

# Withdrawal/Redaction Sheet

## Clinton Library

| DOCUMENT NO.<br>AND TYPE | SUBJECT/TITLE                                                                        | DATE       | RESTRICTION |
|--------------------------|--------------------------------------------------------------------------------------|------------|-------------|
| 001. memo                | Bill Galston to President Clinton. Subject: Nomination of Lani Guinier (4 pages)     | 06/01/1993 | P5          |
| 002. list                | re: List of potential civil rights nominees (1 page)                                 | n.d.       | P2, P6/b(6) |
| 003. letter              | Peter Edelman to Bernard Nussbaum. Subject: Potential civil rights nominees (1 page) | 06/03/1993 | P2, P6/b(6) |
| 004. letter              | Peter Edelman to Bernard Nussbaum. Subject: Potential civil rights nominees (1 page) | 06/03/1993 | P2, P6/b(6) |
| 005. letter              | Peter Edelman to Bernard Nussbaum. Subject: Nomination of Lani Guinier (1 page)      | 06/02/1993 | P5          |
| 006. letter              | Address (Partial) (1 page)                                                           | 06/03/1993 | P6/b(6)     |

### COLLECTION:

Clinton Presidential Records  
Counsel's Office

OA/Box Number: 14469

### FOLDER TITLE:

[Lani Guinier] [loose]

Jamie Metrailler

2010-0448-F

jm450

### 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]



DEPARTMENT OF HEALTH & HUMAN SERVICES

Office of the Secretary

Washington, D.C. 20201

June 2, 1993

Bernard Nussbaum  
Assistant to the President  
and Counsel  
The White House  
Washington, D.C. 20500

Dear Bernie:

I am hearing that there will be a terrific backlash in the black community if Lani's nomination is pulled now. As I said to you the other day, she has to have the chance to make her case. This is particularly true because the perception is that she was muzzled for two key weeks while momentum developed against her. I don't have to tell you, the President is between a rock and a hard place here. At the very least he will avoid a backlash from African-Americans if he does not act precipitously.

I am told that while a number of Senators prefer not to vote, they will support Lani. It may even be that the issue will be much less troublesome once she speaks publicly. I am told that a number of Senators have been impressed in private meetings.

Sincerely,

A handwritten signature in cursive script, appearing to read "Peter", is written above the typed name.

Peter B. Edelman  
Counselor to the Secretary

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|--------------------------|---------------------------------------------------------------------------------------------|------------|-------------|
| 001. memo                | Bill Galston to President Clinton. Subject: Abortion related issues (Annotations) (6 pages) | 05/20/1993 | P5          |
| 002. note                | Phone No. (Partial) (1 page)                                                                | n.d.       | P6/b(6)     |
| 003. notes               | re: Views and nomination of Lani Guinier (2 pages)                                          | 05/22/1993 | P5          |

### COLLECTION:

Clinton Presidential Records  
Scheduling Office  
Ricki Seidman  
OA/Box Number: 6065

### FOLDER TITLE:

Lani Guinier [Folder 2] [2]

Jamie Metrailler

2010-0448-F

jm452

### RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
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CLINTON LIBRARY PHOTOCOPY

Wade, Elaine,  
Carolyn, Nancy  
Melanne

5/22

LANI

SUBSTANCE

Cumulative voting  
minority veto  
authentic black  
rejection of majority rule

Proportionate interest  
representation

Cumulative  
voting

Lani looks at local gov't where there have been  
violations  
some of what she has discussed has been adopted  
isolating 2 articles out of the total context  
of what she's done

She will use it the way Republican Administrations  
have used it

Lani's view on minority districts tracks  
John Lewis and Craig Washington

minority  
veto

Mobile v. Bolden  
just like a filibuster

authentic  
black  
representation

needs to be described as anti-polarization

rejection of  
majority  
rule

characterize as theoretical  
electoral college  
BACK OFF

Pam Carlin  
Gini Coleman  
Gini Blackshen  
Sam Azakenov  
Renda Hair  
Dayna Cunningham  
Rob McDuff  
Armand Durfner  
Laughlin McDonald  
Leslie Winters - Charlotte

① each issue - one pages - Elaine

Biden  
Leahy  
DeCon  
Kohl  
Feinstein

→ Kennedy - 1st thing Tuesday

line her up w/ people seen as centrists  
Reno → \* Bill Coleman - get an Administration call  
1) needs a briefing  
2) Reno calls

Metzgerbaum

Bennie