

**NLWJC - KAGAN**

**EMAILS CREATED**

**ARMS - BOX 004 - FOLDER 006**

**[10/29/1997 - 12/2/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Laura Emmett; RE: Lunch next Wednesday (1 page)	10/29/1997	Personal Misfile
002. email	Elena Kagan to Bruce Reed; RE: Role out of Julie Fernandes (1 page)	11/03/1997	P6/b(6)
003. email	Elena Kagan to Cynthia Rice re: Weekly Welfare Meetings [partial] (1 page)	12/02/1997	P6/b(6)

**COLLECTION:**

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

**FOLDER TITLE:**

[10/29/1997 - 12/02/1997]

2009-1006-F

db1593

**RESTRICTION CODES**

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

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

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

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

RR. Document will be reviewed upon request.

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

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

# Withdrawal/Redaction Marker

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-OCT-1997 18:05:33.00

SUBJECT: Three current versions of directive

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

READ:UNKNOWN

TEXT:

please print

----- Forwarded by Elena Kagan/OPD/EOP on 10/30/97 06:09 PM -----

Jose Cerda III

10/30/97 03:26:01 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Karen A. Popp/WHO/EOP, Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: Three current versions of directive

In case anybody wants a final look-see at these. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 10/30/97 04:25 PM -----

Jose Cerda III

10/30/97 03:24:52 PM

Record Type: Record

To: Phillip Caplan/WHO/EOP

cc:

Subject: Three current versions of directive

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D1]MAIL44517620B.316 to ASCII, The following is a HEX DUMP:

FF575043B0040000010A02010000000205000000D514000000020000F4837493A8E838F773192D  
C88861FA5DBA0FF1D8F8E78F6B093F9C0E5F0B247994D1F52CD2CB5EE379A4BB84DDD7AAEAA3C6  
56109CE6705512774A714D729C4437E7987904FC09FDA214BDF8274F5986D985D0AAE2B74342D2  
159719F12E91910105D8900745FB231D1867168B6B7C04DDEFDF8BFE56540335056900AEE3B9B4  
77913380E93A811B68CB32428912C36031AECE8248FFAE5A0C5E5A2AD89126E5DAEC2CF5BE1CD3  
F157E83E1FF695693020111D2DE51D1853B99A5795DAE7E2A32174C6D9A33716E2EBEBE7441D21

--- *DRAFT* ---  
(10/17/97...6pm)

MEMORANDUM FOR THE SECRETARY OF THE TREASURY

Subject: Importation of Uzi and Galil Firearms

The historic Violent Crime Control and Law Enforcement Act of 1994 banned 19 specific assault weapons, duplicates of those 19 firearms and certain other semiautomatic weapons possessing various military style features. The Administration and Congress worked to ban these deadly firearms because -- as the weapon of choice for gangs and drug dealers -- they were being recovered at numerous crime scenes and resulting in criminals being better armed than some of the nation's law enforcement officers. Last year, in part as a result of the ban on assault weapons, fewer police officers were slain in the line of duty than in any year since 1960, and fewer law enforcement officer was killed by assault weapons.

In addition to the prohibitions contained in the 1994 ban on assault weapons, the 1968 Gun Control Act further restricts the importation of firearms unless they are determined to be particularly suitable for or readily adaptable for sporting purposes. To enforce this law, the Treasury Department has developed a factoring system to determine whether handguns meet this sporting purposes test and are thus importable. The Department also determined that semiautomatic assault type rifles do not meet the sporting purposes test and are not importable.

I am now informed that 2 of the 19 assault weapons that were specifically banned from importation in 1989, the Galil and the Uzi, have been redesigned in order to circumvent the ban. The Galil and Uzi, which are manufactured by Israeli Military Industries, were banned because -- in their military configurations -- they were found to have no legitimate sporting purpose. It is now appropriate to determine whether the redesigned weapons would have legitimate sporting purposes in this country and are suitable for continued importation under the provisions of the Gun Control Act of 1968.

My Administration has aggressively enforced all applicable laws to keep non-sporting firearms and other munitions posing a threat to public safety from entering the country. Therefore, I direct you to:

- 1) Take the necessary steps to reexamine and determine whether the sporting purposes test should be modified with respect to the importation of the Galil, Uzi and any other firearms that have been similarly adapted or re-engineered since the 1989 ban on the importation of semiautomatic assault rifles or the 1994 ban on semiautomatic assault weapons;
- 2) Effective immediately, suspend action on pending and future applications to import these weapons until this review is complete.

Nothing herein shall be construed to require actions contrary to applicable provisions of law.

October 31, 1997

MEMORANDUM FOR THE SECRETARY OF THE TREASURY

Subject: Importation of Modified Assault Weapons

The historic Violent Crime Control and Law Enforcement Act of 1994 banned 19 specific assault weapons, duplicates of those 19 firearms and certain other semiautomatic weapons possessing various military style features. The Administration and Congress worked to ban these deadly firearms because -- as the weapon of choice for gangs and drug dealers -- they were being recovered at numerous crime scenes and resulting in criminals being better armed than some of the nation's law enforcement officers. Last year, in part as a result of the ban on assault weapons, fewer police officers were slain in the line of duty than in any year since 1960, and fewer law enforcement officers were killed by assault weapons.

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Nothing herein shall be construed to require actions contrary to applicable provisions of law.

October 31, 1997

MEMORANDUM FOR THE SECRETARY OF THE TREASURY

Subject: Importation of Modified Assault-Type Weapons

The historic Violent Crime Control and Law Enforcement Act of 1994 banned 19 specific assault weapons, duplicates of those 19 firearms and certain other semiautomatic weapons possessing various military style features. The Administration and Congress worked to ban these deadly firearms because -- as the weapon of choice for gangs and drug dealers -- they were being recovered at numerous crime scenes and resulting in criminals being better armed than some of the nation's law enforcement officers. Last year, in part as a result of the ban on assault weapons, fewer police officers were slain in the line of duty than in any year since 1960, and fewer law enforcement officers were killed by assault weapons.

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- 2) Effective immediately, suspend action on pending and future applications to import these weapons until this review is complete; and
- 3) During this review period, closely monitor the continued importation and criminal use of these modified assault-type weapons, and -- if you determine that circumstances warrant additional action -- take any other appropriate action including the suspension of existing permits.

Nothing herein shall be construed to require actions contrary to applicable provisions of law.



**\*\*DRAFT\*\***

**AMERICA READS: HELPING ENSURE THAT EVERY CHILD  
CAN READ WELL AND INDEPENDENTLY**

*"Every child in America -- every single child in America needs to be able to read well, and needs to be able to read independently by at least the end of the 3rd grade, so that all this other learning can occur."*

*President Clinton, September 8, 1997*

Today, the President returned to the Lighthouse Elementary School in Jupiter, Florida to meet with students, parents, teachers and community education supporters to discuss the importance of a solid foundation in reading and to highlights his America Reads initiative. He called on all Americans -- schools, libraries, religious institutions, universities, students, the media, community and national groups, business leaders and senior citizens -- to help ensure that every American child can read well and independently by the end of 3rd grade. Lighthouse Elementary school's reading and parent involvement programs are examples of the actions that schools and communities can undertake to help all children learn to read well.

**PRESIDENT UNDERSCORES HIS COMMITMENT TO THE AMERICA READS CHALLENGE.** While American students today generally read as well as ever, 40% of our fourth graders scored below the basic level on the 1994 National Assessment of Educational Progress. According to studies, however, well-designed tutoring programs result in student gains in reading. The America Reads Challenge sets forth the first comprehensive, nationwide effort to create after-school, summer, and weekend tutoring in reading. The legislation proposed by President Clinton links parents, teachers, AmeriCorps members, trained reading professionals, and volunteer tutors to school, library and community literacy efforts.

The Challenge is pursuing several essential strategies to help our children learn to read: creating more learning opportunities to supplement classroom reading instruction; encouraging parent involvement to help children develop readiness skills for reading beginning at birth, as well as involvement throughout the school years; and bringing best teaching practices into classrooms. The proposal is a five-year, \$2.75 billion commitment to local communities and organizations, as well as national and regional efforts. It includes:

- **America's Reading Corps.** The proposal would fund 25,000 reading specialists and coordinators, including 11,000 AmeriCorps members, to mobilize 1 million volunteer reading tutors.
- **Federal Work Study Expansion.** President Clinton has asked college presidents to allocate work-study slots to college students to become America Reads tutors. So far, *almost 800 colleges have pledged students to tutor in elementary schools.*
- **Other Initiatives that are Helping Our Children Learn.** America Reads incorporates early childhood development through the expansion of Head Start and Even Start; bringing the best teaching practices to classrooms; supporting research and evaluation on reading; and building partnerships with the private sector.

**PRESIDENT CLINTON APPLAUDS LIGHTHOUSE ELEMENTARY SCHOOL'S EFFORTS TO MOTIVATE YOUNG READERS.** The Lighthouse Elementary School participates in Florida's Sunshine State Young Readers program, which is a statewide reading motivation program that encourages students to read high quality literature and participate in a statewide vote for their favorite book. The President acknowledged the accomplishments of the students who read and completed book reports on all 15 books on the Sunshine State reading list. In 1996, over 1,000 Florida public schools participated and over 75,000 students read enough books to qualify for voting in the statewide balloting for their favorite book of the year. Motivational reading programs, like the Sunshine State readers, are important in helping to reach the President's goal that every child in America learn to read well and independently by the end of the third grade.

**PRESIDENT CLINTON HIGHLIGHTS THE IMPORTANCE OF PARENTAL INVOLVEMENT.** The President commended the Lighthouse Elementary parent volunteers who contribute 1,000 volunteer hours per month to assist teachers in the classroom, help prepare documents, and provide assistance in the library. Research continues to show that parental involvement is a crucial factor in children's learning -- students score better in reading, achieve higher grades and have fewer discipline problems when their parents participate in school activities. Parents and other concerned individuals in local communities are valuable reading partners and tutors and for young students learning to read and can engage in exercises to ensure that each child has the proper foundation for good reading skills.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:30-OCT-1997 11:16:24.00

SUBJECT: Re: Sylvia's office wants to know...

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

READ:UNKNOWN

TEXT:

I'd like to be there. what do i have at that time?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-OCT-1997 13:26:06.00

SUBJECT: Today's 11 a.m. meeting

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

READ:UNKNOWN

TEXT:

who is this from?

----- Forwarded by Elena Kagan/OPD/EOP on 10/31/97 01:31 PM -----

Eric R. Biel

10/31/97 12:37:15 PM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP

cc: Victoria Radd/WHO/EOP, Elena Kagan/OPD/EOP

Subject: Today's 11 a.m. meeting

Thanks for reaching me on the meeting today. I found it very useful to be there -- particularly since it was so productive in reaching some degree of agreement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-OCT-1997 13:34:22.00

SUBJECT: Re: Today's 11 a.m. meeting

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

READ:UNKNOWN

TEXT:

thanks. they should have been able to do that without me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-NOV-1997 16:52:22.00

SUBJECT: Re: health and race

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

TEXT:  
No problem.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-NOV-1997 16:51:55.00

SUBJECT: DC schools construction

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm not sure I have received her written note, but what are we doing about this?

----- Forwarded by Elena Kagan/OPD/EOP on 11/01/97 04:55 PM -----

Sylvia M. Mathews

11/01/97 01:00:46 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc:

Subject: DC schools construction

I am not sure if you received my written note asking you if you would like for me to get Silverman working on this one. Unless you would like to do this another way, or have something in train, will talk to Steve on Monday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-NOV-1997 18:42:31.00

SUBJECT: dol welfare regs

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

READ:UNKNOWN

TEXT:

What do the regs say about the governors' role re coordinating welfare-to-work funds with tanf? Has this been handled in such a way that it won't become an issue (with the mayors or the governors)?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-NOV-1997 18:12:45.00

SUBJECT: Re: Domestic Partners

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

READ:UNKNOWN

TEXT:

absolutely no idea. i can't think of who at the WH would even presume to have information on the cost issue. what do you think we should do?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 19:37:35.00

SUBJECT: Drug Policy Meeting

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

READ:UNKNOWN

TEXT:

do you know about this? would you prefer doing the meeting in december?  
----- Forwarded by Elena Kagan/OPD/EOP on 11/03/97 07:42  
PM -----

Jennifer M. Palmieri  
11/03/97 10:39:03 AM  
Record Type: Record

To: Sylvia M. Mathews/WHO/EOP, Elena Kagan/OPD/EOP, Ann F. Lewis/WHO/EOP  
cc: See the distribution list at the bottom of this message  
Subject: Drug Policy Meeting

As I mentioned in the meeting this morning, McCaffrey has told Stephen Silverman that he would prefer to do the Drug Policy meeting in December, instead of November 12.

Stacie, Stephen and I talked after the meeting, though, and learned that McCaffrey was not aware of the interest in doing this meeting before Zedillo. Stephen is going to go back to McCaffrey to see if it is possible to do the meeting in November and Communications is calling a message meeting for tomorrow afternoon to resolve this matter.

Message Copied

To: \_\_\_\_\_  
Stephanie S. Streett/WHO/EOP  
Stacie Spector/WHO/EOP  
Stephen B. Silverman/WHO/EOP  
Ruby Shamir/WHO/EOP  
Michelle Crisci/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 19:41:34.00

SUBJECT: Re: revised potus memo on tests

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

READ:UNKNOWN

TEXT:  
where???

# Withdrawal/Redaction Marker

## Clinton Library

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OPD ([From Elena Kagan])  
OA/Box Number: 250000

### FOLDER TITLE:

[10/29/1997 - 12/02/1997]

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-NOV-1997 19:58:51.00

SUBJECT: Re: TANF reg fingerprinting issue

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: 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:

This seems right to me on fingerprints: a state that decides to go this route is not changing eligibility standards -- it is enforcing eligibility standards. But is this also true for drug testing and sanctions? For example, aren't states adopting a new rule that says that people on drugs can't get benefits (unless they enter treatment etc.)? Is this a way of separating fingerprints from the other two? Should we be looking for that kind of compromise?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-NOV-1997 10:33:46.00

SUBJECT: Re: Rep. Levin may call Bruce today re: FICA/FUTA

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

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

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

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

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

TEXT:

why don't we just tell him he should introduce the fica/futa bill that haskins proposed (but rangel killed) a month or so ago (and promise him our strong support if he does so)? the fact is that we can't control what the irs will do or when it will do it -- so he can't rely on administrative action taking him off the hook.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 20:23:08.00

SUBJECT: Re: Rubin's Child Care Working Group

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

READ:UNKNOWN

TEXT:

fine by me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 20:24:21.00

SUBJECT: time

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS\_EXT:[MESSAGE.D56]MAIL403937805.316

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: 5-NOV-1997 15:04:41.00

SUBJECT: Re: Drafts

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

READ:UNKNOWN

TEXT:

no problem.



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 10:40:20.00

SUBJECT: Re: DOL Reg

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS\_EXT:[MESSAGE.D58]MAIL498204807.316

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: 5-NOV-1997 11:13:57.00

SUBJECT: Re: Secretary Shalala at Hate Crimes Conference

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

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

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

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

TEXT:

I think it's basically up to secretary shalala where she wants to be, though we should make sure rosewater knows how many other cabinet members are coming. we have too many irons in the fire now with hhs to ask a favor on this one.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 10:37:42.00

SUBJECT: Meeting with Mary Berry

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

READ:UNKNOWN

TEXT:

could you get together with marge and schedule this? thanks.

----- Forwarded by Elena Kagan/OPD/EOP on 11/05/97 10:43  
AM -----

Robert B. Johnson

11/04/97 04:49:59 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Maria Echaveste/WHO/EOP

cc:

Subject: Meeting with Mary Berry

Mary Frances Berry called to say she is available to meet this Friday  
between 1:00 PM and 3:00 PM. Can you guys get together on a time  
preference, or should I schedule it for another time? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 10:50:45.00

SUBJECT: Read Receipt: Imported Food Draft Bill

TO: Robert J. Pellicci@EOP ( Robert J. Pellicci@EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Message Creation Date was at 5-NOV-1997 10:46:00

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 10:41:21.00

SUBJECT: Re: DOL Reg

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:

I think Bruce should talk to alexis directly. if she feels a great need to get this reg out the door, we should respect that -- but we should at least pitch to her the idea of doing it at a presidential event a week later.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 15:26:55.00

SUBJECT: Re: OMB and Hate Crimes memo

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

READ:UNKNOWN

TEXT:

yes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-NOV-1997 10:38:48.00

SUBJECT: OMB Director's Review discussions: Education; Mandatories in HHS:ACF/AOA; Ag/FCS

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 11/05/97 10:44 AM -----

Barry White

11/04/97 05:01:23 PM

Record Type: Record

To: Gene B. Sperling/OPD/EOP, Bruce N. Reed/OPD/EOP

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

Subject: OMB Director's Review discussions: Education; Mandatories in HHS:ACF/AOA; Ag/FCS

These are the last of these, I promise. This is an invitation to you and your staffs to sit down with me and my staff to go over the big issues for the remaining OMB Director's Reviews in my area.

We will do Education, discretionary programs and student aid, on Friday, November 7th, at 4 pm.

We will do mandatory spending in HHS/ACF, Ag/FCS, and the multiple-agency child care proposals on Monday, November 10th, at 5 pm.

Both meetings will be in room 260 OEOP.

Our goal is to be able to reflect fairly your views on the agency proposals in these areas, and other options you may have, when we meet with the Director.

Please inform my secretary, Iratha Waters (ext. 5-6150) of your availability.

Thanks.

Message Copied

To:

FOLEY\_M @ A1@CD@LNGTWY

Diana Fortuna/OPD/EOP

Cynthia A. Rice/OPD/EOP

Emil E. Parker/OPD/EOP

Barbara Chow/WHO/EOP

Elena Kagan/OPD/EOP

Sanders D. Korenman/CEA/EOP

Jonathan Weiss/OVP @ OVP

Keith J. Fontenot/OMB/EOP

Jennifer L. Klein/OPD/EOP

Iratha H. Waters/OMB/EOP

Rebecca M. Blank/CEA/EOP

Maria J. Hanratty/CEA/EOP  
Michael Cohen/OPD/EOP  
William R. Kincaid/OPD/EOP  
Robert M. Shireman/OPD/EOP  
Anne H. Lewis/OPD/EOP  
Wayne Upshaw/OMB/EOP  
Jonathan Orszag/OPD/EOP  
Ananias Blocker III/WHO/EOP  
Jill M. Pizzuto/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 14:54:36.00

SUBJECT: Pre-Briefing Memo on Policy Proposals to be Announced at Hate Crimes Conference

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

READ:UNKNOWN

TEXT:

fyi: i've edited already. (Of course, this is not to say that you can't too.)

----- Forwarded by Elena Kagan/OPD/EOP on 11/06/97 02:59 PM -----

Mary L. Smith  
11/06/97 02:39:45 PM  
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Robert N. Weiner/WHO/EOP, Michael Deich/OMB/EOP  
cc: See the distribution list at the bottom of this message  
Subject: Pre-Briefing Memo on Policy Proposals to be Announced at Hate Crimes Conference

Attached is the pre-briefing memorandum for the President on the Hate Crimes Conference to be held on November 10. Included in the memo are policy announcements expected to be made at the Conference. Please review this memorandum as soon as you are able, because we are still trying to get this to the President today. Thanks for your patience. Mary

Message Copied

To: \_\_\_\_\_  
Thomas L. Freedman/OPD/EOP  
Edward H. Chase/OMB/EOP  
Laura Emmett/WHO/EOP  
Cathy R. Mays/OPD/EOP  
Richard Socarides/WHO/EOP

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D21]MAIL432965908.316 to ASCII,  
The following is a HEX DUMP:

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November 6, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
MARIA ECHAVESTE

SUBJECT: WHITE HOUSE CONFERENCE ON HATE CRIMES

On November 10, you will host the White House Conference on Hate Crimes at George Washington University. This memorandum outlines the structure of the conference, as well as the policy initiatives that we recommend you announce there.

**Purpose and Structure of the Conference**

The White House Conference on Hate Crimes is designed to call national attention to the problem of hate crimes and to highlight effective law enforcement and educational strategies to address this problem.

*Breakfast in the East Room.* The Conference will begin with a breakfast in the East Room for the approximately 350 participants. The Attorney General will introduce you, and you will make brief welcoming remarks.

*Morning Session.* The morning session will begin with welcoming remarks by Stephen Trachtenberg, President of George Washington University. The Vice-President will then speak briefly. The following people will introduce you and the Vice President:

- Chuennee Sampson, student, Duke University, North Carolina. As an African-American high school student in Crown Heights, NY, Ms. Sampson became a peer trainer with the Anti-Defamation League ("ADL"). She helped start the *Students Against Violence Everywhere* ("SAVE") while in high school. Ms. Sampson continues to work with children in low-income areas.
- William Johnson, retired police officer, Boston Police Department. Mr. Johnson has worked extensively in the hate crimes unit in Boston, and recently won an award for his involvement.

During your remarks, you will announce several new law enforcement and prevention initiatives, including a proposal to expand the principal federal hate crimes statute. These initiatives are detailed later in this memorandum.

Following your remarks, you will moderate a panel discussion with the Attorney General, the Secretary of Education, and seven other participants. Each of the seven participants listed below will give brief opening remarks:

- Peter Berendt, Principal, Mamaroneck Avenue Elementary School, Mamaroneck, New York. Following a series of hate crimes in the community, Mr. Berendt convened the *E Pluribus Committee* to address the diversity issues facing the school community. His school currently is engaged in a comprehensive diversity awareness program.
- Tammie Schnitzer, Billings, Montana. Ms. Schnitzer is a Jewish woman who was the victim of an anti-Semitic hate crime in Billings, Montana. In response, Ms. Schnitzer successfully encouraged Jews and non-Jews alike to display menorahs in the windows of their homes. Ms. Schnitzer's efforts were the subject of a television movie, *Not in This Town*.
- Hon. Sheila Kuehl, President Pro Tempore, California State Assembly. Ms. Kuehl is the first openly gay or lesbian member of the California State Assembly and the author of legislation to prohibit discrimination against gay and lesbian students in California public schools. Ms. Kuehl also has been an outspoken advocate condemning violence against women.
- Raymond Delos Reyes, sophomore, Franklin High School, Seattle, Washington. Mr. Reyes has worked with the ADL's Children of the Dreams program and is a member of a peer mediation training program at his high school.
- Samuel Billy Kyles, Pastor, Monumental Baptist Church, Memphis, Tennessee. Mr. Kyles is an outspoken advocate of civil rights and plays an important role in the religious community's efforts to erase hate crimes. Mr. Kyles is a member of Ecumenical Minister's Task Force. He also was a close friend of Dr. Martin Luther King and was with Dr. King during the last hours of his life.
- Arturo Venegas, Jr., Chief of Police, Sacramento Police Department. Mr. Venegas helped to develop the Sacramento Police Department's model program to deal with hate crimes in the community.
- Grant Woods, Arizona Attorney General. Mr. Woods was a strong advocate for one of the first and strongest hate crime bills in the country and was the most visible Republican proponent of the Martin Luther King Holiday.

*Afternoon Session.* The afternoon session will consist of seven breakout sessions of approximately fifty participants each. Each of these sessions will address a different aspect of the hate crimes issue and will be moderated by a Cabinet Secretary or senior government official. The topics and moderators of the breakout sessions are:

1. Hate Crimes in Schools (K-12): Prevention and Response (Secretary Riley);
2. Hate Crimes on Campus: Prevention and Response (Franklin Raines);
3. Law Enforcement Response to Hate Crimes (Attorney General Reno);
4. Understanding the Problem: Improving Hate Crime Statistics (Deputy Attorney General Holder);
5. Hate Crimes in Public and Private Housing (Secretary Cuomo);
6. Community Responses to Hate Crimes (Secretary Glickman); and
7. Counteracting Organized Hate (Secretary Slater).

Following the breakout sessions, the Attorney General will host a panel, consisting of the six other moderators of the breakout groups. This panel discussion will highlight the issues and ideas that surfaced during the breakout sessions. Following the panel discussion, the Attorney General will make concluding remarks.

*Satellite Sites.* People at approximately 45 satellite sites across the country will view your remarks and the morning panel discussion. The satellite hosts have planned customized programs for the afternoon to complement the morning program. Some members of your Race Advisory Board in the programs occurring at the satellite sites.

### **Policy Announcements to be Made at the Conference**

We recommend that you make the following policy announcements, which focus on the expansion of the federal hate crimes legislation, the improvement of law enforcement mechanisms to fight hate crimes, and the dissemination of educational materials on this issue

*Legislation.* You can announce the Administration's support for legislation to expand the principal federal hate crimes statute. The law currently prohibits hate crimes only on the basis of race, color, religion, or national origin. Your proposed amendment would extend the law to prohibit hate crimes based on gender, sexual orientation, and disability. (To satisfy constitutional concerns, the law would require proof of interstate commerce in this new class of cases.) Senator Kennedy and Senator Spector are expected to introduce this legislation shortly after the Conference.

There is some concern that extension of the statute to gender-motivated hate crimes--  
which might  
lead to the  
inclusion of all  
rapes and  
sexual  
assaults--  
would greatly  
expand the  
number of

cases requiring investigation by federal agents. In order to address this concern, the Administration supports several limiting principles that would reduce the number of cases actually investigated and prosecuted by the federal government. Guidance to federal investigators and prosecutors, for example, might suggest investigation and prosecution of gender-motivated hate crimes only in cases that appear to involve the most egregious evidence of gender-based bias. In addition to rebutting

charges that the proposed amendment would lead to the federalization of much "ordinary" crime, such guidance also would greatly reduce the cost associated with federal enforcement. (Given the low probability that this amendment will pass this year -- as well as a fair degree of confidence that, if necessary, DOJ can enforce it with existing resources -- DOJ's FY99 budget proposal does not seek extra resources to implement this legislation.)

*Enforcement.* We also recommend that you announce a package of law enforcement proposals, including:

- Creation of a Network of Local Hate Crime Working Groups. Under this proposal, each

U.S. Attorney would either establish a local hate crime working group in his or her district, or if such a body already exists, actively participate in the group. These working groups--essentially federal-state-local partnerships-- would include representation from the U.S. Attorney's office, the FBI, state and local law enforcement, state and local prosecutors' offices, and advocacy groups. In addition to addressing law enforcement strategies, the groups would seek to educate the public about hate crimes. A National Hate Crimes Working Group, located at the Main Justice, would coordinate the work of all the working groups across the country. As part of this coordinating function, the National Hate Crimes Working Group would distribute, on an ongoing basis, information on promising practices.

- Additional FBI Agents for Hate Crimes Enforcement. This proposal involves assigning over 30 additional FBI agents and prosecutors to the task of hate crimes enforcement. OMB and Justice are currently discussing whether Justice needs additional monetary resources to effect this policy. (DOJ has asked for about \$13 million in FY99). We plan to try to avoid this budgetary issue by simply saying that the amount of additional resources required, if any, will be settled in the normal budget process.
- Hate Crimes Training for Law Enforcement. DOJ has developed a model law enforcement training curriculum on hate crimes that can be incorporated into programs at local and state law enforcement training centers. This curriculum includes three course segments -- one for law enforcement officers, one for investigators, and one for others in the law enforcement field. You can direct DOJ to make this curriculum available for use across the country in 30 days.
- Make 'em Pay Initiative. HUD has developed an initiative to assist victims of hate crimes and discrimination in housing to seek monetary damages from the perpetrators. HUD has created a unit that will bring civil suits on behalf of residents of public and private housing who have suffered hate crimes and other discrimination. This initiative will require no new money.
- Improved Reporting of Hate Crimes Statistics. The National Crime Victimization Survey is an annual survey conducted by the Department of Justice's Bureau of Justice Statistics to measure levels of crime through a national sampling of victims of crime. At present, it does not include questions about hate crime. Beginning in 1998, the Department of Justice will include questions related to hate crime in NCVS. The survey will inquire whether the victim believes the incident was bias-motivated and why. (The Government currently does attempt to gather hate crimes statistics, but by a notably less effective mechanism.) Expanded questioning regarding hate crimes will also be a part of a pilot project to take place next Spring to improve the NCVS.

*Education.* You can also announce two new educational initiatives. First, the Departments of Justice and Education have proposed a manual for educators on preventing youth

hate crime that encourages schools to confront hate-motivated behavior among students; promotes development of comprehensive, programmatic responses to prejudice and violence; and makes educators aware of resources that can be used for this purpose. The Departments intend to send this resource guide to every school in the country. Second, the Department of Justice has created a new website, "Hateful Acts Hurt Kids," addressing prejudice, discrimination, and related issues in an interactive, graphic format designed for children in kindergarten through fifth grade, as well as their parents and teachers. This site will be available for viewing at the Conference.



November 6, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
ELENA KAGAN

SUBJECT: RACE POLICY INITIATIVES

A couple of weeks ago, we sent you a list of policy ideas that could be announced over the next six months as part of the race initiative. We are attaching that list to this memo. It is worth noting again that none of these ideas has gone through the budget process, and some are more fully developed than others. We are continuing work on these policy ideas, and Bruce will discuss some of them at the meeting tomorrow.

This memo proposes a framework for these policy initiatives -- an overall message that makes them (as well as other aspects of the initiative) coherent and meaningful. The communications experts in the White House doubtless can improve on how we convey this message, assuming you find its substance appealing.

Very briefly, these policies comprise an opportunity agenda, focused on education and economic empowerment. For the most part, the policies are race-neutral, addressing concerns felt by working people of all races; but by simple virtue of demographics, the policies provide disproportionate benefits to members of racial minority groups. Such policies cannot entirely replace programs using race-based criteria to remedy social inequalities; the need for such programs, in appropriately narrow circumstances, continues today. Still less can such policies diminish the need to battle "old-style" (but still too often "new-style") discrimination through enforcement of civil rights laws. But they represent the best long-term hope for improving race relations and reducing racial disparities -- by encouraging Americans to see their common interests and values, to forge new alliances, and to move forward together.

William Julius Wilson made much the same point -- and more eloquently -- in a recent article. He wrote: "The country's deep racial divisions certainly should not be underestimated, but the unremitting emphasis on these gaps has obscured the fact that African-Americans, whites, and other ethnic groups share many concerns, are beset by many similar problems, and have important values, aspirations, and hopes in common. . . . A new democratic vision . . . must find issues and programs that concern families of all racial and ethnic groups, so that individuals in these groups can honestly perceive mutual interests and join in a multiracial coalition to move America forward."

This is what we should be telling the American people about how best to achieve racial

progress. This is what should guide us in developing policy initiatives, as well as in promoting dialogue. Finally, this is what can stand as your signal contribution in this area: to show Americans that they should cut through racial politics, recognize their common interests, and pursue policies (*e.g.*, public school reform and an improved housing voucher system) promoting opportunity and empowerment for people of all racial backgrounds.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 12:36:40.00

SUBJECT: Re: Question about TANF process

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

READ:UNKNOWN

TEXT:

hmmm... i'd rather she met separately with us and bruce for exactly the same reason. what do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 15:47:35.00

SUBJECT: Re: Americorps reauthorization

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

i think that's what we should say, for what it's worth. bruce?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 20:54:17.00

SUBJECT:

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

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

TEXT:  
Race Mtg. is postponed till next week. -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 21:31:43.00

SUBJECT: Re: Putting DOL Reg to Bed

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:

great work.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 14:00:05.00

SUBJECT: Re: Question about TANF process

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

READ:UNKNOWN

TEXT:

ok

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 14:52:01.00

SUBJECT: Re: Same Sex Schools

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

READ:UNKNOWN

TEXT:

we're trying -- but i wouldn't schedule it. sorry.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 14:49:37.00

SUBJECT: Re: press briefing

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

READ:UNKNOWN

TEXT:

thanks. that was clearly the question i fucked up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 14:45:35.00

SUBJECT: Re: Cuomo

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

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

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

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

TEXT:

Tell them that we can't do this. (I leave this to your diplomatic skills.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 16:49:38.00

SUBJECT: Re: Cuomo

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

READ:UNKNOWN

TEXT:

i'm impressed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 14:47:49.00

SUBJECT: Re: Govenors/ FICA/ CR

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

READ:UNKNOWN

TEXT:

showing your true colors.

----- Forwarded by Elena Kagan/OPD/EOP on 11/07/97 02:53  
PM -----

Cynthia A. Rice

11/07/97 12:22:38 PM

Record Type: Record

To: Elena Kagan/OPD/EOP, Diana Fortuna/OPD/EOP

cc:

Subject: Re: Govenors/ FICA/ CR

fyi

----- Forwarded by Cynthia A. Rice/OPD/EOP on 11/07/97  
12:25 PM -----

Bruce N. Reed

11/07/97 12:19:19 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP

cc:

Subject: Re: Govenors/ FICA/ CR

Thanks. I still prefer no FICA FUTA liability period, so the IRS doesn't have to rule. If Congress had done that with FLSA a year ago, we wouldn't have been put in this box.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 09:31:51.00

SUBJECT: update on adoption bill

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 11/07/97 09:36  
AM -----

Jeanne Lambrew

11/07/97 08:22:11 AM

Record Type: Record

To: Nicole R. Rabner/WHO/EOP

cc: Elena Kagan/OPD/EOP

Subject: update on adoption bill

As of late last night, it looks as though things are in pretty good shape. The Democrats have worked on making sure that the language on the coverage side stays strong (there was a last-minute fight about benefits). Additionally, it looks like the message came through that using the welfare to work offset is a non-starter for us; everyone has our offset idea and is hopefully using it. The vote is scheduled for this morning, I think.

At this point, the House Democrats are thinking that they don't want to reopen this on the House side if at all possible; it might just be asking for trouble. So, they may take it as is, which probably is fine.

More later.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 7-NOV-1997 11:20:49.00

SUBJECT: Re: hud

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

actually, i'm not sure doj is involved to any real extent. i think we should do our bowing and scraping to doj -- involve them to the greatest extent possible, etc. -- and then make sure that this goes forward.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-NOV-1997 21:28:06.00

SUBJECT:

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

TEXT:

finally, the Justice Department and HUD are launching an important new initiative to help the victims of housing-related hate crimes bring actions (JT: not "sue," beacuse could be administrative) against their attackers to get money damages for the harm they have caused.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:10-NOV-1997 19:14:06.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Car #12 is at SW gate- go meet it & return will be at 7:45

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1997 17:39:09.00

SUBJECT: Re: Race mtgs

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

what meetings are we talking about??

I told Maria a week or two ago that I would give her names for a meeting on higher education. They are: Secretary Shalala, Harris Wofford, Stan Ikenberry, Joe Duffy, Tom Kean, Barry Munitz, and Secretary Riley (and/or Mike Smith). Sorry for taking so long to give you these.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1997 18:15:11.00

SUBJECT: Meeting on welfare entitlement and budget

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

READ:UNKNOWN

TEXT:

the usda program sounds like what glickman called you about.

----- Forwarded by Elena Kagan/OPD/EOP on 11/11/97 06:14  
PM -----

Diana Fortuna

11/11/97 12:37:31 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Cynthia A. Rice/OPD/EOP

cc: Jennifer L. Klein/OPD/EOP

Subject: Meeting on welfare entitlement and budget

Barry White walked a few of us through the welfare entitlement issues in the budget. Here are a few key items:

They are wondering whether to propose any more legal immigrant benefit restorations, and what piece of the remaining cuts would be the best candidate for restoration. Ideas were food stamps for children, (either all or just those who were here when the law was signed) and additional SSI restorations. They didn't have a position on this yet.

USDA wants \$4billion for a new proposal ("Children's Hunger Initiative for Learning and Development"), an expansion of school breakfast for families with income over 185% of poverty. OMB was quite negative on this, arguing there is no link between this investment and any outcome.

They mentioned the work we are doing on child support systems requirements/penalties that would have budget implications.

They might put a legislative proposal in the budget to ensure that we don't lose child support collections due to the TANF separate state programs problem. They raised the possibility that, depending on the outcome of the TANF reg discussion, we could add in work requirements for separate state programs.

They are concerned that Congress may want to raid welfare research funds for other purposes, and said we need a strategy to defend these dollars.

There were several smaller items I can go over with Cynthia. Since Jen Klein wasn't there, I believe they plan to meet again to discuss child care.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:11-NOV-1997 12:05:54.00

SUBJECT: Re: The Millenium

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

READ:UNKNOWN

TEXT:

I don't get it: An issues meeting between ellen and whom? And do we have any what that we want to give them?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-NOV-1997 18:12:53.00

SUBJECT: Invitation

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

READ:UNKNOWN

TEXT:

----- Forwarded by Elena Kagan/OPD/EOP on 11/12/97 06:10 PM -----

Aimee M. Malnati @ OVP

11/12/97 08:02:03 AM

Record Type: Record

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

cc:

Subject: Invitation

Mrs. Gore would like to invite you to a breakfast she is hosting in honor of the 25th Anniversary of the National Women's Law Center.

Date: Friday, November 14, 1997

Time: 8:15 am

Where: At The Vice President's Residence

Please RSVP to Aimee Malnati at 6-6643. Please do not hesitate to call if you have any questions. Thank you.

Message Sent

To:

---

Sylvia M. Mathews/WHO/EOP  
 Ann F. Lewis/WHO/EOP  
 Maria Echaveste/WHO/EOP  
 Lynn G. Cutler/WHO/EOP  
 Elena Kagan/OPD/EOP  
 Audrey T. Haynes/WHO/EOP  
 Roberta W. Greene/WHO/EOP  
 Lucia F. Gilliland/OVP @ OVP  
 Minyon Moore/WHO/EOP  
 Karen E. Skelton/WHO/EOP  
 Stacie Spector/WHO/EOP  
 Judith A. Winston/PIR/EOP  
 Kay Casstevens/OVP @ OVP  
 Lisa M. Brown/OVP @ OVP  
 NELSON\_J @ A1 @ CD @ LNGTWY

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-NOV-1997 18:22:14.00

SUBJECT: Re: tobacco factoid of the day

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS\_EXT:[MESSAGE.D61]MAIL496567615.316

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:15-NOV-1997 13:15:09.00

SUBJECT: IRS child support enforcement

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

READ:UNKNOWN

TEXT:

Dick Morris, Rahm, and (several months before either of them!) me -- you cannot long survive this onslaught.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-NOV-1997 07:31:13.00

SUBJECT: Re: Putting The Millennium Project to Use

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

My sense is that the First Lady sees this as a cultural endeavor -- the millenium for PBS watchers. We can certainly suggest some other things, but I don't think we're going to be able to change the Project's direction much, so I wouldn't use up capital trying.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-NOV-1997 14:19:19.00

SUBJECT: Welfare kudos

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:

Unable to convert ARMS\_EXT:[MESSAGE.D71]MAIL488545025.316

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:18-NOV-1997 12:56:43.00

SUBJECT: Re: Affirmative Action

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

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

TEXT:

Two weeks sounds fine. Do you think it makes sense to use this document at all (even as a working draft) now? Do we get anything out of doing that?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-NOV-1997 11:24:20.00

SUBJECT: Re: Affirmative Action

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

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

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

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

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

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

TEXT:

We're not all that crazy about the draft guidance. It's pretty confusing -- e.g., it asks lots of questions, but leaves many of them wholly unanswered. Counsel's office -- and, I think, DOJ -- are concerned that its lack of clarity will encourage institutions to continue practices that are in fact unlawful (or conversely, steer clear of practices that are perfectly justifiable). I think counsel's office also had some concerns about the extent to which civil rights groups (as opposed to education groups) were briefed on/involved in this document (i.e., perhaps not enough). We're still talking with counsel's office, and it may be that we can make sufficient improvements in the document today to feel comfortable about releasing it. But right now, we're leaning against it -- especially given that release of the document (unlike, say, announcement of the HUD policy) won't generate much in the way of positive news.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-NOV-1997 11:26:53.00

SUBJECT: Re: Peter Baker and Jodi Enda

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

TEXT:

we've traded calls already. does this mean i shouldn't return her next one?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-NOV-1997 19:07:45.00

SUBJECT: Re: Welfare and domestic violence update

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:  
we must have done something wrong. (eat this message)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 09:06:31.00

SUBJECT: weekly

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

READ:UNKNOWN

TEXT:

have you e-mailed it to me yet?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 17:56:51.00

SUBJECT: Re: Indian law enforcement directive

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

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

TEXT:  
sounds right. let's set it up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-NOV-1997 12:19:57.00

SUBJECT: PIR Weekly Report

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

READ:UNKNOWN

TEXT:

fyi, if you care

----- Forwarded by Elena Kagan/OPD/EOP on 11/23/97 12:24 PM -----

Jacinta Ma

11/21/97 02:47:11 PM

Record Type: Record

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

cc:

Subject: PIR Weekly Report

Attached is the PIR Weekly Report to the President.

Message Sent

To:

---

Stacie Spector/WHO/EOP  
Julie A. Fernandes/OPD/EOP  
Jon P. Jennings/WHO/EOP  
Andrew J. Mayock/WHO/EOP  
Maria Echaveste/WHO/EOP  
Marjorie Tarmey/WHO/EOP  
edley @ law.harvard.edu @ INET @ LNCTWY  
Mickey Ibarra/WHO/EOP  
Suzanne Dale/WHO/EOP  
Elena Kagan/OPD/EOP  
Laura Emmett/WHO/EOP  
Ann F. Lewis/WHO/EOP  
Ruby Shamir/WHO/EOP  
Susan M. Liss/OVP @ OVP  
Trooper Sanders/OVP @ OVP  
Thurgood Marshall Jr/WHO/EOP  
Elisabeth Steele/WHO/EOP  
Sylvia M. Mathews/WHO/EOP  
Minyon Moore/WHO/EOP  
Angelique Pirozzi/WHO/EOP  
Nelson Reyneri/WHO/EOP  
Peter Rundlet/WHO/EOP  
Gene B. Sperling/OPD/EOP  
Beverly J. Barnes/WHO/EOP  
Paul E. Begala/WHO/EOP  
Sidney Blumenthal/WHO/EOP  
Ruby Shamir/WHO/EOP  
Lynn G. Cutler/WHO/EOP  
Mona G. Mohib/WHO/EOP  
Robert B. Johnson/WHO/EOP



## **MEMORANDUM FOR THE PRESIDENT**

**FROM:** JUDITH A. WINSTON

**THROUGH:** ERSKINE BOWLES  
SYLVIA MATHEWS

**SUBJECT:** PRESIDENT'S INITIATIVE ON RACE WEEKLY REPORT --  
NOVEMBER 16 - 22

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### **ADVISORY BOARD ACTIVITIES**

**Advisory Board Meeting.** On November 19, all the Advisory Board members except Governor Kean attended the meeting. Two hundred and fifty people were in attendance at the meeting throughout the day. The meeting examined the value of diversity in higher education. The Board discussed the importance of civil rights data collection and enforcement and will present recommendations to you before the next Advisory Board meeting on December 17. (A copy of the meeting agenda is attached.)

**National Congress of American Indians Annual Meeting.** On November 20, Governor Winter, Angela Oh, and I met with tribal leaders to discuss the role of the Initiative and to share ideas about how the Initiative can be more inclusive of American Indians and Alaska Natives. Angela Oh gave a plenary address in which we challenged the participants to work with the Initiative to ensure that the American Indian perspective is included in the discussions.

**Outreach to Religious Leaders.** Following your Prayer Breakfast, on November 20, Reverend Johnson Cook met with religious leaders to discuss the Initiative. She urged these leaders to promote the need for race reconciliation. They agreed to reconvene in early December to develop a plan of action for reaching the community of faith.

**National Asian Pacific American Bar Association Conference.** On November 22, Angela Oh participated on a civil rights panel at the National Asian Pacific American Bar Association conference in San Francisco. She urged the approximately 300 Asian

Pacific American attorneys to view your Initiative as an opportunity to be leaders in bridging racial divides and urged them to build coalitions with other attorneys to promote the goals of the Initiative.

**America's Black Forum.** On November 20, Dr. Franklin appeared on America's Black Forum, a weekly half-hour program, hosted by Juan Williams and James Brown, with commentators, Julian Bond, Deborah Mathis and Armstrong Williams. Dr. Franklin discussed the Initiative and recent Board activities.

## OFFICE OF THE EXECUTIVE DIRECTOR

### OUTREACH

**Campus/Community Week of Dialogue.** On November 17, we met with representatives from the Association of American Colleges & Universities and the National Urban League to discuss their participation in a Campus/Community Week of Dialogue.

**Local and National Government Associations.** On November 20, we met with the Executive Director of the National Governors' Association, and in a separate meeting we met with the Executive Director of the U.S. Conference of Mayors. Both agreed to include the Initiative in their mid-winter meetings to be held in Washington, D.C.

### RESEARCH AND POLICY PLANNING

**Fact Book.** After discussions with White House staff, including members of the Council of Economic Advisors, we are no longer producing a condensed fact book for dissemination at the Town Hall meeting. We met with the CEA and the White House Chief of Staff's office to discuss the development of a detailed fact book which CEA will take the lead in producing.

### COMMUNICATIONS

**Initiative Brochure.** The Initiative brochure was printed and distributed at the November Advisory Board meeting. (A copy is attached.)

**Media Coverage.** Six news sources covered the November 19 Advisory Board Meeting: The New York Times (A1), Washington Post (National section), Washington Times (A1), AP Wire, Newsday Inc. (National section) and St. Petersburg Times (National section). Two news sources interviewed me about the Town Hall Meeting: ABC News, Cleveland and Ohio News Network.

## WORK TEAMS

## CABINET AFFAIRS / FEDERAL AGENCY

**One America Conversations.** Four Cabinet Secretaries, three Advisory Board members, 50 Federal staff members, some White House staff members, some Initiative staff members, and I will host One America Conversations over the Thanksgiving weekend.

## COMMUNICATIONS/PRESS

**Public Service Announcements.** On November 18, the Leadership Conference Education Fund, the Ad Council, and an advertising agency presented senior-level members of the White House and the Initiative, including Paul Begala and Rahm Emanuel, with three script ideas for the public service announcement that will be released in conjunction with your Town Hall meeting. We chose two scripts for test marketing. One script featured the use of the civil rights anthem, "We Shall Overcome" and rap music, and the other script featured a montage of people reciting a script that identifies social issues that transcend race and ethnicity. The Ad Council will test market these scripts this week to gauge which script would resonate with audiences age 17-25.

## PROMISING PRACTICES

**Identifying Promising Practices.** We plan to have posted 40 promising practices on the website by December 3 to coincide with your Town Hall meeting.

## RECRUITING LEADERS/OUTREACH

**Corporate Leaders.** The first regional corporate CEO forum will be in Miami Beach, Florida on December 1. Secretary of Transportation Rodney Slater and Advisory Board member Bob Thomas will lead the meeting.

## DIALOGUE IN COMMUNITIES

**December 3 Town Hall Meeting.** Initiative staff and White House staff went to Akron, Ohio to examine potential sites and to speak with officials and community leaders about logistics and possible participants.

## ADVISORY BOARD

**Advisory Board Meetings.** The dates for the Advisory Board meetings have been determined through June. The December Advisory Board meeting will occur on December 17 in Fairfax, Virginia. The meeting will focus on issues surrounding race related to K-12 education. The first Advisory Board Town Hall meeting will take place in mid-January in Atlanta, Georgia.

## **FEDERAL AGENCY ACTIVITIES**

### **Department of Treasury**

**Presidents Initiative on Race.** During his trip to the Midwest on November 17, Secretary Rubin met with Minority Business Leaders and also held a roundtable with the Runners Club, a group of African-American entrepreneurs mentored by business leaders. On November 20-22, the 15th annual national conference to recognize Minority Enterprise Development Week (MED Week) 97 will be held in Washington, DC. MED Week was created in 1983 to recognize and promote the achievements of the nation's minority-owned businesses. Treasury plans to have an exhibit booth at the conference and share information about procurement opportunities throughout the Department.

### **Department of the Interior**

**"Toward One America" Initiative -Message and Outreach Activities.** The Bureau of Reclamation helped sponsor the Annual Society of Hispanic Professional Engineers West Coast Exposition and Recruitment Fair, in Anaheim, CA. The fair attracted over 600 Hispanic and other university students from across the western and southwestern United States.

### **United States Department of Agriculture**

**Pine Ridge Indian Reservation.** USDA staff are providing area-wide planning assistance to the Pine Ridge Indian Reservation in South Dakota. The immediate goal is to identify resource issues on the reservation and develop a plan that will allow local people to solve local resource problems.

**African American Farmers.** In a lawsuit against USDA, 14 plaintiffs are purporting to represent a class of present and former African American farmers who have claims of racial discrimination pending against the Department or whose claims of discrimination were denied by the Department between 1983 and February 1997. The class has not been certified. On November 17, counsel for the government and for the plaintiffs agreed to a 30-day delay in certain procedural matters.

**Hispanic Association Speech.** On November 20, Under Secretary for Natural Resources and Environment Jim Lyons spoke at the Hispanic Association of Colleges International Conference on Natural Resources and Cultural Heritage in Phoenix, AZ.

### **Department of Housing and Urban Development**

**Chicago Race Discrimination Suit.** On November 13, Secretary Cuomo joined the Leadership Council of Metropolitan Open Communities (LCMCC) to announce the settlement of a racial

discrimination suit. According to the suit, an African American nun and psychologist, and her sister were forced to move from their Northwest Chicago apartment because of racial discrimination. LCMCC is a private fair housing group that receives funds from HUD's Fair Housing Initiatives Program. HUD has pledged to double the number of enforcement actions in housing discrimination cases over the next four years.

**Minority Home Ownership.** As part of your Initiative, HUD and the National Association of Realtors (NAR) created an historic partnership to help promote equal housing opportunity and increase minority home ownership rates. HUD and NAR will develop training and certification program open to more than 1.5 million real estate professionals across the country. The program will train real estate professionals to implement Fair Housing Act principles and to make housing markets more accessible to traditionally underserved populations, such as racial and ethnic minorities. Although recent gains in minority home ownership are largely responsible for pushing the national rate to an all-time high of 66 percent, only 45.8 percent of African Americans and 43 percent of Hispanics own their own homes - compared with 72.3 percent of whites.

Secretary Cuomo announced this partnership at a press conference following the National Association of Realtors Conference (NAR) in New Orleans, LA. Real estate professional certified under the program will earn the right to use the new One America logo in advertising and professional materials. The logo is expected to be a valuable marketing tool that will enable home buyers to identify real estate professionals committed to equal housing opportunity. Media coverage included *AP, Baltimore Sun, The Tennessean, The Indianapolis Star, The Dallas Morning News, The Los Angeles Times, Houston Chronicle, Washington Times, Long Island Newsday, The Arizona Republic, Chester County Local News, Chicago Defender, The Buffalo News, Milwaukee Journal Sentinel, The Times Picayune.* New Orleans ABC, NBC, ABC.

### **Department of Transportation**

**Action Plan Continues.** The FHWA work group on race relations met on November 10 and identified 13 day-to-day activities in which race relations can be addressed in the Plan. They have agreed to also identify major agency activities and events planned for this fiscal year which are conducive to addressing race relations.

### **Department of Energy**

**MED Week.** On November 21, The Secretary will introduce DOE's Diversity Clause that will require DOE contractors to insure balanced opportunities for workforce development, educational opportunities, community involvement, small business development, and economic development/technology transfer - DOE has put together the first comprehensive agency effort aimed at Federal government contractors. MED Week brings together over 1,000 minority small business owners - which makes it the nation's largest and most diverse minority business conference. The Secretary's keynote address will follow remarks by SBA Administrator Alvarez, Commerce Deputy Secretary Mallett, and Acting Director Cox of Minority Business

Development Agency.

**“One America” Event in San Diego.** The Secretary plans to hold a race relations discussion with students at San Diego State University on December 5 to amplify the President’s Race Initiative.

### **Department of Education**

**One America Conversations.** Secretary Riley is scheduled to host a "One America: Conversations that Bring us Together" event in Alexandria, VA, on November 24 and, tentatively, in Baltimore on December 11. The Secretary is also tentatively scheduled to attend the Town Hall Meeting in Akron on December 3.

### **Department Of Veterans’ Affairs**

**Federal Agency Youth Task Force.** On November 17, VA’s representative to the Federal Agency Youth Task Force, President’s Initiative on Race, attended the second meeting of the Task Force to discuss some of the initiatives and events that various Federal Departments and Agencies are planning in support of the President’s Initiative. The meeting was attended by approximately thirty employees from various Federal Departments and Agencies and staff members from the Executive Office of the President.

**National Alliance of Black School Educators Conference.** VA will support Historically Black Colleges and Universities (HBCUs) by participating at the National Alliance of Black School Educators Conference in Reno, NV, from November 18 to 23. VA will participate as a panelist with Presidents of HBCUs on a program entitled “Federal Agency Outreach Initiatives with HBCUs and Minority Educators.” VA’s Associated Health Programs and procedures for academic affiliations with minority academic institutions will be discussed.

**National Association of Hispanic Federal Executives (NAHFE).** On November 20, a Partnership Agreement between VA and the National Association of Hispanic Federal Executives (NAHFE) will be signed during NAHFE’s Sixth Annual Executive Leadership Development and Diversity Training and Recruitment Conference in Arlington, VA. VA will be represented at the signing ceremony by the Assistant Secretary for Human Resources and Administration. Under the Partnership Agreement, VA and NAHFE will agree to work collaboratively to increase the number of Hispanics in VA at the GS-13 and higher grade levels. The Deputy Assistant Secretary for Equal Opportunity will also participate as a panelist during the NAHFE Conference on a panel entitled “Affirmative Action: Will it Survive?”

**American Indian Science and Engineering Society National Conference.** VA will participate in the 19<sup>th</sup> Annual American Indian Science and Engineering Society National Conference in Houston, TX, from November 20 to 23. VA will participate as an exhibitor and provide information on research, employment, and other opportunities.

## **Environmental Protection Agency**

**Environmental Briefing for African American Leaders.** On November 19, Administrator Browner and other Administration officials meet with 75 African American environmental leaders to discuss the Administration's environmental priorities. Several environmental justice leaders were in attendance and expressed frustration and serious concern about the Administration's commitment to environmental justice. In particular, many attendees expressed concern that they had not been invited to the White House for discussions on environmental issues since President Clinton signed Executive Order 12898 on Environmental Justice in 1994.

Administrator Browner made it clear that environmental justice remains an Administration priority and discussed several key environmental initiatives affecting the African American community, including the new clean air standards, community right-to-know, Superfund, and children's health protection. Administrator Browner was also asked about EPA's decision on September 10 regarding the Shintech facility in Convent, LA. Administrator Browner ordered Louisiana to stop issuance of air permits for a proposed Shintech chemical facility because the permits have technical deficiencies which fail to regulate all potential sources of air pollution. These issues must be resolved before the project can move forward. EPA is also conducting an investigation of local citizens' civil rights complaint, which alleges that African American residents would be disproportionately impacted by the permitting of the Shintech facility.

## **Small Business Administration**

**MED Week.** The Administrator will speak at and participate in various MED Week activities, including the kickoff reception on November 20 and giving the keynote speech at the business luncheon on November 22. At this luncheon, Kweisi Mfume, President and COO, NAACP, will be receiving the Pioneer award, and Congressman Albert Wynn will be receiving the Administrator's Leadership Award.

**One America Conversations.** The Deputy Administrator and a number of senior staff are planning to hold One America Conversations during the Thanksgiving holiday. Plans are also being considered for the Administrator to convene a One America Conversations session.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 10:20:19.00

SUBJECT: The Evidence on effects of Head Start quality investments

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

READ:UNKNOWN

TEXT:

fyi again

----- Forwarded by Elena Kagan/OPD/EOP on 11/24/97 10:25  
AM -----

Barry White

11/21/97 06:47:06 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: The Evidence on effects of Head Start quality investments

Following the last Deputies meeting, in response to HHS' statement that they have evidence of the positive effect of the Head Start quality investments on Head Start quality, I asked my staff to obtain from HHS the evidence to which HHS referred. HHS did not have a document to share, but did hold a lengthy conference call with my examiners. This is a report of that call.

In sum, HHS does not have data demonstrating that the investments in "quality" and the related COLAs since the law was revised in 1994 have resulted in a higher quality program.

What they do have is the first round of findings from an evaluation ("FACES" -- Family and Child Experiences Survey), which provides some indication that Head Start projects are of "minimal to good quality." (They did not find any "inadequate" programs.)

The programs were evaluated on the "ECERS" (Early Childhood Environmental Rating Scale): it measures the use of materials, scheduling, facilities, interaction between teachers/staff and children. This is a tool in general use for assessing child care centers. Eventually this longitudinal study will report on the children's experiences in kindergarten.

OMB is insisting that HHS carry the study into lower grades to try to get a handle on whether Head Start affects learning in school, but HHS is resisting strongly. We aren't sure why.

They do not have data showing a causal relationship between quality and investments in quality, because they did not establish baseline data for the evaluation or from the period before the new law.

The contractors (Westat and Abt) will eventually try to find a correlation between quality and the higher salaries and benefits, more education for staff, length of teacher time in the programs. HHS had not planned to do this any time soon, but given the OMB (and working group) interest, HHS will now try to produce this data in the next few months.

They did find some correlation (not clear how strong) between new teachers and quality program, vs. the quality of programs with longer tenured teachers. This suggests that newly trained teachers may have a greater benefit for students.

This provides some preliminary support for our new teacher preparation scholarship.

In the conversation, it came up that since 1992, average Head Start salaries have increased from \$10,000 to \$17,000, an increase of 70%. The Head Start Director asserts, however, that this salary level is a "moral disgrace."

This report does not provide a ringing endorsement for spending more money on child care in the same ways in which it is spent in Head Start if, in fact, we want to do something serious about improving the quality of child care. It also isn't much support for Head Start's set-asides.

OMB staff would much prefer investing in directed State monitoring of health and safety conditions, State publication of "report cards" on child care center quality, giving the States money to help centers meet accreditation standards by the national body (NAEYC), and otherwise supporting specific activities to correct flaws found by the monitoring. \$50 m/year, \$250 m over 5, might be sufficient to get States to engage more aggressively in such activity.

#### Message Sent

To: \_\_\_\_\_

Elena Kagan/OPD/EOP  
Jennifer L. Klein/OPD/EOP  
Nicole R. Rabner/WHO/EOP  
Jacob J. Lew/OMB/EOP  
Rebecca M. Blank/CEA/EOP

#### Message Copied

To: \_\_\_\_\_

Keith J. Fontenot/OMB/EOP  
Edwin Lau/OMB/EOP  
Jennifer Friedman/OMB/EOP  
Amy N. Finkelstein/CEA/EOP  
Janet Himler/OMB/EOP  
Emil E. Parker/OPD/EOP  
Wayne Upshaw/OMB/EOP  
Leslie S. Mustain/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 10:19:49.00

SUBJECT: Alternative to the Urban Initiative

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

READ:UNKNOWN

TEXT:

Unable to convert ARMS\_EXT:[MESSAGE.D56]MAIL434883725.316

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D56]MAIL434883726.316 to ASCII,

The following is a HEX DUMP:

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



November 25, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
GENE SPERLING  
ELENA KAGAN

SUBJECT: State of the Union Ideas

As you requested, this memorandum provides a brief description of new ideas we are seriously considering for the State of the Union. Most of these ideas involve increased spending, and you will have to make choices among them as you consider the FY 99 budget. Options relating to social security and tax reform are not included in this memo.

**Education**

**1. Class size / 100,000 teachers:** We are working with the Vice President's office and others on an ambitious initiative to reduce class sizes in the early grades by providing money to hire up to 100,000 new teachers, perhaps paid for by reducing the federal work force by another 100,000 positions. We estimate that 100,000 new teachers in grades 1-3 would reduce average class size from roughly 21 to roughly 18. The initiative would have three main elements: 1) grants to help states or communities hire new teachers (as in the COPS program, these grants would be time-limited (3-4 years) and the federal share would be 50-75%); 2) funds for teacher training, with a special emphasis on reading; and 3) provisions to ensure accountability, such as requiring testing of new teachers and/or ensuring the removal of bad teachers from the classroom. A serious proposal along these lines would cost \$5-10 billion over five years, depending on the size of the federal match and the target date for reaching 100,000. We also would need to accompany the proposal with a school construction initiative (see below).

**2. Education Opportunity Zones:** As we outlined in an earlier memo on policy proposals for the race initiative, we are working with the Education Department on a plan that would reward 10-15 poor inner city and rural school districts for agreeing to adopt a school reform agenda that includes: ending social promotions, removing bad teachers, reconstituting failing schools, and adopting district-wide choice and/or public school vouchers. Our goal is to give school districts incentives to hold students, teachers, and schools accountable, in essentially the way Chicago has done. In our working proposal, each urban grant would be worth \$10-25 million and each rural grant would be worth up to \$2 million, for a total request in FY99 of \$320 million.

**3. National Public School Choice Law:** We are exploring the possibility of proposing

legislation to require that states and communities allow public school choice as a condition of receiving federal education funding. Together with a strong endorsement of bipartisan charter school legislation (bound to pass next year), this measure will show that we firmly support choice and competition. We are also looking into the concept of a parents' right-to-know law that would require states and communities to make key information on school performance available, so that parents can make informed choices.

**4. University-School Partnerships:** As we also outlined in our earlier memo on the race initiative, we are working on a grant program to promote strong partnerships between colleges and high-poverty middle and high schools, with the goal of enabling more youth to go on to college. This initiative would encourage colleges to adopt the Eugene Lang model for helping disadvantaged youngsters. Colleges would encourage students to take demanding courses, while providing academic enrichment and intensive mentoring, tutoring, and other support services. The students would receive special certificates for participating in the program, somewhat along the lines of Chaka Fatah's proposal. The Department of Education has requested \$200 million for FY 99 for this initiative.

**5. Campaign on Access to Higher Education:** We are preparing to conduct an intensive publicity campaign on the affordability of higher education. The goal of the campaign would be to make every family aware that higher education is now universally accessible, as well as to reiterate that higher education is the key to higher earnings.

**6. School Construction:** We will need to re-propose a school construction initiative this year. We are currently considering the appropriate size and duration of this initiative, as well as the possibility of structuring this initiative as a tax credit.

**7. Teacher Training for Technology:** We are currently weighing several options on training teachers to use educational technology. These include (1) expanding various innovation grants to ensure that within four years, all new teachers will be ready to use educational technology, or (2) using the Technology Literacy Challenge Fund to train and certify at least one "master teacher" in every school, who can then train other teachers in the use of educational technology.

**8. Hispanic Education Dropout Plan:** We have developed a plan to improve educational opportunities for Hispanic Americans (or limited English proficient students generally), with the goal of decreasing the current disparity in dropout rates. The draft plan includes a number of administrative actions, as well as targeted investments of roughly \$100 million to programs for migrant, adult, and bilingual education.

**9. "Learning on Demand":** We are developing an initiative, related to some of Governor Romer's ideas, to encourage the use of technology (e.g., the internet, CD-ROM, interactive TV) for lifelong learning. The initiative will begin the process of giving all Americans "anytime, anywhere" access to affordable and high-quality learning opportunities. The initiative is still in the developmental stage, and at this time we recommend only a small investment.

## Child Care

**1. Affordability:** We are developing a proposal that will help working families afford child care by (1) increasing funding for federal child care subsidies through the Child Care and Development Block Grant, and (2) changing the Child and Dependent Care Tax Credit by raising the percentage of child care expenses for which taxpayers of certain income levels may take a credit. On the subsidy side, every additional \$100 million in the block grant will pay child care costs for at least 35,000 more children with incomes below 200 percent of poverty. On the tax side, we are considering raising the maximum credit rate to 50 percent for taxpayers with adjusted gross income (AGI) of less than \$30,000 (from a current high of 30 percent for taxpayers with AGI of less than \$10,000), and adjusting the income slide accordingly.

**2. Safety and Quality:** We are also considering targeted investments to improve the safety and quality of care. Our current proposal adds funding to the scholarship program for child care providers that you announced at the child care conference (which was very well received); provides resources for states to improve their enforcement of health and safety standards; and funds efforts to educate parents on quality child care.

**3. Early Childhood Learning and Afterschool Programs:** Our current proposal also expands early learning opportunities by increasing investment in Early Head Start and creating a new 0-5 Early Education Fund. The new fund will provide grants for innovative early learning programs for both working and stay-at-home parents. We are also considering ways of expanding and streamlining afterschool programs.

**4. Helping Parents Stay Home:** To support parents who wish to stay at home with their children, we are working on ways to expand the FMLA -- to six months instead of 12 weeks and to smaller-sized employers. We are also looking at a variety of ways to provide financial assistance, whether through a modified version of the Child and Dependent Care Tax Credit or through paid family leave administered under the unemployment insurance system. The cost of these financial proposals, however, may be prohibitive.

## Health

**1. Consumer Protection Legislation:** We should reiterate our support for three pieces of health care consumer protection legislation: (1) the Quality Commission's Consumer Bill of Rights, which has strong public and elite support and arguably is more moderate than a bill in the House that already has attracted over 85 Republicans; (2) our genetic anti-discrimination legislation, which has attracted bipartisan support on both sides of the Hill as a way to protect Americans

from the misuse of new advances in genetics; and (3) privacy protection legislation, which would establish strong federal standards to ensure the confidentiality of medical records. Although these consumer protections would benefit the entire population, women's health advocates are especially supportive of them, because the Consumer Bill of Rights would ensure direct access to OB/GYNs and our genetic anti-discrimination legislation would protect women who undergo new tests for the breast cancer gene.

**2. Medicare Reform and Program Improvements:** To build on the Medicare reforms in the balanced budget agreement, we are considering two reform initiatives: additional anti-fraud initiatives (perhaps providing \$2-3 billion in savings over five years) and an income related premium (providing another \$7-8 billion in savings assuming it kicks in at an income around \$50,000). We are also considering a number of Medicare improvements to which we could apply the above savings: (1) a Medicare (or COBRA) buy-in for pre-65 year olds (or some targeted subset of this age group), the cost of which would depend on whether we decide to subsidize this benefit; (2) Medicare coverage of cancer clinical trials, which could substantially increase investment in the treatment and cure of cancer, including prostate cancer; and (3) a new mechanism to provide Medicare beneficiaries with information about private long-term care insurance that meets appropriate standards.

**3. Doubling the NIH Research Budget with Proceeds from Tobacco Legislation:** We (along with the Republicans) are considering a proposal to double the NIH budget, which would cost about \$20 billion over five years. Such an investment could lead to breakthroughs in research that would greatly improve our ability to prevent and treat diseases like diabetes and cancer -- and substantially lessen the costs associated with these diseases. Because the discretionary caps are so tight, the only realistic way to pay for such an initiative is through dedicated savings from the tobacco agreement. This link between tobacco legislation and health research should resonate strongly with the public.

**4. Other Coverage Options -- Children's Health, Workers In-Between Jobs, Voluntary Purchasing Cooperatives:** We are working on a public/private outreach effort to ensure that every child eligible for health insurance under Medicaid or our new program actually gets covered. The public side of this effort could include proposals to: give bonuses for enrolling more children in Medicaid; expand the kinds of places where children can enroll; and simplify eligibility processes. In addition, we are considering whether to propose a demonstration of our old policy to provide coverage to workers who are in-between jobs. Finally, we are continuing to pursue proposals relating to voluntary purchasing cooperatives, as a way to help small business gain access to and afford health insurance coverage.

**5. Racial Disparities in Health Care:** We are working on a proposal to address racial disparities in six carefully selected areas of health care: infant mortality, breast and cervical cancer, heart disease and stroke, diabetes, AIDS, and immunization. This proposal will include nationwide actions to reduce these disparities, as well as focused pilot projects in thirty communities (say, a project on diabetes on an Indian reservation or a project on AIDS in an inner

city). The stated aim of the proposal will be to eliminate racial disparities in these six areas by 2010.

### **Crime**

**1. Community Prosecutors:** We are working on a proposal, costing up to \$100 million, to provide grants to prosecutors for innovative, community-based prosecution efforts. A number of jurisdictions already have embraced such efforts; for example, community prosecution is an essential component of Boston's juvenile crime strategy. These jurisdictions have found that a "problem-oriented" (rather than incident-based) approach to prosecuting, using a wide variety of enforcement methods and attending to the concerns of victims and witnesses, can pay real dividends. A grant program could spread these innovative programs across the country.

**2. Juvenile Crime Initiative:** Although we got funds for much of our youth violence strategy in last year's appropriations bills, we should continue to press for the passage of juvenile crime legislation -- especially for a juvenile Brady provision, which will stop violent juveniles from owning guns as adults. We also should challenge the four cities leading the nation in juvenile crime (New York, Los Angeles, Chicago, and Detroit) to replicate Boston's successful strategy and target resources to these cities to help them meet this challenge.

### **Welfare/Housing**

**1. Welfare-to-Work Housing Vouchers:** We are working with OMB and HUD on a proposal for 50,000 new housing vouchers to help welfare recipients in public housing who need to move in order to find employment. We would distribute these vouchers on a competitive basis to public housing authorities working with local TANF agencies and/or grantees of the new \$3 billion welfare-to-work program. We are working on a number of proposals to increase housing mobility (see below), and linking this issue to welfare reform may increase the chance of attracting congressional support. At the same time, we should reiterate our support for welfare-to-work transportation funds as part of NEXTEA.

### **Housing**

**1. Housing Portability/Choice:** In addition to the new welfare-to-work housing vouchers discussed above, a package on housing portability and choice could include: increasing the number of Regional Opportunity Counseling (ROC) sites; encouraging the use of exception rents (rents up to 120 percent of the "fair market rent") as a tool for opening up more expensive suburban housing markets; and eliminating obstacles to portability of Section 8 vouchers.

**2. Fair Lending/Fair Housing:** This proposal could include: an examination of the impact of credit scoring and risk-based pricing on the availability of credit/capital to lower-income and minority individuals; issuance of guidance by banking regulators on certain key credit scoring issues and, possibly, on risk-based pricing; a Presidential call to the FDIC and the Federal

Reserve to obtain more data on reasons for home mortgage loan denials (OCC and OTS already collect such information); and collection of race and income data as part of the Equal Credit Opportunity Act/CRA small business and small farm lending reporting requirement.

**3. Downpayment Reduction:** We are working on a proposal to increase homeownership by reducing the barriers to buying a new home. Many low- and moderate-income families find a downpayment the largest hurdle to buying a new home; this initiative would lower this cost and help more families become homeowners. In 1992, Congress authorized the National Homeownership Trust, but never appropriated any money. We are investigating whether we should request money for this program or whether it is better policy to expand the existing HOME program (which serves a similar purpose).

### Labor/Workforce

**1. Child Labor:** We are working on a comprehensive Child Labor Action Plan, anchored by a \$100 million commitment to the International Program on the Elimination of Child Labor (IPEC) -- a voluntary program of the International Labour Organization which is dedicated to the elimination of child labor. The funds, which would be managed by the Department of Labor in accordance with criteria we would develop, would go to programs attacking the most intolerable forms of child labor. The initiative also might include a stepped up Customs program to enforce U.S. law banning the import of goods made with forced or bonded child labor; increased support for the Migrant Education Program to support elementary and secondary education to the hardest-to-serve migrant children; and a call for prominent organizations, such as the Boy Scouts and Girls Scouts, to adopt a "No Sweat" code for uniforms and an accompanying label.

**2. Pensions:** We have developed an expanded pension coverage initiative that focuses on a simplified defined benefit plan for small businesses, based on the SAFE plan proposed by the American Society of Pension Actuaries (ASPA). We are also looking at a payroll deduction IRA proposal, a three-year vesting requirement for employer matching contributions in 401(k) plans, a women's pension initiative, and a pension right-to-know proposal.

**3. Community Adjustment:** As part of the Fast Track debate, we proposed the creation of the Office of Community and Economic Adjustment (OCEA). As you know, **this office will be modeled after the Defense Department's Office of Economic Adjustment (OEA) -- the Administration's first point of contact with communities experiencing a military base closure or defense plant closing. The OCEA would coordinate the Administration's response to regions impacted by a major plant closing or trade, by working with Labor, Commerce, SBA, HUD, Treasury, and other government entities. This group would provide planning grants and expertise to help communities develop comprehensive economic adjustment strategies. Since this program will be part of the Economic Development Administration (EDA), we are investigating whether we could initiate this proposal by executive memorandum, while awaiting Congressional appropriations.**

### Climate Change

**1. Tax Incentive and R&D Package:** You already have committed to a \$5 billion package over five years for tax incentives and R&D to promote low-carbon technologies. The Treasury Department is working on a possible package of tax incentives to be included in the FY 1999 budget, and DOE has a proposal on the expenditure side. We are working to develop final options.

### **Race**

A number of the above proposals -- e.g., education opportunity zones, university-school partnerships, housing vouchers -- can be presented as part of the race initiative, because they target predominantly minority areas or provide disproportionate benefits to members of minority groups. Other proposals described above -- the Hispanic dropout plan and the race and health initiative -- have obvious and explicit race connections. In addition:

**1. Civil Rights Enforcement Initiative:** We are working on a coordinated package of reforms for the EEOC and the civil rights offices at DOJ, HUD, HHS, Education, and DOL. Among other things, this proposal would expand dramatically the EEOC's mediation program, substantially increasing the average speed of resolving complaints and reducing the EEOC's current backlog. Similarly, the proposal would promote the increased use of non-adversarial techniques by the agencies' civil rights offices. The proposal also would provide a mechanism for better coordination among the various civil rights offices.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-DEC-1997 09:10:38.00

SUBJECT: Re: How's the policy announcement for town hall coming...please advise! Thanks

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

READ:UNKNOWN

TEXT:

Of sorts??? Not quite the attitude we want to convey.

Julie A. Fernandes

12/01/97 11:12:30 AM

Record Type: Record

To: Minyon Moore/WHO/EOP

cc: Elena Kagan/OPD/EOP

Subject: Re: How's the policy announcement for town hall coming...please advise! Thanks

Minyon,

We will have a policy announcement, of sorts, for the town hall meeting. Give me a call when you get a chance, and we can talk about it. Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-DEC-1997 11:24:07.00

SUBJECT: Re: High performance bonus

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We should make sure we're fully comfortable with the substance because (1) not much is likely to change between the guidance and the reg and (2) we're never going to have better leverage. I'm still where I was -- wanting to know the answer to the workfare question (though not sure how I feel about it) and skeptical about the earnings gain measure. But I don't at all have strong views. What's your recommendation?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-DEC-1997 12:52:43.00

SUBJECT: Re: Weekly welfare meetings

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:

1. I completely agree with Bruce that your group is doing great work and that you should set up the structure that you think will help you most. If that includes HUD etc. you should add them.

2. I'm sure you picked up the hint that Bruce won't come to the larger meeting. Then again, he's not usually coming to your slightly smaller ones, so I'm not sure that makes a difference.

3. The big meeting/small meeting option would be good, but I'm not sure we could do it without Olivia. Then again, Chris doesn't invite HHS's substantive people to his weekly meetings. Why don't you ask him how he gets away with that?

4. As Bruce suggested, if we can't do hhs without olivia, we could just get together with you guys -- or you guys and other white house people -- once every week or two. That would be good with me too.

Cynthia A. Rice  
12/01/97 03:46:15 PM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc:  
Subject: Re: Weekly welfare meetings

Elena -- I'd like your advice. What do you think would work best?

----- Forwarded by Cynthia A. Rice/OPD/EOP on 12/01/97  
03:29 PM -----

Bruce N. Reed  
12/01/97 01:50:51 PM  
Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc: Elena Kagan/OPD/EOP  
Subject: Re: Weekly welfare meetings

Fine by me -- although you should decide for yourself what process you'll need in the coming year, when we won't have any real pressing legislative initiatives that require us to sit down weekly with agency people who

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Elena Kagan to Cynthia Rice re: Weekly Welfare Meetings [partial] (1 page)	12/02/1997	P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[10/29/1997 - 12/02/1997]

2009-1006-F  
db1593

### 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).

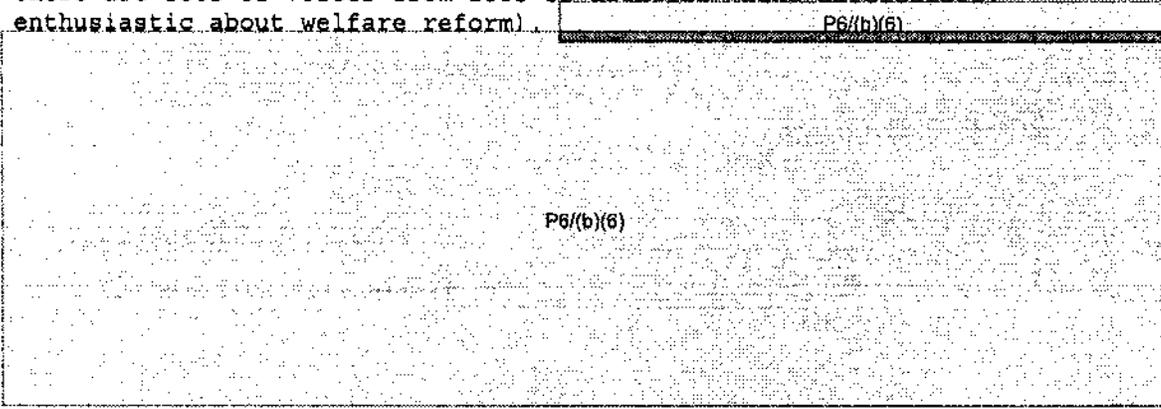
RR. Document will be reviewed upon request.

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]

drive us nuts. I find it hard to brainstorm or come up with a plan when there are lots of voices from lots of agencies (none particularly enthusiastic about welfare reform).

P6(h)(6)



[003]

I am very, very happy with the work you and your team have done, and we get a good opportunity to brainstorm at the team leader mtg and the staff mtgs, so there's no need to fix what's working quite well. I just don't want you to go thru the pain of big weekly mtgs just because we bequeathed them to you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-DEC-1997 17:21:24.00

SUBJECT: radio address

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

READ:UNKNOWN

TEXT:

melissa called to say that she heard the radio address was open and that she had some child support announcements if we were deperate. (1) a new report shows that Treasuy garnished \$1.1 billion in tax refunds last year -- up 10% and a record high, and (2) HHS is granting some kind of waiver to Washington State to help get fathers involved in their children's lives (she had no further details on this). She'll send over some paper when she has it.

actually, I think this was an excuse and she really called for information on where dpc really is on child care -- what we care about, etc. Olivia also called me today to pump me for information on our priorities -- which I gladly gave her.