

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 034 - FOLDER -012**

**[07/17/1998] [1]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey A. Shesol ( CN=Jeffrey A. Shesol/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUL-1998 18:27:31.00

SUBJECT: AFT Final

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

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

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

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

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

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

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

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

CC: shesol ( shesol @ aol.com @ inet [ DEFAULT ] )  
READ:UNKNOWN

TEXT:

Final 07/17/98 6:00pm  
Jeff Shesol

PRESIDENT WILLIAM J. CLINTON  
REMARKS TO THE AMERICAN FEDERATION OF TEACHERS  
NEW ORLEANS, LOUISIANA  
July 20, 1998

Acknowledgments: Sec. Herman; Mayor Mark Morial; Members of Congress TK;  
AFT President Sandy Feldman; Secretary-Treasurer Ed McElroy; newly elected  
Executive VP Nat LaCour (also a member of WH Commission on Presidential  
Scholars)

I want to say a word about someone who is not here today, but who  
is very much with us in spirit, and that is my old friend Al Shanker. I  
know he would be proud of you on your 75th anniversary, proud that you are  
continuing the lifelong fight he waged for excellence in education: for  
high standards of achievement, high expectations for our children, and  
high-quality teaching. We are all grateful for the legacy he has left us,  
and energized by the ideals he expressed so forcefully.

This is a remarkable time in our nation's history: a time of growth, of confidence, of prosperity. The American economy is the strongest in a generation. Communities are coming together, strengthened by a common bond of values and a renewed ethic of responsibility. In a powerful way, this respect for law and order and for one another is making itself felt at almost every level of our society, sending crime rates spiraling downward and making families, again, feel more secure. Today, I want to talk to you about the ways we can instill this ethic of responsibility and respect in every one of our nation's public schools, and in the lives of every one of our children.

This is a tremendous moment of possibility for our nation's children. America's prosperity presents us with a remarkable opportunity -- and, therefore, an obligation -- to conquer many of the challenges we have long faced as a nation. To meet that obligation, we must give our children the tools they will need to succeed in new and changing times. And by doing so, we will ensure that our own time, our age of opportunity, is not remembered for the opportunities we missed.

I know, as teachers, you believe in this possibility. Your unflagging faith in it drives you every day to broaden young minds, unlock their potential, sharpen their skills. It is a faith that sustains you during long days in front of the chalkboard or over the keyboard, during long nights grading papers and crafting lesson plans.

For more than five years, our administration has worked to be a strong, active partner in your efforts -- making schools safer, raising standards in the basics for students and teachers, extending the opportunities only a quality education can bring to every child. In an age of information and ideas, education must be America's first priority. That is why we have made the greatest investment in education in our nation's history. That is why we're working to modernize our schools and connect every classroom to the Internet. And that's why we're working to end social promotion and reduce class size -- so teachers can regain control and maintain discipline in their classrooms.

If we are to expect more of our students, then we must also ask more of our teachers. Every effort, every reform, depends on high-quality, highly-trained teachers. We must insist that teachers pass competency tests before they set foot in our schools. Those who fail should not be licensed, and should not be hired. Those who make the grade should have more support -- for example, the guidance of a master teacher. Teachers can and must take responsibility for their own -- mentoring, counseling, and reviewing one another. This lesson of responsibility is not lost on the AFT. I salute President Feldman's plan to improve teacher quality and know your efforts will make a difference.

Just as teachers are stepping up to their responsibility, Congress must do the same, and put progress above partisanship. That is how we have helped more children learn to read, more teachers to be trained, and more young people to go to college. I am pleased that the Congress is moving forward with my proposals to help prepare teachers for the classroom. It is with this same spirit of progress we must move forward today.

I am confident we will maintain our momentum. But you know and I know that all our progress will come to naught if our schools are not safe places, orderly places, where teachers can teach and children can learn. We also know that in too many American schools, there is lawlessness where there should be learning. There is chaos where there should be calm.

There is disorder where there should be discipline. Make no mistake: this is a threat not only to your classrooms, but to the strength and vitality of America's public school system and, indeed, to the strength and vitality of our nation.

It is a sobering fact that, in a recent study, 81 percent of teachers said it was the worst-behaved students who absorbed the most attention in schools. Not the struggling students, not the striving students, but the worst-behaved. It is a dismaying fact that 71 percent of all high school students said there were too many disruptive students in their classes -- and only 13 percent of public school students said their classmates were "very respectful" of teachers. You know that teachers can't teach if they have to fight for respect or fear for their safety; that students can't study if there is disorder in the classroom; and that disruptive students won't change if there are no clear, strict standards for behavior.

We will have discipline in the classroom, or we will have disorder -- and danger. Hard experience has taught us this lesson, taught us well. The problem is clear. The stakes could not be higher and the demand for action could not be more profound. As a nation, we must recognize that a return to order is central to the renewal of education in America.

There is another lesson to be learned -- as teachers, I know you have a fondness for lessons -- in this case, it's from the overall decline in violent crime. Crime is dropping in this country because we are getting serious about punishment, and getting serious about prevention. Crime is dropping because entire communities are taking responsibility for their own streets and neighborhoods, and because the government is giving them the support they need. That is the idea behind community policing -- the 100,000 police we are putting on the streets. And when we assume responsibility, when we set tough new standards for behavior, something remarkable happens: people behave.

That is why our administration is serious about school safety. We have seen, tragically and repeatedly, the damage done by troubled adolescents with a firearm in hand and violence in mind. So we have worked hard to tighten school security, to strengthen prevention, and to toughen penalties. We will continue to show zero tolerance toward guns in schools. During the 1996-1997 school year, our policy led to the expulsion of nearly 6,100 law-breaking students and the prevention of countless acts of violence. And this fall, as I am announcing today, I will host the first-ever White House Conference on School Safety -- bringing together not only experts and law enforcement officers, but also families whose lives have been touched by school violence. Together, we will continue the fight to find new solutions to this constant challenge.

Congress, too, has an opportunity to protect America's children by passing the juvenile crime bill I have proposed. It will ban violent juveniles from buying guns for life and take other important steps. Congress can also give communities much-needed support: I have proposed that in our balanced budget, \$95 million be allocated to the prevention of juvenile crime. I urge Congress to step up to its responsibility, invest in prevention -- like the summer jobs program some are trying to eliminate -- and stop violent outbursts before they start.

We have learned another lesson from the drop in violent crime. And that is: the small stuff matters. In most schools, it is not the sensational acts of violence but the smaller acts of aggression -- the threats, the scuffles, the back-talk -- that take a terrible toll. That

is why setting strict standards for behavior can and will make a difference, as they are doing, all across America, in powerful and inventive ways.

Our first effort, of course, must be to get children inside the schoolhouse doors. Truancy, as I have said, is more than a warning sign of trouble -- it is trouble, and a gateway to drugs, alcohol, gangs and violence. Kids can either sit in class, or stand on the streets. They can either learn from teachers, or learn from thugs. It used to be that truancy laws were enforced, that local police knew the kids and brought them back to the schoolrooms, but that has long ceased to be the case. But communities are again turning their attention to truancy. In Milwaukee, officers can now stop students on the street during school hours. And in Boston, where more than one quarter of public school students were absent three weeks or more this past school year, they have a strict new promotion policy: if you don't attend, you won't advance. Other cities are forming truancy task forces -- a united front of schools, social services and community police to keep children in school and out of trouble.

A teacher's day must sometimes seem very long. But we know that the school day lasts a precious few hours and there is no time to waste. So once kids are inside the schoolhouse door they must be free of fear and free of distraction. That is one of the ideas behind school uniforms. When I spoke of school uniforms in my 1996 State of the Union Address, it was an old idea without much new credence. But in the years since, I have been heartened to see an inundation of interest. From New York City to Houston, from Dade County to Chicago, school districts are adopting school uniform policies and making sure that kids no longer kill other kids for a pair of sneakers or a designer jacket; making sure students are focused not on appearances but on learning. As a result, crime is going down in these schools, and attendance is on the rise.

But our responsibility cannot end with the words "class dismissed." After school, children can find their way into crime and drugs or fall prey to it. Youth crime, it is no wonder, is at its peak during those unsupervised hours, 3:00 to 6:00. That is why I have called on schools to remain open -- to become community learning centers where children are not only safe but can continue to learn and grow. I have proposed, in my 1999 budget, a significant expansion in grants to schools to create before- and after-school programs. And for the later hours, when the streets become darker and more dangerous, I have long urged that communities follow the example of New Orleans, and put in place community-based curfews. It's no wonder that youth crime is dropping dramatically during curfew hours, or that cities from Denver to Chicago to North Little Rock are adopting curfews -- keeping children off the streets and out of trouble, and giving parents a tool to impart respect and responsibility.

Anti-truancy efforts. School uniforms. Character education. Curfews. These are not isolated initiatives. Instead, they add up to a new approach to restoring discipline in our schools and order in our children's lives. Working together, learning from one another, America can end an era of unruliness and install an ethic of responsibility in our schools. We can make them places where students again learn not only the three R's but also respect, not only the great books but also good behavior. It's as simple as the AFT's slogan: "Responsibility. Respect. Results." That's a good formula for success, and a good Lesson for Life.

I am struck that just about every challenge we face is being met somewhere in some way by someone. And that is the way it should be. Today I call on every community -- parents, teachers, and local school officials -- to adopt a set of standards for school discipline. The federal government will not make decisions for you, but will help you to make your decisions work. Government, as I have said, is not the solution. Nor is it the problem. At its best, government is a catalyst; a clearing house for new ideas; a partner in empowering citizens to make the most of their lives.

Of course, as teachers, you understand as well as anyone that discipline begins not in the classroom, but at home. That is where the first and most fundamental lessons for life are taught -- the difference between right and wrong, the values of responsibility and respect. I know you will continue to do everything in your power to reinforce those values, and to teach our children new lessons -- about the wonders of the natural world, the riches of the human imagination. And by teaching our children well, by doing what you do every day from the first bell's ring, you are building a better future for your students, and for our nation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 18:04:22.00

SUBJECT: draft Q&A

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

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

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

CC: Tanya E. Martin ( CN=Tanya E. Martin/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:

As I was telling Jose', it's been hard getting used to AFT instead of ATF...

Please review. Thanks.

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D76]ARMS10335530J.226 to ASCII,  
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**Speech to American Federation of Teachers  
Questions and Answers  
July 20, 1998**

Automated Records Management System  
Hex-Dump Conversion

**School Discipline**

**Q. Do you know how many schools have school uniform policies in place?**

A. While we do not have comprehensive data on the number of schools that have adopted uniform policies, we know that there has been a recent push by schools and school districts nationwide to adopt school uniform policies to improve student discipline, attendance, and school climate. Since President Clinton called on the Education Department to send out a guide on school uniform policies to every school district in the country in 1996, a large number of schools and school districts have adopted uniform policies:

- The Department of Education's National Center for Education Statistics estimates that of the 3% of all public schools have mandatory uniform policies, 34% initiated their policy in the 1996-97 school year.
- The 1998 National Association of Elementary School Principals (NAESP) survey of principals in 10 states shows that 11% of elementary schools require uniforms, and 15% are considering a policy. Almost two-thirds of schools with policies adopted them in the last two years.

Moreover, some of the nation's largest school districts have adopted school uniform policies, including: New York City, Dade County, San Antonio, Houston, Chicago and Boston. In New York City alone, this will mean 560,000 elementary school students in the nation's largest school system will have school uniforms by fall of 1999.

**Q. How do you know if school uniforms are having an impact on school crime?**

A. School uniforms have been identified as promising strategy to help make students safer while promoting discipline and respect in schools. Because of this, the Clinton Administration has encouraged schools to consider adopting school uniform policies.

Since the trend is recent, there have not been any large-scale documented research results into the effectiveness of school uniforms. Perhaps the best and most publicized study comes from the Long Beach, CA School District's four-year school uniform policy -- the first large school district to require uniform system-wide in elementary and middle schools. Total crime -- including assault, fighting, robbery, and vandalism -- fell 76% between 1993 and 1997. More specifically, weapons offenses dropped 83% and vandalism was cut in half. In addition, in the 1995-96 school year, attendance hit an

all-time high (94.7%). While the district does not attribute these impressive results solely to their school uniform policy, they believe that it has contributed to safer, better schools.

**Q. Is there any evidence to show youth curfews are having an impact on crime?**

- A. Last December, the U.S. Conference of Mayors released a 347-city survey of youth curfews. In the survey, 93% of cities reported that enforcing a curfew is a useful tool for police; more specifically, cities reported that curfews were a proactive way to combat youth violence as well as prevent juveniles from becoming crime victims. 88% of cities reported that curfews help to curb gang violence. All of the 72 cities that had a daytime curfew reported that it cut down on truancy.

In May 1996, the Justice Department released a report by the Office of Juvenile Justice and Delinquency Prevention (OJJDP) on 7 jurisdictions with youth curfews in place. The report showed that when curfews backed by a community of support, and are part of a larger plan to help fight juvenile crime, they can play an important role in keeping our children safe. For instance, in New Orleans, a community-supported curfew -- combined with summer jobs and recreational programs for youth -- helped cut juvenile crime during curfew hours the year after it was implemented.

**Q. Wasn't a study released earlier this year showing that they don't reduce crime?**

- A. In June, the Justice Policy Institute released a study which looked at curfews in California. The study, which argues that curfew enforcement has not reduced youth crime in the state, has largely been criticized by California law enforcement officials, including the State Attorney General's office. Law enforcement officials across the State have stated that they have seen a very positive correlation between curfews, truancy laws and lower crime rates.

President Clinton believes that useful tools such as curfews, school uniforms, and anti-truancy policies, can help schools and communities enhance youth discipline and reduce crime as part of a comprehensive plan to combat juvenile violence and crime.

**White House Conference on School Safety**

**Q. What can you tell us about the White House conference on school safety?**

- A. In his speech today, the President will announce a White House Conference on School Safety, and proclaim October 15, 1998, National School Safety Day. The White House Conference will be linked by satellite to schools across the country and will specifically include the communities impacted by the recent wave of school shootings. We are still

in the planning stages and will make details known as they are available.

### Recent School Shootings

Automated Records Management System  
Hex-Dump Conversion

**Q. What are you doing about all of these school shootings?**

- A. This spring, the President sat down with youth violence experts -- from principals to parents to prosecutors -- to discuss what we can do at all levels to keep these tragedies from occurring in the first place. There was broad agreement that we should be focused on tackling the larger problem of youth violence. This is why the President continues to challenge the Congress to pass his strategy on youth violence to take on youth access to guns, tough punishment for violent youths and gangs, and provide additional adult supervision in the after school hours when violent juvenile crime is most likely to occur.

Today's announcement of a White House Conference on School Safety will be an important step to focus on making schools safer for our kids. The President has already taken a number of actions to address the troubling series of school shootings, including:

**Early warning guide.** Last month, the President directed the Secretary of Education and the Attorney General to develop a guide to help teachers and principals identify and respond to the early warning signs of troubled youth that can lead to school violence. The guide will be made available to schools nationwide when classes begin in the fall.

**First Annual Report on School Safety.** In December, the President called for the development of an Annual Report on School Safety, which will be released on School Safety Day, October 15. The report will include: an analysis of all existing national school crime data and an overview of state and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use, and class disruption; actions that parents can take locally to combat school crime, including a local safety checklist; and resources available to schools and communities to help create safe, disciplined, and drug-free schools.

**More Police in Schools.** In March, the President announced funding for a new community policing program through the Justice Department's COPS Office focused on reducing violence on or near school grounds. The President later called on the Attorney General and Education Secretary to report back by the start of the school year on ways to provide even more police for our schools.

**Promoting Gun Safety and Responsibility.** Earlier this month, President Clinton called on states to promote gun safety and responsibility by passing Child Access Prevention (CAP) laws that hold adults responsible if they allow children easy access to loaded firearms. Fifteen states have already enacted such CAP laws. A recent study published by the Journal of the American Medical Association found that CAP laws reduced fatal unintentional shootings by an average of 23%.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 18:23:35.00

SUBJECT: re-send of Q&A

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Please use this version. Thanks!

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D41]ARMS10046730J.226 to ASCII,

The following is a HEX DUMP:

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 18:03:20.00

SUBJECT: Presidential Task Force on Employment of Adults w/ Disabilities

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

READ:UNKNOWN

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:

FYI. I will work with Jeanne and Ceci Rouse to prepare paper for Erskine. Let me know if you care about who should be there.

----- Forwarded by Diana Fortuna/OPD/EOP on 07/17/98

06:02 PM -----

Kevin S. Moran 07/17/98 05:55:21 PM

Record Type: Record

To: Diana Fortuna/OPD/EOP, Jeanne Lambrew/OPD/EOP

cc: Carole A. Parmelee/WHO/EOP

Subject: Presidential Task Force on Employment of Adults w/ Disabilities

Erskine is scheduled to meet with Alexis Herman and Tony Coehlo next Thursday (7/23) to discuss the work of the Presidential Task Force on Employment of Adults w/ Disabilities.

(Would you mind preparing a short briefing paper and appropriate talking points for the meeting? I'd also like any suggestions as to who from the White House should be part of the meeting.)

As I mentioned in my e-mail a few weeks ago, the initial request from the Secretary's office included an agenda that focused on getting a commitment from Erskine that the White House will try to have the President attend the Task Force's July meeting and make an announcement endorsing the principles underlying Kennedy-Jeffords. It also sounds like they want a commitment from the President that he will work with the two Senators to produce a mutually agreeable bill the President could sign.

I imagine we will try to do a short briefing some time before the meeting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 08:55:23.00

SUBJECT: Privacy options paper

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

CC: Cathy R. Mays ( CN=Cathy R. Mays/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:

Below is the privacy options paper for the principals meeting on Monday,  
July 20 at 11 am in the Roosevelt Room  
----- Forwarded by Mary L. Smith/OPD/EOP on 07/17/98  
08:55 AM -----

Thomas A. Kalil  
07/16/98 10:11:14 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc:  
Subject: Privacy options paper

Principals meeting is Monday at 11:00 in the Roosevelt Room.

I will be out today and Friday -- but am payable  
1-800-SKYPAGE pin # 2168029

Thanks!

Message Sent

To: \_\_\_\_\_  
David W. Beier/OVP @ OVP  
Thomas L. Freedman/OPD/EOP  
Mary L. Smith/OPD/EOP  
Jim Kohlenberger/OVP @ OVP  
Ira C. Magaziner/OPD/EOP  
Bruce W. McConnell/OMB/EOP

Robert N. Weiner/WHO/EOP

===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D4]MAIL466671006.226 to ASCII,

The following is a HEX DUMP:

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**MEMORANDUM**

**Automated Records Management System  
Hex-Dump Conversion**

**TO: Sally Katzen**

**FROM: Andrew Pincus**

**DATE: July 16, 1998**

**RE: Privacy – Legislative and Other Proposals**

This memorandum outlines a series of Administration proposals for enhancing privacy protection by acting in the following areas:

- Federal Privacy Coordination Responsibility
- On-Line Collection of Information Generally (Commercial Marketing)
- On-Line Collection of Information from Children
- Government Information
- Medical Records
- Financial Records
- Profiling
- Identity Theft/Theft of Personal Information
- Protection of New Categories of Personal Information
- Public Education

These initiatives would follow-up on those announced by the Vice President on May 14, 1998 in his speech at New York University.

## FEDERAL PRIVACY COORDINATION RESPONSIBILITY

Concerns about privacy are shared across agencies. Some privacy activities are undertaken by many; others by no one. Early in the Administration, the President's Information Infrastructure Task Force (IITF) solicited and received public comments on whether there should be an entity within the executive branch to serve as a focal point for public and private sector privacy issues. The IITF reached no conclusion. This proposal concludes that work and responds in part to the July 1997 Presidential direction to develop recommendations as to the appropriate role of government in privacy.

### Proposal

The President could assign coordination responsibility of privacy issues to the Administrator of the Office of Information and Regulatory Affairs (OIRA) of OMB. This assignment would strengthen the ability of the Administration to develop and implement effective privacy policy.

OMB recognizes that many agencies have expertise and responsibility for privacy in various areas, however, additional focus on privacy across the executive branch would be useful. This increased focus would be accomplished by the performance of four functions by OMB:

- *Coordination* - Assure that agencies address emerging privacy issues in their programs and policies, and promote greater consistency of Administration positions and policies.
- *Advice* - Drawing on agency expertise, provide advice on privacy policy questions to government agencies and the private sector.
- *Representation* - Explain and promote the Administration's privacy policy domestically and internationally.
- *Consumer Information* - Increase public awareness of privacy issues and the rights and responsibilities of consumers, industry, and government. Use the "bully pulpit" to encourage best practices and criticize bad actors.

Rather than create a new privacy office or entity, it is more appropriate to assign these functions to the Administrator of OIRA. Privacy concerns must usually be balanced with competing values, such as prosecution of criminals, identifying "deadbeat" parents, free speech, and the economic and commercial benefits that come from the free flow of information. OMB is the traditional coordinator of policy, regulatory and organizational issues, while OIRA is already responsible for other information policy matters and has expertise and authority in privacy under the Privacy Act. OIRA, therefore, is a logical place to assign the new responsibilities. To be an effective coordinator, additional resources would be required, however, minimal resources are necessary since the proposed role is primarily coordination, not operations.

## ONLINE COLLECTION OF INFORMATION

Protection of privacy in the online environment was addressed in the *Framework for Global Electronic Commerce* released by the President on July 1, 1997. In that document, the Administration reaffirmed the importance of "assur[ing] personal privacy in the networked environment" and endorsed the Privacy Principles adopted in June 1995. The Administration "support[ed] private sector efforts now underway to implement meaningful, consumer-friendly, self-regulatory privacy regimes." It cautioned that "[i]f privacy concerns are not addressed by industry through self-regulation and technology, the Administration will face increasing pressure to play a more direct role in safeguarding consumer choice regarding privacy online."

In the year since the issuance of the *Framework*, the privacy issue has garnered significant public attention. The Administration has undertaken broad outreach efforts to urge industry to take up the challenge of self-regulation. Numerous media stories have addressed the threat to privacy in the online environment. And the Federal Trade Commission's net survey demonstrated that -- as of March 1998 -- online enterprises were devoting insufficient attention to privacy concerns.

At the same time, there has been significant progress on industry self-regulation. On June 22, 1998 a group of 50 businesses and trade associations announced the formation of the Online Privacy Alliance. The Alliance adopted well-received guidelines for fair information practices applicable across a range of industries, including the marketing industry. The Direct Marketing Association, which represents over 3700 direct marketers, has endorsed the Alliance guidelines, and committed to require DMA members to comply with the guidelines as a condition of membership in the association.

The Alliance guidelines require members to adopt and implement a policy for protecting the privacy of individually identifiable information. An organization's privacy policy must be easy to find and understand and must state clearly what information is being collected; the use of that information; possible third party distribution of that information; the choices available to an individual regarding collection, use and distribution of the collected information, as well as the consequences, if any, of an individual's refusal to provide information. The policy should also include a clear statement of the organization's accountability mechanism and information about how to contact the organization if a problem or complaint arises. At a minimum, individuals should be given the opportunity to opt out of uses that are unrelated to the purpose for which the information was collected. The Alliance guidelines also require data collectors to take appropriate steps to ensure the security, reliability and accuracy of personally identifiable information.

The Direct Marketing Association has imposed additional requirements specific to marketing activities. These include a mandatory participation in the "Telephone Preference Service" and the "Mail Preference Service" through which consumers can have their names placed on a national "do not solicit" list.

The Alliance has committed itself to announce its approach to enforcement -- the final element of its privacy protection program -- within the next ten days. Based on our understanding of the likely ingredients of the enforcement approach, we believe the Alliance plan will satisfy the Administration's privacy principles. The Alliance's membership constitutes between 80 and 90 percent of online traffic.

In addition, the Council of Better Business Bureaus (CBBB) announced on June 22, 1998, that it will develop and implement a major privacy program through its subsidiary, BBBOOnline. According to the CBBB press release, the online privacy program will feature: privacy standard-setting, verification, monitoring and review, consumer dispute resolution, compliance "seal", and educational components. The program is expected to "go live" in the fourth quarter of 1998.

TRUSTe is a not-for-profit organization based in the Silicon Valley. The TRUSTe program provides notice by Web sites of their information practices, verification and oversight of the claims made in the site's notice, and consumer recourse through which consumer complaints will be resolved. TRUSTe has been criticized for its failure to require adherence to fair information practices -- any practice is permitted, as long as it is disclosed. On June 24, 1998, however, TRUSTe announced that it would require all new and renewing licensees to adhere to the privacy guidelines announced by the Online Privacy Alliance.

### Proposal

The Administration should commend the members of the Online Privacy Alliance and other groups for the progress on self-regulation. We should, however, make clear that substantial challenges lie ahead. First, the privacy protections promised by these organizations must be redeemed -- these new organizations must become functioning entities. Second, the private sector must work to expand membership in self-regulatory organizations so that privacy protection becomes ubiquitous in the online environment. Obviously the Administration will also play an important role in this effort. We should repeat the caveat in the *Framework* that the absence of continued real progress will cause the Administration to reexamine whether government must take a more direct role in privacy protection.

### **ON-LINE INFORMATION ABOUT CHILDREN**

The solicitation of information from children presents a unique problem. Unlike adults, children generally lack the ability to provide legally binding consent and may not be cognitively capable of understanding the consequences of giving out personally identifiable information online. Many companies presently collect information from children for a variety of reasons -- to contact a child to verify that they may have won a prize, to monitor children in chat rooms, for statistical purposes or for direct marketing purposes.

On June 4, 1998, the Federal Trade Commission released a report to Congress, *Privacy Online*, which surveyed 1,400 Web sites. Eighty-nine percent of children's sites surveyed collect personal information from children. Although 54% of children's sites provide some form of disclosure of their information practices, the Commission found that few sites take any steps to provide for meaningful parental involvement in the process. They found that only 23% of sites even direct children to seek parental permission before providing personal information. Only 7% of the sites said they would notify parents of their information practices, and less than 10 % provide for parental control over the collection and/or use of information from children. The Commission recommended that Congress adopt legislation protecting children's privacy online.

#### Best Practices Model – Online Privacy Alliance

On June 22, 1998 the Online Privacy Alliance issued specific guidelines for the protection of children's' privacy online.

Alliance members that operate sites directed at children under 13 have agreed (1) not to collect online contact information from a child under 13 without prior parental consent or direct parental notification of the nature and intended use of this information, including an option for the parent to prevent the use of the information and participation in the activity; (2) to assure that information collected will only be used to directly respond to the child's request and will not be used to recontact the child for other purposes without prior parental consent; (3) not to collect individually identifiable offline contact information from children under 13 without prior parental consent; (4) not to distribute to third parties any personally identifiable information collected from a child under 13 without prior parental consent; (5) not to give children under 13 the ability to post or otherwise distribute individually identifiable contact information without prior parental consent – sites directed to children under 13 must take best efforts to prohibit a child from posting contact information; and (6) not to entice a child under 13 by the prospect of a special game, prize or other activity, to divulge more information than is needed to participate in that activity.

#### Proposal

The Administration already has endorsed the FTC's call for legislation with respect to protection of children's privacy in the online environment. The Administration should specify that this legislation should set forth the fair information practices applicable to the collection of information from children and grant the FTC authority to promulgate rules to implement these standards. The grant of authority to the FTC could include a safe harbor provision -- data collectors that belong to a self-regulatory organization that contains standards for collection of data from children acceptable to the FTC would be presumed to be in compliance with the statutory requirement and would not be subject to direct enforcement action by the FTC.

## GOVERNMENT INFORMATION

Public records are a rich store of personal information. Federal, state and local governments require individuals to provide various types of information and are usually required to make such records available for public inspection. Public records include, but are not limited to real property records, marriage and divorce records, birth and death certificates, driving records, driver's licences, vehicle titles and registrations, civil and criminal court records, parole records, postal service change-of-address records, voter registration records, bankruptcy and lien records, incorporation records, worker's compensation claims, political contributions records, firearm permits, occupational and recreational licenses, filings pursuant to the Uniform Commercial Code and filings with the Securities and Exchange Commission.

These public records contain extensive and detailed information (e.g., race, gender, Social Security numbers, addresses, dates of birth, marriage, and divorce.) Social Security numbers, for example, are available from the records kept by dozens of government entities, such as motor vehicle bureaus -- many driver's license records make the individual's SSN, as well as their name, address, height, weight, eye color, gender, and date of birth available in one place. Dates of birth may be available from birth certificate and voter registration records, and land records typically include dates of sales, prices, size of mortgage amounts, and the property address and description, as well as the seller's and purchaser's names.

The U.S. Privacy Act, 5 U.S.C. Section 552a (1988) protects individuals from non-consensual government disclosure of confidential information. The Memorandum for Heads of Executive Departments and Agencies, signed by the President on May 14, 1998, directs agency heads to take specific action to assure that use of new information technologies sustain privacy protections provided by applicable statutes and that the information is handled in full compliance with the Privacy Act.

While the U.S. Privacy Act restricts the disclosure of personal information collected and maintained by the Federal government, many States do not have analogous privacy laws. Not only is the protection of information collected and maintained by State governments governed by an uneven patchwork of laws, but State freedom of information and public record laws, enacted before powerful information technology made collection and dissemination of information easy and efficient, allow many States to sell personal information. State records are the source of much of the personal information that, when disseminated, generates the greatest concern about privacy protection.

Issues around the collection, sharing and sale of personal information gathered by States are complicated by requirements under Federal law that States collect and provide certain information to the Federal government. These laws include transfer of information for tax purposes, to locate parents delinquent in their child support payments, and to determine food stamp and welfare eligibility.

Any effort to restrict State collection and sharing of personal information will raise significant federalism questions. For example, two states have successfully challenged the Drivers Privacy Protection Act on federalism grounds.

The Administration has already begun to address the issue of sharing of data by Federal agencies with State, local, and tribal governments in the President's Memorandum to Heads of Executive Departments and Agencies, signed on May 14, 1998.

### Proposal

The Administration should create a Federal-State Task Force to initiate a "privacy dialogue" to analyze the privacy of personal information collected by governments. The dialogue could include a study of the State laws that require the collection of personal information and the Federal laws that require States to collect personal information and consider the desirability of:

1. State enactment of laws similar to the Privacy Act.
2. Extension of the Privacy Act protections to Social Security numbers collected by State governments.
3. Re-evaluation of the meaning of "public records" in light of new technology.
4. A requirement that States redact Social Security numbers and other personally identifiable information from documents before they are placed in the public domain.
5. An Executive Memorandum to State attorneys general reiterating obligations imposed by §7 of the Privacy Act with regard to the protections afforded the collection of Social Security numbers and the requisite notice requirements.

### **MEDICAL RECORDS/HEALTH INFORMATION**

The confidentiality of health information is a matter of widespread national concern, and the protection of this information has been a priority of the Administration. On September 11, 1997, Secretary of Health and Human Services Donna Shalala recommended that Congress enact Federal legislation to protect the confidentiality of health information by imposing duties on those who hold such information and by providing rights to the subjects of the information. She proposed that the Federal law provide a floor of protection, and that States be permitted to, in addition, provide stronger protections.

Under the recommended legislation, health care providers, those who pay for health care, and those who get information from those entities would have to permit patients to see their own records, to keep records of disclosures and let patients know who has seen their records, and to permit patients to file proposals for correction of erroneous records. All entities collecting or maintaining information would have to advise patients clearly of their confidentiality practices and of the patients' rights.

Disclosures would be limited to those authorized by the patient, or those specifically permitted in the legislation, including disclosures for important public purposes, such as treatment and payment, research, public health, oversight of the health care system, and use in law enforcement or other legal proceedings if permitted by other law. There would be strict limitations on further disclosure in many of these instances. Within an organization, information could be used only for purposes reasonably related to the purposes for which it was gathered, and all disclosures would have to be limited to the minimum necessary to accomplish the purpose of the disclosure.

Entities receiving information pursuant to patient authorization would have to give patients a statement of their intended use of the information, and would be civilly liable for uses in violation of that statement.

There would be civil and criminal sanctions for violations, such as improper disclosure and obtaining information under false pretenses.

Congress is now considering the recommendations.

#### Legislative Proposal

HHS will provide additional proposals for Executive action in the area of medical records/health information.

### **FINANCIAL INFORMATION**

The recent increase in cross-industry corporate mergers raise important privacy concerns with regard to the treatment of consumer information shared by affiliated companies. Such mergers may allow detailed and sometimes sensitive information about consumers, including medical and financial data, to be shared among newly related companies with relatively few restrictions. In the case of the recent merger of Citicorp and Travelers, for example, consumers might not anticipate that providing information for insurance underwriting purposes to one entity might later be used by the financial institution that is or becomes an affiliate.

Each of the nations' largest 25 banks has a securities affiliate, and banks of all sizes sell insurance. Affiliate information sharing already includes not only sharing of information for

marketing purposes (e.g., a credit card bank soliciting an affiliate broker-dealer's best customers for a new platinum card) but also for security purposes (e.g., tracking a credit card holder's spending patterns in order to detect immediately any unusual activity that might indicate fraud or theft) and increasingly for risk-management purposes (e.g., a customer's record of payment on a credit card apparently is quite useful in determining whether that customer is a good risk for auto insurance). Such practices can be expected to continue, as the lines between various types of financial services firms continue to blur and the firms continue to merge.

The Fair Credit Reporting Act (FCRA) governs activities of agencies that furnish consumer information to consumer reporting agencies and credit or "consumer" reports to third parties. The FCRA defines a consumer reporting agency as a person or entity that regularly assembles or evaluates consumer credit information or other information on consumers for the purpose of furnishing consumer reports to third parties to be used as a factor in establishing the consumer's eligibility for credit, insurance, employment purposes, etc.

Companies that share consumer information with their affiliates are not subject generally to the controls of the FCRA. This exemption was created in the 1996 Amendments to the FCRA. The FTC raised concerns about exempting consumer information shared by affiliates from the protections of the FCRA. The banking industry was strongly opposed to extending the FCRA protections to consumer information shared by affiliates. In the end, affiliate sharing was permitted, but customers were granted an explicit right to opt out of affiliate information sharing of personal information other than "experience" or "transactional" information (which may be shared not only with affiliates but also third parties). For example, a customer can prevent personal information contained in an account application from being shared.

The 1996 Amendments to the FCRA also contains an odd provision prohibiting the banking agencies from examining for compliance with the Act; rather, they must await a complaint or other indication of trouble. The banking regulatory agencies also are prevented from issuing regulations under the Act, but the Federal Reserve may promulgate "interpretative" opinions in consultation with the other agencies. These provisions were included in 1996 because of banking industry concerns about regulatory burden, as part of the compromise that moved the bill forward. Banks see the prohibition on compliance examinations as putting them on the same footing as everyone else covered by the FCRA.

The OCC, which regulates national banks, has announced its intention to review the disclosure practices of national banks under the FCRA to ensure that the opt-out option is made evident to consumers. The Federal Reserve expects to issue an interpretation of the 1996 Amendments some time this summer that would clarify for all banks what information may be shared with affiliates and how specific and prominent each opt-out notice must be. Treasury has met with the Fed, FDIC and OTS to encourage joint action in this area, and they appeared receptive.

Proposals

a. The Administration could publicly prod action by national banks to make the opt-out options and notices evident to consumers.

b. The Administration could seek legislation repealing the exemption in the FCRA for affiliate data sharing by financial services firms, or scaling it back -- e.g., permitting information sharing for marketing purposes but not other purposes. (Sharing of the most sensitive type of information -- medical information -- is already addressed above.) For example, businesses could share consumer information among affiliates in connection with a credit card marketing campaign, but consumer information provided for insurance underwriting purposes to one entity could not be used by another entity to deny a person a loan without implicating the protections of the FCRA. This proposal may appease the banking industry, which uses the information mainly for marketing purposes, while still protecting the consumers. The FTC probably would support such action.

*Note: Action in this area must be taken cautiously. The 1996 Amendments were the product of an intense, multi-year debate. Revisiting the affiliate sharing issue would most likely be strongly opposed by the banking industry and may be a sensitive issue on the Hill.*

c. Authorize the appropriate agency to write enforceable rules in this area. Alternatively, give this authority to each of the appropriate agencies to be exercised jointly.

Study Proposals

a. As more databases are available directly to companies, and companies themselves share information directly, there is some concern that the FCRA may become outdated and obsolete. Companies, for example, will no longer purchase credit reports from a central bureau, but rather will obtain information directly from the individual sources and create their own internal credit reports. In the absence of traditional credit reporting agencies, the protections of the FCRA would evaporate. The Administration could undertake a study to determine whether the FCRA contains the protections needed in the electronic age.

b. The Administration could review whether the regulatory review process for mergers should include a consumer protection analysis. For example, in addition to Justice Department review of a proposed commercial merger, the regulating agency could review the proposed merger to determine whether the merger negatively affects consumers' privacy.

## PROFILING

Commercial “profilers” build dossiers about individuals by aggregating information from a variety of database sources, including public and non-public records. Individual reference services, sometimes called look-up services, represent a sub-set of the profiling industry. These services provide information that assists users in identifying individuals, locating individuals, and verifying identities.

Although profiling plainly has legitimate purposes, the public also has legitimate concerns about the compilation of -- and access to -- dossiers that may contain a great deal of personal information about a given individual.

### Best Practices Model – Individual Reference Services Group

On December 17, 1997, a group of 14 Individual Reference Services (the Individual Reference Services Group, IRSG) entered into an agreement on privacy practices which was submitted to the Federal Trade Commission. The IRSG program is based on compliance with certain principles, including notice, disclosure, choice, security, and public education. IRSG members agreed to acquire personal information only from reputable sources, to exclude marketing information as a source, to take reasonable steps to assure that data collected is accurate, complete and timely for the purpose for which it will be used, to correct non-public records when appropriate, and to limit distribution of non-public information to subscribers with appropriate intended uses.

The IRSG committed to implement a rigorous enforcement compliance method. The enforcement program has two prongs. First, signatories’ practices are subject to review by a “reasonably qualified independent professional service.” On the basis of established criteria, that entity determines whether a signatory is in compliance with IRSG principles. The results of the annual review are made public. Second, signatories who are information suppliers may not sell information to look-up services that do not comply with the IRSG principles.

The IRSG members agreed to provide individuals with access to information contained in services and products that specifically identify them, unless the information comes from a public record, in which case the companies will provide the individuals with guidance on how they can obtain the information from the original source. The FTC strongly disagreed with the limitation on the access provisions of the IRSG practices, and the Commission and IRSG agreed to allow 18 months before revisiting the access issue. On the basis of the IRSG program and the commitment to review access issues, the FTC advised the Congress that legislation on individual reference services was premature.

Proposal

The IRSG agreement is a good start, but it only covers one category of business involving the compilation of personal information -- traditional "look up" services like those offered by Lexis-Nexis. Other types of entities purchase information from one or more sources to create profiles. For example, some companies are in the business of compiling profiles and reselling them to industry users. Private investigation firms sell identifying and background information collected from public records, interviews, and other investigatory sources. Public records resellers sell public record information like driving and criminal records. List brokers like Metromail gather information in the aggregate from marketing transactions and rent the information typically used for marketing purposes.

The Administration should announce an effort, in conjunction with the FTC, to encourage these other types of entities to adopt self-regulatory principles analogous to those adopted by the IRSG and tailored to their line of business. (Private sector entities that create profiles based on information they collect themselves would be covered by the online privacy self-regulatory initiative discussed above.) The Administration could point out that addressing this issue is important to give individuals the security they need to do business in both the off-line and the on-line environment and that, as with online privacy generally, if the private sector fails to address the issue, the Administration will have to consider whether more direct government intervention is appropriate.

**IDENTITY THEFT**

The term **identity theft** generally refers to the fraudulent use of another person's identity to facilitate the commission of a crime, such as credit card fraud. The criminal gathers information about a person and then uses the information to adopt the identity of a victim. The Secret Services reports that this type of offense is growing rapidly, and the victims have been the focus of intense media and Congressional interest.

Under existing law, identity theft offenses are clearly punishable to the extent that they include identification documents (i.e., forged or stolen documents) and an intent to defraud the United States. In other cases, however, there may be gaps in federal or state law that would permit or provide only minimal punishment for the practice.

Thus, it would be helpful to change the law to recognize the potential harm that could be done by offenders who commit identity theft with means of identification, and to address other problems that have emerged as a result of a dramatic increase in cases of identity theft. At the same time, legislation to criminalize identity theft must be carefully crafted to avoid problems that could arise from the federalization of a large new class of crimes.

Last week, Senator Kyl marked up his bill, S. 512, the Identity Theft and Assumption Deterrence Act of 1997. After raising initial concerns about the breadth of the bill, the Departments of Treasury and Justice worked with Kyl to produce a more narrowly focused bill.

#### Legislative Proposal

a. Assuming that the Kyl bill meets remaining Administration concerns, the Administration could endorse the Kyl bill, and work publicly with Senator Kyl and the banking industry (which strongly supports the bill) to see it enacted.

b. Merchants require check-writers to provide proper identification, which often includes a driver's license or other identification card with a social security number. Usually a merchant will record the identifying number onto the check to provide proof of the verification activity. This simple action can create a ream of problems. As a result of this activity, a person's check, which contains a person's name, address, and bank account number, now also contains the individual's social security number. By linking these pieces of personal information together on a single check a merchant has made this customer an even better target for identity theft.

The Administration could seek legislation that makes it illegal to record social security numbers on a check that is being approved for a purchase. This would mirror a law that was passed several years ago that prohibited the recording of a credit card number onto a check when the credit card was used as a piece of identification. Such legislation would neither make it illegal for a merchant to ask for the identification, nor indicate that such a check occurred. The law would merely prohibit writing the actual social security number on the check. Note, however, that modern "telecheck" technology permits merchants to ensure that a personal check is good without a Social Security number.

### **THEFT OF PERSONAL INFORMATION**

Recent media reports and Chairman Leach have highlighted a problem related to identity theft, where an offender obtains information illegally but then uses it for a *legal* purpose -- e.g., pretends to be a customer in order to trick confidential information out of a bank, and then sells that information to a private investigator, perhaps in a divorce case involving the customer.

#### Option

Chairman Leach will be floating a bill this week to address this problem, and will hold hearings on July 28 in the Banking Committee. At this point, we do not know what the bill will contain, though his staff has promised to provide Treasury a copy as soon as it clears Legislative Counsel. If the bill is acceptable, the Administration could support the bill, and package the support with the Kyl "identity theft" bill.

## PROTECTION OF NEW TYPES OF PERSONAL INFORMATION

The use of Social Security number by the private sector in connection with a variety of transactions allows profilers, marketers and others to combine discrete bits of information to create a portrait of an individual. These portraits have legitimate uses -- law enforcement, credit assessments, debt collection, etc. -- and we therefore must tread cautiously to avoid upsetting an information structure that is fairly well established. The FTC recently indicated to Congress that the use of a unique identifier like Social Security numbers may contribute significantly to the accuracy of these portraits. In addition, the FTC indicated that "the cat may be out of the bag" with respect to private sector use of social security numbers.

Section 7 of the Privacy Act makes it unlawful for any Federal, State or local government agency to deny to any individual any right, benefit, or privilege provided by law because of such individual's refusal to disclose his social security account number. The Act provides an exception that permits Federal, State or local governments to request disclosure of an individual's social security number. In such cases, the Act requires notice of whether the disclosure is mandatory or voluntary, by what statutory or other authority such number is solicited, and what uses will be made of it.

It seems unlikely that anything can be done with respect to limiting the use of social security numbers by the private sector -- they have become ubiquitous and any limitation could have significant economic implication. On the other hand, as technology provides new means of identification, such as biometrics, it is important to consider how to give individuals more control over these new categories of identifying information.

### Proposal

The Administration could undertake a study (with or without public announcement) to determine whether any steps are necessary to allow individuals to exercise more control over the information that is relevant to new identification technologies.

## PUBLIC EDUCATION

The U.S. approach to privacy focuses on choice -- individuals should have the choice to protect or disclose most personal information. Many Americans are unaware of how their personal information is used, and they do not understand how to protect themselves or exercise their ability to choose. Likewise, many businesses are unaware of consumer concerns about privacy and have not thought through their information handling practices in light of this concern.

Proposal

The Administration could identify private sector partners to develop an advertising campaign to inform individuals about how to exercise choice with respect to the collection and dissemination of their personally identifiable information. Such a campaign could include all advertising mediums – radio, television, print, and electronic.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 12:12:06.00

SUBJECT: Re: Please review & if it looks ok you or i should send it out

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

READ:UNKNOWN

TEXT:

----- Forwarded by Laura Emmett/WHO/EOP on 07/17/98 12:11 PM -----

Cynthia Dailard  
07/17/98 10:20:13 AM  
Record Type: Record

To: Laura Emmett/WHO/EOP  
cc:  
bcc:  
Subject: Re: Please review & if it looks ok you or i should send it out

Here are my only suggested changes.

In this context, I am heartened that the House approved narrowly defeated amendments to strike or limit Congresswoman Lowey's amendment proposal to require health plans participating in the Federal Employees Health Benefits Program to cover all FDA approved prescription contraceptives. The Lowey proposal will improve basic health care coverage for many women and help reduce unwanted pregnancies and the need for abortion. A bipartisan majority of the House acted in the interests of women's health when it beat back efforts to undermine this important proposal and passed this amendment.

Laura Emmett  
07/17/98 09:36:06 AM  
Record Type: Record

To: Cynthia Dailard/OPD/EOP  
cc:  
Subject: Please review & if it looks ok you or i should send it out

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

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D16]MAIL43975320X.226 to ASCII,  
The following is a HEX DUMP:

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D8189C27CD1A8A6D16C9AE821494BC43C377CBACE2C7FA25ACDDB1B14985868A0E4AA11A8FEB0
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I am writing to express my concern over the Congress's unprecedented effort in recent weeks to restrict safe reproductive choices for women. It is regrettable that some Members of Congress have chosen to pursue a series of initiatives designed to create a political issue at the risk of increasing unintended pregnancies and abortions and of compromising women's health and safety.

I have long said that I believe abortion should be safe, legal, and rare. All of the proposals being offered would restrict safe medical choices. Some would actually restrict access to family planning information and services and could have the perverse effect of increasing the number of unintended pregnancies and abortions. I urge the Congress to put partisan politics aside and instead put women's health and safety first.

In this context, I am heartened that the House narrowly defeated amendments to strike or limit Congresswoman Lowey's proposal to require health plans participating in the Federal Employees Health Benefits Program to cover all FDA approved prescription contraceptives. The Lowey proposal will improve basic health care coverage for many women and help reduce unwanted pregnancies and the need for abortion. A bipartisan majority of the House acted in the interests of women's health when it beat back efforts to undermine this important proposal.

Congress unfortunately has not adopted this reasonable, health-oriented approach on other issues. First, I strongly object to the amendment to impose restrictions on international family planning programs. By prohibiting foreign non-governmental organizations from receiving United States funds if the organization uses any non-US government funds for abortion-related services or even advocates changes in abortion laws, the amendment jeopardizes funding to health care providers who are working to meet the growing demand for family planning and other critical health services in developing countries. The result of this amendment's provisions could be an increase in unintended pregnancies, abortions, and maternal and infant death.

Second, I find it deeply disturbing that the House would take the unprecedented step of intervening in the Food and Drug Administration's drug approval process by banning funding for the approval or testing of drugs such as RU-486. For years, the FDA has used vigorous testing and the highest scientific standards to protect public health. This amendment substitutes political ideology for sound science. It would restrict scientific research that can protect women's lives and offer them safe medical choices.

Third, I am disappointed that the House chose to reject the changes that I proposed to the Child Custody Protection Act. As my Administration conveyed to Congress, I would support properly crafted legislation that would make it illegal to transport minors across state lines for the purpose of avoiding parental involvement requirements. I have repeatedly stated that I would sign a bill if it were amended to exclude close family members from criminal and civil liability and to ensure that individuals who provide only information, counseling, referral, or medical services to the minor cannot be subject to liability. As amended in this way, the legislation would prevent the circumvention of state parental involvement laws while ensuring healthy family communications. Unfortunately, the Congress has ignored these proposed changes, as

Automated Records Management System  
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well as those designed to address certain constitutional infirmities. In doing so, this Congress has demonstrated that it is not truly interested in passing legislation, but only in creating another partisan political issue.

Finally, Congress is again signaling that it will turn the difficult debate over so-called partial birth abortions into an opportunity to score political points, rather than to pass legislation restricting this procedure. I have long opposed late term abortions, and I believe that we generally should prohibit the use of this procedure. I have insisted, however, on exempting those few but tragic cases in which this procedure is necessary to save a woman's life or to protect her against serious injury to her health. I again call upon Congress to add such a narrow, tightly drawn exception to this bill, so that I can sign the legislation and put an end to all other uses of this procedure.

I urge Congress to move beyond ideology and political maneuvering, to abandon extremism, and to protect women's lives and health while reducing the need for abortions. Congress's current course would remove appropriate reproductive choices for women, seriously jeopardize their health, and very possibly increase the frequency of abortions. I will strongly oppose these efforts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 14:00:43.00

SUBJECT: Re: VP briefing

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

READ:UNKNOWN

TEXT:

Let's spare ourselves the pain



**WHITE HOUSE CONFERENCE ON SCHOOL SAFETY.** President Clinton announced today that he will hold a White House Conference on School Safety on October 15. The conference will bring together students, parents, educators, police and juvenile justice officials, community based organizations and mental health experts to review what is know about the most effective ways to prevent school violence, and to respond to serious incidents of violence in our schools when they do occur. The conference will lead to the development of a national action plan for keeping our schools safe, disciplined (and drug free???) , including ways of strengthening the federal Safe and Drug Free Schools Program.

**PRESIDENT CLINTON CHALLENGES CONGRESS TO STRENGTHEN PUBLIC SCHOOLS.** President Clinton called on Congress to support his efforts to improve and reform K-12 education by putting standards, accountability, and choice back into our public schools. The President said that we must make the strategic investments necessary to ensure that our children are prepared for the 21st century, by reducing class size, modernizing our schools, investing in technology, expanding after-school learning opportunities, raising standards and ending social promotions. The President criticized Congress for taking steps in the opposite direction, by cutting \$2 billion from his request for education investments, short-changing initiatives on education reform, on raising educational achievement for our children, and on providing focused help for students who need it most.

**RAISING TEACHER STANDARDS.** With two million teachers to be hired in the next ten years to accommodate booming student enrollments and an aging teaching force, President Clinton called on Congress to approve his legislative agenda to boost teaching quality. He called on Congress to enact his proposals provide financial incentives for talented young people and mid-career professionals who commit to teaching at high-need schools, and improve the preparation of future teachers. He also called on Congress to enact his proposals to help high-need urban and rural school districts undertake serious reforms to raise standards -- including rewarding good teachers and identifying incompetent or burnt-out teachers, giving them intensive assistance, and finding ways to make sure that those who don't improve leave the classroom. Finally, he called on Congress to enact his class size and teacher quality proposal, which would help local communities hire 100,000 new teachers to reduce class size in grades 1-3 to a national average of 18, and would require new teachers hired under the initiative pass competency tests before entering the classroom. Praising AFT's appeals for higher standards for students and teachers, the President called on every AFT affiliate to become full partners in boosting the quality of teachers and of all public schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Joseph C. Fanaroff ( CN=Joseph C. Fanaroff/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUL-1998 10:57:00.00

SUBJECT: DAILY TALKING POINTS -- PRESIDENT CLINTON: PROTECTING AMERICA'S YOUTH FROM

TO: Kathy Weatherly at gore-dc ( Kathy Weatherly at gore-dc @ ccm ail [ UNKNOWN ] )  
READ:UNKNOWN

TO: Amy McKay at gore-dc ( Amy McKay at gore-dc @ CCMAIL [ UNKNOWN ] )  
READ:UNKNOWN

TO: Rhonda Melton at gore-dc ( Rhonda Melton at gore-dc @ CCMAIL [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bill Mason at gore-dc ( Bill Mason at gore-dc @ ccm ail [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elizabeth Katze at gore-dc ( Elizabeth Katze at gore-dc @ ccm ail [ UNKNOWN ] )  
READ:UNKNOWN

TO: Andy Dryden at gore-dc ( Andy Dryden at gore-dc @ ccm ail [ UNKNOWN ] )  
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TO: Andy Dryden at gore-dc ( Andy Dryden at gore-dc @ CCMAIL [ UNKNOWN ] )  
READ:UNKNOWN

TO: Clark Ogilvie at gore-dc ( Clark Ogilvie at gore-dc @ CCMAIL [ UNKNOWN ] )  
READ:UNKNOWN

TO: David Ligon at gore-dc ( David Ligon at gore-dc @ ccm ail [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nancy Hoit at NPR ( Nancy Hoit at NPR @ CCMAIL [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Virginia M. Terzano ( CN=Virginia M. Terzano/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Rachael E. Sullivan ( CN=Rachael E. Sullivan/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Jonathan Spalter ( CN=Jonathan Spalter/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Kevin D. Scott ( CN=Kevin D. Scott/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Trooper Sanders ( CN=Trooper Sanders/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Thomas M. Rosshirt ( CN=Thomas M. Rosshirt/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Irwin P. Raij ( CN=Irwin P. Raij/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: William H. Pickle ( CN=William H. Pickle/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Wendy C. New ( CN=Wendy C. New/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Satish Narayanan ( CN=Satish Narayanan/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Aimee M. Malnati ( CN=Aimee M. Malnati/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Steve L. Kwast ( CN=Steve L. Kwast/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Ron Klain ( CN=Ron Klain/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Vivian Jones ( CN=Vivian Jones/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Sue R. Greenberg ( CN=Sue R. Greenberg/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Lucia F. Gilliland ( CN=Lucia F. Gilliland/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Michael B. Feldman ( CN=Michael B. Feldman/O=OVP @ OVP [ UNKNOWN ] )

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TO: Lydia R. Ewing ( CN=Lydia R. Ewing/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Andrew S. Dryden ( CN=Andrew S. Dryden/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Monica M. Dixon ( CN=Monica M. Dixon/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Jennifer N. Devlin ( CN=Jennifer N. Devlin/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Michael A. Deavers ( CN=Michael A. Deavers/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Maurice Daniel ( CN=Maurice Daniel/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Miguel M. Bustos ( CN=Miguel M. Bustos/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Lee Ann Brackett ( CN=Lee Ann Brackett/O=OVP @ OVP [ UNKNOWN ] )  
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TO: David W. Beier ( CN=David W. Beier/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Eli G. Attie ( CN=Eli G. Attie/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Bill F Althoff ( CN=Bill F Althoff/O=OVP @ OVP [ UNKNOWN ] )  
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TO: Chandler G. Spaulding ( CN=Chandler G. Spaulding/OU=WHO/O=EOP @ EOP [ WHO ] )  
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TO: Thomas B. Samburg ( CN=Thomas B. Samburg/OU=OA/O=EOP @ EOP [ OA ] )  
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TO: Kelly Skoloda ( CN=Kelly Skoloda/OU=OA/O=EOP @ EOP [ OA ] )  
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TO: Mark H. Bartholomew ( CN=Mark H. Bartholomew/OU=OA/O=EOP @ EOP [ OA ] )

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TO: Robert Wexler ( CN=Robert Wexler/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Michelle R. Waldron ( CN=Michelle R. Waldron/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Lydia Sermons ( CN=Lydia Sermons/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Evelina Mosby ( CN=Evelina Mosby/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Ana Lopez ( CN=Ana Lopez/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Allison J. King ( CN=Allison J. King/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Audrey M. Hutchinson ( CN=Audrey M. Hutchinson/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Claire Gonzales ( CN=Claire Gonzales/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Danielle B. Glosser ( CN=Danielle B. Glosser/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Cedra D. Eaton ( CN=Cedra D. Eaton/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Michele Cavataio ( CN=Michele Cavataio/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: David Campt ( CN=David Campt/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Patrick Aylward ( CN=Patrick Aylward/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: Elizabeth R. Asher ( CN=Elizabeth R. Asher/OU=PIR/O=EOP @ EOP [ PIR ] )  
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TO: JoAnn Ward ( CN=JoAnn Ward/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Franklin F. Urteaga ( CN=Franklin F. Urteaga/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Sheri A. Thornton ( CN=Sheri A. Thornton/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Jeffrey M. Smith ( CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Nora H. Sabelli ( CN=Nora H. Sabelli/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Donald Pryor ( CN=Donald Pryor/OU=OSTP/O=EOP @ EOP [ OSTP ] )

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TO: Lori A. Perine ( CN=Lori A. Perine/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Tracy S. Olmstead ( CN=Tracy S. Olmstead/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Stephen G. Moran ( CN=Stephen G. Moran/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Deborah J. McGovern ( CN=Deborah J. McGovern/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Jerold R. Mande ( CN=Jerold R. Mande/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Martha A. Livingston ( CN=Martha A. Livingston/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Neal Lane ( CN=Neal Lane/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Kelly Kirkpatrick ( CN=Kelly Kirkpatrick/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Henry C. Kelly ( CN=Henry C. Kelly/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Kerri A. Jones ( CN=Kerri A. Jones/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Jefferson Hofgard ( CN=Jefferson Hofgard/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Beverly K. Hartline ( CN=Beverly K. Hartline/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Holly L. Gwin ( CN=Holly L. Gwin/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Anthony J. Gibson ( CN=Anthony J. Gibson/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Sybil Francis ( CN=Sybil Francis/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Ruth A. Fisher ( CN=Ruth A. Fisher/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Gerald L. Epstein ( CN=Gerald L. Epstein/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Donna I. Coleman ( CN=Donna I. Coleman/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Rosina M. Bierbaum ( CN=Rosina M. Bierbaum/OU=OSTP/O=EOP @ EOP [ OSTP ] )

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TO: Deanna M. Behring ( CN=Deanna M. Behring/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Samuel F. Baldwin ( CN=Samuel F. Baldwin/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Lorena E. Ahumada ( CN=Lorena E. Ahumada/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
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TO: Peter A. Weissman ( CN=Peter A. Weissman/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Aaron J. Thoryk ( CN=Aaron J. Thoryk/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Gene B. Sperling ( CN=Gene B. Sperling/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Jake Siewert ( CN=Jake Siewert/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: Cecilia E. Rouse ( CN=Cecilia E. Rouse/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Dorothy Robyn ( CN=Dorothy Robyn/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: Richard W. Petty ( CN=Richard W. Petty/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Geoffrey M. Odlum ( CN=Geoffrey M. Odlum/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Penelope R. O'Brien ( CN=Penelope R. O'Brien/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Matthew Murguia ( CN=Matthew Murguia/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Elaine M. Mitsler ( CN=Elaine M. Mitsler/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: Shannon Mason ( CN=Shannon Mason/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Jonathan A. Kaplan ( CN=Jonathan A. Kaplan/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Thomas A. Kalil ( CN=Thomas A. Kalil/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Gay L. Joshlyn ( CN=Gay L. Joshlyn/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Russell W. Horwitz ( CN=Russell W. Horwitz/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Susan Gyeszly ( CN=Susan Gyeszly/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Cynthia Dailard ( CN=Cynthia Dailard/OU=OPD/O=EOP @ EOP [ OPD ] )  
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TO: Pamela Cicetti ( CN=Pamela Cicetti/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Sandra L. Bublick Max ( CN=Sandra L. Bublick Max/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: William J. Antholis ( CN=William J. Antholis/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Natalie S. Wozniak ( CN=Natalie S. Wozniak/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Jennifer C. Poole ( CN=Jennifer C. Poole/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: David T. Johnson ( CN=David T. Johnson/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Matt Gobush ( CN=Matt Gobush/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Dale W. Akers ( CN=Dale W. Akers/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Sally Ericsson ( CN=Sally Ericsson/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Nancy Marlow ( CN=Nancy Marlow/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Lisa Guide ( CN=Lisa Guide/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Keith E. Laughlin ( CN=Keith E. Laughlin/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Judy Jablow ( CN=Judy Jablow/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Ellen Athas ( CN=Ellen Athas/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Edward R. Clark ( CN=Edward R. Clark/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: David B Sandalow ( CN=David B Sandalow/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Bradley M. Campbell ( CN=Bradley M. Campbell/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

TO: Jonathan Weiss ( CN=Jonathan Weiss/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Moe Vela ( CN=Moe Vela/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Cindy Trutanic ( CN=Cindy Trutanic/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: David R Thomas ( CN=David R Thomas/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Dan J. Taylor ( CN=Dan J. Taylor/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

TO: Callie Shell ( CN=Callie Shell/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

TO: Jodi R. Sakol ( CN=Jodi R. Sakol/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Clark E. Ray ( CN=Clark E. Ray/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Elizabeth J. Potter ( CN=Elizabeth J. Potter/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary M. Overbey ( CN=Mary M. Overbey/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Nathan B. Naylor ( CN=Nathan B. Naylor/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jennifer R. Muller ( CN=Jennifer R. Muller/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lisa M. Mallory ( CN=Lisa M. Mallory/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Christopher S. Lehane ( CN=Christopher S. Lehane/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jim Kohlenberger ( CN=Jim Kohlenberger/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Aram H. Kailian ( CN=Aram H. Kailian/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ansley Jones ( CN=Ansley Jones/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Joanne M. Hilty ( CN=Joanne M. Hilty/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Gordon Heddell ( CN=Gordon Heddell/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bruce Harding ( CN=Bruce Harding/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Mary C. Gumbleton ( CN=Mary C. Gumbleton/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Ricardo M. Gonzales ( CN=Ricardo M. Gonzales/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Vanessa M. Flindt ( CN=Vanessa M. Flindt/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Patricia M. Ewing ( CN=Patricia M. Ewing/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Philip G Dufour ( CN=Philip G Dufour/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Toby Donenfeld ( CN=Toby Donenfeld/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Gisela J. Diaz ( CN=Gisela J. Diaz/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Todd H. Dennett ( CN=Todd H. Dennett/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Marc R D'Anjou ( CN=Marc R D'Anjou/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Paul J. Cusack ( CN=Paul J. Cusack/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TO: Andrei H. Cherny ( CN=Andrei H. Cherny/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Alejandro G. Cabrera ( CN=Alejandro G. Cabrera/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Michael J. Burton ( CN=Michael J. Burton/O=OVP @ OVP [ OVP ] )  
READ:UNKNOWN

TO: Lisa M. Brown ( CN=Lisa M. Brown/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Matthew J. Bianco ( CN=Matthew J. Bianco/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Matthew L. Bennett ( CN=Matthew L. Bennett/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Bobbie J. Bauman ( CN=Bobbie J. Bauman/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Doug Babcock ( CN=Doug Babcock/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Eric R. Anderson ( CN=Eric R. Anderson/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Steven W. Adamske ( CN=Steven W. Adamske/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Robert E. Whiteman ( CN=Robert E. Whiteman/OU=OA/O=EOP @ EOP [ OA ] )  
READ:UNKNOWN

TO: William C. Haymes ( CN=William C. Haymes/OU=OA/O=EOP @ EOP [ OA ] )

READ:UNKNOWN

TO: Leland L. Scott Jr. ( CN=Leland L. Scott Jr./OU=OA/O=EOP @ EOP [ OA ] )  
READ:UNKNOWN

TO: Judith A. Winston ( CN=Judith A. Winston/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

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

TO: Michael J. Sorrell ( CN=Michael J. Sorrell/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Scott R. Palmer ( CN=Scott R. Palmer/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Lin Liu ( CN=Lin Liu/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

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

TO: Wanda Habash ( CN=Wanda Habash/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: John M. Goering ( CN=John M. Goering/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Grace A. Garcia ( CN=Grace A. Garcia/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: David K. Chai ( CN=David K. Chai/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Elizabeth A. Castle ( CN=Elizabeth A. Castle/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Alexander L. Boyle ( CN=Alexander L. Boyle/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: Randy D. Ayers ( CN=Randy D. Ayers/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

TO: William G. Wells ( CN=William G. Wells/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Victor J. Villhard ( CN=Victor J. Villhard/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Sandra J. Toomey ( CN=Sandra J. Toomey/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: David Y. Stevens ( CN=David Y. Stevens/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Frances Sharples ( CN=Frances Sharples/OU=OSTP/O=EOP @ EOP [ OSTP ] )

READ:UNKNOWN

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

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

TO: Elaine R. Padovani ( CN=Elaine R. Padovani/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Martin C. Offutt ( CN=Martin C. Offutt/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Duncan T. Moore ( CN=Duncan T. Moore/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Oliver G. McGee ( CN=Oliver G. McGee/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Bruce W. MacDonald ( CN=Bruce W. MacDonald/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Rachel E. Levinson ( CN=Rachel E. Levinson/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Cecilia D. Lafoe ( CN=Cecilia D. Lafoe/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Gerald P. Kiernan ( CN=Gerald P. Kiernan/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Brian G. Kahin ( CN=Brian G. Kahin/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Alice C. Hogan ( CN=Alice C. Hogan/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Mark D. Hodge ( CN=Mark D. Hodge/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Gerald J. Hane ( CN=Gerald J. Hane/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

TO: Clifford J. Gabriel ( CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Betty J. Fountain ( CN=Betty J. Fountain/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Barbara A. Ferguson ( CN=Barbara A. Ferguson/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

TO: Sandy L. Cole ( CN=Sandy L. Cole/OU=OSTP/O=EOP @ EOP [ OSTP ] )

READ:UNKNOWN

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

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

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

TO: Peter W. Backlund ( CN=Peter W. Backlund/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

TO: Judith D. Auerbach ( CN=Judith D. Auerbach/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

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

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

TO: Todd A. Summers ( CN=Todd A. Summers/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: Robert M. Shireman ( CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Christa Robinson ( CN=Christa Robinson/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: David E. Pearah ( CN=David E. Pearah/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TO: Michael A. O'Mary ( CN=Michael A. O'Mary/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: Julie Mikuta ( CN=Julie Mikuta/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

TO: Sonyia Matthews ( CN=Sonyia Matthews/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: Ira C. Magaziner ( CN=Ira C. Magaziner/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

TO: John C. Gilmore ( CN=John C. Gilmore/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: Carolyn A. Filak ( CN=Carolyn A. Filak/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Sherman G. Boone ( CN=Sherman G. Boone/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

TO: Brian A. Barreto ( CN=Brian A. Barreto/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

TO: Valon J. Wadsworth ( CN=Valon J. Wadsworth/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

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

TO: Wendy E. Gray ( CN=Wendy E. Gray/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Antony J. Blinken ( CN=Antony J. Blinken/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

TO: Wesley P. Warren ( CN=Wesley P. Warren/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

TO: Michael V. Terrell ( CN=Michael V. Terrell/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Linda Lance ( CN=Linda Lance/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

TO: Elliot J. Diringer ( CN=Elliot J. Diringer/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

TO: Dinah Bear ( CN=Dinah Bear/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TO: Carolyn D. Mosley ( CN=Carolyn D. Mosley/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

TEXT:

===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D7]MAIL43164300S.226 to ASCII,  
The following is a HEX DUMP:

FF575043400E0000010A020100000002050000009D26000000020000029C63EA9BDFE3ED0FAFA01  
AB84E7AD5E093BF3050804F378EFD11902973A43B8AFFE07D802DDBC18B18F34B8AD16FED93707  
DD0ED3801667ACE308170DE2CCDCF3F3512702310FD83C3DDC849CDCE03D2009AF8C4CE25B8432  
627E9BDF4017DAABA100DC687A3585E5C21DA40BB069EB0570AA0C7C00C16F5D5A28AFF392EB8A  
3F67D0880213D8F2AB411DF4D9F82230471B752DF181CD12E4533793C60E4F090408C1086714A3  
7C76360B9D91A590BB4056F0C184132441773661FBB4B435C738E9F8A87C913A52D6532780D96A  
C43B22E3D6ABCBA552CE77A8587159195FB88473CAADB7B00B07E1D61A9702E71CD9B036F4FAFB  
075FA4A19CC4EF962B13990FC9DA4D5BFC83050706354E38CAC381A61B754435723BA77BE77449

**PRESIDENT CLINTON:  
PROTECTING AMERICA'S YOUTH FROM TOBACCO**

July 17, 1998

Automated Records Management System  
Hex-Dump Conversion

*“Let's agree on at least one thing: Children are not the future of our tobacco companies. They are the future of America. We must not let their future, or America's future, go up in smoke.”*

President Bill Clinton  
July 17, 1998

Today, President Clinton signs an Executive Memorandum directing the Secretary of Health and Human Services (HHS) to coordinate a public health review of tobacco industry documents and develop a plan to make the documents more accessible to researchers and the public. The President also announces that the Department of Justice will file a brief in support of the State of Minnesota's efforts to make the tobacco industry's own, currently existing, computerized index to these documents available to the public. Through these actions, we can use the industry's darkest secrets to save a new generation of children from this deadly habit.

**MOST TOBACCO DOCUMENTS ARE NOT READILY ACCESSIBLE.** For decades, the tobacco companies sought to hide from the public the truth about the dangers of smoking and the industry's own efforts to target children. Documents that have been released show that even as tobacco companies denied the addictive nature of nicotine, they conducted secret research in their labs and devised marketing strategies to addict children to smoking. These documents are the tobacco companies' legacy of shame; however, most of these documents are not readily accessible by the public.

**A PRESIDENTIAL PLAN FOR PUBLIC ACCESS TO TOBACCO INDUSTRY DOCUMENTS.** President Clinton is directing the Department of Health and Human Services to devise a plan to make these documents more accessible for all Americans. The President is calling on HHS to create a plan that would:

- Propose a strategy for coordinating the review of tobacco documents and make them available through an easily searchable index and/or digest of the reviewed documents;
- Devise a plan to widely distribute the index and/or digest as well as the documents themselves, including expanded distribution on the Internet;
- Provide a strategy for coordinating a broad public and private review and analysis of the documents to gain critical public health information. As part of this analysis, issues to be considered include, an analysis of nicotine addiction and pharmacology, biomedical research, product design, and youth marketing strategies.

**ACCESS TO DOCUMENTS WILL LEAD TO ADDITIONAL RESEARCH.** By making these documents widely available, the public and private sector will benefit:

- Public health experts can design more effective anti-smoking strategies by studying marketing plans in these documents;
- Scientists can look to the documents for findings that can aid their research into nicotine addiction and tobacco-related illnesses;
- All Americans can understand the role the tobacco industry has played in addicting our children to this deadly habit.

**SUPPORTING EFFORTS TO UNSEAL THE KEY TOBACCO INDUSTRY DATABASE.** The President will announce that the Department of Justice will file a brief in the trial court of Minnesota in support of the efforts by the State of Minnesota to unseal a comprehensive index to industry documents created by the tobacco companies for use in litigation. This index is the tobacco industries' road map to its own documents, and it will significantly improve the ability of public health experts, scientists, state and federal officials, and the public to gain important public health information. Opening the doors to these documents will help lift the veil of secrecy regarding the tobacco industry's efforts to hook our children on cigarettes.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cynthia Dailard ( CN=Cynthia Dailard/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:17-JUL-1998 08:34:20.00

SUBJECT: choice letter

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

CC: Neera Tanden ( CN=Neera Tanden/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Last night, Lowey was able to rewrite her contraceptives amendment so that it was germane.

It passed 224-198. This means that we need to change the letter.

Suddenly Congress does

not appear quite as extreme as we portray them.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Eli G. Attie ( CN=Eli G. Attie/O=OVP [ UNKNOWN ] )

CREATION DATE/TIME:17-JUL-1998 21:37:38.00

SUBJECT: VP message event for Monday...

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

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

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

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

TEXT:

We're desperately seeking a good national message event idea for Monday,  
if anyone knows of anything floating around...any thoughts?

Thanks...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 05:27:07.00

SUBJECT: Coverdell II

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

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

TO: Rahm I. Emanuel ( CN=Rahm I. Emanuel/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

CC: Robert M. Shireman ( CN=Robert M. Shireman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

Eleanor S. Parker ( CN=Eleanor S. Parker/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

If we're going to do it for Boys Nation, does it matter that maybe some of these boys go to private schools? ( I don't know that, just assume it.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-JUL-1998 17:53:45.00

SUBJECT: A voice mail I got for JR said he heard House Repubs are close

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

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

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

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

TEXT:

to being ready to introduce their tobacco bill. (JR was responding to a  
voice mail I left  
him yesterday about the Harking FDA amendment).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June Shih ( CN=June Shih/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:17-JUL-1998 14:05:44.00

SUBJECT: faith-based crime

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

any thoughts on wednesday's crime event?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Melissa N. Benton ( CN=Melissa N. Benton/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:17-JUL-1998 11:29:06.00

SUBJECT: REVISED HUD Conference Document on S462,HR 2 Public Housing Reform and Res

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

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

TO: Charles E. Kieffer ( CN=Charles E. Kieffer/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

TO: Jonathan D. Breul ( CN=Jonathan D. Breul/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Shelly A. McAllister ( CN=Shelly A. McAllister/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: David J. Haun ( CN=David J. Haun/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Maya A. Bernstein ( CN=Maya A. Bernstein/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Maureen H. Walsh ( CN=Maureen H. Walsh/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

TO: James F. Jordan ( CN=James F. Jordan/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Hang T. Tran ( CN=Hang T. Tran/OU=OMB/O=EOP [ OMB ] )  
READ:UNKNOWN

TO: Alan B. Rhinesmith ( CN=Alan B. Rhinesmith/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

TO: James C. Murr ( CN=James C. Murr/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Christopher D. Carroll ( CN=Christopher D. Carroll/OU=CEA/O=EOP@EOP [ CEA ] )  
READ:UNKNOWN

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

TO: Kate P. Donovan ( CN=Kate P. Donovan/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Norwood J. Jackson Jr ( CN=Norwood J. Jackson Jr/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Mathew C. Blum ( CN=Mathew C. Blum/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Winifred Y. Chang ( CN=Winifred Y. Chang/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Joseph F. Lackey Jr. ( CN=Joseph F. Lackey Jr./OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Larry R. Matlack ( CN=Larry R. Matlack/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Jack A. Smalligan ( CN=Jack A. Smalligan/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Andrea Kane ( CN=Andrea Kane/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: Katherine L. Meredith ( CN=Katherine L. Meredith/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TO: Francis S. Redburn ( CN=Francis S. Redburn/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

The document is attached following the LRM.

----- Forwarded by Melissa N. Benton/OMB/EOP on 07/17/98  
11:24 AM -----  
Total Pages: \_\_\_\_\_

LRM ID: MNB203  
EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET  
Washington, D.C. 20503-0001

Friday, July 17, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

FROM: Janet R. Forsgren (for) Assistant Director for Legislative  
Reference

OMB CONTACT: Melissa N. Benton  
PHONE: (202)395-7887 FAX: (202)395-6148

SUBJECT: REVISED HUD Conference Document on S462,HR 2 Public  
Housing Reform and Responsibility Act of 1997

DEADLINE: 10 a.m. Monday, July 20, 1998

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President. Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: To follow is the latest draft of HUD's letter to the Conferees on public housing reform legislation. This draft has been marked up to show changes since the last draft.

Please note the addition of the veto threat on p. 2.

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Diana Fortuna  
Andrea Kane  
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 Kate P. Donovan  
 Charles E. Kieffer  
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 Joanne Chow  
 Christopher D. Carroll  
 Janet R. Forsgren  
 James C. Murr

LRM ID: MNB203 SUBJECT: REVISED HUD Conference Document on S462,HR 2  
 Public Housing Reform and Responsibility Act of 1997

RESPONSE TO  
 LEGISLATIVE REFERRAL  
 MEMORANDUM

If your response to this request for views is short (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet. If the response is short and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

- (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
- (2) sending us a memo or letter

Please include the LRM number shown above, and the subject shown below.

TO: Melissa N. Benton Phone: 395-7887 Fax: 395-6148  
 Office of Management and Budget  
 Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: \_\_\_\_\_ (Date)  
 \_\_\_\_\_ (Name)  
 \_\_\_\_\_ (Agency)  
 \_\_\_\_\_ (Telephone)

The following is the response of our agency to your request for views on the above-captioned subject:

\_\_\_\_\_ Concur

\_\_\_\_\_ No Objection

\_\_\_\_\_ No Comment

\_\_\_\_\_ See proposed edits on pages \_\_\_\_\_

\_\_\_\_\_ Other: \_\_\_\_\_

\_\_\_\_\_ FAX RETURN of \_\_\_\_\_ pages, attached to this response sheet

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D20]MAIL40114510J.226 to ASCII,  
The following is a HEX DUMP:

FF5750436E2A0000010A02010000000205000000F604010000020000CBB54CF183FDDAFA793CCD  
FA2A3980126B1478B62758141FFE669A65251F6B80071E9279CC7EF3671B6E093116D063387CF6  
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*1998 Public Housing Reform Bills*

*Letter to the Conferees*

Dear Conferee:

I am writing to make you aware of the Administration's views on the public housing reform legislation you are now considering in the conference to reconcile S. 462 and H.R. 2. These bills propose major changes in the public housing and tenant-based Section 8 programs. Over several years now, both the Congress and the Administration have put a great deal of thought and hard work into the pursuit of sound reform legislation. As you move ahead in the conference, I look forward to our continued collaboration, so that important and long-overdue reforms may finally be enacted and implemented.

INTRODUCTION

The Administration strongly supports the goals of S. 462 and H.R. 2 -- to streamline and reorganize the Nation's public housing system in a manner which will benefit public housing residents, facilitate the efficient use of Federal resources, and increase accountability to the public.

The Administration also appreciates the willingness of both the House and Senate to draw upon management reform and other provisions in the Administration's bill -- the Public Housing Management Reform Act of 1997.

However, the Administration has a number of major concerns about S. 462 and H.R. 2 as-passed which, among other things, require the Conferees to take the following actions:

- Provide more targeting of scarce housing assistance to the neediest families;
- Delete the H.R. 2 provision allowing "fungibility" to meet income targeting requirements;
- Delete or address the serious flaws in H.R. 2's "Home Rule Flexible Grant Option";
- Delete the self-sufficiency agreements and the community work provisions in H.R. 2;
- Delete the Housing Evaluation and Accreditation Board created by H.R. 2;

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- Enact the Administration's provision for mandatory receiverships for troubled PHAs that do not improve sufficiently within one year, as well as related management assessment provisions;
- Further streamline "PHA Plan" requirements; allow small PHAs to use operating and capital funds interchangeably; delete provisions constraining flexibility in the operating subsidy formula; and make the Drug Elimination Program a formula-based program;
- Delete the S. 462 provision authorizing PHAs to obtain medical information about applicants for housing assistance; and
- Delete the provisions of both bills allowing PHAs to set the payment standard in the tenant-based Section 8 program higher than the Fair Market Rent established by HUD.

SUMMARY OF THE BILLS

The Senate and House bills make permanent a number of critical reforms that the Administration and the Congress have been able to achieve only through year-to-year provisions in appropriations legislation. Elements of the Senate and House bills would promote the continuation and strengthening of the transformation of the public housing and Section 8 programs already underway, including: (1) replacing the worst public housing with scattered-site and townhouse developments and with portable tenant-based assistance through the HOPE VI program, permanently repealing the one-for-one replacement requirement, and facilitating demolition of obsolete developments and conversion to tenant-based assistance or appropriate site revitalization; (2) turning around troubled PHAs through the use of various tools, including mandatory receiverships for chronically troubled PHAs and enhanced powers afforded to HUD and court-appointed receivers upon takeover; (3) promoting public housing communities with a greater income diversity and allowing PHAs to implement rent policies that encourage and reward work, and are coordinated with welfare reform; (4) demanding greater household responsibility as a condition of housing assistance through more vigorous screening, eviction or subsidy termination, and lease enforcement provisions; and (5) implementation of several of the Administration's key management reforms. Important provisions for management reform include program consolidation and streamlining, deregulation of well-managed PHAs and small PHAs, increased reliance on physical conditions in assessing PHA performance and more certain treatment of the most troubled PHAs.

DESCRIPTION OF ADMINISTRATION CONCERNS

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As I am sure you are aware from my testimony last year and from other discussions in recent months, however, the Administration has a number of major concerns about particular provisions of both bills. Despite its support for the general goals of both bills, the Administration believes that certain provisions go farther than is necessary to make the reforms that are needed. Instead of making only reforms, some provisions -- particularly on income targeting -- would move the program too far away from fundamental, prudent national standards and appropriate federal oversight. Income targeting is a fundamental issue because it sets the rules for access to assisted housing. A resolution of this issue that provides insufficient protection for those who most need assistance would lead me to recommend a veto of this legislation. Nevertheless, the Administration is hopeful that our concerns can and will be addressed in the Conference, clearing the way to enactment of sound public housing and Section 8 reform legislation.

The Administration's most important concerns about the bills are described below.

**I. MAJOR CONCERNS**

**A. INADEQUATE TARGETING OF HOUSING ASSISTANCE TO THOSE FAMILIES MOST IN NEED**

**1. Income Targeting in Public Housing**

*The Administration believes that the income targeting provisions of both bills must be tightened to direct more housing assistance to families with the most pressing housing needs. In particular, the Administration strongly opposes the House "fungibility" provision, which could mean that PHAs in some cities would not have to offer any public housing units to extremely low-income families. The Administration supports the Senate requirement that 40% of available public housing units go to extremely low-income families; however, the Administration also advocates increasing -- from 70% (as in the Senate bill) to 90% -- the ratio of newly available units that must be offered to families with income levels no higher than 60% of median (which is approximately \$22,600 nationally). The Administration also seeks a requirement that at least 40% of the units in each public housing development be occupied by families with incomes below 30% of area median income. This will ensure that the poorest families have housing opportunities at all developments, including those that may be most marketable to relatively higher income families.*

The Administration believes that the income targeting provisions of both bills -- especially the House's "fungibility" provision -- go much farther than is necessary to serve working families and achieve a more diverse income mix in public housing. It is essential to the social and financial health of public housing communities that more working families are admitted to public

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housing. Today, the median family income in public housing is only \$6,940 per year -- just 21 of median income nationally. By contrast, both bills would open up too many public housing units to families at the upper end of the eligibility range -- families with incomes of up to 80 of the area median income, or approximately \$40,000 in the ten largest metropolitan areas.

The Administration does not oppose admitting a small number of families at that income level. However, the Administration believes that mixed-income communities that serve working families can be attained without going as far as the House and Senate bills. This can be done by ensuring that at least 40 of admissions are reserved for families with incomes up to 30 of median (approximately \$11,300) and that 90 of admissions are families with incomes at or below 60 of the area median (approximately \$22,600). In comparison, 60 of median income is the absolute upper cap for the HOME and low-income housing tax credit programs. In addition, the Administration urges the Conferees to adopt language that would require PHAs generally to maintain an occupancy distribution such that of at least a forty percent certain-  
percentage of units in each public housing development are occupied by very poor extremely  
low-income families.

Not only are the income targeting percentages inadequate, but the House bill's fungibility provision could undermine even that level of targeting which the bill proposes. This provision would allow a PHA to admit even fewer very poor families to public housing if the PHA gave more of its Section 8 ~~certificates~~ tenant-based assistance to such families than the minimal number which the bill requires. Because many communities' current levels of admissions of very poor families to the certificate and voucher programs substantially exceed the House percentage requirement, the result almost certainly would be that some PHAs would not have to offer any public housing units to families -- including many working families -- whose incomes are below 30 of the area median income. The Administration finds such a possibility to be unacceptable.

The Administration proposed its income targeting for public housing with the understanding that the achievement of a more diverse income mix necessarily would result in reduced access for those with the lowest incomes. Partly in recognition of this problem, the Administration each year has proposed that Congress provide substantial additional vouchers. Congress should recognize that these proposals are linked and that the loosening of public housing income targeting needs to be done in conjunction with the provision of additional vouchers. Any compromise between the Administration's income targeting and the Senate's income targeting, for both public housing and Section 8, should occur only to the extent additional vouchers are provided that compensate for the loss of access for those who most need housing assistance. This would require an annual appropriation of 62,500 additional vouchers if the Senate's income targeting levels are adopted.

With respect to income targeting by development, that concept already is part of current law. The Administration proposal is a moderate proposal to ensure continuing access to all developments by all eligible income groups.

*2. Income Targeting in the Tenant-Based Section 8 Rental Assistance Program*

*The Administration is opposed to the provisions of both bills on income targeting for the tenant-based Section 8 program. Instead, the Administration believes that 75% of tenant-based assistance which becomes available each year should be targeted to the very poor -- families with incomes at or below 30% of median income (approximately \$11,300) -- and that the remainder of such assistance generally should go to families with incomes no greater than 50% of median, as under current law.*

Both bills unnecessarily reduce the portion of Section 8 tenant-based assistance that would go to families with severe housing needs. Current law generally limits eligibility for tenant-based assistance to very low-income families with incomes below 50 of the area median income. Moreover, federal preferences, which applied to 90 of new Section 8 recipients prior to FY 1996 as opposed to only 50 of new public housing residents, have served to further target assistance to extremely low income families. The median income of Section 8 certificate holders is now approximately \$7,550.

In contrast, H.R. 2 would require only that 40 of all Section 8 tenant-based assistance go to extremely low-income families -- the income range which the program has primarily served in the past. Relatively higher income families, with incomes up to 80 of median income, would become eligible to receive such assistance. S. 462 is not as extreme as the House bill, but would still require only that 65 of all tenant-based assistance go to families with the most severe housing needs and that 90 go to families with incomes under 60 of median.

The Administration contends that scarce federal rental subsidies for use in the private market must be targeted to families with the lowest incomes, for the following reasons: 1) 5.3 million very low-income renters now have "worst-case housing needs", defined as paying more than 50 of their income toward rent or living in substandard housing units, and these families are concentrated at the lowest income levels (below 30 of the area median income); 2) relatively few of the families with incomes in the upper ranges allowed under both bills who would become eligible for admission to the Section 8 program (including 17.5 million unassisted renters) have serious unmet housing needs; 3) federal preferences are being repealed; 4) both the Senate and House bills propose opening up public housing admissions to families with relatively higher incomes to promote mixed-income communities, which means fewer units will be available for extremely poor families; and 5) tenant-based rental assistance integrates families with

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low incomes into private, mixed-income housing of their choice and does not suffer from the severe income concentration problems of project-based programs.

The Administration also sees no reason to expand tenant-based program eligibility limits so that these scarce housing resources can be provided to households with incomes at 80 of the median -- approximately \$40,000 for families in the ten largest metropolitan areas -- who are better able to afford private market housing without any subsidy. This income level, which is equivalent to 250 of the poverty line, exceeds the income limits for virtually all other federal means-tested programs.

**B. HOME RULE FLEXIBLE GRANT OPTION**

*The Administration strongly opposes the Home Rule Flexible Grant Option in H.R. 2, which could transfer public housing funds from a PHA to a city government regardless of the city's ability or experience in administering housing programs or the housing authority's management record. Instead, the Administration believes that implementation of the current ~~Moving-to-~~ Moving-to-Work demonstration will provide sufficient opportunity to explore innovative local approaches in the public housing and Section 8 programs.*

The Administration has taken bold action to deal with chronically troubled PHAs and to demolish and replace the worst public housing. However, that is not what the House provision is about. The House provision would allow a city government, regardless of its motives or its track record in administering housing programs, to take over or replace even a high-performing housing authority. Some of the most intractable management problems in recent years have occurred in several chronically troubled PHAs that have been operated as part of city government.

The provision also inexplicably provides cities that would administer public housing more regulatory flexibility than PHAs (e.g., to charge rents exceeding Brooke amendment requirements). There is no reason to link additional regulatory flexibility with the choice of the entity to administer public housing.

If the goal of this provision is to address serious management problems in public housing, one would expect it to be crafted as an alternative intervention strategy with respect to ~~troubled~~ failing PHAs. As a compromise, the provision could be applied where HUD agrees that this is an acceptable alternative to court-ordered receivership (with the locality subject to the usual public housing and Section 8 regulations.) Rather, ~~the current provision instead~~ would be applicable to all PHAs, irrespective of the demonstrated quality of their management.

With respect to the goal of testing additional regulatory flexibility, ~~Instead~~, the Administration ~~instead~~ supports continued implementation of the Moving to Work demonstration authorized by the FY 1996 appropriations act. That demonstration program allows up to thirty PHAs to design and test innovative ways to provide housing assistance and to link families to work, through merging funding streams and testing new rent structures while retaining reasonable income targeting. HUD has selected PHAs with diverse and potentially far-reaching proposals. The demonstration is large enough to allow substantial experimentation, yet small enough to permit a rigorous evaluation of program success and replicability.

### C. COMMUNITY WORK AND SELF-SUFFICIENCY REQUIREMENTS

*The Administration opposes the self-sufficiency agreements and the community work provisions in the House bill. Instead, the Administration believes that provisions emphasizing collaboration between PHAs and local welfare agencies are a better and more productive approach to addressing welfare reform and self-sufficiency issues. For example, the Administration supports the provisions in both bills which require PHAs to describe in their annual plans the ways in which they propose coordination with other local and state welfare and service agencies, and assure that households who violate welfare program self-sufficiency rules are not rewarded with subsidized housing rent decreases. The Administration also supports provisions in both bills permitting PHAs to set public housing rents "up to" 30% of a family's adjusted income, which allows for rent structures that do not penalize increases in earned income. Further, the Administration supports authorization of additional Section 8 certificates for use with local collaboratives in welfare-to-work initiatives.*

The Administration believes that public housing and Section 8 residents must assume certain responsibilities in return for the benefits of their housing assistance. To this end, the Administration supports many reforms in both the House and Senate bills which place a premium on resident self-sufficiency and on linking the PHA with existing providers of services. Additionally, the Administration supports provisions in both bills to toughen screening, lease enforcement and eviction, and subsidy termination requirements.

However, the Administration opposes the House bill's mandatory self-sufficiency contracts. This sweeping new requirement would fundamentally change the public housing and Section 8 programs and would impose inordinate and costly burdens on 3,400 local PHAs whose budgets and administrative capacities already have been stretched. A far more efficient and effective approach is to encourage partnerships between PHAs and State and local welfare agencies that promote self-sufficiency through initiatives such as the authorization of "Welfare to Work" certificates, as proposed in the Administration's bill.

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The Administration also opposes significant aspects of the community work provisions included in the House bill. The Administration's bill includes a community service provision because the Administration believes it is reasonable to ask each recipient of public housing or tenant-based assistance to be engaged in some activity which benefits the community as a whole, which includes working, attending school, or otherwise preparing for work. However, the Administration's bill provides for much more reasonable exemptions than the House bill and would not authorize eviction as an enforcement tool.

*D. MANAGEMENT REFORM*

*1. Federal Oversight*

*The Administration supports several of the bills' revisions to the PHMAP system, including those that emphasize the importance of decent living conditions, and would support the establishment of an advisory performance evaluation board or other task force to review various performance evaluation systems and determine the need, if any, for an outside accreditation entity. The Administration also supports the House and Senate bill provisions which give HUD or a receiver enhanced powers for dealing with troubled PHAs; require PHAs; the takeover of severely troubled PHAs that fail to improve promptly; and require the obligation and expenditure of capital funds within certain time frames (which the Administration believes should be extended to the HOPE VI program). The Administration does not support the Accreditation Board created by the House bill.*

The Administration believes that it is critical to have an assessment tool which accurately measures PHA performance and is consistent with the Administration's management reform plan for HUD. ~~In the short run, this requires making modifications to~~ This requires overhauling ~~looking~~ the current performance measurement system -- the Public Housing Management Assessment Program (PHMAP). In particular, the Administration supports the bills' provision adding an ~~PHMAP~~ indicator assessing the extent to which a PHA is providing acceptable basic housing conditions and the House provision making acceptable basic housing conditions a precondition for a PHA to get a passing grade in the assessment system. This will support HUD's efforts to make ~~PHMAP~~ the performance evaluation system more objectively verifiable and reflective of the conditions under which public housing residents are living.

The Administration, however, strongly opposes the House bill's "Accreditation Board", a new federal agency which would create an accreditation program for all public housing agencies and other providers of federally assisted housing. This proposal, written prior to the Administration's management reform efforts, runs directly counter to the Administration's plan for improving and streamlining Federal oversight of the public housing program. It would not reduce, but instead would redistribute and probably increase, the Federal bureaucracy.

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Moreover, the proposal would appear to divorce Federal oversight and auditing responsibilities which would be given to the Accreditation Board, from HUD's ongoing obligation to provide Federal funds to PHAs. This would make it more difficult for HUD to hold PHAs accountable.

Instead of the House bill's Accreditation Board, an advisory entity such as the Administration's proposed Performance Evaluation Board should be given the opportunity to review and make recommendations on implementation of HUD's management reform in this area as well as various approaches to Federal oversight and assessment of PHAs, including accreditation. Finally, the Justice Department advises that the proposed means of appointing the Accreditation Board would unduly restrict the President and thus violate the Appointments Clause of the Constitution.

The Administration already has taken the most aggressive actions in HUD's history against chronically troubled PHAs, including direct takeovers and support for judicial receiverships. In this regard, the Administration supports the Senate bill's provisions giving HUD enhanced powers to deal with troubled PHAs (~~which are the same provisions as in the Administration's bill~~) PHAs. Those provisions require HUD to take certain actions against any PHA that is still troubled after one year (including mandatory receivership for any large PHA). After further consideration, the Administration believes that this provision should be modified to give a troubled PHA one additional year before HUD will take action if that PHA has made progress in the first year that is equal to at least half the difference between its PHMAP assessment score and the score necessary to be a "standard" performer.

In addition, the Administration supports the Senate bill provision requiring PHAs to obligate capital funds within 24 months. It is critical in these times of fiscal restraint to ensure that appropriated funds are used promptly for their intended purposes. Further, the Administration urges the Conferees to adopt two additional provisions from the Administration's bill: (1) requiring PHAs to spend capital funds within 48 months (in addition to obligating such funds within 24 months); and (2) applying specific time frames to the HOPE VI program, such that a PHA would have to sign a primary construction contract within 18 months of executing the grant agreement, and would have to complete construction within 4 years from the grant agreement.

## 2. *Consolidation and Streamlining*

*The Administration urges the Conferees to further streamline PHA plan requirements as in the Administration's bill. In addition, the Administration supports the House provision allowing small PHAs to use operating and capital funds interchangeably. The Administration also advocates the*

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*deletion of House provisions constraining flexibility in the operating subsidy formula. Further, the Administration urges the Conferees to convert the Drug Elimination Program into a formula-based program, and to merge the TOP and EDSS programs.*

The Administration supports and recognizes the benefits of consolidating PHA planning and reporting requirements into a single annual plan, as provided in both the Senate and House bills. However, the Administration is concerned that the scope of the annual plans be consistent with HUD efforts to streamline PHA and HUD administration of the public housing and Section 8 programs. The Administration strongly urges the Conferees to consider limiting the number and scope of plan elements as described in the Administration's bill. Conferees also should adopt the Senate provision permitting HUD by regulation to provide that elements of the PHA plan other than the capital plan and civil rights shall be reviewed only if challenged.

The Administration also supports the House provision allowing small PHAs (less than 250 units) to use operating and capital funds fungibly, as provided in the House bill, because the formula allocation of capital funds to such PHAs would be small and the additional flexibility would simplify PHA operations and HUD administration. However, the Administration opposes the provision of the House bill giving governors new responsibility to allocate half of such funds.

In addition, the Administration supports the language in both bills authorizing HUD to renegotiate the formula for allocating public housing operating subsidies to PHAs. The current system has not been changed in many years. A renegotiation could result in a revised formula that is simpler and more equitable, and that provides better incentives for sound, cost-effective public housing management. However, HUD opposes the House provisions defining treatment of vacant units, utility rates, and rental income. These provisions may hamstring and substantially complicate the future formula and should be left to rulemaking (which will be negotiated rulemaking under the House and Senate bills). The extent to which PHAs may retain increases in rental income, in particular, should be left to rulemaking because: (1) rental income has is increaseding substantially throughout the program, for reasons that may be unrelated to PHA administration of the program; and (2) such retention creates a strong financial incentive for PHAs not to serve the poorest households. The House §204(d) interim allocation provisions also are unnecessary.

Further, the Administration urges the Conferees to convert the Public Housing Drug Elimination Program from a competitive to a formula-based program, to provide predictable funding for PHAs and reduce the administrative burden on both HUD and PHAs of annual competitions. The Administration also advocates permanent authorization of the supportive

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service (EDSS) program and a merger of EDSS and the Tenant Opportunities Program (TOP), as provided in the Administration's bill.

~~E. OCCUPANCY STANDARDS~~

~~The Administration opposes the House bill's provision on occupancy standards because it would reduce protections currently afforded to families with children under the Fair Housing Act.~~

~~The House provision on occupancy standards would invite state adoption of absolute occupancy standards regardless of the facts of a particular situation, or the existence of any health or safety justifications. Enactment of this provision could result, for example, in a State allowing a housing provider to refuse to rent a 2 bedroom unit to a family with three children, even if: 1) the bedrooms were unusually large; 2) one of the children was an infant; or 3) a den could reasonably be used as a bedroom. This could contribute to the shortage of affordable housing large enough for families. HUD's current occupancy standard, which conforms to Congress's direction in the FY 1996 HUD Appropriation Act, appropriately requires HUD to determine, on a case by case basis, whether a standard is legal under the Fair Housing Act, based upon a variety of circumstances.~~

~~EE. RESIDENT EMPOWERMENT~~

~~The Administration strongly supports provisions in both bills, and retention of certain elements of current law, which empower residents, ensure that residents are given the opportunity to participate in decisions affecting their lives, and protect residents from unwarranted intrusions.~~

In the Administration's view, the final bill must include, at least, the following:

- The Senate bill's authorization of the supportive services funding originally authorized in the FY 1996 appropriation (the EDSS program), which should include elements of the Tenant Opportunity Program as proposed in the Administration's bill
- Resident membership requirements on the public housing boards of commissioners, as provided in both bills, and the House bill's required plan review period for affected residents;
- The Senate bill's provisions protecting residents' rights to adequate notice and consultation and ensuring adequate relocation assistance in the demolition and disposition process; and

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Retention of current law provisions on: (1) lease and grievance procedures (as opposed to the House repeal); and (2) notice of lease termination (as opposed to the House bill's preemption of any minimum notice requirements provided under State law).

FG. ACCESS TO MEDICAL RECORDS

*The Administration strongly opposes the provision in the Senate bill that would authorize PHAs to obtain medical information about applicants for housing assistance.*

This provision could increase the potential that important antidiscrimination protections of Federal fair housing laws could be violated and could discourage persons with drug problems from seeking treatment. The Administration shares the Senate's desire to ensure safety and security in public housing, and has proposed and implemented tough new policies, such as "One Strike and You're Out", to achieve that goal. However, the Administration believes that the Senate's medical records provision goes too far, weakening other important legal protections and compromising efforts to encourage people with drug abuse problems to enter appropriate and effective treatment programs. The Administration is concerned that this provision could have negative consequences for individuals who have received treatment and are attempting to rebuild their lives.

GH. PAYMENT STANDARD

*The Administration opposes the provisions of both bills allowing PHAs to set the payment standard in the tenant-based Section 8 program at levels higher than the Fair Market Rent established by HUD.*

The Administration believes that the Payment Standard should be set at no higher than the Fair Market Rent (FMR) or a HUD-approved exception rent up to 120% of FMR. H.R. 2 would permit PHAs to establish payment standards of 80% to 120% of FMR. The Senate bill would allow PHAs to establish payment standards of 90% to 110% of FMR, though PHAs may establish higher or lower payment standards with HUD approval.

The higher the payment standard, the greater the subsidy to each assisted household. Consequently, fewer eligible families would receive housing assistance. The pressures on PHAs to help the currently assisted at the expense of the unassisted are very high, and work against national goals of helping more families in need. In addition, a higher payment standard would encourage a greater number of relatively higher-income and less needy families to apply for

housing assistance, further reducing the amount of housing assistance available to the poorest families with the most severe housing needs.

## II. OTHER CONCERNS

### A. REPEAL OF THE U.S. HOUSING ACT OF 1937

*The Administration urges Congress to find another means of signaling dramatic program reform.*

The Administration sees no compelling operational reason to repeal the 1937 Act. The new law can be crafted so that it clearly calls for sweeping reform of the public housing and tenant-based assistance programs, without including the complications of repealing the 1937 Act.

There are also practical concerns regarding repeal. At the request of the House Banking Committee in the previous legislative session, the Administration conducted an extensive review of the implications of the proposed repeal of the U.S. Housing Act of 1937. HUD determined that there are, at a minimum, over 500 references to the 1937 Act in other statutes, located both within and outside of the jurisdiction of the Congressional Banking Committees. Additionally, the Administration identified a series of issues which the Conferees should address if the repeal is accepted in the Conference. Moreover, coupling the 1937 Act repeal with a ban on new regulations prior to the effective date of the law, as provided in the House bill, would inhibit the ability of the Administration to ensure that the new law is carried out uniformly and with adequate guidance.

### B. RENT LEVELS

#### 1. Flat Rents

*The Administration does not see the need for the House bill provision giving public housing residents the choice of paying an income-based rent or a flat rent based on the market value of their units.*

This provision would be administratively burdensome to the 3,400 PHAs who will have to determine the market value of well over one million public housing units, including units in elderly housing developments. In addition, if the goal is to encourage residents to increase their

incomes or to encourage relatively higher-income families to move into or remain in public housing, then the same thing can be accomplished by implementing a program of rent incentives, including earned income disregards and ceiling rents. Both bills allow PHAs to adopt innovative rent policies by permitting rents "up to" 30% of adjusted income (as opposed to current law, which requires rents to be set "at" 30% of adjusted income).

## *2. Minimum Rents*

*The Administration opposes the minimum rent provisions in the bills, particularly the authority in the House bill to set a minimum up to fifty dollars. Instead, the Administration supports a minimum rent requirement of \$25 per month, with an exemption for hardship categories to be determined by the Secretary or the PHA.*

The Administration generally agrees with the concept that every family receiving housing assistance should make at least some rental payment. However, the Administration believes such a minimum rent should not exceed \$25 per month, an amount which is sufficient to make the symbolic point that all residents should contribute something to maintenance of their development without imposing an undue burden on the very poorest families. Thus, the Administration opposes the House provision allowing PHAs to charge a minimum rent of up to \$50 per month. Further, the Administration believes that the Secretary of HUD must have the authority to establish hardship exemptions for certain types of cases -- for example, for those families awaiting public benefit eligibility determinations.

## *C. HOME AND CDBG INCOME TARGETING*

*The Administration opposes the House bill's unnecessarily loosened income targeting in both the CDBG and HOME programs.*

The Administration strongly objects to the changes which would preclude the Secretary from capping median incomes at the national median income. Currently, the CDBG and HOME funds are targetted to assure that low-income families are well served. This proposal would immediately raise the income limit in thirty-seven relatively higher income metropolitan areas. For example, in one community, the income limit for a four person family would exceed \$71,000 (Stamford, Connecticut). By allowing families with incomes even above moderate income ranges to benefit from these programs, these changes would eviscerate the requirement that those programs substantially benefit low and moderate income households.

## *D. DISCRETION TO SETTLE LAWSUITS*

*The Administration opposes the House bill's provision which requires the Secretary of HUD to consult all adjacent local governments, when settling any lawsuit involving HUD, a PHA, and a local government.*

This provision is an unnecessary intrusion into the federal government's ability to manage its affairs. Moreover, the Justice Department represents HUD in settling lawsuits. It would be unwise to require the Secretary of HUD to engage in particular consultations that may conflict with or duplicate the efforts of the Justice Department. At a minimum, this provision could be extremely costly for the Federal government, since it will hinder the ability to settle lawsuits in a timely and cost-effective manner. Finally, the provision is overly broad, since it would require such consultation for all matters, whether trivial or substantial.

#### *E. CDBG SANCTION*

*The Administration opposes the House bill's CDBG sanction against local governments contributing to the troubled status of a PHA.*

H.R. 2 provides that the Secretary may withhold or redirect the CDBG funds of any local government whose actions or inactions have substantially contributed to the troubled status of a PHA. Current law, coupled with new sanctions included in both bills gives HUD a number of other sanctions to deal with troubled PHAs, including receivership. The proposed CDBG sanction could lead to substantial charges, countercharges, and litigation, without resulting in the improvement of troubled PHAs.

#### *F. AVAILABILITY OF CRIMINAL CONVICTION RECORDS*

*The Administration opposes the apparent requirement in the House bill that private owners of federally assisted housing be provided with information regarding criminal conviction records of adult applicants or tenants of that housing.*

The Administration opposes allowing any private citizens or entities, including the private owners of federally assisted housing, to obtain criminal record information about other individuals. The provision of such sensitive information to private individuals and entities raises significant privacy concerns. The Administration will work with Congress to identify other means of bolstering security efforts in privately owned, federally assisted housing.

#### *G. DESIGNATED HOUSING*

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*The Administration opposes the changes H.R. 2 makes to current law requirements for designation of housing for elderly persons or persons with disabilities. These changes would weaken current law provisions requiring PHAs to consider the housing needs of persons with disabilities, and would not allow an adequate time period for proper review of designated housing plans.*

Under current law, a PHA's plan to designate housing must meet two requirements. First, the plan must be "necessary to meet the jurisdiction's Comprehensive Housing Affordability Strategy, and the plan must be "necessary to meet the low-income housing needs of the jurisdiction." Under H.R. 2, a PHA would need to meet only one of these two prongs, showing that a designation plan is necessary to meet either the CHAS or the low income housing needs of the jurisdiction.

These changes are not necessary and are likely to have a detrimental impact on access to housing for persons with disabilities. The current statutory framework is working effectively. HUD has been successful in helping PHAs designate thousands of units for elderly persons, while preserving housing access for persons with disabilities in those communities.

Allowing a PHA to rely solely on a CHAS, as H.R. 2 proposes, may lead to designations which are inconsistent with the housing needs of persons served by the PHA. The CHAS is written based upon Consolidated Plan regulations that are tailored to community planning and development programs and that do not require communities to assess the housing needs of persons with disabilities in general. Rather, they refer specifically only to persons with disabilities who require service-connected or accessible housing. The vast majority of persons with disabilities who apply to live in public housing are merely low-income individuals who also have disabilities. They are neither looking for, nor need supportive housing.

In addition, the submission and review of designated housing plans should not be incorporated into the PHA's "local housing management plan", as under the House bill. The Administration believes that, since they involve significant decisions that could permanently limit access to important housing resources for some low-income people, designated housing plans should be considered separately from the many other administrative and management issues that are addressed in the local housing management plan.

#### **H. TOTAL DEVELOPMENT COSTS**

*The Administration urges the Conferees to include language reflecting the Administration's proposal on total development costs.*

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The Conference staffs ~~have been provided with~~ are being provided HUD's proposal on total development costs. The proposal would assure that capital costs allowed for HOPE VI and other public housing development will produce sound and durable, but modest, housing that fits into the community. It would also assure that the costs of community development and supportive service activities are not confused with the costs of housing construction. HUD urges the Conferees to include statutory language that reflects this proposal.

***I. OCCUPANCY STANDARDS***

*HUD opposes the House provision barring a national occupancy standard, solely because the provision may cause confusion regarding HUD's authority.*

HUD has no intention to establish, directly or indirectly, a national occupancy standard. The Department continues to follow Congress's direction in the FY 1996 HUD Appropriations Act, which requires that HUD, in connection with a complaint under the Fair Housing Act, determine theat legality of a State or local standard, on a case-by-case basis, considering a variety of circumstances.

***II. VOLUNTEER SERVICES***

*The Administration urges the Conferees to take this opportunity to revise the volunteer exception to the Davis-Bacon Act to conform to the language of the Community Improvement Volunteer Act of 1994.*

There is no policy reason to continue the differences in the definitions of volunteer exemptions. The Administration included the necessary language in its public housing bill (H.R. 1447, Section 121). Any volunteer provisions regarding resident management corporations also need to be consistent with this definition.

***KJ. SEXUALLY VIOLENT PREDATORS***

*A rule barring "sexually violent predators" from public housing probably would be difficult or impossible to enforce. In addition, housing agencies already have access to the information contained in the National Sex Offender Registry.*

Section 641(c) of H.R. 2 and § 301 (f) of S.462 would require public housing agencies to exclude "sexually violent predators" as defined in the Wetterling Act (42 U.S.C. 14071).

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The Wetterling Act contains standards for States sex offender registration programs. In the past, those standards required states to determine convicted sex offenders are "sexually violent predators" (using a partially legal and quash-psychiatric definition set out in the Act), for purpose of imposing registration requirements. However, under recent amendment to the Act, States no longer are required to make such determinations. Instead, they can adopt other measures to protect the public from particularly dangerous sex offenders. Because it is predictable that many states will not make "sexually violent predator" determinations, a rule barring "sexually violent predators" from public housing will probably be difficult or impossible to enforce.

Section 644(a) of H.R. 2 and § 304(b) of S.462 require the FBI and state and local agencies to provide public housing agencies with information collected under the National Sex Offender Registry (NSOR) or a State registry. An an initial matter, these provisions refer to language ("designated State law enforcement agency: and "local law enforcement agency authorized by the State agency") that is no longer in the Wetterling Act. In addition, an NSOR check alone will not to reveal whether a sex offender is a "sexually violent predator." As it currently exists, NSOR is a system for noting on an offender's criminal history record in the FBI's records system if he or she is a convicted sex offender required to register in some State. A person accessing the record can contact the State for more detailed information. If a State uses the "sexually violent predator" classification, the State registry may reveal whether a sex offender has been determined to be a sexually violent predator.

Finally, there already are procedures for housing agencies to obtain criminal history record information on housing applications from the FBI. The agencies can use the existing procedures to determine whether an applicant is a convicted sex offender, and then contact the state for additional information.

I look forward to contributing to the constructive resolution of these issues. As always, please call upon me and the HUD staff for any assistance we can provide.

Sincerely,

Andrew Cuomo