

**NLWJC - KAGAN**

**EMAILS CREATED**

**ARMS - BOX 001 - FOLDER 007**

**[2/23/1997 - 2/28/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Bruce Reed re Drug Event [partial] (1 page)	02/24/1997	P6/b(6)
002. email	Elena Kagan to Melissa Murray re Event (1 page)	02/28/1997	Personal Misfile

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**COLLECTION:**

Clinton Presidential Records  
Automated Records Management System (Email)  
OPD ([From Elena Kagan])  
OA/Box Number: 250000

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**FOLDER TITLE:**

[02/23/1997-02/28/1997]

2009-1006-F

kc209

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### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1997 14:00:45.00

SUBJECT: adcouncil checks

TO: Jeanine D. Smartt ( CN=Jeanine D. Smartt/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

Could you talk with me about this Monday morning? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1997 13:56:09.00

SUBJECT: sprint letter

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

TEXT:  
ok with me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1997 14:14:32.00

SUBJECT: no-knock case

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

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

TEXT:

Cheryl tells me that you're talking with DOJ about the no-knock case -- and that we agree (with each other, if not with DOJ) on what DOJ ought to argue. Let me know what happens, and let me know if there's anything Bruce or I can do to help.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1997 14:19:17.00

SUBJECT: medicaid case

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

TO: Stephen C. Warnath ( CN=Stephen C. Warnath/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 read the brief that counsel's office sent over. It looks pretty clear to me that the brief is right in saying that the welfare law forbids illegal aliens from receiving medicaid coverage for non-emergency pre-natal care. So I'd tell DOJ to go ahead and file. Does anyone disagree?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1997 13:51:32.00

SUBJECT: Re: Call from NGA

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

READ:UNKNOWN

TEXT:

no, I think he's saying to tell susan golonka (is that her name??) to give up on medicaid and switch her lobbying efforts to child care -- so that golonka is pushing hhs for this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 18:36:09.00

SUBJECT: Re: Feds Hiring Welfare Recipients

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

READ:UNKNOWN

TEXT:

many thanks. i'll read it tonight.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 14:06:38.00

SUBJECT: Re: Minimum wage

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

READ:UNKNOWN

TEXT:

yes. how much workfare was cwep; how much was awep, etc.  
also -- could you and emily try to include me when you talk to Cathy Way  
(is that her name?). If I'm not here, just go ahead, but try me first.  
and also -- ask cathy at the same time about the flsa issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 12:29:28.00

SUBJECT: Re: Early Childhood Presidential Memo

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

CC: Jeanine D. Smartt ( CN=Jeanine D. Smartt/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

You're right, but it's been signed, and I don't think we it's worth having to get it signed again.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 14:30:34.00

SUBJECT: Re: refugee self-sufficiency

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

READ:UNKNOWN

TEXT:

I asked Steve to send you an e-mail, but the basic answer is: no one could really object to this refugee report (and in fact, DOJ, Ed, and DPC don't object) because the report doesn't say much of anything. For example, the report's main recommendation is that HHS will "engage in consultations" on the question how to promote economic self-sufficiency among refugees. The real work starts now, and we should keep on HHS -- in consultation with DOJ, Ed, and State -- to do it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 18:56:28.00

SUBJECT: Re: Hello

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

TEXT:

I think I'm through talking with people. but thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997, 18:55:47.00

SUBJECT: Re: More for your memo on the welfare reform and the Congressional Working Group

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

READ:UNKNOWN

TEXT:

thanks much

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 19:13:14.00

SUBJECT: Re: Completion of the Welfare Web Page

TO: Jeanine D. Smartt ( CN=Jeanine D. Smartt/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

thanks. that's great.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 18:38:14.00

SUBJECT: HHS (Golden) Testimony on Proposed Technical Amendments to the Welfare Reform La

TO: Diana Fortuna ( CN=Diana Fortuna/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:  
could you do up a paragraph on our moe legislative fix using basically the  
same language as we added to the last piece of Golden testimony? then,  
give me a chance to see it; and then we'll ship it to omb. many thanks.  
----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 06:38  
PM -----

Melinda D. Haskins 02/24/97 03:43:26 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Janet R. Forsgren/OMB/EOP  
Subject: HHS (Golden) Testimony on Proposed Technical Amendments to the  
Welfare Reform Law

Comments on the HHS (Olivia Golden) testimony for Ways and Means on the  
Administration's proposed technical amendments to the welfare reform law  
are due to me ASAP. Thanks.

Message Sent

- To: \_\_\_\_\_
- Kenneth S. Apfel/OMB/EOP
  - Cynthia M. Smith/OMB/EOP
  - Barry White/OMB/EOP
  - Keith J. Fontenot/OMB/EOP
  - Bruce N. Reed/OPD/EOP
  - Elena Kagan/OPD/EOP
  - Diana Fortuna/OPD/EOP
  - Jeffrey A. Farkas/OMB/EOP
  - Jack A. Smalligan/OMB/EOP
  - Lester D. Cash/OMB/EOP
  - Stacy L. Dean/OMB/EOP
  - E. Irene James/OMB/EOP
  - Laura Oliven Silberfarb/OMB/EOP
  - Wendy A. Taylor/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 12:24:39.00

SUBJECT: CHANGE IN TIME - Procurement Affirmative Action meeting

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 12:26  
PM -----

June G. Turner  
02/24/97 10:30:11 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: CHANGE IN TIME - Procurement Affirmative Action meeting

The Affirmative Action Meeting (dealing with Procurement Issues) scheduled for today at 4:00 pm in the Roosevelt Room will now be at 5:00 pm.

I would appreciate confirmation of your attendance.

Invited Attendees:

Sylvia Mathews  
John Podesta  
Melanne Vermeer (for Maggie Williams)  
Chuck Ruff  
Richard Hayes  
Dawn Chirwa  
Rob Weiner  
Alphonse Maldon  
Kathy Wallman  
Kumiki Gibson  
Janet Murguia  
Elena Kagan  
Bob Nash  
Steven Kelman  
Susan Liss  
Nancy McFadden (Transportation)  
Isabelle Pinzler, Bill Yeomans, John Dwyer (Justice)  
Emily Hewitt (GSA) Peter Scher (Commerce)  
John Spotila, Cal Jenkins (SBA)  
Witt Peters (DoD)

Message Sent

To: \_\_\_\_\_  
Richard L. Hayes/WHO/EOP  
Andrew J. Mayock/WHO/EOP

Elena Kagan/OPD/EOP  
Dawn M. Chirwa/WHO/EOP  
John Podesta/WHO/EOP  
Rahm I. Emanuel/WHO/EOP  
Sara M. Latham/WHO/EOP  
Michelle Crisci/WHO/EOP  
Steven J. Kelman/OMB/EOP  
Alphonse J. Maldon/WHO/EOP  
Kathleen M. Wallman/WHO/EOP  
Kumiki S. Gibson/OVP @ OVP  
Janet Murguia/WHO/EOP  
Margaret A. Williams/WHO/EOP  
Odetta S. Walker/WHO/EOP  
Bob J. Nash/WHO/EOP  
Evan Ryan/WHO/EOP  
Katharine Button/WHO/EOP  
Maria Echaveste/WHO/EOP  
Marjorie Tarmey/WHO/EOP  
Doris J. Wingard/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 18:24:55.00

SUBJECT: Re: Hello

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

READ:UNKNOWN

TEXT:

I don't have much to report -- still figuring.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 19:15:53.00

SUBJECT: Re: Pre Natal Brief

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

TEXT:  
great



**Hiring welfare recipients in the federal government**  
**February 21, 1997**

The Wall St. Journal reported today that we are moving forward on consideration of having government agencies hire welfare recipients.

- All of us who have been working to move more Americans from welfare to work acknowledge that government alone cannot afford to provide jobs for all of those currently on assistance. We need the commitment of the private sector to get the job done -- and we have been very pleased by the response to date from the CEOs of several major corporations who have committed their companies to hiring welfare recipients and investing in troubled communities.
- At the same time, the White House has been interested in what federal agencies can do to open up work opportunities to those on welfare. We asked the Office of Personnel Management to look into this question and just this week OPM Director Jim King provided the President's Domestic Policy Council with a memo which outlines different options that federal agencies could undertake, including the expansion of existing programs to attract entry-level workers. The Domestic Policy Council will review the memo and move forward as appropriate.
- OPM's memo looked at the question of hiring welfare recipients in the federal government generally. The Domestic Policy Council, led by Bruce Reed, is continuing to look at the possibility of opening up opportunities for welfare recipients at the White House.

Drafted: KMcKiernan  
Cleared: Elena Kagan, 6-5584

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 12:27:58.00

SUBJECT: PRESS CONFERENCE BRIEFING BOOK

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

TEXT:

Paul -- could you get everyone's in and formatted by this evening and then give them to me? thanks.

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 12:28 PM -----

Bruce N. Reed  
 02/24/97 12:10:30 PM  
 Record Type: Record

To: Paul J. Weinstein Jr./OPD/EOP, Elena Kagan/OPD/EOP  
 cc:  
 Subject: PRESS CONFERENCE BRIEFING BOOK

Can you do this?

----- Forwarded by Bruce N. Reed/OPD/EOP on 02/24/97 09:37 AM -----

Julie E. Mason 02/21/97 01:02:00 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
 cc:  
 Subject: PRESS CONFERENCE BRIEFING BOOK

Next Wednesday the President is holding a press conference with Frei of Chile. And.....we're doing a briefing book.

Same routine - - limit TPS to top 2-3 QS&As per issue and include any additional info under the Qs&As as "Background".

The briefing book is due to staff secretary by Tuesday COB - - please email me Qs&As by Tuesday afternoon, or, better yet, by Monday COB...

ISSUE:	CONTACT:
counsel's issues	Davis, Goldberg
domestic	Reed
campaign finance	Weinstein
health care	Jennings
economic	Horwitz, Sperling
political	Smith, Lavery
legislative agenda	Millsap
foreign policy	Wozniak, Johnson

Let me know if I have incorrectly assigned you to an issue. Please call me with any questions 62712.

Thanks.

Message Sent

To:

---

Russell W. Horwitz/OPD/EOP  
Christopher J. Lavery/WHO/EOP  
Lanny J. Davis/WHO/EOP  
Adam W. Goldberg/WHO/EOP  
Craig T. Smith/WHO/EOP  
WOZNIAK\_N @ A1 @ CD @ LNGTWY  
Cathy R. Mays/OPD/EOP  
Bruce N. Reed/OPD/EOP  
Paul J. Weinstein Jr./OPD/EOP  
Christopher C. Jennings/OPD/EOP  
Elisa Millsap/WHO/EOP  
Dennis K. Burke/OPD/EOP  
Michelle Crisci/WHO/EOP  
JOHNSON\_DT @ A1 @ CD @ LNGTWY

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 09:33:17.00

SUBJECT: Re: Procurement Affirmative Action meeting

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

READ:UNKNOWN

TEXT:

ok--i'll cancel another meeting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 19:03:25.00

SUBJECT: mayor of nashville

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

READ:UNKNOWN

TEXT:

The mayor of nashville wanted to meet with you Friday. Because you're away, he now wants to meet with me. It's something about national parks. I'm assuming I should do this. Yes?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 19:17:59.00

SUBJECT: Pre Natal Brief

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

READ:UNKNOWN

TEXT:

fyi. this is the brief arguing that illegal aliens aren't entitled to  
medicaid for prenatal services.

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 07:17

PM -----

Wendy S. White

02/24/97 06:38:02 PM

Record Type: Record

To: Diana Fortuna/OPD/EOP, Stephen C. Warnath/OPD/EOP, Elena Kagan/OPD/EOP

cc:

Subject: Pre Natal Brief

The brief will be filed in the next few days. DOJ will let HHS know  
before it goes, but it should be soon. Wendy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 20:09:13.00

SUBJECT: Re: Technicals testimony

TO: Kenneth S. Apfel ( CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

I guess I disagree. We've always spoken of this fix as a clarifying amendment. That's exactly what should be going in the technicals bill. So we should ask for it to go in there. If you want child support in as well, that's fine with us.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 09:32:08.00

SUBJECT: Possible DC anti-crime/education event

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

READ:UNKNOWN

TEXT:

This is the program the ag is so keen on.

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 09:33  
AM -----

Pauline M. Abernathy  
02/23/97 09:00:56 PM  
Record Type: Record

To: Dennis K. Burke/OPD/EOP  
cc: Elena Kagan/OPD/EOP, Carol Thompson-Cole/OMB/EOP  
Subject: Possible DC anti-crime/education event

While not of the scale of an event announcing that Bratton is coming in to fix the DC police, per Bruce's comment last week, I wanted to let you know of a DC event DOJ is planning that we might want to participate in or otherwise spotlight.

On March 5, DOJ is planning an event with the DC Public Schools to highlight peer mediation programs which help kids in the DC schools settle conflicts without violence. Students in the program will demonstrate it for an audience of school principals and corporate representatives, with the goal of gaining support to expand the program to more schools (I believe the school system cut the program's funding so it is reliant on private funds.)

I also understand that DOJ's Office of Justice Program's plans on making some small Weed and Seed grants for these type of efforts, which we might be able to announce at this event or at a future one.

I'm sure Steve Silverman would be glad to get more information from DOJ for you if you were interested.

Pauline

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 24-FEB-1997 12:25:28.00

SUBJECT: Re: speaking engagement

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

READ: UNKNOWN

TEXT:

4:00

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Bruce Reed re Drug Event [partial] (1 page)	02/24/1997	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System (Email)  
OPD ([From Elena Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/23/1997-02/28/1997]

2009-1006-F  
kc209

### 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]
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- 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]

[001]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1997 12:32:23.00

SUBJECT: Drug Event

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/24/97 12:34 PM -----

Christa Robinson  
02/24/97 12:33:35 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc:  
Subject: Drug Event

FYI

----- Forwarded by Christa Robinson/WHO/EOP on 02/24/97 12:12 PM -----

Christa Robinson  
02/24/97 12:11:38 PM  
Record Type: Record

To: Michelle Crisci/WHO/EOP, Rahm I. Emanuel/WHO/EOP  
cc:  
Subject: Drug Event

P6/(b)(6)

ONDCP has done all the inviting. approx. 150, police groups, drug organizations, etc. Leg. Affairs thinks 15 members will show up -- I'll get you that list when we have it.

STAGE: Backdrop is a 4' x 6' Copy of the cover of the Drug Strategy Report. It's an American Flag with the words 1997 Drug Control Strategy. It's nice looking.

Right now on stage we will put 6 of the Cabinet members who are showing up. Reno, Shala, Rubin, Slater, and Shalikhavilli. In addition to those speaking in the program.

Also, we have 10 kids, age 11-15, that we are trying to put in the front row w /out offending any VIP's.

PROGRAM:

VP  
McCaffrey  
Kid tbd  
POTUS

I'll fax you all remarks by end of the day today (except POTUS). Carolyn Curiel is doing POTUS remarks and Dennis is working with her.

I left a message for Marcia Hale to see if the President could announce a date for the Mayor's Drug Summit, but I haven't heard back.. Maybe you can also ask her.

Briefing is in the Oval. McCaffrey wants to bring Janet Crist and the Deputy Director of ONDCP. Would you want Reno there in case he has questions about Drug Court Grants or will you be fine on your own. Just let me know, b/c right now we're having all the Cabinet, except McCaffrey, to come directly to Room 450.



## **Campaign Finance Reform**

**Question:** *Isn't it hypocritical to keep calling for campaign finance reform when you continue to attend Democratic fundraisers?*

**Answer:** We have challenged the Republican party to join with the Democratic party to voluntarily restrict soft money contributions. Already the Democratic National Committee has agreed to my request to unilaterally stop taking money from non-citizens and to limit large soft money contributions. However, I believe it is unfair for the Democratic party to go any further to unilaterally disarm in the face of the Republican party's absolute refusal to voluntarily restrict their fundraising in any way.

**Question:** *Given that you have made campaign finance reform a top priority for your second term, why didn't you raise passage of reform legislation during the bipartisan leadership meeting two weeks ago?*

**Answer:** The fact is that I did raise campaign finance reform as one of my priorities during that meeting. We agreed during the meeting that the bipartisan priorities would include those issues, such as the balanced budget, juvenile justice reform and others, that would garner widespread bipartisan support and could move quickly. It is clear to me that there is still a lot of debate on the Hill about the right way to reform the campaign finance system.

**Question:** *What actions have you taken to ensure that campaign finance reform is enacted by your July 4th deadline?*

**Answer:** We are making every effort to ensure that bipartisan reform passes by July 4. I have had meetings at the White House with the lead sponsors of bipartisan reform -- Senators McCain and Feingold and Representatives Shays and Meehan and I have also met with the House sponsors of the legislation. As I have done with other issues that I have designated as a priority, such as the crime bill and welfare reform, I have appointed several senior White House officials to lead our effort to pass McCain Feingold/Shays Meehan. They have met on several occasions with outside reform groups and are working closely with hill staff on ways to ensure that the legislation is enacted by July 4. In addition, we will shortly announce a significant initiative to build grassroots support across the country for passage of real campaign finance reform.

## **Welfare Reform: Welfare-To-Work**

**Question:** *How are you going to move people from welfare to work when there are no jobs?*

**Answer:** I believe jobs are available and I expect the welfare rolls to continue to decline. Minimum wage jobs have always been open, but the package of welfare benefits previously available offered more to recipients than a minimum wage job. Now, with increases in the Earned Income Tax Credit, child care subsidies, and other provisions that makes work pay, welfare recipients can afford to take those available minimum wage jobs. Once working, former welfare recipients will gain the employment experience necessary to move up the ladder of work.

But, we will need more jobs -- and jobs that pay more than the minimum wage if we are ensure the success of the new welfare law. I believe that a combination of private sector commitments, such as those made by the CEOs with whom I recently met, economic development, tax credits, additional welfare-to-work funds, and a focus on jobs in the growing technology industry will create the new, higher paying jobs we need.

**Question:** *During your State of the Union address, you announced that five prominent CEOs had joined the effort to help move welfare recipients to work. However, recent press stories indicate that these companies have done little to date to actually hire welfare recipients. Can you comment?*

**Answer:** During my State of the Union address, I was very pleased to announce that five of this country's major corporations had pledged to work with me in the effort to move welfare recipients permanently into the workforce. These five companies had pledged to take a leadership role in the welfare-to-work effort during a meeting I held earlier this year with a larger number of CEOs. These are not necessarily companies that have programs up and running; in fact, most of them don't. They are companies that have made a serious commitment -- and that I'm confident will live up to that commitment -- to develop programs and initiatives to get people off the welfare rolls and into real jobs.

**Question:** *What has the White House done to hire welfare recipients since the new welfare law was signed?*

**Answer:** Just last week, the Director of the U.S. Office for Personnel Management submitted a report to the White House outlining several options the Federal Government might pursue to hire welfare recipients. He and his staff came up with some very good ideas and I am currently reviewing those ideas. I hope to have something to announce very soon.

OPM's memo looked at the question of hiring welfare recipients in the federal government generally. We will also work hard, based on the steps we take in the federal government as a whole, to open up opportunities for welfare recipients at the White House.

## **Welfare Reform: Food Stamps**

**Question:** *The new welfare law cuts off food stamps after three months for unemployed non-disabled adults, and allows the Department of Agriculture to exempt areas with high unemployment. Why does the Administration want to give food stamp benefits to men and women who refuse to work?*

**Answer:** Enacting the welfare law was an historic accomplishment that represents a significant step forward in social policy for this country. However, as I said when I signed this bill, several provisions of the law have nothing to do with the goal of welfare reform -- putting people to work. Instead, they cut back on our vital food safety net and are unfair to immigrants who have entered this country legally.

I strongly support work requirements. But the welfare law's harsh and unreasonable time limit of 3 months in 36 cuts off people who want to work but can't find jobs. In my budget, I proposed an alternative: a real and tough work requirement without arbitrary cut-offs.

Under my proposal, those who refused to work or refused to take advantage of a work opportunity would face tough new penalties. We would limit food stamps to 6 months out of 12. This policy would encourage work while giving those out of work the transitory help they need to get back on their feet. We proposed new funding and a wage supplementation option to expand the number of work slots available to this group by nearly 400,000 over five years. I am looking forward to working with Congress to enact this sensible proposal.

### **Background:**

- As of March 1, states will begin to cut off food stamp benefits for people who have not met the new work requirement in the welfare law.
- Under the law, able-bodied childless adults between the ages of 18-50 are not permitted to get food stamps for more than 3 months in a 3-year period, unless they are working at least 20 hours a week.
- USDA can waive the work requirement in cities or counties with high unemployment. To date, USDA has granted waivers to 23 states that exempt specified counties or cities with high unemployment.
- Despite these exemptions, 600,000 individuals will lose their food stamp eligibility in FY98 due to this provision. Under the Administration's proposal, approximately 35,000 individuals would lose eligibility in FY98. Unlike the welfare law, the Administration's proposal targets tough sanctions at those individuals who are unwilling to work and to play by the rules.

## **Welfare Reform: Benefits To Legal Immigrants**

**Question:** *Immigrants shouldn't be coming to the U.S. to get on welfare. Why is the Administration making restoration of these benefits a priority?*

**Answer:** I believe that legal immigrants should have the same opportunity, and bear the same responsibility, as other members of our society. The welfare law denies most legal immigrants access to fundamental safety net programs unless they become citizens -- even though they are in the U.S. legally, are working and paying taxes and are responsible members of our communities. My Administration has always supported making individuals who encourage their relatives to emigrate to the United States responsible for the immigrant's well being. However, as a nation, we should not turn our backs on anyone who has lost their ability to earn a living due to injury, disease, or illness.

Consequently, my budget proposes to make legal immigrants who become disabled after entering the United States eligible for SSI and Medicaid.

My budget would also provide poor immigrant children the same Medicaid health care coverage low-income citizen children receive.

The United States admits refugees and asylees into this country on a humanitarian basis. My budget proposes to lengthen the five-year exemption for refugees from the ban from five to seven years in order to give this group adequate time to naturalize.

Finally, the law denies food stamps to most legal immigrants. My budget would delay the cutoffs from April 1, 1997 to August, 1997 in order to give immigrants more time to naturalize.

## Welfare Reform Fix Legislative Proposals

**Question:** *You've said you're ready to work with Congress to fix the immigrant and food stamp parts of the welfare law, but some in the Republican leadership say the bill is fine as it is. Doesn't this mean your proposals will be dead on arrival?*

**Answer:** I think it is very significant that the nation's governors are now on record as recognizing that the cuts in benefits to legal immigrants are too harsh and need to be addressed -- even though their formal resolution was softened at the last minute at the request of the Congressional leadership.

As the new welfare law is being implemented, the governors are gaining a new appreciation of some parts of the bill that I have had a problem with from the beginning -- those parts that are not related to putting people to work. This is particularly true of governors in states with large numbers of legal immigrants. They are now recognizing that many legal immigrants who are disabled, many in nursing homes, will lose their SSI and Medicaid over the summer. In addition to seeing that these provisions are unfair, they can see the potential costs to their own state budgets if they make the decision to ameliorate these cuts.

I think that over time more and more people will come to see the harm that these provisions could do to hard-working people who came to this country and through no fault of their own, became disabled and could no longer support their families.

Also, I truly believe we are seeing some real changes in our relationship with the Congress. It appears that we have gotten past some of the unproductive ways of doing business we have had over the past two years, and that we are learning how to work with one another in a far more constructive fashion.

**Question:** *Last summer when you said you would sign the welfare bill there were press reports that you wanted to restore about \$14 billion in cuts. Now we understand your budget includes \$18 billion in legislative restorations. Are you proposing to restore more in food stamps and benefits to immigrants that you were last year?*

**Answer:** No, absolutely not. The budget includes \$18 billion in legislative proposals for Food Stamps and immigrants that correspond directly to the commitments I made at the time I signed the bill. Because of a number of technical reestimates, the budget estimate for these legislative proposals is now higher.

The commitment I made to a \$3 billion program to help the private sector, states, and cities move welfare recipients to work was always separate from that total, and was paid for separately elsewhere in my budget.

## Education Standards

**Question:** *You proposed national tests in reading and math in your State of the Union address. Yet the tests are not required, and you proposed no new funding to help students pass these tests. Why do you think these tests will make a difference?*

**Answer:** These tests reflect widely accepted national standards for 4th grade reading and 8th grade math. The standards are higher than those in many states, which means they will lead to higher expectations for our students. The tests exist already, but are only given to a small sample of students at any one time. My plan is to make those tests available for every state so they can be given to every 4th and 8th grade student. Then students, parents and teachers will know how they measure up against tough national standards.

My balanced budget plan provides significant increases for federal elementary and secondary school programs that will help prepare students to meet these tougher standards, including significant increases for Goals 2000, Title 1, teacher training, charter schools, and my Technology Literacy Challenge fund. I've also proposed an America Reads Challenge, to mobilize an army of 1 million volunteer tutors, to help students read by the third grade. All of these programs help improve teaching and learning in the classroom.

The point of these tests is to lift our students up, by setting a high standard for them, and then preparing them to meet the standards. Federal funds are important here. So are funds provided by states and local governments, which make up 94% of spending for schools. But these national tests will require a national response, from every school, every teacher, every parent and every student.

Finally, I am pleased at the response this testing proposal has already received. Two weeks ago I spoke in Maryland, and the President of the State Board of Education announced that Maryland would participate in these tests. Just this morning, the Washington Post carried an endorsement of this plan from two former Republican assistant secretaries of education [Diane Ravitch and Checker Finn]. So we are beginning to move forward on this plan, and these tests will make a real difference.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 14:24:38.00

SUBJECT: Re: refugee self-sufficiency

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

TEXT:

why are you forwarding this to me??? Do you want me to answer her?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 14:26:53.00

SUBJECT: Outsourcing in Wisconsin

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 02/25/97 02:28 PM -----

From: Kenneth S. Apfel on 02/25/97 01:02:55 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, FORTUNA\_D @ A1 @ CD @ LNGTWY

cc:

Subject: Outsourcing in Wisconsin

fyi

----- Forwarded by Kenneth S. Apfel/OMB/EOP on 02/25/97 01:02 PM -----

Stacy L. Dean

02/25/97 12:01:09 PM

Record Type: Record

To: Kenneth S. Apfel/OMB/EOP

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

Subject: Outsourcing in Wisconsin

The Wisconsin Secretary of HHS, Jean Rodgers, called USDA today to say that they expect an answer on their waiver request this week. Their privatization effort includes Food Stamps and Medicaid. HCFA apparently has not raised concerns about outsourcing, but has raised other issues. Ms. Rodgers plans to call Kevin Thurm or John Monahan with the same message.

If Wisconsin does not get an answer they plan to raise the issue to a "higher level". I assume this means the White House. Just wanted to give you a heads up.

Message Copied

To:

Barry White/OMB/EOP

Keith J. Fontenot/OMB/EOP

Larry R. Matlack/OMB/EOP

Margaret A. Murray/OMB/EOP

Carole Kitti/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 19:57:46.00

SUBJECT: Re: an old issue: all or none

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

READ:UNKNOWN

TEXT:

and what did we think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 19:58:41.00

SUBJECT: Re: Welfare to Work Memo

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

READ:UNKNOWN

TEXT:

yes.

RECORD TYPE : PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 16:43:19.00

SUBJECT: Re: Cabinet Briefing

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

TEXT:  
please say I'll be attending for bruce. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 07:58:16.00

SUBJECT: Re: Technicals testimony

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

CC: Kenneth S. Apfel ( CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TEXT:

That's right. And frankly, I could write this language myself in ten minutes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1997 19:53:21.00

SUBJECT: Re: an old issue: all or none

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

TEXT:  
what is their unified position?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 21:38:14.00

SUBJECT: Re: Welfare Reform -- Nonprofits

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

READ:UNKNOWN

TEXT:

I will try to get there. If not, I'll make sure someone else goes.  
Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 14:48:32:00

SUBJECT: Re: disabilities

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

READ:UNKNOWN

TEXT:

I have the memo. I believe my pre-meet with Brisco (and whoever she wants to bring ) is still on for Friday, but I will check and let you and Vicki know.



**Trigger Lock Executive Order:** We are currently working on an executive order requiring agencies to provide all federal law enforcement officers with trigger locks, so that they can protect their children against accidental shootings. We should have this executive order completed within a week.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 26-FEB-1997 21:42:16.00

SUBJECT: Re: What to expect while I'm away

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

READ: UNKNOWN

TEXT:

what service memo? e-mail me a copy if you have it. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 21:35:19.00

SUBJECT: Re: Bio needed

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

TEXT:  
here it is

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D77]MAIL467777658.016 to ASCII,  
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Elena Kagan is Deputy Director of the Domestic Policy Council and Deputy Assistant to the President for Domestic Policy. She is currently on leave from the University of Chicago, where she is a Professor of Law, specializing in constitutional law and labor law.

Kagan received her A.B. summa cum laude from Princeton University. She spent two years at Worcester College, Oxford University, as a Daniel M. Sachs Scholar and received an M. Phil in Politics in 1983. In 1986, she graduated magna cum laude from Harvard Law School, where she was Supervising Editor of the Harvard Law Review. She clerked for Judge Abner J. Mikva of the U.S. Court of Appeals for the D.C. Circuit and Justice Thurgood Marshall of the U.S. Supreme Court. From 1989 to 1991, Kagan was in private practice at the Washington, D.C. law firm of Williams & Connolly.

Kagan joined the faculty of the University of Chicago Law School in 1991 and became a full professor in 1995. Kagan served as Special Counsel to the Senate Judiciary Committee in the summer of 1993 for the confirmation hearings of Ruth Bader Ginsburg. In July 1995, Kagan took a leave from the University of Chicago Law School to serve as Associate Counsel to the President. In January 1997, she moved from the Counsel's Office to her current position in the Domestic Policy Council.

Kagan also has served as a member of the Board of Governors of the Chicago Council of Lawyers and a public member of the Administrative Conference of the United States.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 21:39:57.00

SUBJECT: Re: FYI Disability Community

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

TEXT:

i've thought, i've thought

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 16:48:26.00

SUBJECT: Re: Steve Warnath

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

TEXT:

yes, but counsel will say no.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1997 08:53:31.00

SUBJECT: Re: partial birth

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

READ:UNKNOWN

TEXT:

thanks.



February 27, 1997

MEMORANDUM FOR SYLVIA MATHEWS AND MARK PENN

FROM: BRUCE REED  
ELENA KAGAN

SUBJECT: IDEAS

Because Bruce will miss this week's political meeting, we thought the following status report on ideas for executive action might prove useful.

**Ideas from last week**

**Aids Vaccine:** We are still vetting the proposal for the President to issue a challenge on developing an AIDS vaccine. Elena may know more tomorrow, and will fill Sylvia in.

**Race Commission:** We are currently reviewing a proposal to establish a President's Commission on Racial Reconciliation. We will have a recommendation ready within the next week or two.

**Consumer Bill of Rights/Quality Commission:** The counsel's office is currently vetting our nominations for the Quality Commission, which will be charged with developing a patient Bill of Rights. We have been told that the nominations will not be ready for announcement until the week of March 10. Announcement of the Commission can be combined with the release of a HHS regulation that would guarantee an expedited appeal whenever a plan proposes to deny care that a Medicare patient believes is urgently needed.

**Home Health Care Regulation:** After reviewing the home health care regulation, DPC and HHS concluded that it was not substantive enough to warrant a presidential event. As a result, it will be released next week during HCFA Administrator Bruce Vladeck's congressional testimony. We have asked HHS, however, to review more substantive regulatory or legislative proposals that we could announce in the future. One such proposal, which will not be ready for at least several weeks, would require criminal background checks for home health providers participating in Medicare.

**New ideas you asked about**

**Ban on Human Cloning:** Congress has banned the use of federal funds for cloning, but privately funded research is not similarly restricted. The President could call on the scientific community to institute a moratorium on human cloning research -- at least while the National Bioethics Advisory Committee implements the President's request to study the issue over the next 90 days. We will make a recommendation next week on this possible action.

**Extradition of Child Pornographers:** We are still discussing this issue with the Justice Department. We will have a better sense of possible actions next week.

**Tobacco Advertising:** We are reviewing a proposal for the President to make a statement regarding tobacco companies' use of the internet and other fora to get around our tobacco rule. To mitigate First Amendment concerns, our rule focused on the particular kinds of tobacco advertising that are most likely to reach children. Notwithstanding this focus, our rule faces a stiff legal challenge in the courts. Any statement now on other tobacco advertising may compromise our efforts to defend the rule's carefully drawn provisions. We are discussing this concern with the Justice Department and FDA. Preliminary discussions suggest that the President should not make a statement this Friday.

**Testing in Military Schools:** We are currently looking into securing the commitment of the Department of Defense to give students in its schools our proposed 4th and 8th grade tests. (We believe it would be preferable for DOD to volunteer to give these tests than for the President to order the Department to do so.) We should know next week whether DOD will agree.

**Advisory Panel for Education Tests:** The Education Department is putting together a panel of teachers and other trusted educators to advise on the development of our 4th and 8th grade tests. We are attempting to press this forward as soon as possible, but need at least a few weeks to determine the best structure for the panel and to vet potential appointees.

### Other ideas

**Medicare fraud legislation:** We are working with HHS to finalize a new package of fraud and abuse initiatives for unveiling the week of March 10. Since Florida is the "fraud and abuse capitol" of the nation, we believe the President's visit there would provide an excellent opportunity to announce the new package. Governor Chiles would give the package a strong endorsement.

**Governmental hiring of welfare recipients:** We are currently putting together a package of proposals to facilitate the federal government's hiring of welfare recipients. We think that this package will include an executive order establishing a separate hiring track for welfare recipients and providing nonfinancial incentives to federal agencies to make use of this new hiring authority. We hope to be ready to go by the end of next week.

**Classified research with human subjects:** In response to recommendations of the President's Advisory Committee on Human Radiation Experiments, we have prepared (1) an Executive Order strengthening protections for human subjects of secret research; and (2) legislation expanding compensation for Cold War-era uranium miners. With one week's notice, we can be ready to announce these policies and release a summary report detailing the Administration's full response to the Committee's 18 recommendations.

**Seat Belt Study:** The Department of Transportation will give the President a report on March 10 on ways to increase seat belt use. DOT's report is likely to include ideas for presidential challenges to states and business groups, as well as a proposal (consistent with our budget) to offer financial incentives to states to improve and enforce seat belt laws.

**Children's Health EO:** The DPC, NEC, CEQ, and OSTP are working on an executive order designed to ensure that the federal government considers the special needs of children when taking regulatory action. The executive order requires every agency to determine whether a regulation may impose disproportionate risks on children and, if so, to evaluate the specific effects of the regulation on children. The order may be ready within a few weeks, but with interagency discussions still going on, there is some possibility of a last-minute hitch.

**Welfare-to-Work Transportation Plan:** We can announce at any time our Access to Jobs proposal, which would allocate \$100 million of ISTEA funding to improve transportation systems so that welfare recipients and other low-income workers could get to work more easily. Lack of convenient and affordable transportation is currently an obstacle to getting people from welfare to work, and this proposed program is a very serious attempt to address this problem.

**Service Summit:** We could announce "commitments" from the federal government to the service summit -- proposals for how the federal government can support service and voluntarism to help youth. We could be ready to make such announcements in 2-3 weeks if necessary.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 13:55:20.00

SUBJECT: Re: Meeting for Bruce

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

TEXT:

Could you find out if it's OK for both Diana and I to go? Thanks. Have you heard from Bruce?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 10:38:14.00

SUBJECT: Re: Partial Birth Conversations

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

TEXT:

you bet. I'm not having any conversations yet, though I think the women's office is having a groups meeting tomorrow at 3:30. I'm sending you a copy of the talking points.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D58]MAIL49712675W.016 to ASCII,  
The following is a HEX DUMP:

FF57504300060000010A02010000000205000000121100000002000023B2D645BCD1A6F3B8D3FF  
0CE15CC3893BEBBC19444940A6DD21D99F30AAE0F09100BC251DA1A8B32516E2405D40217207C88  
F170A360157AEB7197A6371385B4F3CC26FAA2A8F5418D8D3CCE928A385593FA6261F28F1C94A9  
57EFDCB4A6A0F59826B82B3FA598BE6C1CEB0EAD5BB21B7CF1E164F1E856F037B9CD1A275EB018  
8E7BE2FC8F5B9277133D8CE21EC2C412ABCCB8737374A567149E20D303CE7EED355BC2B43B0D71  
D403A294A0659B073857CD3AA378E6269373545AA89DB836FFDFBF6A68ED243C79110BA41C92BE  
9159DF6905E794C8ED5DB4843953519DC9E8C4F132DDE8E97102D57E80C2E5E5ABCCD1CF4E9451  
2823181C255C572D5FCCCA6E045416EBD916677D65BD027C35A1039503B1E098A18F50150BF0A7  
87BF843BAE0B1876D34FF25101C54A33E116CE30A53EEEE3FFAAA3C3284A86181E88F05C77D26F  
2F4B1455D6179927CBF2C3BA548D6E0AD82DCE0950383A0DA7B927B24376FB86AE939D42919D6B  
7E1F1F90C681193F5A658BA30982C7CD88A835A60A1B42A3DB8D51655FB52A8067464485DFA4AD  
06C5ED0BE77EBA31688FA71FC7C36C6CA29F956C8B4D6171AA23B07E7349069DE4B26D72AD1657  
D74A920945EAF36E5A7639A5EA74B2856D698D8A3CB721E9FB2B6CA41AE1C1823B17CFB3B8C6DD  
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2206F0E0300C0000000008070C00E0DD0A10008301040003000200211000DDDD0B0B0003000004

## TALKING POINTS ON FITZSIMMONS STORY

- Nothing that Mr. Fitzsimmons now says contradicts or undermines the President's position, which is that so-called partial-birth abortions should be banned except when they are necessary to save the life of a woman or prevent serious harm to her health.
- The President has never claimed that partial-birth abortions are used only, or even primarily, to prevent death or serious harm. What he has said is that when (but only when) the procedure is necessary for these reasons, a doctor must be allowed to perform it.
- The President has recognized that some doctors may use the procedure for elective reasons and has called for an end to this practice. He has stated on several occasions: "The procedure may well be used in situations where a woman's serious health interests are not at issue. But I do not support such uses, I do not defend them, and I would sign appropriate legislation banning them."
- The President's position today remains what it has always been: that he will sign a bill banning partial-birth abortions, but only if it has an exception that will protect those women -- even if few in number -- who need this procedure to save their lives or prevent serious harm to their health.

### Background

Ron Fitzsimmons, the executive director of the National Coalition of Abortion Providers, said this week that partial birth abortions are (1) performed more frequently than pro-choice groups have acknowledged and (2) often performed on healthy women with healthy fetuses.

There are no good statistics on these questions, and it would be a great mistake to challenge Fitzsimmons on the facts. The important point is that even if true, Fitzsimmons's claims do not undermine the President's position, as explained above.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 10:22:04.00

SUBJECT: Re: OPM proposal

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

READ:UNKNOWN

TEXT:

I haven't sent it yet; in fact, I haven't read your latest. What labor issue is still unresolved?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 13:52:50.00

SUBJECT: Re: PRESS CONFERENCE BRIEFING BOOK

TO: Julie E. Mason ( CN=Julie E. Mason/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

We'll get the campaign finance stuff figured out.

I think Richard Socarides has talking points for the don't ask, don't tell.

And we'll provide a q&a on abortion.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 14:33:28.00

SUBJECT: disability and naturalization update

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

TEXT:  
fyi.

----- Forwarded by Elena Kagan/OPD/EOP on 02/27/97 02:34  
PM -----

Stephen C. Warnath  
02/26/97 05:26:04 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP, Diana Fortuna/OPD/EOP  
cc:  
Subject: disability and naturalization update

INS reports that OMB has the reg. for clearance. There weren't many modifications, so this should not be difficult to finalize.

INS hopes for the following schedule, if possible:

Monday -- The reg would be forwarded to the Fed. Register

Wednesday -- Posting

Thursday -- Publication

Also, it appears that OLC is near to deciding that it is not possible pursuant to existing law for a proxy or guardian to assent to the naturalization oath on behalf of the disabled. Because of that likely outcome, Jamie Gorelick will probably have a DOJ internal meeting on Monday to discuss various considerations/options regarding whether the Administration should offer/support legislation that would allow this. They would then brief us and we should try to be in a position to get that issue decided fairly quickly at that point. Different agencies are likely to have different views. HHS would probably urge yes. Interestingly, the Department of State would probably say no (due to concerns that a precedent allowing a proxy to renounce another's citizenship might be abused by some other countries to permit stripping of citizenship without consent of a U.S. citizen who is in their country.) INS is probably strongly divided.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 13:14:22.00

SUBJECT: Re: Short Term Scheduling Mtg

TO: Christa Robinson ( CN=Christa Robinson/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

thanks. Yes, 3/5 is education.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:48:32.00

SUBJECT: Re: PRESS CONFERENCE BRIEFING BOOK

TO: Julie E. Mason ( CN=Julie E. Mason/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

yes, that's great; and we can certainly vet socarides' talking points too.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:47:49.00

SUBJECT: Re: memo for 6-month "goals/objectives"

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

TEXT:

you made me laugh for the first time today. congratulations and thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 13:13:58.00

SUBJECT: Re: disabilities

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

TEXT:

Not much. They asked for different kinds of assistance for minority farmers, including funding and public-private efforts. USDA staff pledged to review the proposals and see if they could help. USDA will keep us informed. There's nothing we need to do right now.

Angus S. King

02/26/97 02:59:35 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

CC:

Subject: Re: disabilities

Thanks.

What happened with the Black Farmers this morning?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:47:49.00

SUBJECT: Re: 3:30 disability meeting tomorrow

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

READ:UNKNOWN

TEXT:

you don't have to do the 3:30. But I thought the summit meeting was at 10:30.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 10:38:46.00

SUBJECT: Re:

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

TEXT:

Thanks a ton. I did get a call from Nancy-Ann.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:48:33.00

SUBJECT: Re: leg language on adoption

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

TEXT:  
by the by, what does it say on reasonable efforts??

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:59:14.00

SUBJECT: Re: black farmers

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

READ:UNKNOWN

TEXT:

oh. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 17:43:50.00

SUBJECT: PRESS CONFERENCE BRIEFING BOOK

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

TEXT:

I'll do one and get it to you. i've already done some talking points.  
----- Forwarded by Elena Kagan/OPD/EOP on 02/27/97 05:45  
PM -----

Tracey E. Thornton  
02/27/97 04:52:10 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc:  
Subject: PRESS CONFERENCE BRIEFING BOOK

I've been asked to get with you on Q&A on late-term. What are we saying  
girl?  
----- Forwarded by Tracey E. Thornton/WHO/EOP on 02/27/97  
04:39 PM -----

Elisa Millsap  
02/27/97 01:21:24 PM

Record Type: Record

To: Tracey E. Thornton/WHO/EOP  
cc: Peter G. Jacoby/WHO/EOP, Ananias Blocker III/WHO/EOP  
Subject: PRESS CONFERENCE BRIEFING BOOK

Tracey-

Will you work with DPC on the late-term Qs&As for the press conference?  
Also, do the last Qs&AS on Comp/Flex time need to be updated?  
----- Forwarded by Elisa Millsap/WHO/EOP on 02/27/97  
01:16 PM -----

Julie E. Mason 02/27/97 01:00:17 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: PRESS CONFERENCE BRIEFING BOOK

POTUS is holding a press conference next Tuesday, March 4. We've been  
asked to get the briefing book in to staff secretary by tomorrow night.

Please email me your TPs by tomorrow at 3pm so I can get them to staff

secretary by their 4pm deadline.

CONTACT SUBJECT  
Horwitz Economic  
Panareli Int'l Economics  
Goldberg Counsel's  
Millsap Legislative  
Lavery Political  
Kagan DPC

We can use the TPs from yesterday's press conference briefing book - -  
let me know what we can just reuse and I can just slip it in. But I'm  
sure we'll need some updates. We also should add "don't ask, don't tell"  
and abortion (is that DPC for both, Elena?)

And Leg affairs should work with DPC to come up with campaign finance  
(last time we had 2 sets). Thanks - - I am at 62712.

Message Sent

To: \_\_\_\_\_  
Russell W. Horwitz/OPD/EOP  
Kristen E. Panerali/OPD/EOP  
Elisa Millsap/WHO/EOP  
Christopher J. Lavery/WHO/EOP  
Adam W. Goldberg/WHO/EOP  
Elena Kagan/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 16:47:34.00

SUBJECT: black farmers

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

READ:UNKNOWN

TEXT:

could you check the number for walter powell? the one you gave me goes to a fax machine. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 14:30:59.00

SUBJECT: Re: disabilities

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

READ:UNKNOWN

TEXT:

Oh lord. No, I couldn't, so I sent Steve Warnath, who's the person on our staff who does civil rights issues. I'll be glad to give a call to someone. It sounds to me, from Steve's account of the meeting, that a meeting would be pointless.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 22:29:44.00

SUBJECT: Re: Late-term Abortion Meeting

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

READ:UNKNOWN

TEXT:

can't do. sorry

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 22:31:00.00

SUBJECT: Re: Late-term Abortion Meeting

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

READ:UNKNOWN

TEXT:

still no, i think

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 13:53:41.00

SUBJECT: Re: Presidential Priorities Notebook

TO: Jeanine D. Smartt ( CN=Jeanine D. Smartt/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TEXT:  
you bet. good idea.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 22:34:41.00

SUBJECT: Re: WH Conference on Early Learning and Brain Development

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

READ:UNKNOWN

TEXT:

I am so sorry, but I've just found out i have to be a meeting at 5. can we change to any time between 10 and 3? (I know, I know -- this means sending out another message). thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 22:30:16.00

SUBJECT: Re: Late-term Abortion Meeting

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

TEXT:

I can't either -- cabinet meeting, and bruce isn't here.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-FEB-1997 11:08:40.00

SUBJECT: Re: College and welfare

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

TEXT:  
I'll talk with her about it. That's fine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 08:35:40.00

SUBJECT: chief state school officers talk

TO: Marcia L. Hale ( CN=Marcia L. Hale/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: Anne W. Hawley ( CN=Anne W. Hawley/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

TEXT:

There will be about 45 chief state school officers in Washington. They're meeting at the Westin Washington City Center at 1400 M St.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elena Kagan@EOP@LNGTWY@LNGTWY ( Elena Kagan@EOP@LNGTWY@LNGTWY [ OPD ] )

CREATION DATE/TIME:28-FEB-1997 19:49:18.00

SUBJECT: Re: The Brain

TO: Robert M. Shireman@EOP ( Robert M. Shireman@EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 28-FEB-1997 19:40:00

They've offered a lot of help. I don't think there's any need to push.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 19:41:55.00

SUBJECT: Re: Q&A Review

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

TEXT:  
all of last week's. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 19:40:02.00

SUBJECT: Re: Welfare reg's

TO: Kenneth S. Apfel ( CN=Kenneth S. Apfel/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TEXT:  
yes.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Elena Kagan to Melissa Murray re Event (1 page)	02/28/1997	Personal Misfile

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System (Email)  
OPD ([From Elena Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[02/23/1997-02/28/1997]

2009-1006-F  
kc209

### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 09:38:28.00

SUBJECT: Re: chief state school officers talk

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

TEXT:  
march 17 or 18

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 19:32:14.00

SUBJECT: Re: Q&A Review

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

TEXT:

I'll review. 65557. Hope it's not too late.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 08:36:38.00

SUBJECT: Re: goals

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

TEXT:  
thanks much.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 19:37:48.00

SUBJECT: Re: The Brain

TO: Robert M. Shireman ( Robert M. Shireman @ EOP @ LNGTWY [ OMB ] )

READ:UNKNOWN

TEXT:

They've offered a lot of help. I don't think there's any need to push.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-FEB-1997 19:28:02.00

SUBJECT: Re: implementation of welfare

TO: Stephen C. Warnath ( CN=Stephen C. Warnath/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

thanks.