 years.

**Putting 100,000 New Police on the Streets and Providing COPS Grants to Underserved Areas.** The President's Crime Bill, through the Community Oriented Policing Services (COPS) program, has already funded nearly 80,000 new officers. As a part of the COPS Program, the President announced new grants to increase police presence and community policing in underserved neighborhoods. Under this initiative, 18 cities will share \$106 million to hire 620 new community policing officers. The pilot cities were selected following an analysis of crime, demographic and economic data.

**Promoting Community Prosecutions.** The President's FY99 budget includes \$50 million for grants to promote community prosecution, which builds on effective community policing strategies. The funds will enable local prosecutors across the country to play a more active role in crime fighting by spending more time in their neighborhoods, both helping to solve crimes and preventing them before they happen.

## SAFE AND CLEAN ENVIRONMENT

**Environmental Justice and Redevelopment.** The Clinton Administration issued an Executive Order on Environmental Justice to ensure that low-income citizens and minorities do not suffer a disproportionate burden of industrial pollution. The Administration identified pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities, turn them

into useable space, create jobs and enhance community development.

**Issued Toughest New Air Quality Standards in a Generation.** The Clinton Administration issued new air quality standards for smog and soot that will prevent 15,000 premature deaths a year and improve the lives of millions of Americans who suffer from respiratory illnesses.

**Cleaning Up Toxic Waste Sites and Redeveloping Brownfields.** This Administration has cleaned up twice as many Superfund sites in less than six years as previous administrations did in twelve. To date, the Administration has awarded 228 Brownfields grants, for over \$42 million, to states, cities, towns, counties and tribes. These grants have leveraged nearly \$1 billion for redevelopment of industrial sites and created over 2,000 jobs.

**Providing Safe Drinking Water.** The President proposed and signed legislation to strengthen the Safe Drinking Water Act to ensure that our families have healthy, clean tap water. The Administration required America's 55,000 water utilities companies to provide regular reports to their customers on the quality of their drinking water.

**Reducing the Threat of Global Warming.** The Administration negotiated an international treaty to reduce greenhouse gas emissions in an environmentally strong and economically sound way. The President's has proposed a five-year \$6.3 billion package of tax incentives and research investment to reduce greenhouse gas emissions through energy efficiency and clean energy technologies.

**Protecting Our Natural Treasures.** The Clinton Administration has protected or enhanced nearly 150 million acres of public and private lands, from the red rock canyons of Utah to the Florida Everglades. And the Administration has recently reached agreements to protect Yellowstone from mining and save the ancient redwoods of California's Headwaters Forest.

#### AMERICAN LEADERSHIP

**Made an Historic Presidential Trip to Africa.** In 1998, President Clinton made the first trip by a sitting U.S. President to Ghana, Uganda, Botswana and Senegal. While in Africa, President Clinton focused on key issues of development, trade, investment, empowerment of women and the environment. The trip increased and enhanced ties with Africa and built upon the work and achievements of late Commerce Secretary Ron Brown, Transportation Secretary Slater and Presidential Special Envoy Jesse Jackson.

**Assisted South Africa's Transition to Democracy.** Provided over \$600 million in the first three years to the newly-elected democratic government of South Africa to support democracy and development. Established the Gore-Mbeki Bi-National Commission to promote cooperation in trade, development, the environment and security.

**Hosted the First-Ever White House Conference on Africa in July 1994.** This Conference brought together key American policy-makers and leaders to discuss the future of US-Africa relations.

**Restored Democracy for Haiti.** Restored democracy to Haiti and ended the military dictatorship.

*Launched the President's Partnership for Economic Opportunity in Africa Initiative.* This initiative deepens trade and investment between Africa and the United States and is the cornerstone of the Administration's Africa policy. The President supports passage of the bipartisan African Growth and Opportunity Act which complements his "Partnership Initiative" by further strengthening U.S.-Africa trade relations.

9/98

**PRESIDENT CLINTON AND VICE PRESIDENT GORE**  
*Working on Behalf of the Hispanic Community*

**ECONOMY**

**Balanced the Federal Budget.** In 1992, the budget deficit was \$290 billion, a record dollar high. This year, the budget will be in surplus for the first time in 30 years.

**Saving Social Security First.** President Clinton is committed to saving Social Security for the 21st Century. The President will fight any attempt to break the budget rules and drain the surplus. His commitment is unwavering: every penny of any future surplus must be reserved until a bipartisan plan to save Social Security is enacted.

**Nearly 17 Million New Jobs.** Under President Clinton, more new jobs have been created in 5 ½ years than were created during the entire 8 years of the Reagan Administration (16.7 million under Pres. Clinton vs. 16.0 million under Pres. Reagan).

**Declining Unemployment.** The unemployment rate for Latinos has dropped from 11.3 percent in January 1993 to 7.5 percent in August 1998.

*Income of Median Hispanic Households Up \$2,553 in Past Two Years.* In 1997, the income of the median Hispanic household, adjusted for inflation, increased from \$25,477 in 1996 to \$26,628 in 1997 -- an increase of \$1,151 or 4.5 percent. Over the past two years, the income of the typical Hispanic household has risen \$2,553 -- or nearly 11 percent -- the largest two-year increase in Hispanic income on record.

**The Lowest Inflation in More than 30 Years.** Since 1993, the inflation rate has averaged just 2.5 percent -- the lowest average inflation rate since the Kennedy Administration. Over the past year, the Consumer Price Index has increased only 1.6 percent.

**Strong Private Sector Growth.** The private sector of the economy has grown 3.9 percent annually -- the fastest rate of private-sector growth since the Johnson Administration.

**Tax Cuts For Low-Income Working Families.** President Clinton's 1993 Economic Plan provided tax cuts to 15 million hard-pressed working families by expanding the Earned Income Tax Credit (EITC). The average family with two kids who received the EITC received a tax cut of \$1,026. In 1997, the EITC lifted more than 1.2 million Hispanics out of poverty.

*Largest Hispanic Poverty Drop In Two Decades.* Last year, the Hispanic poverty rate dropped from 29.4 percent to 27.1 percent -- the largest one-year drop in Hispanic poverty since 1978. Since President Clinton took office, Hispanic poverty has dropped from 30.6 percent to 27.1 percent. While this marks significant progress, **President Clinton will continue to fight for policies that help to raise incomes and reduce poverty.**

**Minimum Wage Increased.** The President raised the minimum wage to \$5.15 an hour -- directly benefitting 1.6 million Hispanic workers.

**Fighting for Paycheck Equity.** The President has called on Congress to pass legislation to strengthen laws prohibiting wage discrimination. In 1996, the median earnings of Hispanic women represented 57 percent of the median earnings for men.

**Two and a Half Times More Small Business Loans to Hispanic Entrepreneurs.** Between 1993 and 1997 the SBA approved nearly 15,000 loans to Hispanic entrepreneurs under the 7(a) and 504 loan programs. Last year alone, the Small Business Administration granted more than 3,300 loans, worth \$615 million, to Hispanic small business owners, two and a half times the number of loans granted in 1992.

**Supporting Minority Business Communities and Increasing Access to Capital.** Building on the efforts of the SBA, Vice President Gore unveiled aggressive plans to increase lending and business services to the African American and Hispanic business communities nationwide. The SBA has set a goal of providing an estimated total of \$1.86 billion in loans to African American small businesses over a three-year period and \$2.5 billion worth of loans to Hispanic-owned businesses by the year 2000. In addition, the **Vice President announced an unprecedented agreement between SBA and the "Big Three" U.S. automakers to increase subcontracting awards to minority businesses by nearly \$3 billion over the next three years -- a 50 percent increase over current levels.**

**Ensuring Minority Business Owners Have a Fair Opportunity to Compete.** The President signed the Transportation Equity Act for the 21st Century into law on June 9, 1998. The Act protects the Disadvantaged Business Enterprise (DBE) Program, a program that ensures that minority and women-owned businesses have an opportunity to compete for transportation projects. The Administration helped defeat an amendment to the House version of this bill that would have eliminated the DBE Program. **In a different measure, the President also approved the creation of a new program to target assistance to minority-owned businesses in industries that continue to reflect the effects of discrimination. As a result, thousands of minority-owned businesses will be able to compete more effectively for government contracts.**

**Expanding Investment in Urban and Rural Areas.** Thanks to President Clinton and the 1993 Economic Plan, 125 Empowerment Zones and Enterprise Communities have been created, **programs that are spurring economic development in distressed communities. And the President's FY99 budget provides \$150 million a year for 10 years to fund 15 new urban Empowerment Zones (EZs) and \$20 million a year for 10 years to fund five new rural EZs. Additionally, the President's FY99 budget includes \$400 million -- nearly triple the FY98 appropriation -- for a new Community Empowerment Fund (CEF) that is expected to leverage an estimated \$2 billion in private-sector loans to help communities invest in businesses and create jobs.**

**Expanding Access to Capital with Community Development Financial Institutions (CDFI).** The President has expanded access to capital through the creation of the Community Development Financial Institutions Fund, which supports banks and other entities that specialize in lending and

investing in underserved communities. **The President's FY99 Budget includes a \$45 million increase in CDFI funding (from \$80 million to \$125 million) to allow the Fund to provide additional support for these institutions, including through an expanded training and technical assistance initiative.**

**Working on Behalf of Minority Farmers.** The U.S. Department of Agriculture (USDA) is working to strengthen programs and increase outreach targeted to underserved communities, including increasing its lending to minority and women producers. In the past five years there has been a 74 percent increase in direct lending to these groups -- from \$46.5 million in FY93 to \$81 million in FY97. Additionally, the Administration is committed to righting any past wrongs by federal employees and has worked with the Congress in crafting language contained in the Agriculture Appropriations bill that would waive the two-year statute of limitations on discrimination complaints against USDA's farm and housing loan programs. This waiver would allow compensation to be provided to many minority farmers who were victims of discrimination by USDA from the early 1980's through the 1990's.

**Increasing Homeownership.** The Clinton Administration launched a program to increase the homeownership rate of Hispanics in the U.S. through advertising, education and counseling programs and working with lending institutions to better serve the Hispanic community. Progress has been made, four million Hispanics, or 44 percent, now own their homes.

**Expanding Low-Income Housing Tax Credit by 40 Percent.** In 1993, President Clinton fulfilled his promise to permanently extend the Low-Income Housing Tax Credit, spurring the private development of low-income housing and helping to build 75,000-90,000 housing units each year. President Clinton now proposes to expand the credit by 40 percent. Over the next five years, this expansion will mean an additional 150,000 to 180,000 quality affordable rental units.

**Put Forth a "Play-by-the-Rules" Homeownership Initiative and a Homeownership Zones Initiative.** The FY99 budget proposal for the Neighborhood Reinvestment Corporation includes \$25 million for a new initiative that would make homeownership more accessible to families who have a good rental history but have difficulty purchasing a home, 10,000 lower-income and minority families who are currently renting would benefit from this initiative. In addition, the President's FY99 budget includes \$25 million for Homeownership Zones, abandoned housing and distressed neighborhoods that communities could reclaim using this funding. Funds could be used for property acquisition, demolition, site preparation, housing construction or rehabilitation, homeownership counseling, relocation, and activities to further fair housing and homeownership.

### FIGHTING FOR EQUAL OPPORTUNITY

**Building One America.** The President has led the nation in an effort to become One America in the 21st Century: a place where we respect others' differences and, at the same time, embrace the common values that unite us. AFL-CIO Executive Vice President Linda Chavez-Thompson served on the Advisory Board to the President's Initiative on Race, which the President charged with overseeing this

effort. **The President, the Administration and the Advisory Board were actively involved in public outreach efforts -- including holding numerous public meetings and town halls -- to engage Americans across the nation in this historic effort. One of the critical elements of the President's Initiative on Race** was identifying, highlighting and sharing with the nation promising practices -- local and national efforts to promote racial reconciliation. The Advisory Board presented their final report to the President on September 18, 1998, and recommended that conversations on race continue.

**An Administration That Looks like One America.** The President appointed the most diverse Cabinet and Administration in history. Secretary of Energy Bill Richardson and Small Business Administrator Aida Alvarez are members of the President's Cabinet. Federico Peña and Henry Cisneros previously served in the President's Cabinet.

**Judicial Appointments.** Seven percent of all judicial appointments are Hispanics including the Honorable Jose Cabranes, Judge, Second Circuit U.S. Circuit Court and the Honorable Hilda Tagle, Judge, Southern District of Texas, U.S. District Court.

**Senior Level Administration Appointments.** President Clinton has appointed more Hispanics to senior level positions than any President in American history. Eight percent of Presidential appointments, including boards and commissions, are held by Latinos. These Presidential appointees include Overseas Private Investment Corporation (OPIC) President George Muñoz; Norma Cantu, Assistant Secretary for Civil Rights at the Department of Education; Saul Ramirez, Jr., Department of Housing and Urban Development Deputy Secretary; Eduardo Gonzalez, Director of the United States Marshals Service; Eluid Levi Martinez, Commissioner of Bureau of Reclamation at the Department of Interior; Ida L. Castro, Director of the Women's Bureau of the U.S. Department of Labor and Chair-designee for the Equal Employment Opportunity Commission; Patricia T. Montoya, Commissioner-designee for Children, Youth & Families at the Department of Health and Human Services; and John U. Sepulveda, Deputy Director-designee at the Office of Personnel Management. White House appointees include: Assistant to the President and Deputy Chief of Staff Maria Echaveste; Assistant to the President and Director of Intergovernmental Affairs Mickey Ibarra; and Deputy Assistant to the President and Deputy Director for Legislative Affairs Janet Murguia.

**Ordered an Assessment of Affirmative Action Programs.** The President ordered a comprehensive review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand educational and economic opportunity to all Americans. **This review of federal affirmative action programs has helped to ensure that these programs are fair and effective and that they can survive legal challenges. As a result, programs that benefit Hispanics, including students, working men and women, and business owners, remain in effect and are more likely to be upheld by the courts.**

**Increasing Civil Rights Enforcement.** **On Martin Luther King, Jr., Day, January 19, 1998, Vice President Gore** announced the Administration's proposal for the largest single increase in funding to enforce existing civil rights laws in nearly two decades. Through new reforms and heightened commitment to enforcement, the Administration will seek to prevent discrimination before it occurs and to punish those who do discriminate in employment, education, housing and health care, and against

those with disabilities. **The Clinton Administration's FY99 budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million over last year's funding.**

**Increasing Funding for the Equal Employment Opportunity Commission (EEOC).** The cornerstone of the improved civil rights enforcement effort is a \$37 million increase (15 percent) for the EEOC. Through increased use of mediation, improved information technology and an expanded investigative staff, the EEOC will reduce the average time for resolving private-sector complaints from over 9.4 months to 6 months and cut the backlog of cases from 64,000 to 28,000, by the year 2000.

*Opposed California Prop. 209 and Similar Measures.* The Clinton Administration **strongly opposes state and local initiatives to eliminate affirmative action programs that expand opportunities for Hispanics and others.** The Administration opposed Proposition 209 in California and filed *amicus* briefs opposing Prop. 209, which currently prohibits state affirmative action programs. **The Clinton Administration opposed a similar initiative in Houston, which was defeated and is currently opposing an initiative in Washington that is similar to Prop. 209.** In all these cases, representatives of the administration have spoken out strongly against these initiatives as unfair and a barrier to equality.

*Ensuring Election Fairness.* The Clinton Administration defended racially fair redistricting plans against claims that they were unconstitutional and prevented election day discrimination against minority voters and voter intimidation and harassment by monitoring polling place activities in a record number of states and counties. Continued enforcement efforts to ensure that citizens who rely on Spanish have the same opportunities to participate in voting-related activities as English-speaking voters.

*Oppose English-Only Legislation.* Strongly opposed legislation to make English the official language of the United States which would have jeopardized services and programs for non-English speakers and jeopardized assistance to the tens of thousands of new immigrants and others seeking to learn English as adults.

*Increasing Voter Registration.* During 1995 and 1996, the National Voter Registration Act or "Motor Voter" law registered nearly 14 million new voters and made voting easier for millions more. Notably, 1996 saw the highest percentage of voter registration since 1960. [FEC, 6/97]

**Opposed California Prop. 187.** Opposed California's Proposition 187, which would have made illegal immigrants ineligible for public school education at all levels and ineligible for public health care services.

**Working for Fair Housing.** To respond to the increase in reported cases of serious fair housing violations, HUD will double the number of its civil rights enforcement actions by the year 2000. HUD has also committed \$15 million to 67 fair housing centers around the country to assist in fighting housing discrimination this year. In addition, the President's budget proposes \$10 million for a targeted enforcement initiative that will use paired testing -- identical applicants of

**different races or genders approaching Realtors or landlords -- to detect and eliminate housing discrimination.**

**Defended Fairness.** The Clinton Administration has filed more cases between 1993 and 1997 to enforce fair housing laws than any other Administration (more than 500 cases). For instance, this Administration desegregated a Vidor, Texas, public housing complex and ordered a Mississippi bank to implement remedial lending plans for minority customers who were unfairly denied loans by the bank.

**Eliminated Discriminatory "Redlining" Practices.** The Clinton Administration negotiated agreements with health care agencies to eliminate discriminatory "redlining" practices denying home health care services based on residential location.

**Working to Ensure a Fair and Accurate Census.** The Clinton Administration is working to ensure that **Census 2000** is the most accurate census possible using the best, most up-to-date scientific methods as recommended by the National Academy of Sciences. According to the Census Bureau, the 1990 Census missed 8.4 million people and double-counted 4.4 million others. Nationally, 5 percent of Hispanics were not counted in the 1990 census. While missing or miscounting so many people is a problem, the fact that certain groups -- such as children, the poor, people of color, city dwellers and people who live in rural rental homes -- were missed more often than others made the undercount even more inaccurate. **A fair and accurate Census is a fundamental part of a representative democracy and is the basis for providing equality under the law.** The President is determined to have a fair and full count in 2000.

## IMMIGRATION

**Fairness for Immigrants.** The President worked with Congress to correct the most egregious impacts of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. As a result, almost a million people will be able to proceed with legalizing their immigration status under the former standards of immigration law and not the new, stricter and more burdensome standards enacted in 1996.

**Restoring Food Stamp Benefits for Legal Immigrants.** In June 1998, the President signed the Agricultural Research Act into law, which restores food stamp benefits to 250,000 elderly, disabled, and other needy legal immigrants, including 75,000 children, who lawfully resided in the U.S. as of August 22, 1996, and lost assistance as a result of cuts in the 1996 welfare law that had nothing to do with welfare reform. It restores benefits to Hmong immigrants from Laos who aided our country during the Vietnam War and extends the period during which refugees and asylees may qualify for Food Stamps while they await citizenship. This law funds a significant part of the President's 1999 budget proposal to restore food stamp benefits to 730,000 legal immigrants, but the President's budget proposal would go further by covering families with children regardless of the date they entered the U.S. This restoration builds on the President's success last year in restoring SSI and Medicaid to 420,000 legal immigrants whose benefits were also terminated in welfare reform (see below).

**Reversing Unfair Cuts; Protects Legal Immigrants Who Become Disabled and Those Currently Receiving Benefits.** The Balanced Budget Act of 1997 restored \$11.5 billion in SSI and Medicaid benefits for legal immigrants whose benefits were also terminated in welfare reform. This law protects those immigrants now receiving assistance, ensuring that they will not be turned out of their apartments or nursing homes or otherwise left destitute. And for immigrants already here but not receiving benefits, the BBA does not change the rules retroactively. Immigrants in the country as of August 22, 1996, but not receiving benefits at that time who subsequently become disabled will also be fully eligible for SSI and Medicaid benefits. When the President signed the 1996 Welfare Reform Law, he pledged to go back and change provisions that have nothing to do with welfare reform, such as the cutting off benefits to legal immigrants. Critics said the changes would never be made. However, in 1997 and again in 1998, the President followed through on his pledge -- and won many of the changes he sought in the 1996 law.

**Strengthening the Naturalization Process.** The President has made naturalization a top priority of the Immigration and Naturalization Service in order to continue fostering legal immigration while combating illegal immigration. For instance, over one million individuals were naturalized in 1996. The Administration continues to work to streamline and improve the naturalization process so that eligible individuals who have played by the rules can become full partners in America. In FY99, the Administration is seeking an infusion of new resources to reduce the backlog of naturalization applications and improve customer service.

**Defended Immigrant Rights.** The Administration defeated legislative efforts which would have significantly eroded health care for immigrants. The bipartisan agreement strengthened the sponsorship requirement while preserving the basic ability of families to reunify.

## EDUCATION

**Made the Largest Investment in Education in 30 Years.** Maintaining his longtime commitment to education, the President enacted the largest investment in education in 30 years -- and the largest investment in higher education since the G.I. Bill -- by signing the 1997 Balanced Budget Act.

**Put Forward a Hispanic Education Action Plan.** The Hispanic dropout rate is 2.5 times the rate for African Americans and 3.5 times the rate for white non-Hispanics. The Administration is reaching out to Hispanic youth, encouraging them to stay in school, graduate from high school, and go on to college so that they can compete successfully for good jobs and take advantage of promising career opportunities. As part of these efforts, the Clinton Administration put forth a \$600 million Hispanic Education Action Plan. This initiative will provide the investments needed to help Hispanic students master basic skills and become proficient in English. It will also assist schools in implementing reforms to reduce dropout rates, enable adults to receive basic skills training and participate in English-as-a-second-language programs, and offer assistance to colleges and universities that serve large numbers of Hispanic students.

**Increased Funding for Hispanic-Serving Colleges.** This year (FY98), the Administration enacted an 11 percent increase for Hispanic-Serving Institutions (HSIs), colleges and universities with at least 25 percent Hispanic enrollments.

**Established a Hispanic Advisory Commission.** In 1994, the President issued an Executive Order on Educational Excellence for Hispanics which established an advisory commission to oversee the improvement in education for Hispanics and would work to ensure that Hispanic-Serving Institutions will have more input regarding educational goals and issues of concern to Hispanics. The Commission's report identified contributing factors impacting attainment of educational excellence, corrective policy actions, and plans for program development and funding.

**Implemented the Student Diversity Partnership Program.** Partnered with Hispanic Association of Colleges and Universities, National Association for Equal Opportunity in Higher Education, an Indian Science and Engineering Society and the Center for the Advancement of Hispanics in Science and Engineering Education to implement the Student Diversity Partnership Program. This program will ensure an adequate supply of diverse and qualified scientists and engineers for the 21st century. In addition, the White House recently awarded **Presidential Awards for Excellence in Science, Mathematics and Engineering Mentoring** Grants to **both individual mentors and institutions that foster mentoring, helping to ensure that America's future scientists and engineers come from all of the nation's racial and cultural segments of the population.**

**AmeriCorps College Support.** Since 1993, more than 100,000 people have had the opportunity to serve through AmeriCorps, with Hispanics comprising 13 percent of all participants (1996 data). This year alone, nearly 50,000 young people will take advantage of the opportunity to serve and will earn an award of up to \$4,725 to pay for college or repay student loans.

**Expanding Investments In Youth Education And Training.** One of the President's top priorities is fighting efforts by Congress to eliminate both the Summer Jobs Program, which provides jobs to roughly 530,000 disadvantaged young people, and the new Youth Opportunity Area Initiative, which would help provide job training and help finding jobs for up to 50,000 youth in the poorest communities nationwide. **The Summer Jobs programs provides an estimated 25 percent of the summer jobs held by African American 14-15 years olds and at least 16 percent held by Hispanic 14-15 year olds.** The Youth Opportunity Area Initiative program provides high school dropouts between the ages of 16 and 24 with academic and job-skills training, as well as apprenticeships building and rehabilitating affordable housing.

**Expanding College Opportunity with Tuition Tax Credits, Education IRAs, and Largest Increase in Pell Grants in 20 Years.** The President is making the first two years of college universally available with \$1500 HOPE Scholarship credits and a 20 percent tax credit helps offset tuition costs for college or lifetime learning. The expanded IRA allows penalty- and tax-free withdrawals for education. And, in the coming school year, nearly 4 million students will receive a Pell Grant of up to \$3,000, 30 percent larger than when the President took office. In the 1995-96 school year, 54 percent of all Hispanic students enrolled full-time in college received a Pell Grant.

**Increased Bilingual Education by 35 Percent.** Last year (FY97) in the Balanced Budget

Agreement, the President secured a *35 percent increase* in bilingual and immigrant education. The bilingual education funding will help school districts teach English to more than a million limited-English proficient children, as well as provide some 4,000 teachers with the training they need to do their jobs better. The Immigrant Education program will help more than a thousand school districts provide supplemental instructional services to 875,000 recent immigrant students. And, the President's FY99 budget proposal includes an increase of \$33 million for Bilingual and Immigrant Education.

**Helping More Children in Elementary and Secondary Schools.** In 1994, President Clinton reformed Title I -- the major elementary and secondary program for disadvantaged children -- clearing away barriers that had prevented limited-English proficient children from getting help. Now Hispanics are 32 percent of the children served in Title I.

**Modernizing Our Schools.** The President is working to pass federal tax credits to help rebuild, modernize, and build over 5,000 public schools nationwide.

**Reducing Class Size.** The President is pressing Congress to enact his proposal to reduce class size to a national average of 18 students in grades 1-3, by helping local schools hire an additional 100,000 well-prepared teachers. Research shows that minorities, and low-income students in particular, benefit academically from smaller classes.

**Teaching Every Child to Read by the 3rd Grade.** More than 1000 colleges have committed work-study students to tutor children in reading, and thousands of AmeriCorps members and senior volunteers are organizing volunteer reading campaigns. In addition, the President is working to enact an early literacy bill such as the America Reads Initiative that will provide more tutors after school, improve the teaching of reading in our schools, and help parents help their children learn to read.

**Greater Access to Education Technology.** The President has made an unprecedented commitment to bringing technology into the classroom and has called for technology training for teachers and expanded access for teachers and students to computers in the classroom. As a part of this effort, the Clinton Administration secured an e-rate (discounts worth over \$2.5 billion every year) for schools, libraries, rural health clinics and hospitals to connect to the Internet.

**Proposing Education Opportunity Zones.** The President proposed \$1.5 billion, over five years, to bolster reform efforts by high-poverty urban and rural school districts that demonstrate both a commitment to, and a track record in, improving educational achievement. Funds will be used to improve accountability, turn around failing schools, recognize outstanding teachers, deal with ineffective ones and expand public school choice. Added investments in these communities will accelerate progress and provide successful models of system-wide, standards-based reform.

**Working to Pass the High Hopes for College Initiative.** The High Hopes for College Initiative will inspire more young people to have high expectations, to stay in school and study hard, and to go to college. The Clinton Administration is working to pass this initiative which makes a long-term investment -- starting with \$140 million in FY99 -- to promote partnerships between colleges and middle or junior high schools in low-income communities. The President's High Hopes program will

provide one million at-risk middle school students (over five years) the mentoring and tutoring needed to raise education expectations and eliminate barriers to college.

## CHILDREN AND FAMILIES

**Eliminating Racial and Ethnic Health Disparities.** President Clinton has announced a \$400 million initiative to end racial and ethnic health disparities. The effort sets a national goal of eliminating the longstanding disparities by the year 2010 in six key health areas: infant mortality, diabetes, cancer screening and management, heart disease, AIDS and immunizations. There are major health disparities among Hispanics. Latinos are nearly twice as likely to develop diabetes than non-Latinos and Latinos have two to three times the rate of stomach cancer as white Americans. The President announced a five-step plan -- led by Surgeon General and Assistant Secretary for Health Dr. David Satcher -- to mobilize the resources and expertise of the Federal government, the private sector, and local communities.

**Focused Health Efforts.** Established the Office of the Minority Health Research and Alternative Medicine at the National Institutes of Health. Helped communities develop culturally-competent systems of care for children with serious emotional disturbances through the Comprehensive Mental Health Services for Children and Families program. Negotiated agreements with hospitals and nursing homes to eliminate barriers to equal access for minorities based on language.

**Fighting to Pass a Strong, Enforceable Patients' Bill of Rights.** President Clinton has called on the Congress to pass a strong, enforceable patients' bill of rights that assures Americans the quality health care they need. The bill should include important patient protections such as: assuring direct access to specialists; real emergency room protections; continuity of care provisions that protect patients from abrupt changes in treatment; a fair, timely, and independent appeals process for patient grievances; and enforcement provisions to make these rights real.

**Protected and Strengthened Medicare.** The Balanced Budget Act extended the life of the Medicare Trust Fund for at least a decade; expanded choices in health plans; and provided beneficiaries new preventive benefits. Six percent of all beneficiaries currently enrolled in Medicare are Hispanic. The President has also put forth a new proposal that will provide greater access to health insurance for Americans ages 55 to 65, including an option to buy into Medicare.

**Extended Health Care to Millions of Children with the Children's Health Insurance Program (CHIP).** Because of the President's leadership, the Balanced Budget included \$24 billion to provide real health care coverage to up to five million more children, the largest children's health care budget increase since Medicaid was created in 1965. Minority children make up a disproportionate number of the over 10 million uninsured children. African American children make up 25 percent and Hispanic children make up 30 percent of all uninsured children -- more than twice their percentage of the overall population. The Administration is actively reaching out to communities to target and enroll eligible, uninsured children in CHIP.

**Protecting Families.** The Family & Medical Leave Act (FMLA) enables workers to take up to 12

weeks unpaid leave to care for a new baby or ailing family member without jeopardizing their job. Millions of workers have already benefited from FMLA since its enactment. The President also proposed expanding the Family & Medical Leave Act to allow workers up to 24 hours per year of unpaid leave for parent-teacher conferences or routine medical care for a child.

**Increased WIC -- \$1 Billion Higher.** Under President Clinton, participation in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) has expanded by 1.7 million -- from 5.7 million in 1993 to 7.4 million women, infants, and children in 1998, with funding rising from \$2.9 billion to \$3.9 billion. The President's budget proposes \$4.1 billion in WIC funding to serve 7.5 million women, infants, and children in 1999, fulfilling his goal of full participation in WIC.

Research shows that every \$1 increase in the prenatal care portion of the WIC program cuts between \$1.77 and \$3.90 in medical expenses in the first 60 days following childbirth. In 1996, 30 percent of the infants who benefited from WIC were Hispanic.

**Expanded Head Start By Nearly 60 Percent -- Over \$1.5 Billion Higher Per Year.** Since 1993, President Clinton has expanded Head Start by 57 percent, from \$2.8 billion in FY93 to \$4.4 billion in FY98. Of the estimated 830,000 children now enrolled in Head Start, 26 percent of the children are of Hispanic origin. The President's FY99 Budget increases Head Start funding by \$313 million, which would mean Head Start funding would be 68 percent higher in 1999 than in 1993. The President is on track to meet his goal of having one million children enrolled in Head Start.

**Proposed the Largest Single Investment in Child Care in the Nation's History.** The President's \$21 billion child care proposal will give child care subsidies to millions of children and increase tax credits for three million working families to help them pay for child care.

**Providing After-School Opportunities for Up to Half a Million Children a Year.** Last year, the President fought for, and won, a \$40 million expansion of the 21st Century Community Learning Centers program. Building on the success of this program, the President's FY99 budget includes a \$200 million major expansion, which will provide safe and educational after-school opportunities for up to 500,000 school-age children in rural and urban communities across the country.

## FIGHTING CRIME

**White House Conference on Hate Crimes.** President Clinton hosted the first White House Conference on Hate Crimes, which examined laws and remedies that can make a difference in preventing hate crimes, highlighted solutions that are working in communities across the country, and continued the frank and open dialogue needed to build One America. **The President announced significant law enforcement and prevention initiatives to get tough on hate crimes, including: support for legislation to expand the federal hate crimes law to cover crimes based on sexual orientation, gender, or disability; the creation of a network of local hate crime working groups; the addition of approximately 50 FBI agents and federal prosecutors to enforce hate crimes laws; improved collection of data on hate crimes; and the production of materials to educate the public -- especially youth -- about hate crimes.**

**Enhanced Penalties for Hate Crimes.** As part of the historic 1994 Crime Act, the President signed the Hate Crimes Sentencing Enhancement Act which provides for longer sentences where the offense is determined to be a hate crime.

**Falling Crime Rates.** Violent crime is down six years in a row, the longest period of decline since 1960. Juvenile crime, which had been exploding, has declined 2 years in a row. Property and violent crime victimization rates are at their lowest levels in nearly 25 years.

**Putting 100,000 New Police on the Streets and Providing COPS Grants to Underserved Areas.** The President's Crime Bill, through the Community Oriented Policing Services (COPS) program, has already funded nearly 80,000 new officers. As a part of the COPS Program, the President announced new grants to increase police presence and community policing in underserved neighborhoods. Under this initiative, 18 cities will share \$106 million to hire 620 new community policing officers. The pilot cities were selected following an analysis of crime, demographic and economic data.

**Promoting Community Prosecutions.** The President's FY99 budget includes \$50 million for grants to promote community prosecution, which builds on effective community policing strategies. The funds will enable local prosecutors across the country to play a more active role in crime fighting by spending more time in their neighborhoods, both helping to solve crimes and preventing them before they happen.

#### SAFE AND CLEAN ENVIRONMENT

**Environmental Justice and Redevelopment.** The Clinton Administration issued an Executive Order on Environmental Justice to ensure that low-income citizens and minorities do not suffer a disproportionate burden of industrial pollution. The Administration identified pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities, turn them into useable space, create jobs and enhance community development.

**Issued Toughest New Air Quality Standards in a Generation.** The Clinton Administration issued new air quality standards for smog and soot that will prevent 15,000 premature deaths a year and improve the lives of millions of Americans who suffer from respiratory illnesses.

**Cleaning Up Toxic Waste Sites and Redeveloping Brownfields.** This Administration has cleaned up twice as many Superfund sites in less than six years as previous administrations did in twelve. To date, the Administration has awarded 228 Brownfields grants, for over \$42 million, to states, cities, towns, counties, and tribes. These grants have leveraged nearly \$1 billion for redevelopment of industrial sites and created over 2,000 jobs.

**Providing Safe Drinking Water.** The President proposed and signed legislation to strengthen the Safe Drinking Water Act to ensure that our families have healthy, clean tap water. The Administration required America's 55,000 water utilities companies to provide regular reports to their customers on the quality of their drinking water.

**Reducing the Threat of Global Warming.** The Administration negotiated an international treaty to reduce greenhouse gas emissions in an environmentally strong and economically sound way. The President's has proposed a five-year \$6.3 billion package of tax incentives and research investment to reduce greenhouse gas emissions through energy efficiency and clean energy technologies.

**Protecting Our Natural Treasures.** The Clinton Administration has protected or enhanced nearly 150 million acres of public and private lands, from the red rock canyons of Utah to the Florida Everglades. And the Administration has recently reached agreements to protect Yellowstone from mining and save the ancient redwoods of California's Headwaters Forest.

#### AMERICAN LEADERSHIP

**Democracy for Cuba.** The Clinton Administration increased efforts to promote a peaceful, democratic transition in Cuba by keeping pressure on the Castro government for change while reaching out to the Cuban people. The President has strengthened international consensus on the need for action to promote human rights and democracy. Responding to the Pope's historic visit to Cuba, the Clinton Administration authorized humanitarian measures to alleviate the Cuban people's suffering, helping them to prepare for a democratic future and increase contact.

**Support Our Closest Neighbors.** The Administration took decisive action in assembling a financial support package for Mexico. The President's leadership prevented a prolonged financial crisis in Mexico and its spread to other Latin American countries. In addition, the President traveled to Latin America and launched hemispheric negotiations for Free Trade Area of the Americas.

9/98

**PRESIDENT CLINTON AND VICE PRESIDENT GORE**  
*Working on Behalf of Asian Pacific Americans*

*ECONOMY*

**Balanced the Federal Budget.** In 1992, the budget deficit was \$290 billion, a record dollar high. This year, the budget will be in surplus for the first time in 30 years.

**Saving Social Security First.** President Clinton is committed to saving Social Security for the 21st Century. The President will fight any attempt to break the budget rules and drain the surplus. His commitment is unwavering: every penny of any future surplus must be reserved until a bipartisan plan to save Social Security is enacted.

**Nearly 17 Million New Jobs.** Under President Clinton, more new jobs have been created in 5 ½ years than were created during the entire 8 years of the Reagan Administration (16.7 million under Pres. Clinton vs. 16.0 million under Pres. Reagan).

**Declining Unemployment: 28-Year Low.** In 1992, the unemployment rate averaged 7.5 percent, today (August 1998) the unemployment rate is 4.5 percent -- the lowest level since 1970. The unemployment rate has been below 5 percent for 14 consecutive months.

**The Lowest Inflation in More than 30 Years.** Since 1993, the inflation rate has averaged just 2.5 percent -- the lowest average inflation rate since the Kennedy Administration. Over the past year, the Consumer Price Index has increased only 1.6 percent.

**Strong Private Sector Growth.** The private sector of the economy has grown 3.9 percent annually -- the fastest rate of private-sector growth since the Johnson Administration.

*The Median Household Income for Asian Pacific Americans Increased 2.2 Percent in 1997.* Income for the median, or typical, Asian Pacific American household rose \$980 in 1997, from \$44,269 in 1996 to \$45,249 (adjusted for inflation). This is an increase of 2.2 percent over 1996.

**Tax Cuts For Low-Income Working Families.** President Clinton's 1993 Economic Plan provided tax cuts to 15 million hard-pressed working families by expanding the Earned Income Tax Credit (EITC). The average family with two kids who received the EITC received a tax cut of \$1,026.

**Minimum Wage Increased.** Increased the Minimum Wage from \$4.25 to \$5.15 per hour -- increasing wages for 10 million.

**Asian Pacific American Poverty Down More than 8 Percent since 1993.** The poverty rate of Asian Pacific Americans has declined from 15.3 percent in 1993 to 14.0 percent in 1997. While this marks significant progress, **President Clinton will continue to fight for policies that help to raise incomes and reduce poverty.**

**Supporting Minority Business Communities and Increasing Access to Capital.** Over the past five years, (FY93-97) the Small Business Administration (SBA) has backed more than 16,760 loans worth \$5.2 billion in loans to Asian Pacific American businesses. From FY98 through FY 2000, the Administration expects to deliver another \$4.7 billion in loans to Asian Pacific American-owned businesses. That means that during the eight years of the Clinton Administration, the SBA will have delivered almost \$10 billion in loan capital to Asian Pacific American entrepreneurs. In FY 2000, SBA expects to back more than \$1.6 billion in loans to Asian Pacific American businesses, almost triple the amount loaned in FY92. In the SBA's 8(a) Minority Enterprise Development Program, Asian Pacific Americans own 1,341 of the 6,100 participating businesses. Those firms received about \$1.7 billion in federal contracts in FY97. Almost 19,000 Asian Pacific Americans received business counseling and training under SBA's Small Business Development Center program, and SBA's SCORE program counseled more than 9,000 Asian Pacific Americans last year.

**Ensuring Minority Business Owners Have a Fair Opportunity to Compete.** The President signed the Transportation Equity Act for the 21st Century into law on June 9, 1998. The Act protects the Disadvantaged Business Enterprise (DBE) Program, a program that ensures that minority and women-owned businesses have an opportunity to compete for transportation projects. The Administration helped defeat an amendment to the House version of this bill that would have eliminated the DBE Program. **In a different measure, the President also approved the creation of a new program to target assistance to minority-owned businesses in industries that continue to reflect the effects of discrimination. As a result, thousands of minority-owned businesses will be able to compete more effectively for government contracts.**

**Expanding Investment in Urban and Rural Areas.** Thanks to President Clinton and the 1993 Economic Plan, 125 Empowerment Zones and Enterprise Communities have been created, **programs that are spurring economic development in distressed communities. And the President's FY99 budget provides \$150 million a year for 10 years to fund 15 new urban Empowerment Zones (EZs) and \$20 million a year for 10 years to fund five new rural EZs.** Additionally, the President's FY99 budget includes \$400 million -- nearly triple the FY98 appropriation -- for a new **Community Empowerment Fund (CEF) that is expected to leverage an estimated \$2 billion in private-sector loans to help communities invest in businesses and create jobs.**

**Expanding Access to Capital with Community Development Financial Institutions (CDFI).** The President has expanded access to capital through the creation of the Community Development Financial Institutions Fund, which supports banks and other entities that specialize in lending and investing in underserved communities. **The President's FY99 Budget includes a \$45 million increase in CDFI funding (from \$80 million to \$125 million) to allow the Fund to provide additional support for these institutions, including through an expanded training and technical assistance initiative.**

*Highest Homeownership Rate in History.* There are more than 6.5 million new homeowners since the President took office.

**Expanding Low-Income Housing Tax Credit by 40 Percent.** In 1993, President Clinton

fulfilled his promise to permanently extend the Low-Income Housing Tax Credit, spurring the private development of low-income housing and helping to build 75,000-90,000 housing units each year. President Clinton now proposes to expand the credit by 40 percent. Over the next five years, this expansion will mean an additional 150,000 to 180,000 quality affordable rental units.

**Put Forth a "Play-by-the-Rules" Homeownership Initiative and a Homeownership Zones Initiative.** The FY99 budget proposal for the Neighborhood Reinvestment Corporation includes \$25 million for a new initiative that would make homeownership more accessible to families who have a good rental history but have difficulty purchasing a home, 10,000 lower-income and minority families who are currently renting would benefit from this initiative. In addition, the President's FY99 budget includes \$25 million for Homeownership Zones, abandoned housing and distressed neighborhoods that communities could reclaim with this funding. Funds could be used for property acquisition, demolition, site preparation, housing construction or rehabilitation, homeownership counseling, relocation, and activities to further fair housing and homeownership.

**Working on Behalf of Minority Farmers.** The U.S. Department of Agriculture (USDA) is working to strengthen programs and increase outreach targeted to underserved communities, including increasing its lending to minority and women producers. In the past five years there has been a 74 percent increase in direct lending to these groups -- from \$46.5 million in FY93 to \$81 million in FY97. **Additionally, the Administration is committed to righting any past wrongs by federal employees and has worked with the Congress in crafting language contained in the Agriculture Appropriations bill that would waive the two-year statute of limitations on discrimination complaints against USDA's farm and housing loan programs. This waiver would allow compensation to be provided to many minority farmers who were victims of discrimination by USDA from the early 1980's through the 1990's.**

#### INTERNATIONAL BUSINESS AFFAIRS

**Facing the Challenges of the Global Economy.** The President's strategy of fiscal discipline, investment in our people, and open trade is working for America. For the U.S. economy to continue to prosper, the economies of the world need to rebound from their recent difficulties. The United States, along with other leading nations, are working together to intensify efforts to speed economic recovery in Asia.

*Opening Market Abroad: Over 240 Trade Agreements Have Helped Expand American Exports and Create American Jobs.* Since President Clinton took office, the Administration has concluded over 240 new trade agreements. This has helped expand exports so that over the last five years, new exports have accounted for more than one-third of our economic growth and have helped created jobs that, on average, pay 15 percent more than non-export related jobs. Notably, thirty percent of U.S. exports go to Asia and this country exports more goods to Asia than Europe.

*Created Three Major Global Trade Agreements In the World Trade Organization.* In the last year, this Administration completed a “trifecta” of three major global trade agreements in the World Trade Organization: the Information Technology Agreement covering \$500 billion in global trade and more than \$100 billion in U.S. exports, the global telecommunications services agreement (which will create more than a million jobs in the next ten years) and the financial services accord (which covers 95 percent of the global financial services market). Together, these initiatives cover trade totaling more than \$1 trillion annually.

*Eliminated Barriers To Open Trade In Asia Pacific Nations From Asia Pacific Economic Cooperation (APEC) Summit.* Secured commitments from Asia Pacific nations to eliminate barriers to open trade in the region by 2020 for developing countries and 2010 for industrialized countries. Over the next two years, 15 sectors will be identified for tariff reductions, including energy products and services, environmental technologies and services, natural resources, medical equipment, telecommunications, gems and jewelry.

#### *FIGHTING FOR EQUAL OPPORTUNITY*

**Building One America.** The President has led the nation in an effort to become One America in the 21st Century: a place where we respect others’ differences and, at the same time, embrace the common values that unite us. Angela Oh served on the Advisory Board to the President’s Initiative on Race, which the President charged with overseeing this effort. **The President, the Administration and the Advisory Board were actively involved in public outreach efforts -- including holding numerous public meetings and town halls -- to engage Americans across the nation in this historic effort. One of the critical elements of the President’s Initiative on Race was identifying, highlighting and sharing with the nation promising practices -- local and national efforts to promote racial reconciliation. The Advisory Board presented their final report to the President on September 18, 1998, and recommended that conversations on race continue.**

*Creating an Administration That Looks like One America.* Appointed the most diverse Administration in history. The Clinton Administration has more than triple the number of Asian Pacific American appointees as the previous Administration including Bill Lann Lee, Acting Assistant Attorney General for Civil Rights, Department of Justice; Nancy Ann-Min Deparle, Administrator of the Health Care Finance Administration, Department of Health and Human Services; Robert Gee, Assistant Secretary for Policy, Planning and Program Evaluation, Department of Energy; Paul Igasaki, Vice Chair, U.S. Equal Employment Opportunity Commission; Rose Ochi, Director, Office of Community Relations, Department of Justice; Donna Tanoue, Chair, Federal Deposit Insurance Corporation; Jeanette Takamura, Assistant Secretary for Aging, Department of Health & Human Services; T.S. Chung, Director Advocacy Center, International Trade Administration, Department of Commerce; Barbara Chow, Associate Director for Human Resources, Office of Management and Budget; Dr. Isi Siddiqui, Deputy Assistant Secretary, Marketing and Regulatory Programs, Department of Agriculture; Maria

Haley, Member of the Board, Export-Import Bank of the U.S. and Doris Matsui, Deputy Assistant to the President and Deputy Director of Public Liaison, The White House.

*Increasing the Number of Judicial Appointments.* Nominated more Asian Pacific Americans to the federal bench than any other Administration. Appointments include the Honorable A. Wallace Tashima, Judge, U.S. Ninth Circuit Court and District Court judges Denny Chin, Anthony Ishii, George King, and Susan Oki Mollway.

**Ordered an Assessment of Affirmative Action Programs.** The President ordered a comprehensive review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand educational and economic opportunity to all Americans. **This review of federal affirmative action programs has helped to ensure that these programs are fair and effective and that they can survive legal challenges. As a result, programs that benefit women and minorities, including students, working men and women, and business owners, remain in effect and are more likely to be upheld by the courts.**

**Increasing Civil Rights Enforcement.** Vice President Gore announced the Administration's proposal for the largest single increase in funding to enforce existing civil rights laws in nearly two decades. Through new reforms and heightened commitment to enforcement, the Administration will seek to prevent discrimination before it occurs and to punish those who do discriminate in employment, education, housing and health care, and against those with disabilities. **The Clinton Administration's FY99 budget contains \$602 million for civil rights enforcement agencies and offices -- an increase of \$86 million over last year's funding.**

**Increasing Funding for the Equal Employment Opportunity Commission (EEOC).** The cornerstone of the improved civil rights enforcement effort is a \$37 million increase (15 percent) for the EEOC. Through increased use of mediation, improved information technology and an expanded investigative staff, the EEOC will reduce the average time for resolving private-sector complaints from over 9.4 months to 6 months and cut the backlog of cases from 64,000 to 28,000, by the year 2000.

*Opposed California Prop. 209 and Similar Measures.* The Clinton Administration **strongly opposes state and local initiatives to eliminate affirmative action programs that expand opportunities for Asian Pacific Americans and others. The Administration opposed Proposition 209 in California and filed amicus briefs opposing Prop. 209, which currently prohibits state affirmative action programs. The Clinton Administration opposed a similar initiative in Houston, which was defeated and is currently opposing an initiative in Washington that is similar to Prop. 209. In all these cases, representatives of the administration have spoken out strongly against these initiatives as unfair and a barrier to equality.**

*Ensuring Election Fairness.* The Clinton Administration defended racially fair redistricting plans against claims that they were unconstitutional and prevented election day discrimination against

minority voters and voter intimidation and harassment by monitoring polling place activities in a record number of states and counties. Continued enforcement efforts to ensure that citizens who rely on languages other than English have the same opportunities to participate in voting-related activities as English-speaking voters.

**Increasing Voter Registration.** During 1995 and 1996, the National Voter Registration Act or "Motor Voter" law registered nearly 14 million new voters and made voting easier for millions more. Notably, 1996 saw the highest percentage of voter registration since 1960. [FEC, 6/97]

**Working for Fair Housing.** To respond to the increase in reported cases of serious fair housing violations, HUD will double the number of its civil rights enforcement actions by the year 2000. HUD has also committed \$15 million to 67 fair housing centers around the country to assist in fighting housing discrimination this year. In addition, the President's budget proposes \$10 million for a targeted enforcement initiative that will use paired testing -- identical applicants of different races or genders approaching Realtors or landlords -- to detect and eliminate housing discrimination. Also, Secretary Cuomo now focuses on one race-based housing discrimination case each week and conducts a community forum around each case to turn the negative experience into a positive one that helps bring the community together.

**Defended Fairness.** The Clinton Administration has filed more cases between 1993 and 1997 to enforce fair housing laws than any other Administration (more than 500 cases). For instance, this Administration desegregated a Vidor, Texas, public housing complex and ordered a Mississippi bank to implement remedial lending plans for minority customers who were unfairly denied loans by the bank.

**Eliminated Discriminatory "Redlining" Practices.** The Clinton Administration negotiated agreements with health care agencies to eliminate discriminatory "redlining" practices denying home health care services based on residential location.

**Working to Ensure a Fair and Accurate Census.** The Clinton Administration is working to ensure that Census 2000 is the most accurate census possible using the best, most up-to-date scientific methods as recommended by the National Academy of Sciences. According to the Census Bureau, the 1990 Census missed 8.4 million people and double-counted 4.4 million others. Nationally, 2.3 percent of Asians Pacific Americans were not counted in the 1990 census. While missing or miscounting so many people is a problem, the fact that certain groups -- such as children, the poor, people of color, city dwellers and people who live in rural rental homes -- were missed more often than others made the undercount even more inaccurate. **A fair and accurate Census is a fundamental part of a representative democracy and is the basis for providing equality under the law.** The President is determined to have a fair and full count in 2000.

## CHILDREN AND FAMILIES

**Protecting Families.** The Family & Medical Leave Act (FMLA) enables workers to take up to 12 weeks unpaid leave to care for a new baby or ailing family member without jeopardizing their job. Millions of workers have already benefited from FMLA since its enactment. The President also proposed expanding the Family & Medical Leave Act to allow workers up to 24 hours per year of unpaid leave for parent-teacher conferences or routine medical care for a child.

**Eliminating Racial and Ethnic Health Disparities.** President Clinton has announced a \$400 million initiative to end racial and ethnic health disparities. The effort sets a national goal of eliminating the longstanding disparities by the year 2010 in six key health areas: infant mortality, diabetes, cancer screening and management, heart disease, AIDS and immunizations.

Currently, for example, Vietnamese women suffer from cervical cancer at nearly five times the rate of white women. The President announced a five-step plan -- led by Surgeon General and Assistant Secretary for Health Dr. David Satcher -- to mobilize the resources and expertise of the Federal government, the private sector, and local communities.

*Focused Health Efforts.* Established the Office of the Minority Health Research and Alternative Medicine at the National Institutes of Health. Helped communities develop culturally-competent systems of care for children with serious emotional disturbances through the Comprehensive Mental Health Services for Children and Families program. Negotiated agreements with hospitals and nursing homes to eliminate barriers to equal access for minorities based on language.

**Fighting to Pass a Strong, Enforceable Patients' Bill of Rights.** President Clinton has called on the Congress to pass a strong, enforceable patients' bill of rights that assures Americans the quality health care they need. The bill should include important patient protections such as: assuring direct access to specialists; real emergency room protections; continuity of care provisions that protect patients from abrupt changes in treatment; a fair, timely, and independent appeals process for patient grievances; and enforcement provisions to make these rights real.

**Protected and Strengthened Medicare.** The Balanced Budget Act extended the life of the Medicare Trust Fund for at least a decade; expanded choices in health plans; and provided beneficiaries new preventive benefits. The President has also put forth a new proposal that will provide greater access to health insurance for Americans ages 55 to 65, including an option to buy into Medicare.

**Extended Health Care to Millions of Children with the Children's Health Insurance Plan (CHIP).** Because of the President's leadership, the Balanced Budget included \$24 billion to provide real health care coverage to up to five million more children, the largest children's health care budget increase since Medicaid was created in 1965. Minority children make up a disproportionate number of the over 10 million uninsured children, with Asian Pacific American children making up 15.8 percent of all uninsured children. The Administration is actively reaching out to communities to target and enroll eligible, uninsured children in CHIP.

**Increased WIC -- \$1 Billion Higher.** Under President Clinton, participation in the Special Supplemental Nutrition Program for Women, Infants, and Children (WIC) has expanded by 1.7 million

-- from 5.7 million in 1993 to 7.4 million women, infants, and children in 1998, with funding rising from \$2.9 billion to \$3.9 billion. The President's budget proposes \$4.1 billion in WIC funding to serve 7.5 million women, infants, and children in 1999, fulfilling his goal of full participation in WIC.

Research shows that every \$1 increase in the prenatal care portion of the WIC program cuts between \$1.77 and \$3.90 in medical expenses in the first 60 days following childbirth. In 1996, 3 percent of the infants who benefited from WIC were Asian Pacific American children.

**Expanded Head Start By Nearly 60 Percent -- Over \$1.5 Billion Higher Per Year.** Since 1993, President Clinton has expanded Head Start by 57 percent, from \$2.8 billion in FY93 to \$4.4 billion in FY98. Of the estimated 830,000 children now enrolled in Head Start, 3 percent are Asian Pacific American children. The President's FY99 Budget increases Head Start funding by \$313 million, which would mean Head Start funding would be 68-percent higher in 1999 than in 1993. The President is on track to meet his goal of enrolling one million children in Head Start.

**Proposed the Largest Single Investment in Child Care in the Nation's History.** The President's \$21 billion child care proposal will give child care subsidies to millions of children and increase tax credits for three million working families to help them pay for child care.

**Providing After-School Opportunities for Up to Half a Million Children a Year.** Last year, the President fought for, and won, a \$40 million expansion of the 21st Century Community Learning Centers program. Building on the success of this program, the President's FY99 budget includes a \$200 million major expansion, which will provide safe and educational after-school opportunities for up to 500,000 school-age children in rural and urban communities across the country.

## EDUCATION

**Made the Largest Investment in Education in 30 Years.** Maintaining his longtime commitment to education, the President enacted the largest investment in education in 30 years -- and the largest investment in higher education since the G.I. Bill -- by signing the 1997 Balanced Budget Act.

**Expanding Investments In Youth Education And Training.** One of the President's top priorities is fighting efforts by Congress to eliminate both the Summer Jobs Program, which provides jobs to roughly 530,000 disadvantaged young people, and the new Youth Opportunity Area Initiative, which would help provide job training and help finding jobs for up to 50,000 youth in the poorest communities nationwide. The Youth Opportunity Area Initiative program provides high school dropouts between the ages of 16 and 24 with academic and job-skills training, as well as apprenticeships building and rehabilitating affordable housing.

**Expanding College Opportunity with Tuition Tax Credits, Education IRAs, and Largest Increase in Pell Grants in 20 Years.** The President is making the first two years of college universally available with \$1500 HOPE Scholarship credits and a 20 percent tax credit helps offset tuition costs for college or lifetime learning. The expanded IRA allows penalty- and tax-free withdrawals for education. And, in

the coming school year, nearly 4 million students will receive a Pell Grant of up to \$3,000, 30 percent larger than when the President took office. In the 1995-96 school year, 33 percent of all Asian Pacific American students enrolled full-time in college received a Pell Grant. In addition, the FY99 budget proposes \$249 million more for Pell Grants, which would help increase the maximum by another \$100 to \$3,100 -- the highest ever. This would reach 3.9 million low- and middle-income undergraduates. If the President's budget were enacted, the maximum grant would be 25-percent higher than in 1996.

**Fostering Diversity.** The White House recently awarded **Presidential Awards for Excellence in Science, Mathematics and Engineering Mentoring Grants to both individual mentors and institutions that foster mentoring, helping to ensure that America's future scientists and engineers come from all of the nation's racial and cultural segments of the population.**

*Modernizing Our Schools.* The President is working to pass federal tax credits to help rebuild, modernize, and build over 5,000 public schools nationwide.

*Reducing Class Size.* The President is pressing Congress to enact his proposal to reduce class size to a national average of 18 students in grades 1-3, by helping local schools hire an additional 100,000 well-prepared teachers. Research shows that minorities, and low-income students in particular, benefit academically from smaller classes.

**Teaching Every Child to Read by the 3rd Grade.** More than 1000 colleges have committed work-study students to tutor children in reading, and thousands of AmeriCorps members and senior volunteers are organizing volunteer reading campaigns. In addition, the President is working to enact an early literacy bill such as the America Reads Initiative that will provide more tutors after school, improve the teaching of reading in our schools, and help parents help their children learn to read.

**Striving for Excellence with National Education Standards.** Thanks to President Clinton's leadership, the *Title I program* is helping more than 10 million disadvantaged students reach high academic standards by giving them extra help with basic and advanced skills. In the 1994-95 school year, 3 percent of the children benefiting from the Title I program were Asian Pacific American students.

*Working to Pass the High Hopes for College Initiative.* The High Hopes for College Initiative will inspire more young people to have high expectations, to stay in school and study hard, and to go to college. The Clinton Administration is working with Congress to pass this initiative which makes a long-term investment -- starting with \$140 million in FY99 -- to promote partnerships between colleges and middle or junior high schools in low-income communities. The President's High Hopes program will provide one million at-risk middle school students (over five years) the mentoring and tutoring needed to raise education expectations and eliminate barriers to college.

*Helping to Assist Schools with More Foreign Language Programs; Opposing English Only.* The Administration has restructured Foreign Language Assistance Programs to assist local schools in establishing programs in Chinese, Japanese and Korean. The Clinton Administration strongly

opposes legislation to make English the official language of the United States which would have jeopardized services and programs for non-English speakers and jeopardized assistance to the tens of thousands of new immigrants and others seeking to learn English as adults.

*Addressing Minority Needs.* Hosted Asian Pacific American Education Forums to address the needs of Asian Pacific American students and their teachers.

*AmeriCorps College Support.* Since 1993, more than 100,000 people have had the opportunity to serve through AmeriCorps, with Asian Pacific Americans comprising 3 percent of all participants (1996 data). This year alone, nearly 50,000 young people will take advantage of the opportunity to serve and earn an award of up to \$4,725 to pay for college or repay student loans.

*Increased Bilingual Education by 35 Percent.* Last year (FY97) in the Balanced Budget Agreement, the President secured a *35 percent increase* in bilingual and immigrant education. The bilingual education funding will help school districts teach English to more than a million limited-English proficient children, as well as provide some 4,000 teachers with the training they need to do their jobs better. The Immigrant Education program will help more than a thousand school districts provide supplemental instructional services to 875,000 recent immigrant students. And the President's FY99 budget proposal includes an increase of \$33 million for Bilingual and Immigrant Education.

**Proposing Education Opportunity Zones.** The President proposed \$1.5 billion, over five years, to bolster reform efforts by high-poverty urban and rural school districts that demonstrate both a commitment to, and a track record in, improving educational achievement. Funds will be used to improve accountability, turn around failing schools, recognize outstanding teachers, deal with ineffective ones and expand public school choice. Added investments in these communities will accelerate progress and provide successful models of system-wide, standards-based reform.

**Expanding Access to Educational Technology.** The Clinton Administration created the Technology Literacy Challenge Fund to help connect every classroom to the Internet by 2000, increase the number of multimedia computers in the classroom, provide teachers with technology training, and promote the development of high-quality educational software.

**Linking Schools and Libraries to the Internet.** The Clinton Administration has secured the E-Rate, provided for in the Telecommunications Act, a discounted education rate for telecommunications services so schools and libraries will be able to bring technology into the classroom, set up phone lines and access the Internet at a fraction of the cost. Schools and libraries are eligible for up to 90 percent (depending on poverty level) of discounts on telecommunications and information services.

*Opposed Gallegly Amendment.* The Administration opposed the Gallegly Amendment which would have ended the guarantee of public education for all children. It would have shifted immigration enforcement from the borders and work sites to classrooms and made children susceptible to gangs and

violence.

### *FIGHTING CRIME*

**White House Conference on Hate Crimes.** President Clinton hosted the first White House Conference on Hate Crimes, which examined laws and remedies that can make a difference in preventing hate crimes, highlighted solutions that are working in communities across the country, and continued the frank and open dialogue needed to build One America. **The President announced significant law enforcement and prevention initiatives to get tough on hate crimes, including: support for legislation to expand the federal hate crimes law to cover crimes based on sexual orientation, gender, or disability; the creation of a network of local hate crime working groups; the addition of approximately 50 FBI agents and federal prosecutors to enforce hate crimes laws; improved collection of data on hate crimes; and the production of materials to educate the public -- especially youth -- about hate crimes.**

**Enhanced Penalties for Hate Crimes.** As part of the historic 1994 Crime Act, the President signed the Hate Crimes Sentencing Enhancement Act which provides for longer sentences where the offense is determined to be a hate crime.

**Falling Crime Rates.** Violent crime is down six years in a row, the longest period of decline since 1960. Juvenile crime, which had been exploding, has declined 2 years in a row. Property and violent crime victimization rates are at their lowest levels in nearly 25 years.

**Won Passage of the Most Comprehensive Crime Bill Ever.** In 1994, after more than six years of gridlock, a bipartisan majority in Congress passed the toughest, smartest Crime Bill in the nation's history. Among other provisions, the new law now provides: a targeted "Three-Strikes-and-You're-Out" provision to put career violent offenders behind bars for life; an expanded death penalty for drug kingpins, murderers of federal law enforcement officers and nearly 60 additional categories of violent felons; and funding for 100,000 more prison cells to help states ensure that violent offenders serve their full sentences.

**Putting 100,000 New Police on the Streets and Providing COPS Grants to Underserved Areas.** The President's Crime Bill, through the Community Oriented Policing Services (COPS) program, has already funded nearly 80,000 new officers. As a part of the COPS Program, the President announced new grants to increase police presence and community policing in underserved neighborhoods. Under this initiative, 18 cities will share \$106 million to hire 620 new community policing officers. The pilot cities were selected following an analysis of crime, demographic and economic data.

**Promoting Community Prosecutions.** The President's FY99 budget includes \$50 million for grants to promote community prosecution, which builds on effective community policing strategies. The funds will enable local prosecutors across the country to play a more active role in crime fighting by spending more time in their neighborhoods, both helping to solve crimes and preventing them before they happen.

## SAFE AND CLEAN ENVIRONMENT

**Environmental Justice and Redevelopment.** The Clinton Administration issued an Executive Order on Environmental Justice to ensure that low-income citizens and minorities do not suffer a disproportionate burden of industrial pollution. The Administration identified pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities, turn them into useable space, create jobs and enhance community development.

**Issued Toughest New Air Quality Standards in a Generation.** The Clinton Administration issued new air quality standards for smog and soot that will prevent 15,000 premature deaths a year and improve the lives of millions of Americans who suffer from respiratory illnesses.

**Cleaning Up Toxic Waste Sites and Redeveloping Brownfields.** This Administration has cleaned up twice as many Superfund sites in less than six years as previous administrations did in twelve. To date, the Administration has awarded 228 Brownfields grants, for over \$42 million, to states, cities, towns, counties, and tribes. These grants have leveraged nearly \$1 billion for redevelopment of industrial sites and created over 2,000 jobs.

**Providing Safe Drinking Water.** The President proposed and signed legislation to strengthen the Safe Drinking Water Act to ensure that our families have healthy, clean tap water. The Administration required America's 55,000 water utilities companies to provide regular reports to their customers on the quality of their drinking water.

**Reducing the Threat of Global Warming.** The Administration negotiated an international treaty to reduce greenhouse gas emissions in an environmentally strong and economically sound way. The President's has proposed a five-year \$6.3 billion package of tax incentives and research investment to reduce greenhouse gas emissions through energy efficiency and clean energy technologies.

**Protecting Our Natural Treasures.** The Clinton Administration has protected or enhanced nearly 150 million acres of public and private lands, from the red rock canyons of Utah to the Florida Everglades. And the Administration has recently reached agreements to protect Yellowstone from mining and save the ancient redwoods of California's Headwaters Forest.

## IMMIGRATION

**Fairness for Immigrants.** The President worked with Congress to correct the most egregious impacts of the Illegal Immigration Reform and Immigrant Responsibility Act of 1996. As a result, almost a million people will be able to proceed with legalizing their immigration status under the former standards of immigration law and not the new, stricter and more burdensome standards enacted in 1996.

**Restoring Food Stamp Benefits for Legal Immigrants.** In June 1998, the President signed the Agricultural Research Act into law, which restores food stamp benefits to 250,000 elderly, disabled, and other needy legal immigrants, including 75,000 children, who lawfully resided in the U.S. as of August 22, 1996, and lost assistance as a result of cuts in the 1996 welfare law that had nothing to do with welfare reform. It restores benefits to Hmong immigrants from Laos who aided our country during the Vietnam War and extends the period during which refugees and asylees may qualify for Food Stamps while they await citizenship. This law funds a significant part of the President's 1999 budget proposal to restore food stamp benefits to 730,000 legal immigrants, but the President's budget proposal would go further by covering families with children regardless of the date they entered the U.S. This restoration builds on the President's success last year in restoring SSI and Medicaid to 420,000 legal immigrants whose benefits were also terminated in welfare reform (see below).

**Reversing Unfair Cuts; Protects Legal Immigrants Who Become Disabled and Those Currently Receiving Benefits.** The Balanced Budget Act of 1997 restored \$11.5 billion in SSI and Medicaid benefits for legal immigrants whose benefits were also terminated in welfare reform. This law protects those immigrants now receiving assistance, ensuring that they will not be turned out of their apartments or nursing homes or otherwise left destitute. And for immigrants already here but not receiving benefits, the BBA does not change the rules retroactively. Immigrants in the country as of August 22, 1996, but not receiving benefits at that time who subsequently become disabled will also be fully eligible for SSI and Medicaid benefits. When the President signed the 1996 Welfare Reform Law, he pledged to go back and change provisions that have nothing to do with welfare reform, such as cutting off benefits to legal immigrants. Critics said the changes would never be made. However, in 1997 and again in 1998, the President followed through on his pledge -- and won many of the changes he sought in the 1996 law.

**Strengthening the Naturalization Process.** The Administration made naturalization a top priority of the Immigration and Naturalization Service in order to continue fostering legal immigration while combating illegal immigration. For instance, over one million individuals were naturalized in 1996. The Administration continues to work to streamline and improve the naturalization process so that eligible individuals who have played by the rules can become full partners in America. In FY99, the Administration is seeking an infusion of new resources to reduce the backlog of naturalization applications and improve customer service.

**Defended Immigrant Rights.** The Administration defeated legislative efforts which would have significantly eroded health care for immigrants. The bipartisan agreement strengthened the sponsorship requirement while preserving the basic ability of families to reunify.

#### AMERICAN LEADERSHIP

**Persuaded North Korea To Freeze its Dangerous Nuclear Program.** The Administration persuaded North Korea to freeze its dangerous nuclear program and is one of the leading forces for peace on the Korean Peninsula.

**Renewed Bipartisan Consensus for Engagement with China.** The Administration has renewed the bipartisan consensus for engagement with China to advance U.S. interests and draw the world's most populous nation more fully into the international community.

**Supporting Human Rights In China.** The Administration has engaged China's leaders in ground-breaking human rights dialogue.

**Led International Efforts Against Terrorism.** The Administration has led international efforts against terrorism, including signing anti-terrorism legislation that ensures strong penalties for convicted terrorists.

**Secured Bipartisan Senate Ratification of the Chemical Weapons Convention and the Start II Treaty.** The convention bans the production, stockpiling, and use of chemical weapons. Start II, together with Start I, will reduce U.S. and Russian nuclear arsenals two-thirds from their Cold War heights.

**Meeting Emerging Threat of Biological Weapons.** By strengthening our ability to respond to an attack, vaccinating our troops and seeking tough inspection to enforce international treaty.

**Led Efforts to Rid the World of Land Mines.** The Administration has led efforts to rid the world of land mines by eliminating non self-destructing mines from our arsenals, seeking alternatives to self-destructing mines by 2006, and devoting more resources to removing existing mines than the rest of the world combined.

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**TRP - BOX 102 - FOLDER -007**

**[10/02/1998-05/13/1999]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Matthew Cooper to Elena Kagan re: Tobacco [partial] (1 page)	11/12/1998	P6/b(6)
002. email	JMO to Elena Kagan re: Dinner (1 page)	11/17/1998	Personal Misfile
003. email	Beth Nolan to Cheryl Mills et al re: Season's Greetings (2 pages)	12/30/1998	Personal Misfile
004. email	DBF to Cheryl Mills et al re: Season's Greetings (1 page)	12/30/1998	Personal Misfile

**COLLECTION:**

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

**FOLDER TITLE:**

[10/02/1998 - 05/13/1999]

2009-1006-F  
eh228

### 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]

- 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]

- 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.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME: 2-OCT-1998 16:55:00.00

SUBJECT: Survey

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOW  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 2-OCT-1998 16:55:00

So far it is four to four. Do not ask me what other offices are doing.

That

will all be decided comprehensively, worry about what you want.

Here are some other issues

Lotus Excel or Microsoft

Freelance Graphics vs. Harvard Graphics vs. Microsoft. Let me know.

By the way, we are keeping Lotus Notes.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )

CREATION DATE/TIME: 5-OCT-1998 14:22:00.00

SUBJECT: Word Perfect VS Microsoft Word

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LN GTWY@LN GTWY [ UNKNOW  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LN GTWY@LN GTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

CC: Ashley L. Raines ( Ashley L. Raines@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 5-OCT-1998 14:22:00

The votes are in. After going into the weekend neck and neck, Word Perfect rolled ahead on the "all change is bad" campaign. A key turning point was Bruce Reed's comment that Microsoft Word and Word Perfect were, in his view, "virtually identical, but...(Microsoft) Word has a handful of annoying features."

The argument from Microsoft Word supporters that we should switch because the rest of the country is moving in that direction created little support. Jose Cerda's view that we should support the monopolization of the computer world because the information revolution is based on different economic principles

than the industrial revolution, was also a non-starter.

Tom Freedman, leader of the Microsoft Word coalition was unavailable for comment.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Thomas L. Freedman ( Thomas L. Freedman@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )

CREATION DATE/TIME: 5-OCT-1998 14:57:00.00

SUBJECT: Re: Word Perfect VS Microsoft Word

TO: Andrea Kane ( Andrea Kane@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ashley L. Raines ( Ashley L. Raines@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( cathy r. mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( christa robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( leanne a. shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@EOP@LNKTWY@LNKTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael.Cohen@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Neera Tanden ( Neera.Tanden@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole.R.Rabner@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah.A.Bianchi@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya.E.Martin@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd.A.Summers@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:  
Message Creation Date was at 5-OCT-1998 14:57:00

As a loyal Word perfect user, I attach my eloquent 10/2/98 vote as directed to Paul W. who recently tried to taint me as a microworder. He is not trustworthy.

Thomas L. Freedman  
10/02/98 05:01:01 PM  
Record.Type: Record

To: Paul J. Weinstein Jr./OPD/EOP  
cc:  
Subject: Re: Survey

i dont wanna learn a new system.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:13-OCT-1998 15:04:00.00

SUBJECT: Devorah Adler

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Chantell S. Long ( Chantell S. Long@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Teresa M. Jones ( Teresa M. Jones@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Message Creation Date was at 13-OCT-1998 15:04:00

Devorah Adler, our new health care employee, joined the DPC staff today...Devorah is picking up much of Sarah's previous role. Devorah is sitting in room 216, in Sarah's old space. Please go and introduce yourself.

Sarah will continue as a member of the DPC Staff, although she will be chiefly working for the Office of the Vice President. Sarah can be temporarily located in room 217L.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( Paul J. Weinstein Jr.@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:16-OCT-1998 10:09:00.00

SUBJECT: Bagels and Doughnuts

TO: Andrea Kane ( Andrea Kane@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce N. Reed ( Bruce N. Reed@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cathy R. Mays ( Cathy R. Mays@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Chantell S. Long ( Chantell S. Long@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christa Robinson ( Christa Robinson@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher C. Jennings ( Christopher C. Jennings@VAXGTWY@LNGTWY@LNGTWY [ UNKNOW  
READ:UNKNOWN

TO: Cynthia A. Rice ( Cynthia A. Rice@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cynthia Dailard ( Cynthia Dailard@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Devorah R. Adler ( Devorah R. Adler@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Essence P. Washington ( Essence P. Washington@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeanne Lambrew ( Jeanne Lambrew@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer L. Klein ( Jennifer L. Klein@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jonathan H. Schnur ( Jonathan H. Schnur@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Julie A. Fernandes ( Julie A. Fernandes@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Laura Emmett ( Laura Emmett@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )  
READ:UNKNOWN

TO: Leanne A. Shimabukuro ( Leanne A. Shimabukuro@EOP [ UNKNOWN ] )

READ:UNKNOWN

TO: Mary L. Smith ( Mary L. Smith@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Michael Cohen ( Michael Cohen@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Neera Tanden ( Neera Tanden@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Nicole R. Rabner ( Nicole R. Rabner@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Sarah A. Bianchi ( Sarah A. Bianchi@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Tanya E. Martin ( Tanya E. Martin@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Teresa M. Jones ( Teresa M. Jones@EOP@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Thomas L. Freedman ( Thomas L. Freedman@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TO: Todd A. Summers ( Todd A. Summers@VAXGTWY@LNGTWY@LNGTWY [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 16-OCT-1998 10:09:00

Congratulations everyone on a great week of work. Special thanks for  
getting

all the budget info together.

In the conference room you will find bagels and doughnuts. Enjoy.

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: DBF ( dbf@wiggin.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:16-OCT-1998 14:13:00.00

SUBJECT: George Selmont and Jason Block

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

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

TEXT:

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Matthew Cooper to Elena Kagan re: Tobacco [partial] (1 page)	11/12/1998	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/02/1998 - 05/13/1999]

2009-1006-F  
eh228

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: mcoope ( mcoope@newsweek.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:12-NOV-1998 13:13:00.00

SUBJECT: Tobacco

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

Elena,

Can you give me a call re: tobacco when you can? Thanks.

Matthew Cooper

Newsweek

Deputy Bureau Chief/National Correspondent

Suite 1220 | 1750 Pennsylvania Avenue N.W. | Washington, D.C.

20006-4578

Work: 202-626-2046 | Fax: 202-626-2011 | Portable: P6/(b)(6)

[001]

Pager: P6/(b)(6) | Home phone: P6/(b)(6) | Home fax:

P6/(b)(6)

E-mail: mcoope@nwnet.newsweek.com | Private E-Mail: Mattizcoop@aol.com

ewsk

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

id <01J435L9W80W000GPL@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,

12 Nov 1998 13:11:41 EST

Received: from Storm.EOP.GOV by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

with ESMTTP id <01J435L7D4PC002MOJ@PMDF.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,

12 Nov 1998 13:11:38 -0500 (EST)

Received: from nwnet. ([208.194.106.7]) by STORM.EOP.GOV (PMDF V5.1-12 #29131)

with SMTP id <01J435KRDJT2001Z5H@STORM.EOP.GOV> for Kagan\_E@a1.eop.gov; Thu,

12 Nov 1998 13:11:16 -0500 (EST)

Received: by NW\_NY\_MAIL with Internet Mail Service (5.5.1960.3)

id <VXPAN5M9>; Thu, 12 Nov 1998 13:13:53 -0500

X-Mailer: Internet Mail Service (5.5.1960.3)

X-MS-TNEF-Correlator: <440164E5693DD211BE91006008A8819135E5CA@NW\_NY\_MAIL>  
===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D31]ARMSZZ000V4VH.001 to ASCII,  
The following is a HEX DUMP:

789F3E22361201069008000400000000001000100010790060008000000E40400000000000E8  
0001088007001800000049504D2E4D6963726F736F6674204D61696C2E4E6F7465003108010580  
03000E000000CE070B000C000D000D002F000400390101208003000E000000CE070B000C000D00  
0D00340004003E0101098001002100000031393932374446333538374144323131424539393030  
3630303841383831393100F906010480010008000000546F626163636F00BB02010D8004000200  
0000020002000103900600DC050000200000000300260000000000030036000000000002010910  
010000007402000070020000980400004C5A4675CB546053FF000A010F021502A403E405EB0283  
0050130574020063680AC07365746E32060006C302833203C5020070DC7271122007130283330F  
7F10873E340345137507C103E009E06B4CE86F676F02807D0A8008CF09D9E23B18DF32353519F3  
1B11192C0718010DA20B606E67313033AF14800B0A12F20C01630040200A85491F1C456C09F061  
2C1F1C430503917908602067697665C22007802061206307400320C118E03A20746F6200D005A0  
3820776809F021D322C06E3F84205411C06E6B732E1F1FD30ABF1482313605D061024023E0F307  
E008506F700490260517262605004465707574792042490870656122004368089066742F4E27C0  
69022007402821727918E0737002200DB00230260553C87569742250313201D00AE13726EA1EC1  
12207C2DAD2D5037358D2D905009F00080796C76007037073013D022406E0A5007B02E573B2DBF  
2D902E31BF2ECF279057614E732AE01D3023506E2C29E02E38432E20363001D03670362D503435  
373826055705B06BC323303651322D363236A001D01E34279032FF340F2790466178FB233037E8  
31005038CF39DF303018814701A020703B24323731381036C434312605506167049023301D3F40  
3840A0381037F13331396F0DF03C1F36313D3F4803702250708E6802203EB51D70332D314121F1  
35D0457874362012F0417F429F3D43A5663B061D7040C030003534DD1FF62D00C0031023306D05  
A0285178406E7744404580444017442EFD05A06D45CF46DF3E12051030B02D314F49E027B04A22  
27B2697A4A72403E6106F04BB226070B64163173347A383CE36550DB1EB2122017406BBF26CD50  
6D14822D81260518010056701E0070000100000008000000546F626163636F0002017100010000  
001600000001BE0E67DA553F671FFA7A2411D292F300A0246D436A0000400039006066C830680E  
BE010300F13F090400001E00314001000000070000004D434F4F5045000003001A4000000001E  
00304001000000070000004D434F4F504500000300194000000000300FD3FE404000002014700  
0100000035000000633D55533B613D203B703D4E4557535745454B3B6C3D4E575F4E595F4D4149  
4C2D3938313131323138313334375A2D3439313938000000000201F93F010000004E000000000  
0000DCA740C8C042101AB4B908002B2FE18201000000000000002F4F3D4E4557535745454B2F4F  
553D4E4557535745454B4E542F434E3D524543495049454E54532F434E3D4D434F4F504500000  
1E00F83F01000000D000000436F6F7065722C204D61747400000001E00384001000000070000  
004D434F4F504500000201FB3F010000004E000000000000DCA740C8C042101AB4B908002B2F  
E18201000000000000002F4F3D4E4557535745454B2F4F553D4E4557535745454B4E542F434E3D  
524543495049454E54532F434E3D4D434F4F5045000001E00FA3F01000000D000000436F6F70  
65722C204D61747400000001E00394001000000070000004D434F4F5045000040000730C2AABA  
1A680EBE014000083040BB0334680EBE011E003D00010000000100000000000001E001D0E0100  
000008000000546F626163636F001E00351001000000340000003C343430313634453536393344  
4432313142453931303036303038413838313931333545354341404E575F4E595F4D41494C3E00  
0B002900010000000B002300000000003000610451079BA03000710600100000300101000000  
000300111000000001E0008100100000065000000454C454E412C43414E594F5547495644D45  
4143414C4C52453A544F424143434F5748454E594F5543414E3F5448414E4B534D415454484557  
434F4F5045524E4557535745454B44455055545942555245415543484945462F4E4154494F4E41  
4C434F52000000002017F0001000000340000003C343430313634453536393344443231314245  
3931303036303038413838313931333545354341404E575F4E595F4D41494C3E009D6C

===== 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:** f\_hv4v000z\_default\_html\_2.tnf

**Attachment Number:** [ATTACH.D31]ARMSZZ000V4VH.001 to ASCII

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	JMO to Elena Kagan re: Dinner (1 page)	11/17/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/02/1998 - 05/13/1999]

2009-1006-F

eh228

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Beth Nolan to Cheryl Mills et al re: Season's Greetings (2 pages)	12/30/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/02/1998 - 05/13/1999]

2009-1006-F  
eh228

### 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]

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	DBF to Cheryl Mills et al re: Season's Greetings (1 page)	12/30/1998	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Tape Restoration Project (Email)  
Default ([Kagan])  
OA/Box Number: 1100000

### FOLDER TITLE:

[10/02/1998 - 05/13/1999]

2009-1006-F  
eh228

### 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: FEDERAL (TRP NOTES MAIL)

CREATOR: DBF ( dbf@wiggin.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:13-JAN-1999 15:03:00.00

SUBJECT: Apologies

TO: Cheryl D. Mills ( Cheryl D. Mills@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dawn M. Chirwa ( Dawn M. Chirwa@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Douglas J. Band ( Douglas J. Band@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Lots of apologies if you sent me an email in the last month. Due to a glitch in our office system, I was not receiving internet e-mails from December 1 until this week. Please resend any emails as I'm assured

the problem is completely fixed. Thanks.===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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

RECORD TYPE: FEDERAL (TRP NOTES MAIL)

CREATOR: MAWALDMAN ( MAWALDMAN@aol.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:13-MAY-1999 22:16:00.00

SUBJECT: POSSIBLE DEPARTURE STATEMENT ON GUNS

TO: Bruce N. Reed ( Bruce N. Reed@EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Dawn L. Smalls ( Dawn L. Smalls@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Douglas B. Sosnik ( Douglas B. Sosnik@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elena Kagan ( Elena Kagan@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jeffrey A. Shesol ( Jeffrey A. Shesol@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jordan Tamagni ( Jordan Tamagni@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jose Cerda III ( Jose Cerda III@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Joseph P. Lockhart ( Joseph P. Lockhart@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Joshua S. Gottheimer ( Joshua S. Gottheimer@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lawrence J. Stein ( Lawrence J. Stein@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Loretta M. Ucelli ( Loretta M. Ucelli@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Maria Echaveste ( Maria Echaveste@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael Waldman ( Michael Waldman@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Sara M. Latham ( Sara M. Latham@eop [ UNKNOWN ] )  
READ:UNKNOWN

TO: Steve Ricchetti ( Steve Ricchetti@eop [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Draft 5/13/99 11:15am

Waldman/Shesol/Reed/Kagan

PRESIDENT WILLIAM J. CLINTON

REMARKS ON SENATE GUN LEGISLATION

THE WHITE HOUSE

May 14, 1999

It is now clear that the tragedy in Littleton has helped create a broad, common sense consensus that we must act to keep guns out of the hands of criminals and away from our children. The question is whether the Congress will write that national vision into law or seek to block it. Thus far, the answer given by the Senate is not promising.

I am pleased that on Wednesday, a bipartisan majority in the Senate backed two important measures I introduced [two] weeks ago. First, they agreed to ban the import of high capacity ammunition clips that are used to evade the 1994 ban on assault weapons. Second, they agreed to ban juvenile possession of semi-automatic assault rifles and large capacity magazines -- weapons designed only for mayhem. There is no good reason for a child to own an AK-47. And there is no good reason for anyone to use a 15 round ammo clip.

I applaud the Senate for taking these two steps. However, on Wednesday, a narrow Republican majority squandered an important opportunity to close the gun-show loophole through which tens of thousands of guns are

sold each year without background checks. Yesterday, I called on the Senate to reconsider this vote. It makes absolutely no sense to let criminals continue to use legitimate gun shows as a convenience store for their weapons.

Today, the Senate will vote again on a measure purporting to address this issue. But the Senate Republican is riddled with high caliber loopholes. It won't stop criminals from buying guns at gun shows. And at the same time, it will let them buy guns at their local pawn shop. That's worse than current law. I simply cannot believe that the Senate is going to make the same mistake twice. So, once again, I call on the Senate to reject this phony proposal and to pass real legislation that prevents criminals from buying guns at gun shows.

This should be a moment for national unity. I was very pleased today to receive a letter from the major gun manufacturers supporting our efforts to pass a real, enforceable, mandatory background checks at gun shows. They recognize that law abiding citizens don't need a gun show loophole; only criminals do.

For six years, America has made strong and steady progress in the fight against crime. We have done so by elevating results over ideology.

Today, we have a chance to put aside the partisanship, political divisions,

and raw special interest power that has dominated the debate on guns for so

long. For the sake of our children, I hope the Senate changes its mind and

takes strong action to keep guns out of the wrong hands.===== ATTACHM  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

## RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

id <01JB5ZSM3TCG004RQY@PMDF.EOP.GOV>; Thu, 13 May 1999 23:17:49 EST

Received: from storm.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)

with ESMTTP id <01JB5ZSJ8XN4004LFD@PMDF.EOP.GOV>; Thu,  
13 May 1999 23:17:45 -0500 (EST)

Received: from imo17.mx.aol.com ([198.81.17.7])

by EOP.GOV (PMDF V5.2-31 #34437) with ESMTTP id <01JB5ZR5N700005ZK@EOP.GOV>;  
Thu, 13 May 1999 23:17:10 -0500 (EST)

Received: from MAWALDMAN@aol.com (8054) by imo17.mx.aol.com (IMOV20)

id sKDYa13995; Thu, 13 May 1999 23:16:20 -0400 (EDT)

X-Mailer: AOL 4.0 for Windows 95 sub 13

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