

**NLWJC - KAGAN**

**EMAILS CREATED**

**ARMS - BOX 015 - FOLDER 007**

**[5/19/1999 - 6/11/1999]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Elena Kagan to Laura Emmett. Subject: Birthday. (3 pages)	05/20/1999	Personal Misfile
002a. email	Elena Kagan to Sara Wilson et al. Subject: Senate Form. (1 page)	05/21/1999	P2, P5, P6/b(6)
002b. email attachment	Biographical Information. (35 pages)	05/21/1999	P2, P5, P6/b(6)
003. email	Elena Kagan to Karen Tramontano and Bruce Reed. Subject: Re: Racial Profiling. (1 page)	05/24/1999	P6/b(6)
004. email	Elena Kagan to Sarah Wilson et al. Subject: President Clinton Nominates Charles R. Wilson, William Joseph Haynes, Jr. [partial] (1 page)	05/27/1999	P6/b(6)
005. email	Elena Kagan to Steven Reich et al. Subject: [blank] (1 page)	06/11/1999	P2
006a. email	Elena Kagan to Sarah Wilson et al. Subject: new senate form. (1 page)	06/11/1999	P2, P5, P6/b(6)
006b. email attachment	Biographical Information. (35 pages)	06/11/1999	P2, P5, P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F

wr69

### 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]
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- 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)]

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- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAY-1999 10:17:53.00

SUBJECT: Re: ftc

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

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

TEXT:

He really did. Although we focused on the PG rating, he did call for the industry to reevaluate its whole ratings system. I think it would seem a bit weird to come out now with another specific suggestion for changing the system -- even though it makes perfect sense.

----- Forwarded by Elena Kagan/OPD/EOP on 05/19/99 10:18 AM -----

Bruce N. Reed  
05/19/99 10:11:02 AM  
Record Type: Record

To: Neera Tanden/WHO/EOP  
cc: elena kagan/opd/eop  
Subject: Re: ftc

Didn't the President's challenge on Saturday address the ratings issue?

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1999 16:44:00.00

SUBJECT: Re: ESEA

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

READ:UNKNOWN

TEXT:

That's great. Thanks, Fred.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-MAY-1999 17:48:55.00

SUBJECT: Re: senate form

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

READ:UNKNOWN

TEXT:

thanks much.

# Withdrawal/Redaction Marker Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002a. email	Elena Kagan to Sara Wilson et al. Subject: Senate Form. (1 page)	05/21/1999	P2, P5, P6/b(6)

## COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

## FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F

wr69

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002b. email attachment	Biographical Information. (35 pages)	05/21/1999	P2, P5, P6/b(6)

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Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F  
wr69

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May 22, 1999

## GRAMBLING STATE UNIVERSITY COMMENCEMENT SPEECH

**DATE:** May 23, 1999  
**LOCATION:** Eddie Robinson Stadium  
Grambling State University  
**EVENT TIME:** 9:15am – 10:30am  
**FROM:** Bruce Reed

### I. PURPOSE

To make remarks on the challenges facing families in the new economy. You will announce two new proposals to make leave more affordable for American workers, and release a new report that examines the “time crunch” that parents increasingly feel as they struggle to balance their responsibilities at home and at work.

### II. BACKGROUND

You will be addressing an audience of over 20,000 students, faculty, graduates and their families, and community members. Grambling State University has a student population of 5,770, and approximately 500 are graduating this year. The student body is 83% African-American, and 58% of students are between the ages of 20-25. Approximately 95% of students receive financial aid, with 66% receiving PELL grants in 1998. The university is ranked 5<sup>th</sup> among all American colleges and universities in conferring baccalaureate degrees in all disciplines to African-Americans, and 1<sup>st</sup> in conferring bachelor or science degrees to African-Americans in the field of Computer and Information Science.

Grambling State University is a public, coeducational, historically black university, and was founded in 1901 as a relief school for black farmers. At the request of the Farmers' Relief Association of Ruston, LA, Dr. Booker T. Washington sent Charles P. Adams from Tuskegee Institute to establish the Colored Industrial and Agricultural School of Lincoln Parish in 1901. In 1905 the school moved to its current location, and was renamed the North Louisiana Agricultural and Industrial Institute. The school expanded over the years, and was ultimately granted university status in 1974, at which time it adopted its present name. The Grambling State University motto is “The Place Where Everyone is Somebody”.

In April the Board of Supervisors of the University of Louisiana System approved a request to confer upon you the honorary degree, *Doctor of Laws*. This honorary degree will be presented to you during the commencement ceremony.

At today's commencement you will make the following announcements:

**Working to Make Parental Leave More Affordable.** A 1996 study by the Commission on Family and Medical Leave found that loss of wages was the most significant barrier to parents taking advantage of unpaid leave following the birth or adoption of a child. Today, you will direct the Secretary of Labor to propose new regulations and model state legislation to enable states to develop innovative ways of using the Unemployment Insurance (UI) system to support parents taking leave to care for a newborn or adopted child. Several states recently have asked the Administration whether they could use the UI system for this purpose consistent with federal law. The new regulations will authorize this expansion of the UI system, thereby allowing states that wish to use unemployment insurance to assist new parents to put their plans into effect.

**Enabling Federal Workers to Take Paid Leave to Care for Sick Family Members.** In an effort to set an example for all employers, you will also direct the Office of Personnel Management (OPM) to revise its government-wide regulations to allow federal employees to use up to 12 weeks of accrued sick leave each year to care for a spouse, son, daughter, or parent with a "serious health condition," as that term is defined for the purpose of applying the Family and Medical Leave Act. Currently, the amount of sick leave that can be used to care for a family member who is ill is limited to 13 days each year for most federal employees. By enabling federal workers to use the sick leave they have earned, according to conditions established by the FMLA, this measure will remove a significant barrier to caring for a family member with a serious health condition. You will also direct the OPM to establish an Interagency Family Friendly Workplace Working Group to develop, promote, and evaluate federal family friendly workplace initiatives. You have previously taken other actions to ensure that the federal government is a model employer, including: allowing federal employees to donate annual leave to other employees; expanding flexible family-friendly work arrangements, such as job sharing, career part-time employment, alternative work schedules, telecommuting, and satellite work locations; and directing improvements in the quality of federally sponsored child care.

**A New Study on the Amount of Time Available for Families.** You will release a report by your Council of Economic Advisers (CEA) today that details the factors that have led to decreased amounts of time available for parents to spend with their children. The report, *Families and the Labor Market, 1969-1999: Analyzing the "Time Crunch,"* demonstrates that the increase in hours mothers spend in paid work, combined with the shift toward single-parent families, has resulted in families experiencing an average decrease of 22 hours a week (14 percent) in time that parents spend with their children. The report concludes that the increased time at work among parents requires policy-makers to seek new ways to promote strong families, including greater flexibility in paid

work hours, more affordable child care, better support for families with low-wage earning parents, and methods for encouraging two-parent families to form and stay together.

**Advancing An Agenda To Help Parents Balance Their Responsibilities At Home And At Work.** In your balanced budget request, you put forward a bold agenda to provide families with greater tools to meet their responsibilities at home and at work. This agenda includes: an historic initiative to make child care better, safer, and more affordable for working families; a tripling of our investment in after-school programs through the 21<sup>st</sup> Century Community Learning Center program; a new tax credit to help Americans struggling with long-term care costs; and proposals to expand the Family and Medical Leave law to cover more workers and allow leave for more parental activities, including parent-teacher conferences and routine doctor's visits.

### III. PARTICIPANTS

Stage Participants:

Secretary Rodney Slater

Senator Mary Landrieu (D-LA)

Representative William Jefferson (D-LA)

State Senator Randy Ewing

State Representative Pinkie Wilkerson

E. Joseph Sovoie, Louisiana Commissioner of Higher Education

Dr. Eddie Robinson, Sr., Retired GSU Football Coach

Doug Williams, GSU Head Football Coach and Super Bowl MVP

Members of the University of LA Board of Supervisors, Board of Regents, and Southern University Board of Supervisors

Grambling State University Administrators

Grambling State University "Golden Reunion Graduates" (27)

Program Participants:

Mayor John Williams

Reverend E. Edward Jones, President, National Baptist Convention of America

Bobby Jindal, Acting President, University of Louisiana System

Dr. Steve Favors, President, Grambling State University

*This is Dr. Favors' first year as president, and this is his first commencement at the university. He served previously as vice president of student affairs and athletic director at Howard University.*

Tony Eason, Jr., President, Grambling State University Student Government

Martha Fondel, Miss Grambling State University

### IV. PRESS PLAN

Open Press.

## V. SEQUENCE OF EVENTS

- YOU will meet approximately 12 Grambling State University faculty and students.
- YOU will be announced onto the stage, accompanied by President Steve Favors.
- The National Anthem will be performed.
- Reverend E. Edward Jones will deliver the invocation.
- Mayor John Williams will deliver a greeting.
- Bobby Jindal will make brief remarks.
- Tony Eason, Jr. will make brief remarks.
- Martha Fondel will make brief remarks.
- The Grambling State University Marching Band will perform a musical selection.
- President Steve Favors will make brief remarks and present YOU with an Honorary Doctor of Law.
- YOU will make remarks and depart.

## VI. REMARKS

To be provided by speechwriting.

## VI. ATTACHMENT

- Council of Economic Advisers' Report *Families and the Labor Market, 1969-1999: Analyzing the "Time Crunch"* Executive Summary

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAY-1999 11:46:55.00

SUBJECT: Re: racial profiling

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

READ:UNKNOWN

TEXT:

did chuck send you a response to this that I'm missing?

----- Forwarded by Elena Kagan/OPD/EOP on 05/24/99 11:49 AM -----

Maria Echaveste

05/24/99 09:49:31 AM

Record Type: Record

To: Todd Stern/WHO/EOP

cc: Charles F. Ruff/WHO/EOP, Edley @ law.harvard.edu @inet, Elena Kagan/OPD/EOP, Bruce N. Reed/OPD/EOP

bcc:

Subject: Re: racial profiling

Actually--I would assume we would still want data collection exec order but it would begin with a strong statement along the lines chuck is talking about. Is that right Chuck? elena?

Todd Stern

05/24/99 08:42:52 AM

Record Type: Record

To: Charles F. Ruff/WHO/EOP@EOP

cc: maria echaveste/who/eop@eop

Subject: Re: racial profiling

Assuming that were to happen, would you still envision a data collection Executive Order, or would that become moot? tds

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
003. email	Elena Kagan to Karen Tramontano and Bruce Reed. Subject: Re: Racial Profiling. (1 page)	05/24/1999	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F  
wr69

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-MAY-1999 08:24:15.00

SUBJECT: Sorry... minor edit to press paper

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

TEXT:

please print out all press paper.

----- Forwarded by Elena Kagan/OPD/EOP on 05/24/99 08:27  
 AM -----

Karin Kullman

05/22/99 01:32:09 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: Sorry... minor edit to press paper

Message Sent

To:

---

Barry J. Toiv/WHO/EOP  
 Joseph P. Lockhart/WHO/EOP  
 Jennifer M. Palmieri/WHO/EOP  
 Nanda Chitre/WHO/EOP  
 Elizabeth R. Newman/WHO/EOP  
 Beverly J. Barnes/WHO/EOP  
 Linda Ricci/OMB/EOP  
 Dag Vega/WHO/EOP  
 Julia M. Payne/WHO/EOP  
 Jason H. Schechter/WHO/EOP  
 Sarah E. Gegenheimer/WHO/EOP  
 Julie B. Goldberg/WHO/EOP  
 Melissa G. Green/OPD/EOP  
 Heather M. Riley/WHO/EOP  
 Megan C. Moloney/WHO/EOP  
 Julianne B. Corbett/WHO/EOP  
 Richard L. Siewert/WHO/EOP  
 Karin Kullman/OPD/EOP  
 Mark D. Neschis/WHO/EOP  
 Erica S. Lepping/WHO/EOP  
 Alejandro G. Cabrera/OVP @ OVP  
 Melissa B. Ratcliff/OVP @ OVP  
 Deborah Akel/WHO/EOP

Message Copied

To:

---

Elena Kagan/OPD/EOP  
 Bruce N. Reed/OPD/EOP  
 Laura Emmett/WHO/EOP  
 Cathy R. Mays/OPD/EOP

**PRESIDENT CLINTON: HELPING PARENTS  
MEET THEIR RESPONSIBILITIES AT HOME AND AT WORK**

May 23, 1999

Today, in a commencement speech at Grambling State University, President Clinton announced new steps to help workers meet their responsibilities to their jobs, and their more important responsibilities to their families. The President put forward two new proposals to make leave more affordable for American workers. In addition, he released a new report that examines the "time crunch" that parents increasingly feel as they struggle to balance their responsibilities at home and at work.

**Working to Make Parental Leave More Affordable.** A 1996 study by the Commission on Family and Medical Leave found that loss of wages was the most significant barrier to parents taking advantage of unpaid leave following the birth or adoption of a child. Today, President Clinton directed the Secretary of Labor to propose new regulations and model state legislation to enable states to develop innovative ways of using the Unemployment Insurance (UI) system to support parents taking leave to care for a newborn or adopted child. Several States recently have asked the Administration whether they could use the UI system for this purpose consistent with federal law. The new regulations will authorize this expansion of the UI system, thereby allowing states that wish to use unemployment insurance to assist new parents to put their plans into effect.

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**A New Study on the Amount of Time Available for Families.** The President released a report by his Council of Economic Advisers (CEA) today that details the factors that have led to decreased amounts of time available for parents to spend with their children. The report, *Families and the Labor Market, 1969-1999: Analyzing the "Time Crunch,"* demonstrates that the increase in hours mothers spend in paid work, combined with the shift toward single-parent families, has resulted in families experiencing an average decrease of 22 hours a week (14

percent) in time that parents spend with their children. The report concludes that the increased time at work among parents requires policy-makers to seek new ways to promote strong families, including greater flexibility in paid work hours, more affordable child care, better support for families with low-wage earning parents, and methods for encouraging two-parent families to form and stay together.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAY-1999 19:42:08.00

SUBJECT: Cheri Carter's farewell

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

TEXT:

pls schedule

----- Forwarded by Elena Kagan/OPD/EOP on 05/25/99 07:45 PM -----

Deborah B. Mohile

05/25/99 05:32:07 PM

Record Type: Non-Record

To: See the distribution list at the bottom of this message  
cc: mehunker @ opm.gov  
Subject: Cheri Carter's farewell

Please join us to wish Cheri Carter a fond farewell as she leaves us for sunny Los Angeles to be the C.O.O. of the 2000 Convention Host Committee (start groveling for credentials now!).

Thursday, June 3, 1999

5:30 pm

Indian Treaty Room

Old Executive Office Building

Please pass this on to other FOCs we may have inadvertently skipped and delete this message when you no longer need it.

Message Sent

- To: \_\_\_\_\_
- Antony J. Blinken/NSC/EOP
  - Glyn T. Davies/NSC/EOP
  - Matt Gobush/NSC/EOP
  - Brenda I. Hilliard/NSC/EOP
  - Lindsey E. Huff/NSC/EOP
  - LEAVY\_D @ A1@CD@VAXGTWY @ EOP
  - Brian A. Barreto/OPD/EOP
  - Lael Brainard/OPD/EOP
  - Thomas L. Freedman/OPD/EOP
  - Melissa G. Green/OPD/EOP
  - Elena Kagan/OPD/EOP
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-MAY-1999 09:41:23.00

SUBJECT: Re: Racial Profiling

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

READ:UNKNOWN

TEXT:

what did he say?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 19:44:43.00

SUBJECT: Re: Does either of you know how many vetoes President has cast on "partial-birth

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

READ:UNKNOWN

TEXT:

I think two.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-MAY-1999 08:01:25.00

SUBJECT: Re: Draft potus memo

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

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

TEXT:

you're far too nice.

----- Forwarded by Elena Kagan/OPD/EOP on 05/26/99 08:04  
AM -----

Todd Stern  
05/25/99 08:10:00 PM  
Record Type: Record

To: "Christopher Edley, Jr." <edley @ law.harvard.edu>  
cc: See the distribution list at the bottom of this message  
Subject: Re: Draft potus memo

1. I will edit the graphs on the Compact to make clear that you're talking about a challenge grant rather than a block grant. I have circulated the new chapter to Bruce, Elena and Mike, but my guess is that they will still be concerned about the "undermining" point and still believe that our ESEA proposals aren't prominent enough. Assuming that's the case, I will leave in a slightly modified version of the Compact graphs (fixing "challenge," the funding stream point, etc.)

2. On social promotion, I think you're right and that this point in my memo should probabaly come out.

3. On high standards, I think the draft creates some ambiguity and that this is likely what DPC has reacted to. Indeed, when I first read your section on resource equity, I wasn't entirely sure whether you intended the use of standards and tests to be contingent on some greater equalizing of resources. I get it now, but I wasn't sure when I first read the text.

The embrace of standards in the draft seems grudging. To begin with, it is folded into the section on resource inequities rather than being put in its more natural place, in the "High Expectations and Accountability." Second, the tone is -- "standards and tests can be important but don't forget about inequality in resources" -- rather than a fuller, warmer embrace of the standards movement and why the President thinks it's so important, followed by a strong statement about what we need to do to promote greater resource equity.

I actually think this sort of thing ought to be fixable without presenting the issue to the President, but so far you and Terry have been reluctant to make the change. So that's where we are.

4. I think your puzzlement on the economic point is entirely fair. The problem is that I have been trying to convey something without having anything in writing. Why don't we say that I'll delete this graph if I

don't get anything in writing from NEC. If I do get something, I'll put in a clearer paragraph or not, as their submission dictates.

5. On racial profiling, I'll edit to indicate your preference for a flat ban. Let me include here the text of an email from Chuck that you might not have seen:

"Having spent a few days trying to draft an appropriate introduction to the Executive Order, I discussed with Maria on Friday what I hope will be the solution to the problem. Early in the week, Eric Holder is meeting with INS to determine whether there is any real need for the "INS exception" to an absolute ban on racial profiling. Assuming that the answer is "no," we should then be able to stake out for the President the same firm position already publicly adopted by the Vice President and the Attorney General."

Am I right that you would oppose a data collection EO even with a firm opening statement similar to the VP's? Or would such a statement at the opening of a data collection Order resolve the matter for you? I assume it wouldn't, but I want to check before indicating to the President that there is still a dispute.

Of course, I will circulate a new draft of the memo as soon as I have one ready. Thanks for your continuing effort on this. tds

Message Copied

To:

---

James T. Edmonds/WHO/EOP  
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# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
004. email	Elena Kagan to Sarah Wilson et al. Subject: President Clinton Nominates Charles R. Wilson, William Joseph Haynes, Jr. [partial] (1 page)	05/27/1999	P6/b(6)

### COLLECTION:

Clinton Presidential Records  
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WHO ([From Elena Kagan])  
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### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

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wr69

### RESTRICTION CODES

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- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

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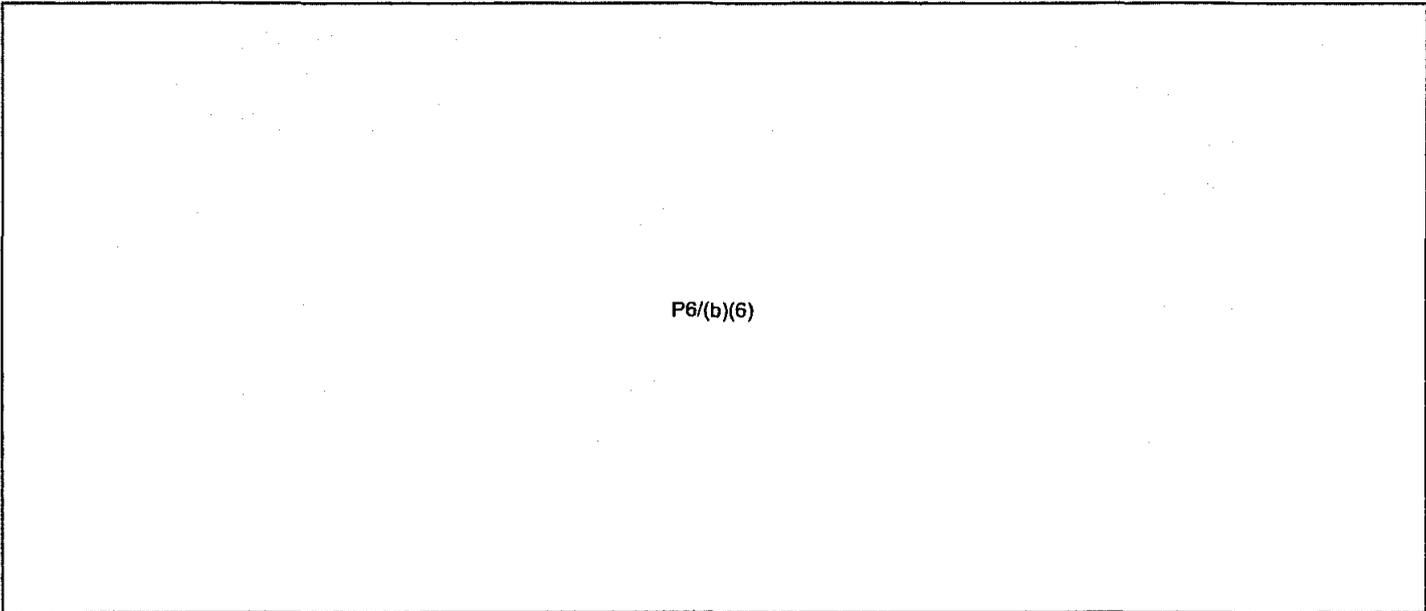
RR. Document will be reviewed upon request.

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

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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
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- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

[004]



P6/(b)(6)

Jason H. Schechter  
05/27/99 02:41:41 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: President Clinton Nominates Charles R. Wilson, William Joseph Haynes, Jr., Patricia A. Coan, Fredric D. Woocher, Dolly M. Gee, and Victor Marrero to the Federal Bench

THE WHITE HOUSE

Office of the Press Secretary  
(Yulee, Florida)

For

Immediate  
Release  
1999

May 27,

PRESIDENT CLINTON NOMINATES CHARLES R. WILSON, WILLIAM JOSEPH HAYNES, JR., PATRICIA A. COAN, FREDRIC D. WOOCHEER, DOLLY M. GEE, AND VICTOR MARRERO TO THE FEDERAL BENCH

The President today nominated Charles R. Wilson to the U.S. Court of Appeals for the Eleventh Circuit of Florida, William Joseph Haynes, Jr. to the U.S. District Court for the Middle District of Tennessee, Patricia A. Coan to the U.S. District Court for the District of Colorado, Fredric D. Woocher and Dolly M. Gee to the U.S. District Court for the Central District of California, and Victor Marrero to the U.S. District Court for the Southern District of New York.

Mr. Charles R. Wilson, of Tampa, Florida, has served as United States Attorney for the Middle District of Florida since 1994. Shortly after graduating from law school, Mr. Wilson served as a law clerk for Judge Joseph W. Hatchett, who had recently integrated what was then the Fifth

(and is now the Eleventh) Circuit. After his clerkship with Judge Hatchett, Mr. Wilson worked briefly for the Hillsborough County Attorney's Office, followed by five years as a solo practitioner. In November 1986, Governor Bob Graham appointed Mr. Wilson to serve as a state county judge. In May 1990, Mr. Wilson was selected to be a United States Magistrate Judge for the Middle District of Florida. Mr. Wilson attended the University of Notre Dame for both college and law school, receiving his B.A. in 1976 and his J.D. in 1979.

Judge William Joseph Haynes, Jr. of Nashville, Tennessee, has served as a United States Magistrate Judge for the Middle District of Tennessee since 1984. Prior to his appointment as a Magistrate Judge, Judge Haynes was a sole practitioner in Nashville, and held several positions in the Tennessee Attorney General's Office, including Deputy Attorney General from 1978-84, Senior Assistant Attorney General from 1977-78, and Assistant Attorney General from 1973-77. In addition, Judge Haynes has been a lecturer in law at Vanderbilt Law School. He received his B.A. in 1970 from the College of St. Thomas and his J.D. in 1973 from Vanderbilt University School of Law.

Judge Patricia A. Coan, of Denver, Colorado, has served as a United States Magistrate Judge for the District of Colorado since 1996. Prior to her appointment as a Magistrate Judge, Judge Coan had been a partner with the law firm Waltz, D'Antuono and Coan from 1995-96, and Coan and Collyar from 1994-95. She was previously a sole practitioner from 1985 to 1994, and again in 1995. Judge Coan was also an associate with Bauer and Buescher from 1983-85, and with Hornbein, MacDonald, Fattor and Buckley from 1981-83. She received her B.S.N. in 1967 from Georgetown University and her J.D. in 1981 from the University of Denver College of Law.

-more-

Mr. Fredric D. Woocher, of Los Angeles, California, has been a partner at the Santa Monica firm of Strumwasser and Woocher since 1991. Following law school, Mr. Woocher clerked for United States Supreme Court Justice William J. Brennan, Jr. from 1979-80, and Chief Judge David L. Bazelon of the United States Court of Appeals for the District of Columbia from 1978-79. He received his B.A. in 1972 from Yale University, his M.A. in 1975 from Stanford University, his Ph.D. in 1977 from Stanford University, and his J.D. in 1978 from Stanford Law School.

Ms. Dolly M. Gee, of Los Angeles, California, is a partner at the Los Angeles firm of Schwartz, Steinsapir, Dohrmann & Sommers. Ms. Gee was appointed by the President to serve on the Federal Service Impasses Panel from 1994-99. Ms. Gee clerked for the Honorable Milton L. Schwartz of the U.S. District Court for the Eastern District of California from 1984-86. Ms. Gee graduated from the University of California at Los Angeles in 1981 and UCLA School of Law in 1984.

Mr. Victor Marrero, of New York City, New York, currently serves as Ambassador, Permanent Representative of the United States to the Organization of American States (OAS), and previously served as Ambassador, United States Representative on the Economic and Social Council of the United Nations from 1993-97. Mr. Marrero practiced real estate law as a partner in two New York firms: Brown & Wood from 1986-93, and Tufo & Zuccotti from 1982-85. Mr. Marrero has served in a number of state and federal government positions, including Undersecretary at the U.S. Department of Housing and Urban Development from 1979-81, Commissioner of the New York State Division of Housing & Community Renewal from 1978-79, Chairman of the New York City Planning Commission from 1976-77, First Assistant Counsel to the Governor of New York from 1975-76, Special Counsel to the Comptroller of the City of New York from 1974-75, and Assistant to the Mayor from 1968-70. Marrero has been an adjunct or

visiting lecturer in law at Columbia from 1990-93 and Yale Law Schools from 1985-87. Born in Puerto Rico, Mr. Marrero received a B.A. from New York University in 1964 and an LL.B. from Yale Law School in 1968.

30-30-30

Message Sent

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Setti D. Warren/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1999 11:10:49.00

SUBJECT: Re: FTC Letter

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

TEXT:

I think we sent this down to you on friday afternoon

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1999 11:34:49.00

SUBJECT: Re: FTC Letter

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

TEXT:

You and Neera seem to disagree on this. I'd appreciate it if you'd check in with her.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-MAY-1999 10:47:28.00

SUBJECT: FTC Letter

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

TEXT:

don't they have this already???

----- Forwarded by Elena Kagan/OPD/EOP on 05/31/99 10:51  
AM -----

David R. Goodfriend  
05/31/99 09:30:37 AM  
Record Type: Record

To: Elena Kagan/OPD/EOP  
cc:  
Subject: FTC Letter

Elena--

On the outside chance that you're checking your e-mail this fine Memorial Day, I want to make sure we get the FTC letter as soon as possible. The event is tomorrow at 11:30; if you want the letter to be ready by then, we need to get it soon.

I'll page you later today if I don't hear from you.

--David



**FY 2000 Tobacco Proposals**  
**June 7, 1999 – DRAFT 9:30am**

Below are several approaches that would reduce youth smoking and raise revenue for health-related programs in FY 2000. All estimates are preliminary. Either an industry payment or a company payment based on the number of children smoking could raise close to \$4 billion. Adding an acceleration of the scheduled increase in the tobacco excise tax to either payment could raise another \$1.1 billion.

**Industry and Company Payments**

Industry Payments

Each tobacco company would pay a per-child payment based on the number of children smoking nationwide (regardless of brands smoked).

- A one-time payment of \$1,200 per kid raises about \$4.4 billion in payment payments, less about \$600 million in lost excise tax revenues, for a net revenue effect of \$3.8 billion. This payment amounts to 22 cents per pack; because such payments would be nondeductible for the companies, prices would go up by 33 cents per pack.
- A one-time payment of \$900 per kid raises about \$3.4 billion, less about \$500 million in lost excise tax revenues, for a net effect of \$2.9 billion. This translates into 17 cents per pack in payment, and a 26-cent increase in retail prices.

Company Payments

Each tobacco company would pay a per-child payment based on the number of children smoking its brands of cigarettes nationwide.

- A one-time payment of \$1,000 per kid raises about \$3.8 billion, translating into 19 cents per pack payment.
- A one-time payment of \$750 per kid raises about \$2.9 billion, and translates into 15 cents per pack in payment.

Both options would use data gathered by the newly expanded SAMSHA survey, which collects both brand-specific and overall data about smoking among youth. [check data availability]

**Acceleration of Excise Tax Increase**

The 1997 Balanced Budget Act raised the tobacco excise tax 10 cents per pack effective January 1, 2000 and another 5 cents effective January 1, 2002. Accelerating the scheduled 15 cent tobacco tax increase, so that it takes effect in FY2000, would add about \$1.1 billion in FY 2000. The increase would be slightly less if coupled with the industry payment, rather than the company payment, because the industry payment would increase cigarette higher, reducing cigarette consumption and the revenue raised by the higher excise tax.



**Tobacco Technical Assistance**  
**June 8, 1999**

Below are several approaches that would reduce youth smoking and raise revenue for health-related programs in FY 2000. All estimates are preliminary.

**Payments Per Child Smoker**

Tobacco companies would pay per-child payments based on the number of children smoking nationwide. Alternatives include:

- A one-time payment of \$1,200 per child raises about \$4.4 billion in FY 2000, less about \$600 million in lost excise tax revenues, for a net revenue effect of \$3.8 billion. This payment amounts to 22 cents per pack; because such payments would be nondeductible for the companies, retail prices would go up by 33 cents per pack.
- A one-time payment of \$900 per child raises about \$3.4 billion in FY 2000, less about \$500 million in lost excise tax revenues, for a net effect of \$2.9 billion. This translates into 17 cents per pack in payment, and a 26-cent increase in retail prices.

**Acceleration of Excise Tax Increase**

The 1997 Balanced Budget Act raised the tobacco excise tax 10 cents per pack effective January 1, 2000 and another 5 cents effective January 1, 2002. Accelerating the scheduled 15 cent tobacco tax increase, so that it takes effect in FY 2000, would add about \$1.1 billion in FY 2000. (The revenue would be slightly less if coupled with the industry payment because the payment would increase cigarette prices, reducing cigarette consumption as well as the revenue raised by the accelerated excise tax.) This proposal was included in the Administration's FY 2000 budget.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
005. email	Elena Kagan to Steven Reich et al. Subject: [blank] (1 page)	06/11/1999	P2

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F  
wr69

### RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006a. email	Elena Kagan to Sarah Wilson et al. Subject: new senate form. (1 page)	06/11/1999	P2, P5, P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F  
wr69

### 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]
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RR. Document will be reviewed upon request.

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

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
006b. email attachment	Biographical Information. (35 pages)	06/11/1999	P2, P5, P6/b(6)

### COLLECTION:

Clinton Presidential Records  
Automated Records Management System [Email]  
WHO ([From Elena Kagan])  
OA/Box Number: 500000

### FOLDER TITLE:

[05/19/1999 - 06/11/1999]

2009-1006-F  
wr69

### 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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