

NLWJC - KAGAN

EMAILS CREATED

ARMS - BOX 003 - FOLDER 002

[5/21/1997 - 6/3/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	05/26/1997	P6/b(6)
002. email	Elena Kagan to Thomas L. Freedman. Subject: Re: On being agenda-less (1 page)	05/28/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[5/21/1997 - 6/3/1997]

2009-1006-F
ke768

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:21-MAY-1997 11:18:55.00

SUBJECT: Re: a couple of things

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D32]MAIL41975114S.116

The following is a HEX dump of the file:

Q&A on Late-Term Abortion

Question: Will you sign the Partial Birth Abortion Act now that it has passed both the House and Senate with overwhelming majorities?

Answer: No, because I am still not convinced that this bill adequately protects women from grievous harm. I have said over and over that if Congress were to add a narrow exception covering the few cases where this procedure is needed to prevent women in dire circumstances from suffering serious injury, then I would gladly sign the bill. But until Congress does add that narrow exception, I will veto the bill -- no matter how many votes there are in favor it -- to protect the health of women.

Question: Why didn't the AMA's endorsement of the Partial Birth Abortion Act -- and its statement that the partial-birth procedure is not good medicine -- change your view of this legislation?

Answer: I looked at the AMA's letter, and it did not persuade me that this bill fully protects women from grievous injury. Let me remind you that the American College of Obstetricians and Gynecologists, which is the organization of doctors that knows the most about this issue, opposes this bill for the same reason I do -- because it prevents doctors from using a procedure that in a small group of cases best protects women from serious physical injury. The AMA endorsed this bill after bargaining for a change that protects doctors. I've implored Congress to make a narrow change in the bill to protect women -- to ensure that they don't suffer grievous injury because Congress has tied the hands of their doctors -- and I will not sign the bill until I get it.

Question: Didn't you base your prior veto of the bill on false information -- i.e., that this procedure is performed only a few hundred times each year and only when women are in great danger?

Answer: I vetoed the bill because there are a small group of women in desperate circumstances who need this procedure in order to save their lives or prevent serious injury to their health. Let's be clear: I've never said that these are the only circumstances in which the procedure is used; I've just said that these few women need to be protected. If Congress does so, I will gladly sign the bill, because I think this kind of procedure should be banned except when necessary to save the life of a woman or prevent serious harm to her health.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1997 11:22:02.00

SUBJECT: Re: Drug Q's/A's

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

READ:UNKNOWN

TEXT:

you're right; ket's talk.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1997 18:44:03.00

SUBJECT: Re: I hear we're still opposing this

TO: FORTUNA_D (FORTUNA_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (OPD)
READ:UNKNOWN

TEXT:

no, we're basically given up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1997 16:34:33.00

SUBJECT: Re: Internet Q/A

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

TEXT:

I'd incorporate the stuff about industry efforts, but otherwise I agree with you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1997 11:19:12.00

SUBJECT: Re: my last email-- revision

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

TEXT:
yes, you're right.

DECLINING MINORITY COLLEGE ADMISSIONS

Background: Recently the Washington Post reported that the number of black students admitted to UCLA law school dropped by 80% in one year and is now the lowest since the early 1970s. UC Berkeley admitted just 14 black students out of a class of 792, down from 75 in 1996. And at the University of Texas, nearly 400 fewer blacks and Hispanics have been offered undergraduate admission, a 20% drop in one year. Meanwhile, white and Asian admissions are up in both states. In both states the sharp declines in minority admissions are attributed to roll-backs of affirmative action--in California, by the UC Board of Regents, and in Texas by the 5th Circuit's Hopwood decision.

Question: Are you concerned about recent reports of declining enrollments of minority students in postsecondary education?

Answer: These declines are disturbing and completely unacceptable. Educational opportunity is the touchstone of the American dream, and figures like this raise a serious concern that the doors of college education are being closed to minority students. In addition, diversity in education helps prepare all our students to be productive citizens in the 21st century, so these developments should concern every American.

Question: What is your administration doing to address this problem?

Answer: We are working on several fronts to address this issue:

- We will continue to intervene in litigation in support of appropriate affirmative action programs. The Department of Education is looking for a good opportunity to challenge the Hopwood decision, and the Department of Justice has filed a brief challenging California's Proposition 209.
- The Office for Civil Rights at the Department of Education is conducting a review of the Texas higher education system to ensure that Texas has eliminated all remnants of its former de jure segregated system.
- And, more broadly, the Administration is pressing higher education officials to pmaintain and expand diversity, and offering assistance to them to do so. For example, we have called on colleges and universities burdened by new legal restrictions to develop new and creative approaches to achieving diversity, such as aggressively recruiting in secondary schools with high percentages of minority students and forming educational partnerships with such schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-MAY-1997 20:22:05.00

SUBJECT: Re: The volunteer liability (S 543) bill is cleared for the President.

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

CC: Jennifer D. Dudley (CN=Jennifer D. Dudley/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

CC: Ellen S. Seidman (CN=Ellen S. Seidman/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TEXT:
absolutely agree.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 16:06:15.00

SUBJECT: Re: Counties

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

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

TEXT:

Mike-- please do ask Ed to do this; we'll put it in next week's weekly report to the President.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 16:07:34.00

SUBJECT: Re: working groups

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

READ:UNKNOWN

TEXT:

I think dennis is great; he'd make a valuable contribution, and i'll make sure to include him in some way.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 09:21:34.00

SUBJECT: Re: weekly report for laura

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

READ:UNKNOWN

TEXT:

not

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 16:04:31.00

SUBJECT: Re: The YMCA called and asked for a child care meeting

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

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

TEXT:
So where is the experts-to-talk-to list?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 18:39:34.00

SUBJECT: REMINDER: Weekly 8:30 mtg. this morning in Roosevelt Room.

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/23/97 06:39 PM -----

Jason S. Goldberg

05/23/97 06:22:13 PM

Record Type: Record

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

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

Subject: REMINDER: Weekly 8:30 mtg. this morning in Roosevelt Room.

The regular weekly Monday 8:30 a.m. Senior Staff meeting will be held on Tuesday next week --

Tuesday 5/27 at 8:30 a.m..

Message Sent

To:

Paul J. Weinstein Jr./OPD/EOP

Elena Kagan/OPD/EOP

Russell W. Horwitz/OPD/EOP

Anna M. Gomez/OPD/EOP

Susan A. Brophy/WHO/EOP

Stacey L. Rubin/WHO/EOP

JOLIN_M @ A1 @ CD @ LNGTWY

Rebecca R. Culberson/OMB/EOP

Stephen B. Silverman/WHO/EOP

Katherine Hubbard/WHO/EOP

Elizabeth M. Toohey/WHO/EOP

Phillip Caplan/WHO/EOP

Kevin S. Moran/WHO/EOP

Ann F. Lewis/WHO/EOP

Eli G. Attie/WHO/EOP

Alison E. Bracewell/WHO/EOP

Emily Bromberg/WHO/EOP

Michelle Crisci/WHO/EOP

Marjorie Tarmey/WHO/EOP

Cheryl D. Mills/WHO/EOP

Charles F. Ruff/WHO/EOP

Gordon Li/WHO/EOP

MCHUGH_L @ A1 @ CD @ LNGTWY

Julie E. Mason/WHO/EOP

Lori L. Anderson/WHO/EOP

Stephanie S. Streett/WHO/EOP

Mary Morrison/WHO/EOP

Karin Kullman/WHO/EOP

Debbie B Bengtson/OVP @ OVP

David M. Strauss/OVP @ OVP

Bob J. Nash/WHO/EOP
Laura K. Demeo/WHO/EOP
Kathleen A. McGinty/CEQ/EOP
Shelley N. Fidler/CEQ/EOP
Timothy L. Newell/OSTP/EOP
Jonathan Foster/OSTP/EOP
Nancy V. Hernreich/WHO/EOP
Cameron L. Cobden/WHO/EOP
Betty W. Currie/WHO/EOP
Katharine Button/WHO/EOP
Evan Ryan/WHO/EOP
BLINKEN_A @ A1 @ CD @ LNGTWY

Message Copied

To: _____

Victoria Radd/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Angus S. King/WHO/EOP
Andrew J. Mayock/WHO/EOP
Laura S. Marcus/WHO/EOP
Beverly J. Barnes/WHO/EOP
Elizabeth R. Newman/WHO/EOP
Terri J. Tingen/WHO/EOP
Carole A. Parmelee/WHO/EOP
Sara M. Latham/WHO/EOP
Christopher J. Lavery/WHO/EOP
Minyon Moore/WHO/EOP
Karen E. Skelton/WHO/EOP
Elisa Millsap/WHO/EOP
Robert B. Johnson/WHO/EOP
Mark Hunker/WHO/EOP
Laura S. Marcus/WHO/EOP
MILLISON_C @ A1 @ CD @ LNGTWY

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-MAY-1997 13:29:31.00

SUBJECT: Re: Response to Phil Gramm's letter on privatization

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

READ:UNKNOWN

TEXT:

I think we should do a written response, referring to the meeting. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 14:31:27.00

SUBJECT: comp time memo

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

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

TEXT:

Some time ago, just before the VP went to California for the big AFL convention, the President got a memo with discussion of a number of labor law issues, including the comp time bill. I'm about 99% sure that the President returned this memo with a note on various comp time standards. The subject came up at a meeting on comp time issues Friday, I mentioned the President's note, and Podesta asked me to try to find it. I don't have it in my files, so I thought I'd go to the source -- can one of you help? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 18:28:33.00

SUBJECT: Re: Release of Cloning Rpt.

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

READ:UNKNOWN

TEXT:

and ask Chris how we coordinated on the mammography report. I beleive we did do it the same day with no report earlier.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 14:18:43.00

SUBJECT: dod policy

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

TEXT:

I looked over the materials you gave me. They are now on their way back to you. Call me and let's discuss. Thanks.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Phone No. (Partial) (1 page)	05/26/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[5/21/1997 - 6/3/1997]

2009-1006-F

ke768

RESTRICTION CODES

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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.

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- 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:26-MAY-1997 18:31:35.00

SUBJECT: grandmothers

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

READ:UNKNOWN

TEXT:

I'll call Tuesday. Unless you tell me not to, I'm going to agree if they want to do some kind of high-level meeting with you.

----- Forwarded by Elena Kagan/OPD/EOP on 05/26/97 06:31 PM -----

Minyon Moore

05/22/97 10:54:15 AM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Franklin D. Raines/OMB/EOP, Victoria Radd/WHO/EOP, Sylvia M.

Mathews/WHO/EOP

Subject:

As a follow-up to our conversation, I did speak with Congresswoman Waters about the Grandmother's exemption. I informed her that we were aware of the issue and that you would contact the appropriate person in her office to discuss it further to avoid using her time in the larger CBC meeting. Apparently this commitment was made to her once before and her staff person has received the "run around." Well I must say, I wasn't sure if she was going to keep it off the table but she did. I have given no indication that there is a resolution -- but I do think that it is important that we follow-up in good faith. The contact person for the Congresswoman is Cathy Atkin

P6/(b)(6)

[OOI]

Thanks for your help on this!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 18:25:01.00

SUBJECT: Re: Displacement

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

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

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

TEXT:

Of course, we could just try to strengthen the enforcement mechanism. Not that that's likely to pass either, but if he really wants to do something ...

Cynthia A. Rice
05/23/97 08:46:12 AM
Record Type: Record

To: Elena Kagan/OPD/EOP, Diana Fortuna/OPD/EOP
cc:
Subject: Re: Displacement

Bruce's reply
----- Forwarded by Cynthia A. Rice/OPD/EOP on 05/23/97
08:50 AM -----

Bruce N. Reed
05/23/97 08:19:14 AM
Record Type: Record

To: Cynthia A. Rice/OPD/EOP
cc:
Subject: Re: Displacement

The President told me Tues night that some states were strengthening displacement language because the federal language wasn't strong enough. He thought we should look into toughening the federal language if necessary. I told him the language was strong enough, just difficult to enforce -- and in any case the best we could do with this Congress.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 10:46:58.00

SUBJECT: officer next door

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

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

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

TEXT:

Could the two of you get together and do up a scheduling request for the President to announce HUD's Officer Next Door program? I am sending both of you some materials on the program in case you don't have them. And Jonathan, could you make sure HUD knows that we're trying to get this on the President's schedule and that they shouldn't go ahead themselves before hearing from us? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 11:53:16.00

SUBJECT: juv justice bill

TO: Leanne A. Shimabukuro (CN=Leanne A. Shimabukuro/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:

So I've reviewed the section-by-section analysis of the jj bill that you gave me, and what I want to know is: where's the after-school stuff Rahm is talking about?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 18:27:50.00

SUBJECT: Re: Release of Cloning Rpt.

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

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

TEXT:

I think the latest idea is to have the President discuss NBAC's recommendations at the top of a press conference on June 11 or 12. Is there any way to do this without telling everybody everything first? Perhaps holding the meeting on the morning of the same day? Let me know what the options are.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 15:25:29.00

SUBJECT: standards

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

TEXT:

Podesta told me on friday that you and Bruce should sit down with Bob(?)
Chase on standards. Who is Bob Chase? Did Podesta just meet with him?
Does this message make sense to you?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 11:14:58.00

SUBJECT: yet another project

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

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

TEXT:

You may have noticed that the President got more press for his internet v-chip remarks than for anything else he said down in west virginia. Could you hook in with the VP's office (Don Gips seems the right person) to find out what we're doing on this issue and whether we should/could be doing more? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 11:07:23.00

SUBJECT: community computer centers

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

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

TEXT:

I'm sending you over a proposal from the CBC on establishing community computer centers. Maxine Waters is very hot to do something about this, and the President told the CBC last week that he thought it was a great idea. Frank Raines (whom Waters has talked with a couple of times about the issue) is quite receptive, so we're likely to have OMB's active cooperation. We'd like you to take the lead in getting people from OMB, the VP's office, and the relevant agencies together and making something come of this. You might also involve the people in Leg Affs who keep most directly in touch with the CBC. And keep Jose in the loop. Let me know what's happening and what you come up with. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 10:35:49.00

SUBJECT: Re: proper taxation of workfare benefits

TO: Mark J. Mazur (CN=Mark J. Mazur/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

TEXT:

Yes, but only if the understanding is that we will seek a legislative fix (if needed), consistent with our position since 1994, that workfare benefits are not subject to FICA and do not qualify for EITC. This is what we are going to tell the governors starting this week, in an attempt to dissuade them from attacking our decision on FLSA. The function of a working group is only to work out the details. Does everyone agree?

Mark J. Mazur
05/25/97 03:12:27 PM
Record Type: Record

To: Cynthia A. Rice/OPD/EOP, Elena Kagan/OPD/EOP
cc:
Subject: proper taxation of workfare benefits

Folks,

I brought up the idea of a joint DPC/NEC decision process with Gene Sperling at the NEC staff meeting on Friday and he said we should go ahead and get this started so we can come to an agreement in relatively short order.

My thinking on this is that we should let the current process involving IRS, Labor, and HHS and focussing on administrative solutions chug along to determine the appropriate interpretation of current law. But we should set up a parallel process with these agencies (and any other interested ones) to develop a legislative solution to this issue. There is a chance that such a legislative fix can be added to whatever tax bill will be constructed this summer. I suggest that we try to convene a group from Labor, HHS, Treasury, DPC, NEC, OMB, and CEA this coming week to get this process started. What do you think?

Mark

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 18:17:54.00

SUBJECT: ozone/pm

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

TEXT:

Paul-- let me know of any ozone/pm activity this week. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 26-MAY-1997 12:40:37.00

SUBJECT: aids vaccine memo

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

READ: UNKNOWN

TEXT:

Have you read it? do you want to (1) make changes, (2) deputize me and/or chris to make changes, (3) send it in, (4) wait until you get back. or (5) bag it altogether? I put a paragraph into the weekly that summarizes follow-up events -- i.e., meetings with scientists and manufacturers, distribution of grants, and international efforts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 17:25:14.00

SUBJECT: shalala memo

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

READ:UNKNOWN

TEXT:

Have you read the Shalala memo on state use of "excess" TANF funds? I think it's pretty interesting. I was thinking that we should send it in with a cover note advising the President to do a major address to a state legislature on this issue -- what states should do to make welfare reform work, what they shouldn't do, etc. I think it would get quite a lot of attention -- and I think it's something we should be doing to encourage states, to the extent we can, to adopt appropriate policies. What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 11:09:59.00

SUBJECT: computers

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

TEXT:
Of course, contact Waters' office too.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 17:21:49.00

SUBJECT: shalala memo

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

TEXT:

Has the Shala memo on excess TANF funds gone in yet? Let me know.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1997 11:09:31.00

SUBJECT: community computer centers

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

READ:UNKNOWN

TEXT:

We just asked Jonathan to take charge of a CBC idea to fund community computer centers. He's a lot less busy than you, so the assignment seemed to make sense. But to the extent you're interested, you should involve yourself in this. And we told him to keep you in the loop. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 27-MAY-1997 12:49:21.00

SUBJECT: Re: proper taxation of workfare benefits

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

READ: UNKNOWN

TEXT:

advice on how to respond?

----- Forwarded by Elena Kagan/OPD/EOP on 05/27/97 12:49
PM -----

Mark J. Mazur

05/27/97 12:01:50 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: Re: proper taxation of workfare benefits

Elena,

Thanks for your note. I think that a decision process on the taxation of workfare benefits should not pre-judge the outcome, and so I respectfully disagree with your proposal to limit the process to filling in the details of how workfare benefits should be non-taxable (for income and FICA purposes). The DPC/NEC work group is likely to end up with this conclusion, but I would prefer to hear this issue out (I know Treasury has done some thinking about the appropriate tax treatment and that some NEC staffers feel very strongly that workfare benefits should be subject to income tax, so that recipients can qualify for the EITC). Personally, my feeling is that the benefits are akin to welfare (AFDC) benefits and should be treated the same, but if presented with persuasive evidence to the contrary, my beliefs could also change.

Is there a problem with seriously looking at this issue anew?

Mark

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 12:51:09.00

SUBJECT: Re: proper taxation of workfare benefits

TO: Mark J. Mazur (CN=Mark J. Mazur/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

TEXT:

I think I have to talk with Bruce about this. I believe he would feel strongly the other way given (1) where we were in our 94 bill and (2) where the governors are now. But let me check.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 15:07:23.00

SUBJECT: Products Liability Meeting with Congressional Staff

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/27/97 03:07 PM -----

PETER G. JACOBY

05/27/97 02:30:27 PM

Record Type: Record

To: Ellen S. Seidman/OPD/EOP, Elena Kagan/OPD/EOP, Tracey E. Thornton/WHO/EOP, Kathleen M. Wallman/WHO/EOP

cc: Jennifer D. Dudley/WHO/EOP

Subject: Products Liability Meeting with Congressional Staff

As a followup to Friday's meeting, Bruce asked Legislative Affairs to set up a meeting with the appropriate House and Senate staff this week to outline our status on potential products liability legislation. How is everyone's availability for 11 am on Thursday? Peter

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 27-MAY-1997 18:23:09.00

SUBJECT: Re: juv justice bill

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

TEXT:

Jose, can you speak to this (see below)? I'm baffled -- how is it that we're making a must-have (recall Rahm: after-school programs, rather than prevention programs generally) out of something that's not in the bill?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 17:40:04.00

SUBJECT: home office deduction

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

READ:UNKNOWN

TEXT:

I just read your weekly. What did the President say about the home office deduction? I ask for reasons relating to our child care initiative.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 19:21:02.00

SUBJECT: oops

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

READ:UNKNOWN

TEXT:

I got it -- date to be determined.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 27-MAY-1997 17:44:59.00

SUBJECT: Re: community computer centers

TO: Jonathan Prince (CN=Jonathan Prince/OU=WHO/O=EOP @ EOP [WHO])

READ: UNKNOWN

TEXT:

laura has promised me she sent it. she's making another copy now. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 15:07:07.00

SUBJECT: Re: Internet V-chip

TO: Jonathan Prince (CN=Jonathan Prince/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

lawyers are kind of cautious, aren't they?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 19:10:06.00

SUBJECT: kaiser

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

TEXT:

Does that mean we have a date? Or that we have an acceptance without a date? Or what?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 17:35:44.00

SUBJECT: Products Liability Meeting with Congressional Staff

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/27/97 05:35
PM -----

PETER G. JACOBY

05/27/97 05:22:20 PM

Record Type: Record

To: Kathleen M. Wallman/WHO/EOP, Elena Kagan/OPD/EOP, Tracey E.
Thornton/WHO/EOP, Ellen S. Seidman/OPD/EOP

cc:

Subject: Products Liability Meeting with Congressional Staff

Thursday at 11am is not convenient for everyone. How about Friday at 11
am? Peter

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 12:48:22.00

SUBJECT: Re: officer next door

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

TEXT:

absolutely. i pitched it hard to ann this morning for next week's radio address. I just think we should cover all bases. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-MAY-1997 12:47:34.00

SUBJECT: Re: Internet V-chip

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

TEXT:

I disagree with the first. As to the second, we're not far away from an almost certainly adverse decision on CDA, so we should definitely make plans now. Also, I think it seems kind of defensive, rather than positive and affirmative to do it in that context, so I think it's fine that the President said what he said. But you needn't argue this with Gips. All you have to do is figure out where we're going from here.

Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Elena Kagan to Thomas L. Freedman. Subject: Re: On being agenda-less (1 page)	05/28/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[5/21/1997 - 6/3/1997]

2009-1006-F
ke768

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-MAY-1997 17:21:41.00

SUBJECT: Re: Followup on last week's meetingNSC/DPC meeting with Immigration groups

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

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

CC: malley_r (malley_r @ al @ cd @ lngtwy [UNKNOWN]) (NSC)
READ:UNKNOWN

TEXT:

We are in the process of getting some reactions from DOJ and State to an options memo, getting a DOJ read on administrative solutions, and doing some preliminary Hill discussions -- all in preparation for sending a decision memo to the President. We hope to have everything completed and the decision memo ready for him by the end of next week, though the Hill piece might push it back a few days.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-MAY-1997 17:23:25.00

SUBJECT: Re: Late Term Meeting

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

TEXT:

I think I got an email, but I ignore meeting requests these days and just pass them on to Laura. Ask her. Sorry. Would you and Todd like to have dinner sometime?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-MAY-1997 13:28:50.00

SUBJECT: Re: TANF

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

READ:UNKNOWN

TEXT:

I think we probably will have a comment -- about how we recommend he make a major speech on some of the issues discussed in the memo, etc. Get back to me when you're ready to send. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-MAY-1997 17:18:52.00

SUBJECT: Late Term Strategy Meeting

The late term strategy meeting has been scheduled for this Friday (May 30) from 2 - 3 pm i

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/28/97 05:18
PM -----

Robyn Leeds

05/28/97 03:45:46 PM

Record Type: Record

To: Maria Echaveste/WHO/EOP

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

Subject: Late Term Strategy Meeting

The late term strategy meeting has been scheduled for this Friday (May 30) from 2 - 3 pm in the White House Conference Center (Jackson Rm., 2nd floor). We are in the process of inviting the groups. Please let me know if you are able to attend and any suggestions you have for the agenda. Thanks.

Message Copied

To:

Marjorie Tarmey/WHO/EOP

Cheryl M. Carter/WHO/EOP

Ann F. Lewis/WHO/EOP

Susan M. Liss/OVP @ OVP

Elena Kagan/OPD/EOP

Tracey E. Thornton/WHO/EOP

Janet Murguia/WHO/EOP

Ellen M. Lovell/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-MAY-1997 13:25:01.00

SUBJECT: Re: V Chip

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

TEXT:
great; thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-MAY-1997 13:31:44.00

SUBJECT: Products Liability Meeting with Hill Staff

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/28/97 01:31
PM -----

PETER G. JACOBY
05/28/97 12:23:52 PM
Record Type: Record

To: Ellen S. Seidman/OPD/EOP, Kathleen M. Wallman/WHO/EOP, Tracey E.
Thornton/WHO/EOP, Elena Kagan/OPD/EOP
cc:
Subject: Products Liability Meeting with Hill Staff

Let's try again. Some agreement seems to be developing around 2 pm on
Friday for the products liability meeting with Hill staff. Any problems -
let me know. Peter

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-MAY-1997 07:36:41.00

SUBJECT: Re: Followup on last week's meetingNSC/DPC meeting with Immigration groups

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

TEXT:

could you send her the discussion memo on immigration? thanks.

----- Forwarded by Elena Kagan/OPD/EOP on 05/29/97 07:36
AM -----

Maria Echaveste

05/28/97 07:17:35 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: Re: Followup on last week's meetingNSC/DPC meeting with
Immigration groups

Elena--may I see the options memo--it helps me understand the issues.
Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-MAY-1997 14:32:47.00

SUBJECT: Re: Cloning memo

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

READ:UNKNOWN

TEXT:

get one from laura, or we'll reformat.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-MAY-1997 17:57:53.00

SUBJECT: Re: HHS Shalala memo on excess tanf funds

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

TEXT:

I gave it to you this weekend for filing under welfare-to-work.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-MAY-1997 12:46:45.00

SUBJECT: Late Term Strategy Meeting Reminder

The late term strategy meeting with constituency leaders will be held tomorrow, May 30 fro

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/29/97 12:46
PM -----

Robyn Leeds

05/29/97 10:24:35 AM

Record Type: Record

To: Maria Echaveste/WHO/EOP

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

Subject: Late Term Strategy Meeting Reminder

The late term strategy meeting with constituency leaders will be held tomorrow, May 30 from 2 - 3 pm at the White House Conference Center in the Jackson Room (2nd floor). Maria E. will chair the meeting. Please let me k now if you will be able to attend and any suggestions you have for the agenda. Thanks. I look forward to seeing you at the meeting.

Message Copied

To:

Marjorie Tarmey/WHO/EOP

Cheryl M. Carter/WHO/EOP

Sondra L. Seba/WHO/EOP

Barbara D. Woolley/WHO/EOP

Ann F. Lewis/WHO/EOP

Susan M. Liss/OVP @ OVP

Katharine Button/WHO/EOP

Jennifer L. Klein/OPD/EOP

Janet Murguia/WHO/EOP

Tracey E. Thornton/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:29-MAY-1997 20:26:00.00

SUBJECT: Re: Late Term Meeting Draft Agenda

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

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

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

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

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

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

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

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

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

CC: susan m. liss (CN=susan m. liss/O=ovp @ ovp [UNKNOWN])
READ:UNKNOWN

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

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

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

TEXT:
I agree.

May 29, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: JACK GIBBONS
Assistant to the President for Science and Technology

ELENA KAGAN
Deputy Assistant to the President for Domestic Policy

SUBJECT: CLONING POLICY OPTIONS

Two upcoming events create the need to develop a position on legislation banning the cloning of human beings. First, the National Bioethics Advisory Commission (NBAC) is about to complete the review you requested of the ethical and legal issues associated with cloning human beings. On Saturday, June 7, at its final public meeting, NBAC is expected to vote in favor of a legislative ban. Second, France has proposed that the Denver Summit communique include a paragraph urging countries to pass domestic legislative bans and to work together toward a global ban.

We recommend: (1) that you support domestic legislation banning human cloning, and that you announce specific legislation at the top of your June 10th press conference; and (2) that the U.S. support the gist of France's proposed cloning paragraph while insisting on critical modifications.

NBAC's Findings and Recommendations

In its draft final report, NBAC unanimously concludes that "it is morally unacceptable for anyone . . . to attempt to create a child" using the technology that created Dolly the sheep: somatic cell nuclear transfer -- that is, the transfer of the nucleus from an adult somatic (non egg or sperm) cell into an enucleated egg. NBAC bases this conclusion on safety concerns, finding that the technology is "likely to involve substantial risk to the potential child." The report also states that "serious ethical concerns... require a great deal more widespread and careful thought and public deliberation before this technology should be used."

NBAC also concludes, however, that other forms of "human cloning" -- such as the cloning of DNA sequences, cell lines, and tissues (which do not involve the creation of entire human beings) -- are scientifically important and not ethically problematic. Moreover, NBAC finds that animal cloning is ethically acceptable and promises important benefits. The Commission thus cautions that restrictions on cloning not impede these activities.

The Commission notes that current restrictions effectively prohibit federally funded and regulated entities from attempting to clone a human being through somatic cell nuclear transfer. However, fertility clinics and other privately-funded clinical and research establishments face no prohibition on human cloning, and NBAC questions whether some of these organizations will adhere to a voluntary moratorium.

Accordingly, NBAC's draft final report calls for carefully-worded national legislation prohibiting anyone from "attempting to create a child through somatic cell nuclear transfer techniques." The Commission specifies that the legislation should include a sunset provision and that, prior to the sunset date, an oversight body should review and report on the status of somatic cell nuclear transfer technology and the ethical and social issues associated with its use in humans. NBAC also recommends that the U.S. cooperate with other countries to enforce mutually-supported cloning restrictions.

National Legislation

We recommend that you embrace NBAC's proposal to establish a narrowly crafted time-limited legislative moratorium. Legislation is the only way to establish a comprehensive, enforceable prohibition on cloning entire human beings in all publicly and privately funded research and clinical activities. If carefully written, the ban will not preclude important research.

Reaction to proposed legislation will be mixed. A national and international consensus is emerging that attempting to apply the technology used to clone Dolly to humans is morally wrong. The American Medical Association has conveyed this view to NBAC, and the World Medical Association has issued a similar statement. Given NBAC's recommendation, we expect many in the scientific and ethics communities to accept a legislative moratorium.

But some who agree that cloning a human being using somatic cell nuclear transfer is morally unacceptable will oppose a legislated moratorium. In particular, the biotechnology and pharmaceutical industries strongly oppose legislation. These two industries are deeply concerned that a legislative debate will produce broadly drawn language that impairs critical research. Some academic researchers may share this view. Fertility clinics also may oppose legislation, but to date have not signaled a position.

Finally, some in the right-to-life community will argue from the other side that NBAC's proposed approach does not go far enough. This community will push for a comprehensive ban on the creation of embryos, through any means, for research purposes (*i.e.*, not for the purposes of creating a child). The Administration has applied this restriction to federally-funded research, but opposed legislation on the subject. This is an issue NBAC declined to review, and we do not recommend revisiting it in this context.

We recommend that you announce your support for legislation and propose specific legislative language on June 10, at your scheduled press conference, three days after NBAC's

recommendation will become public. We anticipate that the release of NBAC's report will prompt Congressional hearings and legislative proposals. By acting quickly you can maintain your leadership on the issue and carefully frame the legislative debate, making clear the value of biotechnology research and the danger of overly broad regulation, while calling for the prohibition of an unethical use of a specific technology.

Approve ___ Disapprove ___

Group of Eight Statement on Cloning

France has proposed a paragraph for inclusion in the G-8 communique embracing national and international bans on "reproductive human cloning." Germany will support the statement; Canada will support it with some modification.

The U.S. biotechnology and pharmaceutical industries strongly oppose including any paragraph on cloning in the communique. They fear that it will not be carefully drafted and may inadvertently extend to the cloning of DNA, cells, and tissues as well as entire human beings. Further, industry is concerned that a statement on cloning ultimately could provide cover for protectionist efforts to restrict U.S. biotechnology products and activities.

Nevertheless, we recommend that the Administration support the French proposal with critical modifications. Specifically, we suggest that the U.S. insist on changes to: (1) affirm the potential medical and agricultural benefits of cloning technology; (2) limit the prohibition to "the use of somatic cell nuclear transfer technology to create a child;" and (3) propose a time-limited moratorium instead of a ban. USDA and HHS support this position.

Approve ___ Disapprove ___

Attachment

France's Proposed Language for G-8 Communique

We have taken note with great concern of recent scientific experiments which could open the way to reproductive human cloning. We agree that the prohibition of any form of reproductive human cloning needs both strict domestic legislation and close international cooperation to adapt current international law. We are encouraged by the reflections underway within national ethics committees as well as in various regional and international fora. We are determined to give a strong impetus to their work with a view to arriving as soon as possible at a universal ban on reproductive human cloning.

Our Proposed Substitute Language

We have taken note that further development of the technology that enabled the recent cloning of a sheep offers the promise of enormous medical and agricultural benefits. We have also taken note with great concern that this scientific advance could open the way to using this technology (by which we mean somatic cell nuclear transfer technology) to create a child. We agree on the need for appropriate domestic legislation and close international cooperation to prohibit the use of somatic cell nuclear transfer to create a child while countries explore ethical and scientific implications in greater depth. We are encouraged by the reflections already underway within national ethics committees as well as in various regional and international fora. We are determined to give a strong impetus to their work with a view to arriving as soon as possible at a universal moratorium on the use of somatic cell nuclear transfer to create a child.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 14:38:21.00

SUBJECT: Re: draft Brady statement

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

TEXT:
this too.

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/97 02:38
PM -----

Bruce N. Reed
05/31/97 07:19:20 AM
Record Type: Record

To: Leanne A. Shimabukuro/OPD/EOP
cc: Elena Kagan/OPD/EOP, Michelle Crisci/WHO/EOP, Jose Cerda III/OPD/EOP,
Eli G. Attie/WHO/EOP
Subject: Re: draft Brady statement

That looks pretty good. But I think the opening paragraph should be a little more upbeat about our determination to keep handguns out of the hands of criminals. Maybe "I am disappointed in the Supreme Court's decision to rule part of the Brady Law unconstitutional. The Brady Law has kept 186,000 etc from purchasing handguns. And I will do everything in my power to make sure that we continue to keep handguns out of the hands of criminals."

The sooner we get to what we're going to do about it and the less we lament the decision, the less it will look like a total defeat.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 16:31:08.00

SUBJECT: Re: ADAPT

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

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

CC: palmieri_j (palmieri_j @ a1 @ cd @ lngtwy [UNKNOWN]) (WHO)
READ:UNKNOWN

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

CC: Nancy A. Min (CN=Nancy A. Min/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

TEXT:

ok by me too, but i agree with chris on the possible need for higher level participation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 15:06:11.00

SUBJECT: Meeting with Haskins and groups on \$3 billion

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/97 03:06
PM -----

Diana Fortuna
05/30/97 02:17:08 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Elena Kagan/OPD/EOP, Emil E. Parker/OPD/EOP, cynthiarice @
thinline.com @ inet
Subject: Meeting with Haskins and groups on \$3 billion

Here are a few tidbits from Haskins' meeting with all kinds of groups and us on his proposal on the \$3billion welfare to work proposal. He did a side-by-side that I will circulate around.

Formula vs. competitive -- sounds like Haskins may do a split. Several parties favored a blend: Blue Dogs, Daschle, Center on Budget.

Job creation -- Haskins said he was open to this, but said he needed a definition. Labor said it should have a transition to unsubsidized jobs.

Worker displacement -- Haskins says Shaw won't allow anything stronger than current TANF displacement language; he said those who want more will have to seek an amendment.

Training -- Geri Palast said that we would favor training "directly related to employment" counting as an allowable activity. When I asked her why she said this immediately afterward, she asserted that this was agreed upon in the meeting this morning with Cabinet secretaries. But I am not so sure that is right; so we have to clarify.

Economic development -- People raised the HUD issue by asking whether a city could build a casino. People didn't seem to like the idea, but weren't sure what to do.

Who's eligible -- A lot of discussion on how to best target this, with everyone appearing to agree on the goal. People threw out those on benefits for 18 months or more plus multiple barriers and what those should be. A woman named Roxie from DOL criticized with the Ways and Means minority proposal that it be those on welfare over 36 months. Wendell suggested 30 months, but APWA pointed out that some states have time limits shorter than that. So people thought if you did 30 months, you could add in those who are within 6 months of a time limit. People also debated whether food stamp 18-50 people should be eligible.

Cities -- no one but us spoke out in favor of this. Haskins said this contradicted our desire that the money should be competitive, but I said

you could have 2 competitive pots. He asked why PICs weren't good enough for cities.

Message Sent

To:

Janet Murguia/WHO/EOP

Emily Bromberg/WHO/EOP

Kenneth S. Apfel/OMB/EOP

Barry White/OMB/EOP

Keith J. Fontenot/OMB/EOP

Jeffrey A. Farkas/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 16:32:49.00

SUBJECT: talked to Emil P.

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/97 04:32
PM -----

Diana Fortuna
05/29/97 07:37:44 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, cynthiarice @ thinline.com @ inet
cc:
Subject: talked to Emil P.

He says he never ran any state numbers on how well targeted the "20% above the state average for unemployment and poverty" is. He said it was just common sense that if a state unemployment rate is 5%, a 20% increase is just 6% -- not that much higher.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 14:35:40.00

SUBJECT: WTW -- Friday afternoon meeting

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

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

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/97 02:34
PM -----

Barry White
05/31/97 10:18:45 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Maureen H. Walsh/OMB/EOP, Jeffrey A. Farkas/OMB/EOP
Subject: WTW -- Friday afternoon meeting

These notes will supplement the phone call to Elena and staff briefings in passing.

Process. To recap expected timing of next steps:

Haskins expects his draft Monday morning. He will make it available to us through Palast, who takes responsibility for getting to HHS and us. If it doesn't come directly to DPC, I'll get it there, and will get it to Stegman at HUD and Barr at Treasury (who called about all this Friday night).

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bill. (Kagan has by fax; OMB staff: in your boxes).

Colton may want Administration people at meeting of Dem LAs; she will call WH and/or Palast and Tarplin.

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Message Sent

To:

Larry R. Matlack/OMB/EOP
Keith J. Fontenot/OMB/EOP
Elena Kagan/OPD/EOP
Kathryn B. Stack/OMB/EOP
Diana Fortuna/OPD/EOP

May 31, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

SUBJECT: DPC Weekly Report

1. Welfare -- Balanced Budget Legislation: The House Way and Means Committee is moving forward quickly on the welfare portion of the reconciliation bill. The Republicans hope to have draft legislation this Tuesday and to hold a subcommittee markup on Friday, with full committee markup to follow the next week. We briefed a bipartisan group of staff on our welfare-to-work plan on Friday. We emphasized the importance of providing a substantial portion of the money directly to cities and of applying identical program rules and requirements to cities and states. We also urged a competitive (rather than formula) program, a performance-based bonus set-aside, a wide range of allowable activities (including public sector job creation), and strong anti-displacement language. The Republicans seemed skeptical about giving grants directly to cities, but clearly have not reached any final decisions on this matter. They were agreeable to providing some portion (but not all) of the funds on a competitive basis and to including public sector job creation in the list of allowable uses. They were extremely negative about establishing performance-based bonuses or drafting any anti-displacement language that is stronger than the provision in the welfare law. We expect to get an early draft of the legislation Monday morning and to speak with the same group of staff that evening to register our concerns.

We have seen no paper on the immigrant provisions and have not yet discussed this issue with committee staffers. We have heard rumors, however, that trouble us greatly. One is that the Republican legislation, in contravention of the budget agreement, will offer benefits only to legal immigrants on the rolls when the welfare law was passed, rather than to any legal immigrant then in the country. Another is that the legislation will incorporate some of the provisions in last year's immigration bill that we successfully removed at the eleventh hour, such as the ban on Medicaid coverage for immigrants with AIDS.

We also expect the Republican legislation to address the privatization and FLSA issues. We have heard that the legislation will authorize states to privatize the entire eligibility process (excluding appeals) for Medicaid, Food Stamps, and WIC. In addition, the legislation will exempt workfare participants from the FLSA and all other federal laws; require, independent of the FLSA, that workfare participants be paid the minimum wage for any hours worked; but then authorize states to count not only cash assistance and food stamps, but also Medicaid, child care, and housing benefits toward the minimum wage. The Intergovernmental Affairs office is trying hard to keep Democratic Governors from attacking our position on FLSA and signing on to this

(or some similar) Republican proposal. Governors Chiles and Carper, however, are very unhappy with our insistence that the FLSA applies to workfare participants and may well join a coalition of governors to demand legislative changes.

2. Welfare -- Litigation: You recently asked whether the Department of Justice must oppose suits challenging the welfare law's denial of benefits to legal aliens. The Department is currently the defendant in at least four class actions of this kind. The legal theories presented by the plaintiffs in these cases vary somewhat, but focus on alleged denial of equal protection and due process to legal aliens. The Department has argued in the cases that the challenged provisions in the welfare law have a "rational basis" and fall well within Congress's broad authority over immigration. The Department believes that these constitutional arguments are strong and that a refusal to defend would undermine the federal government's ability to regulate immigration and/or provide welfare services in the future.

3. Welfare Study: A new study, by Mathematica Policy Research and the Institute for Social and Economic Development, provides one of the first glimpses of what happens to families who are dropped from the welfare rolls because they reach time limits. The study looks at Iowa's Limited Benefit Plan (LBP), under which welfare recipients who do not comply with employment and training requirements -- by failing to sign employment and training contracts or to keep appointments -- receive three months of regular cash benefits, followed by three months of reduced cash benefits, and then six months of no benefits. Mathematica found that only 17% of those initially referred to the LBP ultimately lost benefits. Another 53% rectified their situation and returned to the main welfare program, while 30% chose to leave the welfare program entirely before their benefits were scheduled to end.

Among those whose benefits ended (i.e., the 17%), recipients were equally divided between those who were working two to six months later and those who were not. Those who were working had an average income of \$170 per week, with 43% working only part-time. Forty percent of all the families terminated experienced an increase in monthly income, while 49% experienced a decline. According to the study, there was "little systematic evidence of extreme deprivation during the period of no cash benefits." The percentage of those living in emergency shelters remained at 1-2%. Other than food pantries, families did not tend to seek help from community organizations. Families did report a much greater reliance on friends and extended family members. The report notes, however, that Iowa limited its period of no benefits to six months, whereas a system that cuts people off benefits permanently might see family support decline over time and welfare recipients more likely to go to shelters or seek other private help.

4. Crime -- New FBI Statistics: The FBI will release on Sunday preliminary data on crimes reported in 1996. The data show that the number of serious crimes reported in the U.S. is down 3% since 1995 -- the fifth annual decline in a row. The data indicate that this year's decline was fueled by a 7% drop in the number of violent crimes -- including an 11% drop in the number of murders.

5. Education -- Vocational Education Reauthorization: The Department of Education will transmit to Congress early next week the Perkins Career Preparation Education Act, which would restructure the Perkins Vocational and Applied Technology Education Act. The proposed legislation generally aims to promote a stronger academic component in voc-ed programs, thereby bringing vocational education into line with broad standards-based school reform. The legislation also would consolidate 23 existing voc-ed programs into three: a formula grant to states, Tech-Prep education, and a discretionary grant program allowing the Department of Education to fund a wide variety of activities. The proposed grant to states would provide them with enhanced flexibility, removing a number of set-asides that now require states to fund programs for groups such as displaced homemakers and criminal offenders. The bill also establishes new accountability provisions and a system of performance goals and indicators. We expect the House Education and Workforce Committee to adopt much of the Administration's proposal in its bill, though it may well resist our efforts (more symbolic than anything else) to make explicit links between the programs in this bill and our School-to-Work Program.

6. Education -- Multilingual School Districts: You have said on a number of occasions that the nation has four school districts in which students speak over 100 foreign languages as first languages. We asked the Department of Education to verify this number and identify the specific school districts. According to the Department, there are now five school districts with over 100 languages and one with just under 100 languages. The five school districts are: New York City (140 languages), Prince George's County MD (128), Montgomery County MD (119), District of Columbia (116), and Fairfax County VA (over 100). In addition, Chicago enrolls students speaking 96 different languages.

7. Immigration Study: A recent study released by the National Research Council and funded by the U.S. Commission on Immigration Reform found that immigration increases the nation's total economic output by about \$10 billion each year and has little negative effect on the income or job opportunities of most native-born Americans. The study finds, however, that immigration has contributed to a 5% decrease in the wages of native high school dropouts since 1980. (For the most part, African Americans have escaped the burden on low-paid native workers because they do not generally live in pockets of heavy immigration.) In addition, the study finds that in communities and states with high concentrations of low-skilled, low-paid immigrants, taxpayers incur a burden: for example, the study estimates that because the average immigrant family in California collects about \$3,000 more in public services (including education) than it pays in taxes each year, native households in the State pay an average of about \$1,000 in taxes to provide services to immigrants. The study made no policy recommendations, but its findings could support efforts to give greater preferences to more highly educated or skilled immigrants.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 14:37:31.00

SUBJECT: WTW -- Friday afternoon meeting

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/97 02:37
PM -----

Barry White

05/31/97 10:18:45 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Maureen H. Walsh/OMB/EOP, Jeffrey A. Farkas/OMB/EOP
Subject: WTW -- Friday afternoon meeting

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Message Sent

To:

Larry R. Matlack/OMB/EOP
Keith J. Fontenot/OMB/EOP
Elena Kagan/OPD/EOP
Kathryn B. Stack/OMB/EOP

Diana Fortuna/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 16:09:32.00

SUBJECT: shalala memo

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

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

TEXT:

Can you put on a cover memo as follows: "Attached is a meorandum from Secry Shalala on state use of TANF monies. DPC recommends that you use some of the facts and ideas in this memo in a major speech on welfare reform sometime this summer (perhaps to a state legislature), where you would talk about what kinds of state policies promote -- and what kinds retard -- real welfare reform."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1997 15:18:46.00

SUBJECT: cloning memo

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

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

TEXT:

I talked with Dan Turullo and he affirmed that we need do nothing more than take out the quotation remarks in the way I indicated on the copy I marked up. I gave Dan every opportunity to demand more, but he declined. He said he understood that limitation of the ban to a particular technology, etc. was part of our policy; I said it was; he said then that's what we should say to President -- we just shouldn't constrain him (Dan) by offering the President particular language. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUN-1997 17:37:12.00

SUBJECT: Re: Late Term

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

TEXT:

The meeting was fine -- not great, not bad. It focused on fairly short-term things -- in particular, on whether the AMA policy can be reversed at its convention on June 23. We agreed to do a bit of thinking about whether we (in truth, HHS) could contribute to that effort. Chuck and I are meeting with the AG on Tuesday; Donna offered to send over some doctors this week (though we don't know who or when) to give a medical briefing. I think we all could use a briefing from the legislative people, but I lean toward asking for this at one of the morning meetings, rather than calling a separate meeting for the purpose.

Policy Development

One of the principal goals of the initiative is to identify the critical issues affecting race relations in this country and to propose governmental actions and policies addressing those issues. We believe we must articulate this goal forcefully from the outset, so as to prevent the media from portraying the initiative as simply a gabfest.

In discussing policy initiatives, however, we must make two points clear. First, the Administration's policy will unfold over the whole course of the initiative. We will not lay down a full set of proposals in the San Diego speech or shortly thereafter; to the contrary, we will announce initiatives throughout the year, in coordination with the town halls and other events, while reserving some of the larger ideas for the President's Report to the American People. This approach will emphasize the way in which the Administration's policy is responding to the dialogue you have set in motion and the ideas arising from it.

Second and even more important, the policy that the Administration intends to develop will not be a reprise of the Great Society. No one should expect massive new programs run by the federal government and involving the expenditure of large sums of money. Different times demand different kinds of solutions, in this area as in most others. We must make this point as strongly as possible to prevent commentators from contrasting, to our disadvantage, the size of our initiatives to earlier ones.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUN-1997 16:36:06.00

SUBJECT: attached

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

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

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

TEXT:
Hope this is something along the lines of what you had in mind. Let me know if you want changes made.

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D45]MAIL430895150.116 to ASCII,
The following is a HEX DUMP:

FF57504370040000010A0201000000020500000001F18000000020000044FA1F6DAB7A89068B79F3
B1F7AA8663784C1E36AE9B8F9572843D1417A89611BD9B6B3087E7275E4F531423C9446DE703A9
549A2D512B826C15172B6871A0313C0D602E1D98205BA0C805501A30A655EDA8E3AD8186B1E93B
839CFC56E41558F61397F6C9007FAF133CE6B5BCD5C71F7D32B69AA03647979510166A943DFC03
307C36D99D673FEACB083E4D96D91CF03419C2E9FDE8FA3D8214D4229DCCC6EB38F39ECE7A67A0
117FFD1040A3E35D539F7D010CAC3F7796152C3CD66D287CB464D687E8EFE20EE519A854BB4095
5942700B0B67F49853D932E010C6C1F457C15913614ED6489332BD923A244E67958C2000565CE3
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821EB5034C0200090000000000000000000000000823010000000B0100007E02000000550100000
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8074686580637269746963616C8069737375657380616666656374696E678072616365CF72656C

Policy Development

One of the principal goals of the initiative is to identify the critical issues affecting race relations in this country and to propose governmental actions and policies addressing those issues. We believe we must articulate this goal forcefully from the outset, so as to prevent the media from portraying the initiative as simply a gabfest.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUN-1997 13:10:50.00

SUBJECT: Re: Race Policy Ideas

TO: Jose Cerda III (CN=Jose Cerda III/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: 1-JUN-1997 11:52:59.00

SUBJECT: pediatric labeling

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

TEXT:

have you heard anything about this briefing? could you check it out (so that sally is just dealing with one of us)? Thanks.

----- Forwarded by Elena Kagan/OPD/EOP on 06/01/97 11:52 AM -----

Elizabeth Drye

05/29/97 03:18:25 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: pediatric labeling

Any progress? Elena -- my understanding is that Sally asked for an FDA briefing on the issue. Is that /did that happen(ing)? Do you need me to staff? Chris tells me Sally is on board (yeh!). Feeling the need for me or Jen to get back to Ped. AIDS Foundation on this given that they are holding back at our request -- let me know how I can be helpful.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUN-1997 11:49:01.00

SUBJECT: Re: Recent POTUS statements on late term

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

READ:UNKNOWN

TEXT:

McCurry has certainly reiterated our veto threat, but I'm not sure anyone else has. Perhaps we should send up the same SAP with a note saying something like: "The recent amendments to the bill do not address the President's concerns and therefore do not change his position."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-JUN-1997 09:48:54.00

SUBJECT: Re: WTW -- Friday afternoon meeting

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

TEXT:

Check in with Cynthia on the draft; she's now checking in with Palast. On the meeting, I THINK Haskins is going to want it to be very small -- I suspect the right group is just Bruce, Palast and Tarplin -- but we will surely let you know if Haskins is open to a bigger group. And on another subject, there's a note on the way over to you saying that I stand corrected on FICA -- thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 13:11:29.00

SUBJECT: Re: Gun Safety

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

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

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

TEXT:
stricken one. what about the atf statute?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 17:52:06.00

SUBJECT: Re: budget mtgs

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

READ:UNKNOWN

TEXT:

that is great.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:12.00

SUBJECT: Re: Confirmation of Attendance

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

TEXT:
nope, but i think you should come anyway. everyone else will.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 11:30:35.00

SUBJECT: Re: DPC Meetings

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

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

TEXT:

He was talking about our welfare, crime, health, and education weekly meetings. I can't see what the scheduling office would get out of attending, but if they want... As for the press office, if they want to send someone to learn about some of these issues, that's fine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 07:29:36.00

SUBJECT: Re: Gun Safety

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

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

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

TEXT:

Hmm. The CPSC language you quoted talks about firearms ammunition, which is not what we're talking about here. And can I see the ATF law? I have to say that the prospect of getting into a fight with Congress on this one doesn't strike me as so bad.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 18:31:46.00

SUBJECT: Re: Bruce and I discovered this pm there was a Raines budget mtg yesterday

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

no, my fault. It was on my schedule, but a meeting with Erskine ran over and I never got there. Sorry.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:12.00

SUBJECT: Re: Confirmation of Attendance

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

TEXT:
yes, thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:07.00

SUBJECT: Re: Late Term

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

READ:UNKNOWN

TEXT:

fyi: my answer to sylvia's inquiry about how our meeting with choice groups went and whether we need another internal meeting -- and her response.

----- Forwarded by Elena Kagan/OPD/EOP on 06/02/97 08:31 PM -----

Sylvia M. Mathews
06/02/97 05:22:52 PM
Record Type: Record

To: Elena Kagan/OPD/EOP
cc:
bcc:
Subject: Re: Late Term

Let's raise in tomorrow's 7:45. Thanks.

Elena Kagan
06/01/97 05:37:04 PM
Record Type: Record

To: Sylvia M. Mathews/WHO/EOP
cc:
Subject: Re: Late Term

The meeting was fine -- not great, not bad. It focused on fairly short-term things -- in particular, on whether the AMA policy can be reversed at its convention on June 23. We agreed to do a bit of thinking about whether we (in truth, HHS) could contribute to that effort. Chuck and I are meeting with the AG on Tuesday; Donna offered to send over some doctors this week (though we don't know who or when) to give a medical briefing. I think we all could use a briefing from the legislative people, but I lean toward asking for this at one of the morning meetings, rather than calling a separate meeting for the purpose.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 19:29:27.00

SUBJECT: Re: EEOC

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

TEXT:
fantastic.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:11.00

SUBJECT: Re: Stuff

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

TEXT:
you bet.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:12.00

SUBJECT: Re: status offenders

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

TEXT:

I would redraft to indicate what you just told me -- that it's for purposes of etc.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 06:26:12.00

SUBJECT: Re: cloning memo

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

TEXT:

yes, can we we makes sure to send it in tomorrow morning? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUN-1997 12:28:17.00

SUBJECT: Re: Tobacco press questions

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

TEXT:

yes. april didn't call me. i told joe earlier that we're against the punitive damages and joint liability provisions generally in the products bill (so the question of an exemption really doesn't come up).