

**NLWJC - KAGAN**

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**[11/06/1997]**

# Withdrawal/Redaction Sheet

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Charles Blanchard to Elena Kagan et al. re: ONDCP Update [partial] (1 page)	11/06/1997	P6/b(6)

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**COLLECTION:**

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

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**FOLDER TITLE:**

[11/06/1997]

2009-1006-F

bm66

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### 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: Estela Mendoza ( CN=Estela Mendoza/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-NOV-1997 16:27:07.00

SUBJECT: Mike's Briefing

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Allison Balderston ( CN=Allison Balderston/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TEXT:

Can you make Mike's briefing tomorrow to speak about Hate Crimes Conference?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 6-NOV-1997 18:30:47.00

SUBJECT: schedule

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

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

TEXT:

February -- Tony Blair visit may be 5th and 6th, but still pending. It does look likely that it will be a two day visit. Do you want to submit a written proposal for a welfare event with Blair? Everyone seems clear that POTUS is interested in doing a domestic event with him, so we don't need to rush to do it.

We have submitted the request for Dec. 1 World AIDS Day event. Folks were clearly opposed to it b/c POTUS is doing a town hall two days later, so I have let scheduling know we can change the format to either a roundtable or just have him satellite into an existing event and make remarks. Other ideas?

Also, just so you know, DOJ is now saying the crime victimization #s may not be out until the 16th (Sunday) in which case we can't do an event/oral statement. We should know later tonight.

Also, McCaffrey's office has submitted a request to invite reps from 70 civic organizations who have agreed to sign an alliance to fight youth drug use to the WH for an event with the President. They are planning to be in DC on the 18th, but it looks like the only open message day all month is the 13th -- so now ONDCP is trying to get this event for that day. The groups represent 55 million people -- it's groups like the Elks, etc. -- and it would be a fine event if nothing else is going on. I don't think Rahm is crazy about it, although it's hard to tell, and Ann Lewis and Sylvia seem close to putting on the schedule. What do you think? Should we propose something else for the 13th or just wait to see what fate has in store.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 11:59:19.00

SUBJECT: Central Americans-- 5:00pm meeting today

TO: Julie A. Fernandes ( CN=Julie A. Fernandes/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:

I spoke with Peter-- he says that DC approps is supposed to come up this afternoon in the Senate and may get passed by the House as early as tonight.

Our chances of getting Haitians and NJB are still unclear but looking less than optimal. In addition, it looks like there will be report language which will ask the Justice Department to use its discretion to give Salvadorans and Guatamalans an easier standard in their suspension cases (apparently Abraham favors this too).

We need to decide our position on an easier standard for Salvadorans/Guatamalans and what kind of future commitment we want to make for Haitians who may get left out of this deal. The signing statement provides an opportunity for the President to say something on these fronts. Since he may be signing this as soon as tomorrow, Peter said we should meet late today to get these policy issues resolved.

I'm setting up something for 5:00pm today in room 231 and inviting the usual suspects.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 12:12:04.00

SUBJECT: Question about TANF process

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Emily Bromberg had indicated to me yesterday that she'd like to sit in on a Shalala-Reed meeting. She did not want to attend the Katzen meetings because she didn't want to give HHS the opportunity to play her off on us.

What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 11:30:41.00

SUBJECT: Revised Goodling Q&A on e-mail. Bill 6-2857

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Christa Robinson ( CN=Christa Robinson/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 6-NOV-1997 18:19:38.00

SUBJECT: schedule

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

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

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

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

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

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

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

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

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

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

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

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

TO: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

TO: Tanya E. Martin ( CN=Tanya E. Martin/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Cynthia A. Rice ( CN=Cynthia A. Rice/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

TO: WEINSTEIN\_P ( WEINSTEIN\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

TEXT:

11/7 Mtg w/ POTUS on Race Initiative  
Tape Radio Address - topic tbd

11/10 WH Conference on Hate Crimes

11/11 Veteran's Day

11/12 Possible Statement on Crime Victimization #s

11/13 Open for Message Event  
Possible Civic Organizations announcement alliance to fight  
youth drug use

11/14 Zedillo Visit  
Tape Radio Address (possibly climate announcement)

11/15 Environmental Event (Sacramento)

11/17 Welfare to Work Event (Kansas)

11/18 No Message Event

11/19 Cable Industry Race Announcement

11/20 Health Care Quality Commissions Consumer BORS

11/21 Rabin-Peres Award Lunch  
Tape Radio Address - Reauthorization of Americorps

11/24-26 APEC

11/26 Thanksgiving

Dec. 1 World AIDS Day possible event

Dec. 3 Youth Town Hall on Race

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 15:35:12.00

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

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

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

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

TEXT:

Excellent work all around. Let's go with it.

My only thought, as I told Tom, is that if the disability piece of the Kennedy bill is significant, perhaps we should include a disabled person on our all-star panel. That will help Rahm and Middle America relate a little better.



DRAFT-DRAFT-DRAFT-DRAFT

November 6, 1997

George Dessart, Chairman of the Board  
Myles Cunningham, President  
John Seffrin, CEO  
American Cancer Society  
1599 Clifton Road, N.E.  
Atlanta, GA 30329

Dear Friends:

I am writing to thank you for your tireless efforts to promote the public health. I admire your efforts on issues ranging from cancer research funding to reducing teen smoking to encouraging Americans to eat healthier diets. I regret that I cannot be with all of you in Los Angeles for your annual meeting and wish you the best of luck.

As you know, the President and I are committed to drastically reducing the number of young people who get addicted to the deadly habit of cigarette smoking. We feel that the agreement reached with the Attorneys General and the tobacco industry last June represents an unprecedented opportunity to truly change the face of this epidemic. As you would agree, the President and I will not support any legislation that does not include: a comprehensive plan to reduce youth smoking, including tough financial penalties on tobacco companies if reductions in youth smoking are not met; full authority to regulate cigarettes by the FDA; changes in the way the tobacco industry does business, including ending the marketing and promoting of tobacco products to kids and requiring the disclosure of certain industry documents; investing in other public health goals and protecting farmers and their communities. No legislation is better than any legislation that allows the tobacco industry to continue to hook thousands of kids to their deadly products every year.

As you may know, the President asked me to travel around the country to get ideas and build support for this effort. I have met with young people and their parents, public health experts, doctors, nurses, police officers and teachers in Florida, in Iowa and in Washington, D.C. From these meetings I have gained new insights and have a newfound respect for the efforts to reduce youth smoking that are happening at the local levels. I look forward to continuing these meetings in other parts of the country and bringing what I learn back to Washington, D.C. so that I can push for legislation that will truly make a positive difference for millions all Americans. I support a very open and honest discussion on this important issue and look forward to working with Congress this winter.

I very much appreciate all the work that you all have done and look forward to working with you in the future. Best of luck with your conference.

Automated Records Management System  
Hex-Dump Conversion

Sincerely,

Al Gore

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 22:03:38.00

SUBJECT: Civil rights enforcement package

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

This is the latest draft of the OMB introduction to the civil rights package. The package states its four components are compliance, ADR, information and data improvements across the lead agencies. The package is now a \$56 million increase -- a 13.2% increase over the FY 1998 enacted level (a 10.6% real increase).

The major specific initiatives are still the improvements at EEOC (6 month goal, more ADR), HUD audit enforcement (a \$14 million project), and compliance at OFFCP.

Raines is slated to sit down with OMB staff Wednesday of next week to review this.

I've asked for and received from the agencies more project ideas in the areas of compliance, mediation, data collection, and technology they would make. As of today, I have new projects in these areas but they don't ask for much more money-- from HHS another \$5.5 million, from Education another \$2.2 million, EEOC \$1.2. DOL and DOJ should get their's in tomorrow. Of course, if we just gave the agencies what they asked for in their budget requests it was about \$80 million.

PIR (the english guy) called to say they were sitting in on the Raines meeting and wanted to discuss our package prior. Regards, Tom =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D90]MAIL46789790H.316 to ASCII,  
The following is a HEX DUMP:

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3653B4411B911A058D17BD1E3AA6FA50CEBA7CECC0A24C541DD8E536291E946A01E4D86804E77C  
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## CIVIL RIGHTS CROSSCUT DIRECTOR'S REVIEW OVERVIEW

In June 1997, President Clinton launched his President's Initiative on Race (PIR), a campaign to improve race relations in the post-civil rights era by encouraging Americans to "learn together, talk together and act together to build one America" and to "help educate Americans about the facts surrounding issues of race". The seven-member Board agreed at its first meeting July 14 to focus its first initiatives on education and economic opportunity issues. President Clinton and Vice President Gore participated in a second Board meeting on September 30, where the President reiterated his commitment to looking for practical steps that will move the country forward toward common goals. He called on the PIR to consider publishing a compendium of local efforts that address promising practices of diverse communities in successfully promoting tolerance and models of behavior.

This crosscut review has three sections. The first section asks for decision on funding for the six principal civil rights enforcement agencies and the U.S. Commission on Civil Rights. The six enforcement agency proposals discussed in the issue papers comprise a \$56 million "Presidential Civil Rights Initiative", discussed below. The second and third sections are informational only. The second section discusses enforcement programs for which funding decisions are not requested, and programs that have been considered "civil rights" related, but are non-enforcement in nature; decisions for these programs will be made in the context of agency reviews. The third section discusses Administration efforts in a variety of areas that may be considered race-related.

**The Domestic Policy Council's Civil Rights Working Group Efforts.** The Domestic Policy Council (DPC) and HTF Division staff have been engaged for several months in meeting with both civil rights advocacy group leaders and agency officials to hear their recommendations for improving Federal civil rights efforts. The advocates recommended a range of ideas including improved White House coordination of civil rights policies and stronger enforcement of civil rights laws by and in the Federal Government. All agreed strongly that a coordinated approach to civil rights policies, with a full-time senior person in the White House responsible for civil rights issues, could assist in numerous ways, including: identifying civil rights priorities and focusing resources incrementally in key areas which could aide the Assistant Secretaries in defending their budgets during the appropriations process; focusing the need for Cabinet Secretaries to play a more visible role in advancing the Administration's civil rights agenda; giving strategic attention to Presidential appointments and the timing of major initiatives; and coordinating the fight against discrimination by Federal agencies.

The DPC also conducted a series of meetings with Federal civil rights agencies including the Equal Employment Opportunity Commission (EEOC), the Department of Justice's Civil Rights Division, and the civil rights offices of Education, HHS, Labor, and HUD. These agency meetings were held to discuss ideas for assisting the Administration obtain its civil rights enforcement budgets from the appropriators.

**Presidential Civil Rights Initiative.** DPC and HTF Division staff believe increased resources are necessary to implement many of the proposals for agencies to conduct business more effectively and efficiently. A Presidential announcement would highlight a \$56 million “Civil Rights Initiative” to assist the key civil rights enforcement agencies:

- to improve compliance;
- to implement greater use of alternative dispute resolution techniques;
- to invest in information systems upgrades; and
- to develop better data collection capabilities.

The increased funding would be more than a symbolic statement about the President’s commitment to civil rights; it would provide the enforcement agencies with badly needed resources. For example, EEOC could invest in technology and implement greater use of mediation to quickly resolve complaints without significant increases in staffing. OFCCP would continue its streamlining and compliance assistance initiatives. And our recommendation for HUD is to develop a targeted, audit-based enforcement initiative that would raise the Nation’s and communities’ awareness of the extent of housing discrimination through focused and publicly released audit results and subsequent enforcement action. Detailed agency proposals are discussed in the subsequent issue papers. The funding levels for each agency are shown in the table below:

<b>Presidential Civil Rights Initiative</b> (Budget Authority, in millions of dollars)					
<b>Agency</b>	<b>FY 1998 Enacted</b>	<b>FY 1999 OMB Guidance</b>	<b>FY 1999 RMO Recomm</b>	<b>Presidential Initiative</b>	<b>Delta: Recomm. Less Guidance</b>
<b>EEOC</b>	240	236	270	<b>+30</b>	+34
<b>HUD</b>	30	34	44	<b>+14</b>	+10
<b>DOJ</b>	65	67	70	<b>+5</b>	+3
<b>OFCCP</b>	62	69	67	<b>+5</b>	-2
<b>Education</b>	62	63	64	<b>+2</b>	+1

<b>HHS</b>	20	20	20	+0	+0
<b>Total:</b>	479	489	535	+56	+46

**Civil Rights Information in the President's Budget.** Both the advocates community and the civil rights agencies discussed the need for better and more available data on civil rights programs. During President Clinton's first term, there was no discussion on civil rights programs in the annual budget presented to Congress. For the FY 1998 Budget, a brief discussion on overall funding for civil rights activities in housing and employment was included in the short "Highlights of the Federal Budget" document in "Chapter VI, Expanding Economic Opportunity". This contrasts sharply to fuller analyses of civil rights activities that had been an integral part of the President's Budget through FY 1987. The "Special Analysis J" section (see Appendix A) listed budget authority for principal federal civil rights activities and descriptions of the coverage and scope of voting rights, equal employment opportunity, fair housing and equal credit, activities of the U.S. Commission on Civil Rights, and non-discrimination in Federally assisted programs. When the FY 1988 budget was consolidated into a single document, the production of most special analyses ceased. With the resurrection of the Analytical Perspectives component of the President's Budget in \_\_\_\_\_, all of the previous analysis were again included, with the exception of civil rights activities. OMB may want to include a civil rights section in the FY 1999 Budget as part of an Administration effort to highlight government-wide program and financial information for civil rights activities.

**Summary of Civil Rights Enforcement Funding.** Most of the Federal dollars that go toward civil rights objectives are provided to agencies for enforcing Federal civil rights statutes. In January 1997, at the request of Wade Henderson of the Leadership Conference on Civil Rights, the Housing, Treasury, and Finance Division developed a post-budget crosscut table of FY 1998 spending for civil rights programs. The President proposed \$608.6 million for Federal civil rights programs, a \$51.7 million or 9.3 percent increase in budget authority over FY 1997. Funding increases were proposed for nearly every civil rights agency, spreading scarce Federal resources over a broad group of agencies and programs. The average increase in enforcement programs was 8.3 percent, with increases ranging from 3 percent for the EEOC to between 10 and 30 percent for Education's civil rights programs, Labor's OFCCP, HUD's fair housing activities, and the U.S. Commission on Civil Rights. Non-enforcement programs were proposed to increase 15.6 percent, primarily reflecting a 38 percent increase in SBA's minority and women small business programs.

This crosscut reviews only the six key civil rights enforcement agencies, plus the U.S. Commission on Civil Rights. Despite the \$503.5 million proposed in FY 1998 for the six principal agencies, Congress is likely to provide \$465.7 million, equal to the FY 1997 enacted level, and \$37.8 million, or 7.5 percent, below the President's request for FY 1998 (see Attachment A). For FY 1999, OMB is proposing \$537.2 million for key enforcement activities, a 4.4 percent increase over the President's FY 1998 request and a

13.2 percent increase over the FY 1998 enacted level. Using a 2.3 percent GDP deflator, the real increase for OMB's recommended level over the FY 1998 budget request is 2 percent, and the real increase over the FY 1998 enacted level is 10.6 percent.

Individual agency increases range from 33 percent for fair housing activities, to 8 percent for EEOC and level funding for Education's Office of Civil Rights.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Estela Mendoza ( CN=Estela Mendoza/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-NOV-1997 18:10:42.00

SUBJECT: Re: Briefing

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

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

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

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

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

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

TEXT:

----- Forwarded by Estela Mendoza/WHO/EOP on 11/06/97  
04:59 PM -----

LORI L. ANDERSON  
11/06/97 06:08:51 PM  
Record Type: Record

To: Estela Mendoza/WHO/EOP  
cc:  
Subject: Re: Briefing

Unless the President's schedule changes greatly -- which it may -- Mike will brief at 1pm.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 19:16:03.00

SUBJECT: "make em pay"

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The COS for HUD wasn't in. They put Cuomo on. I said it was in and he was fine. He thinks "make 'em pay" has some oomph and deserves attention as a get tough measure. I agreed.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 14:39:56.00

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

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

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

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

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

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

CC: Edward H. Chase ( CN=Edward H. Chase/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

TEXT:

Attached is the pre-briefing memorandum for the President on the Hate Crimes Conference to be held on November 10. Included in the memo are policy announcements expected to be made at the Conference. Please review this memorandum as soon as you are able, because we are still trying to get this to the President today. Thanks for your patience. Mary =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D82]MAIL45506590W.316 to ASCII,  
The following is a HEX DUMP:

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November 6, 1997

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MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED  
MARIA ECHAVESTE

SUBJECT: WHITE HOUSE CONFERENCE ON HATE CRIMES

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

**Purpose and Structure of the Conference**

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

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

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

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

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

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

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

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

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

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

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

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

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

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

There is some concern that extension of the statute to gender-motivated hate

crimes--which  
might lead to  
the inclusion  
of all rapes  
and sexual  
assaults--woul  
d greatly  
expand the  
number of

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

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

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

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

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

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

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 14:03:04.00

SUBJECT: Re: Question about TANF process

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

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

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

TEXT:

Remember too that Emily sent us the email saying she has real concerns about our waiver proposals, but supports us on other things.

Elena Kagan  
11/06/97 12:36:34 PM  
Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc: Diana Fortuna/OPD/EOP, Laura Emmett/WHO/EOP  
Subject: Re: Question about TANF process

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 16:24:36.00

SUBJECT: Re: Americorps reauthorization

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Yes, we're on for a radio address, let's hold it.



November 6, 1997

## **THE WHITE HOUSE CONFERENCE ON HATE CRIMES**

Date: November 10, 1997  
Location: The George Washington University  
Time: 11:30 a.m. -- 1:30 p.m.  
From: Maria Echaveste, Bruce Reed

### **I. PURPOSE**

On November 10, 1997, you will convene the first-ever White House Conference on Hate Crimes, a day-long event with over 350 participants to be held at The George Washington University. At the conference, you will announce significant new law enforcement and prevention initiatives to "get tough on hate crimes". The conference will also examine the positive actions that communities are taking and outline the steps we all can take to prevent hate crimes.

The White House Conference on Hate Crimes has three purposes. First, it will call national attention to the serious problem of hate crime in this country and, by highlighting positive community responses, promote unity in addressing the problem. Second, it will demonstrate the Administration's commitment to "draw the line" on hate crimes through combined law enforcement, education, and prevention strategies. Finally, this conference serves as the Race Initiative event for the month of November. Members of the your Advisory Board on Race will participate in the Conference at satellite locations.

### **II. BACKGROUND**

You announced the convening of the conference in your radio address of June 7, 1997.

On the day of the conference, you will host a breakfast for participants in the East Room of the White House and will make an opening address at the conference. After your remarks, the you will chair a panel discussion in which the Attorney General, the Secretary of Education, and eight others will join.

In the afternoon, members of the Cabinet and other senior Administration officials will chair a number of concurrent working sessions to examine various aspects of the hate crimes issue. Afterward, the Attorney General will chair a closing panel to discuss ideas and themes from the working sessions. Participants will attend a closing reception at the United States Holocaust Museum.

### III. PARTICIPANTS

#### Briefing Participants:

Sylvia Mathews  
Rahm Emanuel

Maria Echaveste  
Richard Socarides

Bruce Reed  
Elana Kagan  
Tom Freedman  
Mary Smith

Marsha Scott

Michael Waldman or designee

#### Event Participants

You will be joined at the conference by the Vice President, the Attorney General and the Secretary of Education. Members of Congress, selected state and local officials, and approximately 350 leaders from the law enforcement, civil rights, anti-violence, youth, education, and religious communities have been invited to attend as participants. There will also be several dozens students from George Washington University in the audience. A complete list is attached.

Hate crimes survivors will also attend. Participants will include representatives from all 50 states. Thousands more will participate at over 50 satellite-linked events across the country.

### IV. PRESS PLAN

The morning and afternoon plenary sessions and the evening reception are open press. The breakfast and the workshops are closed press.

### V. SEQUENCE OF EVENTS

- Following the event briefing, you will proceed to the Green Room on the State Floor to meet briefly with panel participants, including the Attorney General and the Secretary of

Education.

- You will then proceed to the East Room with the Attorney General, who will introduce you and you will give brief welcoming remarks. You will then depart.
- You will depart the White House at 11:20 a.m. for The George Washington University.
- Upon arrival, you will be greeted by President Tracktenberg and then be announced onto the stage with the Vice President.
- President Tracktenberg will give brief welcoming remarks and introduce Officer William Johnson.
- Officer Johnson will give brief remarks and introduce the Vice President.
- The Vice President will give brief remarks and introduce Chuenee Sampson.
- Chuenee Sampson will give brief remarks and introduce you.
- You will make remarks.
- You will lead a panel discussion with the Attorney General, the Secretary of Education, and eight panelists (note that the Vice President will depart after your remarks and will not be a part of the panel).
- The Attorney General will open the panel by introducing each of the eight outside panelists and asking each of them to give brief remarks (three minutes each).
- You will lead a discussion and ask the panelists questions based on the suggested script attached.
- The Secretary of Education will suggest the end of the panel discussion.
- You will depart.
- There will be a luncheon for participants, followed by seven working group sessions, followed by another panel lead by the Attorney General and remarks by her.
- There will be a reception in the evening for conference participants.

**VI. ATTACHMENTS**

- Conference Agenda

- Descriptions of the two main panels, including bios and suggested scripts
- Descriptions of the working groups led by Members of the Cabinet
- List of participants
- Remarks -- to be provided
- Background material on hate crimes
- Suggested background reading

## **President's Panel Discussion on Hate Crimes**

### ***Participants***

The President

The Attorney General

The Secretary of Education

Peter Berendt

Hon. Stephanie Tubbs Jones

Hon. Sheila James Kuehl

Samuel Billy Kyles

Raymond Delos Reyes

Tammy Schnitzer

Arturo Venegas, Jr.

Hon. Grant Woods

## **Description and Goals**

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### ***Description of the Panel***

This panel brings together several individuals who have been actively involved in combating hate crimes, increasing awareness, and mobilizing community efforts. We have selected individuals from all across the country, from various backgrounds, and of different ages. These panelists each bring a different perspective to the hate crime problem in this country, ranging from the vantage point of teacher, law enforcement officer, student, legislator, community leader, religious leader, and Republican elected official.

### ***Goals of the Panel***

The purpose of this panel is to provide an overview of the problem of hate crimes in this country; to increase awareness of the problem; to promote unity by educating the public by permitting them to view people who have actively worked to prevent hate crimes; to foster a great appreciation of the rich diversity of America; and to serve as an opportunity to examine and document the promising practices for combating hate crimes.

## Suggested Script

The Attorney General will introduce each panelist. Each panelist will then give a brief opening statement. After the opening statements, you may ask the opening question. Below are some questions that are applicable to each of the panelists. You, the Attorney General, and the Secretary of Education should feel free to ask any of the following questions.

1. **Peter Berendt, Principal, Mamaroneck Avenue Elementary School, Mamaroneck, New York.**
  - What is the best way to teach children to become more aware of diversity and the problem of hate crimes?
  - What initiatives is your school undertaking?
  - What prompted your school to undertake this initiative? (There were a series of hate crimes in the community)
2. **Hon. Stephanie Tubbs Jones, Cuyahoga County Prosecutor, Cleveland, Ohio.**
  - Is it difficult to prosecute hate crimes?
  - What strategies should prosecutors be aware of in bringing a hate crimes case?
  - Are hate crime cases more difficult to prosecute than other cases?
  - Do you find that often victims do not want to report hate crimes?
3. **Hon. Sheila Kuehl, President Pro Tempore, California State Assembly.**
  - What has been your experience with hate crimes legislation?
  - What kind of statistics does your state keep with respect to hate crimes?
  - What advice would you give other legislators to get hate crimes legislation passed?
  - Why do you think hate crimes statutes are important?
4. **Samuel Billy Kyles, Pastor, Monumental Baptist Church, Memphis, Tennessee.**

- What role can the religious community play in combating and preventing hate crimes?
- From your perspective, what are some of the most innovative strategies for communities to work together to combat hate crimes?
- In your over 30-year involvement with hate crimes, do you think people's attitudes have changed?

5. **Raymond Delos Reyes, sophomore, Franklin High School, Seattle, Washington.**

- What was your first experience in noticing that people view persons of other races differently? (Ask him to describe when he was planning an assembly in his middle school).
- How did you get involved with ADL's Children of the Dream program?
- What do think reaches students the most in helping them understand the problem of hate crimes?
- What have you experienced that has made the biggest impact on your attitudes?
- What have you done with the Children of the Dream program. (Ask him to describe his trip to Israel).

6 **Tammie Schnitzer, Billings, Montana.**

- Tell us about your experiences as a survivor of a hate crime? What happened to you?
- What did you decide to do about it?
- What would you to recommend to others to help get their communities involved?

7. **Arturo Venegas, Jr., Chief of Police, Sacramento Police Department, Sacramento, California.**

- Tell us about the innovative law enforcement program you have in Sacramento for combating hate crimes.
- Is it difficult to investigate hate crimes?
- What strategies should law enforcement officers be aware of in bringing a hate crimes case?

- Are hate crime cases more difficult to prosecute than other cases?
- Do you find that often victims do not want to report hate crimes?

8. **Grant Woods, Arizona Attorney General.**

- What difficulties have you experienced in your state with regard to hate crime enforcement?
- What advice would you give to elected officials in helping to get hate crimes legislation passed and to get it enforced?
- How can bipartisan support for hate crimes enforcement be generated?

### **President's Panel Participants on Hate Crimes**

**Peter Berendt**, Principal, Mamaroneck Avenue Elementary School, Mamaroneck, New York.

Following a series of hate crimes in the community, Mr. Berendt convened the *E Pluribus Committee* to address the underlying diversity issues facing the school community. His school is currently engaged in a multi-year comprehensive diversity awareness program. Mr. Berendt's school is working closely with the Anti-Defamation League in this effort.

**Stephanie Tubbs Jones**, Cuyahoga County Prosecutor, Cleveland, Ohio.

Mrs. Jones is the first woman and African American to hold the position of Cuyahoga County Prosecutor. Prior to becoming Prosecutor, Mrs. Jones spent a decade as a judge. As the prosecutor of a major American city, Mrs. Jones has first-hand experience with hate crimes cases.

**Hon. Sheila Kuehl**, President Pro Tempore, California State Assembly.

**Sheila Kuehl is the Speaker Pro-Tem of the California State Assembly, making her its the second highest ranking member. She represents the 41st Assembly District (Encino, near Los Angeles). She was the first openly gay or lesbian member of the California State Legislature and is the sponsor of legislation to prohibit discrimination against gay and lesbian students in California Public Schools, and to further protect victims of domestic violence and other gender based violence. Prior to her election, Kuehl was a pioneering civil rights attorney and professor who worked on woman's and gay and lesbian civil rights issues. She is a graduate of the Harvard Law School and is a former actor who as a child played the role of Zelda Gilroy in the television series, "The Many Lives Of Dobie Gillis."**

**Samuel Billy Kyles**, Pastor, Monumental Baptist Church, Memphis, Tennessee.

Mr. Kyles is an outspoken advocate against hate crimes and plays an important role in the religious community's efforts to further civil rights. Mr. Kyles is a member of Ecumenical Minister's Task Force. He also was a close friend of Dr. Martin Luther King and was with Dr. King during his last hours. Reverend Kyles has been involved with Operation PUSH and has received a Living Legend Award from the Tennessee Black Caucus.

**Raymond Delos Reyes**, sophomore, Franklin High School, Seattle, Washington.

Mr. Reyes has worked with the ADL's Children of the Dreams program. In March, Mr. Reyes traveled to Israel with the ADL's program. Mr. Reyes is a member of the Peer mediation Training Program and the Filipino Club.

**Tammie Schnitzer**, Billings, Montana.

Ms. Schnitzer is a Jewish women who was the victim of an anti-Semitic hate crime in Billings, Montana. When Ms. Schnitzer saw that the hate crimes in Billings were targeted toward only the Jewish residents, Ms. Schnitzer galvanized the entire community by encouraging, Jews and non-Jews alike, to display menorahs in the windows of their homes. Ms. Schnitzer's extraordinary efforts were the subject of a television movie, *Not in Our Town*.

**Arturo Venegas, Jr.**, Chief of Police, Sacramento Police Department, Sacramento, California.

Mr. Venegas helped to develop the Sacramento Police Department's model program to deal with hate crimes in the community. Mr. Venegas has participated in innovative law enforcement strategies to combat hate crimes.

**Grant Woods**, Arizona Attorney General.

As a Republican, Mr. Woods has coordinated bipartisan support for hate crimes enforcement. He was a strong advocate for one of the first and strongest hate crime bills in the country. Mr. Woods also was the most visible Republican proponent of the Martin Luther King Holiday.

## **Attorney General's Panel Discussion on Hate Crimes Discussion Group Sessions**

### ***Participants***

The Attorney General

The Secretary of Agriculture

The Secretary of Education

The Secretary of Housing and Urban Development

The Secretary of Transportation

Director, Office of Management and Budget

Deputy Attorney General

## **Description and Goals**

### ***Description of the Panel***

This panel brings together all of the Cabinet Secretaries and sub-Cabinet officials who moderated breakout groups in the afternoon session.

### ***Goals of the Panel***

The purpose of this panel is to provide an overview of the topics discussed in the breakout groups and to provide a wrap up for the Conference participants.

## Suggested Script

The **ATTORNEY GENERAL** will introduce the Cabinet secretaries and other officials, and ask each of them some questions about the topics of the breakout session. Below are some questions that are applicable to each of the breakout sessions.

1. **Secretary Riley: Hate Crimes in Schools (K-12): Prevention and Response**
  - What is the best way to teach children to become more aware of diversity and the problem of hate crimes?
  - What initiatives have some schools undertaken?
  
2. **Director Raines: Hate Crimes on Campus: Prevention and Response**
  - What actions have colleges and universities taken to combat hate crimes?
  
3. **Attorney General Reno: Law Enforcement Response to Hate Crime**
  - Is it difficult to prosecute hate crimes?
  - What strategies should prosecutors be aware of in bringing a hate crimes case?
  - Are hate crime cases more difficult to prosecute than other cases?
  - Do you find that often victims do not want to report hate crimes?
  
4. **Deputy Attorney General: Understanding the Problem: Improving Hate Crimes Statistics**
  - What can we do to improve the collection of statistics?
  - What are some innovative strategies to improve the collection of statistics?
  
5. **Secretary Cuomo: Hate Crimes in Public and Private Housing**
  - How are hate crimes in the housing context different than hate crimes in other areas?

- What strategies have been used to combat hate crimes in public and private housing?
6. **Secretary Glickman: Community Responses to Hate Crimes**

- What have communities done in responding to hate and bias crimes?
- Are there any community strategies that have not been effective? And why weren't they effective?

7. **Secretary Slater: Counteracting Organized Hate**

- How can we prevent the recruitment of young people into organized hate groups?
- What can we do about hate speech on the Internet?

## *Attorney General's Panel Participants on Hate Crimes*

### *Janet Reno, Attorney General*

Janet Reno is the first woman Attorney General of the United States of America. She was nominated by President Clinton on February 11, 1993, and sworn in on March 12, 1993. In 1973, Ms. Reno accepted a position with the Dade County State Attorney's Office. She quickly succeeded in organizing the juvenile division within the office. In 1978, Governor Reubin Askew appointed Ms. Reno as State Attorney for Dade County. She was elected to the Office of State Attorney in November 1978 and returned for four more terms. During her tenure as State Attorney, Ms. Reno established a career criminal unit that worked with federal officials and local law enforcement to arrest and convict career criminals and sentence them to substantial prison time. Ms. Reno also helped establish the Miami Drug Court, which has been a model for other courts around the country. As Attorney General, Ms. Reno has focused on reducing crime by incarcerating serious, repeat offenders; focusing on prevention and early intervention to keep children away from gangs, drugs and violence; and enforcing civil rights laws to ensure equal opportunity for all Americans.

### *Andrew M. Cuomo, Secretary of Housing and Urban Development*

Prior to being appointed Secretary of Housing and Urban Development, Secretary Cuomo served as Assistant Secretary for Community Planning and Development at the Department of Housing and Urban Development. As Assistant Secretary, Cuomo had the responsibility for a \$10 billion portfolio covering a wide variety of community and economic development, affordable housing, and homeless programs. Cuomo focused on expanding resources available for economic development and job creation, implementing strategies for reducing homelessness, and administration of the Empowerment Zone and Enterprise Community Initiative. Prior to entering federal service, Cuomo became the youngest Commission Chairman in the history of the City of New York when he was named to lead the New York City Commission on the Homeless. The Commission's recommendations were accepted by Mayor David Dinkins and have received national recognition as a model approach to homeless problems. In 1986, Cuomo founded H.E.L.P., which is the nation's largest private provider of transitional housing for the homeless. Cuomo also founded the Genesis Project for the purpose of developing innovative approaches to urban revitalization.

*Daniel R. Glickman, Secretary of Agriculture*

Prior to being sworn in as Secretary of Agriculture, Secretary Glickman served in the U.S. House of Representatives for 18 years. Secretary Glickman spent two decades on the House Agriculture Committee and led the way in such areas as expanding trade for agriculture goods and food safety. Secretary Glickman has also helped to downsize the Department as part of the Clinton Administration's Reinventing Government/National Performance Review. By 1999, the USDA will have saved \$4.1 billion under Secretary Glickman's leadership. As Secretary, Mr. Glickman has focused on areas such as food safety, expanding export opportunities, rural development, protecting natural resources, and maintaining a nutritional safety net for those in need. Under Secretary Glickman's leadership, USDA is dramatically improving food safety for all Americans, farm income has increased, national school lunch and breakfast programs had the first major reform in fifty years, and rural Americans are raising their standard of living.

*Eric Holder, Deputy Attorney General, Department of Justice*

Mr. Holder began his career at the Department of Justice as part of the Attorney General's Honors Program. He was assigned to the newly formed Public Integrity Section in 1976 where he investigated and prosecuted official corruption on the local, state, and federal levels. In 1993, President Clinton nominated Mr. Holder to become the United States Attorney for the District of Columbia. As U.S. Attorney, Mr. Holder created a new Domestic Violence Unit, a community prosecution pilot project, supported a renewed enforcement emphasis on hate crimes so that criminal acts of intolerance will be severely punished, revitalized the Victim/Witness Assistance Program to better serve those individuals who are directly affected by crime, and developed "Operation Ceasefire," an initiative designed to reduce violent crime by getting guns out of the hands of criminals. On April 14, 1997, President Clinton nominated Mr. Holder to be the Deputy Attorney General. He was confirmed by a Senate vote of 100 to 0. Deputy Attorney General Holder has been actively involved in the organization Concerned Black Men. This group reaches out to the youth of the District of Columbia and seeks to help solve the many problems they face.

*Franklin D. Raines, Director, Office of Management and Budget*

Mr. Raines was nominated to be Director of the Office of Management and Budget by President Clinton and was confirmed by the United States Senate on September 6, 1996. Before becoming Director of OMB, Mr. Raines was Vice Chairman of Fannie Mae located in

Washington, D.C. Mr. Raines was in charge of Fannie Mae's legal, credit policy, finance, and corporate development functions. Before joining Fannie Mae, Mr. Raines was a general partner in municipal finance at the investment banking firm Lazard Freres & Company in New York City. Mr. Raines also served as Assistant Director of the White House Domestic Policy Staff from 1977 to 1978. Mr. Raines has served as a member of the board of directors of several major corporations, foundations and public service organizations. He has also distinguished himself by serving on a number of Federal and State public policy advisory groups regarding tax equity, education, poverty and welfare reform.

*Richard W. Riley*, Secretary of Education.

Secretary Riley, a former two-term Governor of South Carolina, has received wide acclaim for his progress in American education. He was nominated by President Clinton in 1992 and was unanimously confirmed. Secretary Riley reformed South Carolina's state school system by bringing together a diverse coalition of business people, educators and parents. In the first 21 months of the Clinton Administration, Secretary Riley was able to build bipartisan coalitions to get many educational initiatives passed. These initiatives include college loan expansion, laws to help local school districts ensure that children learn in safety and security, programs that develop links between schools and the work place, and challenging standards for learning. Secretary Riley has helped refocus the nation's attention toward new and creative thinking while emphasizing continuing education. Riley was elected governor in 1978, and reelected in 1982, after the people of South Carolina voted to amend the state constitution to enable Riley to be the first person in South Carolina history to run for a second term.

*Rodney E. Slater*, Secretary of Transportation

Mr. Slater began his career as Assistant Attorney General of Arkansas. From 1985 to 1987, Mr. Slater was Executive Assistant for Economic and Community Program in Little Rock, Arkansas. Mr. Slater was also a member of the Arkansas State Highway Commission. Prior to joining the Department of Transportation, Mr. Slater served as Administrator of the Federal Highway Administration in Washington, D.C., from 1993-1997.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 11:18:38.00

SUBJECT: Meeting with Lin Liu at PIR

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

READ:UNKNOWN

TEXT:

Yesterday, I met with Lin Liu and several of her policy staff members. At that meeting, we briefly discussed the November 19th Board meeting. As of last night, the only change to the agenda was that the order of topics has been switched -- start with the "value of diversity" discussions (including a discussion of programs that are promoting diversity) and follow (in the afternoon) with statistics on continuing discrimination and civil rights enforcement.

They are still finalizing their list of presenters, but are starting to contact some of them. Also, they are still altering how subjects will be presented (titles for panels, etc.). Scott Palmer (a policy staffer) is e-mailing to Bill and me (with a cc: to you) the most recent draft agenda. According to Bill, there are some changes that the Education people want to suggest. I am going to get with him this morning to determine exactly what their concerns are, etc. I will let you know.

On a more general note, I have some more basic questions about the function of the Board and our relationship with them and the PIR. Now that I am getting more information from the PIR side, it would be great if we could sit down in the next couple of days to discuss what that relationship is (or should be) from our perspective. Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 16:49:50.00

SUBJECT: OMB comments

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI

----- Forwarded by Mary L. Smith/OPD/EOP on 11/06/97  
04:49 PM -----

Edward H. Chase  
11/06/97 04:39:55 PM

Record Type: Record

To: Mary L. Smith/OPD/EOP

cc:

Subject: comments

Nice job; just a few comments. Michael says OK by him.

on page 4, the parenthetical sentence at the end of the first paragraph says that DOJ can handle within base any new workload in 1999 created by the extension of the Federal hate crimes statute to other classes (e.g., gender). The sentence goes on to say that the DOJ 1999 budget request therefore does not include any funds for this purpose. This may be technically incorrect since the budget request was prepared before the legislation was approved. It's a small issue, but it might be better just to say that "DOJ is not requesting any funds in 1999 to implement the legislation."

also on page 4, the discussion about the new FBI agents says "30 agents and prosecutors" and \$13 million. The FBI's 1999 request includes 130 positions (65 of which are agents) and \$12.5 million for hate crimes/civil rights activities. There is also another 6 positions (1 agent) for the headquarters Civil Rights Analytical Center. I cannot track the number in the memo. Also, I wonder about the advisability of even mentioning a specific number as opposed to "we will assign whatever resources are necessary to implement an enhanced program"

Do we need to tell the President the number of rape cases so he has some perspective of the potential impact of the legislation?

page 3--"Satellite sites" Is a word(s) missing at the end? e.g.,

"...Board are participants in..."

Also on page 3, end of first paragraph on policy announcements--is period missing?

Thanks again for chance to review. I know Michael was pleased.





**Questions and Answers on Agreement with Rep. Goodling on National Tests  
November 6, 1997**

**Q: Published reports this morning indicate that the compromise over the test has fallen apart? Is that accurate?**

A: No. As is common in these kinds of negotiations, sometimes the last mile is the hardest to walk and last night there were some difficult discussions. But things are clearly on track today and we expect to have a final resolution of this matter shortly.

**Q: Earlier the Administration had indicated the President would veto this bill if it required further authorization from Congress to move forward with testing. But some news reports suggest that this compromise basically kills the national test to clear the way for Fast Track. Has the President given up on a national test?**

A: Absolutely not. The agreement allows us to proceed with development of the 4th and 8th grade national tests that the President has proposed. It also allows us to pilot test the items for these tests next fall. This is a delay, but its one we can live with. At the same time, we will go forward with Mr. Goodling's excellent idea to have the National Academy of Sciences study ways to link state tests to each other and to NAEP, an existing national sample test, which reflects high national standards. Both aspects of the agreement make progress toward a single goal: ensuring that all students, across the country, are measured by the same high standards.

**Q: Is further development of the national tests dependent on the findings of the National Academy of Sciences study? What is the timeline for this study?**

A: The Academy will be asked to make an interim report by June 15, with a final report submitted by Sept. 1. Pilot testing can take place after September 1, but that step is not dependent upon the completion or findings of the National Academy study. We do fully expect that the findings of the Academy study will be incorporated into testing plans as we move forward.

**Q: Does the compromise require further authorization to move beyond the pilot testing stage?**

A: The general prohibition contained in the House-passed appropriations bill has been dropped; the compromise language is silent on the question of further authorization beyond next year. We look forward to working with Congress to strengthen support for high national standards in the future. [Note: key issue here -- how to say this so that it makes clear that we have succeeded without inflaming the opposition prior to a vote].

**Updated Talking Points on Goodling Agreement**  
**November 6, 1997**

- This is a win-win agreement -- a genuine bipartisan victory for both sides of this debate.
- The agreement allows continued, timely development of new national tests in 4th grade reading and 8th grade math, as called for by the President in his State of the Union Address. As provided for by the Senate, control of test policies and development will be transferred to the National Assessment Governing Board (NAGB).
- At the same time, as Mr. Goodling has advocated, the National Academy of Sciences, in consultation with NGA, NCSL, and NAGB, will study how tests already developed by commercial publishers and states may be used to measure student performance against national standards. In addition, the Academy will also study the Department of Education's test development activities to date.
- The Academy will be asked to make an interim report by June 15, with a final report submitted by Sept. 1. Pilot testing can take place after September 1, but that step is not dependent upon the completion or findings of the National Academy study. Test development activities leading up to pilot testing can continue. So this represents a delay, but its one we can live with.
- The general prohibition on the tests contained in the House-passed appropriations bill has been dropped; the compromise language is silent on the question of the need for further authorization.
- As a result of this compromise, we are now on the road to high national standards, and to measuring whether these standards are being met. We will finally have high expectations for all our students and real accountability for all our schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Virginia N. Rustique ( CN=Virginia N. Rustique/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 6-NOV-1997 10:54:33.00

SUBJECT: RESCHEDULE TO 1:30pm Hilley/Adoption Conference Call

TO: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Nicole R. Rabner ( CN=Nicole R. Rabner/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Barbara Chow ( CN=Barbara Chow/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jeanne Lambrew ( CN=Jeanne Lambrew/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Jessica L. Gibson ( CN=Jessica L. Gibson/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Pls. reschedule today's conference call to 1:30pm to accomdate HHS.

Participants:

- Jen Klein
- Nicole Rabner
- Elena Kagan
- Jeanne Lambrew
- Chris Jennings
- Janet Murguia
- Barbara Chow
- Rich Tarplin, HHS
- Mary Bourdette, HHS

----- Forwarded by Virginia N. Rustique/WHO/EOP on  
11/06/97 10:44 AM -----

VIRGINIA N. RUSTIQUE  
11/06/97 10:37:45 AM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: Sarah A. Bianchi/OPD/EOP, Laura Emmett/WHO/EOP, Jessica L. Gibson/WHO/EOP  
Subject: 1:15pm Hilley/Adoption Conference Call

John will host a 1:15pm conference call today re: adoption.  
Please call in if available: x72104, #3569

Message Sent

To: \_\_\_\_\_  
Jennifer L. Klein/OPD/EOP  
Nicole R. Rabner/WHO/EOP  
Jeanne Lambrew/OPD/EOP  
Christopher C. Jennings/OPD/EOP  
Elena Kagan/OPD/EOP  
Janet Murguia/WHO/EOP  
Barbara Chow/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 15:32:21.00

SUBJECT: Reed-Shalala mtg

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Apparently Sect. Shalala is out of town both Monday and Tuesday, but is here Monday evening between the two trips. Katzen's scheduler is trying to figure out a plan.



**Questions and Answers on Tentative Agreement on National Tests  
November 7, 1997**

- Q: Earlier the Administration had indicated the President would veto this bill if it required further authorization from Congress to move forward with testing. But some suggest that this compromise basically kills the national test to clear the way for Fast Track. Has the President given up on a national test?**
- A: Absolutely not. The agreement allows us to proceed with development of the 4th and 8th grade national tests that the President has proposed. It also allows us to pilot test the items for these tests next fall. This is a delay of a few months, but it's one we can live with. At the same time, we will go forward with a National Academy of Sciences study of ways to link state tests to each other and to NAEP, an existing national sample test, that reflects high national standards. Both aspects of the agreement make progress toward a single goal: ensuring that all students, across the country, are measured by the same high standards.
- Q: The legislation looks like a victory for test opponents. What did the Administration get out of this agreement?**
- A: This agreement is a solid victory for high standards. Under the compromise, the final appropriations bill drops the general prohibition on national tests contained in the House-passed bill, which the Administration threatened to veto, and allows us to proceed with development of the 4th grade reading and 8th grade math tests. The bill shifts control over test policies and development to the independent, bipartisan, National Assessment Governing Board (NAGB), as the Administration had proposed. It provides \$16 million dollars to support the testing plan. And it allows for pilot testing of test items to begin next fall. At the same time, the bill provides for a potentially valuable study of ways to link state tests to each other and to NAEP, an existing national sample test, that reflects high national standards. This agreement puts us on the road to high national standards, and to measuring whether these standards are being met. We will finally have high expectations for all our students and real accountability for all our schools.
- Q: Is further development of the national tests dependent on the findings of the National Academy of Sciences study? What is the timeline for this study?**
- A: The Academy will be asked to make an interim report by June 15, 1998 with a final report submitted by Sept. 1. Further development of the national tests is not contingent on the findings of the NAS study. NAGB can go forward with test development activities leading up to pilot testing right now. Pilot testing is postponed until after September 30, but does not depend on the completion or findings of the National Academy study.

**Q: Does the compromise require further authorization to move beyond the pilot testing stage?**

**A: The compromise allows for test development in FY 98, and pilot testing after September 30. It is silent on the subject of further congressional action.**

## Q&A on Pilot Testing Date

Automated Records Management System  
Hex-Dump Conversion

**Q: It sounds as if the Administration and Hill negotiators spent all day yesterday haggling over two dates: September 1 and September 30. What was at stake and were you satisfied with the resolution?**

**A:** We had an agreement with Mr. Goodling to allow pilot testing to begin September 1. Mr. Goodling changed the date to September 30, but after reviewing the legislative language, we determined that this would not interfere with our plans in any way, because as a practical matter we would not have begun pilot testing in the first few weeks of the school year.

**Talking Points on Tentative Agreement on National Tests  
November 7, 1997**

- This is a win-win agreement -- a genuine bipartisan victory for high standards.
- The agreement allows continued, timely development of new national tests in 4th grade reading and 8th grade math, as called for by the President in his State of the Union Address. As provided for by the Senate, control of test policies and development will be transferred to the National Assessment Governing Board (NAGB).
- At the same time, the National Academy of Sciences, in consultation with NGA, NCSL, and NAGB, will study how tests already developed by commercial publishers and states may be used to measure student performance against each other and against national standards. In addition, the Academy will study the technical quality and other aspects of test item development.
- The Academy will be asked to make an interim report by June 15, 1998 with a final report submitted by September 1. Further development of the national tests is not dependent on the findings of the NAS study. NAGB can go forward with test development activities leading up to pilot testing right now. Pilot testing is postponed until after September 30, 1998, but does not depend on the completion or findings of the National Academy study. This timeline represents a delay of a few months, but it's one we can live with.
- The agreement allows for test development in FY 98, and pilot testing after September 30. It drops the general prohibition on national tests that the Administration threatened to veto, and does not include any requirement for congressional authorization to proceed with national tests.
- As a result of this agreement, we are now on the road to high national standards, and to measuring whether these standards are being met. We will finally have high expectations for all our students and real accountability for all our schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 6-NOV-1997 12:56:26.00

SUBJECT: Central American Meeting

TO: WARNATH\_S ( WARNATH\_S @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (CPC)  
READ:UNKNOWN

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

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

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

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

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

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

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

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

TEXT:

The Central American Meeting will be held this evening at 5:00 PM in room  
231of Old Executive  
Office Building.

Thanks



ONE AMERICAN IN THE 21<sup>ST</sup> CENTURY  
ON RACE

---

*The New Executive Office Building  
Washington, DC 20503  
202/395-1010*

**DRAFT (11/6/97)**

**MEMORANDUM**

**TO:** Judith A. Winston  
Lin Liu  
Education Team

**FROM:** Scott R. Palmer

**SUBJECT:** Proposed Messages and Agenda for November 19 Advisory Board Meeting

**DATE:** November 6, 1997

While it is still a work in progress, this memorandum attempts to present our latest thinking on the November 19 Advisory Board meeting, which will focus primarily on the value of diversity in higher education. It presents suggested messages that we intend will emerge from the Advisory Board meeting, a proposed agenda for the meeting, possible presenters, and other ideas for your consideration. Please provide me with any comments or suggestions as soon as possible.

**I. Messages to Emerge From Advisory Board Meeting**

**A. Primary Message: "The Value of Diversity in Higher Education"**

*Colleges and universities that promote diversity can greatly contribute to improving race relations in the 21st Century and to creating a stronger, more just, and more united American community.*

**Minority participation in higher education has increased dramatically in the last several decades. Studies indicate that this increased racial diversity can yield substantial educational benefits for all students. By bringing together students of different backgrounds, colleges and universities are teaching students critical lessons about how to live and work together, and they are exposing students to new perspectives that enrich the learning environment. Increased minority participation in higher education can also help overcome racial disparities in society by providing quality education to traditionally underserved groups.**

**In order to realize these benefits of diversity, institutions must be committed to**

change. There are many colleges and universities across America that have developed and are continuing to develop policies and programs that can foster these benefits of diversity. At its November 19 meeting, the Advisory Board will discuss the value of diversity in higher education and will identify existing programs, policies, and partnerships that are promoting the value of diversity on campuses across America.

**B. Secondary Message: "Continuing Discrimination and Civil Rights Enforcement"**

*While America has made great progress in race relations, racial discrimination still exists in various sectors of society, and it manifests itself in ways that are sometimes blatant but more often subtle and hard to detect. Enhanced enforcement of existing civil rights laws can help eliminate these continuing vestiges of discrimination.*

**II. Proposed Agenda (including suggested panels and presenters) [Please note that the times are only tentative and will undoubtedly have to be adjusted.]**

- |                    |   |
|--------------------|---|
| 8:00 am            | Doors open  |
| 9:00 am - 9:45 am  | Chairman opens meeting and recognizes William Kirwan, President, University of Maryland, who will make some brief welcoming remarks.<br><br>Reports from Chairman and Executive Director; Chairman recognizes invited guests and distinguished attendees.<br><br>Brief opening statements from Board members concerning recent activities (e.g., Hate Crimes Conference)<br><br>Chairman introduces Primary Agenda Item: "Value of Diversity in Higher Education."  |
| 9:45 am - 10:15 am | <b><u>Panel #1: "Perspectives on the Value of Diversity in Higher Education" [3 panelists]</u></b> <ul style="list-style-type: none"><li>• <b><u>Panelist #1: President of Prestigious College/University</u></b> ("Here is why diversity is essential to the educational experience...").<br/>Options include:<ol style="list-style-type: none"><li>1. Dr. Nannerl Keohane (Duke)*</li><li>2. Dr. Ruth Simmons (Smith)</li><li>3. Dr. Robert Berdahl (Berkeley)</li><li>4. Dr. Hunter Rawlings (Cornell)</li></ol></li></ul> |

**ONE AMERICA IN THE 21<sup>ST</sup> CENTURY**  
Panelist #2: Business Leader (“The business community demands college graduates who understand the value of diverse perspectives and who have learned how to function in diverse environments...”).  
Options include, but are not limited to:

1. Phil Condit, CEO, Boeing
2. Lou Gerstner, CEO, IBM
3. Jack Krol, CEO, DuPont
4. Bob Haas, CEO Levi Strauss
5. Christina Gold, Avon (international business head)

- Panelist #3: Student Leader or Faculty Member (“Let me tell you why I (have learned a lot from/can teach more effectively in) a diverse environment...”). Options are being developed.

- 1.
- 2.
- 3.

10:15 am - 10:45 am Board discussion with Panel #1

10:45 am - 11:15 am Panel #2: “Evidence on the Value of Diversity in Higher Education: What Works on Campus” [3 panelists]

- Panelist #1: Researcher/Faculty From Racially Diverse Institution (“Evidence shows that racial diversity can yield positive educational outcomes, especially for white students, but only where the campus works to create a supportive environment and opportunities for positive cross-racial interactions ...”). Options include, but are not limited to:

1. Troy Duster (U. of Cal. at Berkeley)\*
2. Sylvia Hurtado (U. of Michigan)\*
3. Daryl Smith (Claremont Graduate School/AAC&U)
4. Mitchell Chang (Stanford/U. Mass, Boston)
5. Russ Ellis (U. of Cal. at Berkeley)

- Presenter #2: President of HBCU, HSI, or Tribal College (“My colleague spoke of the importance of institutional commitment and supportive learning environment in promoting the benefits of

diversity, ..., minority serving institutions have been showing that commitment for years with positive results for minority students, and we can teach the larger higher education community a great deal... (In addition, we too appreciate the value of diversity, and we have created partnerships with other institutions to capture that value...)." Options include:

## ONE AMERICA IN THE 21<sup>ST</sup> CENTURY

1. HBCUs: Fred Humphries (Florida A&M); Patrick Swygart (Howard);\* Gloria Scott (Bennett).\*

2. HSIs: Juliet Garcia (U. of Texas, Brownsville);\* Diane Natalicio (U. of Texas, El Paso); Tomas Arciniega (U. of Cal. at Bakersfield; Chairman of Hispanic Assoc. of Colleges and Universities)

- Panelist #3: Faculty/Students Heading Concrete Diversity Program ("We want to give you a specific example of a program promoting positive cross-racial experiences for all students...") Options include, but are not limited to:

1. David Schoem and/or student facilitators (U. of Michigan's Program on Intergroup Relations, Conflict, and Community) [or other similar programs]
2. Uri Triesman perhaps with student participants (U. of Texas, calculus program)
3. Myrna Adams (Duke University...)

11:15 am - 11:45 am Board discussion with Panel #2

12:00 pm to 1:00 pm Lunch: Each Advisory Board member will anchor a table and lead a discussion with a small group (<10) of faculty, staff, students, and/or community leaders about issues related to diversity in higher education. Participants will come from the Washington, D.C. region *or* from the University of Maryland community. This gives us a chance to be sure that diverse perspectives are adequately represented. **(The University of Maryland has volunteered to help us identify and confirm table participants.)**

1:15 pm - 2:00 pm Reports from lunch discussions

2:00 pm - 2:30 pm Panel #3: "Methods for Promoting Inclusion/Diversity in Higher Education" [ 2 or 3 panelists]

ONE AMERICA IN THE 21<sup>ST</sup> CENTURY

Panelist #1: Prominent Higher Education Leader Discussing "The Tool of Affirmative Action" (We have heard powerful evidence today about the value of diversity in higher education. Let me explain why one, though only one, important tool to promote that diversity must be so-called affirmative action...). Options include, but are not limited to:

- 1. Neil Rudenstine (Harvard)\*
2.
3.

- Presenter(s) #2 (and #3): Higher Education Leader(s) Discussing Other Tools to Promote Inclusion (including so-called pipeline programs) ("Affirmative action is an important tool to promote diversity, but it is only one such tool. Let me tell you what else we are doing to promote inclusion..."). Options include, but are not limited to:

- 1. Dennis Galtagni (U. of Cal. System)
2. Francisco Lara (U. of Cal., Irvine)
3. Mildred Garcia (Arizona St. Univ.)
4. Hector Garza (ACE)

2:30 pm - 3:00 pm Board discussion with Panel #3

3:00 pm - 3:30 pm Advisory Board action statement(s) concerning value of diversity and importance of strategies to promote diversity.

Board discussion of Secondary Agenda Item: "Continuing Discrimination and Civil Rights Enforcement;" Board recommends increased support for enforcement.

Board wrap up, including statement of December meeting topic on primary/secondary education and the importance of so-called pipeline programs to promote diversity in higher education.

3:30 pm - 4:00 pm Press availability

III. Details of Other Ideas

- We recommend asking other college/university presidents beyond those participating, and perhaps other groups of participants as well, to provide supporting essays to the Advisory Board concerning the value of diversity in higher education. (Most presidents, if not all, have already written such pieces.) This will provide a sense of national support behind the presidents who are speaking. It also will help us promote increased participation.
- If possible and beneficial, we recommend that invited guests (i.e., members of the Cabinet) sit in with the Advisory Board at each meeting to promote involvement in the Initiative.
- We recommend that the meeting be more interactive by having a working lunch with invited attendees. Our vision is that each Advisory Board member will anchor a table along with presenters, students, faculty, and staff and discuss concrete questions that we provide, such as "The Campus Environment: What are colleges doing right to foster an appropriate environment for positive cross-racial interactions? What could be improved?" After lunch, one participant from each table (or each Advisory Board member) would report back to the Board and the audience with a list of responses to each question. (This idea is modeled from a recent event in Fairfax County.)

SRP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 13:39:45.00

SUBJECT: Re: Question about TANF process

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

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

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

TEXT:

I think we should sit down with her tomorrow, with Bruce, and tell her the idea is for Bruce to represent all of EOP in the meeting with Donna and that we want more of her input. We could add that we're trying to keep the meeting small with a few observers. I think if she wants to be an observer it would be hard for us to exclude her.

Elena Kagan  
11/06/97 12:36:34 PM  
Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc: Diana Fortuna/OPD/EOP, Laura Emmett/WHO/EOP  
Subject: Re: Question about TANF process

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



DRAFT

November 6, 1997

Lamar Smith  
Chairman  
Subcommittee on Immigration and Claims  
Judiciary Committee  
U.S. House of Representatives  
Washington, D.C.

Dear Chairman Smith:

Five weeks ago, the Commission on Immigration Reform issued its final report. As you know, the Commission recommends restructuring the immigration system by reallocating the main functions of the Immigration and Naturalization Service to other federal agencies.

The President has directed the Domestic Policy Council to coordinate with those agencies that would most likely be affected by a restructuring to review the Commission's report and other proposals for improving the administration of the Nation's immigration system. Based on this review, the Administration will formulate and submit its reform proposal to Congress by April 1, 1998. The proposal will build on the progress this Administration has already made, which includes substantially curtailing illegal immigration through tougher border control, strengthening worksite enforcement, removing a record number of criminal and other deportable aliens, and continuing to develop strategies to improve the naturalization process.

The Administration is committed to working with you as we move forward to improve the administration and management of our Nation's immigration system.

Sincerely,

Bruce N. Reed  
Assistant to the President for Domestic Policy

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-NOV-1997 18:25:25.00

SUBJECT: Tobacco Members update

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

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

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

TEXT:

Etheridge's guy called in this report:

1. In the "Looks Good" or "Optimistic" category : Clayton, Boyd
- 2.. "Fair Shot": Watt
3. "No": Baesler
4. Other: McIntyre has had 2 plants in the district close, needs heavy pressure  
Hefner is "more open than expected"

They have reached out to the farm bureaus and tobacco growers association and the gorups are "coordinating efforts."

They are also reaching out the following R members: Rogers, Bunning, Kingston, Linder, Chambliss, Hillary

They were kind of optimistic about things. They asked about a signed letter but didn't push it.

# Withdrawal/Redaction Marker

## Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Charles Blanchard to Elena Kagan et al. re: ONDCP Update [partial] (1 page)	11/06/1997	P6/b(6)

### COLLECTION:

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

### FOLDER TITLE:

[11/06/1997]

2009-1006-F

bm66

### 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: Charles A. Blanchard ( CN=Charles A. Blanchard/OU=ONDCP/O=EOP [ ONDCP ] )

CREATION DATE/TIME: 6-NOV-1997 14:30:42.00

SUBJECT: ONDCP Update

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

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

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

TEXT:

I was in Baltimore with the Director, and so was unable to attend the crime meeting. Here are highlights about ONDCP activity:

1. Reauthorization: The Hatch/Biden ONDCP reauthorization bill (which closely tracks the Administration bill) passed the Senate Judiciary Committee today. We expect a full Senate vote as early as tonight (but more likely tomorrow). We do not expect a conference before recess as they will likely recess before the beginning of next week. Critically, the Senate bill includes no hard targets. Sen. Coverdale added some reporting obligations that we (and Justice, OMB, etc) do not like, but all in all the bill is a good one. OMB is working on the SAP that strongly supports the bill, but notes several desired amendments.

2. Nominations: The Senate Judiciary Committee is holding hearings this afternoon on the nominations of Robert Warshaw for the State & Local Associate Director position, and Tom Umberg for the Supply Deputy position. All indications are that the nomination of Warshaw will be easy. We expect Grassley to focus on the fact that Tom Umberg received lots of Indian Tribe contributions when he ran for Attorney General of California. The contributions were legal. I will report at the end of the hearing.

3. Performance Measures: P6(b)(6)  
P6(b)(6)

[001]

P6(b)(6) I am told by John that we finally received comments from the Department of Justice, which will be incorporated in the next version of the performance measurement system. Again, John can give you the details once he returns.

4. Crack cocaine: Liz Fine of DoJ will revise the Strategy document to conform with the suggestions made at our meeting at the OEOB. the revised document will then be presented to McCaffrey and the AG. We expect agreement by both principals. Nick Gees from DoJ Inter-governmental affairs and Dennis Greenhouse from our office have begun implementing the plan's contact with law enforcement groups. Dennis and I will be meeting with the National Association of Counties on Friday. Dennis raised the issue at the recent meetings of the International Association of chiefs of Police and National Organization of Blacks in Law Enforcement (NOBLE), and received surprisingly positive responses from both groups..