

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 044 - FOLDER -001**

**[02/02/1999]**



Automated Records Management System  
Hex-Dump Conversion

**Guidance for Boston Education Event**

- Q. What will states/districts actually do with this money?
- A. That depends on the needs of each school, usually determined after a careful audit of what's working and what isn't in each low performing school. In many cases, the funds will be used for purposes such as (1) providing intensive training to teachers, (2) providing additional time for school staff to implement a proven model of school improvement, such as Success for All or other programs with a track record of improving student achievement in reading and other basic skills, and (3) providing extra help and tutoring to students who are behind.
- Q. If 19 states are already doing something to turn around low performing schools, why does the federal government need to require it as a condition of receiving federal funds?
- A. No student should be trapped in a failing public school, no matter what state or school district the student lives in. And the federal government should not continue to invest in approaches that don't work. Thirty-one states do not yet have an accountability system in place that ensures that low performing schools will get the attention and support they need in order to improve, or that they will be closed down if they don't. Requiring states and school districts that receive federal education funds to have an effective system of holding schools accountable for results, and to take responsibility for all public schools is an effective and appropriate way to ensure that students get a good education and taxpayers get results for their investment.
- Q. How will the Education Department enforce this requirement, and the other accountability requirements the President has proposed. Will you cut off funds to states and districts that don't comply?
- A. First, these are perfectly reasonable requirements on states and school districts that receive federal education funds, and we do not expect a compliance or enforcement problem. While not all states are implementing the policies the President has called for, this is the unmistakable direction in which state and local education policy is heading. So we expect that these accountability requirements will speed up the trends we already see among the states. This is exactly what happened in 1994, when the Goals 2000 Act required states to raise academic standards in order to receive funding. Now, 48 states have set higher standards, and in the remaining two, this job is delegated to local school districts.

Second, as in existing Education Department grant programs, the Secretary of Education has a range of tools at his disposal to ensure compliance with the terms

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and conditions of a grant. This starts with discussion, persuasion and informal negotiations, which is generally sufficient to bring about an agreement between the Education Department and a state. The Secretary also has the ability, if needed, to withhold a portion of the funds a state or school district would receive, starting with the administrative funds that goes to the state or local education agency, but potentially including some or all of the funds intended for schools. No Secretary, certainly not this Secretary of Education, would take that step lightly, though he would if it were necessary to ensure that taxpayer funds were not spent year after year on approaches that don't work.

Q. Republicans are stressing flexibility and local control, while the President is calling for more accountability and more federal control. Are the two in conflict?

A. The President is insisting on greater and more effective accountability, but he is not calling for more federal control. This is not a debate about federal control vs. local control. States and school districts will remain completely in charge of setting academic standards, selecting the curriculum, setting promotion and graduation requirements, determining teacher certification requirements and what tests new teachers must pass. They will still establish the policies and governance of their school systems, hire the teachers, set the school schedule, assign students and teachers to classes, without any federal control.

Further, we do not believe there is a conflict between more accountability for results, and greater flexibility in how to achieve them. In fact, the two must go hand-in-hand. That is the approach this Administration has pursued over the past six years -- as we worked to help states and school district raise academic standards and hold schools accountable for results, at the same time we made federal programs more flexible, cut elementary and secondary regulations by 2/3, and provided waivers of federal requirements to states and school districts if these requirements interfered with state or local school reforms.

Q. Will the President support the Ed-Flex bill that Republicans passed in the Senate last week?

A. We are in favor of greater flexibility along with greater accountability. We would prefer

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to see an expansion of the Ed-Flex demonstration program (which permits 12 states to waive selected federal education requirements if they interfere with state or local school reforms) taken up as part of the upcoming reauthorization of the Elementary and Secondary Education Act. This approach would help ensure that a new Ed-Flex program reflects the ESEA that will be in effect for the next five years, rather than extending a flexibility program designed with the requirements of the old ESEA in mind.

- Q. Massachusetts has a test for new teachers, that some 60% failed last year. The President's has proposed a requirement to that school districts no longer hire teachers on "emergency certificates" or assign teachers to teach out of field. How are we going to get enough qualified teachers if so many can't pass a basic skills test? Doesn't the President's proposal to reduce class size only make the problem of finding enough qualified teachers even worse?
- A. Even though it will be difficult, it is wrong to continue to hire unqualified teachers. Our most disadvantaged students, in our most disadvantaged urban and rural schools, are the students most likely to have teachers who are not fully qualified or who are teaching subjects for which they lack adequate preparation. These are the students most in need of the best teachers, and they are the ones most hurt by this practice.

Massachusetts and other states that have instituted competency testing for new teachers are doing exactly the right thing, because this is one important way to ensure that teachers have the knowledge and skills necessary to be effective teachers. A high initial failure rate is often a sign that our schools and colleges must do a better job, that prospective teachers need to work harder, and that we must do everything possible to recruit our most talented people into teaching.

The President's budget will help recruit good candidates into teaching. It includes \$35 million to provide scholarships to 7,000 talented students who will commit to teach in under served communities. It includes \$18 million for the Troops to Teachers program, to help 3,000 military retirees (who are more likely than other new teachers to have a background in math and science, to be minority and male, and to have a successful track record of working with young people) become teachers, and an additional \$10 million to help 1,000 Native Americans become teachers and teach in tribal schools or other schools with high concentrations of Native Americans.

The President's Class Size Reduction program will also help. While it does increase the

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demand for teachers, it also provides funds to help meet the demand and to improve teacher quality overall. School districts can use up to 15% of the funds (\$180 million in the current fiscal year) to recruit candidates for teaching (including providing scholarships to prospective teachers), and to provide training to both new and experience teachers. Further, smaller classes — which makes it possible for teachers to get to know their students better and teach more effectively — will help make teaching a more attractive career choice for many.

The Nation must hire some 2 million teachers over the next decade, to respond to growing enrollments and the aging of the teaching force. Our emphasis must be on making sure all of these teachers are well qualified. Scholarships and other recruitment tools can and will help. In addition, at the local, state and federal level we must do everything we can to make teaching an attractive career choice. Improved salaries will help in many places. But so will more professional working conditions, conditions in which teachers can work together with their colleagues, in safe working conditions, with smaller classes, modern buildings and up-to-date technology, and with the support and respect of parents and the entire community.



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Q. How do you know that this proposal will work — that low performing schools can and will be improved?

A. We know that low performing schools can be improved if they get the help and support they need, because it has been done, in places as diverse as North Carolina, New York City, Houston and Miami. In every one of these cases, when the staff in a low-performing school receives intervention from the top leadership of the system, support from experienced educators and experts, the resources to get the job done, a clear timeline for improvement coupled with consequences for failure to achieve results, schools show improvement. If they don't then state and local leaders must be prepared to follow through, by evaluating the staff and making necessary staff changes, or by closing the school down and bringing in an entirely new staff is necessary.

We have seen schools that are effective, even with the most disadvantaged students, throughout the nation. They are not created by magic, and they are not accidents. They exist because they have high standards and expectations for their students, good teachers and principals, and effective programs. There is no reason why we can't create these conditions in every school, if state and local education leaders, backed by a strong national commitment, accept the challenge.



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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 09:13:32.00

SUBJECT: Shalala on NIH budget

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

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

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

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

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

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

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

TEXT:

Robert Pear reports today that Secy. Shalala disagrees with our NIH budget. Nice.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 09:15:30.00

SUBJECT: Draft Excerpts for Boston speech

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

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

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

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

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

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

TEXT:

Here's a draft of the excerpts to release from today's speech. This reflects Joe's suggestion. It has Podesta's sign-off, but we still have to run it by the President before release.

ADVANCE EXCERPTS

REMARKS OF WILLIAM JEFFERSON CLINTON  
JACKSON MANN ELEMENTARY SCHOOL, BOSTON  
FEBRUARY 2, 1999

This year we will have a great debate in Congress about the next steps to improve education in America. There are some in Congress who believe the national government has no business investing more in public education. I believe they're wrong -- we should finish the job of hiring 100,000 teachers to reduce class size, and pass our tax credit to build or modernize 5,000 schools.

But this debate is not just about money. Some of those same people argue that even though we spend \$15 billion a year on public education, the national government has no business holding the system accountable for results. I disagree with that, too. Can you imagine any company spending money without looking at results? I believe that as a nation, we should say once and for all that no child in America should be taught by an unprepared teacher. No child in America should be passed from grade to grade without having mastered the material. No child in America should be trapped in a failing school. The education of our children must be a national priority, and holding our schools accountable for results must be a national commitment.

From now on, we must say to states and school districts: Identify your worst-performing, least improving schools, and turn them around, or shut them down. Today I am pleased to announce that the balanced budget I submitted yesterday contains a new \$200 million pool of flexible Title I

funds that states and schools districts can use to turn failing schools around. We must make sure all schools are on the right track. If we fail to do this, and do it quickly, we are going to lose another generation of children to low expectations, low educational achievement, and low prospects of moving ahead in life.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 10:20:00.00

SUBJECT: FYI.

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Tobacco-state congressmen fire off letter  
to Clinton over lawsuit

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RALEIGH (January 29, 1999 8:46 p.m. EST  
http://www.nandotimes.com) - Angry  
with President Clinton's decision to sue the tobacco  
industry even after  
its huge settlement with the states, 10 congressmen  
from  
tobacco-growing states have called on him not to harm  
farmers'  
interests further with a new round of litigation.  
The bipartisan letter, signed this week by U.S. House  
members from  
North Carolina, Virginia and Kentucky, also questions  
the president's  
ability to bypass Congress and sue cigarette makers  
to recoup Medicaid  
dollars for smoking-related illnesses.  
Clinton announced his administration's decision to  
file a federal lawsuit  
during his State of the Union message Jan. 19. He  
also said tobacco  
growers should be protected.  
"By all accounts, and despite your stated desire to  
achieve both, those  
two objectives - assaulting the tobacco industry and  
protecting tobacco  
farmers - appear to be mutually exclusive policies,"  
said the letter, dated  
Tuesday.  
North Carolina Democrat Bob Etheridge, who is a  
tobacco grower, said  
another lawsuit, on top of a proposed

55-cents-per-pack tax on cigarettes, will only increase ill-will among North Carolina growers. Farmers believed the recent settlements with the states and a new trust fund had laid the issue to rest.

The congressmen also fear that forcing tobacco companies to pay even more money, coupled with the higher cigarette taxes, will prompt the companies to buy leaf overseas.

"It's ridiculous," Etheridge said Friday. "The farmers are tired of being picked on. They pay their bills. They helped build a lot of schools in their communities. ... We're talking about a major economic interest in our state and a lot of others."

Details of the lawsuit are incomplete. It supposedly would seek to recover tax dollars spent treating sick smokers in federal employee and health programs. A U.S. Justice Department task force is being formed to shape a legal strategy.

An administration spokeswoman said Friday U.S. Attorney General Janet Reno advised the president the lawsuit is necessary to recoup federal dollars even though the states have already recouped health spending at their level.

"The Justice Department made the determination after months of study," said Julie Goldberg, who hadn't seen the letter. "It determined that the liability the tobacco companies have in this matter is massive."

Friday the proposed lawsuit contradicts earlier administration statements indicating Medicaid statutes provide no explicit authority for such an action.

"Everyone in tobacco country has grown tired of hearing the president talk of protecting tobacco farmers in the same breath he outlines proposals to destroy the industry they rely on for survival," he said.

Last year, the tobacco industry reached settlements with all 50 states

totaling \$246 billion. The money will go to the states to pay for health and anti-smoking programs. Last week, the four largest companies agreed to put \$5.15 billion into a trust fund over the next 12 years. The money will help tobacco growers and communities harmed by the settlements.

"That sounds like a lot of money, but spread out over 10 or 12 years, you do the math and ultimately it's not that much," said Etheridge. "Now they're talking about putting them out of business."

Demand for tobacco is expected to fall as the tobacco settlement drives up cigarette prices and launches anti-smoking initiatives.

Other congressmen who signed the letter are Howard Coble, Richard Burr, Walter Jones Jr., Charles Taylor, Cass Ballenger and Robin Hayes, all of North Carolina; Virgil Goode of Virginia; and Harold Rogers of Kentucky.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 10:26:25.00

SUBJECT: NEW HAMPSHIRE

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

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

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

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

TEXT:

What do we think about this?

----- Forwarded by Karin Kullman/OPD/EOP on 02/02/99  
09:28 AM -----

Jeffrey A. Forbes  
02/02/99 10:20:47 AM  
Record Type: Record

To: Karin Kullman/OPD/EOP  
cc: Aviva Steinberg/WHO/EOP  
Subject: NEW HAMPSHIRE

Hey -- Gov. Shaheen wants us to do a Health Care for employees of Small  
Businesses event in NH on Feb. 18 (in Dover) -- do we have anything to  
say? Is there anything we can say that comes close to fitting this  
theme? I doubt we have anything specific that fits this these, however,  
we want to make the Gov. happy so it would be great if we could find  
something that is somewhat related.

Thanks

Forbes

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cathy R. Mays ( CN=Cathy R. Mays/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 10:39:48.00

SUBJECT: Tobacco Meeting

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

TO: Caroline R. Fredrickson ( CN=Caroline R. Fredrickson/OU=WHO/O=EOP @ EOP [ WHO ]  
READ:UNKNOWN

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

TO: Daniel N. Mendelson ( CN=Daniel N. Mendelson/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

TO: J. Eric Gould ( CN=J. Eric Gould/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

CC: Rhonda Melton ( CN=Rhonda Melton/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

CC: Gina C. Mooers ( CN=Gina C. Mooers/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

CC: Dawn V. Woollen ( CN=Dawn V. Woollen/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

You are invited to a meeting to discuss tobacco recoupment -- tomorrow, February 3, at 12:00 noon, in Bruce Reed's office, West Wing. Rich Tarplin and Jim O'Hara are also invited to to this meeting.

Let me know if you are unable to attend. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David R. Goodfriend ( CN=David R. Goodfriend/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 2-FEB-1999 11:01:17.00

SUBJECT: Re: Edits to Cover Letter for Drug Strategy

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

READ:UNKNOWN

TEXT:

We are the final arbiter on these edits; I will make sure they are incorporated.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 13:01:49.00

SUBJECT: Child Seats Events

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

READ:UNKNOWN

TEXT:

I have just heard that they no longer have time to do a full event on Tuesday, Feb. 9, and the President will just be doing a departure statement on the way to Wintergreen. I am trying to find out if we can have another date that week for this event. I'll let everyone know as soon as I can.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 13:02:23.00

SUBJECT: Hatch and hate crimes

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

One of my best friends just took a job as a counsel to Hatch primarily for civil rights stuff and judicial nominations. He says Hatch is interested in moving the hate crimes bill.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rebecca L. Walldorff ( CN=Rebecca L. Walldorff/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 2-FEB-1999 13:02:48.00

SUBJECT: Legislative Rollout reminder for TODAY...

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

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

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

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

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

TO: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

TEXT:

Just a quick reminder that Steve will have a legislative rollout meeting at 1:30PM today in the Roosevelt Room.

Thanks-  
Rebecca

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 13:04:26.00

SUBJECT: Atlanta Trip/National Gun Show

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

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

TEXT:

----- Forwarded by Karin Kullman/OPD/EOP on 02/02/99  
11:32 AM -----

Laura A. Graham  
02/02/99 12:25:47 PM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: See the distribution list at the bottom of this message  
Subject: Atlanta Trip/National Gun Show

While we are in Atlanta on Friday evening, a National Gun Show will be occurring at the same time. I think it runs through the weekend. Apparently it has quite a large audience from around the country. I had heard that the radio address message is regarding this very subject, so I wanted to let you all know. Thanks.

Message Sent

To: \_\_\_\_\_  
Maria Echaveste/WHO/EOP  
Minyon Moore/WHO/EOP  
Ann F. Lewis/WHO/EOP  
Douglas B. Sosnik/WHO/EOP  
Paul E. Begala/WHO/EOP  
Jennifer M. Palmieri/WHO/EOP  
Robert B. Johnson/WHO/EOP  
Karen Tramontano/WHO/EOP  
Karin Kullman/OPD/EOP

Message Copied

To: \_\_\_\_\_  
Stephanie S. Streett/WHO/EOP  
Jeffrey A. Forbes/WHO/EOP  
Dominique L. Cano/WHO/EOP

Tracy Pakulniewicz/WHO/EOP  
Jocelyn A. Bucaro/WHO/EOP  
Marjorie Tarmey/WHO/EOP  
Carolyn T. Wu/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Ann F. Lewis ( CN=Ann F. Lewis/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 2-FEB-1999 13:05:21.00

SUBJECT: Atlanta Trip/National Gun Show

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I assume this strengthens our point ??

----- Forwarded by Ann F. Lewis/WHO/EOP on 02/02/99 12:42 PM -----

Laura A. Graham

02/02/99 12:25:47 PM

Record Type: Record

To: See the distribution list at the bottom of this message  
cc: See the distribution list at the bottom of this message  
Subject: Atlanta Trip/National Gun Show

While we are in Atlanta on Friday evening, a National Gun Show will be occurring at the same time. I think it runs through the weekend. Apparently it has quite a large audience from around the country. I had heard that the radio address message is regarding this very subject, so I wanted to let you all know. Thanks.

Message Sent

To:

- 
- Maria Echaveste/WHO/EOP
  - Minyon Moore/WHO/EOP
  - Ann F. Lewis/WHO/EOP
  - Douglas B. Sosnik/WHO/EOP
  - Paul E. Begala/WHO/EOP
  - Jennifer M. Palmieri/WHO/EOP
  - Robert B. Johnson/WHO/EOP
  - Karen Tramontano/WHO/EOP
  - Karin Kullman/OPD/EOP

Message Copied

To:

- 
- Stephanie S. Streett/WHO/EOP
  - Jeffrey A. Forbes/WHO/EOP
  - Dominique L. Cano/WHO/EOP
  - Tracy Pakulniewicz/WHO/EOP
  - Jocelyn A. Bucaro/WHO/EOP
  - Marjorie Tarmey/WHO/EOP
  - Carolyn T. Wu/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 14:46:25.00

SUBJECT: Drug Strategy Release Event

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

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

TEXT:

We had the first meeting on next Monday's Drug Strategy Release event today. Here's a recap of where we are so far:

Date: Monday, Feb. 8  
Time: 10:00am-10:25am briefing  
10:30am - 11:15am event  
Location: Presidential Hall (OEOB 450)

Proposed Program to include:

POTUS

VPOTUS

Gen. McCaffrey

Real Person (ONDCP looking for a young person to introduce POTUS)

Other Cabinet Members would attend, and possibly also attend a reception for audience members after the event.

Audience: made up of representatives from treatment, prevention, law enforcement, and medical groups, plus ONDCP/agency staff.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Teresa M. Jones ( CN=Teresa M. Jones/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 14:54:27.00

SUBJECT: Meeting on Grijalva

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

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

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

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

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

Teresa M. Jones ( CN=Teresa M. Jones/OU=OPD/O=EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

Are you available to meet with Chris Jennings on Thursday, 2/4 at 2:00pm  
in Room 216

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David R. Goodfriend ( CN=David R. Goodfriend/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 2-FEB-1999 14:57:32.00

SUBJECT: President's Trip to Atlanta

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Cecily C. Williams ( CN=Cecily C. Williams/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Stephanie S. Streett ( CN=Stephanie S. Streett/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Simeona F. Pasquil ( CN=Simeona F. Pasquil/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Linda L. Moore ( CN=Linda L. Moore/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Anne E. McGuire ( CN=Anne E. McGuire/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Phu D. Huynh ( CN=Phu D. Huynh/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Anne M. Edwards ( CN=Anne M. Edwards/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Brenda B. Costello ( CN=Brenda B. Costello/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Debra D. Bird ( CN=Debra D. Bird/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

TO: George T. Frampton ( CN=George T. Frampton/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TO: Aviva Steinberg ( CN=Aviva Steinberg/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Jake Siewert ( CN=Jake Siewert/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jennifer M. Palmieri ( CN=Jennifer M. Palmieri/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Megan C. Moloney ( CN=Megan C. Moloney/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Kirk T. Hanlin ( CN=Kirk T. Hanlin/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Cynthia M. Jasso-Rotunno ( CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Michael Cohen ( CN=Michael Cohen/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: Barbara A. Barclay ( CN=Barbara A. Barclay/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Brenda M. Anders ( CN=Brenda M. Anders/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

On Friday, February 5, the President will travel to Atlanta to attend the gala reception in honor of Hank Aaron's 65th birthday and the 25th anniversary of his 715th home run. Deadlines for the Trip Book are as

follows:

Background Memos (GA): DUE WEDNESDAY, FEB. 3, 6:00 P.M.

- Political Memos
- CEQ Hot Issues
- Cabinet Affairs Hot Issues
- Accomplishments

Event Memo: DUE THURSDAY, FEB. 4, 6:00 P.M.

- Gala Reception

If you have any questions, please e-mail or call me (6-2702). Thanks.

--David Goodfriend

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 15:38:36.00

SUBJECT: is this accurate?

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

READ:UNKNOWN

TEXT:

Below is a graph from the tribute to Thurgood Marshall I am working on for POTUS. (tomorrow night's ribbon cutting) Is it accurate?

The 14th Amendment -- and its promise of equal protection under the law -- was his key, his sword, his shield. Like Lincoln, who saw how the ideals embedded in the Declaration of Independence compelled us to crack open the bonds of slavery, Thurgood Marshall saw how the fourteenth amendment could dismantle the walls of segregation, brick by brick. He breathed life into a moribund amendment and transformed it into a living charter of freedom -- as vital a guardian of our ideals as the Declaration of Independence and the Bill of Rights.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Teresa M. Jones ( CN=Teresa M. Jones/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 2-FEB-1999 15:59:06.00

SUBJECT: Grijalva Meeting

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

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

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

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

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

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

Teresa M. Jones ( CN=Teresa M. Jones/OU=OPD/O=EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

To Confirm: This meeting is set for Thursday, 2/4 at 2:00 in Chris Jennings' office - Room 216.

Participants:

Sarah

Chris

Elena

Dan Marcus

Jeanne (Optional)



MEMORANDUM FOR ELENA KAGAN

FROM: Mark Kitchens

RE: Today's MSNBC.com On-line Interview

---

Thank you for agreeing to participate in the on-line interview with MSNBC.com which will take place at 7:30 PM EST. This interview will take place in your office and will last between 30 and 40 minutes.

The on-line interview will take place via conference call with the MSNBC Moderator, Chris Donahue. At approximately 7:25 pm Laura Emmett and I will set up the phone call with MSNBC and the On-line Interview/Chat will commence at 7:30 PM. Questions presented to you will be focused on policy matters with specific attention paid to the President's Budget.

The MSNBC Moderator will take questions from the participants in the Chat Room and will then relay the questions to you. Upon responding to the question, the MSNBC typist (off-site) will enter your response. Once your response appears on-line, the Moderator will then ask the next question. Delay time between questions asked by the Moderator should not exceed 30 seconds.

NBC has mentioned the on-line interview on the *Today Show* and will also promote the interview on Brokaw's *Nightly News*. MSNBC will also mention this interview on several of its specialty shows, and has posted your bio and promo box on the MSNBC specialty web site for the President's Budget.

Attached, for your reference, you will find:

- 1.) Bio on the MSNBC chat Moderator, Chris Donahue.
- 2.) Budget Q&A's
- 3.) Budget Talking Points

Please let me know if I can answer any questions or provide any additional information. I can be reached at x. 65694.

**Budget Roll-Out  
February 1, 1999**

*Please see summary document "President Clinton's FY 2000 Budget: Meeting the Nation's Long-Term Challenges" (8 pages) for highlights of the Initiatives. Also see "Talking Points: The Fundamentals of President Clinton's FY2000 Budget."*

**1. You have exceeded the caps by \$213 billion over five years. How can you say your budget respects fiscal discipline?**

The 2000 budget proposes discretionary spending that -- along with cuts in other discretionary programs, offsets from mandatory programs and resources that are contingent upon Social Security reform -- meets the caps set by the Balanced Budget Agreements. Every dime of discretionary spending in this budget is paid for.

**2. Do you believe the caps should be adjusted?**

We are not proposing raising the caps for FY 2000. The budget would pay for discretionary spending within the caps, as mentioned above. The Administration proposes to raise the caps in 2001-2003, if there is agreement on Social Security reform. We believe the caps have served as a useful constraint on discretionary spending and would support their extension through 2004.

**3. But aren't you spending the surplus?**

The President is adhering to his pledge last year to Save Social Security *first*. The President's plan calls for 62% of the surplus over the next 15 years to be dedicated to the Social Security Trust Fund. He believes the time to act to save Social Security is now.

Once we have saved Social Security, we would invest 15% of the surplus for the next 15 years in the Medicare Trust Fund. After that we would turn to investing 12% of the surplus in Universal Savings Accounts, which is a powerful new tax incentive to encourage retirement savings. 11% percent of the surplus would be reserved for strategic investments like improving the military readiness of our Armed Forces and pressing domestic needs like education.

We will allocate these resources only after we reach a comprehensive bipartisan consensus on saving Social Security. The allocation of these resources is contingent upon Social Security reform.

**4. If this Administration is being so disciplined, why is spending going up to its highest level in history in this budget?**

Automated Records Management System  
Hex-Dump Conversion

Federal spending under President Clinton has declined according to every meaningful yardstick:

- Spending in every year for which President Clinton wrote a budget has been a smaller share of our economy than in any year under the two previous Administrations.
- Spending as a percentage of the economy has declined in every year of this Administration.
- Last year, 1998, Federal spending as a share of the economy was at its lowest in a quarter of a century.
- The 1999 budget was 19.7 percent of the Gross Domestic Product; it drops to 19.4 of the GDP in the year 2000.

The actual expenditures in the budget rise because an increasing number of elderly people go on Social Security and Medicare, because of interest rates on the debt we have inherited and because the cost of medical care for the low-income population is considerable.

**5. Given your surplus forecast of \$2.5 trillion during the next 10 years, there are clearly sufficient resources to provide for a tax cut. Why are you opposed?**

The question that will shape our economic policy, and will be crucial to the prosperity and strength of the nation in the 21st century is: what should we do with the surplus. We can continue a policy that balances fiscal discipline with critical investments for the future or we can squander our hard-earned resources with short-sighted policies.

The President has outlined a framework to save Social Security, strengthen Medicare, boost retirement savings and provide for crucial domestic priorities. This plan provides resources to meet our current obligations to future generations for Social Security and Medicare.

By contrast, policies to spend the surplus on large tax cuts would do nothing to provide for the future. A large across-the-board tax cut would spend the surplus now and leave our existing commitments to Social Security and Medicare for our children and grandchildren to pay in the future.

This is not the time to turn from the path of fiscal discipline and strategic investments that brought us our remarkable economic success. A large across-the-board tax cut would bring us back to the days of fiscal irresponsibility, and undermine our hard-earned gains.

**6. What is the amount of increased taxes in this budget?**

The Administration continues its commitment to reducing tobacco use, especially among young people. All public health experts agree that raising the cost of cigarettes is an effective deterrent. The Administration proposal would impose a price increase of 55 cents a pack, and

would accelerate a 15 cent increase already legislated by Congress. The funds raised by this, a total of \$8 billion in FY2000, would offset tobacco related health care costs that the Federal government already carries.

Setting apart tobacco, there is no net increase of taxes in this budget. (If asked: The increased revenues to the Treasury that have boosted the surplus are the result of a healthy economy -- more people working at higher wages --- but are not the result of increased taxes. We now have the lowest tax burden in two decades for a typical middle-income family.)

#### **7. Do you have your own tax cuts in this budget?**

The President's plan to allocate 12 % of the projected surpluses to create new Universal Savings Accounts (USA's) so that all working Americans can save for retirement. Elements of this powerful new tax incentive could include, for example: Automatic flat annual contributions for low and moderate working Americans, and an additional tax incentive to match a portion of each dollar on a progressive basis that an individual contributes.

In addition, the budget provides \$34 billion over five years in additional paid-for targeted tax relief including:

- a \$1,000 long-term care tax credit to pay for long-term care services for about 2 million Americans;
- a \$1,000 tax credit for work-related expenses for people with disabilities;
- tax credits to build modern schools for our children;
- tax relief for child care for 3 million working families, plus tax relief for parents who stay home;
- and others to preserve green space and create and restore outdoor sites, spur new equity for investment in underserved communities, increase the low-income housing tax credit, provide tax credits for more fuel efficient vehicles and homes, and others.

The \$34 billion over five years in targeted tax cuts are paid for with proposals to curb corporate tax shelters and reductions in unwarranted tax subsidies.

#### **8. What about spending cuts. How much and what are they?**

This Administration is committed to a government that does more with less. In six years, through consolidation and efficient management we have been able to eliminate the equivalent of 365,000 full time employees. In addition, we have also cut programs and spending when and where appropriate, and when it meets our overall goals.

For example, the Year 2000 budget has provided additional resources at the Federal level for the 21st Century Policing Initiative, also known as Cops II. This will continue to put more officers on the street, while improving the equipment and technology they rely on and devoting more resources to community efforts for prosecution of criminals. For this reason, we made cuts in local law enforcement block grants. The end result will be a well-coordinated, well-funded anti-crime program.

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Other examples are the EPA and the NASA. In the case of there is an general budget reductions, but priority programs within their budgets have been increased. Overall spending for NASA has decreased by 1 percent. However, there is an increase of 2.46 billion -- an increase of 8 percent for the Space Station --- because this joint project between the United States and Russia marks the start of an era of international cooperation in space.

In addition, there are cuts in the EPA to address the fact that certain programs have fulfilled their objectives, while other areas have had support increased. For example, funding for the Clean Water State Revolving Funds in FY2000 has been cut by \$550 million because the funds are approaching their goals for full capitalization, meaning that they are reaching the level originally targeted that will enable them to make loans through States to local governments. At the same time, key programs within EPA have had their support increased. There is a 5% increase -- nearly \$200 million for 2000 -- in the core operating program, which includes regulatory functions, including public environmental and public health issues, and clear air regulations. In addition, Climate Change Technology will see its funding nearly double for the Year 2000.

**9. What about the mandatory offsets you referred to earlier? How much does that raise?**

Offsets from mandatory programs total \$17.7 billion dollars, \$8 billion of which comes from our public health initiative to raise the cost of cigarettes by 55 cents (discussed elsewhere.) There are also savings from Medicare, both in fraud and abuse and from management reforms at the Health Care Financing Administration, and from the FAA user fee, among other items.

**10. The Presidents 2000 budget assumes that \$8 billion will be received in additional tobacco revenues by raising the price of cigarettes to 55 cents a pack. What programs in your budget will be funded with these funds?**

The President is committed to reducing smoking in this country, especially among young people. Raising the price of cigarettes is an effective deterrent, and one that we are pursuing again this year in our drive against tobacco.

Tobacco related problems cost the Federal government billions of dollars each year. In the case of tobacco, the Administration is seeking reimbursement to the taxpayer for costs that are directly related to tobacco companies.

Apart from Medicare, we have calculated that there are a total of \$8 billion in tobacco related health care costs in FY 2000 in Veterans Affairs, the Federal Health plan, the Defense Department and Indian Health Service. The funding for these programs is not contingent upon tobacco receipts.

**11. What about the Federal government's plans to recoup some of the State settlements with the tobacco companies?**

The Administration plans to pursue recoupment of the Federal share of all state third-party liability collections, including the recent state tobacco settlements. Since U.S. taxpayers paid a substantial portion of the Medicaid costs that were the primary basis for the state settlements, the budget assumes the Federal government will follow the law and claim its share of the proceeds. However, the Administration again proposes to work with the States and the Congress to enact tobacco legislation that, among other things, resolves these Federal claims in exchange for a commitment by the States to use the Federal share to support programs that are currently shared state and national priorities.

The recoupment is not reflected in the budget until 2001, allowing a year for the Administration to work with Congress and the States on a recoupment policy.

**12. Is this budget dead on arrival?**

The President has already set the terms of debate, with his proposal to save Social Security First by dedicating 62% of the surplus to Social Security for the next fifteen years, and then to allocate the surplus to Medicare, to boost retirement savings, and to critical domestic priorities. The President believes that we should stick to the path of fiscal discipline and invest in the future -- an approach we have taken for six years and which has brought us this great economic prosperity. Those are the terms of debate.

The President is committed to working with Congress to pass the initiatives in this budget. You'll notice that last year, there were predictions that the President was not going to get anything out of Congress, and by the time the legislative session closed we had done pretty well, with victories on class size, other educational spending, environmental issues, LIHEAP.

We have every intention of working seriously with Congress this year on initiatives that matter to our nation's future, starting with Social Security reform.

***QUESTIONS ON SOCIAL SECURITY***

**Q: Aren't you double-obligating or double-counting the same money?**

**A:**

**Since 1983, the Social Security trust fund has experienced a growing excess of annual receipts over expenditures. This excess is used each year to purchase special Treasury securities. The resulting buildup in the trust fund is the intended result of the 1983 reforms, which set out to build up a large reserve before the baby boom retires.**

- **At the same time, the difference between Social Security receipts and expenditures represents an extra inflow of cash each year, which contributes to the unified budget surplus.**
- **The critical problem during the 1980s and the early 1990s was that Government simply spent those funds on current needs. This did nothing to ensure that we could pay off those securities in the future without huge spending cuts, tax increases, or borrowing more money.**
- **Hard-won fiscal discipline during the past 6 years means that the government can pay back bonds in the trust fund and still run surpluses.**
- **The question now is whether to use the current unified budget surplus to finance our existing commitment to pay future Social Security and Medicare benefits further into the future. The President's plan would channel almost \$3 trillion into debt reduction, and would lock in some of the gains from this fiscal discipline to pay Social Security benefits until 2055 and Medicare benefits until 2020.**

**Q: How will the government meet its new obligations to Social Security and Medicare?**

**A:**

- **The President's plan does not create new obligations of the government. We begin with the obligation to pay Social Security benefits beyond 2032 and Medicare benefits beyond 2008. The President's plan just sets aside the resources to make that possible.**
- **The President's plan would generate a dramatic decline in the national debt. By 2006, the debt-to-GDP ratio would be below its level in 1980; by 2014, it would be about 7%, below its level when the U.S. entered World War I in 1917; by 2017, it would be below 0. In absolute nominal terms, the debt held by the public in 2014 would be only 30 percent of its current value.**
- **By buying back such a large amount of debt, the government would substantially boost national saving and national wealth. Compared to a policy of spending the surpluses, government saving would average about 2% more of GDP from 2000 through 2014. The USA accounts would boost saving even more. In 1992 net national saving was 3.1% of GDP; in the first three quarters of 1998, it was 6.7%, a doubling that was more than accounted for by the increase in Federal government saving. Thus, a 2% of GDP difference is quite substantial, and if sustained for 15 years would produce a large increase in national wealth.**

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- **If the unified budget surpluses were not dedicated to Social Security and Medicare, it would be very difficult to sustain them for 15 years. Thus, the economic benefits of debt reduction are closely linked to the President's decision to commit some of these benefits to Social Security and Medicare.**
- **Even if one focuses on the non-Social Security part of the budget, and ignores the unfunded liability of the Social Security trust fund, the President's plan is very fiscally responsible. The extra debt held by the trust fund raises the debt service costs of the on-budget government, but reduced debt service to the public offsets 3/4 of that cost in 2014. (It does not offset all of the cost because debt held by the public does not decline as rapidly as debt held by the trust fund increases. This differential is an artifact of the way that intergovernmental interest payments are scored.) The increase in national wealth would also increase national income and therefore tax revenue. Crude estimates suggest that this could offset another 15% of the increased interest payments to the trust funds in 2014.**
- **Under the President's plan, we project on-budget surpluses for decades to come.**

**Q: Won't the government have to cut spending, raise taxes or borrow more in the future to pay for the extension of Social Security benefits to 2055 and Medicare benefits to 2020?**

**A:**

- **No. Our projections show that if we simply maintain current tax rules, we will be running surpluses until the middle of the next century even after paying Social Security and Medicare benefits.**
- **By setting aside funds now, the President's plan produces the resources to pay Social Security and Medicare benefits in the future. It does this in four ways:**
  - **First, by investing some the surplus in equities, the plan builds up real assets that can be sold when the time comes to pay benefits.**
  - **Second, by reducing the ratio of publicly-held debt to GDP from 44 percent to 7 percent, the plan reduces debt servicing costs --leaving more resources available for other purposes, including paying Social Security and Medicare benefits.**
  - **Third, by paying down debt, we increase capital formation. The resulting increase in the capital stock raises workers' productivity and**

**national income. These additional real resources will increase the future standard of living, and make it easier for society to pay Social Security and Medicare benefits in the future.**

- **Fourth, by nearly eliminating the national debt by 2014, the plan leaves us in a position to do a limited amount of additional borrowing, if necessary, without threatening economic prosperity.**

**Q: How does paying down the debt help us to pay Social Security benefits in the future?**

**A:**

- **First, a little history. The 1983 Social Security reform act aimed to prepare the nation to meet its future commitment to Social Security recipients by having the system collect more revenue than it paid in benefits for a couple of decades. These extra funds were supposed to be used to put the country on a fiscal trajectory to be able to pay back the Social Security trust fund when the trust fund needed to redeem its bonds.**
- **Unfortunately, irresponsible fiscal policy in the 1980s and early 1990s produced large unified budget deficits, (these included the Social Security surpluses.) By the time President Clinton took office in 1993, large deficits were forecast as far as the eye could see, and there were serious doubts about how the country would be able to pay back what it owed to Social Security,.**
- **Six years of tough choices and fiscal discipline have turned things around. Because of the 1993 budget act, disciplined appropriations, and the 1997 budget agreement, we are now projecting large surpluses well into the next century, even after paying back every penny we owe to Social Security.**
- **The President believes we should go even further, buying down around \$3 trillion in debt and allocating these savings to ensure that Social Security is secure until 2055 and that Medicare is secure until 2020.**
- **By setting aside funds now, the President's plan produces the resources to pay back Social Security in the future. It does this in four ways:  
[SUMMARIZED ABOVE]**

**Q: Why not just pay down the debt without incurring extra obligations?**

**A:**

- **The President's plan does not create new obligations of the government. We always expected to pay Social Security benefits beyond 2032 and Medicare benefits beyond 2008. The President's plan just sets aside the resources to make that possible.**
- **Some people would simply take Social Security out of the budget and pay down \$2.7 trillion of debt without extending the life of the Social Security or Medicare trust funds by a single year. Then they would debate only how much of the remaining surplus would go to tax cuts, military and other spending, and individual accounts.**
- **If this approach truly managed to keep the Social Security surpluses from being spent, and thereby left them for debt reduction, then this approach would put the country in a better fiscal situation, just as the President's plan does. However, this approach would leave open the allocation of the large future surpluses for various forms of spending and large tax cuts.**
- **We believe that we should take advantage of today's prosperity to prepare for the aging of America, and therefore that we should lock in much of the benefits of an improved fiscal outlook for Social Security and Medicare.**

**Q: You said that debt held by the public falls under the President's plan, but since the government is giving additional bonds to the trust funds, doesn't the government's total indebtedness stay the same?**

**A:**

- **No, that is not the right way to think about the economic impact of the President's plan.**
- **Debt held by the public is the most important measure of government indebtedness because it tells us the extent to which government borrowing crowds out private capital formation. Under the President's plan, the ratio of debt held by the public to GDP will fall from 44 percent today to 7 percent in 2014 --the lowest level since 1917. This will unleash a tremendous amount of new private sector investment and will make the government much more able to meet our commitment to Social Security and Medicare recipients in the future.**
- **The President's plan essentially gives Social Security and Medicare a "first call" on the gains from reducing debt. We think it makes perfect sense to allocate part of the gains from our fiscally responsible policies to extending the lives of the Social Security and Medicare trust funds.**

- **In any event, a more comprehensive measure of the government's future obligations would include promised Social Security and Medicare benefits. The excess of those benefits over expected revenues is an unfunded liability comparable in some respects to the explicit national debt.**
- **The President's plan does not increase promised benefits by one dollar. Instead, it finances the existing commitment to pay benefits by paying down publicly-held debt and directing some of the benefits if that debt reduction to the Social Security and Medicare trust funds.**

**Q: A column in last week's *Newsweek* argues that the President's budget allocates 150 percent of the budget surplus. Is that true?**

**A:**

- **No, it is not. The President's plan allocates 100 percent of the unified budget surplus. In focusing on the unified budget surplus, we are doing exactly what every President since Lyndon Johnson has done in formulating budget policy.**
- **The fundamental budget policy choice we are facing is how to allocate \$4.5 trillion in surpluses over the next 15 years among debt reduction, new spending, and tax cuts. The President's plan allocates the bulk of these surpluses to debt reduction, and gives Social Security and Medicare claims on the wealth created by our current fiscal discipline.**
- **Under the *Newsweek* type of accounting, every budget in the last 30 years would be guilty of "double counting" or spending more than 100 percent of the surplus. The crucial difference is that during the 1980s and early 1990s, the extra inflows from Social Security were spent on current needs. Under the President's plan, they would be dedicated to debt reduction, which would strengthen our economy for the future.**

**Q: Isn't this plan based entirely on double counting of money that is already dedicated to Social Security?**

**A:**

- **This is not the right way to think about the economic impact of the President's plan.**
- **Currently, the government as a whole is running a surplus --it is bringing in more in revenue than it is paying out. The fundamental question for our**

**budget policy is what to do with the excess.**

- **The President is proposing that most of the excess be set aside to pay for future retirement and health needs stemming from the aging of America. This will add to national savings and improve the country's wealth --in contrast to the effect of plans that propose to use the surplus for tax cuts or immediate spending needs.**
- **The President's plan allocates the unified budget surplus to different uses, just as every budget has done for the last 30 years. The funds the President is setting aside for Social Security and Medicare are real and would presumably go to tax cuts or new spending if they were not set aside for debt reduction. This is the first time a President has called for some of the surplus to be set aside for debt reduction.**
- **We believe that it is sensible to allocate some of the benefits of fiscal responsibility to Social Security and Medicare. In addition, by allocating the gains from debt reduction to Social Security and Medicare it locks away the surpluses and prevents them from being squandered on tax cuts or new spending.**

**Q: What will happen when the trust funds redeem assets to pay benefits?**

**A:**

- **When Social Security revenue from the payroll tax and the taxation of benefits falls short of what is needed to pay benefits (around 2013), the Social Security trust fund will start redeeming assets.**
- **Some of these assets will be stocks that it can simply sell without having to find other financing.**
- **The rest of the assets will be government bonds. Redeeming these bonds means that Social Security gets money to pay benefits from the general fund of the government. Thus the government must come up with the cash for Social Security.**
  - **If the government is running a unified budget surplus at the time, it can simply use the surplus to pay off the bonds. This will reduce the surpluses available to pay for other things. Under our current projections, we will be running surpluses even after paying back Social Security well into the next century.**

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- **Otherwise, the government has three standard choices for how to obtain the cash for Social Security --it can issue debt, raise taxes, or reduce other spending.**

- **The ratio of debt held by the public to GDP is projected to be close to zero at the time when we start paying back Social Security. Thus we could issue debt to pay back Social Security and still keep debt-to-GDP ratios below those that we have today.**

- **Moreover, after we make the tough, bipartisan choices to extend the system for 75 years we will likely have closed the gap between taxes and spending in the period before 2055.**

**Talking Points:**

**The Fundamentals of President Clinton's FY 2000 Budget:  
*Investing in the Future while Maintaining Fiscal Discipline***

**A Return to Fiscal Strength:**

- The 2000 budget anticipates the third consecutive budget surplus -- the first time we have seen back-to-back-to-back surpluses in half a century.
- Our remarkable fiscal and economic strength -- a balanced budget and unprecedented economic prosperity, including unemployment and inflation at a three decade low and homeownership at a record high -- is not an accident.
- The President began this virtuous cycle with his 1993 economic plan, founded on reducing the deficit, making strategic investments in the American people, and engaging in the international economy. In 1992, the budget deficit stood at a record \$290 billion. Now we have achieved balance and can anticipate surpluses for decades to come.

**Balancing Strategic Investments for the Future with Fiscal Discipline:**

- The President's 2000 budget adopts the same framework that has led to our fiscal and economic success. It advances strategic investments and maintains fiscal discipline.
- The 2000 budget, with its many important priorities and initiatives in education and training, research, the environment, health, childcare and other programs for families, economic development, law enforcement, foreign policy and defense -- is fully paid for. It complies with budget rules that have served as tools to help enforce fiscal discipline; it meets the discretionary caps on spending and the pay-as-you-go budget rules.
- Our challenge as we move forward to the next century is to maintain the same fiscal discipline that led to this budgetary and economic success, while continuing strategic investments in the American people that will strengthen our nation for the future, and benefit the next generation.
- As the President suggested in his State of the Union address two weeks ago, this is defining moment that will greatly determine the character of our country at the end of the 21st century. We can build on this strong fiscal foundation, or we can sweep it away.

**Use the Surplus to Save Social Security First:**

- We must save Social Security First. The President has already committed 62 per cent of our projected budget surplus for the next 15 years -- enough to extend Social Security's solvency to 2055. He is calling for a bipartisan process for additional reforms to extend

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solvency through 2075.

- After we achieve Social Security reform, the budget makes further commitments of the surplus for strategic investment priorities to strengthen the nation for the future.
- The President proposes to dedicate 15 percent of the surplus to the Medicare trust fund, whose financial security is threatened even sooner than Social Security. In 1997, the President and the Congress worked together to make Medicare financially sound through 2010. The President's 2000 budget would extend that lifetime ten years further, to 2020. The commitment of the surplus will help a bipartisan effort — including the current Medicare Commission — go even farther. The President wants to consider, as a part of this reform process, expanding Medicare coverage to include prescription drugs.
- The President also proposes using 12 percent of the surplus to finance his new Universal Savings Accounts — “USAs.” He believes that the USA is the right kind of tax cut -- fiscally responsible, targeted toward the future, and helping the many American families who have the most difficulty saving for their retirement. This proposal includes seed money for Federal contributions, plus additional funds for matching contributions for individual workers who invest their own funds. The matching contributions will provide a larger percentage inducement for low-wage workers.
- The budget proposes that the remaining 11 percent of the surplus be dedicated to other important priorities — including education, National security, and health care. The President's budget is a sound, disciplined way to provide the resources needed for these priorities.
- We must use this opportunity to fix Social Security and then proceed to address Medicare, USA accounts, and our pressing investment priorities.

**Rise to the Moment:**

- The 2000 budget is a model for the new era of surplus. It maintains fiscal discipline, strategic investment, and uses the surplus to save Social Security First. As the President said in the State of the Union, “With our budget surplus growing, our economy expanding, our confidence rising, now is the moment for this generation to meet our historic responsibility to the 21st Century. Let's get to work.”

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 16:53:31.00

SUBJECT: Re: is this accurate?

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

READ:UNKNOWN

TEXT:

tomorrow night's "marching toward justice" ribbon cutting ceremony...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 17:47:23.00

SUBJECT: Re: is this accurate?

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

TEXT:

Tomorrow night, the president is supposed to drop by the opening of a traveling exhibit dedicated to the history of the fourteenth amendment/career of TM at the Thurgood Marshall Building. He's supposed to cut the ribbon with Cissy Marshall. and then give brief remarks. I saw your name on the guest list.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 19:12:47.00

SUBJECT: marching toward justice draft

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

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

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

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

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

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

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

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

TO: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

Draft 2/2/99

Shih

PRESIDENT WILLIAM J. CLINTON

REMARKS AT □&MARCHING TOWARD JUSTICE□8 RIBBON CUTTING

WASHINGTON, D.C.

FEBRUARY 3, 1999

Acknowledgments: Mrs. Thurgood Marshall, Judge Damon Keith; Irvin D. Reid, President, Wayne State University; H. Patrick Swygert, President, Howard University; Leonidas Ralph Mecham, Director, Admin. Office of the U. S. Courts, Thurgood Marshall Federal Building; Members of Congress; Bill Lann Lee; Minyon Moore; Ben Johnson

□&We are all created equal.□8 It is the simplest, most powerful idea ever set forth by humankind. And yet, from the moment Thomas Jefferson put ink to paper 223 years ago in Philadelphia, the struggle to honor these ideals has been America□,s most difficult -- and enduring -- challenge.

Throughout our history, Americans of courage and vision have stepped forward -- sometimes risking their lives -- to lead us in America□,s ongoing march toward justice. I thank you for working to chronicle their journey in this exhibit.

Perhaps no one in this century did more to open the doors to the glorious temple of American Liberty [Frederick Douglass, quoted by previous speaker] and move America further along the path of freedom and justice than the man we honor and remember tonight, Thurgood Marshall.

Tonight, we honor the courage of a man who traveled to the towns of the segregated south -- places where he could not find a bite to eat when hungry, a bed to rest in when tired, or a police officer's protection when threatened -- to argue passionately for the basic dignity of all Americans. We honor the genius of a man who masterminded a strategy to dismantle Jim Crow case by case, trial by trial, decision by decision, from Baltimore to Topeka to Little Rock to the United States Supreme Court. And we honor the commitment of a man, who as a member of the highest court in the land, remained a tireless champion of the freedoms and rights of every individual, especially the least among us.

The 14th Amendment -- and its promise of equal protection under the law -- was Thurgood Marshall's sword and shield. Like Lincoln, who saw how the ideals embedded in the Declaration of Independence compelled us to crack open the bonds of slavery, Thurgood Marshall saw how the fourteenth amendment could knock down the walls of segregation. He breathed life into a moribund amendment and transformed it into a living charter of freedom -- as vital a guardian of our ideals as the Declaration of Independence and the Bill of Rights.

The legacy of the 14th Amendment, the legacy of Justice Marshall -- the legacy of his mentor Charles Houston and colleagues such as Wiley Branton and Jack Greenberg -- can be seen all across this country: In classrooms where children of all races learn side by side; in libraries and restaurants and drinking fountains that serve all people; in the educations and careers and lives of every man and woman in this room. But the road to freedom and justice is long -- we have far to go. Today, we can honor Thurgood Marshall not only with grand buildings and museum exhibits, but by continuing his life's work.

We can honor Thurgood Marshall and equality under the law by fighting discrimination in all its forms. No one should be denied a job, a home, an education, a chance at the American Dream because of race, disability, gender, sexual orientation or religion.

We can honor Thurgood Marshall and equality under the law by ensuring men and women receive equal pay for equal work.

We can honor Thurgood Marshall and equality under the law by working to give every single one of today's children -- of every race, color and creed -- the opportunity to learn in a 21st Century school with well-trained teachers, high academic standards and modern facilities.

During some of the darkest days of Jim Crow, a single phrase whispered in African American communities all across the South gave hope to thousands -- "Thurgood is coming." Today, at the dawn of a new century, it is up to each and everyone of us to ensure that Thurgood does indeed come. Let us take up his sword and shield, honor our highest ideals and work as One America to bring justice and freedom to every corner of this great land in the 21st Century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-FEB-1999 22:07:00.00

SUBJECT: Race/Crime comments

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

READ:UNKNOWN

TEXT:

Let me know if you think this is appropriate to send...jc3

Clara:

Forgive the tardiness, but here are my comments on the initial draft of the race/crime chapter circulated last week. Since they're extensive, a bit repetitive, and not limited to line edits, allow me to summarize my major concerns:

1. Contradiction on whether the system is fair or unfair. The draft suffers from a series of contradictions about whether we believe the justice system is fundamentally fair or unfair to minorities. I believe that the facts show that, while the system is essentially fair, it does not do enough to protect certain minority communities. A key set of facts that makes clear the rates of minority victimization and offending should be included at the very front of the chapter. Without such facts, it is almost impossible to depart on a broader discussion of race and crime -- and it is difficult to distinguish between criminal justice police vs. criminal justice perceptions.

2. Lack of emphasis on President's record and its impact on minority communities. The draft should include more discussion of the falling crime rates and characterize how this change has benefitted minority communities. It should mention the dramatic drop in youth gun homicides, especially among minority youth, and it should include some anecdotes with specific and well-known minority neighborhoods. Also, we should take credit for taking on the gun lobby at a time when guns became a leading killer of minority youth; transforming policing across the nation; and appointing an unprecedented number of minority law enforcement professionals (Holder, Noble, Johnson, Gonzales, etc.).

3. No thoughtful discussion on history of police and racial tensions. The draft, on several occasions, makes sweeping references to police experiences, policies, etc. that undermine minorities' confidence in the criminal justice system, without giving any details. I don't know if we want to include such a discussion or not, but the reasons for police mistrust are much more complicated. They include police enforcement of discriminatory laws (before and after slavery and during the civil rights era), changes in minority communities (concentrations of poverty and other social ills), the growing differences between the professional police and the policed, the coming of the crack epidemic and the subsequent spread of guns, etc. Although this history is not easy to tell it sheds more light

on why tensions still exist in some communities than the generalizations in the draft.

4. Concept of community justice not clear. I don't think the discussion of community justice would make sense to the average reader. We are probably better served by discussing how community policing has revolutionized public safety, and how its two component parts -- solving crime problems and engaging the community -- should be extended to all parts of the criminal justice system.

5. More of a focus on stronger communities/Chicago study. The draft should focus less on the fact that disadvantage communities are more prone to crime. While this is true, demographics are not destiny. Falling crime rates in some of our worst neighborhoods have proved that. So has the Earls/Sampson Chicago study, which found that communities with a strong sense of shared values and people will to reinforce those values -- whether black or white, rich or poor, etc. -- have 40 percent less violent crime. This is a powerful study that should be more prominently and positively featured in the draft.

6. Wrong tone for discussion of "hot button" issues. While I realize the need to touch on the difficult issues of racial profiling and police brutality. I think the draft's language will be viewed by our friends in law enforcement as inflammatory. More specifically, I don't believe our own federal law enforcement bureau's -- who don't think they engage in racial profiling -- are ready to live under the the draft's proposed executive order on racial profiling. Finally, consistent with point #1, I think the discussion of racial disparities in the rates of incarceration ignores the disparities in criminal offending and suggests we excuse away behavior. We shouldn't. At the same time, we can't be satisfied with a justice system that simply incarcerates so much of our population. Most offenders ultimately will be released into our communities, so we must work to reduce their criminality, drug use, etc.

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Here are some more specific comments:

1. Page 1, paragraph 4, 3rd sentence: Replace with, "Since 1993, the violent crime rate has dropped by more than 20 percent nationwide, including a 28 percent drop in the homicide rate, which is at its lowest level in 30 years." (1997 National Crime Victimization Survey, Bureau of Justice Statistics).

2. Page 2, paragraph 2, between 3rd and 4th sentence: We should think about adding a sentence along the lines of, "Although African Americans represent 12 percent (?) of the overall population, they have represented approximately half of all murder victims for the past 30 years." (BJS crime stats)

3. Page 2, paragraph 3. This is an important point that needs to be clearer and perhaps expanded. We need to make clear from the outset what we know -- what the facts are -- about rates of victimization and offending by race. I recall that Chris Stone's paper to the Advisory Board has a good discussion on this topic; perhaps it should be incorporated. And the recent BJS homicide study (12/98) including factoids showing that African Americans were 7 times more likely than whites to be murdered, as well as 8 times more likely than whites to commit murder. Perhaps we should come to agreement on the 5-10 most important facts here and break them out as bullets. And perhaps we should also include the findings from the GAO and DOJ studies, mentioned at the e

nd of page 26, showing that -- if we control for the type of criminal offense committed -- rates of arrest, prosecution and conviction do not differ significantly by race. Again, the point being that we should make the facts of minority rates of victimization and offending very clear up front

4. Page 3, paragraph 1, last line: I believe this number is include in the DOJ/Interior report on crime in Indian Country, and that it might be that violent crime is up by more than 80%.

5. Page 3, last paragraph, last 2 sentences: I'm not sure this is right...or what we want to emphasize here. Don't we want to emphasize the cutting edge findings from Earls/Sampson Chicago Study that a strong, shared sense of community (collective efficacy) is a better predictor of violent crime than the usual demographic data -- by 40 percent, in fact.

6. Pages 4 and 5, the first full paragraph and the two following it: I would drop this discussion of perceived unfairness and high rates of incarceration from this section on criminal victimization and law enforcement need, and look to incorporate it into the section on Building Fairness (starting at page 20).

7. Page 5, final paragraph and sentence: A couple of comments on this sentence...(1 if the GAO study shows that, if we control for criminal offending, the rates of arrest, prosecution and conviction don't differ greatly by race, than what are the assumed "racial disparities" that are even greater in the juvenile system...or do disparities only really exist in the juvenile system? If we're trying to make a point about the juvenile system, let's cite the facts and make it. If not, let's drop the inconsistent rhetoric....We can't say throughout this chapter that the system is both fairer than people think...yet unfair...and (2) with respect to the following sentence, the sad truth is that we've already lost a generation of minority youth -- victims and offenders -- to the mix of crack/gangs/guns (discussed on pages 10 and 11), and that this sad chapter in American life accounts for many of the difficult issues surrounding crime and race. Perhaps this is a story that should be told more explicitly here.

8. Page 6, first full paragraph, drop everything after the 4th sentence: Again, either we believe the system is fundamentally fair or unfair, but it can't be both. I would argue that we want to say the system is fundamentally fair, but that it can be improved...that the relationship between law enforcement and some minority communities is not as strong as it could or should be...and that law enforcement and the community both lose when this is the case. Consistent with this point, I wouldn't generalize that unfair policies, racial biases and police brutality undermine the criminal justice system. Instead, I would point out that in some communities racial tensions, past riots, incidents of police brutality, police shootings, etc., have led to historically strained relationship between police department and some minority communities, and that these strained relationships can and must be overcome. Perhaps a specific example of a community that overcame racial unrest/tension would help make the point.

9. Page 6, 2nd and 3rd full paragraph: Do we really want to introduce/coin the term "community justice" here? I'm not sure the term "community justice," without further explanation, is clear. Instead, I would suggest that, in the last sentence of the 2nd paragraph, we replace "community justice" with "community policing," and then drop the opening sentence of the third paragraph. Later in the workplan we can talk about

applying what we've learned from community policing to other components of the criminal justice system -- neighborhood DAS, community corrections, special youth/gun/drug courts, etc.

10. Starting w/the last line on page 6 and over to page 7: I'd replace this w/a paragraph along the lines of:

"Before I ran for President, I traveled across the country and visited different cities where local officials were leading the way in solving some of the nation's most difficult domestic problems. One of the places I visited was Charleston, SC, where Police Chief Reuben Greenberg was at the forefront of the community policing movement. Through community policing, Chief Greenberg was both driving down the crime rate in public housing and strengthening the relationship between local police and community residents...(add more specifics here on what Charleston has done...and we can add more here on Charleston overcoming a long history of police being used to enforce slavery and subsequent discrimination by local government)."

I would then add a paragraph on our policing initiative...something like:

"That is why when I became President one of my top priorities was to help our cities hire more police and expand the community policing philosophy. I was proud to work with an unprecedented coalition of law enforcement, teachers, clergy, local officials and other community leaders to pass our initiative to put 100,000 more community police on the street. Today, we have nearly reached our goal of funding 100,000 more police officers and helped expand community policing to thousands of police departments across the country. Our efforts are making a difference. Crime and the fear of crime have dropped to their lowest level in a quarter century..."

11. Page 7, 2nd paragraph, last sentence: Strike everything after "community policing," and replace with -- "applying the lessons learned from community policing to other areas of the criminal justice system, such as local prosecutors' officers, our courts, local jails, etc."

12. Page 7, "Community Justice" subheading and subsequent paragraph: Replace "Community Justice 'Hot Spots'" w/ "Targeting Crime 'Hot Spots.'"

13. Pages 7 and 8, bullets describing "Hot Spots" initiative: I would expand the first bullet on our 21st Century Policing Initiative to include more details on this initiative, and add bullets with other programs that would be specifically targeted. I would drop the 2 bullets on comprehensive community plans; they are meaningless in terms of message and substance...perhaps something like this:

\* The federal government will target funds from its 21st Century Policing Initiative to help communities with high-crime neighborhoods to hire and redeploy up to 50,000 additional police officers, acquire the latest crime-fighting technologies, and engage their entire community in the fight against crime.

\* The federal government will target key prevention programs, including afterschool programs and programs for at-risk youth...

\* What else? (i.e., gun enforcement...drug testing...?)

14. Page 8, 1st full paragraph: Rewrite this paragraph to be focused on how targeting resources will allow high-crime, minority neighborhoods to develop comprehensive anti-crime strategies, and to engage their entire

community -- schools, prosecutors, clergy, etc. Drop all references to economic development.

15. Page 8, penultimate paragraph: Drop entirely.

16. Page 12, first paragraph: We should quote David Kennedy's article from the NIJ journal; it's very powerful and persuasive.

17. Page 12, 2nd paragraph, 3rd and 4th sentences: I don't think this rhetoric on the drug war works; we should drop it here and elsewhere. The truth is that much of the perceived unfairness and/or disparate impact in the drug war is tied to government's response to the crack cocaine epidemic. If we wanted to be brutally honest we'd point out that the crack epidemic did in fact cost us a generation of minority youth -- both as victims and perpetrators -- and that well meaning legislators/government officials of all races supported the drug war. The more important point to make, I believe, is that drugs and related crime have devastated minority communities, and that we can never let what happened with crack happen again. Instead, we must support a balanced drug strategy that supports tough enforcement, more treatment, better prevention...etc.

18. Page 14, bullet at top of page: Change to "Building stronger communities."

19. Page 16, 1st paragraph, last sentence: Drop entirely (economic development reference).

20. Page 17, 1st paragraph...question: What do these numbers mean? How do they comport w/our earlier findings by GAO and DOJ that, if we control for criminal offending, there are no substantial differences between the races?

21. Page 19, bullet/subheading: Replace with, "Reinforce right from wrong by promoting appropriate punishments when kids first get into trouble."

22. Page 19, bottom paragraph, 4th sentence: After "including alcohol," add, "or to get money to buy drugs."

23. Page 20, 1st paragraph, 2nd sentence: We shouldn't use this reference to only 12 percent of prisoners receiving treatment; Justice has disclaimed it and believes its inaccurate. I think the more important point to make here is that numerous studies show -- convincingly so -- that most persons on probation, parole or in prison have a drug history/habit, but that we don't do everything we can...we don't use the full power of the justice system...to reduce their drug use and criminality. Also, this section provides an opportunity to laud the President's record on promoting drug testing/treatment, drug courts, etc.

24. Page 20, 2nd and 3rd paragraphs: I'd drop these entirely; I'm not sure they add anything.

25. Page 21, first full paragraph: I can't believe we want to get into a discussion of OJ and jury nullification. What would we say? Also, as I mentioned before, I wouldn't generalize that police "experiences, incidents, and policies" lead "law abiding persons of color to believe that they are targeted or threatened by law enforcement. I think that's inflammatory and inaccurate. As I mentioned before, I believe it's more accurate to point out that in some communities the police have a

historically strained relationship with minorities. If we want to explain why this is the case, than we should take the time to do it right. It's not simply because of recent police policies or racial profiling; recent police policies, in fact, have done much to improve relations with minority communities. Rather, I believe it has much more to do with 30-years of changes in some of our minority communities (population moving out, concentration of poverty and related social ills), tensions from riots during the civil rights era, the professionalization of urban police forces and the resulting gap between the police and the policed, the nature of the crack epidemic, the relatively rapid diffusion of guns in minority communities...etc

26. Page 22, 2nd paragraph, penultimate sentence...through the end of the chapter: I think these four sections on racial profiling, police brutality, incarceration, and diversity in law enforcement are fundamentally problematic for a variety of reasons. First and foremost, in one fell swoop, we say that these are difficult issues that need to be addressed, but we haven't made a convincing case for them. Again, either we need to make the case that the system is fundamentally fair or unfair, and go from there. If the justice system is fundamentally fair, as I believe we should be saying, than we should say these are isolated problems that are important because of their disproportionate impact on perceptions and attitudes of the system's overall fairness -- not because they're implicitly widespread.

More specifically, I have the following concerns w/each of the sections...

Racial profiling: As I understand it, we are not in a position to propose the executive order recommended in the chapter. DOJ has, for some time, been reviewing their own policies, but they have concerns, especially with respect to INS (I believe, for instance, that some courts have held that the use of ethnicity is sometimes okay for law enforcement purposes). Secondly, Treasury -- especially with respect to the Customs Service -- is sure to have concerns as well. With respect to data collection, I'm not sure if there's any point in supporting the Conyer's bill. It was killed by the police groups last year and will easily be killed again this year. Thus, if we really want to do something on improved data collection, let's just direct the AG to work with law enforcement to do it now; we don't really need a legislative language.

Police Brutality: I would reverse the emphasis of the current section by leading with the fact that there are very few case of police brutality (less than 1 percent of police encounters), and laud the Administration's record on bringing federal civil rights and pattern or practice suits when necessary. Then I would go into the fact that we must have zero tolerance for police brutality...that it undermines the work of most honest, hardworking officers...poisons the trust between them and the people they're sworn to protect...etc.

Disparities in Sentencing/Incarceration: I would reverse the emphasis in this section, too. I would open with the GAO and DOJ studies showing that, if we control for criminal offending, rates of arrest, prosecution and conviction do not differ greatly by race. Perhaps we could also include Eric Holder's report from several years ago that comes to the same conclusion for federal crack and gun sentencing. I would then talk about how, over the long term, we can't be satisfied with a system that incarcerates so many Americans, especially so many minorities...that destroys so many families...disenfranchises whole communities...makes so many people unemployable. We can't simply be satisfied with high rates of incarceration; we must actually work to reduce criminality and

recidivism. One way to do this is by using the power of the criminal justice system to get offenders to kick their drug habits. We can do this by making an unprecedented commitment to drug test, treat, and appropriately punish the millions of probationers, parolees and prisoners with drug habits....etc.

Finally, I'm not sure what if anything I would include on the disproportionate minority confinement of juveniles or the death penalty. The draft seems to indicate we'll have more to say on these topics.

Diversity in Law Enforcement: Two quick points...we really should be able to tell a more positive story here. I'm sure our policing initiative has done much more to promote diverse police forces than we're acknowledging. Also, the President has a strong record of appoint minority law enforcement professionals; perhaps they're worth mentioning (Ron Noble, Jim Johnson, Eric Holder, Eduardo Gonzales...?).