

NLWJC - Kagan

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**Education - Standards: Legislative
[2]**

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. resume	Address, Phone No., DOB (Partial) (1 page)	08/07/1997	P6/b(6)

COLLECTION:

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Domestic Policy Council
Elena Kagan
OA/Box Number: 14361

FOLDER TITLE:

Education - Standards: Legislative [2]

2009-1006-F

ke669

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]

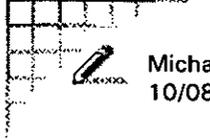
C. Closed in accordance with restrictions contained in donor's deed of gift.

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]



Michael Cohen
10/08/97 10:32:19 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: Elena Kagan/OPD/EOP
Subject: Possible test compromise option

What do you think of the following as a way to build on the separate compromises Porter and Obey have each floated:

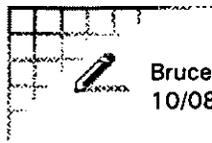
1. NAGB is in charge of the test and we get the \$ for development
2. Can't administer the test unless we get following % of kids participating:
 - FY 99 --25% minimum, and 50% maximum
 - FY2000- 33% minimum, and 60% maximum
 - FY2001-51% minimum, and no maximum

(If we need to call 99 and 2000 "national field tests" we can.

3. One year authorization of appropriation for FY99 of no more than \$45 million (50% participation level) for test administration

4. After that, test administration is an allowable use of Chapter II (education block grant) funds. We won't seek additional funds for implementation.

This approach gives us all the authorization we need to proceed with development and implementation; preserves our pledge to pay for 1st year of implementation; gives Porter some version of his proposed compromise that we not implement until we get half the country signed on for the national test, though enabling us to get there in a few manageable steps; and gives Obey the ability to dump this in Chapter II as he proposed, while scaling back our FY99 request for a separate appropriation in half. And it gives the Republicans the benefit of making it much more difficult for us to keep cutting Chapter II funds, and holds out the promise of turning us into supporters at appropriations time.



Bruce N. Reed
10/08/97 10:50:26 AM

Record Type: Record

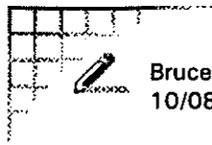
To: Michael Cohen/OPD/EOP

cc: Elena Kagan/OPD/EOP

Subject: Re: Possible test compromise option 

Why is that (one year at 45m, with no new funds beyond that) better than Obey, with a permanent block grant increase of up to 90m (even if it's badly distributed)? If extra \$ to administer the test is such an impediment in your sales pitch, we can get businesses to pick up part of the tab.

I also think a cap is a very bad idea. We can survive a trigger, if it's low enough -- but who's going to tell the President that this test won't be national until 3 mos. after he leaves office? We'll be lucky to get to 60%, of course -- but a cap makes it seem like a demonstration project. Besides, what would you really be capping, if we're not paying for it anyway?



Bruce N. Reed
10/08/97 10:55:15 AM

Record Type: Record

To: Michael Cohen/OPD/EOP

cc: Elena Kagan/OPD/EOP

Subject: Re: Possible test compromise option 

Of course, if the Repubs don't like Obey, then a variant of Porter may be necessary -- so your suggestion is not as bad as I made it sound. But why not just shoot for a simple, lower trigger? I suppose that INSTEAD OF a trigger, we could do a first-year cap at 50% (no trigger), but for 1999 only. But I would want the President's OK for that first.

Diff views of how much trouble were in /
Better in Senate than in House

Feel of Repubs give them buy-in

Repubs: develop test, but no implen. w/out. circumvent - / further acti-
leg on NAAGB or authorizing the test
Parker
Risks

Hispanic: Don't really know their bottom line
Riley to call Becerra - try to find out how they'd
really vote

Steps to nail down ban (over 94%)

- leadership
- Hispanic caucus
- black caucus

Rec.

Approv. release.

1. Pt./chpt - Goodling's attacks + our responses]

2. Planning doc

a. secret intel

but real prob. a heads - not sure of depth

b. fight for #1 init

common

misreach

by components

↓
details of what

all shops are doing.

poss comp. for Repubs.

} Schedule

Riker

NAEP test on 30th

VP in Ishak's

Sept

Sept 8 event

What are targets? ←
business
ways
st ed w/ls/schls
teachers unions
call/letters

Geithner - full page ad // high-tech folks
to run Sept 2.

Educatic - Standards -
Legislation

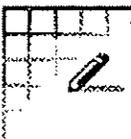
 Michael Cohen
10/08/97 11:16:21 AM

Record Type: Record

To: Elena Kagan/OPD/EOP
cc:
Subject: Re: Possible test compromise option

I forgot to copy you in before I sent this.

----- Forwarded by Michael Cohen/OPD/EOP on 10/08/97 11:16 AM -----

 Michael Cohen
10/08/97 11:14:31 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc:
Subject: Re: Possible test compromise option 

As far as I know, we don't have any commitment from Obey to add \$90 million or any other amount to Chapter II--so getting \$45 million in FY99 (probably more than we will need) is a better deal than Obey's offer. But after the first year, I'm suggesting we take Obey's offer, and if we can get a commitment to additional Chapter II funds from him, so much the better. I just think it's more important to get the first year money 'clearly nailed' down, or we will have a much harder time getting this off the ground.

With regard to the caps, I simply viewed that as something we could give the Republicans without actually giving away much at all, while getting some protection for ourselves if we are unable to scale up very quickly. I'll admit I hadn't considered the timing with respect to the end of the President's term. I take it from your response that you are not volunteering to break the news to the President yourself. I take hints well, so I wouldn't either.

We could handle this in a few ways. One would be to remove the cap after the first year. The main value would be in limiting the effort we'd be asking Obey to commit to in next year's budget, as a way of preserving 1st year funding. In my formulation, this would make the 1999 administration a demonstration or field test, but as long as we get to 51% in the next year we would be implementing national tests. And I suspect that if we don't have half the country by then, the story will be that Clinton didn't get his national tests in place before he left office.

Another would be to try a different approach all together, still trying to keep 1st year money and give us some basis for dealing with Obey and Porter in terms they would recognize based on their own proposals. What about a new line in Chapter II just for the tests--a discretionary grant program to districts signing up to the test. When the % of kids participating reaches a set amount

(50%, 80%???) , then the separate funds just get rolled into the main Chapter II program as Obey would have done originally.

Education -
standards -
legislation

United States Senate

WASHINGTON, DC 20510

September 24, 1997

Subcommittee on Labor-
HHS-Education Appropriations
United States Senate
Washington, DC 20510

Dear Conferees:

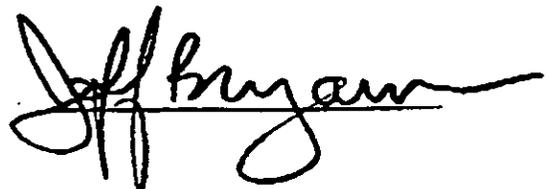
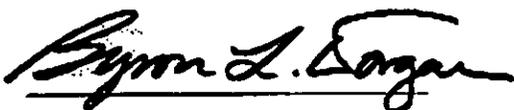
We the undersigned are writing to express our support for the voluntary national testing proposal that was approved by a vote of 87-13 and to inform you of our intention to filibuster the conference report on the FY98 Labor-HHS-Education appropriations bill if it fails to include the compromise testing plan.

The plan on testing that was approved by a vote of 87-13 supports the development of voluntary new reading and math tests for 4th and 8th graders under the control of the independent and bipartisan National Assessment Governing Board. The Board would be authorized to oversee all aspects of the tests being developed, and its membership would be expanded to provide greater independence and a more balanced mix of elected officials, business representatives, and others.

For the first time in our nation's history, this voluntary national testing program would allow parents around the nation to compare the academic performance of their children, their neighborhood schools, and their local district with any other place in the nation. A broad coalition of business and education groups have all expressed their strong support for this new way of measuring academic progress in a uniform manner. While the tests will not be administered until the spring of 1999, 7 states and 15 major school districts have already signed up for the tests.

Without this voluntary new test, parents will lack accurate and comparable information and students in too many schools will not be prepared for the demanding workplaces of the 21st century. We therefore strongly urge you support the bipartisan plan to develop these voluntary new tests in the conference report.

Sincerely,



Gene Baker

Max Baucus

John

Max Cleland

Frank Lautner

Jack Reed

Kent Conrad

John

Walter D. Ford

Philip Roth

Dale Bumpers

Ken Weldon

Tom Carper

Dendell Ford

Alvin

Tom Carper

Tom Carper

Baker A. T. Nicholas

Robert H. Byrd

John F. Kerry

Joe Biden

Paul Sarbanes

Frank R. Lautenberg

Patty Murray

Cory M. Bookchin

Jeff Hollibaugh

R. L. L. L.

Herb Kohl

R. M. Rogers

Ed Kennedy

Russ Feingold

Tom Harkin

Jane Christman

Clude R. R.

D. W. D.

Janet D. P.

A. L. L.

John Glenn

John Braden

Bob Grant

Educ - standards -
Legislative



Michael Cohen
09/25/97 07:19:17 PM

Record Type: Record

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

cc:

Subject: Senate test letter

We now have 42 signatures on the Bingaman letter threatening to filibuster Labor/HHS if it doesn't let the test move forward.

We are still trying to get Byrd, who has not yet responded, and Graham, who has already said no. Riley is very close to Graham; if I can track him down in CA tonight, I will ask him to call Graham. Wellstone also has turned us down; he's a much longer shot, though Riley has done him a couple of very big favors, so I will ask Riley what he thinks about calling Wellstone also.

Rahm is in charge of the timing and nature of the release on this, though in the main we are aiming to get this out on Friday.

As you know, Ashcroft has got 27 signatures--including 14 R's who voted for the Coats amendment and have now gone the other way--on a letter urging the conferees to support Goodling.

I have asked Checker to take some public step in support of the Senate bill--an op-ed, something with Bennet. I also have a call in to Engler for the same.

SEP. 25. 1997 10:19AM

OFFICE OF SECRETARY

NO. 3803 P. 2/2

**UNITED STATES
DEPARTMENT OF EDUCATION****NEWS****FOR RELEASE**
September 25, 1997Contact: Melinda Kitchell Malico
(202) 401-1008**STATEMENT BY U.S. SECRETARY OF EDUCATION RICHARD W. RILEY
on voluntary national test specifications**

The Council of Chief State School Officers and the panel it established have concluded work on recommendations for specifications for national tests in the basic skills of reading and math. I thank them for their hard work on this very important effort.

The Administration has proposed that the independent bipartisan National Assessment Governing Board (NAGB) be in charge of the tests and I am pleased that the Senate voted by a large bipartisan majority to adopt our proposal. I hope and expect that this provision will soon be enacted into law when Congress completes work on the appropriations bill and sends the President a bill he can sign. At that point, NAGB will assume full responsibility for overseeing the development of the voluntary national tests.

NAGB already oversees the widely used and respected National Assessment of Educational Progress (NAEP). The NAEP frameworks were developed through a broad national consensus process and 43 states participate in the NAEP tests. The voluntary national tests will be based on the NAEP content and performance standards and must be fully consistent with NAEP. The voluntary national tests can be thought of as individualized versions of NAEP that, unlike NAEP, will for the first time provide parents, teachers and students with information about how well individual students are doing compared to national standards. It is important that Congress act expeditiously to ensure NAGB's role in overseeing these tests.

Because of its role in overseeing NAEP, NAGB is best suited to ensure comparability between the voluntary national tests and NAEP tests. One issue that NAGB will need to address is the National Test Panel's recommendation that students be permitted to use calculators for the entire eighth-grade mathematics test. NAEP permits calculators to be used on just over a quarter of the exam. In my view, a test of eighth-grade students should measure, as NAEP does, whether students have learned how to do arithmetic accurately without a calculator. But a visit to any good eighth-grade classroom will show students who have moved beyond arithmetic to more advanced topics -- and are using calculators to do work in algebra and geometry, such as finding square roots, exponents and other rigorous work. That is why a test of eighth-grade students should also measure, as NAEP does, whether students can do advanced mathematics using calculators as a tool.

In order to ensure that test development does not proceed before NAGB assumes its new role, I will not forward the test panel's recommended specifications to the test contractor at this time. When NAGB assumes its new role, I will urge them to take the steps necessary to ensure that the specifications for the national tests are fully consistent with those for NAEP. NAGB will be responsible for the final specifications that will guide the selection of test items. The contractor will discontinue development of test items until NAGB has approved test specifications.

THE WHITE HOUSE
WASHINGTON

September 19, 1997

MEMORANDUM FOR ERSKINE BOWLES

FROM: BRUCE REED
MIKE COHEN

SUBJECT: CONFERENCE STRATEGY FOR NATIONAL TESTS

White House and Education Department staff met this week to develop a conference strategy for the national testing initiative. This memo outlines our basic approach.

I. Basic Objectives

We must come out of the conference with a bill that provides both the authority and the funds to proceed with the testing initiative, and with the tests under the control of an independent National Assessment Governing Board. The Senate bill provides the NAGB provisions we need. However, neither bill provides the funds. The Gorton block-grant amendment in the Senate eliminated the funds for the Fund for Improving Education (the account from which test development is funded), while the Goodling amendment prohibits the use of any funds for test development.

At the same time we should keep working to assemble a veto-proof margin of support for these provisions in the House. This requires picking up 20 votes over the 125 who initially opposed Goodling. In addition, in order to put the testing plan on firmer footing over the long haul, we will aim generally to secure broader support within the Democratic Caucus and among moderate Republicans in the House.

II. Timing

The conferees are likely to be appointed and begin work next week. In addition to the conventional practice of naming the subcommittee chairs, it is conceivable that Goodling will push to be named a conferee as well.

Staff from Legislative Affairs predict that this will be a long conference, with the prospect of one or more short-term CR's that will carry us through to mid-October before likely completion.

The testing issue will be one of the most difficult conference issues, along with the Gorton amendment and funding levels for several specific programs including Goals 2000, Pell, and

America Reads. Outside of education, it appears that the Teamsters election will also be a difficult issue. At this point, it is too early to determine the likely interplay among these issues, the tradeoffs we may be forced to consider among them, or additional modifications to the testing initiative itself that we will need to consider. As we continue to consult with our current and most likely supporters in the House, we will clarify what our options are likely to be.

III. Communications

Our best strategy for achieving victory is to convince the Republicans that they will pay a heavy price, again, for opposing our efforts to improve public education.

Therefore, we will work to tie the House vote on testing, the Senate block grant vote, and the anticipated DC voucher proposals together to support an overall message that the President is trying to improve public education, while Republicans are once again trying to abandon and weaken it.

We have several key opportunities to begin to hammer the message home over the next several weeks, starting with this Saturday's radio address and Charter Schools event. The Education Department is planning a press conference for Secretary Riley next week to amplify this message, and we are working with the Vice President's office to develop events that would enable him to carry this message as well. In addition, we will look for additional events for the President and other principals in the next several weeks.

The Education Department will continue its efforts to speak to editorial boards around the country, now targeting key editorial boards in the states and districts of conferees.

We will again urge business leaders -- CEO's affiliated with the Business Roundtable, the Chamber of Commerce, and the National Alliance of Business, as well as the high tech CEO's who endorsed the President's plan last Spring -- to place op-eds in support of the tests and to seek other opportunities to visibly highlight their support. In addition, we will ask supportive Republican opinion leaders (e.g., Finn, Ravitch, Engler) to place op-eds. Both groups can be particularly helpful in framing the Senate provision as a compromise House Republicans can and should accept.

IV. Legislative

White House and Education Department staff, as well as Secretary Riley, will work with our friends in the House to determine how best to broaden our support on both sides of the aisle. On the Republican side, Porter, Riggs and Castle are most likely to assemble moderate support behind the Senate provisions, though it is not yet clear how they will deal with Goodling, who remains dug in. We expect our business supporters to reach out to both the House Republican leadership and targeted members who are most likely to be supportive.

On the Democratic side, we will continue to work to address concerns of the Black and Hispanic Caucuses. Secretary Riley will meet next week with Reps. Harold Ford Jr., Al Wynn and Chaka Fattah, the three members of the Black Caucus who voted against Goodling, to seek their advice on how we can best approach others in the Caucus. Right now, we believe the primary issue for

the CBC is school construction. If it becomes clear that the support of the Black Caucus for the tests can be gained only by committing to a school construction initiative, we would recommend serious consideration of this, outside our normal budget process. In this case, the best move we can make on this front in the short-term would be to support the Daschle/Gephardt proposal.

We will continue to look for steps we can take to reduce the concerns of the Hispanic Caucus. As you know, the central issue here is our decision to give the reading test only in English. We are exploring a number of ways to address this. One would identify existing, commercially available reading tests in Spanish that are based on the same national standards as our reading test, and would therefore be highly comparable. We are addressing a number of feasibility issues before we will be ready to discuss this option with the caucus and others in the Hispanic community. This option may not be acceptable to the Hispanic Caucus. However, it would not require Congressional approval, and therefore could not be easily blocked by Republicans. In addition, we can offer one of the new slots on NAGB to an Hispanic mayor. Further, we are working to develop some legislative options (e.g., to explicitly provide for the tests, to permit NAGB to decide whether to provide them) and to determine whether any could be acceptable to the Hispanic Caucus without losing Republican support or precipitating an effort to add language in conference that would prohibit a Spanish language test.

V. Outreach

In addition to the steps above, we will work with our allies in the education and business communities to continue to support the President's initiatives, oppose amendments that stop them, and mobilize behind our overall message to support public education.

Education - standards -
Legislation

Draft 2

STATEMENT BY THE PRESIDENT

House vote on Goodling Amendment to stop voluntary national tests

I am disappointed the House of Representatives vote^d tonight to block my proposal for voluntary national tests in the basic skills. These tests will help raise expectations for our students, provide clear standards of achievement in 4th grade reading and 8th grade math, and give parents the tools they need to measure the progress their children are making. They will help our students learn and our schools continue to improve.

~~Yet~~ the House of Representatives tonight cast a vote for the status quo and against better schools. The same old forces that have resisted education reform over the past decade came together to defeat high national standards in the basics. They have voted against a plan to improve our schools by raising standards, empowering parents and increasing accountability.

The House vote is unacceptable. Last week, by a bipartisan vote of 87-13, the Senate endorsed my plan for voluntary national tests to help students master the basics, and embraced my proposal to place them under the control of the independent, bipartisan National Assessment Governing Board. My Administration will work hard to make sure that the final legislation reflects the bipartisan support in the Senate and the broad support of the American people.

Senate Bipartisan Agreement in Support of the President's Voluntary National Testing Initiative

- Today, President Clinton's proposal to set high national standards and test students in 4th grade reading and 8th grade math gained the strong, bipartisan support of the Senate. This helps to insure that parents, teachers, students and communities will receive high quality information on whether students are reaching high standards, allowing us to hold schools accountable and get extra help to those students who need it.
- The bipartisan agreement reached today adopts the President's proposal to give authority for the Voluntary National Tests to the bipartisan, independent National Assessment Governing Board (NAGB). NAGB currently oversees the National Assessment of Educational Progress, which tests a nationwide sample of students.
- The agreement also makes NAGB more independent, helping to insure that the National Tests will be free from politics in the years ahead.
- Under the agreement, NAGB will gain an additional Governor from the other party, as well as adding Mayors and additional businesspeople. The Board will continue to have strong representation of teachers, principals, school board members and other educators.
- We are delighted that we will be able to move forward without further delay on the President's plan, first announced in his State of the Union address this year.

Overview:

House Vote 398 ** HR2264. Fiscal 1998 Labor-HHS Appropriations - National Education Testing. Goodling, R-Pa., amendment to prohibit the use of any appropriated funds for the development of national reading tests for fourth graders and national math tests for eight graders. Adopted 295-125: R 220-3; D 75-121 (ND 47-97, SD 28-24); I 0-1, Sept. 16, 1997.

Date: (09/16/1997)

Positions:

Abercrombie, Neil (D-HI)	Y	Klug, Scott L. (R-WI)	Y
Ackerman, Gary L. (D-NY)	N	Knollenberg, Joe (R-MI)	Y
Aderholt, Robert B. (R-AL)	Y	Kolbe, Jim (R-AZ)	Y
Allen, Tom (D-ME)	N	Kucinich, Dennis J. (D-OH)	N
Andrews, Robert E. (D-NJ)	N	LaFalce, John J. (D-NY)	N
Archer, Bill (R-TX)	Y	LaHood, Ray (R-IL)	Y
Armoy, Dick (R-TX)	Y	LaTourette, Steven C. (R-OH)	Y
Bachus, Spencer (R-AL)	Y	Lampson, Nick (D-TX)	N
Baesler, Scotty (D-KY)	N	Lantos, Tom (D-CA)	N
Baker, Richard H. (R-LA)	Y	Largent, Steve (R-OK)	Y
Baldacci, John (D-ME)	N	Latham, Tom (R-IA)	Y
Ballenger, Cass (R-NC)	Y	Lazio, Rick A. (R-NY)	Y
Barcia, James A. (D-MI)	Y	Leach, Jim (R-IA)	Y
Bart, Bob (R-GA)	Y	Levin, Sander M. (D-MI)	N
Barrett, Bill (R-NE)	Y	Lewis, Jerry (R-CA)	Y
Barrett, Thomas M. (D-WI)	N	Lewis, John (D-GA)	Y
Bartlett, Roscoe G. (R-MD)	Y	Lewis, Ron (R-KY)	Y
Barton, Joe L. (R-TX)	Y	Linder, John (R-GA)	Y
Bass, Charles (R-NH)	Y	Lipinski, William O. (D-IL)	Y
Bateman, Herbert H. (R-VA)	Y	Livingston, Robert L. (R-LA)	Y
Becerra, Xavier (D-CA)	?	LoBiondo, Frank A. (R-NJ)	Y
Bentsen, Ken (D-TX)	N	Lofgren, Zoe (D-CA)	N
Bereuter, Doug (R-NE)	Y	Lowey, Nita M. (D-NY)	N
Berman, Howard L. (D-CA)	N	Lucas, Frank D. (R-OK)	Y
Berry, Marion (D-AR)	N	Luther, William P. "Bill" (D-MN)	N
Bilbray, Brian P. (R-CA)	Y	Maloney, Carolyn B. (D-NY)	N
Bilirakis, Michael (R-FL)	Y	Maloney, Jim (D-CT)	N
Bishop, Sanford D. Jr. (D-GA)	Y	Manton, Thomas J. (D-NY)	Y
Blagojevich, Rod R. (D-IL)	N	Manzullo, Donald (R-IL)	Y
Bliley, Thomas J. Jr. (R-VA)	Y	Markey, Edward J. (D-MA)	N
Blumenauer, Earl (D-OR)	N	Martinez, Matthew G. (D-CA)	?
Blunt, Roy (R-MO)	Y	Mascara, Frank R. (D-PA)	N
Boehlert, Sherwood (R-NY)	Y	Matsui, Robert T. (D-CA)	Y
Boehner, John A. (R-OH)	Y	McCarthy, Carolyn (D-NY)	N

Bonilla, Henry (R-TX)	Y	McCarthy, Karen (D-MO)	N
Bonior, David B. (D-MI)	Y	McCollum, Bill (R-FL)	Y
Bono, Sonny (R-CA)	Y	McCrery, Jim (R-LA)	Y
Borski, Robert A. (D-PA)	N	McDade, Joseph M. (R-PA)	Y
Boswell, Leonard L. (D-IA)	N	McDermott, Jim (D-WA)	N
Boucher, Riek (D-VA)	N	McGovern, Jim (D-MA)	N
Boyd, Allen (D-FL)	Y	McHale, Paul (D-PA)	N
Brady, Kevin (R-TX)	Y	McHugh, John M. (R-NY)	Y
Brown, Corrine (D-FL)	Y	McInnis, Scott (R-CO)	Y
Brown, George E. Jr. (D-CA)	N	McIntosh, David M. (R-IN)	Y
Brown, Sherrod (D-OH)	N	McIntyre, Mike (D-NC)	N
Bryant, Ed (R-TN)	Y	McKeon, Howard P. "Buck" (R-CA)	Y
Bunning, Jim (R-KY)	Y	McKinney, Cynthia A. (D-GA)	Y
Burr, Richard M. (R-NC)	Y	McNulty, Michael R. (D-NY)	N
Burton, Dan (R-IN)	Y	Meehan, Martin T. (D-MA)	N
Buyer, Steve (R-IN)	Y	Meek, Carrie P. (D-FL)	Y
Callahan, Sonny (R-AL)	Y	Menendez, Robert (D-NJ)	Y
Calvert, Ken (R-CA)	Y	Metcalf, Jack (R-WA)	Y
Camp, Dave (R-MI)	Y	Mica, John L. (R-FL)	Y
Campbell, Tom (R-CA)	Y	Millender-McDonald, Juanita (D-CA)	Y
Canady, Charles T. (R-FL)	Y	Miller, Dan (R-FL)	Y
Cannon, Christopher B. (R-UT)	Y	Miller, George (D-CA)	N
Capps, Walter Holden (D-CA)	N	Minge, David (D-MN)	N
Cardin, Benjamin L. (D-MD)	N	Mink, Patsy T. (D-HI)	Y
Carson, Julia (D-IN)	Y	Moakley, Joe (D-MA)	N
Castle, Michael N. (R-DE)	Y	Mollohan, Alan B. (D-WV)	Y
Chabot, Steve (R-OH)	Y	Moran, James P. (D-VA)	N
Chambliss, Saxby (R-GA)	Y	Moran, Jerry (R-KS)	Y
Chenoweth, Helen (R-ID)	Y	Morelia, Constance A. (R-MD)	Y
Christensen, Jon (R-NE)	Y	Murtha, John P. (D-PA)	Y
Clay, William L. (D-MO)	Y	Myrick, Sue (R-NC)	Y
Clayton, Eva (D-NC)	Y	Nadler, Jerrold (D-NY)	N
Clement, Bob (D-TN)	N	Neal, Richard E. (D-MA)	N
Clyburn, James E. (D-SC)	Y	Nethercutt, George (R-WA)	Y
Coble, Howard (R-NC)	Y	Neumann, Mark W. (R-WI)	Y
Coburn, Tom (R-OK)	Y	Ney, Bob (R-OH)	Y
Collins, Mac (R-GA)	Y	Northup, Anne M. (R-KY)	Y
Combest, Larry (R-TX)	Y	Norwood, Charlie (R-GA)	Y
Condit, Gary A. (D-CA)	N	Nussle, Jim (R-IA)	Y
Conyers, John Jr. (D-MI)	Y	Oberstar, James L. (D-MN)	N
Cook, Merrill (R-UT)	Y	Obey, David R. (D-WI)	N

Cooksey, John (R-LA)	Y	Olver, John W. (D-MA)	N
Costello, Jerry F. (D-IL)	N	Ortiz, Solomon P. (D-TX)	?
Cox, Christopher (R-CA)	Y	Owens, Major R. (D-NY)	Y
Coyne, William J. (D-PA)	N	Oxley, Michael G. (R-OH)	Y
Cramer, Robert E. "Bud" (D-AL)	N	Packard, Ron (R-CA)	Y
Crane, Philip M. (R-IL)	Y	Pallone, Frank Jr. (D-NJ)	N
Crapo, Michael D. (R-ID)	Y	Pappas, Michael (R-NJ)	Y
Cubin, Barbara (R-WY)	Y	Parker, Mike (R-MS)	Y
Cummings, Elijah E. (D-MD)	Y	Pascrell, Bill Jr. (D-NJ)	N
Cunningham, Randy "Duke" (R-CA)	Y	Pastor, Ed (D-AZ)	Y
Danner, Pat (D-MO)	Y	Paul, Ron (R-TX)	Y
Davis, Danny K. (D-IL)	Y	Paxon, Bill (R-NY)	Y
Davis, Jim (D-FL)	N	Payne, Donald M. (D-NJ)	Y
Davis, Thomas M. III (R-VA)	Y	Pease, Ed (R-IN)	Y
DeFazio, Peter A. (D-OR)	Y	Pelosi, Nancy (D-CA)	?
DeGette, Diana (D-CO)	N	Peterson, Collin C. (D-MN)	Y
DeLauro, Rosa (D-CT)	N	Peterson, John E. (R-PA)	Y
DeLay, Tom (R-TX)	Y	Petri, Tom (R-WI)	Y
Deal, Nathan (R-GA)	Y	Pickering, Charles W. "Chip" Jr. (R-MS)	Y
Delahunt, Bill (D-MA)	N	Pickett, Owen B. (D-VA)	Y
Dellums, Ronald V. (D-CA)	Y	Pitts, Joseph R. (R-PA)	Y
Deutsch, Peter (D-FL)	N	Pombo, Richard W. (R-CA)	Y
Diaz-Balart, Lincoln (R-FL)	Y	Pomeroy, Earl (D-ND)	N
Dickey, Jay (R-AR)	Y	Porter, John Edward (R-IL)	Y
Dicks, Norm (D-WA)	N	Portman, Rob (R-OH)	Y
Dingell, John D. (D-MI)	N	Poshard, Glenn (D-IL)	N
Dixon, Julian C. (D-CA)	Y	Price, David E. (D-NC)	N
Doggett, Lloyd (D-TX)	N	Pryce, Deborah (R-OH)	Y
Dooley, Cal (D-CA)	N	Quinn, Jack (R-NY)	Y
Doolittle, John T. (R-CA)	Y	Radanovich, George P. (R-CA)	Y
Doyle, Mike (D-PA)	Y	Rahall, Nick J. II (D-WV)	N
Dreier, David (R-CA)	Y	Ramstad, Jim (R-MN)	Y
Duncan, John J. "Jimmy" Jr. (R-TN)	Y	Rangel, Charles B. (D-NY)	Y
Dunn, Jennifer (R-WA)	Y	Regula, Ralph (R-OH)	Y
Edwards, Chet (D-TX)	Y	Reyes, Silvestre (D-TX)	Y
Ehlers, Vernon J. (R-MI)	Y	Riggs, Frank (R-CA)	Y
Ehrlich, Robert Jr. (R-MD)	Y	Riley, Bob (R-AL)	Y
Emerson, Jo Ann (R-MO)	Y	Rivers, Lynn (D-MI)	N
Engel, Elliot L. (D-NY)	N	Roemer, Tim (D-IN)	Y
English, Phil (R-PA)	Y	Rogan, James E. (R-CA)	Y
Ensign, John (R-NV)	Y	Rogers, Harold (R-KY)	Y

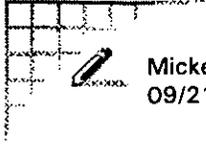
Eshoo, Anna G. (D-CA)	N	Rohrabacher, Dana (R-CA)	Y
Etheridge, Bob (D-NC)	N	Ros-Lehtinen, Ileana (R-FL)	Y
Evans, Lane (D-IL)	Y	Rothman, Steve R. (D-NJ)	N
Everett, Terry (R-AL)	Y	Roukema, Marge (R-NJ)	Y
Ewing, Thomas W. (R-IL)	Y	Roybal-Allard, Lucille (D-CA)	Y
Farr, Sam (D-CA)	N	Royce, Ed (R-CA)	Y
Fattah, Chaka (D-PA)	N	Rush, Bobby L. (D-IL)	Y
Fawell, Harris W. (R-IL)	Y	Ryun, Jim (R-KS)	Y
Fazio, Vic (D-CA)	N	Sabo, Martin Olav (D-MN)	N
Filner, Bob (D-CA)	N	Salmon, Matt (R-AZ)	Y
Flake, Floyd H. (D-NY)	?	Sanchez, Loretta (D-CA)	Y
Foglietta, Thomas M. (D-PA)	N	Sanders, Bernard (I-VT)	N
Foley, Mark (R-FL)	Y	Sandlin, Max (D-TX)	N
Forbes, Michael P. (R-NY)	N	Sanford, Mark (R-SC)	Y
Ford, Harold E. Jr. (D-TN)	N	Sawyer, Tom (D-OH)	N
Fowler, Tillie (R-FL)	Y	Saxton, H. James (R-NJ)	Y
Fox, Jon D. (R-PA)	Y	Scarborough, Joe (R-FL)	Y
Frank, Barney (D-MA)	N	Schaefer, Dan (R-CO)	Y
Franks, Bob (R-NJ)	Y	Schaffer, Bob (R-CO)	Y
Frelinghuysen, Rodney (R-NJ)	Y	Schiff, Steven H. (R-NM)	?
Frost, Martin (D-TX)	N	Schumer, Charles E. (D-NY)	N
Furse, Elizabeth (D-OR)	?	Scott, Robert C. (D-VA)	Y
Galleghy, Elton (R-CA)	Y	Sensenbrenner, F. James Jr. (R-WI)	Y
Ganske, Greg (R-IA)	Y	Serrano, Jose E. (D-NY)	Y
Gejdenson, Sam (D-CT)	N	Sessions, Pete (R-TX)	Y
Gekas, George W. (R-PA)	Y	Shadegg, John (R-AZ)	Y
Gephardt, Richard A. (D-MO)	N	Shaw, E. Clay Jr. (R-FL)	Y
Gibbons, Jim (R-NV)	Y	Shays, Christopher (R-CT)	Y
Gilchrest, Wayne T. (R-MD)	Y	Sherman, Brad (D-CA)	N
Gillmor, Paul E. (R-OH)	Y	Shimkus, John M. (R-IL)	Y
Gilman, Benjamin A. (R-NY)	Y	Shuster, Bud (R-PA)	Y
Gingrich, Newt (R-GA)	S	Sisisky, Norman (D-VA)	Y
Gonzalez, Henry B. (D-TX)	?	Skaggs, David E. (D-CO)	N
Goode, Virgil H. Jr. (D-VA)	Y	Skeen, Joe (R-NM)	Y
Goodlatte, Robert W. (R-VA)	Y	Skelton, Ike (D-MO)	Y
Goodling, Bill (R-PA)	Y	Slaughter, Louise M. (D-NY)	N
Gordon, Bart (D-TN)	N	Smith, Adam (D-WA)	N
Goss, Porter J. (R-FL)	Y	Smith, Bob (R-OR)	?
Graham, Lindsey (R-SC)	Y	Smith, Christopher H. (R-NJ)	Y
Granger, Kay (R-TX)	Y	Smith, Lamar (R-TX)	Y
Green, Gene (D-TX)	Y	Smith, Linda (R-WA)	Y

Greenwood, James C. (R-PA)	Y	Smith, Nick (R-MI)	Y
Gutierrez, Luis V. (D-IL)	Y	Snowbarger, Vince (R-KS)	Y
Gutknecht, Gil (R-MN)	Y	Snyder, Vic (D-AR)	N
Hall, Ralph M. (D-TX)	Y	Solomon, Gerald B.H. (R-NY)	Y
Hall, Tony P. (D-OH)	N	Soudcr, Mark (R-IN)	Y
Hamilton, Lee H. (D-IN)	Y	Spence, Floyd D. (R-SC)	Y
Hansen, James V. (R-UT)	Y	Spratt, John M. Jr. (D-SC)	N
Harman, Jane (D-CA)	N	Stabenow, Debbie (D-MI)	N
Hastert, Dennis (R-IL)	Y	Stark, Pete (D-CA)	N
Hastings, Alcee L. (D-FL)	Y	Stearns, Cliff (R-FL)	Y
Hastings, Richard "Doc" (R-WA)	Y	Stenholm, Charles W. (D-TX)	Y
Hayworth, J.D. (R-AZ)	Y	Stokes, Louis (D-OH)	Y
Hefley, Joel (R-CO)	Y	Strickland, Ted (D-OH)	Y
Hefner, W.G. "Bill" (D-NC)	N	Stump, Bob (R-AZ)	Y
Herger, Wally (R-CA)	Y	Stupak, Bart (D-MI)	N
Hill, Rick (R-MT)	Y	Sununu, John B. (R-NH)	Y
Hilleary, Van (R-TN)	Y	Talent, James M. (R-MO)	Y
Hilliard, Earl F. (D-AL)	Y	Tanner, John (D-TN)	N
Hinchey, Maurice D. (D-NY)	N	Tauscher, Ellen O. (D-CA)	N
Hinojosa, Ruben (D-TX)	?	Tauzin, W.J. "Billy" (R-LA)	Y
Hobson, David L. (R-OH)	Y	Taylor, Charles H. (R-NC)	Y
Hockstra, Peter (R-MI)	Y	Taylor, Gene (D-MS)	Y
Holden, Tim (D-PA)	Y	Thomas, Bill (R-CA)	Y
Hooley, Darlene (D-OR)	N	Thompson, Bennie (D-MS)	Y
Horn, Steve (R-CA)	N	Thornberry, William M. "Mac" (R-TX)	Y
Hostetler, John (R-IN)	Y	Thune, John (R-SD)	Y
Houghton, Arno (R-NY)	Y	Thurman, Karen L. (D-FL)	N
Hoyer, Steny H. (D-MD)	N	Tiahrt, Todd (R-KS)	Y
Hulshof, Kenny (R-MO)	Y	Tierney, John F. (D-MA)	N
Hunter, Duncan (R-CA)	Y	Torres, Esteban E. (D-CA)	?
Hutchinson, Asa (R-AR)	Y	Towns, Edolphus (D-NY)	Y
Hyde, Henry J. (R-IL)	Y	Traficant, James A. Jr. (D-OH)	Y
Inglis, Bob (R-SC)	Y	Turner, Jim (D-TX)	Y
Istook, Ernest (R-OK)	Y	Upton, Fred (R-MI)	Y
Jackson, Jesse Jr. (D-IL)	Y	Velazquez, Nydia M. (D-NY)	Y
Jackson-Lee, Sheila (D-TX)	Y	Vento, Bruce F. (D-MN)	N
Jefferson, William J. (D-LA)	Y	Visclosky, Peter J. (D-IN)	N
Jenkins, Bill (R-TN)	Y	Walsh, James T. (R-NY)	Y
John, Chris (D-LA)	Y	Wamp, Zach (R-TN)	Y
Johnson, Eddie Bernice (D-TX)	Y	Waters, Maxine (D-CA)	Y
Johnson, Jay W. (D-WI)	N	Watkins, Wes (R-OK)	Y

Johnson, Nancy L. (R-CT)	N	Watt, Melvin (D-NC)	Y
Johnson, Sam (R-TX)	Y	Watts, J.C. (R-OK)	Y
Jones, Walter B. Jr. (R-NC)	Y	Waxman, Henry A. (D-CA)	N
Kanjorski, Paul E. (D-PA)	N	Weldon, Curt (R-PA)	Y
Kaptur, Marcy (D-OH)	Y	Weldon, Dave (R-FL)	Y
Kasich, John R. (R-OH)	Y	Weller, Jerry (R-IL)	Y
Kelly, Sue W. (R-NY)	Y	Wexler, Robert (D-FL)	N
Kennedy, Joseph P. II (D-MA)	N	Weygand, Bob (D-RI)	N
Kennedy, Patrick J. (D-RI)	N	White, Rick (R-WA)	Y
Kennelly, Barbara B. (D-CT)	N	Whitfield, Edward (R-KY)	Y
Kildee, Dale E. (D-MI)	N	Wicker, Roger (R-MS)	Y
Kilpatrick, Carolyn Cheeks (D-MI)	Y	Wise, Bob (D-WV)	N
Kim, Jay C. (R-CA)	Y	Wolf, Frank R. (R-VA)	Y
Kind, Ron (D-WI)	N	Woolsey, Lynn (D-CA)	N
King, Peter T. (R-NY)	Y	Wynn, Albert R. (D-MD)	N
Kingston, Jack (R-GA)	Y	Yates, Sidney R. (D-IL)	?
Kleczka, Gerald D. (D-WI)	Y	Young, C.W. Bill (R-FL)	Y
Klink, Ron (D-PA)	Y	Young, Don (R-AK)	?

Vote Result Key

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Mickey Ibarra
09/21/97 11:57:07 AM

Record Type: Record

To: Elena Kagan/OPD/EOP, Michael Cohen/OPD/EOP, Bruce N. Reed/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: Conf Strategy

I just completed reading the Sept. 19 memo to Erskine regarding our Conference Strategy for National Tests. Good job. One additional item I mentioned at our strategy meeting which was not reflected in the memo is the idea of advancing the School Drop-out Bill which will be introduced by Sen. Bingaman and Rep. Hinojosa which the President recognized in his speech last Tuesday night to the CHC. Hinojosa is the education chair of the CHC. Like school construction for the CBC, perhaps this could be a vehicle for additional support for testing. I think it is worth a try.

Message Copied To:

- Sky Gallegos/WHO/EOP
- Emily Bromberg/WHO/EOP
- Maria Echaveste/WHO/EOP
- Erskine B. Bowles/WHO/EOP
- Janet Murguia/WHO/EOP

Education - standards -
legislative issues

Education Standards and Tests
Conference Strategy
9/17

1. Objectives

- Come out of conference with authority and funds to proceed with the testing initiative, and with the tests under the control of an independent NAGB along the lines of the Senate provisions
- Secure a veto-proof margin in both Houses
- Secure broader support for initiative within Democratic Caucus and among moderate Republicans in the House

2. Timing Considerations

- Conferees are likely to be appointed and work begin next week.
 - It is conceivable that Goodling would be appointed to the conference for this issue.
- Legislative affairs predicts that this will be a long conference, and that we are looking at 1-2 CR's to carry us to mid-October
- It is too early to determine the likely shape of the trade-offs -- particularly between the tests and other priorities -- we will need to consider within conference

3. Communications

- Tie the House vote on testing, the Senate block grant vote, and the anticipated DC voucher proposals together to support an overall message that we are trying to improve public education, while Republicans are once again trying to abandon and weaken it.
- Hammer the message home over the next several weeks, starting with:
 - Saturday Radio Address
 - Saturday Charter Schools event
 - Possible VP event on Friday, tied to release of positive Wall Street Journal poll
 - Riley press conference next week
 - Other events as we can schedule them
- Identify key editorial boards, especially in states/districts of conferees, for ED to work
- Urge business leaders and supportive Republican opinion leaders to place op-eds

4. Legislative

- Quietly work to address concerns of Black and Hispanic Caucuses
 - Look for ways to support School Construction, especially Daschle/Gephardt
 - Look for possible compromises with Hispanic Caucus

- Explore if moderate R's (e.g., Castle, Riggs) can coalesce behind Senate approach

5. Outreach

- ED work with education groups to amplify broad message

THE WHITE HOUSE

WASHINGTON

September 5, 1997

9-8-97

copies
Bruce
Reed
Mike C
COS

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED
MIKE COHEN

SUBJECT: UPDATE ON NATIONAL TESTING INITIATIVE

Over the past several days, White House staff, Secretary Riley and Education Department staff have continued to work to build support for our testing program in both the House and Senate. At week's end, here is where we stand.

Senate: Secretary Riley testified Thursday morning before Sen. Specter's Appropriations subcommittee, and appears to have made significant progress. Sen. Specter, Coats, Gregg, Jeffords, Harkin and Kennedy are all involved in negotiations toward a compromise which, if successful, would lead to Coats and Gregg withdrawing their amendments to kill the tests. At present, staff involved in the negotiations report that they are centering on our NAGB proposal, and are cautiously optimistic that a deal will be worked out by Monday evening. We have been pressing them to complete negotiations as rapidly as possible, because we also know that Coats and Gregg are receiving increasing pressure from the far right.

House: We now expect the Goodling amendment to come for a vote on Tuesday at the earliest. Goodling appears to have solid Republican support. As expected, the Hispanic Caucus is supporting Goodling, as are a growing number of members from the Black Caucus. Members of both Caucuses are coming under strong pressure from the civil rights groups to oppose the tests (In addition, many urban school districts that signed up for the tests are now receiving pressure from MALDEF and other Hispanic groups to pull out of the program; so far, we are holding all of the cities, but a handful with large Hispanic populations may well drop the reading test and participate only in the math test.)

Key Steps Next Week: Your event on Monday at the Four Seasons Elementary School in Maryland will provide an important opportunity to make clear to Congress that an appropriations bill that stops your testing proposal will be unacceptable. In addition, Secretary Riley, Rep. Gephardt and Sen. Daschle will hold a press conference on Tuesday morning to express joint support for the testing initiative. This should help to hold Democrats for the House vote. We will continue to press hard for a deal in the Senate. A deal in the Senate, together with a veto threat, should put us in a strong position as we approach the conference.

Call Ed - per veto threat

FILE

Educational - standards -
legislation

TP - from Ed DEPT

Defer

NATIONAL TEST STRATEGY FOR GOODLING AMENDMENT

Riley to
Fazio
Riley to 1st caucus mtg.

Legislative strategy

HOUSE

- **Secure base as much as possible**
 - Calls to leadership by Riley, senior WH staff, POTUS?
 - Riley meetings with Democratic Caucus, Blue Dogs, New Dems
 - Black Caucus -- Andy Blocker setting up meetings and will report on prospects
 - Hispanic Caucus -- memo to POTUS on testing in Spanish
 - Need list of key members to target
- **Peel off Republican moderates from Goodling**
 - Commit to transmit legislation (Riley on Face the Nation, ED press release)
 - ED developing legislation
 - Need a plan to transmit legislation (how quickly? POTUS or ED?)
 - Work Republican opinion leaders (e.g., Ravitch, Finn) and Gov's (Engler)
 - Follow-up re: Bill Bennett (and Jack Kemp?) statements
 - Target Republican prospects (e.g., Castle, Riggs)

Tudy Wintner

Payne/Clay

Herman → Owens.

Riley →
Linnister
(chairs veto)

Path forward unclear.
Linnister/Parker/Clayton

• **Pursue Conference Strategy**

SENATE

- Monitor status -- assess odds of similar amendment on 9/2
- Work with Daschle, Kennedy/Jeffords to develop strategy

Riley → Bennett

Outreach strategy

1. ED Strategy meeting with education and business groups Tuesday afternoon

- Joint statement of support from groups to be circulated to members
- report on Member contacts

2. NAB/BRT

- Have an op-ed from head of DuPont (new education head of BRT) ready to go;
- Have asked for additional op-eds, so we get Post, Times and Journal

3. John Doerr/High Tech CEO's

- considering full page ad in Post, Times or Journal signed by 240+ CEO's
- Republican CEO to contact Republic leadership, urging not to make this a caucus issue
- Will contact a target list of members we give him

4. Governors and Mayors

- work with Andy Blocker and Mickey/Lynn to ensure governors and mayors contact key members

5. African - American and Hispanic Groups

- meetings with NAACP and Urban League (other groups??)
- determine how to reach out to Hispanic groups once final policy decision made

6. Other Groups to Activate???

Labour - CMA

AFT → AFL

Communications Strategy

Principals

- August 30 Radio Address
- September 8 event available
- Event for VPOTUS on Sept. 17. *pg. 1?*

Sept 6th radio address?

Senior Staff

- Senior WH or ED staff talk to columnists???
- Phi Delta Kappa poll results released on Tuesday

6th - school on MV's?

L>

Sept 20 - Bay Area -
(charter schools)

Sept 26 -

Barry Triv - tomorrow -
msg - preview radio address
+ get poll

Back-to-school -

VP -
Romer - on him.

Think about columnists

National Test Strategy Meeting
August 27

1. LEGISLATIVE STRATEGY - Andy / Scott / Mike

House

- **Securing the Base**
 - Riley calls and caucus meetings }
 - Black Caucus }
 - Hispanic Caucus }

• **Republicans**

- Update on NAGB proposal

Legislative - etc.
or ad.
Do NAGB members - other?
Andy clipping this?

Senate

- Likelihood of amendment
- Democratic support
- Key Republicans

2. OUTREACH STRATEGY

- Mike [
- Education Groups
 - Business Community - orgs + hi-tech
 - Governors and Mayors - Lynn
 - African-American and Hispanic Groups - Maria
-]

■ COMMUNICATIONS STRATEGY

- Radio Address - Paul / Michael
- VPOPTUS --9/3 and/or 9/4 - John
- Sept. 8 event

< ~~Do NAGB members - other?~~

Wed / Thurs - strategy

Come back to NAGB question

NATIONAL TEST STRATEGY FOR GOODLING AMENDMENT

Legislative strategy

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Communications Strategy

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- September 8 event available
- Event for VPOTUS on Sept. 2

Senior Staff

- Senior WH or ED staff talk to columnists???
- Phi Delat Kappan poll results released on Tuesday

National Test Outreach List

House

Authorizers

- *Riggs
- Castle
- Greenwood

]

Mike Andy - to call Riggs staff

R → Livingston / Parker //

- *Clay
- *Miller
- *Martinez
- Roemer
- Payne

Greenwood?

Approps

- *Porter
- Livingston

- Stokes
- *Hoyer
- *DeLauro

Senate - AM Riley

Authorizers

- Jeffords
- Collins

Harkin

Appropriators

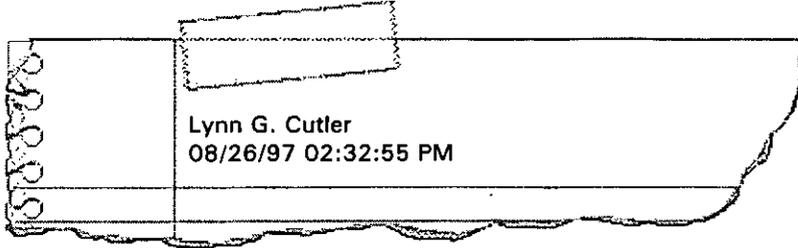
- Specter
- Craig

Brennan
Liebman.

- Hollings
- Inouye

Stevens

Cohen - also to Maine files



Record Type: Record

To: See the distribution list at the bottom of this message
cc: Mickey Ibarra/WHO/EOP
Subject: proposed plan for outreach from IGA on Education Standards

Seattle--Mayor Norm Rice will call Sen. Murray, and wants to be helpful in other ways. We should think about his calling some members of Black Caucus.

Philadelphia--we will ask Mayor Rendell to call Chaka Fattah, Sen. Spector, Sen. Santorum

Atlanta--Mayor Campbell could be helpful with Black Caucus, and Senator Cleland. Don't know if it's worth his making other calls to the two House members from Georgia on the committee and Sen. Coverdell.

Los Angeles--unknown if Mayor Riordan will weigh in on this, but will make the call to him.

Long Beach--Mayor O'Neill is a very enthusiastic supporter, and we'll ask her to call her two Senators and other California members you all decide.

Fresno--Mayor Jim Patterson--need to scope him out.

Omaha--Mayor Hal Daub is a former Republican Congressman, and it's not certain what his level of commitment is on standards, but we'll call him and ask him to talk to his Senators.

Houston--Mayor Lanier will be asked to call both Senators.

San Antonio--Mayor Howard Peak will be asked to call Senators.

El Paso--Mayor Carlos Ramirez--depending on where he is on the standards, he could be extremely helpful with Hispanic Caucus.

Detroit and Michigan--Since we have both the city and the state, we are asking Governor Engler to reach out to Senator Abraham and to the three Republican House committee members. We should think of additional ways to involve Mayor Archer. We will ask him to call Abraham as well, but he could be very helpful with the Caucus, and Dale Kildee.

Cincinnati--We will ask Mayor Qualls to talk to both Sens. Dewine and Glenn.

Chicago--We will ask the Mayor to call Sens. Moseley-Braun and Durbin. It might also be worth asking him to call John Porter.

Broward County Florida--We are calling the Chair of the County Commission, as well as the mayors

of Hollywood and Fort Lauderdale. We'll ask them to call the Senators.

New York City--we need to think through how we approach the mayor (if we do) and what we ask him to do. We believe him to be supportive of the standards.

States:

Michigan--see above

North Carolina--we are asking Gov. Hunt to talk to Cong. Ballenger.

West Virginia--We'll ask the Governor to call his Senators

Kentucky--We'll ask the Governor to call his Senators.

Delaware--We'll ask Gov. Carper to call Cong. Castle.

Indiana--Gov. O'Bannon has expressed interest in the standards. If he is on board with us, we will ask him to talk to Roemer, Souder and McIntosh.

Maryland and Massachusetts--we can ask Govs. to talk to Sens., but will hold on this for now. In addition, Mickey will call Hispanic members of the Committee--he has already talked to Becerra, who is definitely opposed to the tests.

Lynn can call Lynn Woolsey, Dennis Kucinich, Patsy Mink, Dale Kildee, George Miller, and, if needed, Don Payne and Harold Ford, Jr.

Message Sent To:

Elena Kagan/OPD/EOP
Sylvia M. Mathews/WHO/EOP
Ann F. Lewis/WHO/EOP
Paul E. Begala/WHO/EOP
Michael Cohen/OPD/EOP
Ananias Blocker III/WHO/EOP
Maria Echaveste/WHO/EOP

1. Need WH strategy group to meet regularly (every other day)
 - Elena
 - Rahm
 - Leg. Affairs--Hilley/Andy/Barbara Chow
 - Ann Lewis
 - Paul Begala
 - ???--ED leg affairs and Susan Frost

- Overall strategy
- Event/Communications possibilities for POTUS
- POTUS calls to make

2. Strategy meeting with education and business groups next Tuesday afternoon
 - Joint statement of support from groups to be circulated to members
 - target list of members/vote count

3. Call to John Doerr/High Tech CEO's
 - full page add in Post, Times or Journal
 - get Republican CEO (Barksdale) to ask Gingrich not to make this a caucus issue
 - give list of members to target

4. NAB/BRT
 - Have an op-ed from head of DuPont (new education head of BRT) ready to go;
 - Have asked for additional op-eds, so we get Post, Times and Journal
 - Will ask CEO's on ACHIEVE for ACHIEVE endorsement after NAGB announcement

5. NAGB
 - Need to draft NAGB legislation for rapid transmittal
 - Need back-up announcement strategy if Riley doesn't make statement on Face the Nation
 - Once announced, call Diane Ravitch and Engler and re-engage

6. Hispanic Caucus
 - ???

7. Black Caucus
 - Andy Blocker has set up meetings with Caucus staff; he and Tanya will go] ?
 - set up meetings with NAACP and Urban League (other groups??)

8. September 8 event???

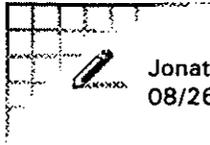
9. Riley contacts with Democrats
 - calls to leadership if needed
 - set up meetings with caucuses upon return (Dem. caucus, Blue Dogs, New Dems)

10. Governors and Mayors

bring in Maria/
Mickey

- get NGA involved -- call in to Scheppach and Hunt's office
- work with Andy Blocker and Mickey/Lynn to identify members to be contacted by governors and mayors

Educate - standards -
Legislation



Jonathan H. Schnur @ OVP
08/26/97 12:12:30 PM

Record Type: Record

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

cc:

Subject:

I am forwarding Ron's latest e-mail on VP events next week. It would be great to discuss at the next mtg on the tests -- whether later today or early tomorrow. -- Jon Schnur

----- Forwarded by Jonathan H. Schnur/OVP on 08/26/97 12:19 PM -----

Ron Klain
08/26/97 11:46:31 AM

Record Type: Record

To: Jonathan H. Schnur/OVP

cc:

bcc:

As an update, here is where things stand.

1. I would like you to work on a small, non-press conference call for Wed aft. We would then sell this to reporters as part of our overall effort.
2. We would do an event on Thurs. Public. Support before the vote. Site: TBD, but presumably at the WH.
3. On Fri, we would do the planned event in NH, with this as the message; i.e., either celebrate the victory, or vow to fight on in Conference. Hopefully, Sec. Riley would join us.

Please coord with sched, commun, and leg aff on this. This is a great idea and we can have a great run with this. Thanks!!!

Message Sent To: _____

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. resume	Address, Phone No., DOB (Partial) (1 page)	08/07/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Elena Kagan
OA/Box Number: 14361

FOLDER TITLE:

Education - Standards: Legislative [2]

2009-1006-F
ke669

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]

HENRY BEN MORGENTHAU

P6/(b)(6)

[001]

*Resume*Education

- 1991-1995 ALBERT EINSTEIN COLLEGE OF MEDICINE BRONX, NY
M.D., June, 1995. Student Body Representative, Pediatric Education Committee; Greenhill Award, 1 of 5 nominees (175 entries); Member: Physicians for Social Responsibility; American Medical Association.
- 1989-1991 WHARTON SCHOOL at U. PENN; dept. of Public Policy PHILADELPHIA, PA
Ph.D. candidate (with funding) in Public Policy and Management. Focused on health care. Passed qualifying exams and met M.A. requirements before taking leave of absence for medical school.
- 1982-1986 YALE UNIVERSITY NEW HAVEN, CT
B.S. in Biology, May, 1986 New Haven Big Brother Association; Member Saint Anthony Hall; Quarter Century Fund Class Agent; Captain intramural soccer team.
- 1979-1982 PHILLIPS ACADEMY ANDOVER, MA
June, 1982 with honors in biology. Grace Prize in U.S. History (400 entries).
- summer, 1981 WEIZMANN INSTITUTE OF SCIENCE REHOVOT, ISRAEL
International science program. Many participants were national contest winners.

Experience

- 1995-present UCSF; department of Pediatrics SAN FRANCISCO, CA
Internship and Residency. Involved in caring for children in a wide range of health care settings including e.r., intensive care, neonatal, and clinics. Selected for primary care track with emphasis on health policy. Licensed to practice in California.
- summer, 1992 UCSF PAIN MANAGEMENT CENTER SAN FRANCISCO, CA
Clinical pain research including study design and data collection and analysis.
- summer, 1990 NATL. LEADERSHIP COAL. FOR HEALTHCARE REFORM WASHINGTON, DC
One of three staff for this powerful but polarized group of providers (ACP, ACS, etc.), consumers (AARP, Families USA, etc.), employees (AFL-CIO, SEIU, etc.), and employers (GM, AT&T, etc.) dedicated to making feasible proposal for healthcare reform.
- summer 1989 NATIONAL LOW INCOME HOUSING COALITION WASHINGTON, DC
Summer Associate. Created manual for state housing coalitions. Helped with grassroots organizing, federal lobbying, newsletter writing, and legislation writing.
- April, 1988-
Feb., 1989 MORGENTHAU FOR U.S. CONGRESS COMMITTEE WARWICK, RI
Campaign Manager. Oversaw many wonderful people. Directly involved with consultants, issues, strategy, fundraising, speechwriting, media, scheduling, field coordination and more.
- Nov., 1986-
March, 1988 E.M. WARBURG, PINCUS & CO., INC. NEW YORK, NY
Associate in 5-member healthcare group of largest venture capital firm. Worked on deal structuring, investment analysis, industry research, and financial modeling. Regular meetings with portfolio companies and economic and industry advisors.
- summer, 1985
plus consulting 85/86 MOCATTA METALS CORP. NEW YORK, NY
Trading Administration Assistant. Designed a PC-run, international bookkeeping program for in-house traders of precious metals futures. Volunteered at night trading desk.
- summer, 1984 NATIONAL INSTITUTES OF HEALTH WASHINGTON, DC
Biology Aid. Carried out experiments designed with Dr. John Robbins in his NICHD lab developing the now routine childhood vaccine against *Haemophilus influenzae* type b.

Personal

P6/(b)(6)

Enjoy people, photography, biking, and travel; to name a few.

Agenda -

2-10-11 - 10/11/11

~~Options~~
we don't know -
but proceed
on assumption

1. Panic - where are we - legs flat -

LIST of calls - P. Cohen
for Riley
for Cohen E+E

Cochran will do Carth/
Ripps | Porter
Lingston | Specker
Staves

Andy shopping proposal
testing waters
Then - would do call ~~with~~ Riley

UNIT in NACB -
Legislation -
press release

2. Ed groups have letter -
should have come today

4 High-tech CEOs
- dig + drafting ad?
- have to put them in
touch w/ unions / get
more feedback

3. NAB / TRT - why in statements / ip eds - haven't seen
don't count on it

Lyn - put together list
she has what she
needs - go do it!

Strat decision

Riley or ed - send?

Press radio address?

Marie setting up mtgs
w/ black + ship sps

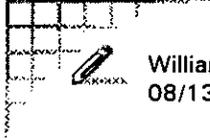
VP doing
something
non press cent call
Wednesday -
w/ business people

Thursday - ??

Radio address -
what to say?

PHOTOCOPY
PRESERVATION

Educational - Standards -
Legislation



William R. Kincaid
08/13/97 12:43:46 PM

Record Type: Record

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

cc:

Subject: announcement timing

I think Mike may have spoken to Bruce about this earlier, but the Education Department is currently planning to announce the contract on the national tests on Friday. Mike has asked me to check with ED on what would be the impact of delaying this until early Sept., when we could potentially couple it with an announcement on an advisory board. I'll let folks know what I hear back.

Also fyi -- Subcommittee Chairman Riggs has asked Mike Smith to come testify at a hearing on the national tests to be held Sept. 4, the week before the Labor H Bill is likely to come up. Smith is supposed to be giving a speech in CA that day, but ED is going to work with the committee to find out if the speech or the hearing can be moved to accommodate this. Also expected are 1-2 gov's, 1-2 superintendents, and possibly Fairtest and the Christian Coalition -- it doesn't sound like there are likely to be any supporters other than the Administration. In addition, ED is preparing a reply to Goodling's piece in today's Post on the tests; this one would be for Riley's signature.

-- Bill

Stop National Testing Now

July 29, 1997

TO: The Honorable Newt Gingrich, Speaker of the House of Representatives
 The Honorable Richard Arney, Majority Leader
 The Honorable Tom Delay, Majority Whip
 The Honorable John Boehner, Chairman of the Republican Conference
 The Honorable Bob Livingston, Chairman, House Appropriations Committee
 The Honorable Gerald Solomon, Chairman, House Rules Committee

RE: Stop President Clinton's Unauthorized National Testing **STOP TODAY!**

American Association of Christian Schools

American Family Association

Christian Coalition

Concerned Women for America

Eagle Forum

Family Research Council

Family Life Seminars

Coalition for America

Home School Legal Defense Association

National Right to Read Foundation

Traditional Values Coalition

Gentlemen:

President Clinton has made a controversial and unilateral decision to create a national achievement test based on "real, meaningful national standards." Although the test is supposed to be voluntary, the President has said, "I believe every state must participate and that every parent has a right to honest, accurate information about how his or her child is doing." That does not sound particularly voluntary.

We strongly oppose national testing for several reasons and urge support for Chairman Goodling's amendment to specifically forbid any expenditure of funds for this purpose in the Labor/HHS/Education Appropriations Bill.

First, we believe national testing will lead to an unwarranted national curriculum, stifling local control of education at the level of schools and teachers. One of the basic precepts of the American Psychological Association's *Standards for Educational and Psychological Testing* is that students may not be given tests unless they have had an opportunity to learn the material on the test. In a leading federal case from Florida, *Debra P. v. Turlington*, a high school graduation test was invalidated because there had been no valid test done which matched the curriculum in use by all students with the skills required for graduation. The only way to have a test that imposes "real, meaningful national standards" is to have a national curriculum.

Education, like the economy, does not work when it is run by centralized government. American public education has been a cash-and-burn descent that is directly related to the increase of centralized control.

Second, the Administration lacks the proper authority to depend on the development of national tests. As House Education and the Workforce Committee

Chairman Goodling has repeatedly stated, "While I personally oppose federal involvement in developing individualized tests, the real issue here is that the development of individualized, national tests is too controversial and potentially divisive for the President to act without specific congressional discussion, review, and authorization."

Finally, a federal foray into educational testing would duplicate private efforts. National Standardized tests currently provide parents with valuable information about their children's performance in relation to national norms. The Stanford Achievement test is just one example. A federal testing program would not only be inappropriate, but also unnecessary.

Language included in the Labor, HHS, and Education Appropriations bill allows the Administration to proceed with the planning and development of national tests. Although the bill requires a National Academy of Sciences study prior to implementation of the tests, this does not provide a sufficient safeguard.

These tests would assess fourth graders and eighth graders in reading and math, respectively, above and beyond the existing National Assessment of Education Progress (NAEP) tests. President Clinton and the Department of Education have already begun the design and contract process for these tests without the proper oversight.

We urge you to include language in the Labor/HHS/Education Appropriations bill which strictly forbids the Administration from spending any money on the planning, development, implementation, or administration of any new national testing program.

Gary L. Bauer
Gary Bauer
Family Research Council

Michael C. Farris
Mike Farris
Home School Legal
Defense Association

Rev. John Shelton
Rev. John Shelton
Traditional Values Coalition

James D. Jacobson
James D. Jacobson
National Right to Read
Foundation

Dr. Carl Herberster
Dr. Carl Herberster
American Association
of Christian Schools

Don V. ...
Don V. ...
American ...
Association ...

Don Hodel
Don Hodel
Christian Coalition

Beverly LaHaye
Beverly LaHaye
Concerned Women for America

Phyllis ...
Phyllis ...
Eagle ...

Tim LaHaye
Tim LaHaye
Family Life Seminars

Paul Weyrich
Paul Weyrich
Coalition for America



MICHAEL P. FARRIS, ESQ.
President
DOUGLAS W. PHILLIPS, ESQ.
Attorney

CHRISTOPHER A. BLOOM
Director
Office of Educational Policy
Department of Education

August 13, 1997

The Honorable George Miller
U.S. House
2205 RHOB
Washington, DC 20515

Dear Congressman Miller:

The purpose of this letter is to find out your position on President Clinton's proposed national achievement test. We need to know your stand on this issue by August 31 in order to determine our membership as to which offices need to be contacted in September.

We urge you to support Congressman Goodling's amendment to H.R. 2264, the Labor/HHS/Education Appropriations bill, which would prohibit all funds to be used to develop, plan, implement, or administer any national test in reading or math.

President Clinton has made a controversial and unilateral decision, completely bypassing Congress, to create a national achievement test based on "real, meaningful national standards." Although the test is supposed to be voluntary, the President has declared "I believe every state must participate and that every parent has a right to honest, accurate information about how his or her child is doing." This doesn't sound particularly voluntary.

We strongly oppose national testing for several reasons and urge support for Congressman Goodling's amendment to specifically forbid any expenditure of funds for this purpose in the Labor/HHS/Education Appropriations bill.

- First, we believe national testing will lead to an unwarranted national curriculum, stifling local control of education at the level of textbooks and teaching. As University of Kansas Professor John Poggio remarked during a brainstorming session at the Department of Educational Research & Improvement on February 28, "What gets tested is what will be taught."

One of the basic precepts of the American Psychological Association's *Standards for Educational and Psychological Testing* is that students should not be given tests unless they have had an opportunity to learn the material on the test. In a leading federal case from Florida, *Debra F. v. Turlington*, a high school graduation test was invalidated because the students had

been no validity study done which matched the curriculum in use by students with the test required for graduation. The only way to have that imposes "real, meaningful national standards" is to have a national curriculum.

• Second, the Administration lacks the proper authority to spend funds on development of national tests. As House Education and the Workforce Chairman Goodling has repeatedly stated, "While I personally oppose federal involvement in developing individualized tests, the real issue here is the development of individualized, national tests is too controversial and political divisive for the President to act without specific congressional discussion and authorization."

• Thirdly, a national test would conflict with state standards. Rebecca K... of the Delaware Department of Education stated at the February 18 meeting

"We can't afford (at the state level) to have our tests be significantly different from yours [national tests]. Even if we think it is significantly better, because it is going to drive a lot of what we are doing. And it won't only drive it in grades four and eight. It's going to drive it through out the years because they are going to go to grade four and eight. So just be aware of that."

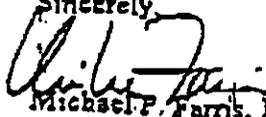
• Finally, a federal foray into educational testing would duplicate private National Standardized tests currently provide parents with valuable information about their children's performance in relation to national norms. The Stanford Achievement test is just one example. A federal testing program would be an inappropriate, but also unnecessary.

Language already included in the Labor, HHS, and Education Appropriations bill allows the Administration to proceed with the planning and development of national tests. Although the bill requires a National Academy of Sciences study prior to implementation of the tests, this does not provide a sufficient safeguard.

These tests would assess fourth graders and eighth graders in reading and math respectively, above and beyond the existing National Assessment of Education Progress (NAEP) tests. Yet, President Clinton and the Department of Education have already begun the design and contract process for these tests without the proper oversight.

We urge you to support Congressman Goodling's amendment to the Labor/HHS/Education Appropriations bill which strictly forbids the Administration from spending any money on the planning, development, implementation, or administration of any new national testing program until authorized by Congress.

Please notify us if you intend to support Congressman Goodling's amendment. If we do not hear from you by August 31, we will assume you are either undecided or support President Clinton's testing agenda and will notify our membership accordingly.

Sincerely,

Michael P. Farris, Esq.

Educator - star bucks -
w/philite
Coped
Lead
C06

Mike Tany a Bill -
I take it this is happening?
E Penon

Bill Goodling

More Testing Is No Solution

If testing is the answer to our education problems, it would have solved them a long time ago. American students are tested, tested, tested, and the Clinton administration is proposing to test our children again.

Contrary to The Post's Aug. 7 editorial, "Get On With Student Testing," regarding President Clinton's national test initiative, the proposal is not "bogged down in politics and process." The proposal is bogged down because Americans don't want and don't need a new national reading test for fourth-graders and a new national mathematics test for eighth-graders.

Though the president and Secretary of Education Richard Riley are convinced that more testing is the way to boost the academic achievement of American students, I disagree—and so do many of the nation's governors, educators, legislators and members of Congress (both Republican and Democratic). To date, only six governors

have indicated interest in the president's proposal.

The Post is correct in saying that I intend to block funding for the initiative, but my effort is not political. It's common sense. As a former teacher,

Taking Exception

principal and school superintendent, I know the value and purpose of testing. I also know that we don't need new national tests. The president's proposal comes at a time when we already have plenty of testing. Nearly all the states and many local school districts have their own testing programs. We already have two federally funded tests. The first and oldest is NAEP (the National Assessment of Educational Progress), which is a sampling of students in various subjects. The second test is provided under TIMSS (the Third-International Mathematics and

Science Study). All of this testing occurs above and beyond the classroom tests that teachers create.

As a result of all this testing, we know that nearly half our students are not performing as well as they should be. We should help these students—not test them again. The Post editorial maintains that new national tests are needed in order to "identify a child's academic weaknesses and plan improvements." This is already accomplished through the panoply of tests already in use. Moreover, test developers and publishers maintain they are creating uniform tests that are comparable state to state and school to school. I have other concerns with the administration's proposal:

■ The administration is sending mixed signals. Since 1993 President Clinton and Secretary Riley have actively pushed their Goals 2000 program, which encourages, and provides funds for, states to create their own standards and tests. In essence, the administra-

tion has backed decentralized reform. Now, with this new test proposal, it appears to be backing centralized reform. Why the switch?

■ The development of national tests is too controversial for the administration to act without congressional review or authorization. The administration has no bill, nor has it indicated any intention of seeking legislation for this initiative. For instance, federal legislation allows for NAEP. But the U.S. Department of Education has quickly planned these new tests without wide public input. In addition, valid tests take years to construct. The fast-track nature of this initiative alarms many educators and policymakers.

■ New national tests could lead to inappropriate and unfair comparisons of schools and students. For instance, we already know that suburban students in Upper St. Claire, Pa., will, in all likelihood, outperform students from center city Pittsburgh. Why? Students from Upper St. Claire have more edu-

cational advantages. No reason exists to develop another test to show us the deficiencies of disadvantaged students.

■ Tests don't generate higher academic performance. The administration and the U.S. Department of Education have talked as if a new national test will create better students. It won't. Standardized tests assess performance; they don't generate it. And with any testing proposal we should be wary of the tendency of teachers to teach to the test.

■ New national tests could lead to a national curriculum. In developing new assessments, the tendency is to create a new curriculum to match those assessments. But like new national tests, a national curriculum is something Americans don't want and don't need. Local control is a hallmark of American education. Given what happened with the federally funded U.S. history standards project (a dismal initiative that generated political correctness rather than history), we

don't need to engage in any effort that could lead to a national curriculum. Unlike the NAEP tests, which are governed by an independent board, these new tests will come from the U.S. Department of Education. That puts the department in an extremely powerful position in our local schools.

Instead of developing new national tests, I would rather send dollars to the classroom, bolster basic academics and increase parental involvement. I want to direct federal resources to family literacy and preschool readiness. I also want to take steps to improve teacher preparation and the teaching and learning conditions in our schools. Those should be our priorities—not more testing.

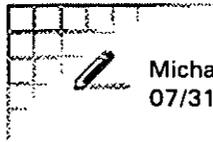
The writer, a Republican representative from Pennsylvania, is chairman of the House Committee on Education and the Workforce.

Boiled
we need a strong
negotiate to him
PK

THE PRESIDENT HAS BEEN
8-17-97

The Washington Post

WEDNESDAY, AUGUST 13, 1997



Michael Cohen
07/31/97 08:46:12 AM

Record Type: Record

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

cc:

Subject: Goodling amendment update

Here is the summary of yesterday's actions. I think it would be very good if the three of us could get together today and discuss how to proceed in light of yesterday's developments.

1. As you no doubt know, the Labor HHS bill was pulled indefinitely because there is no agreement over an abortion amendment. They don't want to go to the floor until they get that issue resolved. No one knows when that will be, but as of last night at about 8:00, the smart money was on no vote until September.
2. We suffered some setbacks over the course of the day, and it is clear that Goodling and others were working this pretty hard. Most notable on the Republican side:
 - By mid-morning, John Porter had decided to advance a substitute amendment, that would have prohibited us from using FY98 funds to administer the tests, though we could use funds to develop and field test. Substantively this would have no impact on the work for the fiscal year -- no administration is planned until FY99, but it would have taken some work to spin this as a victory, or as inconsequential. At least some in the press and in the states would have seen this as a sign of trouble. Politically, by the time Porter decided to do this, he was nervous about the outcome of a straight up-or-down vote on Goodling, and probably had decided not to pull out all the stops in his own opposition to Goodling.
 - Lynne Cheney was calling members during the day in support of the Goodling amendment. Lamar Alexander told the governors the test was a bad idea, because some future Secretary of Education, like Marion Barry or Phyllis Shafly, might screw up the test in the future. (This is the same argument Diane Ravitch made to POTUS in the Cabinet Room meeting months ago. Someone more cynical than I might suspect that Lamar, Diane, Lynn and Checker are working together again!)
 - The home-schoolers started calling members during the day -- "flooding offices with calls" was how it was described to me, though that may have been a bit of an overstatement based on other conversations I had. Nonetheless, this is serious. This group is notorious for turning out tons of calls and faxes on issues, and they often do it on education issues that have at best a remote connection to home-schooling. Aligned with the far right on most education issues, they are inclined to see the long arm of the federal government reaching into their home schools almost every time we try to do something new.
 - We lost Bob Livingston by mid-day. He was originally aligned with John Porter, at least to the extent that he did not want veto-bait on his appropriations bills. By mid day he had switched to supporting Goodling. We think this was basically from far-right pressure back home. If Livingston remains on the wrong side of this, it will make it more difficult for moderate Republicans to stay with us. I've spoken with some of our good friends in LA, who also happen to have tremendous access to Livingston. They are trying to bring him back around.
3. Now for news from the Democratic front:
 - The Hispanic Caucus is taking a very hard line, and continues to threaten to vote with Goodling

if we don't satisfy their concerns. Here are the details: After talking with Becerra and Hinojosa, Janet Murguia strongly urged that we share the letter in draft form with them, before sending it in final. I refused at first, but after a second conversation with Janet, agreed. (I think I made a mistake on this, though I'm not sure we would be in any better shape if we had just sent the signed letter as planned). In any event. I spoke with both Becerra and Hinojosa after they reviewed the letter. (The conversation with Becerra took place after the vote was delayed--more about that below). Both pushed for specific commitments to test LEP kids in Spanish and to alter the test development contract that will be awarded in the next few weeks so that we can guarantee that the Hispanic version will be developed right away. I told them that was impossible -- we had not made the policy decision to develop a Spanish version of the test, and could neither make that decision nor commit to specific implementation steps yesterday afternoon.

Both also were critical of the assurances we provided about testing LEP kids under Title 1. Hinojosa because he doesn't understand Title 1 testing issues to begin with, and Becerra because he believes we have been granting waivers to these provisions, and shouldn't trust states and locals anyway. Not a good sign--that's the option Riley and Smith are most likely to gravitate to.

Since I talked with Becerra after the vote was postponed, he indicated that we ought to get this issue resolved before the September vote. While I made no specific commitment to a deadline, I think we have to do that. If we don't -- one way or another -- the caucus will conclude that we aren't going to give them what they want. And we don't need to spend forever dealing with this anyway; we don't gain much by stringing it along.

Finally, on this issue. Both Becerra and Hinojosa shared the draft letter with MALDEF and other groups, a move that I regarded as a breach of faith. It is also not helpful, or fair to the President, to have the draft floating around. Now that we may have a month before the vote, I haven't been able to figure out if we are in worse shape having a draft float around than we would be if we had the signed copy floating around. Either way, it's not the situation I wanted us to be in.

- On the good news front, the AFT really worked th Black Caucus for us. Andy Blocker says they were doing a good job, and I think they were able to keep a good number of members on our side. I will get more specific details later in the day.



Michael Cohen
07/30/97 11:03:34 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP
cc: Elena Kagan/OPD/EOP
Subject: Goodling amendment update

A couple of key developments:

1. John Porter is prepared to offer a substitute for Goodling that would simply prohibit ED from using any FY 98 funds to administer the tests. Porter has apparently concluded that he can't defeat Goodling straight up -- or that he's not prepared to fight as hard as he would have to in order to beat Goodling. Obey's staff also lacks confidence that we can beat Goodling. Scott Fleming at ED also thinks we'll have a tough time beating Goodling, or at least being as confident about this as we would need to be to try and talk Porter out of his amendment.

Substantively, there isn't a problem since we weren't going to administer the test until FY99. Politically, it may look like a loss anyway, and I'm concerned about that. We are trying to get the amendment language to read that this is a "clarification" that we can't use funds for test administration, rather than a "prohibition" to the same effect. Scott will also try to round up some supportive Democrats to insert remarks into the record indicating that this is no big deal since it doesn't alter ED's plans, keeps us on track, etc. Let me know if you've got other ideas for damage control.

2. I've talked to Andy Blocker and Janet Murguia this morning. They are both fine on the Hispanic caucus strategy. Neither one has done anything with Gephardt or other Dem. House leadership. Janet seemed particularly uninterested in trying, though said she would talk to Gephardt's staff. In addition, Andy has no idea where we are with the Black caucus. I understand that they are tied up with tax/budget bills, and I know the problems in trying to deal with the Black Caucus and with Gephardt. Nonetheless, I am underwhelmed by the support we are getting on this.

3. In the meantime, I've still got AFT and NEA working on this, including Dem. leadership, Black Caucus members, moderate R's, etc. National Alliance of Business and Chief State School officers are working this as well.

I'll keep you posted as developments occur.

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