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[08/22/1997 - 08/25/1997]

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Thomas Freedman to Elena Kagan re: candidates (1 page)	08/24/1997	P6/b(6)

COLLECTION:

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

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[08/22/1997-08/25/1997]

2009-1006-F

bm42

RESTRICTION CODES

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

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

- 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]
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- b(1) National security classified information [(b)(1) of the FOIA]
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- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Robert M. Shireman (CN=Robert M. Shireman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:22-AUG-1997 15:21:49.00

SUBJECT: Chaka Fattah memo to POTUS

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

I expect to be finalizing this memo with Gene on Tuesday. I need any edits and official positions for recommendations by Monday night. [Note: There are a few blanks for Education to fill in].

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D44]MAIL404065336.216 to ASCII,
The following is a HEX DUMP:

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[DRAFT SPERLING MEMO TO POTUS 8/22]

OVERVIEW

Your advisors (NEC, DPC, OMB, and Education) have reviewed and analyzed Congressman Fattah's "21st Century Scholars Act." We are in agreement that the idea has enormous appeal, but that due to budget, efficiency, and implementation problems, we do not recommend adopting its central element: a "guarantee" of a future Pell Grant. (Congressman Fattah is aware of the problems that have arisen in our analysis).

We agree, however, that the Fattah legislation points out two critical needs: (1) low-income families need to know more, earlier, about the financial aid that is available for college; and, (2) students at high-poverty schools need more academic support, mentoring and other encouragement to attend college, starting *before* the high school years. This memo lays out two options for addressing each need:

Options for getting out the word about Federal aid:

1. A creative national campaign celebrating the universal availability of college through the education tax cuts, Pell Grant increases, and student loan improvements, with a concentrated effort aimed at high-poverty schools and low-income families.
2. A national campaign as in option A, but with a gimmick aimed at the poorest schools: a *promise* of at least \$21,000 in grants *or loans* over five years (an amount that everyone is already eligible for in loans, assuming the programs remain in effect).

Options for bringing early intervention services to more high-poverty middle and junior-high school students:

- A. An extension of current TRIO programs such as Upward Bound and Talent Search, which are administered by community groups and colleges.
- B. Promoting partnerships between colleges and high-poverty schools, through both new Federal grants and allowing colleges to spend funds they currently administer in a revolving loan fund (the Federal Perkins Loan program).

Recommendations: On the information campaign, I think the “guarantee” continues to have appeal, so I prefer option 2 as an approach that would increase the effectiveness of the information campaign in poor areas, and allow us to capitalize on the interest in the Fattah bill. [OMB strongly feels that the promise is not necessary for the campaign to be effective and that it adds administrative complexity. DPC thinks that a promise to an existing entitlement does not add enough to be worth the effort. Education? . . .]. On the early intervention program, all of your advisors recommend the school-college partnerships as the best approach.

INTRODUCTION

A number of private programs have had success in improving educational outcomes for impoverished youth by guaranteeing -- at an early age -- that the money will be there for college if they choose to go. These programs are based on the theory that middle- and upper-class families benefit enormously from the family and school expectation that they will be graduating from high school and attending college. At high-poverty schools, where dropout rates are high and few parents have college degrees, these expectations are absent. These early intervention programs aim to change those expectations. Many of the programs stress that, while the financial aid is an important hook for the child and family, additional mentoring, tutoring, and other support services are a key to success.

Rep. Chaka Fattah (D-Penn.) has introduced legislation to establish a large-scale, national effort of this type. He would guarantee a maximum Pell Grant to all of the children graduating from high-poverty elementary schools (75 poverty). The “21st Century Scholars Act” would provide these students with:

- an entitlement to four years of the maximum Pell Grant at the time the promise is made or at the time the student attends college, whichever amount is higher;
- an annual notice from the Department of Education reminding the student and family of the future availability of the college aid; and,
- automatic *eligibility* for services under current (TRIO) early intervention, mentoring, counseling and other services.

The Education Department estimates that the Fattah legislation would apply to 7,300 schools with about 500,000 sixth graders (approximately 15 of the national total). Assuming inflation-based increases in the maximum Pell Grant, each of these students in the sixth grade in 1998-99 would be promised a total of almost \$14,000 in aid over four years.

The Department estimates that on average, this type of program could increase college

participation rates by this population by about 8 percent, meaning that just over half of the students would use all or a portion of the promised aid. (Without this program, 45 percent of these students would be expected to enroll in some type of postsecondary education within two years of graduating from high school.¹ Just under half of those students would be expected to still be enrolled by the fourth year of college.² With a successful early intervention program, the Education Department estimates that college enrollment rates for this population could be increased so that they matched the enrollment rates for students at schools with 31-50 percent low-income students -- an increase of 8 percentage points, to 53 percent.)

While this increase in enrollment may seem low, college is only one of the intended outcomes of early intervention programs. They also seek to promote high school completion, job readiness, and lower incidence of drug abuse and delinquent behavior.

Rep. Fattah introduced his bill on February 13. As of July 17, he had 93 cosponsors, including seven Republicans (Christopher Shays, Ken Calvert, J.C. Watts, Jr., Richard Baker, Joe Scarborough, David McIntosh, and James Greenwood). On June 5, he testified before the House Education and the Workforce Committee's postsecondary subcommittee and received a warm reception from both sides of the aisle. The House hopes to move a bill reauthorizing the Higher Education Act by the end of this year. No companion bill has been introduced in the Senate.

An article in the *Chronicle of Higher Education* on July 11 noted the bipartisan support for the concepts in Rep. Fattah's bill, but also cited specific concerns that:

- it does not provide for the support services (tutoring, mentoring, etc.) that are needed for the proposal to be successful;
- it may guarantee help to too many non-needy students; and,
- it is a new entitlement, which many would oppose solely on that basis.

ANALYSIS

There are a number of issues and concerns to consider with respect to the Fattah legislation:

¹ 21 percent at four-year colleges, 19 percent at less-than-4-year public institutions (mostly community colleges), and 5 percent at less-than-4-year private institutions (mostly proprietary trade schools).

² 83 percent would be retained in the second year, 67 percent in the third year, and 48 percent in the fourth year, based on data from the Beginning Postsecondary Survey.

1. Inefficient targeting and higher-than-expected cost

Supporters have argued that virtually any student at a high-poverty school probably would have qualified for a full Pell Grant anyway, even without the guarantee -- therefore, the program only costs money if it is *successful* in encouraging youth to go to college. The data do not bear this out: more than half of the cost of this program would be for students who would have gone to college anyway but wouldn't have gotten as much aid as the guarantee is providing. It appears that many families who are poor when their children are in middle school, improve their financial situation somewhat by the time their children graduate from high school. In addition, the students who go to college are more likely to be from the relatively higher income families. The Education Department estimates that the outlays associated with the first cohort of sixth graders would be \$2.45 billion. These outlays (which begin in the 2005-6 school year and are spread over the following three years) would be composed of:

- \$761 million, or 31 , for Pell Grant amounts that would have been spent anyway on these students who would have gone to college anyway;
- \$370 million, or 15 , for students who attend college *because of* the promised aid (students induced by the program); and,
- \$1,320 million, or 54 , for additional aid provided to students who would have gone to college anyway but would not have been eligible for the full \$3,000 (or would not have received a Pell Grant at all).

The *added* cost, therefore, from this first group of sixth graders, is \$1.7 billion over four years. (Viewed on an annual budget basis rather than by cohort, as each of the first four cohorts get phased in, the added annual outlays will increase to \$1.7 billion by the fourth year after the first group graduates high school and attends college, then will increase each year roughly by inflation.) *More than three times as much additional money is spent on students who already would have attended college than is spent on those who attend college because of the aid.*

2. Need for additional support services

Research has shown that mentoring, counseling, tutoring and support services are *essential* to prevent students from dropping out of school and to increase their academic preparation and aspirations that lead to college. Rep. Fattah's proposal does not expand the availability of early intervention services (it simply makes participants eligible for the few programs we fund now). But without those services, the early Pell Grant promise *probably will not have a significant impact*. The I Have a Dream program estimates that the support services for each new cohort, provided primarily by volunteers, cost about \$150,000 for a coordinator and other expenses.

For the 7,300 high-poverty schools, the cost of this type of program of support services would be \$1 billion (per year). Education thinks this estimate is low.

3. The issue of a new entitlement

The Fattah legislation is written as an entitlement, and in order to comply with the budget agreement, the proposal would at least need to remain on the mandatory side of the budget.³ As an entitlement, the proposal could be portrayed as (1) another potential area of runaway spending, and (2) a gimmick to provide promises now for spending that is outside the 5-year budget window.

4. Inequities and perverse incentives

As with empowerment zones and any other effort to draw a line around a "very" poor area, there will be some apparent inequities. A school with 76 percent poverty will get the benefit, while a 73 percent poverty school nearby will be denied it. In addition, school populations change, so a school may be part of the program one year, then be denied the next.

In addition, there would be inequities among students at a school: Most sixth graders attend a different school within 1-3 years. At most of the higher-poverty junior high and high schools, not all of the students will have come from the highest-poverty elementary schools. There could be some odd incentives as well. If a student who attends a particular school for one part of one year can get a promise of at least \$14,000 in financial aid, someone will find a way to game the system. It may even create incentives for further concentration of poverty in order to provide the Pell Grant promise to poor students who had attended a school with a lower concentration of poverty.

5. Entitlement without Accountability

Some of your advisors object to providing expanded college aid without demanding more from students (and schools) before they reach college. The Fattah proposal does not require any particular level of achievement or high-skill curriculum. Indeed, it does not even require high school graduation (since Pell Grants are available to non-high school graduates for job training and remedial courses in some circumstances).

³ The "promise" of aid would count as budget authority in the year that the promise is made, even if the student never uses the promised aid. If the program was on the discretionary side, this BA would need to be counted within the Function 500 limits. Given that much of the BA will never result in outlays, this would not be a priority use of the scarce funds.

OPTIONS

Automated Records Management System
Hex-Dump Conversion

We attempted to develop approaches to the 21st Century Scholars Act that would patch up the various problems and improve targeting, but were not able to find a satisfactory approach.

In the meantime, Congressman Fattah has become aware of some of the difficulties associated with his approach, and has suggested alternatives that look more broadly at the grants *and loans* that students are currently eligible for. He also agrees that additional early intervention efforts are critical to the success of any plan.

Below we provide two options for getting information out to more families about the availability of Federal financial aid, and two options for expanding early intervention in middle and junior-high schools.

Options for spreading the word about financial aid for college

I. A NATIONAL CAMPAIGN. Low-income students often receive far more financial aid than just a Pell Grant. Indeed, *everyone*, regardless of income, qualifies for \$17,125 or more in Federal loans over four years of full-time college attendance. In addition, many colleges would include supplemental grants, state grants, work-study, and other assistance in the total financial aid package for a low-income student. Therefore, a campaign that focuses on a Pell Grant guarantee actually *understates* the amount of aid that a child at a high-poverty school could expect if they were to go to college.

This argues for a creative campaign for informing all families, but particularly low-income families, of the package of financial aid for which they would qualify. Many have long argued that we should recruit people to college with the same vigor that we recruit for the armed forces: everyone should know that *"you already qualify for at least \$17,000 in aid to go to college."* This campaign could include:

- Producing PSAs and/or paid media touting the availability of aid for college, linked to an expansion of the current toll-free information line.
- Providing free user-friendly computer programs that provide sample financial aid packages based on the user's income. These could be provided through schools as well as kiosks that could be set up in employment and social services offices.
- Training AmeriCorps and/or others for a concentrated sweep of high schools and/or middle schools in poor areas to provide high-tech presentations on the availability of college aid.
- Naming a steering committee of a diverse group of celebrities and role models who

commit to reaching out to encourage college attendance.

- Securing a commitment of funds and activity by corporations and/or foundations. (For example, the electronics industry is interested in doing more to get students, especially minorities, into computer fields).
- Identifying families that would qualify for Pell Grants and other aid through the IRS, social service offices, or other sources. Mail them a simple postcard that invites them to call or write to get more information about college opportunity. Provide a method for hooking up interested families with counselors at colleges. (In other words, recruit them in the same way that some of the trade schools do).

[EDUCATION: HOW MUCH SHOULD BE SET ASIDE FOR THIS? IS THERE ALREADY AUTHORITY FOR IT?]

Arguments for option 1:

- An education effort has never really been tried. That's where we should start.
- Particularly with the successes in the budget agreement, the Federal government already has a strong financial aid system, particularly for the poor. We should spread the news rather than undermining our win with the message that aid is not secure enough.
- The campaign could begin without any additional Congressional action.

Arguments against option 1:

- A guarantee sends a stronger message. (The poor are skeptical about the staying power of Federal programs. If it's not an iron-clad guarantee, it may not have the desired impact.)

2. A NATIONAL CAMPAIGN WITH A PROMISE FOR THE POOR. Instead of focusing solely on Pell Grants, this option would turn the Fattah idea into essentially a packaging of the current Pell Grant and student loan programs (Congressman Fattah has suggested this approach in conversations I have had with him). Students at the middle and junior high schools that feed into the 2100 poorest high schools would be identified as "21st Century Scholars" and provided with a promise of *at least* \$21,000 in college aid over five years.

Cost: This approach has minimal budget impact because any student, regardless of income, is *already* eligible for at least \$22,625 in loans for five years of full-time college

attendance -- and the loan programs are already entitlements. The only budget implication is that these students will be guaranteed that they will not be affected by any elimination of the loan programs or reduction in loan limits 5-10 years down the road. That does not result in significant increased outlays other than the extension of the loan programs for these students beyond the current authorization. [EDUCATION: WHAT INCREASE WOULD THE INDUCEMENT EFFECT CAUSE?]

Number of students: [NEED ED's ANALYSIS] 2100 high schools represent about 14 of all of the high schools in the country, so this approach would cover roughly the same number of students as the original Fattah legislation (15 of students in 6th grade). By starting from the poorest high schools, and working back to [ABOUT HOW MANY?] feeder schools, it improves the ability to follow the students through their school years..

Arguments for option 2:

- It allows for a simple message to poor students: you have \$21,000 at your disposal for college, if you get through high school successfully.
- The aid is iron-clad guaranteed, allowing us to tell families that they can absolutely count on the help.

Arguments against option 2:

- This detracts from our message that we have opened up college opportunity to *all*. The \$21,000 promise creates the impression that this aid is only available to these students, when in fact everyone is eligible for at least that much.
- The promise would need to be tracked administratively (just in case), even though it will likely never need to be invoked.
- This would require statutory authority, and any fight on the issue could undermine our message that the aid will be available for those who need it.

Options for expanding early intervention

A. EXTENSION OF TRIO. The Education Department already spends \$500 million (FY 1997) for intervention efforts to help disadvantaged individuals prepare for and succeed in college. The largest program, Upward Bound, provides grants to community groups and colleges for programs that provide high school students with academic enrichment, summer college experience, and other services. The program, serving 44,700 students, has a high cost -- \$4,000 per participant. But the investment pays off: preliminary results from a scientific

(random assignment) evaluation show [need to fill in].

This option proposes an investment of \$200 million to provide services to approximately 50,000 students in FY 1999, ramping up to \$300 million in FY 2000 and \$400 million in FY2001, serving 100,000 students. Current Upward Bound programs that propose to reach further down into middle and junior high schools would receive a priority in funding.

Arguments for option A:

- Extends a *proven* program, giving us greater confidence that there will be positive results.
- The group representing current TRIO program, a strong lobby, would support the significant increase in funding (as long as its membership is favored in receiving the grants).

Arguments against option A:

- The Federal government covers 97% of the cost of Upward Bound programs. Extending that approach eliminates the possibility of leveraging more of a contribution from colleges.
- Upward Bound only works with selected disadvantaged students. By starting in middle school, it is critical to focus on *all* children. This whole-school or whole-cohort approach requires different strategies than those used by the current Upward Bound grantees.
- The budget is very tight in FY 1999. Any new investment reduces the pot of funds available for existing programs (such as Pell Grants) or other new initiatives.

B. SCHOOL-COLLEGE PARTNERSHIPS. This option adopts the view that colleges should be doing more to connect with students at high-poverty schools no later than the middle school years. Through partnerships with those schools, colleges can encourage students (and their families) to choose a demanding academic program, while the college provides academic enrichment and intensive mentoring, tutoring and other support services.

College involvement is critical because they have the tools, the expertise, and the stability to commit to a long-term project, and to provide the monitoring needed to ensure its success. They know what academic preparation they need from schools, so are in a good position to

work with high-poverty schools to improve and supplement their curriculum, to prepare students for success in college. While in some cases mentoring might be provided by undergraduate students, universities also can tap alumni, businesses, and other community resources to get serious commitments of time for the effort. Finally, it is critical that there always be a full-time, serious and energetic coordinator running the efforts.

Stronger school-college partnerships would not only serve to promote college-going, they could also help to bring higher standards to impoverished schools. (This is also a perfect complement to America Reads: while the reading tutoring effort starts with parents of young children and works through the early elementary years to lift up student achievement in reading, this partnership would reach down from the university level, and help to pull those same children along into high hopes and high achievement in all subject areas.)

Under this approach, the Federal government would encourage and partially fund partnerships between colleges and high-poverty schools or school districts. These would consist of:

- **Partners:** Each partnership would at least include a high-poverty high school, its feeder schools, and a degree-granting institution of higher education. Most would also include businesses and/or a community groups which may provide supplemental funds and/or may be a source of mentors and other assistance for the children.

[HOW SHOULD WE IDENTIFY HIGH-POVERTY SCHOOLS/DISTRICTS?
SHOULD IT BE FLEXIBLE, PURSUANT TO REGS?]

- **An Academic Plan:** The school would agree to offer a curriculum that prepares students for college.
- **Support Services:** The college would agree to provide structured, long-term supplemental academic enrichment, mentoring, tutoring, and other assistance to all students starting not later than the eight grade.
- **Financial Aid information and bonus:** The partnership would provide financial aid counseling, and could provide financial incentives for students to stick with the program, take the right classes and/or to get good grades. (In some existing programs, colleges guarantee admittance and aid if students reach certain goals in high school).

Funding. This option would aim for \$400 million in funding through (1) aiming to get colleges to use \$250 million of the Perkins Loan revolving funds for this purpose, and (2) asking for another \$150 million in the FY 1999 Budget for areas that do not have significant Perkins

funds. If the partnership cost an average of \$400,000 [EDUCATION WANT TO TAKE A STAB AT ANOTHER NUMBER? Upward Bound is \$300,000 per project, but only serves 74 participants each], this would fund 1000 partnerships.

Using the Perkins Loan funds. 2700 institutions of higher education [need break-down by sector]⁴ currently administer a total of \$6.5 billion in Perkins Loan revolving funds. These funds have built up from Federal contributions and matching funds over the past 40 years. Each year, about \$750 million is repaid by students. Colleges put in another \$250 million in matching funds, making \$1 billion available for lending again. With the expansion of loan limits and eligibility in the Direct and Guaranteed programs over the past few years, Perkins has diminished in importance (the other programs are 30 times larger), but political inertia has kept it alive. Your budgets have alternately proposed cutting or straight-lining any new Federal contributions (for FY 1998 you proposed level funding at \$158 million). In the past several years, some of the colleges have floated the idea that the program could end if they could keep the money to spend in other ways. [ED: HOW MANY STUDENTS WHO GET PERKINS HAVE NOT MAXED OUT ON STAFFORD? HOW STRONG IS OUR CLAIM THAT IT ISN'T ALL NEEDED?]

Under this option, colleges would be *allowed* to spend these funds to create or expand early intervention partnerships with schools. The Education Department expects that many would choose to do so, because (1) the program is not as needed as it used to be, (2) it is expensive to administer (the colleges pay for collection of the loans), and (3) the colleges give lip service to early intervention and this would give them the opportunity to put money where their mouths are.

Like the work-study component of America Reads, you would challenge colleges to participate, while also providing a way for them to more easily pay for it. We could start with a steering committee of college presidents who pave the way and encourage their colleagues to sign on. If we got colleges with half of the funds (much is concentrated in some of the large universities) to commit half of that to early intervention, that would represent a \$250 million investment.

Additional appropriations. Using the Perkins funds is not sufficient because they are not evenly distributed across the country -- the older, larger, more elite state and private universities have the bulk of it. The southwest and areas that rely more on lower-cost state and community colleges would be under-served if we do not create an alternative pot of funds to make grants to them for the same purpose.

Arguments for option B:

⁴[Describe distribution by schools and in terms of dollars.]

- Guarantees the provision of mentoring, counseling and support services that many say are critical to the success of early intervention programs.
- Provides colleges with a way of partnering with high-poverty schools in a way that may be less threatening, and ultimately more productive, than explicit school reform efforts.
- Given the tight appropriations, may be more likely to be adopted than option A.

Argument against option B:

- Using the Perkins Loan fund invites opposition by that program's supporters (including the contractors who collect the loans).

RECOMMENDATIONS

[On the information campaign, I think the “guarantee” continues to have appeal, so I prefer option 2 as an approach that would increase the effectiveness of the information campaign in poor areas, and allow us to capitalize on the interest in the Fattah bill.] [OMB strongly feels that the promise is not necessary for the campaign to be effective and that it adds administrative complexity. DPC thinks that a promise to an existing entitlement does not add enough to be worth the effort. Education? . . .]. On the early intervention program, all of your advisors recommend the school-college partnerships as the best approach.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrew J. Mayock (CN=Andrew J. Mayock/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-AUG-1997 10:15:32.00

SUBJECT: Long-Term Strategic Planning

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

TO: Shelley N. Fidler (CN=Shelley N. Fidler/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Laura K. Capps (CN=Laura K. Capps/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

TO: Bob A. Stone (CN=Bob A. Stone/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TO: Holly L. Gwin (CN=Holly L. Gwin/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: Kathleen A. McGinty (CN=Kathleen A. McGinty/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

TO: John H. Gibbons (CN=John H. Gibbons/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Debbie B Bengtson (CN=Debbie B Bengtson/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

TEXT:

Attached is a memo from Erskine to the strategy team. The purpose of this e-mail is to do the following:

further explain Erskine's request for a separate memo on prioritizing the pillars;
try to frame this modifying-your-pillars process;
inform you of deadlines and drop-offs;
provide the modified table of contents (or "table of pillars" which is attached); and
provide the memo, in case you have not seen it yet (attached).

First off, apologies for the lousy timing of this whole project. The first round with the 48-hour deadline was difficult, and this round, while not as time sensitive, is just as vexing with so many people on vacation. However, this round should afford some time for groups to work together.

Separate Memo on Prioritizing the Pillars

The third paragraph of EBB's memo requests that each member of the strategy team individually rank the pillars in order of perceived importance and briefly describe the reasoning behind their prioritization. This request is for the core members of the strategy team to spend some time individually thinking about their recommended vision for the next three and one half years. It should stimulate some creative and thoughtful ideas for moving forward. These memos will go directly to

LONG-TERM STRATEGY MEETING

Pillars

- 1. Education - Reed, Sperling**
- 2. Renewing our Cities, Welfare, Underclass - Sperling, Reed, Klain**
- 3. Environmental Protection - McGinty, Sperling, Gibbons**
- 4. Crime/Drugs/Prisons - Reed**
- 5. Children and Renewal of Family - Verveer, Echaveste, Reed, Sperling,**
- 6. Gifts to the Future - Verveer**
- 7. International Economic Leadership - Tarullo, Summers, Sperling**
- 8. Savings/Entitlement Reform - Sperling, Summers**
- 9. Health Care/Improving Health Status - Jennings, Reed**
- 10. American Leadership Abroad - Berger, Steinberg**
- 11. Science/Technology - Gibbons, Podesta, Gips, Sperling**
- 12. Racial Reconciliation - Echaveste**
- 13. Rego/Effectiveness of Government - Stone**
- 14. Campaign Finance Reform - Waldman, Emanuel**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Thurman (CN=Sandra Thurman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:22-AUG-1997 16:39:08.00

SUBJECT: Needle Exchange Policy

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

READ:UNKNOWN

TEXT:

Cynthia Rice
Weekly Report -- 8/22/97

Automated Records Management System
Hex-Dump Conversion

Welfare Reform: Vice President's September 3rd Event: On September 3rd, the Vice President will hold his second quarterly meeting with the Welfare to Work Coalition to Sustain Success, the group of civic and religious organizations mentoring welfare recipients which he chairs. As part of the on-going effort to underscore the benefits of the new balanced budget, we plan to have the Vice President announce the state by state allocations for the fiscal year 1998 welfare to work formula grants (over \$1 billion will be distributed by formula in FY '98, 85% of which goes to local private industry councils and 15% to states, which have three years to spend the funds). We also hope to be able to announce a timetable for the competitive grant process (about \$350 million in competitive grants will be awarded in FY '98). The meeting itself is a working session which will highlight successful mentoring models and include volunteer training by the Texas Pathfinders group led by state comptroller John Sharp whose effort in Texas inspired the formation of the Coalition.

College Students Working While on Welfare: You asked whether it's a good thing to offer on-campus work to welfare recipients. Under New York's new welfare law, workfare participants who are in college must be offered work slots on campus, a provision strongly supported by the City University of New York and opposed by Mayor Giuliani. We think efforts like these to help welfare recipients fulfill their work requirements while continuing their education are good for welfare reform. Although it is not easy to raise children, work in a job, and go to school at the same time, many Americans do so each year -- according to the Department of Education, over half of full-time students work over 20 hours per week.

You also asked whether we need to say anything else on this issue. Along that vein, we have been working with Secretaries Shalala and Riley on a letter to college presidents which provides information about how students can meet the law's work requirements and stay in college. The letter describes how colleges can use the federal work study program to provide work opportunities, and says the federal government will recognize such jobs as meeting the law's work participation requirements, so long as the required number of hours of work are performed. States must agree to count work study jobs as work as well, and the letter encourages university officials to work with state and local administrators on ways to accommodate college attendance with the requirements of welfare reform. We intend to send this letter by the end of August.

One alternative to the Hispanic caucus proposal, favored by some of your advisors, would be to give LEP students two 4th grade reading tests, one in English and one in Spanish. This approach would provide information both on a student's reading comprehension skills (in Spanish) as well as their proficiency in English. Politically, it may provide the basis for a compromise with the Hispanic caucus while protecting us from the charge that we are backing away from expecting all students to read in English. However, this proposal will be difficult to implement, will add to the testing burden of both students and school systems, and will still leave us politically vulnerable with Republicans, moderate Democrats and the business community. We recommend against it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-AUG-1997 13:30:13.00

SUBJECT: Unsolicited Compliment and other

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

READ:UNKNOWN

TEXT:

1. I thought you handled that meeting this a.m. extraordinarily skillfully.

2. Had you heard about the VP/NEC memo to Sylvia on this, I thought we were tasked with this issue, yes?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-AUG-1997 17:29:12.00

SUBJECT: daily

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

READ:UNKNOWN

TEXT:

Sorry, thought this went to you. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 08/22/97

05:28 PM -----

Leanne A. Shimabukuro

08/21/97 03:06:30 PM

Record Type: Record

To: Laura Emmett/WHO/EOP

cc: Jose Cerda III/OPD/EOP

Subject: daily

CRIME

Sex Offenders -- Yesterday, a divided federal appeals court upheld the constitutionality of New Jersey's "Megan's Law." The court held that it is not unconstitutional for authorities to notify residents of convicted sex offenders living in the community. The Third Circuit Court was the highest court to rule on the constitutionality of community notification. All 50 states have laws requiring sex offenders to register with law enforcement upon release from prison and 46 states have enacted laws on community notification of released sex offenders. The federal Megan's Law you signed last year requires states to impose community notification systems by November or risk losing federal funds.

COPS Program -- On Friday, the COPS Office will announce \$73 million in grants to police departments to fund 1,000 additional officers and deputies. The grants will go to 48 states and two U.S. territories, bringing the total to more than 64,000 community officers funded under the Clinton COPS Program.

August 19, 1997

MEMORANDUM FOR SYLVIA MATHEWS

**FROM: Richard Hayes
Dawn Chirwa
Susan Liss
Emil Parker**

RE: Civil Rights Enforcement

As you requested, and as part of the ongoing work of the President's Race Initiative, we have begun discussing policy initiatives designed to enhance federal civil rights enforcement. As we proceed, we thought it would be useful to provide you with some background on the various civil rights enforcement offices which exist, their funding levels, current projects underway and previous Administration efforts to improve federal civil rights enforcement.

In addition, this memorandum seeks your approval to proceed with forming a working group composed of the Civil Rights chiefs in the major enforcement agencies to develop a comprehensive civil rights enforcement strategy. (Deval Patrick and Chris Edley chaired such a group in response to the President's directive to mend affirmative action programs in 1995.) We think the responsible federal agencies need to be part of our discussions to ensure their support of any changes or enhancements we recommend.

I. Federal Civil Rights Enforcement Agencies

Over the past five years, the Clinton Administration has worked diligently to enforce the laws which protect the rights of those who have been discriminated against based on age, disability, gender, race, religion, and sexual orientation by supporting civil rights enforcement programs that effectively aid each of those groups. This work is accomplished through the oversight responsibilities of the following agencies.

A. Department of Justice, Civil Rights Division

The Civil Rights Division at the Department of Justice is charged with enforcing the Civil Rights Act of 1957, 1960, 1964, and 1968, the Voting Rights Act of 1965, the Equal Credit Opportunity Act, and the Americans with Disabilities Act. These statutes deal with eliminating discrimination in education, employment, credit, housing, public accommodations and facilities, voting and some federally funded and conducted programs. The Civil Rights Division, along with the Associate Attorney General, the Office of Legal Counsel and the Solicitor General has primary responsibility among the federal agencies for enforcing federal civil rights laws in the

courts and for providing legal counsel to agencies with respect to statutory and constitutional civil rights issues.

B. Department of Labor, Office of Federal Contract Compliance Programs (OFCCP).

OFCCP is part of the Employment Standards Administration at the U.S. Department of Labor. OFCCP's jurisdiction covers approximately 26 million or nearly 22% of the total civilian workforce (92,500 non-construction establishments and 100,000 construction establishments). Its primary responsibility is to enforce Executive Order 11246 under which all federal contractors, as a condition of receiving government funds, are required to refrain from discrimination and take good faith efforts -- including affirmative action -- to expand employment opportunities for qualified women, minorities, and persons with disabilities. In addition, OFCCP is charged with enforcing Section 503 of the Rehabilitation Act of 1973, and the affirmative action provisions of Section 4212 of the Vietnam Era Veteran's Readjustment Assistance Act.

The OFCCP employs various enforcement procedures, such as compliance reviews and complaint investigations of federal contractors' personnel policies and procedures, to enforce these statutes. OFCCP's current high priority initiatives include its public education initiative, introduction of its Fair Enforcement Strategy, and launching its tester's initiative.

C. Equal Employment Opportunities Commission (EEOC)

The EEOC is an independent agency whose primary goal is to ensure fair labor practices for employees who belong to minority groups that have experienced historical and current discrimination on the basis of race, gender, disability, national origin, religion and age. In particular, the EEOC is responsible for enforcing Title VII of the Civil Rights Act of 1964, the Equal Pay Act, the Age Discrimination in Employment Act, Section 501 of the Rehabilitation Act, the Americans with Disabilities Act, and, pursuant to Executive Order 12067, providing coordination among the federal agencies involved in equal employment opportunity issues.

D. Department of Housing and Urban Development (HUD)

HUD's Office for Fair Housing and Equal Opportunity enforces the Fair Housing Act that prohibits discrimination in housing on the basis of race, color, national origin, religion, sex, familial status, and disability. One of the major enforcement mechanisms employed by HUD in this area is the use of "testers" to uncover acts of housing discrimination. HUD attorneys also litigate complaints on behalf of persons whose allegations of discrimination have been deemed valid by HUD. Current priority civil rights-related projects within HUD include: (1) wide use of volunteers in testing; (2) a national advertising campaign; (3) "Make 'em pay" - a civil counterpart to the Department of Justice's project directed at perpetrators of hate crimes; and (4) the Presidential Housing task force.

E. Department of Education, Office of Civil Rights

The Office of Civil Rights at the Department of Education (OCR) seeks to secure equal access to education regardless of race, color, national origin, sex, disability, or age under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and the Americans with Disabilities Act of 1990. OCR's primary tasks include compliance reviews at educational institutions and providing technical assistance to institutions to promote voluntary compliance. Several high priority issues within OCR include: (1) English proficiency issues; (2) over representation of minorities in special education courses; (3) under representation of women and minorities in math; and (4) desegregation.

F. Department of Health and Human Services, Office of Civil Rights

The Office of Civil Rights at the Department of Health and Human Services is responsible for enforcing several statutes. These include Title VI of the Civil Rights Act of 1964; Section 504 of the Rehabilitation Act of 1973; the Age Discrimination Act of 1975; Title IX of the Education Amendments of 1972; Section 407 of the Drug Abuse Offense and Treatment Act of 1972; Titles VII and VIII of the Public Health Service Act; Section 307 of the Family Violence Prevention and Service Act; EEO provisions of the Communication Finance Act of 1934; the Comprehensive Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act of 1972; and Title II of the Americans with Disabilities Act of 1990. The current emphasis within OCR at HHS is placed on: (1) enforcement of the inter-ethnic adoption provision of the Small Business Job Protection Act of 1996; (2) medical redlining; and (3) providing government-wide guidance on non-discrimination in temporary assistance for needy families.

II. Federal Resources for Civil Rights Enforcement

The President's FY '98 budget increased the total funding for civil rights enforcement programs from \$470.8 million to \$480.32 million. (See chart below.) You should note that the EEOC and OFCCP budgets were increased, while the budgets for other relevant agencies were either frozen at FY '97 enacted levels, with no adjustment for inflation, or decreased slightly. The President's budget requested \$246 million for the EEOC, an increase of \$6.3 million over the FY '97 enacted level of \$239.7 million. The OFCCP budget was increased from \$56 million to \$59 million. Unfortunately, neither the House nor the Senate Commerce, Justice, State Appropriations bills fully funds the President's FY 1998 request of \$246 million for the EEOC -- the House bill freezes funding at the FY 1997 level of \$239.7 million, while the Senate bill provides \$242 million.

<u>Major Civil Rights Enforcement Agencies</u> <u>(millions)</u>	<u>FY 1997 (millions)</u>	<u>FY 1998</u>
■ EEOC 246.00		239.70
■ OFCCP 59.06	56.17	
■ U.S. Commission on Civil Rights 8.74	8.75	
■ Department of Housing and Urban Development 30.00	30.00	
■ Department of Justice, Civil Rights Division 62.42	62.55	
■ Department of Education 55.00		55.00
■ Department of Health and Human Services 19.53	19.71	

III. Summary of Administration Efforts to Improve Civil Rights Enforcement

This Administration has undertaken two major projects to reinvent Civil Rights Enforcement. The Vice President's National Performance Review recommended improvements in civil rights enforcement at the EEOC and OFCCP. In addition, the President's affirmative action review made several recommendations about how to make OFCCP more effective.

A. National Performance Review

1. EEOC

With the appointment of new Commissioners in 1994, a primary focus of the EEOC has been on decreasing its historically large backlog. Their adoption of the Priority Charge Handling Procedures in July 1995, and the adoption of the National Enforcement Plan (NEP) in February 1996, have resulted in more timely and effective resolution of the agency's pending inventory of charges.

The Priority Charge Handling System establishes an "ABC" priority system, under which cases are ranked -- "A," "B" or "C" -- based upon the strength of a particular complaint. This enables the EEOC to weed out unmeritorious cases and devote more time and resources to meritorious ones. Adoption of this Priority Charge Handling system has reduced the backlog of cases at the EEOC by approximately 25,000 cases. None-the-less, the agency continues to have a large backlog.

The National Enforcement Plan (NEP) is a three-pronged program. The aim is to dedicate available funds to prevention of discrimination as one of the most efficient and effective

means to aid in the achievement of equal employment opportunity goals. This is accomplished through educational outreach, voluntary resolution of disputes, with strong enforcement remaining as a measure to be used where the other two fail.

2. OFCCP

In order to improve its effectiveness while making contractors' compliance simpler and less burdensome, the OFCCP has enacted a Fair Enforcement Strategy. This expedited and more flexible tiered review process will enable the agency to concentrate on the most substantive violations while spending less time on reviews of firms that are largely in compliance. They also hope to modernize their computer systems to streamline the agency's internal procedures and reduce unnecessary paperwork requirements, permitting the office, for example, to accept electronically submitted reports from contractors.

B. President's Affirmative Action Review

1. EEOC

In 1995, the President ordered a comprehensive review of affirmative action programs. This review found that the EEOC was severely under funded, and recommended that additional resources be provided to help it run effectively. It was also recommended that EEOC should work with the Office of Personnel Management to evaluate the performance of its managers and with the President's Management Council (PMC) to study and report on the proper use of flexible goals and timetables for hiring and promotions. The review also recommended that the PMC identify those agencies that are best able to promote diversity and equal opportunity and implement similar mechanisms throughout the government.

2. OFCCP

The review revealed that although generally effective, OFCCP programs needed reforming. Academic research showed that during periods of strong enforcement, OFCCP programs resulted in moderate increases in the employment of minorities and that OFCCP's efforts did not cause employers to hire less qualified workers. At the same time, the review found that there is a great need to reduce affirmative action program paperwork. Contractors also expressed discontent with inconsistent enforcement between regions.

Several recommendations were made to the President on how to change and improve the OFCCP. First, the Secretary of Labor should update administrative guidelines on enforcement of non-discrimination, illegality of quotas, and good faith efforts. Second, the Secretary of Labor should investigate methods that would encourage collaboration with the private sector. Lastly, the Department of Labor should implement its plan to reduce paperwork.

IV. Congressional Civil Rights Enforcement Initiatives

Currently, both the House and the Senate have proposed similar bills, H.R. 2023 and S.71 that are aimed at amending the Fair Labor Standards Act of 1938 and the Civil Rights Act of 1964 to "give more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for any other purpose." The proposed bills attempt to eliminate the disparity in wages between males and females. Moreover, the bills require the EEOC to compel certain

employers to maintain payroll records and report the information to the EEOC which will then analyze the data in regards to race, sex and national origin of employees.

Additionally, these bills require the EEOC to train its employees, employers and others on discrimination in wage payment. The Secretary of Labor will be required to conduct studies and provide information to employers, labor organizations and the public on any progress in pay equity. Moreover, these bills reward those employers that make substantial efforts to eliminating disparities in wages by awarding to them the Robert Reich National Award for Pay Equity in the Workplace.

V. Recommendations on a Proposed Working Group on Civil Rights Enforcement

It is certain that additional resources need to be appropriated for civil rights enforcement at the EEOC and other agencies in future fiscal years to effectively serve the tens of thousands of Americans who annually seek their rights. OMB needs to be made aware that the Administration will seek additional funds in the FY 1999 budget to enforce anti-discrimination laws and that this needs to be built into the upcoming budget process. However, beyond just simply proposing additional expenditures, there are a number of other issues we need to examine in determining how federal civil rights enforcement can be enhanced. For example:

- (1) Should we prioritize enforcement efforts on particular areas, and if so on which areas: Employment? Housing? Education? Hate crimes? Old Age? Disabilities? Housing? etc.
- (2) Are there additional reinvention activities that we should pursue, even though this may result in resources being diverted from current projects?
- (3) Can the EEOC and OFCCP be made to work more effectively both individually and collectively?
- (4) Is there duplication in the current system that we should eliminate?
- (5) Do we need to strengthen the existing laws on the books?
- (6) How do we encourage more voluntary efforts by corporate America and others?

To address these and other issues, we propose forming a working group to come up with

a proposal for a comprehensive strategy on civil rights enforcement. We would chair this group, which would consist of the major agency civil rights chiefs as listed below. Judith Winston or her representative would be invited to participate; it will be critical that the working group work collaboratively with her and her staff. We might also want to include EPA (responsible for Administration's environmental justice effort), and Treasury/Comptroller of the currency (responsible for regulating banking practices with respect to loans). Otherwise, the members of the group will include:

1. Gilbert Casellas, Chairman, EEOC
2. Isabele Pinzler, Acting Assistant Attorney General, DOJ
3. Bernie Anderson, Assistant Secretary for Employment Standards, DOL
4. Shirley Wilcher, Deputy Assistant Secretary, Office of Federal Contract Compliance Programs, DOL
5. Dennis Hayashi, Director, Office of Civil Rights, HHS
6. Norma Cantu, Assistant Secretary for Civil Rights, EDUC
7. George Robertson, Acting Director, Office of Civil Rights Enforcement, Agriculture
8. Susan Forward, Acting Assistant Secretary for Fair Housing & Equal Opportunity, HUD
9. April Marchese, Acting Director, Office of Civil Rights, DOT
10. Mary Francis Berry, Chairman, Commission on Civil Rights

As for process, we would convene the working group early in September. The group would review our progress to date with respect to civil rights enforcement and come up with a comprehensive set of proposals aimed at strengthening Federal efforts to eradicate racial discrimination. We would also propose to examine what kinds of cooperative efforts might be possible with employers and others in addressing this issue, and the need for additional federal legislation and funding and whether the current priorities of the agencies are the ones the Administration wants to focus on. We propose that the work of this group will either be completed or at an appropriate stage so that any requests for additional funding for civil rights enforcement can be incorporated into the FY 1999 budget before the President submits his budget to the Congress in January.

We look forward to hearing your thoughts concerning our recommendation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Dorskind (CN=James A. Dorskind/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-AUG-1997 17:37:15.00

SUBJECT: Spirits Council Letter -- follow-up

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

READ:UNKNOWN

CC: Phillip Caplan (CN=Phillip Caplan/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

To clarify my earlier message -- I'd like to close this out, and I assume that the staff contacts are sufficient so that no response is necessary to the April 4 letter.

Please let me know one way or another. Thanks.

JD

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Dorskind (CN=James A. Dorskind/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-AUG-1997 18:23:48.00

SUBJECT: Re: Spirits Council Letter -- follow-up

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

READ:UNKNOWN

TEXT:

No problem. Thanks for getting back to me. Have a nice weekend.

JD

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-AUG-1997 13:36:08.00

SUBJECT: Bad meat

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

READ:UNKNOWN

TEXT:

I asked Mary to look into the bad meat issue. She says USDA said that Glickman's COS was talking to Erskine and is sending a briefing and Q and A's to Erskine about this that is going to be passed on to the President. We'll get a copy of that to look at, but if erskine is happy with that, that would suit us fine.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL).

CREATOR: Jason S. Goldberg (CN=Jason S. Goldberg/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-AUG-1997 09:33:19.00

SUBJECT: NOTES ON DAILY REPORTS - TODAY AND NEXT WEEK.

TO: Demond T. Martin (CN=Demond T. Martin/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Kimberly H Tilley (CN=Kimberly H Tilley/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Karen E. Finney (CN=Karen E. Finney/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Michael D. Malone (CN=Michael D. Malone/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: MILLISON_C (MILLISON_C @ A1 @ CD @ LNWTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

TO: Gene B. Sperling (CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

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

TO: Carolyn E. Cleveland (CN=Carolyn E. Cleveland/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Alice H. Williams (CN=Alice H. Williams/OU=CEA/O=EOP @ EOP [CEA])

READ:UNKNOWN

TO: Robert S. Kapla (CN=Robert S. Kapla/OU=CEQ/O=EOP @ EOP [CEQ])
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Nancy V. Hernreich (CN=Nancy V. Hernreich/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Carole A. Parmelee (CN=Carole A. Parmelee/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Lori L. Anderson (CN=Lori L. Anderson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Patricia A. McHugh (CN=Patricia A. McHugh/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Jill M. Blickstein (CN=Jill M. Blickstein/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

TO: Elizabeth Harrington (CN=Elizabeth Harrington/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Debbie B Bengtson (CN=Debbie B Bengtson/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: WILLIAMS_A (WILLIAMS_A @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

TO: Nelson W. Cunningham (CN=Nelson W. Cunningham/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TO: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Jonathan Foster (CN=Jonathan Foster/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

TO: Ronda H. Jackson (CN=Ronda H. Jackson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: KERRICK_D (KERRICK_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

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

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

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

READ:UNKNOWN

TO: Craig T. Smith (CN=Craig T. Smith/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Charles F. Ruff (CN=Charles F. Ruff/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Michele Jolin (CN=Michele Jolin/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

TO: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Edward F. Hughes (CN=Edward F. Hughes/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TO: Rebecca A. Cameron (CN=Rebecca A. Cameron/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Karen E. Skelton (CN=Karen E. Skelton/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

TO: Julie E. Mason (CN=Julie E. Mason/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Janet L. Graves (CN=Janet L. Graves/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

TO: JOLIN_M (JOLIN_M @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

TEXT:

As you know, we send the President a daily report on issues the White House is working on / tracking while he is on vacation.

Notes for today and next week:

1. Those offices not submitting a Weekly Report today should please send bullets for the daily report by 4pm today.
2. Phil Caplan will be compiling the Daily Report on Monday, August 25. Please forward your information to him.
3. Demond Martin will be compiling the Daily Report Tuesday, August 26 - Friday August 29. Please forward your information to him.

THANKS.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Thomas Freedman to Elena Kagan re: candidates (1 page)	08/24/1997	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[08/22/1997-08/25/1997]

2009-1006-F

bm42

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-AUG-1997 17:54:50.00

SUBJECT: reading tea leaves

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

READ:UNKNOWN

TEXT:

The portion of the Brownstein article (you forwarded) underlined by the President is encouraging. What do you think about a strategy memo framing the domestic agenda as a whole, including arguing that fixing failing schools is such a good issue it deserves to be at the top of a major announcement this fall-- and broader than simply standardized testing. Sidney b. is very interested in arguing it as part of a "New Economy" framwork...and I'll send you Morgenthau's resume.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-AUG-1997 20:37:16.00

SUBJECT: Re: ed strategy

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

READ:UNKNOWN

TEXT:

Thanks for the feedback. I've thought about the Black Caucus meetings and whether I should attend. I assume I should, though Andy set them up as sessions for he and Tanya, and I have not had a chance to discuss his reasoning behind that. I want to hear him out before deciding what combination of people will be the most effective.

I'll touch base with you Monday morning about setting up the test strategy meeting on Monday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Leanne A. Shimabukuro (CN=Leanne A. Shimabukuro/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:25-AUG-1997 12:04:00.00

SUBJECT: Indian Country Law Enforcement Directive

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The long-awaited directive was signed this morning. I will fax or send you a copy of the signed directive for your files.

I'll be busy getting ready for round two with OMB in October to actually implement the directive.

Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1997 19:45:57.00

SUBJECT: National Testing

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

READ:UNKNOWN

TEXT:

----- Forwarded by Michael Cohen/OPD/EOP on 08/25/97
07:46 PM -----

Ananias Blocker III
08/25/97 12:22:43 PM
Record Type: Record

To: Michael Cohen/OPD/EOP
cc:
Subject: National Testing

This is the preliminary paragraph to replace the last sentence of the paragraph on the black caucus. I will probably edit it as I get return phone calls from some members. Thanks Andy

The issue of testing is a divisive issue among Caucus members and can be expected to split the Caucus. While Representative Major Owens (NY) opposes the national tests, other members of the Caucus on the Education & the Workforce Committee, including Representatives Harold Ford (TN) and Bobby Scott (VA), have indicated support for the development of the tests.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1997 20:46:08.00

SUBJECT: Draft Weekly Welfare Agenda

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Weekly Welfare Strategy Meeting

August 26, 1997

- I. Upcoming FLSA Fight--what do we need to do to prepare?
- II. \$3 Billion Welfare to Work Implementation
 - VP to announce state-by-state \$ on Sept 3rd with Sect Herman
 - Including DPC, others in meeting re: application criteria
 - Possible future events: release application, announce regs, etc.
- III. Child Support Computer Systems--Decide Strategy early Sept.
- IV. AFSME Welfare to Work Proposal
- V. Letter to D.C. -- did not meet Due Process -- Can HHS send?
- VI. Letter to College Presidents -- Going out This Week
- VII. New Mexico Housing/Welfare Issue -- HUD/HHS meeting after Labor Day
- VIII. Welfare to Work Transportation
 - Strategy Session after Labor Day
- IX. Welfare Research and Evaluation: Appropriations Troubles
- X. Nat'l Center for Health Stats Report Due out in Sept. (Teen Births, Infant Mortality)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kris M Balderston (CN=Kris M Balderston/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-AUG-1997 14:56:17.00

SUBJECT: Weekly Education Strategy Meeting

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

READ:UNKNOWN

TEXT:

Is this mtg officially cancelled now?

----- Forwarded by Kris M Balderston/WHO/EOP on 08/25/97

02:54 PM -----

Cathy R. Mays

08/25/97 11:33:33 AM

Record Type: Record

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

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

Subject: Weekly Education Strategy Meeting

The weekly Education Strategy Meeting for today is cancelled.

Message Sent

To:

Rahm I. Emanuel/WHO/EOP
 Gene B. Sperling/OPD/EOP
 Kenneth S. Apfel/OMB/EOP
 Emily Bromberg/WHO/EOP
 Elena Kagan/OPD/EOP
 Michael Cohen/OPD/EOP
 Maria Echaveste/WHO/EOP
 Kris M Balderston/WHO/EOP
 Ananias Blocker III/WHO/EOP
 Tracey E. Thornton/WHO/EOP
 William H. White Jr./WHO/EOP
 Robert M. Shireman/OPD/EOP
 William R. Kincaid/OPD/EOP
 Kathryn B. Stack/OMB/EOP
 Donald H. Gips/OVP @ OVP
 Karen E. Skelton/WHO/EOP
 Michael Waldman/WHO/EOP
 Jonathan H. Schnur/OVP @ OVP
 Sky Gallegos/WHO/EOP

Message Copied

To:

Melissa Green/OPD/EOP
 Jill M. Pizzuto/OMB/EOP
 Kevin S. Moran/WHO/EOP
 Michelle Crisci/WHO/EOP
 Marjorie Tarmey/WHO/EOP
 Laura Emmett/WHO/EOP
 Lisa J. Levin/WHO/EOP

Toby Donenfeld/OVP @ OVP
Angelique Pirozzi/WHO/EOP
Laura K. Capps/WHO/EOP
Suzanne Dale/WHO/EOP
Ruby Shamir/WHO/EOP

CRIME & DRUGS PILLAR						
BUILDING BLOCKS	DESCRIPTION	TIMELINE	BENEFITS	COSTS/FEASIBILITY	POLITICAL RAMIFICATIONS	PRESIDENTIAL TIME COMMITMENT
100,000 More Police Crime Technology	<p>Continue implementing the Administration's signature program to increase police presence and expand community policing throughout the country. Add new focus on policing strategies that focus on quality of life issues and crime "hot spots."</p> <p>Add technology component to community policing initiative. Include use hand-held computers, crime mapping software and other innovations.</p>	<p>Being implemented through FY 2000. New initiatives can start to be developed in FY 1998.</p>	<p>Majority of nation's police departments have received funds to hire a total of 63,000 new police (or equivalents) and for community policing training. These resources have been key to local efforts to drive down crime rates.</p> <p>Technology becomes more important as police departments begin to reach optimum force levels.</p>	<p>\$8.8 billion through FY 2000, nearly \$5.5 billion of which will have been appropriated as of FY 1998. New funds not necessary unless Congress extends life of hiring grants. If hiring grants are extended, they would cost about \$1.5 billion per year.</p> <p>New funds for technology component not necessary if Congress expands non-hiring portion of program.</p>	<p>Currently has strong bipartisan congressional support.</p> <p>Some Members of Congress and Mayors have expressed concern about program funds expiring, and are looking to extend grants beyond the originally proposed 3 years.</p>	<p>Significant time commitment.</p>
Brady Bill	<p>Work with state and local law enforcement to make sure that they continue to conduct background checks on a voluntary basis. Implement a national computer "Insta-Check" system for all firearms sales after November 1998.</p>	<p>National "Insta-check" system must replace 5-day waiting period by November of 1998.</p>	<p>More than 250,000 fugitives, felons and other prohibited purchasers have been stopped from buying handguns.</p> <p>Murders committed by firearms down.</p>	<p>As of FY 1998, \$220 million will have been expended to help states improve their criminal history records.</p> <p>Additional funds <u>may</u> be necessary to continue this process, and -- in response to the Supreme Court's decision in <i>Printz v. U.S.</i> --</p>	<p>Despite the Supreme Court's decision (<i>Printz</i>), the overwhelming majority of state and local law enforcement agencies are still conducting background checks. Only 2 states -- AR and OH -- and a</p>	<p>Limited time commitment if Congressional action not required.</p>

CRIME & DRUGS PILLAR

				to establish a direct nexus between requiring state and local law enforcement agencies to participate in "Insta-check" system and federal funds. Continuing the grant program to help states improve their criminal history records would cost about \$50 million per year.	handful of local jurisdictions have resisted. Considerable work still needs to be done to get a majority of the states to participate in the national "insta-check" system, including passing implementing legislation in the states and getting more funds from Congress for Insta-Check. The politics of this are more likely to be dominated by pro-gun/anti-gun debate than by party affiliation.	
Prisons/Penalties	Enforce/promote penalty enhancements for serious criminals -- such as "three strikes" and "truth-in-sentencing" -- and provide states with resources to incarcerate violent offenders. Possible new initiative: coerced abstinence --	Being implemented through FY 2000. State plans for testing	Serious criminals are serving longer sentences; state and federal prison capacity is up (approximately 40%); and prison overcrowding is down (only 3% at the state level; 24% in the federal system). A large portion of the state and local prison	No new funds are necessary. The crime bill authorized more than \$10 billion for state prisons (construction and operations) and alternatives to incarceration; \$1.3 billion already has been appropriated (FY 97). No new funds are necessary if money from the Crime	Republicans have favored investing more Crime Bill monies into prisons than Democrats and the Administration. However, to make it easier for governors to access prison funds, Republican appropriators have watered down the	Limited time commitment.

CRIME & DRUGS PILLAR

	get states to test, treat and keep offenders drug-free.	and treating prisoners due in March , 1998 -- and must be implemented by Septem-ber, 1998.	population are crime-committing drug addicts, and testing/treatment may prevent them from committing more crimes when released.	Bill's prison grants can be used for this purpose.	Crime Bill's tough "truth-in-sentencing" requirements. Republicans have strongly resisted the Administration's efforts to allow prison grants to be used for drug testing and treatment.	
Sex Offenders	Through the Crime Bill and other legislation, the Administration has supported requiring states to create registries of sex offenders; mandating community notification of released sex offenders (Megan's Law); and establishing a national sex offender registry to link the information kept by the states.	Ongoing. All 50 states have some form of sex offender registry. Technical amendments need to be passed by end of FY 97 to ensure that states are not penalized. Interim national registry in place as of this spring. Working to get states to participate in national registry as	Communities are notified of released and paroled sex offenders. Law enforcement can more closely monitor sex offender whereabouts.	The Administration requested -- and the House and Senate appropriations bill currently include -- \$25 million to provide states with technical assistance to improve their sex offender registries (this is in addition to the funds provided by the Brady Law).	Strong bipartisan support. Some governors concerned about losing federal funds if their registries ultimately do not meet certain federal standards. Technical changes are being considered in appropriations bills. Community notification laws are being litigated in federal and state courts.	Limited time commitment.

CRIME & DRUGS PILLAR						
		soon as possible.				
Domestic Violence	Continue implementation of the enforcement and preventative initiatives to reduce violence against women.	Being implemented through FY 2000.	Funds have been used to promote pro-arrest policies, battered women shelters, rape prevention, and to establish a national domestic violence hotline. Proposed security improvements to public places have not been implemented.	More than \$500 million of the \$1.6 billion authorized for this legislation has already been appropriated.	There is strong bipartisan support for this initiative.	Limited time commitment.
Juvenile Crime Bill	The Administration has proposed a comprehensive anti-gang and youth violence strategy that: funds local prosecutors; expands after school programs; bans violent juveniles from owning guns as adults; and requires child safety locks with every gun sold.	House Republicans passed their version of a juvenile crime bill in June 1997; the Senate is planning to consider a somewhat improved version this fall.	Would allow localities to replicate Boston's comprehensive -- and very successful -- anti-gang/youth violence initiative (Operations Ceasefire/Nightlite). By cracking down on gangs, tracing all youth crime guns, keeping schools open, etc., youth crime and murders have been cut dramatically.	The Administration's FY 1998 budget included \$225 million to support its juvenile crime strategy (as well as other funds for crime bill authorized prevention programs). Congress has favored more costly block grants to fund a juvenile crime strategy. The House CJS appropriations bill currently includes a new \$300 million block grant for enforcement and a new \$100 million block grant for prevention. The Senate CJS bill included a new \$145 million block grant for enforcement and a \$75 million discretionary	In the House, Republicans and Democrats were sharply divided over the juvenile crime bill. The Black Caucus decried the Republican and Administration bills as too punitive. And both Democrats and Republicans fought the Administration's efforts to attach gun provisions to the legislation. Senate: While there is more consensus in the Senate, most Republicans are not supportive of the	Significant time commitment.

CRIME & DRUGS PILLAR

				<p>prevention program.</p> <p>Estimated new costs for FY 1998 juvenile crime initiative: \$200 to \$400 million.</p>	<p>Administration's after-schools initiative -- and (as in the House) Republicans and Democrats alike will fight or water down our gun measures.</p>	
<p>National Drug Strategy</p>	<p>By law, the Administration must submit a National Drug Strategy each year. The Administration has proposed record drug budgets, investing marginal new funds in increased prevention, domestic law enforcement, and criminal justice drug treatment. The major new initiative in this year's Strategy is a \$175 million media campaign to help counter recent increases in adolescent drug use.</p> <p>Potential new initiatives include: (1) money laundering crackdown (Treasury has bill); (2) demanding that governors clean-up their prisons and</p>	<p>Ongoing.</p> <p>New Drug Strategy and Budget due each February. New initiatives will need to be outlined at this time.</p> <p>Media campaign will need to be implemented this fall.</p>	<p>Generally, to reduce drug use and its consequences; reduce drug-related crime and violence; and keep drugs from entering our borders.</p>	<p>This year's overall drug budget was just under \$16 billion, and most of it should be funded by Congress. Also, the House and Senate appropriators are supportive of the media campaign and are considering funding between \$110 and \$150 million.</p> <p>It is important to note, however, that almost all of the drug budget increases since 1994 have been the result of the \$22 billion crime bill (i.e., community policing, drug courts, prisons, and prevention.) and other rising expenditures. Congress has not funded most of the new drug-specific budget items proposed by the Administration since 1993.</p>	<p>Republicans have strongly criticized our overall drug strategy and budgets, including early cuts to the Drug Office, reductions to the military's and Customs' interdiction program, initial focus on treatment and prevention, alleged tolerance of legalization, certification of Mexico, and a lack of zeal in prosecuting drug crimes.</p> <p>Speaker Gingrich has expressed strong support for taking on the drug issue, and supports the media campaign. Republicans also support the \$10 million Drug-Free</p>	<p>Significant time commitment.</p>

CRIME & DRUGS PILLAR

	test/treat drug-using offenders; and (3) continuing focus on Administration's meth strategy that has yielded positive results in its first year (use down, seizures up).				Communities Act. However, we are unlikely to get Republican support on other anti-drug initiatives -- and more likely to see a tough Republican anti-drug bill next fall.	
Race Crime Initiative	Propose anti-crime initiatives to complement race dialogue: (1) increased community policing for high-crime, minority communities that have been traditionally under-protected; and (2) targeted crime prevention funds for high-crime, minority neighborhoods.	Next 12 months.	Would bring new police resources to communities that have the highest public safety needs and increase interaction with the community. Would increase opportunities for minority youth and offer positive alternatives to gangs, guns and drugs.	The Crime Bill already authorizes substantial funds for these purposes (\$8.8 billion for police, \$6 billion for prevention), as does the Administration's and Congress' proposed juvenile crime legislation. Thus, no new funds are necessary as long as monies for these initiatives are actually appropriated.	There should be bipartisan support for targeting community policing resources to high-crime, minority communities. However, there has been almost no support among Republicans for funding the Crime Bill's prevention programs -- and limited support for adding prevention funds to the juvenile crime bill.	Limited time commitment.
Victims Rights Amendment	Lead fight to amend Constitution to protect the rights of crime victims.	House held hearings in June of 1997. No Senate action yet.	Writes many of the protections that crime victims have gained into the Constitution.	No immediate budget implications.	Bipartisan support for victims' rights.	Limited time commitment.

CRIME & DRUGS PILLAR						
		Should work to get passed by the end of this Congress.				

HEALTH CARE
PILLAR

Automated Records Management System
!lex-Dump Conversion

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1997 10:57:17.00

SUBJECT: Candidates and crime/.

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

READ:UNKNOWN

TEXT:

1. i told the candidate for elizabeth drye's job to just call Laura to make an appoitment with you-- he wants to come in Thurs. afternoon.

2. I'll drop the violence aganist woman summary off before my 11:15 meeting, sorry I hadn't earlier.

3. I'm happy to help with the cover memo on pillars, kibbutzing to pulling suporting poll numbers for our position.

regards, Tom

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1997 21:00:52.00

SUBJECT: My vacation

TO: Linda R. Cooper (CN=Linda R. Cooper/OU=OPD/O=EOP [OPD])
READ:UNKNOWN

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

TO: Elisabeth Stock (CN=Elisabeth Stock/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

Yes, I am finally taking some time off! I will be out of the office starting Wednesday, 8/25 and will return to the office Wednesday, 9/3.