

NLWJC - KAGAN

EMAILS CREATED

ARMS - BOX 003 - FOLDER 005

[6/25/1997 - 7/3/1997]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to DBF. Subject: Re: Chicago (1 page)	06/27/1997	Personal Misfile
002. email	Elena Kagan to Elizabeth Drye. Subject: Outreach (1 page)	07/02/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[6/25/1997 - 7/3/1997]

2009-1006-F
ke770

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:25-JUN-1997 19:42:54.00

SUBJECT: Re: Possible 7/4 Radio Address topics

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

READ:UNKNOWN

TEXT:

we don't have anything in the can on this kind of issue as far as I know.
have you heard anything from elizabeth?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:25:13.00

SUBJECT: Re: Welfare to Work Conference

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

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

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

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

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

TEXT:

i think we should try to lock something in on the President's schedule as soon as possible. This will be a very good event and we should make sure we're in the middle of it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:19:14.00

SUBJECT: Re: USSC ruling

TO: Bruce N. Reed (CN=Bruce N. Reed/OU=OPD/O=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:25-JUN-1997 13:23:35.00

SUBJECT: RWG Follow-up meeting

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 01:24
PM -----

June G. Turner
06/25/97 12:35:38 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: RWG Follow-up meeting

Monday, June 30
11:00 am
Roosevelt Room

Message Sent

To: _____
Maria Echaveste/WHO/EOP
Rahm I. Emanuel/WHO/EOP
Kevin S. Moran/WHO/EOP
Debbie B Bengtson/OVP @ OVP
Susan M. Liss/OVP @ OVP
Elena Kagan/OPD/EOP
Dawn M. Chirwa/WHO/EOP
Sara M. Latham/WHO/EOP
Michelle Crisci/WHO/EOP
Patricia E. Romani/OMB/EOP
Michael Deich/OMB/EOP
Marjorie Tarmey/WHO/EOP
Andrew J. Mayock/WHO/EOP
Bob J. Nash/WHO/EOP
Laura K. Demeo/WHO/EOP
Janet Murguia/WHO/EOP
Richard L. Hayes/WHO/EOP
Ora Theard/WHO/EOP
Tracey E. Thornton/WHO/EOP
Robert N. Weiner/WHO/EOP
Minyon Moore/WHO/EOP
Kim B. Widdess/WHO/EOP
Thurgood Marshall Jr./OVP @ OVP
Elisabeth S. Steele/OVP @ OVP
Jose Cerda III/OPD/EOP
Angelique Pirozzi/WHO/EOP
Trooper Sanders/OVP @ OVP
Ellen M. Lovell/WHO/EOP
Donald A. Baer/WHO/EOP

Ann F. Lewis/WHO/EOP
Ann F. Walker/WHO/EOP
Cheryl D. Mills/WHO/EOP
Laura Emmett/WHO/EOP
Betty W. Currie/WHO/EOP
Mary Morrison/WHO/EOP
Stephanie S. Streett/WHO/EOP
Richard Socarides/WHO/EOP
Doris O. Matsui/WHO/EOP
Lynn G. Cutler/WHO/EOP
Suzanne Dale/WHO/EOP
Michael Waldman/WHO/EOP
Robert B. Johnson/WHO/EOP
Beverly J. Barnes/WHO/EOP
James T. Edmonds/WHO/EOP
Elisa Millsap/WHO/EOP
Cathy R. Mays/OPD/EOP
Carolyn Curiel/WHO/EOP
Douglas B. Sosnik/WHO/EOP
Terri J. Tingen/WHO/EOP
Laura K. Capps/WHO/EOP
Katherine Hubbard/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Emil E. Parker/OPD/EOP
Ananias Blocker III/WHO/EOP
David S. Beaubaire/WHO/EOP
Virginia N. Rustique/WHO/EOP
Odetta S. Walker/WHO/EOP
Gene B. Sperling/OPD/EOP
Melissa Green/OPD/EOP
PALMIERI_J @ A1 @ CD @ LNWTWY
Angus S. King/WHO/EOP
Lori L. Anderson/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 18:30:59.00

SUBJECT: Re: Distilled Spirits call

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

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

TEXT:

tell her we're not on a fast track, so he shouldn't worry. (the last thing we want is for him to call erskine).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:32:30.00

SUBJECT: Re: Airbags?

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

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

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

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

CC: DRYE_E (DRYE_E @ A1 @ CD @ LNGTWY [UNKNOWN]) (OPD)
READ:UNKNOWN

TEXT:

We shouldn't do airbags. Here's the situation. In about a month, DOT will issue a rule allowing people to deactivate their airbags. The rationale for the rule is that airbages can endanger kids and small adults in the front seat of automobiles. But we don't want to convey the message that these deactivators are a great thing. Instead, we want to convey the message clearly that people should install and use these only in rare circumstances; for many people, they are positively dangerous. Because this is a complicated message -- and because the government action here is not a clean fix (this is a real risk-risk tradeoff) -- and finally, because the government track record on airbag regulation is not very good -- we shouldn't try to hype this into a big message event. I would argue for a written statement on the day the rule is issued.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 19:44:25.00

SUBJECT: Re: VP Families Conference

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

TEXT:

oh, now i feel really really guilty (and i was feeling pretty guilty even before this). I'll apologize to christa. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 12:39:07.00

SUBJECT: Re: tobacco/veterans

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

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

TEXT:

do you have something yet for me to look at?

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 11:45 AM -----

Michael D. McCurry
06/25/97 10:19:00 AM
Record Type: Record

To: Barry J. Toiv/WHO/EOP
cc: See the distribution list at the bottom of this message
Subject: Re: tobacco/veterans

i agree. what is it?

Message Copied

To: _____
Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
Nancy A. Min/OMB/EOP
luzzatto_a @ a1 @ cd @ lngtwy
rubin_e @ a1 @ cd @ lngtwy
Joseph P. Lockhart/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:26:05.00

SUBJECT: Re: Chris Edley

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

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

TEXT:
no; only until 5 or so.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:33:49.00

SUBJECT: Re: Airbags?

TO: Kathryn O. Higgins (CN=Kathryn O. Higgins/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:

I just sent this in response to a question from Rahm and the press and communications shops on doing an airbag event.

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 01:34 PM -----

Elena Kagan
06/25/97 01:32:07 PM
Record Type: Record

To: Eli G. Attie/WHO/EOP, Michelle Crisci/WHO/EOP, Joseph P. Lockhart/WHO/EOP
cc: Bruce N. Reed/OPD/EOP, DRYE_E @ A1 @ CD @ LNGTWY
Subject: Re: Airbags?

We shouldn't do airbags. Here's the situation. In about a month, DOT will issue a rule allowing people to deactivate their airbags. The rationale for the rule is that airbags can endanger kids and small adults in the front seat of automobiles. But we don't want to convey the message that these deactivators are a great thing. Instead, we want to convey the message clearly that people should install and use these only in rare circumstances; for many people, they are positively dangerous. Because this is a complicated message -- and because the government action here is not a clean fix (this is a real risk-risk tradeoff) -- and finally, because the government track record on airbag regulation is not very good -- we shouldn't try to hype this into a big message event. I would argue for a written statement on the day the rule is issued.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:34:13.00 .

SUBJECT: Re: RFRA statement

TO: William P. Marshall (CN=William P. Marshall/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TEXT:
no attachment

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 15:23:16.00

SUBJECT: Re: FLSA & displacement memo

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

TEXT:
sounds excellent to me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 12:39:09.00

SUBJECT: DOL FLSA document that's on hold

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

TEXT:

i said to leave it to hilley. i don't want you to be tagged as having softened the admin's views on these labor issues. do you agree?
----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 11:47 AM -----

Diana Fortuna
06/25/97 10:43:42 AM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc: Cynthia A. Rice/OPD/EOP
Subject: DOL FLSA document that's on hold

As you know, DOL's technical assistance document on the new House FLSA plan is still on hold and doesn't appear to be going anywhere. If it should suddenly spring free again, we have to decide whether to include a new section that DOL just added on the prevailing wage. It's purely descriptive.

My inclination is to drop it, since this prevailing wage thing is going to get dropped in all likelihood, just so that we aren't highlighting it ourselves. Not sure this is completely justifiable; but wondered if you had an opinion on this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:22:56.00

SUBJECT: event ideas

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

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

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

TEXT:

three on health too. and if we had one or two on service, that wouldn't be bad.

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 01:23 PM -----

Bruce N. Reed
06/25/97 12:28:53 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: event ideas

By COB today, we need 3 good event/announcement ideas for July/August on education, and 3 good ones on welfare. Please send me your nominations as soon as you can. (We need a couple on race as well.)

Message Sent

To: _____
Michael Cohen/OPD/EOP
William R. Kincaid/OPD/EOP
Cynthia A. Rice/OPD/EOP
Diana Fortuna/OPD/EOP
Elena Kagan/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:08:56.00

SUBJECT: schedule

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

TO: DRYE_E (DRYE_E @ A1 @ CD @ LNWTWY [UNKNOWN]) (OPD)
READ:UNKNOWN

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

TEXT:

When do you guys think you'll have one? If bruce and doanna are announcing it on friday and it has to run through erskine and rahm, we should get a draft as soon as possible? also, the most recent (final?) draft of the working groups. of course you know this. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 15:18:54.00

SUBJECT: Re: Airbags?

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 03:20
PM -----

Elena Kagan

06/25/97 01:33:27 PM

Record Type: Record

To: Kathryn O. Higgins/WHO/EOP

cc:

Subject: Re: Airbags?

I just sent this in response to a question from Rahm and the press and communications shops on doing an airbag event.

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 01:34
PM -----

Elena Kagan

06/25/97 01:32:07 PM

Record Type: Record

To: Eli G. Attie/WHO/EOP, Michelle Crisci/WHO/EOP, Joseph P.
Lockhart/WHO/EOP

cc: Bruce N. Reed/OPD/EOP, DRYE_E @ A1 @ CD @ LNGTWY

Subject: Re: Airbags?

We shouldn't do airbags. Here's the situation. In about a month, DOT will issue a rule allowing people to deactivate their airbags. The rationale for the rule is that airbags can endanger kids and small adults in the front seat of automobiles. But we don't want to convey the message that these deactivators are a great thing. Instead, we want to convey the message clearly that people should install and use these only in rare circumstances; for many people, they are positively dangerous. Because this is a complicated message -- and because the government action here is not a clean fix (this is a real risk-risk tradeoff) -- and finally, because the government track record on airbag regulation is not very good -- we shouldn't try to hype this into a big message event. I would argue for a written statement on the day the rule is issued.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 15:24:52.00

SUBJECT: brady statement

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

TEXT:

I think we should say "will" instead of "should in the 1st sentence of the 2nd paragraph. Also, in the 2nd sentence of the fourth paragraph, can/should we say "legislativerecommendations"?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 19:40:45.00

SUBJECT: Re: brady statement

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

READ:UNKNOWN

TEXT:

ok, then let's use your language.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:40:15.00

SUBJECT: 3 ideas

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

TEXT:

In addition to our Eli event and our conference and the release of caseload stats: I noticed on something Christa sent over that the President is scheduled to speak to the NGA on July 28. Is this right? Is there a topic? And if not, wouldn't this be a great place for the take-it-to-the-states kind of speech we've talked about before on welfare policies?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:21:14.00

SUBJECT: Re: Airbags?

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

TEXT:

did you see the reply i sent to eli (and some others who asked about this)? I could have sworn I sent it to you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 15:35:18.00

SUBJECT: Re: Meeting request/Nat'l Cncl on Alcoholism

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

TEXT:
sounds good.

and on the distilled liquor side, I know that this delay is
unconscionable, but i'm going to beg your (and their) indulgence for a
few days more.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 12:39:08.00

SUBJECT: Re: DOL FLSA document that's on hold

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

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

TEXT:

my inclination is to leave all of this in hilley's hands. i don't want
bruce to get tagged as the person who "weakened" the admin. position on
these labor issues. but i'm open to contrary views.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:47:40.00

SUBJECT: Meeting w/Nightline - Time change

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 01:49 PM -----

June G. Turner
06/25/97 01:46:00 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Marjorie Tarmey/WHO/EOP, Laura Emmett/WHO/EOP
Subject: Meeting w/Nightline - Time change

You have been invited to the meeting below.
----- Forwarded by June G. Turner/WHO/EOP on 06/25/97 01:42 PM -----

June G. Turner
06/25/97 12:07:34 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Lori L. Anderson/WHO/EOP, Angelique Pirozzi/WHO/EOP, Kevin S. Moran/WHO/EOP
Subject: Meeting w/Nightline - Time change

Sylvia's meeting w/ Nightline folks (Ted Koppel, Richard Harris, Tom Bettag) on Friday, June 27 will now be at 3:00 pm (re: Race Initiative)
. This will be in the Roosevelt Room

thanks.

Message Sent

To: _____
Michael D. McCurry/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Ann F. Lewis/WHO/EOP
Minyon Moore/WHO/EOP
Stuart M. Schear/WHO/EOP

Message Sent

To:

Maria Echaveste/WHO/EOP
Robert B. Johnson/WHO/EOP
Beverly J. Barnes/WHO/EOP
Andrew J. Mayock/WHO/EOP
Ann F. Walker/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:25-JUN-1997 14:38:07.00

SUBJECT: Women's Meeting

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 02:39 PM -----

Kim B. Widdess

06/25/97 02:34:38 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: Women's Meeting

There will be a Women's Meeting TOMORROW, THURSDAY in Room 100 at 9am.

Please let me know if you are able to attend.

Message Sent

- To: _____
- Ann F. Lewis/WHO/EOP
 - Ellen M. Lovell/WHO/EOP
 - Lucia F. Gilliland/OVP @ OVP
 - Susan M. Liss/OVP @ OVP
 - Lynn G. Cutler/WHO/EOP
 - Minyon Moore/WHO/EOP
 - Maria Echaveste/WHO/EOP
 - Susan A. Brophy/WHO/EOP
 - Sylvia M. Mathews/WHO/EOP
 - Robin Leeds/WHO/EOP
 - Cheryl M. Carter/WHO/EOP
 - Elena Kagan/OPD/EOP

Message Copied

- To: _____
- Katharine Button/WHO/EOP
 - Kevin S. Moran/WHO/EOP
 - Marjorie Tarmey/WHO/EOP
 - Suzanne Dale/WHO/EOP
 - Laura Emmett/WHO/EOP
 - June G. Turner/WHO/EOP
 - Nicole R. Rabner/WHO/EOP
 - Jennifer L. Klein/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:21:48.00

SUBJECT: Re: Chris Edley

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

TEXT:
great. i may be a few minutes late though

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 18:33:36.00

SUBJECT: Re: brady statement

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

READ:UNKNOWN

TEXT:

that's fine; but if you think we might end up without any legislative piece, we shouldn't say it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:34:46.00

SUBJECT: Re: Airbags?

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

TEXT:
joe and rahm had the same thought.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 12:37:55.00

SUBJECT: Re: LULAC .

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

jose cerda will be coming.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 14:34:33.00

SUBJECT: Re: OPL Contact

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

READ:UNKNOWN

TEXT:

brilliant

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 19:58:22.00

SUBJECT: tobacco

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

READ:UNKNOWN

TEXT:

rahm told me to tell you to call broder and kerrick(?) from nbc and talk to them about where we're going on tobacco.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 18:34:41.00

SUBJECT: Re: Possible 7/4 Radio Address topics

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

TEXT:

Does child support count as family?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 15:28:32.00

SUBJECT: Distilled Spirits call

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

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

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

TEXT:

where are we on the options memo I asked you guys to prepare on this issue?

----- Forwarded by Elena Kagan/OPD/EOP on 06/25/97 03:28 PM -----

Cheryl M. Carter
06/24/97 01:52:41 PM
Record Type: Record

To: Elena Kagan/OPD/EOP, Bruce N. Reed/OPD/EOP, Rahm I. Emanuel/WHO/EOP
cc: Michelle Crisci/WHO/EOP, Peter O'Keefe/WHO/EOP
Subject: Distilled Spirits call

As I mentioned last week they've been holding off making calls to your offices. I've just received another call from Tim Dudgeon, head of Federal Gov't Relations, Distilled Spirits Council, requesting an update. They are almost to the point of unleashing a public campaign on their request for a WH meeting. We need an answer to their letter to POTUS. I'm sure they will start calling you by end of week if I don't tell them something.

In addition, according to Dudgeon, Sen. Daschle is getting ready to call Erskine on this.

We need to do something and I need to give them some kind of update today if at all possible.

Please help.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 13:52:57.00

SUBJECT: Re: OPL Contact

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

TEXT:

Only a week later, I'm going to respond that I'm damned if i know. I guess someone in OPL's separate women's office. If you ahven't figured this out already, ask Jen Klein if she knows whom to call.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 20:19:19.00

SUBJECT: Re: Possible 7/4 Radio Address topics

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

READ:UNKNOWN

TEXT:

I said i didn't have any and they should check in with you. give a call to dot. and pray for an outbreak of food poisoning.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-JUN-1997 18:29:53.00

SUBJECT: Re: Distilled Spirits call

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

TEXT:
no. that's fine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 18:00:36.00

SUBJECT: Re: Meeting re: FLSA and anti-displacement

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

your judgment. i suspect she'll just give aid and comfort to the laborites, but if the memo suggests otherwise, that's fine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 17:59:07.00

SUBJECT: Re: Meeting re: FLSA and anti-displacement

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

READ:UNKNOWN

TEXT:

yes,good.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 22:14:35.00

SUBJECT: Re: Treasury and FLSA

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

READ:UNKNOWN

TEXT:

fine

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 10:27:52.00

SUBJECT: Re: Ideas

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

TEXT:
could you get me a few sentences on each? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 10:38:01.00

SUBJECT: Re: Weekly Report

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

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

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

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

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

CC: Eric P. Goosby (CN=Eric P. Goosby/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

TEXT:

The health and welfare folks should provide summaries of Congressional action (for health, on medicare, medicaid and children, and for welfare, on the \$3 billion, privatization, and flsa). Mike: I think it may make sense to do a paragraph or two on the c-best issue; let me know if you disagree. Jose/Leanne: the same for our immigration issues. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 12:21:37.00

SUBJECT: Re: Weekly Report

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

READ:UNKNOWN

TEXT:

Not a bad idea. Let me check with Bruce.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 17:59:29.00

SUBJECT: Re: FMLA

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

TEXT:
don't think so, except for our longstanding proposal.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 12:41:52.00

SUBJECT: Re: Immigration Meeting

TO: Mark Hunker (CN=Mark Hunker/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

We know what our legislative proposal will be (the widest one of all the options), but we are trying to get counsel's office to press DOJ on administrative action. They have a meeting scheduled later this week I think.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 12:38:29.00

SUBJECT: Re: FYI: I did determinè that there's as yet no assigned topic for NGA speech per Emily Bromberg

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

READ:UNKNOWN

TEXT:
thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-JUN-1997 10:47:38.00

SUBJECT: Re: Weekly Report

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

TEXT:
exactly; and as soon as possible.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-JUN-1997 18:13:03.00

SUBJECT: Re: Chicago

TO: DBF (DBF @ wiggin.com @ INET @ LNGTWY [UNKNOWN])
READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D6]MAIL45346677T.116
The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-JUN-1997 18:16:37.00

SUBJECT: Meeting w/Sylvia Mathews

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

TEXT:

do you have our lists ready yet? thanks.

----- Forwarded by Elena Kagan/OPD/EOP on 06/27/97 06:16
PM -----

June G. Turner
06/27/97 03:22:09 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Meeting w/Sylvia Mathews

Sylvia would like to have a meeting on Monday, June 30 to discuss Race Policy and events in July. I have reserved the Roosevelt Room at 2:00 pm and hope that works for everyone.

Attendees:

John Podesta
Sylvia Mathews
Andrew Mayock
Don Baer
Ann Lewis
Gene Sperling
Maria Echaveste
Minyon Moore
Bruce Reed
Elena Kagan
Jose Cerda

Message Sent

To: _____
Ann F. Lewis/WHO/EOP
Donald A. Baer/WHO/EOP
Kevin S. Moran/WHO/EOP
Gene B. Sperling/OPD/EOP
Melissa Green/OPD/EOP
Bruce N. Reed/OPD/EOP
Cathy R. Mays/OPD/EOP
Elena Kagan/OPD/EOP
Laura Emmett/WHO/EOP
Jose Cerda III/OPD/EOP
Sara M. Latham/WHO/EOP
Minyon Moore/WHO/EOP
Angelique Pirozzi/WHO/EOP
Maria Echaveste/WHO/EOP

Marjorie Tarmey/WHO/EOP
Andrew J. Mayock/WHO/EOP

Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to DBF. Subject: Re: Chicago (1 page)	06/27/1997	Personal Misfile

COLLECTION:

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

FOLDER TITLE:

[6/25/1997 - 7/3/1997]

2009-1006-F

ke770

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-JUN-1997 09:38:15.00

SUBJECT: Re: Wolfe Letter/African AZT Trials

TO: Eric P. Goosby (CN=Eric P. Goosby/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D38]MAIL49535387J.116

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-JUN-1997 16:21:49.00

SUBJECT: meeting

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

TEXT:

Unable to convert ARMS_EXT:[MESSAGE.D23]MAIL43709587Z.116

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JUN-1997 19:30:16.00

SUBJECT: new flsa language

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

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

TEXT:

I just read the new language on worker protections for workfare participants. Two thoughts:

1. Why should the amount of child support collected and retained by the state be subtracted from the total of cash assistance and food stamps before the sum is divided by the minimum wage? I understand that the state is essentially being reimbursed for this portion of the benefit payment, but I don't see why that should matter for purposes of calculating the number of hours the recipient has to work. Doesn't this provision on child support threaten to undermine the work requirements (even at 20 hours) in a way we weren't taking account of on Friday?
2. It strikes me that unions are never going to be able to organize workfare participants under this language. Which, of course, is why they'll never accept it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JUN-1997 13:11:43.00

SUBJECT: Re: Ideas fyi

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

TEXT:

They sound really good as a group. I'd like to know more.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JUN-1997 14:57:38.00

SUBJECT: crack

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

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

TEXT:

Just stopped by, but you weren't around. The memo is great (both versions). I'll play with it a bit when I know which version to play with, but I don't expect to do too much.

We need to tell Justice to get us over a revised version of their letter, with the 25/250 recommendation. The new version should specifically address why that is the correct recommendation, referring (as the current version does on several occasions, but without reference to a particular recommendation) to the ounce threshold for mid-level dealers. I also would take out the sentence starting "Moreover," in the 4th full paragraph on p.3. It's not convinving, and it distracts from the central criminal justice rationale. (On the other hand, I think the third bullitt on that page is fine.)

And you said I wouldn't be able to work in the sun.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:29-JUN-1997 13:35:54.00

SUBJECT: Re: Religious Freedom

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

TEXT:

It really should be counsel's office. (The reason I know about this religious freedom directive is that I worked on it when I was there.) If you think we could be of help, though, we'd be glad to pitch in.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 19:43:43.00

SUBJECT: WOMEN'S MEETING THIS WEEK

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/30/97 07:43
PM -----

Kim B. Widdess

06/30/97 07:41:48 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: WOMEN'S MEETING THIS WEEK

There will be a Women's meeting this week on Thursday at 9am in room 100.

Unfortunately, due to scheduling difficulties we will not be joined by our guest pollsters. However, please hold Thursday, July 10 and Thursday, July 17 for meetings with the pollsters.

Thank you!

Message Sent

To:

Ann F. Lewis/WHO/EOP
Ellen M. Lovell/WHO/EOP
Lucia F. Gilliland/OVP @ OVP
Susan M. Liss/OVP @ OVP
Lynn G. Cutler/WHO/EOP
Minyon Moore/WHO/EOP
Maria Echaveste/WHO/EOP
Susan A. Brophy/WHO/EOP
Sylvia M. Mathews/WHO/EOP
Robin Leeds/WHO/EOP
Cheryl M. Carter/WHO/EOP
Elena Kagan/OPD/EOP
Karen E. Skelton/WHO/EOP

Message Copied

To:

Katharine Button/WHO/EOP
Kevin S. Moran/WHO/EOP
Marjorie Tarmey/WHO/EOP
Suzanne Dale/WHO/EOP
Laura Emmett/WHO/EOP
June G. Turner/WHO/EOP
Nicole R. Rabner/WHO/EOP

Jennifer L. Klein/OPD/EOP
Sondra L. Seba/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 18:51:10.00

SUBJECT: July Message Meeting

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 06/30/97 06:51
PM -----

Kevin S. Moran

06/30/97 06:34:04 PM

Record Type: Record

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

cc:

Subject: July Message Meeting

Please attend a meeting tomorrow (7/1) at 4pm to discuss the late July message schedule. Subjects to be discussed include the events/dates below:

July 14 -- Racial disparities in health care

July 15 -- Congressional budget meeting

July 16 -- Communications Decency Act

July 17 -- NAACP/Black Journalists (message tbd)

July 18 -- Summit Follow-up event with Girls Nation

July 21 -- Climate Change (event with Nobel Laureates -- I forget?)

Week of July 21 -- Religious Freedom event

Week of July 21-- Genetic Screening

Message Sent

To:

Elena Kagan/OPD/EOP

Christa Robinson/OPD/EOP

Elisa Millsap/WHO/EOP

Jim Kohlenberger/OVP @ OVP

Jonathan A. Kaplan/OPD/EOP

Eli G. Attie/WHO/EOP

Maria Echaveste/WHO/EOP

Stephen B. Silverman/WHO/EOP

Kathleen A. McGinty/CEQ/EOP

Beth A. Viola/CEQ/EOP

Lorraine A. Voles/OVP @ OVP

Lorraine L. Wytkind/WHO/EOP
Jennifer M. Palmieri/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 13:57:53.00

SUBJECT: Indian Law Enforcement Directive

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

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:
----- Forwarded by Elena Kagan/OPD/EOP on 06/30/97 01:57
PM -----

Lynn G. Cutler
06/30/97 01:41:30 PM
Record Type: Record

To: Elena Kagan/OPD/EOP
cc:
Subject: Indian Law Enforcement Directive

I just got a copy from Ogden and it looks fine from our standpoint. I think it's an important thing to do. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 12:02:03.00

SUBJECT: Re: Senior Staff Coverage

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

TEXT:

I'll be in washington, though I devoutly hope not to be working.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 12:00:29.00

SUBJECT: Re: Directive on Law Enforcement in Indian Country

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

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

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

TEXT:

super on all counts. thanks. we should get it to todd as quickly as we can.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 12:01:28.00

SUBJECT: Re: directive

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

READ:UNKNOWN

TEXT:

ask jose cerda or leanne shimabukuro for a copy. as you'll see, there's a real rush on it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 09:19:54.00

SUBJECT: directive

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

TEXT:

Have you had a chance to look at the Indian country law enforcement directive? Is it OK with you?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-JUN-1997 09:16:34.00

SUBJECT: Summary Materials for Today's Tax Announcement

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

READ:UNKNOWN

TEXT:

please prunt out.

----- Forwarded by Elena Kagan/OPD/EOP on 06/30/97 09:16
AM -----

Russell W. Horwitz
06/30/97 09:06:31 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc:
Subject: Summary Materials for Today's Tax Announcement

Please find attached a packet of summary documents for today's announcement. It includes a fact sheet, distribution table and examples of how families fare under the plan.

The second attachment is a chart on distribution which can be attached to the packet.

The third attachment is internal talking points.

The fourth is a 1-pager for mayors and local officials.

Message Sent

To:

Lori L. Anderson/WHO/EOP
Barry B. Anderson/OMB/EOP
Brenda M. Anders/WHO/EOP
Kenneth S. Apfel/OMB/EOP
Eli G. Attie/WHO/EOP
Donald A. Baer/WHO/EOP
Kris M Balderston/WHO/EOP
David S. Beaubaire/WHO/EOP
Marsha E. Berry/WHO/EOP
Sarah A. Bianchi/OMB/EOP
Jill M. Blickstein/OMB/EOP
Erskine B. Bowles/WHO/EOP
Emily Bromberg/WHO/EOP
Susan A. Brophy/WHO/EOP
Rebecca A. Cameron/WHO/EOP
Phillip Caplan/WHO/EOP
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Brian J. Johnson/CEQ/EOP
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Kevin S. Moran/WHO/EOP
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Bob J. Nash/WHO/EOP
Peter O'Keefe/WHO/EOP
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Lynn G. Cutler/WHO/EOP
Christopher J. Lavery/WHO/EOP
Minyon Moore/WHO/EOP
Craig T. Smith/WHO/EOP
Karen E. Skelton/WHO/EOP
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Elizabeth R. Newman/WHO/EOP
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Leanne A. Shimabukuro/OPD/EOP
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Jonathan Murchinson/WHO/EOP
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Barbara Chow/WHO/EOP
Christopher R. Ulrich/OVP @ OVP
Emily Bromberg/WHO/EOP

PRESIDENT CLINTON'S
TAX CUT PROPOSAL

SUMMARY DOCUMENTS

June 30, 1997

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President Clinton's Tax Cut Proposal

June 30, 1997

Today, President Clinton unveils a tax cut proposal. It is a fair proposal that places a priority on education tax cuts and provides a child tax credit to families who work hard and pay taxes. The proposal incorporates Republican priorities in a good faith effort to honor the budget accord and to reach final agreement on a tax cut the American people deserve.

- *A 2-year modified \$1,500 HOPE Scholarship to make two years of college universally available and a 20% tuition credit to make the third and fourth years of college more affordable and to promote lifelong learning.*
- *A \$500 child tax credit for tax-paying working families with children under 17 through 2002 and under 19 thereafter. Families could put the credit plus \$500 in a Kidsave Account.*
- *Two-thirds of the President's tax cut goes to the middle 60 percent of families -- twice as large as the congressional alternatives provide these middle-income families.*
- *To honor the agreement, the President's plan allows taxpayers to exclude 30% of their long-term capital gains from taxation and provides estate tax relief to small businesses and farmers.*
- *Includes no tax time bombs that would explode in cost.*

Major Provisions (Treasury estimates unless otherwise indicated)	5 Years (\$ billion)	10 Years (\$ billion)
<i>Education Tax Cuts:</i>		
<i>HOPE Scholarship and 20% Tuition Credit</i>	34.5	94.1
<i>Education and Retirement Savings Accounts</i>	1.3	6.0
<i>Tax Incentives for School Construction</i>	2.9	7.6
<i>Employer-Provided Education Benefits</i>	3.8	8.5
<i>Student Loan Interest Deduction and Forgiveness</i>	1.8	4.4
<i>Deduction for K-12 Computer Donations (JCT)</i>	0.3	0.7
<i>Repeal of bond cap for universities</i>	0.3	1.0
<i>Child Tax Credit</i>	70.2	176.1
<i>Brownfields, EZ/EC Expansion, CDFIs</i>	2.4	3.9
<i>Welfare-to-Work Tax Credit</i>	0.6	0.6
<i>Home Office Deduction</i>	0.6	1.7
<i>Small Business Capital Gains Relief</i>	0.4	1.7
<i>President's Home Sales Tax Cut</i>	1.1	1.9
<i>30% Exclusion of Capital Gains</i>	7.1	15.6
<i>Estate Tax Cut</i>	2.3	7.2
<i>DC Tax Incentives and Other Presidential Initiatives</i>	1.3	6.3
<i>Extensions of expiring provisions</i>	3.9	3.9
GROSS TAX CUT	134.8	341.1
<i>Revenue Raisers</i>	(49.8)	(100.5)
NET TAX CUT	85.0	240.5

President Clinton's Tax Cut Proposal

A Fact Sheet

EDUCATION TAX CUTS

- **Two-year HOPE Scholarship.** A maximum \$1,500 credit beginning in 1998. Students attending on at least a half-time basis would receive a 100% credit for the first \$1,000 of tuition and required fees for enrollment in a post-secondary degree or certificate program and a 50% credit for up to the next \$1,000. For example, a student attending a community college with tuition costs of \$1,400 would receive a \$1,200 HOPE Scholarship. Scholarships would be phased out for joint filers earning between \$80,000 and \$100,000. Eligible students could receive both a full Pell Grant and a HOPE Scholarship. The previously proposed B-rule has been dropped. After 2002, the HOPE Scholarship increases to a 100% credit for the first \$1,500 and a 50% credit for the next \$1,000 of tuition and required fees.
- **20% Tuition Tax Credit.** Third and fourth year students, graduate students, plus working people going to school to improve their education and skills, would benefit from a 20% tax credit on the first \$5,000 of tuition and required fees through the year 2000 and after 2000 a 20% tax credit on the first \$10,000 of tuition and required fees. The credit would be phased out for joint filers earning between \$80,000 and \$100,000.
- **Education and Retirement Savings Accounts.** Allows penalty-free IRA withdrawals for undergraduate, post-secondary vocational, and graduate education expense and the first-time purchase of a home. Additionally, taxpayers are given the opportunity to contribute their child tax credit plus an additional \$500, up to \$1,000, to a Kidsave Account for the child's education, first-time home purchase or the taxpayer's retirement. Earnings would accumulate tax-free in the Kidsave Account and no taxes would be due upon withdrawal for an approved purpose.
- **Tax Incentives for School Construction.** Provides tax credits to finance construction and/or rehabilitation of elementary or secondary schools in distressed communities. States would be able to allocate a fixed amount of tax credits (based on population) to public schools to help pay for construction or renovation projects. The allocation would be for projects in schools that are in empowerment zones or enterprise communities, or that have a high percentage of low-income students. This program would function similarly to the current low-income housing tax credit program.
- **Employer-Provided Education Benefits.** Extends permanently Section 127 of the tax code, which allows people to exclude \$5,250 of employer provided education benefits from their taxable income. Both undergraduate and graduate education would be eligible. Additionally, a 10% employer credit for small business training is included. This credit would apply to payments made to third parties to cover expenses of education for employees under employer-provided education assistance programs. The credit would be available to employers with average annual gross receipts of \$10 million or less for the prior three years.
- **Student Loan Interest Deduction and Forgiveness.** Allows a deduction of up to \$2,500 per year of interest on education loans for expenses of students enrolled at least half-time at an institution of higher education. The deduction would be allowed for the first 60 months interest is due on a loan. The deduction would phase out for taxpayers making between \$45,000 and \$65,000 (\$65,000 and \$85,000 for married taxpayers filing jointly). This deduction would be available even if the taxpayer does not itemize deductions.

To encourage people to use their education and training in community service, the income exclusion for student loan forgiveness would be expanded to include loan forgiveness extended by nonprofit tax-exempt charitable or educational institutions, and to loans forgiven under the Direct Loan Program's income-contingent repayment program. Currently, the exclusion generally covers only contingent forgiveness arrangements between students and government entities.

- **Incentives for K-12 Computer Donations.** Provides tax incentives for private sector donations of computer equipment to schools. The proposal would work in combination with the Telecommunications Act of 1996 to ensure that public schools have access to modern computer technology.
- **Repeal Cap on Tax Exempt Bond Issuance by Colleges and Universities.** Repeals the \$150 million bond cap that affects private higher education institutions and certain other charitable institutions. The repeal would apply to tax-exempt bonds issued by these institutions to finance new capital expenditures.

CHILD TAX CREDIT

The President's child tax credit includes the following features:

- **Age.** Covers children under 17 through 2002 and under 19 thereafter.
- **Amount per child.** \$400 in 1998, \$500 in 1999 and then indexed.
- **Income Limits.** Phased out for families making \$60,000 to \$75,000 until 2000, and then \$80,000 to \$100,000 thereafter.
- **Refundability to Cover Out-of-Pocket Income and Payroll Taxes.** Working families who pay out of pocket federal taxes would benefit from the child tax credit. Child tax credit is calculated before the EITC and will be partially refundable. A family will get a child credit for their income taxes plus the extent to which their out-of-pocket (employee share) payroll taxes exceed their EITC.
- **Savings Incentive Feature.** As described above, taxpayers who are entitled to a child credit would be given the opportunity to contribute their child tax credit plus an additional \$500 each year to a Kidsave Account for the child's education, first time home purchase or the taxpayer's retirement. Earnings would accumulate tax-free in the account and no taxes would be due upon withdrawal for an approved purpose.

URBAN REVITALIZATION

- **Incentives to Clean Up and Redevelop Contaminated Sites (Brownfields).** Certain environmental remediation costs would be provided tax favorable treatment, allowing them to be fully deducted immediately, to spur clean-up and redevelopment of contaminated sites in high poverty areas. To qualify for this tax incentive, sites would have to satisfy use, geographic, and contamination requirements.
- **Expand Empowerment Zones and Enterprise Communities.** The proposal has the three main components that were in the President's budget. First, within 180 days of enactment, two additional urban empowerment zones would be authorized and would benefit from current tax incentives. Second, technical changes would be made to allow a broader range of businesses in EZs and ECs to borrow the proceeds of tax-exempt bonds. Third, the proposal authorizes the additional designation of 20 (15 urban and 5 rural) Empowerment Zones and 80 (50 urban and 30 rural) Enterprise Communities. The newly designated zones would have different available tax incentives than existing zones. The current law wage credit would not be available. The brownfields incentives would be available as would special expensing of business assets and qualification for private-activity bonds.
- **Community Development Financial Institutions Fund.** Up to \$100 million in tax credits would be made available to the CDFI Fund to allocate for equity investors in community development financial institutions to leverage private investment in distressed areas and to stimulate economic revitalization.
- **Washington, D.C.** Provides tax incentives for firms to hire District residents, and a new credit that will be allocated to debt and equity by a new economic development corporation, and to allow the issuance of additional tax-exempt debt to help finance new business activity in the District.

WELFARE-TO-WORK TAX CREDIT

As proposed in the President's budget, to help move people from welfare to work, a new 50% tax credit would be made available on the first \$10,000 in annual wages of certain long-term family assistance recipients for two years of employment.

SMALL BUSINESS TAX CUTS:

Home office deduction

The existing home office deduction would be broadened to cover small businesses where: (1) the office is exclusively used to conduct substantial and essential administrative or management activities on a regular basis; and (2) the taxpayer has no other location to conduct these essential administrative or management activities.

Small Business Capital Gains

Increases the existing exclusion for equity investments in small businesses held at least five years to a 75% exclusion for up to \$20 million in gains and doubles the eligibility limits on firm size from \$50 million to \$100 million.

PRESIDENT'S HOME SALES TAX CUT

Provides a \$500,000 exclusion for capital gains on home sales for couples, providing tax relief and greatly simplifying record-keeping and compliance. The exclusion for single filers would be \$250,000.

30% EXCLUSION FOR CAPITAL GAINS

Taxpayers would be allowed to exclude 30% of their long-term capital gains from taxation. Long-term capital gains will be defined, as under current law, as assets held for more than one year. For example, a family in the 28% income tax bracket would face a capital gains tax rate of 19.6 percent.

ESTATE TAXES

A special exclusion is added for qualified family-owned businesses and farms. Currently, for married couples, only estates valued above \$1.2 million pay any estate taxes. A special exclusion of \$900,000 would be added to ensure that the first \$2.1 a million of family-owned business or farm would not be subject to estate taxes. This is a proposal advanced by Senator Daschle.

OTHER PRESIDENTIAL INITIATIVES

- ***Puerto Rico Tax Credit*** - would be extended indefinitely and modified to provide an incentive for new investments and increase the economic-activity credit.
- ***FSC Software*** - would extend the foreign sales corporation benefit, exempting a portion of income for tax purposes, to include computer software licensed for reproduction abroad.
- ***Equitable Tolling*** - would extend time people are allowed to claim a tax refund to include time that they are medically determined to be mentally or physically impaired.

EXTENSIONS OF EXPIRING PROVISIONS

The R&E tax credit would be extended through the end of 1998. Contributions of appreciated stock to private foundations, the Work Opportunity Tax Credit (including new targeted group), and the orphan drug credit would be extended for one year.

TOBACCO TAXES

The proposal includes a 20 cent increase in tobacco taxes that would be separated into a trust fund and dedicated entirely to expanding health coverage for children, addressing other children's development issues, and improving the overall public health.

Alternative Tax Cut Proposals A Comparison of Distributional Impact

<i>Income by Quintile</i>	<i><u>President Clinton</u></i>	<i><u>House</u></i>	<i><u>Senate</u></i>
Lowest	1.2%	0.6%	0.4%
Second	10.1	2.5	2.7
Third	22.2	9.6	10.2
Fourth	34.6	20.0	21.3
Highest	31.5	66.8	65.0
Top 10%	11.7	47.3	42.3
Top 5%	6.5	34.9	28.2
Top 1%	2.6	18.8	12.5
Middle 60% (Second, third, fourth quintiles)	66.9%	32.1%	34.2%

Source: U.S. Department of Treasury

Tables assumes fully phased-in (2007) law and behavior, in 1998 dollars. It includes major tax cut provisions in each of the plans: HOPE Scholarship, tuition credit, Section 127, Student loan interest deduction, child tax credit, Kidsave accounts, capital gains provisions, home office deduction, distressed areas initiatives, Puerto Rico tax incentives, individual and corporate AMT changes, prepaid tuition programs, IRAs, DC tax incentives, safe harbor for independent contractors, modifications of treatment of company owned life insurance.

How the President's Tax Cut Proposals Benefit Typical American Families

Example #1

Consider a family of four who makes \$40,000 a year. The father is a carpenter and makes \$25,000 and the mother makes \$15,000 working at a local department store. They have two kids, a son who is 14 and a freshman in high school and a daughter enrolled full-time in her first year at the local community college. Her tuition is \$1,200 a year.

The President's tax cut proposal will benefit this family in at least two ways. They will receive a child tax credit of \$500 for their son plus a HOPE Scholarship of \$1,100 for their daughter. In total, they will receive a \$1,600 tax cut in the President's proposal.

Tax Cut under Clinton Proposal

Family of four with two children
aged 14 and 18 and \$40,000 income:

Child Tax Credit for 14 year old	\$500
HOPE Scholarship for 18 year old	<u>\$1,100</u>
Total tax cut:	\$1,600

Example #2

Consider a family of three making \$55,000 a year. The father has a degree in accounting and works for a local business in the accounting department. The mother works part-time at the local library. They have one daughter aged 14. The father would like to return to school to prepare for his CPA examination. He is going to attend the local liberal arts college. He has signed up for two courses with total tuition of \$4,000.

This family will receive a \$500 tax child tax credit for their daughter and a \$800 tuition tax credit to help pay for the father's course work.

Tax Cut under Clinton Proposal

Family of three with one child
aged 14 and \$55,000 income:

Child Tax Credit for 14 year old	\$500
Tuition tax credit	<u>\$800</u>
Total tax cut:	\$1,300

Example #3:

A single mother lives with her six year old daughter in California. She's been working as a bank teller for several years and her pay is now \$20,000 a year. When she tallies up her taxes, she owes \$1,200 in federal income taxes. A \$1,150 Earned Income Tax Credit offsets much of this income tax. However, she pays \$1,530 a year in payroll taxes, not to mention the additional \$1,530 the bank pays on her behalf.

Under the President's plan this single mom would receive a \$500 child tax credit for her daughter. (Note: This woman and her daughter would receive no tax cut under either the House or Senate plans).

**Tax Cut under
Clinton Proposal**

Family of two with one child
aged 6 and \$20,000 income:

Child Tax Credit for 6 year old	<u>\$500</u>
Total tax cut:	\$500

Example #4

A teacher with six years experience, earning \$40,000 a year, would like to get her masters degree before she marries and has children. Her principal has agreed to adjust her schedule so that she can attend classes in the afternoon and evening. The tuition and fees charged for the program total \$6,500.

She will receive a 20 percent tax credit on the first \$5,000 of the tuition she pays.

**Tax Cut under
Clinton Proposal**

Single teacher making \$40,000,
attending graduate school:

Tuition Tax Credit:	<u>\$1,000</u>
Total Tax Cut:	\$1,000

(Note: All examples are for tax year 1999)

IT IS WRONG TO DENY TAX RELIEF TO AMERICA'S WORKING FAMILIES

Compared to the President's proposal, four million working families will largely be denied a child tax credit under the congressional tax plans. The President strongly believes that families who work hard, play by the rules and make approximately \$18,000 or \$28,000, who pay taxes, and who are trying to do the best for their kids just like everybody else, deserve a tax cut too.

This is an issue that is susceptible to both eye-glazing technical jargon, talk of "stacking," and misleading rhetoric: "It's welfare." Setting aside the jargon and the rhetoric, this is an issue best weighed by looking at real people:

Example -- Family of Four with Two Children

Consider a family of four with two children living in a medium sized southern city. The father is a rookie police officer making \$23,000, and the mother is taking a few years off from working. This family pays federal taxes well above the amount of EITC they receive:

Federal Tax Situation Before Any Child Tax Credit:

Income taxes owed before EITC	\$675
Payroll Taxes (just employee share)	\$1,760
Excise Taxes/1	\$354
Federal out of pocket taxes owed before EITC	\$2,789
Employer Share of Payroll taxes	\$1,760
Federal Taxes before EITC	\$4,549
Benefit from EITC	\$1,668

	President Clinton's Proposal	House Bill	Senate Bill
Child Tax Credit for family of rookie police officer making \$23,000	\$767	\$0	\$0

Notes:
1: Estimate calculated from Congressional Budget Office Data. CBO estimates that in 1998, families with incomes between \$20,000 and \$30,000 would pay 1.54 percent of their income in federal excise taxes.

**Change in Income Tax: Comparison of Current Law with
The President's Proposal and the House and Senate Tax Bills**

**Couple with Income of \$23,000 and Two Children
(1999 Tax Parameters)**

	Current Law	President's Proposal	House Tax Bill	Senate Tax Bill
Adjusted Gross Income (AGI) -- all earnings	23,000	23,000	23,000	23,000
Standard Deduction	7,300	7,300	7,300	7,300
Personal Exemptions	<u>11,200</u>	<u>11,200</u>	<u>11,200</u>	11,200
Taxable Income	4,500	4,500	4,500	4,500
Income Before Tax Credits	675	675	675	675
Employee Payroll Tax (7.65% of earnings)	1,760	1,760	1,760	1,760
Child Credits	0	767	0	0
Earned Income Credit (refundable)	1,668	1,668	1,668	1,668
Income Tax After Credits	-993	-1,760	-993	-993
Tax Savings Compared to Current Law		767	0	0

Department of the Treasury
Office of Tax Analysis

June 27, 1997

The President's Higher Education Tax Cuts: Greater Benefits for More Families

While providing the greatest help in the first two years, the President's plan has always gone *much* further, granting a substantial tax cut for *any* investment in postsecondary education or training. Unlike the Congressional plans, the Administration's higher education tax cut covers *all types and ages of students*, including:

- part-time students;
- students beyond their first two years of undergraduate study;
- graduate students;
- workers who are improving job skills rather than seeking a degree;
- those not fortunate enough to have been able to put a lot of money into savings.

For many situations that families find themselves in, the plans passed by the Senate and the House provide little or no help. Consider the following common situations:

	House Plan	Senate Plan	President
Family with \$50,000 income, one child going to an average two-year community college full-time (\$1,200 tuition and fees)	\$600	\$900	\$1,100
Family with \$30,000 income, one parent going to a public four-year college less than half-time (\$2,000 tuition and fees)	\$0	\$0	\$400
Family with \$40,000 income, one child is junior at average private college (\$12,000 tuition and fees)	\$0	\$0	\$1,000
Homemaker, family income of \$70,000, decides to go to graduate school at public university after being out of college for 20 years (\$3,500 tuition and fees)	\$0	\$0	\$700

Clinton Presidential Records Automated Records Management System [EMAIL]

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Attachment Number: [ATTACH.D43]MAIL40734308S.116

President Clinton Unveils Tax Cut Proposal

June 30, 1997

President Clinton's tax cut proposal provides needed tax relief to working families who play by the rules, pay taxes, and are trying to do the best for their kids. It includes a major investment in the President's top priority -- education -- by making the first two years of college universally available and doing something the other plans do not: helping those Americans who are working and want to improve their education and upgrade their skills. Lastly, President Clinton's proposal incorporates Republican priorities in a good faith effort to honor the budget accord and to reach final agreement for a tax cut the American people deserve.

THE PRESIDENT'S PROPOSAL IS FAIR. The bulk of the President's tax cut goes to middle-class families -- two-thirds of the President's tax cut goes to the middle sixty percent of families, twice the share the alternative congressional plans provide these middle class families.

THE PRESIDENT PLACES A HIGHER PRIORITY ON EDUCATION TAX CUTS. Education must be America's highest priority and the core of our tax cut plan must help families pay for education. To offer opportunity in the new and rapidly changing economy, we must make the 13th and 14th years of education -- the first two years of college -- as universal as a high school diploma is today. We must also do what we can to help people throughout their lives improve their education and upgrade their skills throughout their lives. The President's plan:

- ✓ **ADVANCES THE GOAL OF MAKING THE FIRST TWO YEARS OF COLLEGE UNIVERSAL.** The plan includes a modified two-year \$1,500 HOPE Scholarship that does more to help community college students than the congressional alternatives. First and second year students would receive a \$1,000 credit for the first \$1,000 of tuition and fees plus 50% of as much as another \$1,000 in tuition and fees. Therefore, a student going to a typical community college with tuition of \$1,200 would receive a \$1,100 credit under the President's proposal, compared to just \$600 and \$900 under the House and Senate plans respectively.
- ✓ **HELPS THIRD AND FOURTH YEAR STUDENTS AND PROMOTES LIFELONG LEARNING.** The congressional plans give virtually no support to families who are struggling to pay college costs out of pocket. Students beyond the second year would benefit only if they had substantial savings or when they paid interest on student loans. Students over 30 -- one-fourth of all undergraduate students -- could not even make use of the education savings accounts that Congress is proposing. At a time when older workers need to improve their education and upgrade their skills, it is critical that the education tax cuts promote lifelong learning. The President's proposal accomplishes this goal: It provides a 20 percent tuition credit on expenses up to \$5,000 initially and \$10,000 beginning in 2001.
- ✓ **INCORPORATES OTHER GOOD EDUCATION IDEAS INCLUDED IN VARIOUS PROPOSALS,** such as a permanent extension of the tax preference for employer-provided undergraduate and graduate education, tax incentives for school construction, a student loan interest deduction, and tax exclusion for community service and income-contingent loan forgiveness.

THE PRESIDENT BELIEVES THAT FAMILIES WHO WORK HARD, PAY TAXES, AND TRY TO DO THE BEST FOR THEIR KIDS DESERVE A TAX CUT. HIS PLAN CUTS THE TAXES OF THE 4 MILLION FAMILIES SHORTCHANGED BY CONGRESS. The President's proposal includes a \$500 child tax credit for children under 17 through 2002 and under 19 thereafter. The President has a basic disagreement with some members of Congress. Consider a family of four with two small children: the father is a rookie police officer making \$23,000, and the mother is taking a few years off from teaching. They pay out of pocket over \$1,000 a year in federal taxes. The President believes that this family needs and deserves a tax cut just as much as family who makes twice as much. The Congressional plans would deny this family a tax cut. Under the President's plan, this family would receive a \$767 child tax credit.

TAX INCENTIVES TO CLEAN-UP AND REVITALIZE DISTRESSED NEIGHBORHOODS BELONG IN THE FINAL TAX PACKAGE. In the balanced budget agreement, President Clinton and Congress agreed to make all efforts to include three programs critical to our urban areas in the final budget package: a Brownfields tax incentive; new Empowerment Zones and Enterprise Communities (EZ/EC); and expansion of the Community Development Financial Institutions (CDFI) fund. Unfortunately, neither the House tax bill nor the Senate tax bill includes the President's Brownfields and EZ/EC initiatives. Today, the President includes these two vital provisions, plus a new tax credit to encourage investment in CDFIs and an enhanced welfare-to-work tax credit, in his tax cut proposal.

THE PRESIDENT'S TAX CUT PROPOSAL DELIVERS BIG FOR CITIES

June 30, 1997

In the balanced budget agreement, President Clinton and Congress agreed to make all efforts to include three programs critical to our urban areas in the final budget package: a Brownfields tax incentive; new Empowerment Zones and Enterprise Communities (EZ/EC); and expansion of the Community Development Financial Institutions (CDFI) fund. Unfortunately, neither the House tax bill nor the Senate tax bill includes the President's Brownfields and EZ/EC initiatives. *Today, the President includes these two vital provisions, plus a new tax credit to encourage investment in CDFIs and an enhanced welfare-to-work tax credit, in his tax cut proposal.*

PRESIDENT CLINTON'S TAX PLAN HELPS TO CLEAN UP AND REDEVELOP BROWNFIELDS.

The Brownfields tax incentive included in the President's tax cut proposal would reduce the cost of cleaning up thousands of contaminated, abandoned sites in economically distressed areas by permitting clean-up costs to be immediately deducted for tax purposes, rather than requiring this spending to be written off over time. This would, in turn, encourage redevelopment of these areas. *The Treasury Department estimates this \$2 billion tax incentive will, over seven years, leverage more than \$10 billion for private sector cleanups nationwide, allowing redevelopment of 30,000 brownfields.*

- Chicago Mayor Richard Daley, writing on behalf of the U.S. Conference of Mayors, urged Ways and Means Chairman Archer to include the President's Brownfields proposal in the tax bill: "This is a high priority for communities across this nation and we stand united in urging you and other members of the House Ways and Means Committee to modify the tax bill to include the \$2 billion brownfields tax incentive."

THE PRESIDENT'S TAX PLAN CREATES NEW EMPOWERMENT ZONES AND ENTERPRISE COMMUNITIES. Under the President's 1993 Empowerment Zones and Enterprise Community initiative, communities develop a strategic plan to spur economic development, and they receive Federal tax benefits, social service grants and flexibility in use of Federal funds in order to put this plan in effect. The EZs and ECs are urban or rural areas with high poverty and unemployment rates.

Many communities that were not designated as EZs or ECs in that first round lack the seed capital to begin revitalization efforts. In response, the President proposes a second-round of EZs and ECs--15 urban and 5 rural EZs and 50 urban and 30 rural ECs. The new EZs and ECs will benefit from a slightly different blend of tax credits than the first-round communities.

THE PRESIDENT'S TAX PLAN ALSO PROVIDES FOR A NEW COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS TAX CREDIT. The President's CDFI Fund is helping to build a national network of community development financial institutions -- including banks, thrifts, and credit unions -- by providing financial and technical assistance to these entities. CDFI dollars are being used to create jobs, rebuild neighborhoods and restore hope in communities from San Francisco to Boston, Louisville to Chicago. The Fund represents a promising model for Federal government action -- investing in local private sector institutions, leveraging private sector resources (to the tune of ten times the initial investment) and generating economic growth in distressed areas. *The President's tax cut proposal creates a new tax credit to encourage investment in CDFIs. This new credit is not included in either the House or Senate versions of the tax legislation.*

THE PRESIDENT'S PLAN INCLUDES A SPECIAL WELFARE-TO-WORK TAX CREDIT. This credit gives employers added incentive to hire welfare recipients. Although the congressional leadership pledged to seek a credit along these lines, the House bill includes only a scaled-back version, and the Senate bill omits it entirely.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUL-1997 15:12:57.00

SUBJECT: Lee/Affirmative Action

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/01/97 03:12
PM -----

Tracey E. Thornton
07/01/97 02:28:19 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Doris O. Matsui/WHO/EOP, Ann F. Walker/WHO/EOP, Robert N.
Weiner/WHO/EOP, Stacey L. Rubin/WHO/EOP
Subject: Lee/Affirmative Action

The WHO/DOJ Lee confirmation team meets with outside groups every wednesday here at the White House. At tomorrow's meeting we will be joined by Senate staff who are interested in this nomination and wanted to meet with the groups. These staff folks also work affirmative action issues and Kennedy's people want to talk about what is happening on the Hill. So we're going to first discuss the Lee nomination and then let Senate folks turn to the broader question. The meeting is at 11am in room 180. My plan was to do more listening than anything else but let me know if you have other thoughts on it.

Message Sent

To: _____
Sylvia M. Mathews/WHO/EOP
Andrew J. Mayock/WHO/EOP
Maria Echaveste/WHO/EOP
Richard L. Hayes/WHO/EOP
Robert B. Johnson/WHO/EOP
Dawn M. Chirwa/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: 1-JUL-1997 09:01:23.00

SUBJECT: Sudden Cardiac Arrest -- Automated External Defibrillators (AEDs) Update

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

READ: UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/01/97 09:01
AM -----

Jerold R. Mande

06/30/97 08:56:42 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Thomas L. Freedman/OPD/EOP

Subject: Sudden Cardiac Arrest -- Automated External Defibrillators (AEDs)
Update

Here is where the matter stands: I have been working with Tom Freedman to explore a possible POTUS or VPOTUS event. There appears to be an opportunity for positive federal intervention because as many as 50,000 of the more than 300,000 people who die a year from sudden cardiac arrest could be saved if a normal heart rhythm could be restored within 5 min. Today an individual's chances of surviving vary from greater than 30% to less than 5%, depending on where they live. There is agreement that the federal gov't can help by adding its support to a 3 year study of the effectiveness of making AEDs available to minimally trained individuals such as security guards. There is near violent disagreement between HHS and outside experts about whether the federal gov't can do anything before the study is completed to help lessen this problem.

I have 5 of the nation's leading experts flying into town on Thursday for a 2pm briefing on the problem and the opportunities. HHS is refusing to send anyone to the meeting. I spoke with Bill Corr today and he feels strongly that I have already dragged too many HHS staff (about 6) to too many meetings (about 3) and that I am wasting their time.

Any thought?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUL-1997 14:49:23.00

SUBJECT: hate crimes amendment

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

TEXT:

what do you think? where's my memo?

----- Forwarded by Elena Kagan/OPD/EOP on 07/01/97 02:49
PM -----

Richard Socarides 07/01/97 11:38:30 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Elena Kagan/OPD/EOP
cc: Tracey E. Thornton/WHO/EOP
Subject: hate crimes amendment

Let me know if you think we need to get together on the hate crimes amendment. We should include Tracy. DOJ is planning to send over a proposal next week.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUL-1997 14:49:56.00

SUBJECT: Prep mtg for Advisory Bd

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

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 07/01/97 02:49
PM -----

Marjorie Tarmey
07/01/97 11:55:57 AM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Kevin S. Moran/WHO/EOP, Laura Emmett/WHO/EOP
Subject: Prep mtg for Advisory Bd

The Prep mtg for the Advisory Board will be Wednesday, July 2 at 1:30 in
Maria Echaveste's office

Message Sent

To: _____
Ann F. Lewis/WHO/EOP
Dawn M. Chirwa/WHO/EOP
Andrew J. Mayock/WHO/EOP
Beverly J. Barnes/WHO/EOP
Minyon Moore/WHO/EOP
Elena Kagan/OPD/EOP
Jose Cerda III/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-JUL-1997 15:47:50.00

SUBJECT: Re: Draft agenda for welfare strategy mtg today at 5pm for your consideration

TO: Diana Fortuna (CN=Diana Fortuna/OU=OPD/O=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: 1-JUL-1997 14:48:54.00

SUBJECT: Re: Minority Enrollment working group

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

READ:UNKNOWN

TEXT:

yes.

July 1, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: ELENA KAGAN
LEANNE SHIMABUKURO

SUBJECT: DIRECTIVE ON LAW ENFORCEMENT IN INDIAN COUNTRY

The attached Executive Memorandum directs the Attorney General and Secretary of the Interior to analyze the law enforcement problem in Indian Country and submit recommendations to you by November 14, 1997 for improving public safety in those areas. The Attorney General and Secretary proposed the Memorandum; they hope to submit it to the House Appropriations Committee this week in support of a request to reprogram funds to pay for this project.

Indian Country is currently facing a law enforcement crisis. While violent crime has dropped nationwide, it has increased on Indian lands -- with homicide rates rising a full 80% since 1992. On many American Indian reservations, public safety is less secure than in the most crime-plagued inner cities. Many violent crimes in Indian Country go wholly uninvestigated because of a shortage of law enforcement officers, and jails are grossly inadequate.

The federal government generally has jurisdiction over major crimes committed on Indian lands; it therefore has responsibility for -- and can act to remedy -- this escalating crime problem. The Bureau of Indian Affairs (BIA) at Interior currently wields most of the law enforcement authority of the federal government, but its budget for these activities has declined by 5.1 percent since 1992. This decline stands in stark contrast to the increased funding that other federal law enforcement agencies have gained during the same period. One possible solution to the Indian Country law enforcement problem, now being considered jointly by the two departments, is to transfer some or all of Interior's law enforcement authority to the Justice Department.

Upon receiving your directive, the Attorney General and Secretary of the Interior will appoint a 15-member committee, including agency representatives, tribal leaders, and experts, to develop recommendations on how best to address criminal justice problems in Indian Country. Consistent with the Presidential Memorandum you signed in September 1994 on government-to-government relations with tribes, the memorandum explicitly states that tribal leaders will participate directly in this process.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Elena Kagan to Elizabeth Drye. Subject: Outreach (1 page)	07/02/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[6/25/1997 - 7/3/1997]

2009-1006-F
kc770

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: 2-JUL-1997 12:31:11.00

SUBJECT: Re: sex offender directive

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

TEXT:
great

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-JUL-1997 18:42:26.00

SUBJECT: Re: Welfare-to-Wor[d]

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

TEXT:

I'm assuming you didn't wait for me. It's great.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-JUL-1997 18:41:10.00

SUBJECT: Re: staff mtg.

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

TEXT:
no problem. are you going somewher exotic?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 18:04:02.00

SUBJECT: Sentencing recommendations

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

TEXT:

Thought you should see this. I wouldn't mind something in the cover note to the effect that Bob believes the "base community" will be unhappy. We probably should have said that in our memo -- and still can if you want.
----- Forwarded by Elena Kagan/OPD/EOP on 07/03/97 06:02 PM -----

Robert B. Johnson
07/03/97 05:35:06 PM
Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: Sentencing recommendations

I have been tracking this issue for some time and I don't think the latest recommendations are going to sit well in the base community. Most people I talk to see this as a fairness issue. They want both drugs to get equal punishment. At the very least, they want the disparity closed. Politically it may not be possible to get it down to a one to one ratio, but we need to move more in that direction especially now that we are engaged on the race initiative.

In view of the political realities, I recommend 50 grams of crack be the threshold for the 5 year sentence. Additionally, 100 grams of powder cocaine should be the other threshold. According to local law enforcement authorities both drugs cost about the same per gram. The only difference is one drug is in heavy use by young blacks and the other by mostly whites.

Message Copied

To: _____
Sylvia M. Mathews/WHO/EOP
Maria Echaveste/WHO/EOP
Minyon Moore/WHO/EOP
Bob J. Nash/WHO/EOP
Elena Kagan/OPD/EOP
Charles F. Ruff/WHO/EOP
Cheryl D. Mills/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 11:11:49.00

SUBJECT: Re: ped label

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

READ:UNKNOWN

TEXT:

great.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 11:10:53.00

SUBJECT: new language

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

READ:UNKNOWN

TEXT:

I hope cynthia has sent you this already, but if not: we recommend adding something like "as the law I signed went into full effect in every state." You may also want to make a slight change in the next sentence so that it all reads right together. Many thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 11:04:00.00

SUBJECT: ped label

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

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

TEXT:
scheduling meeting has been canceled. Please get sched request in if it
isn't already. thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 11:07:48.00

SUBJECT: Re: DPC Events

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

TEXT:

thanks a ton. the scheduling meeting has now been canceled.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 18:02:21.00

SUBJECT: Re: Sentencing recommendations

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

TEXT:

The disparity here is being reduced by a lot -- from 100:1 to 10:1. We're not going to make anyone particularly happy with this proposal; indeed, we'll give both sides reason to attack us. What Justice and ONDCP tried to do was to come out with the recommendation that would stand the best chance of actually moving the ball forward on this issue. It may not get us the whole way there (though note on the question of what is "the whole way there" that the President has said many times that he opposes 1:1), but it stands a better chance of getting us part of the way there than does any other proposal. Relatedly, it has the great virtue of being justifiable in solely law enforcement terms because of the match between 25 grams and the usual definition of a mid-level drug dealer.

RECORD TYPE: PRESIDENTIAL (NOTES READ RECEIPT)

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

CREATION DATE/TIME: 3-JUL-1997 10:34:54.00

SUBJECT: RECEIVED: The NASA Pathfinder

TO: Franklin F. Urteaga (CN=Franklin F. Urteaga/OU=OSTP/O=EOP [OSTP])
READ:UNKNOWN

TEXT:
RETURN RECEIPT

Your Document:
The NASA Pathfinder
was successfully received by:
CN=Elena Kagan/OU=OPD/O=EOP
at:
07/03/97 10:33:17 AM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 18:04:58.00

SUBJECT: Re: Haskins meeting and workfare

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

TEXT:

No, of course you weren't. Thanks very much for the note. And of course I will keep you posted.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-JUL-1997 17:47:37.00

SUBJECT: Invitation to have lunch with the President's Advisory Board on Race

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

READ:UNKNOWN

TEXT:

please schedule and respond.

----- Forwarded by Elena Kagan/OPD/EOP on 07/03/97 05:47
PM -----

Beverly J. Barnes
07/03/97 11:57:42 AM

Record Type: Record

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

cc:

Subject: Invitation to have lunch with the President's Advisory Board on Race

When the President's Advisory Board on Race meets on Monday, July 14, they will take an hour break, between 1:00 p.m. and 2:00 p.m., for lunch. At that time, members of the Race Working Group are invited to join the board for an informal, buffet lunch in the Eisenhower Room of the White House Conference Center.

Please let me know by close of business Thursday, July 10, if you plan to attend, so that we can give an accurate count to the caterer. We will assume that anyone who has not responded by that time will NOT come to lunch.

Those who plan to attend should meet the advisory board in the Eisenhower Room at 1:00 p.m. See you there!

Message Sent

To:

Sylvia M. Mathews/WHO/EOP
Maria Echaveste/WHO/EOP
Kevin S. Moran/WHO/EOP
Susan M. Liss/OVP @ OVP
Elena Kagan/OPD/EOP
Dawn M. Chirwa/WHO/EOP
Marjorie Tarmey/WHO/EOP
Andrew J. Mayock/WHO/EOP
Bob J. Nash/WHO/EOP
Janet Murguia/WHO/EOP
Richard L. Hayes/WHO/EOP
Tracey E. Thornton/WHO/EOP
Robert N. Weiner/WHO/EOP
Minyon Moore/WHO/EOP
Thurgood Marshall Jr./OVP @ OVP
Jose Cerda III/OPD/EOP

Ellen M. Lovell/WHO/EOP
Ann F. Lewis/WHO/EOP
Ann F. Walker/WHO/EOP
Cheryl D. Mills/WHO/EOP
Stephanie S. Streett/WHO/EOP
Richard Socarides/WHO/EOP
Doris O. Matsui/WHO/EOP
Mickey Ibarra/WHO/EOP
Lynn G. Cutler/WHO/EOP
Michael Waldman/WHO/EOP
Robert B. Johnson/WHO/EOP
Beverly J. Barnes/WHO/EOP
James T. Edmonds/WHO/EOP
Carolyn Curriel/WHO/EOP
Katherine Hubbard/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Emil E. Parker/OPD/EOP
Ananias Blocker III/WHO/EOP
David S. Beaubaire/WHO/EOP
PALMIERI_J @ A1 @ CD @ LNGTWY
Angus S. King/WHO/EOP