

NLWJC – Kagan

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[02/20/1999 – 02/22/1999]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Richard Badger to Elena Kagan re: Candidate (1 page)	02/20/1999	P6/b(6)

COLLECTION:

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

FOLDER TITLE:

[02/20/1999-02/22/1999]

2009-1006-F
bm97

RESTRICTION CODES

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

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

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

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

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

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

RR. Document will be reviewed upon request.

Withdrawal/Redaction Marker

Clinton Library

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001. email	Richard Badger to Elena Kagan re: Candidate (1 page)	02/20/1999	P6/b(6)

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

RR. Document will be reviewed upon request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-FEB-1999 11:03:57.00

SUBJECT: DGA Policy Meeting TODAY

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

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

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

TO: Rebecca L. Walldorff (CN=Rebecca L. Walldorff/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: Patrice L. Stanley (CN=Patrice L. Stanley/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As of now, there is no WH pre-meeting scheduled for the WH portion of the DGA policy meeting this afternoon at 3:30pm. Therefore, unless things change, we'll proceed as follows:

Secretary Riley, Secretary Shalala, John, Steve, Minyon, Mickey, Fred, Ann, and Josh will all meet outside the meeting room ((Polaris Room at the Concourse enter thru 13th & Penn)).

The meeting will be in progress at this time. It goes from 2:30pm - 5:30pm.

The WH staff will enter at 3:30pm and take their seats together at a hollow square table. John then Sec Riley then Sec Shalala will speak, and then it is open question and answer time.

At 4:30pm, WH staff will depart.

Thanks. Page me if you have any questions. -A

----- Forwarded by Andrew J. Mayock/WHO/EOP on 02/20/99
09:53 AM -----

Andrew J. Mayock
02/19/99 06:39:00 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: DGA Meeting this Saturday -TIME CHANGE TO 3:30PM

The time for the for the DGA policy meeting has changed to 3:30pm. Someone will be waiting to meet your principal outside the room at the Intl Trade Building at 3:15pm so that the entire group can enter at 3:30pm, which will be in the midst of the afternoon's meeting (2:30pm - 5:30pm). The program will last an hour, and I believe that all WH staff and the two secretaries will be sitting at the same table with the governors.

Page me if there are any problems please.

Thanks.

----- Forwarded by Andrew J. Mayock/WHO/EOP on 02/19/99

05:33 PM -----

Andrew J. Mayock
02/18/99 01:19:02 PM

Record Type: Record

To: Cathy R. Mays/OPD/EOP, Ruby Shamir/WHO/EOP, Rebecca L. Walldorff/WHO/EOP, Dawn V. Woollen/OMB/EOP
cc:
Subject: DGA Meeting this Saturday - Confirmation

Bruce, Ann, Josh and Steve should go to the Polaris Room at the Concourse of Ronald Reagan Building (enter thru 13th & Penn).

The WH will have an hour of the DGA's three hour session. Our hour is approx 3-4pm. Therefore your principal should be there from 2:45pm - 4:00pm.

I am sending out a short briefing-type paper to you tomorrow so they have info on agenda, speakers issues, etc.

Thanks.

----- Forwarded by Andrew J. Mayock/WHO/EOP on 02/18/99
11:52 AM -----

Andrew J. Mayock
02/18/99 10:29:52 AM

Record Type: Record

To: Cathy R. Mays/OPD/EOP, Ruby Shamir/WHO/EOP, Rebecca L. Walldorff/WHO/EOP, Dawn V. Woollen/OMB/EOP
cc:
Subject: DGA Meeting this Saturday - Confirmation

Can you please confirm your principal's attendance at the DGA meeting this Saturday from 3-4pm?

You should have received an invitation and agenda from DGA about the event. Let me know if you have not. Basically, Josh, Ann, Bruce and Steve will be there to back up the three main speakers (Podesta, Riley and Shalala) and meet with the governors informally. Please let me know as soon as you can as DGA is working on programs. Thanks.

Message Sent

To: _____

Cathy R. Mays/OPD/EOP
Ruby Shamir/WHO/EOP
Rebecca L. Walldorff/WHO/EOP
Dawn V. Woollen/OMB/EOP
Maria E. Soto/WHO/EOP
Kevin S. Moran/WHO/EOP

Message Copied

To: _____

Simeona F. Pasquil/WHO/EOP
Fred DuVal/WHO/EOP
Minyon Moore/WHO/EOP
Mickey Ibarra/WHO/EOP
James T. Heimbach/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jennifer M. Luray (CN=Jennifer M. Luray/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:20-FEB-1999 12:21:35.00

SUBJECT: SENIOR STAFF BRIEFING ON NARAL's "CHOICE FOR AMERICA" CAMPAIGN

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Kelley L. O'Dell (CN=Kelley L. O'Dell/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

CC: Ilia V. Velez (CN=Ilia V. Velez/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

CC: Jocelyn A. Bucaro (CN=Jocelyn A. Bucaro/OU=WHO/O=EOP [WHO])
READ:UNKNOWN

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

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

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

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

CC: Mindy E. Myers (CN=Mindy E. Myers/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

TEXT:

Over the last year, there have been many discussions about how to shift the message on choice. NARAL's new innovative campaign, "Choice for America," is aiming to do just that.

This unprecedented, multi-million dollar effort will consist of paid advertising, marketing, aggressive grassroots organizing and community outreach in 36 selected communities.

Kate Michelman has requested your participation in a briefing to review the "Choice for America" campaign in order to hear your feedback. Harrison Hickman, the leading pollster on choice issues, will also share his latest findings. Ann and I invite you to meet with Kate on Wednesday, Feb. 24th at 4 pm in the Ward Room. We appreciate your taking time out of your busy schedules for this one-hour meeting.

Please have your staff RSVP to Kelley O'Dell (x6-7300). Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-FEB-1999 14:27:51.00

SUBJECT: Draft council reponse to NAS report

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

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

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

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

TEXT:

Attached are the draft executive summary and full response to the NAS report. On the crucial question of single food agency the executive summary reads: "The Council supports the goal of NAS recommendation IIIa . Here, the NAS calls for a new statute that establishes a unified framework for food safety programs with a single official with control over all federal food safety resources. The report acknowledges that there may be many organizational approaches to achieving the goal of a single voice for federal food safety activities. As recommended by the NAS, the Council will conduct an assessment of structural models that would strengthen the federal food safety system through better coordination, planning, and resource allocation."

You should meet with Neal Lane this week to agree on strategy for next steps. Also, I am sending you a draft plan for moving responsibilities around and where the relevant players would stand on it. ===== ATTACH
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D99]MAIL42753255S.036 to ASCII,
The following is a HEX DUMP:

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Council on Food Safety
Assessment of the NAS Report
Ensuring Safe Food from Production to Consumption

Americans have one of the world's safest food supplies. This is largely a result of sustained education and research efforts along the farm to table continuum as well as surveillance and regulatory programs. The federal food safety system is comprised of 12 agencies, is authorized by a diverse set of statutes, and is supported by numerous key partnerships with state, local, and tribal governments. Together these agencies have created a system that has given U.S. consumers confidence in the safety of their food purchases.

As good as the nation's food safety system is, it must improved. Illnesses and deaths due to contaminated food continue to cause considerable human suffering and economic loss. That is why, at the very beginning of his first term, President Clinton set a course to strengthen the nation's food safety system. Under the President's leadership, surveillance and research have dramatically increased, programs are better coordinated, and regulations are more science-based. But this is only the beginning. The Council on Food Safety, with the help of the public, will continue to identify problems and promote solutions.

The Council welcomes the input provided by the National Academy of Sciences in its August 1998 report *Ensuring Safe Food From Production to Consumption*. This report lays out a clear rationale for a national food safety plan, one that is based on science and risk.

- The Council supports **NAS recommendation I**, which states that the food safety system should be based on science. In this assessment of the NAS report, the Council provides numerous examples of where this is already the case and examples of areas that need to be strengthened.
- The Council supports **NAS recommendation IIa**, which calls for federal statutes to be based on scientifically supportable assessments of risk to public health. In this regard, the Council will conduct a thorough review of existing statutes and determine what can be accomplished with existing regulatory flexibility and what improvements will require statutory changes.
- The Council supports **NAS recommendation IIb**, which calls for the production of a comprehensive national food safety plan. In fact, the development of such a plan is already well underway and one of the primary functions of the Council as specified in Executive Order 13100. A key component of the plan will be a comparative risk assessment of the nation's food supply.
- The Council supports the goal of **NAS recommendation IIIa**. Here, the NAS calls for a new statute that establishes a unified framework for food safety programs with a single official with control over all federal food safety resources. The report acknowledges that there may be many organizational approaches to achieving the goal of a "single voice" for federal food safety

activities. As recommended by the NAS, the Council will conduct an assessment of structural models that would strengthen the federal food safety system through better coordination, planning, and resource allocation.

The Council supports **NAS recommendation IIIb**. This recommendation argues that agencies should have the legal partnering tools needed to unify their efforts with state and local governments. Fortunately, federal food safety agencies already have many of the tools identified by the NAS and have used them to establish extensive partnerships with state, tribal, and local governments. However, some tools are missing and much more needs to be done to better coordinate the federal government's interactions with other levels of government. As part of the Council's strategic plan, the National Integrated Food Safety System project will identify barriers to effective partnering and recommend ways to overcome them.

President's Council on Food Safety Assessment of the NAS Report: Ensuring Safe Food from Production to Consumption

At the request of Congress, the National Academy of Sciences (NAS) conducted a study of the current food safety system to: (1) determine the scientific basis of an effective food safety system; (2) assess the effectiveness of the current system; (3) identify scientific and organizational needs and gaps at the federal level; and (4) provide recommendations on scientific and organizational changes needed to ensure an effective food safety system. To conduct this study, the NAS established a committee and obtained input from federal agencies and other stakeholders of the federal food safety system. The NAS issued its report on August 20, 1998.

On August 25, 1998, through Executive Order 13100, the President established the Council and charged it to develop a comprehensive strategic plan for federal food safety activities and to make recommendations to the President on how to implement the plan. Also on August 25, 1998, the President issued a directive tasking the Council to provide him with an assessment of the NAS report in 180 days.

Specifically, the President directed:

“...the Council to review and respond to this report as one of its first orders of business. After providing opportunity for public comment, including public meetings, the Council shall report back to me within 180 days with its views on the NAS=s recommendations. In developing its report, the Council should take into account the comprehensive strategic federal food safety plan that it will be developing.”

In response to the President's directive, the Council established a task force consisting of representatives from the following departments and agencies: OSTP, HHS, USDA, EPA, OMB, and DOC. The task force benefited from valuable input obtained at four public meetings (Arlington, VA; Sacramento, CA; Chicago, IL; and Dallas, TX) and from public comment dockets maintained by EPA, FSIS, and FDA.

In general, the Council finds the NAS report a constructive contribution to its efforts to improve the effectiveness of the federal food safety system through strengthening science and risk assessment, strategic planning, and better federal integration with state and local governments. In particular, the NAS places appropriate weight throughout its report on applying science to the management of government food safety efforts. The Council believes that science based food safety surveillance and inspection are very important elements of the nation's food safety system.

The NAS report also recommends that the nation's food safety system should be based on risk. The Council agrees with the report's thesis that a food safety system that includes regulation, research and development, education, inspection and enforcement, and surveillance should be based on science and should use various risk analyses including quantitative and qualitative risk assessments and risk management principles to achieve such a system.

The Council recognizes that a food safety system comprised of 12 agencies with differing missions and statutory authority may increase the potential for uneven adoption and inconsistent application of regulatory philosophies based on science. However, the Council believes that through implementation of its strategic plan (including its assessment of existing statutes and structure) the potential for uneven adoption and inconsistent application among federal agencies will be reduced. The Council is committed to identifying further improvements that would result in a seamless science-based food safety system.

Recommendation I

Base the food safety system on science.

The NAS report notes that the United States has enjoyed notable successes in improving food safety and that with increasing knowledge, many rational, science-based regulatory philosophies have been adopted. The report suggests, however, that

adoption of these regulatory philosophies has been uneven and difficult to ensure given the fragmentation of food safety activities, and the differing missions of the various agencies responsible for specific components of food safety. The greatest strides in ensuring food safety from production to consumption, the NAS argued, can be made through a scientific, risk-based system that ensures surveillance, regulatory, research, educational resources are allocated to maximize effectiveness.

Council Assessment

The Council strongly endorses this recommendation. Many federal food safety programs are already, or are being modified to be science-based. The Council recognizes that scientifically robust programs will result in better identification of public health needs, determination of the most effective means of reducing public health risk including the most cost-effective opportunities for improvement, and priority setting.

The scientific information generated through surveillance, research, and risk assessment efforts will result in improved food safety only if there is a commensurate strong effort to translate that scientific information into practical, usable information at the working level, e.g., through guidance or education. This means there must be education for all those involved in producing, manufacturing, transporting, and preparing food as well as for those persons involved in government food safety regulatory activities.

The Council's goal is to ensure that science and risk based decision-making are central to the Administration's on-going efforts and its strategic plan. Fortunately, considerable improvements have been made over the past several years. The strong scientific underpinnings of the President's Food Safety Initiative, enactment of the Food Quality Protection Act (FQPA), restructuring of food safety agencies within USDA, and many individual agency activities, such as implementation of HACCP

programs for meat, poultry, and seafood, have strengthened the overall science base of the food safety system.

The Council believes that the necessary elements of a science-based program—surveillance, outbreak response, risk assessment, research, inspection, and education of stakeholders—are largely in place, and that improvements planned for the next 5-10 years will enhance food safety. Specifically, the Council will consider in its strategic plan the following elements of a science-based food safety system:

- *Surveillance.* Food safety agencies will continue to develop more effective ways to achieve surveillance goals and to monitor the safety of the food supply. Although FoodNet (foodborne outbreak monitoring system), PulseNet (foodborne pathogen DNA fingerprinting system), and the National Antibiotic Resistance Monitoring System (NARMS) provide information never before available in the United States on foodborne illnesses and the occurrence of antibiotic resistant pathogens, enhanced quantitative data on the entire range of infectious and non-infectious foodborne hazards will require additional efforts.
- *Risk assessment.* Risk assessment is a valuable tool for setting priorities, allocation of resources, and regulatory decision-making. The development of a comparative risk assessment for hazards in the food supply will be an important aspect of both strategic planning and budgeting. As currently done for chemical hazards such as pesticide residues, the federal government needs to create and use a national microbial risk assessment capability as a means of identifying hazards and quantifying risk and assist in creating similar capacities internationally. EPA will use risk assessment to determine acceptable levels of pesticides residues. Under FQPA, this approach has been strengthened to further protect all consumers, and especially children, from the risks of pesticides in their diet.
- *Research.* Through the Joint Institute for Food Safety Research, a research infrastructure has been established to improve and coordinate food safety research activities across the federal government. The Institute will continue a critical review of the federally supported food safety research that was begun through the

National Science and Technology Council. Future goals in the area of research include: coordination of research planning, budget development, and prioritization; scientific support of food safety guidance, policy, and regulation; enhanced communication and links among federal agencies; and enhanced communication and links with industry and academic partners through use of public-private partnerships and technology transfer mechanisms.

- *Education.* Food safety agencies will expand science-based education and training programs for producers, processors, distributors, food service workers, and consumers as well as those involved in regulatory activities. It is essential to include in these programs new scientific information on foodborne hazards and their control and effective food safety management strategies.
- *Inspection/Preventive Controls.* USDA and FDA will further improve and evaluate the effectiveness of inspections of domestically and internationally produced food and will continue to develop and implement science-based preventive controls such as HACCP systems and the Good Agricultural Practices. Where necessary, regulatory requirements will be established, such as additional performance standards for pathogen reduction that can be developed as more monitoring and surveillance data become available.
- *Consistency of Science-Based Standards.* USDA, FDA, and EPA will work toward clear food safety standards nationally and internationally. The Conference for Food Production brings together all 50 states for purposes of regulating retail establishments, and the Food Code is gaining wider adoption among the states. Internationally, the Codex Alimentarius Commission (CAC) is the primary mechanism through which these activities will take place. U.S. food safety agencies should also become more active in providing technical assistance to developing countries.
- *Private Sector Incentives.* The federal and state regulatory agencies will work with the private sector to develop new technologies to further food safety and to encourage commercial scale-up applicable in large and small companies, and industry adoption. A research effort with industry, consumer, academic, and government participation could develop new technologies and evaluate them.

- *Evaluation.* Evaluating the effectiveness of science based regulatory programs continues to be critical. For example, *Salmonella* data from the first year of HACCP implementation in poultry facilities show a trend toward fewer contaminated products. Also, by providing important information on trends in the incidence of infections with foodborne pathogens, FoodNet assists in the evaluation of the effect of preventive controls. The effect of preventive controls implemented by the dairy industry on the reduction in the number of cases of listeriosis was readily apparent in a CDC-conducted case-control study that was a forerunner of FoodNet.

Scientific Challenges

The Council faces a number of challenges in improving the scientific basis of the food safety system. A general challenge is that while food safety agencies must be guided primarily by science, the agencies must also consider other factors such as technical limitations, statutory mandates, policy considerations, budget constraints, practicality, and consumer assurances and societal preferences. Science must be advanced within the context of these competing interests. The following are a few examples of actions that would strengthen the scientific underpinnings of federal food safety efforts:

- Emerging new pathogens, changing food habits, a global food supply, and a changing population require new data that are difficult to predict and obtain in a timely way. An example is the impact of *E. coli* O157:H7, which was unknown as a foodborne pathogen 20 years ago, but has been responsible for major outbreaks of foodborne illness in recent years.
- Gaps exist in our knowledge of microbial pathogens and in our ability to measure their impact on human health. For example, there are gaps in knowledge about the pathogens associated with fresh fruits and vegetables and the routes of contamination.

- Assessment of cumulative risk from multiple sources presents a major scientific challenge. Implementation of the new FQPA standards for pesticide residues requires EPA to assess aggregate risk from food, water, and residential exposure as well as cumulative risk from multiple pesticides.
- Gaps exist in our knowledge of monitoring and detection of food contaminants. For example, our current knowledge is insufficient to detect and monitor the presence of non-indigenous pathogens or unapproved pesticides on food.
- Gaps exist in our knowledge of effective interventions, prevention, and alternatives that minimize contamination of food. For example, the existing level of knowledge is insufficient to develop on-farm preventive controls and systems of testing. With the advent of FQPA, more research is also needed to develop safer pesticide alternatives or crop production techniques in order to ease the transition from older pest control techniques to newer, safer ones.
- Insufficient data exist on the entire range of infectious and non-infectious foodborne hazards. Even with the improvements made through FoodNet and PulseNet, enhancement of quantitative data on the entire range of infectious and non-infectious foodborne hazards will strengthen monitoring and surveillance programs for prevention, early identification, and prediction of emerging food safety problems.

**Examples of Recent Changes that Strengthen the
Federal Food Safety System Scientific Base**

- USDA 1994 reorganization (separated public health from marketing functions)
- HACCP implementation (12/97 seafood and 1/98 meat and poultry)
- FQPA enactment and implementation
- FoodNet/PulseNet established
- FDA Fresh Produce Guidelines released
- Joint Institute for Food Safety Research created
- Research funding increased
- Food Safety Research Database initiated
- Annual Food Safety Research Conference held
- Interagency Risk Assessment Consortium established
- Risk Assessment Clearinghouse established

Recommendation IIa

Congress should change federal statutes so that inspection, enforcement, and research efforts can be based on scientifically supportable assessments of risks to public health.

The report identifies a need for a “national food law that is clear, rational, and comprehensive, as well as scientifically based on risk” as a major component of a model food safety system. The report concludes it is necessary to revise the current statutes on food safety to create a comprehensive national food law under which:

- Inspection, enforcement, and research efforts can be based on a scientifically supportable assessment of risks to public health. This means eliminating the continuous inspection system for meat and poultry and replacing it with a science-based approach that is capable of detecting hazards of concern.
- There is a single set of flexible science-based regulations for all foods that allows resources to be assigned based on risk, that permits coordination of federal and state resources, and that makes it possible to address all risks from farm to table.
- All imported foods come only from countries with food safety standards equivalent to U.S. standards.

The NAS report states that the lawsXparticularly what the report characterizes as the requirement that there be continuous inspection of meat and poultry production through sight, smell, and touch (Aorganoleptic≅) inspectionXcreate inefficiencies, do not allow resource use to reflect the risks involved, and inhibit the use of scientific decision-making in activities related to food safety, including the monitoring of imported food.

Council Assessment

The report's recommendation that federal statutes provide agencies with authority to make decisions based on scientific assessments of risks to the public health is sound. Decisions based on public health risk assessments allow agencies to make effective use of science to set food safety priorities, allocate resources to higher risk areas, and instill consumer confidence that high-risk hazards are being addressed.

Since the federal food safety regulatory agencies operate under very different legislative authorities, the Council will conduct a full assessment of these statutes and evaluate the degree of regulatory flexibility that already exists. Therefore, the Council recommends that a legislative review be undertaken as part of the strategic planning process. The purpose of the review would be to: 1) examine the similarities and differences in federal food safety statutes; 2) identify the "best" statutory approaches for reducing foodborne illness; and 3) assess both gaps and statutory barriers to implementation of the plan. The need for statutory changes could then be determined, and, if necessary, legislative principles developed which would form the basis for discussions with stakeholders and Congress. For example, given the recent overhaul of pesticide legislation, the Council believes that further statutory changes may not be needed for pesticides at this time.

In some cases, the NAS report overstates the problem with existing statutory requirements. For example, the report concludes that the statutes require the current method of organoleptic inspection of all carcasses. Even though the current law requires continuous inspection, it does not specify how this inspection mandate is to be carried out. The statutes do require appropriate examination of animals prior to slaughter and examination post-slaughter at all official slaughter and processing facilities. This continuous inspection requirement for animals is important to ensure use of the best sanitary dressing processes, prevention of fecal contamination (which harbors the pathogens that cause disease), reduction in the incidence of disease-causing pathogens, and prevention of meat from diseased animals from entering the

food supply. Inspection of all animals and carcasses also serves to protect the public from diseases and other hazards to human health. Europe's experience with Bovine Spongiform Encephalopathy (BSE) should serve as a reminder that wholesale elimination of inspection of all animals and carcasses is not the most prudent course of action.

USDA has the flexibility to create, and in fact has begun to develop and test, a more risk based inspection system by adopting regulations requiring that HACCP be implemented in all slaughter and processing plants. USDA is also studying how best to effect further inspection improvements in the future.

The food safety agencies have achieved and can continue to accomplish significant science-based improvements in their food safety programs under current authorities. However, new authorities that would improve the federal food safety system have been proposed by the President and are waiting action by Congress or have been identified and are in need of Executive branch clearance before a formal legislative proposal can be advanced for congressional consideration. Further analysis of the statutes may result in additional proposed statutory modifications.

Current Legislative Challenges

Congress should pass:

- the Food Safety Enforcement Enhancement Act, forwarded by the Clinton Administration and introduced during the last Congress that increases the enforcement capabilities of USDA; and
- legislation that gives FDA increased authority to effectively assure the safety of food imports.

The Administration should also explore areas where regulatory jurisdiction is split between agencies or where resources could be more effectively shared between agencies. Examples include:

- developing a legislative proposal to improve the current system for the regulation of eggs and egg products;
- modifying statutes to permit FSIS inspectors not only to report their findings to FDA but actually to perform inspections and enforcement for that agency to increase interagency efficiencies; and
- developing a legislative proposal giving FSIS explicit authority to enter into cooperative agreements for food safety risk assessment.

**Recent Advances in Applying Scientific Assessments
Of Public Health Risks to Food Safety**

- HACCP implemented
- FQPA tolerance reassessment based on aggregate exposure, cumulative risk, and vulnerable subpopulations.
- Single, risk-based pesticide standard for food established
- Tolerance setting focusing on the riskiest pesticides
- Priority registration given to “safer” pesticides
- Risk Assessment Consortium established
- FoodNet/PulseNet established
- Good Agricultural Practices guidance for fresh produce established
- Unpasteurized juice warning labels required

Recommendation IIb

Congress and the Administration should require development of a comprehensive national food safety plan. Funds appropriated for food safety programs (including research and education programs) should be allocated in accordance with science-based assessments of risk and potential benefit.

This recommendation contains two parts. The first part recommends that Congress and the Administration require preparation of a comprehensive, national food safety plan. The NAS report lists several essential features of such a plan, including a unified food safety mission; integrated federal, state and local activities; adequate support for research and surveillance; and increased efforts to ensure the safety of imported foods. The second part of the recommendation stresses that resources should be allocated on the basis of science-based assessments of risk and potential benefits.

Council Assessment

The Council agrees that a comprehensive national food safety strategic plan should be developed and the development of such a plan is underway. In fact, the President's Food Safety Initiative was an initial step toward a national food safety plan. The 1997 *Farm to Table* report was a means of leveraging federal food safety resources through coordinated planning and cooperative work to meet common needs such as development of surveillance data, response to outbreaks, research into preventive interventions, development of risk assessment techniques particularly for microbial risk assessments, and consumer education. This initial plan also took some steps toward extending food safety planning to the state and local level.

Strategic Planning

Picking up where *Farm to Table* report left off, the Council will continue and expand the strategic planning process. One of the Council's primary purposes is to develop a comprehensive strategic plan for federal food safety activities that contains specific recommendations on needed changes, including goals with measurable outcomes. The plan's principal goal is to enhance the safety of the nation's food supply and protect public health through a seamless science- and risk-based food safety system. The plan will set priorities, improve coordination and efficiency, identify gaps in the

current system and mechanisms to fill those gaps, continue to enhance and strengthen prevention strategies, and develop performance measures to show progress.

Preparation of the food safety strategic plan will be a public process, and will consider both short- and long-term issues including new and emerging threats and the special needs of vulnerable populations such as children and the elderly. Once the plan is sufficiently complete, the Council will advise agencies of priorities for investing in food safety and ensure that federal agencies annually submit coordinated food safety budgets to OMB to sustain and strengthen existing capacities. In short, the President's Council on Food Safety will develop a national food safety plan and make budget recommendations to accomplish what the NAS report recommends.

The Council has defined the scope of future federal level food safety strategic planning and a process for interagency planning and public participation. An interagency task force anticipates having a draft plan ready for public review and discussion in January 2000. Even while developing this plan, the task force intends to continue its consultations with stakeholders. The following is the draft vision statement for the Council's strategic plan:

“Consumers can be confident that food is safe, healthy, and affordable. We work within a seamless food safety system that uses farm-to-table preventive strategies and integrated research, surveillance, inspection, and enforcement. We are vigilant to new and emergent threats and consider the needs of vulnerable subpopulations. We use science- and risk-based approaches along with public/private partnerships. Food is safe because everyone understands and accepts their responsibilities.”

The President's Council on Food Safety held four public meetings in the Fall of 1998 in Arlington, VA; Sacramento, CA; Chicago, IL; and Dallas, TX to solicit comments on this draft vision for food safety and to identify a strategic planning process, goals and critical steps as well as potential barriers to achieving that vision.

The Council's strategic planning task force is analyzing the transcripts of the 1998 public meetings and the input received through the notice and comment process to determine the major themes, issues, and subject areas. The task force will also consider the conclusions and recommendations of the NAS report, input from the federal, state, and local government National Integrated Food Safety System project, and input from the agencies involved. The task force will then develop a proposed set of strategic goals and objectives and present a draft plan to the President's Council on Food Safety. Following Council review, the draft plan will be provided to the public for formal review and comment. After public comment, the task force will prepare a final plan with specific recommendations on needed changes and steps to achieve a seamless food safety system including resource needs, roles, and barriers to implementation, and submit this final plan to the Council for approval.

The planning process will build upon common ground and provide the forum to tackle some of the difficult public health, resource, and management questions facing the federal food safety agencies and our state, tribal and local government partners. The plan will identify areas for enhanced coordination and efficiencies, determine whether legislative changes would be beneficial, and clarify federal, state, and local government roles and responsibilities in the national food safety system (see discussion under recommendation IIIb).

Allocation of Resources

The NAS report recommendation goes a step further than a national plan by urging that resources be allocated according to science-based assessments of risk and potential benefits. As stipulated in Executive Order 13100, the Council will develop annual budget recommendations consistent with the strategic plan. The Council will develop guidance for food safety agencies to consider during the preparation of their individual budgets. The Council has created a budget task force that will:

- work with the strategic planning task force and review the draft and final strategic plans and Council budget guidance on priority areas for investment to identify budget data and other information that will be necessary to plan and coordinate agency budget submissions to OMB;
- design a uniform format for presenting food safety initiative budget components in the OMB budget process for use in both individual agencies and the unified budget submissions;
- develop necessary guidance to facilitate submission of a unified food safety initiative budget and any other food safety issues deemed appropriate by the Council;
- establish a timetable for developing coordinated food safety budget requests and for submitting information to the Council that accommodates the various agencies' budget planning processes; and
- consider the issue of whether to amend OMB Circular No. A-11 (OMB guidance to agencies on budget structure and reporting elements) to include food safety as a budget cross-cut.

Comparative Risk Assessment

An important part to both risk-based planning and resource allocation will be the development of a comprehensive comparative risk assessment of the food supply. The Council has requested the Interagency Food Safety Risk Assessment Consortium, which consists of EPA, FDA, CDC, and USDA, to consider how to develop a comparative risk analysis for food safety strategic planning.

The Council believes that various steps may need to be taken to evaluate risks including: a ranking of foodborne pathogen risks based on CDC surveillance and economic data; consideration of a broader range of food safety hazards including not only microbial risks, but also pesticides and chemicals; and finally selection of highly ranked hazards, an evaluation of control measures, and an evaluation of net benefits. The Council must avoid applying risk assessment that is too strict, rigorous, or

inflexible. Instead, the assessment must be used to prioritize the known greatest risks at the current time, with the understanding that scientific risk estimates can, and will likely, change frequently over time.

Challenges in Planning

The Council faces the following challenges in developing a comprehensive food safety strategic plan and allocating resources based on risk:

- Developing and successfully implementing a national plan will require strong cooperation, coordination, and communication, since each federal, state, and local agency has unique mandates, authorities, history, culture, and operating procedures.
- The diversity of stakeholders in food safety is enormous. It will be difficult, but imperative, that all stakeholders are represented in the Council's planning process.

Progress in Strategic Planning

- President's 1997 Farm to Table Food Safety Initiative
- President's Fresh Produce and Imported Food Safety Initiative
- Establishment of the Joint Institute for Food Safety Research
- Establishment of the President's Council
- Input from the National Academy of Sciences, Council of Agricultural Science and Technology, and other organizations
- National Integrated Food Safety System project meetings
- Input from multiple public meetings

Recommendation IIIa

To implement a science-based system, Congress should establish by statute a unified and central framework for managing federal food safety programs, one that is headed by a single official and which has the responsibility and control of resources for all federal food safety activities, including outbreak management, standard-setting, inspection, monitoring, surveillance, risk assessment, enforcement, research, and education.

The NAS report finds that the current regulatory structure for food safety in the United States is not well equipped to meet current challenges. Specifically, it points out that the system is facing tremendous pressures with regard to:

- emerging pathogens and ability to detect them;
- maintaining adequate inspection and monitoring of the increasing volume of imported foods, especially fruits and vegetables;
- maintaining adequate inspection of commercial food services and the increasing number of larger food processing plants; and
- the growing number of people at high risk for foodborne illnesses.

The report cites the strengths of the current food safety system, including the advent of FoodNet and PulseNet, HACCP implementation, and the Partnership for Food Safety Education. It also identifies deficiencies, which it attributes partly to “the fragmented nature of the system.” The report attributes the fragmentation largely to a lack of adequate integration among the various federal agencies involved in the implementation of the primary statutes that regulate food safety, and observes that this lack of adequate integration occurs also with state and local activities. The report notes that 12 primary federal agencies are involved in key food safety functions and references more than 50 memoranda of agreement between various agencies related to food safety.

The NAS report attributes the lack of adequate integration among federal, state and local food safety authorities in part to the absence of “focused leadership” that has the responsibility, the authority and the resources to address key food safety

problems. The report presents several examples of possible organizational structures to create a single federal voice for food safety. These include:

- a Food Safety Council with representatives from the agencies with a central chair appointed by the President, reporting to Congress and having control of resources;
- designating one current agency as the lead agency and having the head of that agency be the responsible individual;
- a single agency reporting to one current cabinet-level secretary; and
- an independent single agency at cabinet level.

Although the report indicates many of the NAS committee's members believe that a single, unified agency headed by a single administrator is the most viable structure for implementing the "single voice" concept, the report recognizes that there may be many other models that would be workable.

Council Assessment

The Council agrees with the goal of the NAS recommendation--that there should be a fully integrated food safety system in the U.S. The food safety agencies are committed to this goal, and the Council is confident that its comprehensive strategic plan will be a major step toward creating a seamless system. The Council will conduct, through a public process, a thorough assessment of structural and organizational options before recommending major legislative or administrative actions on reorganization. The Council will identify and analyze existing models in government for achieving mutual and truly national food safety goals. Some of these models might address structure, and some might address facilitating mechanisms.

The Council's strategic plan will bring agreement on the vision, goals, and actions needed to enhance the safety of the nation's food supply and protect public health by reducing the annual incidence of acute and chronic foodborne illness. It will also

clarify the roles and responsibilities of each food safety agency as well as those of our state, tribal, and local government partners.

While the Council recognizes that certain models of reorganization may improve coordination and allow for a better allocation of resources, any reorganization of food safety activities must recognize the non-food-safety-related responsibilities of each agency and how these relate to the food safety responsibilities. Reorganization must not be done at the expense of these responsibilities and activities. The Council is concerned that, if not done carefully, separating food safety from non-food safety activities in each agency could act to weaken consumer protection overall.

The Council recognizes that expertise and knowledge, particularly expertise in state-of-the-art science and technology, provides a resource to food safety activities. For example, analytical methods for detection and quantification on economic adulterants in foods may be adapted to detection of chemical contaminants that threaten public health. Expertise in non-food safety regulatory science and legal procedures are critical when warnings are required on food labels to assure safety. In addition, reorganizations must avoid interfering with the public health framework established to identify and respond to infectious and non-infectious public health threats whether they are foodborne or not. Thus, in its strategic planning the Council will be cognizant of the interplay between the food safety and non-food safety activities of each agency and how they strengthen each other.

The Council believes that there are programs that can benefit from immediate reorganization. For example, during the last two years, FDA and NOAA have been developing a proposal to transfer the NOAA Seafood Inspection Program to FDA as a Performance Based Organization (PBO) in order to operate the voluntary Seafood Inspection Program on a more business-like basis. The PBO would be formed under the umbrella of FDA and would include all seafood inspection activities now carried out by NOAA. The fiscal year 2000 budget proposes to transfer the existing Seafood Inspection Program from NOAA to FDA. This action will fully consolidate federal

seafood inspection activities within one agency thereby increasing the efficiency and effectiveness of seafood oversight. It will also enhance the overall safety and wholesomeness of seafood products. Funds are provided to cover the costs of transition, including training and education activities.

Factors to Consider in Organizational Restructuring

The Council assessment of structural and organizational options must take into consideration the following factors:

- Many food safety issues can only be dealt with through collaboration and partnerships between agencies. For example, BSE is an animal health issue and a human health issue. Foodborne disease problems are also waterborne disease problems. *Salmonella enteritidis* in shell eggs is not only a food safety issue but also an animal health and a marketing issue.
- Research and education programs for food safety do not operate as separate activities within the agencies, but rather draw significant strength from one another. For example, any attempt at placing “pure” food safety research and education in one agency could actually jeopardize the ability to deliver improved food safety to consumers. While some projects are entirely focused on food safety, the food safety research portfolio includes many other projects in such areas as animal health and animal genetics. Similarly, scientific expertise and endeavors should always inform regulatory activities. Each regulatory agency must have a cadre of trained and involved scientists to facilitate communications and cooperation with the research/education agencies. Thus, any restructuring must ensure continued coordination and communication between food safety programs and non-food safety functions that strengthen these programs.
- The Council should build upon existing successful partnerships. For example, CSREES FSIS, FDA, CDC and other private and governmental organizations now participate in the Partnership for Food Safety Education. This group serves

to coordinate food safety educational programs among private and governmental agencies, and is a key element of the Food Safety Initiative. Yet this and other partnerships would not be possible without relying on the many effective working relationships developed among the participants over the years, including joint projects on residue control and nutrition labeling. Any reorganization needs to recognize the importance of existing partnerships.

- Food safety standards at the federal, state, local, and international levels need to be consistent. Mechanisms such as the Codex Alimentarius for international standards and the Conference for Food Protection for federal and state standards are in place to reduce inconsistency, but better integration at all levels is needed and viewed as a long-range project.

**Recent Steps Taken to Create a Unified
Federal Food Safety System**

- 1997 President's Food Safety Initiative implemented
- JIFSAN/Interagency Risk Assessment Consortium created
- President's Fresh Produce plan implemented
- FORC-G established
- President's Council on Food Safety established
- Restructuring of seafood inspection proposed
- Partnership for Food Safety Education created

Recommendation IIIb

Congress should provide the agency responsible for food safety at the federal level with the tools necessary to integrate and unify the efforts of authorities at the state and local levels to enhance food safety.

The NAS report recommends that federal, state, and local governments function as an integrated enterprise, along with their partners in the private sector. The report identified five statutory tools required to integrate federal, state, and local food safety activities into an effective national system:

- authority to mandate adherence to minimal federal standards for products or processes;
- continued authority to deputize state and local officials to serve as enforcers of federal law;
- funding to support, in whole or in part, activities of state and local officials that are judged necessary or appropriate to enhance the safety of food;
- authority given to the Federal official responsible for food safety to direct action by other agencies with assessment and monitoring capabilities; and
- authority to convene working groups, create partnerships, and direct other forms and means of collaboration to achieve integrated protection of the food supply.

This recommendation acknowledges the “equally critical roles” of state and local government entities with those of the federal government in ensuring food safety, and suggests changes in federal authorizing and appropriating legislation may be necessary to achieve better integration of federal, state, and local activities.

Council Assessment

The Council agrees that the roles of state, tribal, and local governments in the food safety system are critical and supports steps taken toward the development of a more fully integrated national food safety system. While more needs to be done to optimize and develop new partnerships, the federal food safety agencies have already established extensive interactions with state and local regulatory agencies. In fact, a critical factor for the Council to consider is the manner in which existing federal/state or local activities are integrated and coordinated. The Council believes that its strategic planning process provides a fresh opportunity for their non-federal partners to participate as primary and equal partners in the development of the future food safety system.

Some overlap occurs between federal and state and local food safety efforts. Neither federal food safety agencies nor state and local agencies have sufficient resources to

carry out a comprehensive food safety program, but all these agencies have expertise and resources that, when combined in an integrated program, would significantly enhance the impact of food safety programs.

The Council also agrees that the five statutory tools identified by the NAS are critical to ensuring good coordination between the federal government and state and local agencies. Fortunately, the federal food safety regulatory agencies (FDA, FSIS, and EPA) already have many of the statutory tools recommended by NAS.

The Council recognizes and agrees with the report's conclusion that the lack of integration among federal, state, and local authorities often complicate the administration of regulatory programs. We need to utilize available mechanisms to leverage resources and expertise from government, industry, academia, and consumers to expand the nation's food safety capabilities beyond what any one group can accomplish. Increased awareness and knowledge of food safety in each segment of the food safety community reduces the need for extensive regulation of industry and decreases the incidence of contamination at every point in the food safety system in order to protect public health.

National Integrated Food Safety System (NIFSS) Project

HHS, USDA, and EPA are working with state and local officials in a National Integrated Food Safety System (NIFSS) project to identify the appropriate roles and to develop mutually supporting common goals for all levels of government in the U.S. food safety system. This work is considered integral to the Council's strategic plan and coordinated budget recommendations and will be the basis for improved integration with state, tribal and local governments.

Under the leadership of the FDA, the current project is proceeding under existing federal, state, and local laws although all levels of government recognize that changes in some of the federal and state laws will be necessary to achieve an integrated

system. The project began with a meeting of state and local officials from public health and agriculture agencies and state laboratories representing all 50 states, Puerto Rico, and the District of Columbia, CDC and USDA in Kansas City in September 1998. In December 1998, six work groups and an 18 member Coordinating Committee composed of federal, state and local officials met in Baltimore, Maryland to begin to develop plans for implementing recommendations and overcoming the obstacles identified at the Kansas City meeting. The next meeting is planned for late winter or early spring, 1999. The group estimates that a fully integrated federal/state/local food safety system will take approximately 10 years to build. The Association of Food and Drug Officials, which is an organization of state and local public health officials and regulators, endorses the concept of a NIFSS.

Challenges to Developing a National Integrated Food Safety System

Even though there is some uniformity between federal and state standards (e.g., standards associated with the intrastate shipment of meat or poultry), the Council recognizes the following challenges to building an integrated food safety system:

- Integrated federal, state, and local food safety systems will help build a more consistent, uniform level of safety assurance across the nation. To accomplish this, however, clear, national standards are needed, together with uniform food safety messages and enhanced training, capability, and technical assistance to meet all levels of regulatory, industry, academic, and consumer need.
- Consumers are concerned that the economic interests of industry within states may be a source of conflict if those states have an expanded food safety role that includes activities thought to be primarily a federal responsibility (e.g., firm inspections).
- Industry is concerned that food safety regulation will be inconsistent among the states if systems are integrated without adequate preparation of the state agencies to step into the expanded food safety role.

- In order for integration to work, it is crucial that state and local governments have access to high quality scientists and health care professionals. The strategic plan will explore incentives for education and training of epidemiologists, laboratory workers, public health nurses, and environmental sanitarians.

Examples of Federal/State/Local Cooperation

- Milk Sanitation Program - Pasteurized Milk Ordinance
- Retail Food Safety Program - Food Code
- National, Integrated Food Safety System Project
- Interstate Shellfish Sanitation Program
- States conduct 5,000 inspections of FDA-regulated plants
- FDA maintains more than 100 state partnerships
- Conference for Food Protection
- FoodNet/Emerging Infections Program
- PulseNet
- Epidemiology and Laboratory Cooperative Agreements
- Appropriate delegation of pesticide responsibility to states
- Partial funding of states for implementation of some pesticide programs and for most compliance programs
- State FIFRA Issues Research and Evaluation Group
- State and local government involvement in FORC-G
- State conducts inspections in 250 FSIS regulated plants
- FSIS oversees and supports 26 state "equal to" meat and poultry inspection programs
- FSIS supports animal production food safety outreach projects involving 11 states
- FSIS supports animal production food safety workshops
- HACCP based enhancement of state labs, computer capabilities, and state training
- Partnership for Food Safety Education "Fight BAC!" campaign

DRAFT FOR DISCUSSION PURPOSES ONLY

I. Move food inspection and standard-setting/regulation for microbial, viral, and parasitic pathogens to FSIS (USDA), including seafood, eggs, milk, fruits and vegetables as well as FDA/State boards on milk, seafood, and the food code.

II. CFSAN at FDA has responsibility over food additives, dietary supplements, biotechnology, chemical/pesticide/drug residues/standards, and food labeling under NLEA (?), including meat and poultry products. They are also given a budget increase. Consideration is given to promoting preemption, as USDA has for meats, and processor groups would prefer.

III. Inspection Resources--move small number of field personnel i.e. imports, otherwise all inspection personnel remain for drugs, medical devices. Provide FSIS with base increase of XX million to ensure successful transition.

IV. USDA becomes U.S. Department of Food and Agriculture (Under Secretary for Public Health and Food Safety).

V. Underlying Statutes (FFDCA, FMIA etc) remain intact. (Direct development of proposal to unify any conflicts in underlying statutes?).

VI. Consider other measures to ensure independence from promotion, e.g. statutory advisory board, statutory reaffirmations.

VII. Public Health and Ag. Committees share full jurisdiction over food safety.

Reactions of Interested Parties to Food Safety Reorganization

USDA- USDA would support the move. Glickman has told his staff he would support then re-naming his agency the Department of Food and Agriculture.

HHS- Would strongly oppose. O'hara called me to protest when clumsily USDA suggested it in a meeting. On the other hand, FDA recognizes their hand is weak. The Hill is unlikely to give FDA the money they need to inspect adequately. FDA's attempt to delegate to the states is running into opposition from the advocates, who FDA knows they have alienated.

Consumer groups-- The two leaders, Carol Tucker Foreman and Caroline Smith Dewall are strong advocates of a single food agency, and have each told me they support moving inspection to USDA. Caroline says she has now told this to FDA.

Congress: USDA is generally favored on the Hill, FDA is not, and USDA believes it could build support. Currently, however, among most ag. types there is a go slow attitude. For instance, while Harkin's staff confided that while they support a single food agency, they are satisfied there is enough on the plate right now and don't particularly want to go into the issue. Among food safety advocates, Durbin has been a leader in supporting a single food safety agency.

Producer/Processor Groups: Producer groups prefer USDA. I had a wide-ranging conversation with the head of the fruits and veggies processors group in which he said they were not positive about any governmental moves -- they are pretty conservative-- but USDA believes they could be brought around given the association's distaste for FDA and the chance they might get preemption.

Internal WH: OMB, OSTP and WH are all supportive. NEC has been supportive but we haven't talked to Sally about this recently. VP's office was originally charged with sounding out the agencies on a single food agency-- and backed off given HHS's negative reaction.

PRESIDENT CLINTON: EDUCATION INVESTMENTS THAT WORK

February 22, 1999

Today, in an address to the National Governors Association, President Clinton will reiterate his call for a new era of accountability in American education, and will ask Congress to pass his agenda to give states the tools they need to provide all children with a world-class education.

Building on What Works to Strengthen Accountability. In his State of the Union address, President Clinton announced a package of accountability measures designed to hold students, teachers, and schools to the high standards that will be the keys to success in the twenty-first century. In his remarks to the nation's governors at the White House, President Clinton will discuss his plan to support state and local school reform efforts through bold new steps to insure that federal support for education is directed only toward programs and policies that work to improve student achievement. The President will shortly send to Congress his Education Accountability Act, which will require states and school districts that receive federal funds to end social promotion, to insure that all teachers are qualified; to turn around their lowest-performing schools; to provide parents with annual report cards on school performance and to institute effective school discipline policies.

National Leadership in Support of State Reform. President Clinton will also applaud the efforts that North Carolina, Michigan, Delaware, Pennsylvania, California and other states are making, under the leadership of committed governors, to implement these common-sense principles. The President will call on all states to take similar steps to ensure that all of America's children reap the rewards of strengthened accountability. While states and school districts have made important progress in instituting rigorous academic standards, a great deal of work remains to be done to help schools, teachers and students meet those standards. Only 26 states now require students to pass high school graduation exams, and far fewer have policies in place to require students to show that they have mastered the skills necessary to be promoted from grade to grade. Just 19 states have policies to intervene in low-performing schools and turn them around. And there are some 50,000 people teaching in America's schools on emergency teaching licenses – which means that they have not met the standards set by states for beginning teachers.

Investments To Support World-Class Education. The President's effort to support high academic standards for all children includes an unprecedented commitment of national resources to help states and local districts improve education. President Clinton's balanced budget calls for strengthened investments in education to hire 100,000 teachers to reduce class size in the early grades, modernize up to 6,000 schools, triple funding for after-school activities, improve the quality of teaching, increase literacy, enhance the use of

technology in the schools, recruit outstanding teachers in underserved high-poverty rural areas and inner cities, and provide new pathways to college for disadvantaged students.

Q&A for NGA Address:

Q. If states are already implementing accountability measures, why is the Administration proposing to make them federal policy ?

A. States and school districts have made great progress in raising academic standards, but they are not all taking the steps necessary to ensure that schools, teachers, and students meet these high standards. For example, only 26 states require students to pass high school graduation exams, and far fewer have policies preventing unprepared students from being promoted. Only nineteen states have policies in place to intervene in low performing schools, and take responsibility for turning them around. And every year, approximately 50,000 individuals teach on “emergency” certificates, which means that they do not meet the standards states themselves have set for beginning teachers.

We need to do better than this. We need to take the education reforms that some states and cities have shown produce results --ending social promotion, turning around failing schools, phasing out the use of unqualified teachers --and to spread those reforms throughout the nation. The President’s proposal is designed to ensure that all our children benefit from these proven and effective accountability measures.

Q. Will states that decline to adopt these policies lose their share of federal education funds?

A. We fully expect that states will adopt these accountability mechanisms, just as they have complied with current law’s requirements to adopt academic standards and measure student performance. Governors of both parties, state and local school superintendents, and other educators know that these reforms work, and many are implementing them already. So we do not expect to face compliance problems. But if we do, we will take steps to ensure compliance and, in the very last resort, we will withhold some or all federal money. We cannot continue to invest in failing educational systems. That would be cheating American taxpayers --and cheating our children.

Q. Doesn’t this amount to a federal takeover of education?

A. No. The President believes, as he did when he was a governor, that states and localities have primary responsibility for education and must have the flexibility to decide what to teach and how to teach it. But the President also believes that we should hold schools accountable for results. For our children’s sake, we should invest in what works and not in what doesn’t. We should put into place the accountability measures that study after study shows produce results and increase student achievement. A growing number of states, cities, and schools are implementing these reforms. They are, almost without exception, the places making the biggest student achievement gains. The President

wants to ensure that all our children reap the rewards of these accountability measures.

Q. Won't that the requirement to end social promotion will lead to an increase in retention rates, especially for minority youngsters?

A. The President believes that when a "no social promotion" policy is done right, it helps all students --particularly minority and disadvantaged students. We have to insist on high standards and we have to give students the assistance they need to meet these standards --including reduced class size, more training for teachers, and extended learning time. The President's FY 2000 budget will help significantly, in particular by tripling funding --from \$200 to \$600 million --for after-school and summer-school programs that provide extra help to students who need it.

Q: What kind of accountability provisions is the President demanding be included in an Ed-Flex proposal?

A: The President believes that we should know whether a waiver is improving student performance and make sure we turnaround or drop waivers that are failing to do so. He is open to a variety of specific proposals, but Ed-Flex ought to contain a mechanism that links waivers to student performance.

Q: Will the administration support amendments to Ed-Flex that raise unrelated issues, such as school construction or class size reduction?

A: We will support amendments of this kind if members of Congress choose to raise them. Ed-Flex is important, but modernizing our schools and reducing class size is even more so. If we are having an education debate prior to reauthorizing the ESEA, we ought to include these important issues.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Tanya E. Martin (CN=Tanya E. Martin/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:20-FEB-1999 17:45:15.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Draft paper for NGA on your email. Karin Kullman can fax you a hard copy if you prefer. Tanya

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:21-FEB-1999 15:22:50.00

SUBJECT: NGA Rountable - Ed-Flex

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

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

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

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

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

TEXT:

Jonathan Jones (Carper) told me last night that Gov O'Bannon at tomorrow's roundtable, intends to ask the President for a letter on Ed-Flex. I told him that was bush-league and urged him in strong terms not to have O'Bannon make that request to the President. I'm trying to reach O'Bannon's staff with the same message.

Mickey, on sequence, only Glendening (delete Schafer) will speak on Livability. Then Engler on Federalism. Let's hope we run out of time.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-FEB-1999 17:02:25.00

SUBJECT: Helms bill would nullify anti discrimination executive order

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 02/21/99
05:01 PM -----

rwockner @ netcom.com

02/21/99 03:20:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides

cc:

Subject: NC9521: New Jesse Helms attack

Congressional Record, January 19, 1999

<http://thomas.loc.gov>

AMERICA AT A MORAL CROSSROADS

FREEDOM OF SPEECH ACT

Mr. HELMS. Mr. President, I am also pleased to introduce the Freedom of Speech Act, which makes sure that federal employees are not forced to check their moral beliefs at the door when they arrive at the federal workplace.

This bill attempts to make sure that President Clinton is not allowed to do by Executive Order what Congress has declined to enact in the past two Congressional sessions [] namely, to treat homosexuals as a special class protected under various titles of the Civil Rights Act of 1964. Last year, President Clinton signed such an Executive Order, and in so doing, infringed upon the Constitutional rights of Federal employees who wish to express their moral and spiritual objections to the homosexual lifestyle.

President Clinton has instructed Federal agencies and departments to implement a policy that treats homosexuals as a special class protected under various titles of the Civil Rights Act of 1964. This necessarily prevents federal employees who have strong religious or moral objections to homosexuality from expressing those beliefs without running afoul of what amounts to a workplace speech code. Apparently, when the President's desire to write his belief system into federal workplace regulations conflicted with the First Amendment right to free speech, the Constitution lost.

Congress should jealously protect its Constitutional prerogative to make laws, and prevent the executive branch from creating special protections for homosexuals, particularly in a way that doesn't take into account the Constitutional right of freedom of speech enjoyed by all Federal employees. That is the purpose of the legislation I offer today.

Under this bill, no Federal funds could be used to enforce President

Clinton's Executive Order #13807. Further, no Federal department or agency would be able to implement or enforce any policy creating a special class of individuals in Federal employment discrimination law. This bill will also prevent the Federal government from trampling the First Amendment rights of Federal employees to express their moral and spiritual values in the workplace.

Mr. President, for many years the homosexual community has engaged in a well-organized, concerted campaign to force Americans to accept, and even legitimize, an immoral lifestyle. This bill is designed to prevent President Clinton from advancing the homosexual agenda at the expense of both the proper legislative role and the free speech rights of Federal workers. ***** S. 45

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, SECTION 1. SHORT TITLE.

This Act may be cited as the 'Freedom of Speech Act'.

SEC. 2. PROHIBITION.

(a) In General: No agency, officer, or employee of the executive branch of the Federal Government shall issue, implement, or enforce any policy establishing an additional class of individuals that is protected against discrimination in Federal employment, other than a class of individuals specifically identified in a provision of Federal statutory law that prohibits employment discrimination against the class, including

- (1) title VII of the Civil Rights Act of 1964 (42 U.S.C. 2000e et seq.);
- (2) the Age Discrimination in Employment Act of 1967 (29 U.S.C. 621 et seq.); and
- (3) title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.) or title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.).

(b) Prohibition on Use of Federal Funds: No agency, officer, or employee of the executive branch of the Federal Government shall use Federal funds to issue, implement, or enforce a policy described in subsection

(a), including implementing and enforcing Executive Order 13087, including any amendment made by such order.

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

TEXT:

RFC-822-headers:

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Received: from storm.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131) with ESMTP id <01J80DNGBUI800006E@PMDF.EOP.GOV>; Sun, 21 Feb 1999 15:24:15 -0500 (EST)

Received: from netcom6.netcom.com ([192.100.81.114]) by EOP.GOV (PMDF V5.2-29 #34437) with ESMTP id <01J80DLOFU880013NO@EOP.GOV>; Sun, 21 Feb 1999 15:22:46 -0500 (EST)

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===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-FEB-1999 18:17:48.00

SUBJECT: Governors' Political Briefing Memo

TO: Skye S. Philbrick (CN=Skye S. Philbrick/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: Simeona F. Pasquil (CN=Simeona F. Pasquil/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: Bridget T. Leininger (CN=Bridget T. Leininger/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: Matthew S. Vamvakis (CN=Matthew S. Vamvakis/OU=WHO/O=EOP @ EOP [WHO])
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TO: Raynell K. Morris (CN=Raynell K. Morris/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

TO: William H. White Jr. (CN=William H. White Jr./OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Dawn L. Smalls (CN=Dawn L. Smalls/OU=WHO/O=EOP @ EOP [WHO])
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TO: Elena Kagan (CN=Elena Kagan/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Joshua Gotbaum (CN=Joshua Gotbaum/OU=OMB/O=EOP @ EOP [OMB])
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TO: Rebecca L. Walldorff (CN=Rebecca L. Walldorff/OU=WHO/O=EOP @ EOP [WHO])
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TO: Cathy R. Mays (CN=Cathy R. Mays/OU=OPD/O=EOP @ EOP [OPD])
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TO: Jocelyn A. Bucaro (CN=Jocelyn A. Bucaro/OU=WHO/O=EOP @ EOP [WHO])
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TO: Marsha Scott (CN=Marsha Scott/OU=WHO/O=EOP @ EOP [WHO])
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TO: Craig Hughes (CN=Craig Hughes/OU=WHO/O=EOP @ EOP [WHO])

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

TO: Cynthia M. Jasso-Rotunno (CN=Cynthia M. Jasso-Rotunno/OU=WHO/O=EOP @ EOP [WHO])
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TO: Patrice L. Stanley (CN=Patrice L. Stanley/OU=WHO/O=EOP @ EOP [WHO])
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TO: Todd A. Bledsoe (CN=Todd A. Bledsoe/OU=WHO/O=EOP @ EOP [WHO])
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TO: Fred DuVal (CN=Fred DuVal/OU=WHO/O=EOP @ EOP [WHO])
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TO: Kevin S. Moran (CN=Kevin S. Moran/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

TEXT:
FYI: Attached is OPA's "Governors Political Briefing: Races 1999-2000."

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

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D43]MAIL40388355W.036 to ASCII,
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March 5, 2010

MEMORANDUM FOR THE PRESIDENT

FROM: MINYON MOORE AND ANDREW MAYOCK

SUBJECT: Governors Political Briefing: Races 1999-2000

This memo overviews the 1999-2000 gubernatorial races and reviews the current political situations in affected states. Several "hot" issues developing in Alabama, Iowa and New Jersey are also examined in more detail at the end of the memo.

1998 Elections: The 1998 elections left the overall gubernatorial situation largely unaffected. The Republicans lost one governorship, but retained control of the top job in 31 states; and Democrats continued to hold 17 governorships, plus four territories. Jesse Ventura became the first Reform Party governor, and Angus King remains the only Independent governor. Despite what this straight numbers analysis might indicate, the 1998 elections tell a much more dynamic political story. Democrats suffered setbacks by losing open seats in the West -- Colorado, Nevada and Oklahoma -- in addition to the critical Florida governorship. But they also made key gains -- in the South with victories by Hodges in South Carolina, Siegelman in Alabama and Barnes in Georgia, and in the West and Midwest with Davis (CA) and Vilsack (IA), respectively.

1999-2000 Elections: In the next two-year election cycle 14 governorships will come up for election -- three seats in 1999 (Kentucky, Louisiana and Mississippi), and 11 seats in 2000 (Delaware, Missouri, Montana, North Carolina, Indiana, North Dakota, New Hampshire, Vermont, Utah, Washington and West Virginia). It is early in the cycle, but no major realignment is expected to take place. Incumbents are expected to run in all but five states: Mississippi, Delaware, Missouri, Montana and North Carolina. In the best case scenario, Democrats could pick up two seats overall and solidify our southern resurgence, if we held all seven incumbents seats, held on to the three open Democratic seats in Missouri, North Carolina and Delaware and won the two Republican open seats in Mississippi and Montana. Of the five open races in the 1999 - 2000 cycle, three will be closely followed -- Mississippi, North Carolina and Missouri -- and will be viewed as bellweathers of the political mood of the country and the strength of the parties.

1999 GOVERNORS' RACES

In 1999, incumbents are expected to easily win in Kentucky and Louisiana. Mississippi is an open seat and provides Democrats with a serious opportunity for a pick up.

Mississippi: Governor Kirk Fordice (R) is limited by state law from seeking a third term. Before Fordice, Mississippi had not elected a Republican governor since 1874, and during both of his races Fordice faced tough opposition. March 2 is the filing deadline, and to date, Lt. Gov. Ronnie Musgrove (D) is the only big-name contender to officially declare his intention to run. Rep. Mike

Parker (R) is expected to seek the Republican nomination. This past Friday, we met with Musgrove who is upbeat and strongly conveyed to us that he will run a moderate campaign.

Kentucky: In 1995, Governor Paul Patton (D) was elected with 51% of the vote. Governor Patton and Lt. Governor Steve Henry (D) filed their reelection papers on January 25. Patton will not face any primary opposition in May and is expected to face a nominal challenge in the general election in November.

Louisiana: Since his election in 1995, Governor Mike Foster (R) has consistently posted approval ratings over 70 . A Southern Media & Opinion poll conducted January 21-25 showed Foster with a 79% job approval rating. The Governor raised nearly \$2 million for his reelection campaign this year, although he says that he has not yet decided whether he will run. To date, Rep. William Jefferson (D) is the only Democrat who has announced his candidacy for the race.

2000 GOVERNORS' RACES

In 2000, four of the 11 governorships up for election are held by Republicans and seven are held by Democrats. Of the four Republican seats, only one is expected to be open, while three of the seven Democratic seats will be open. The four incumbent Democrats who are expected to run again are O'Bannon (IN), Dean (VT), Shaheen (NH) and Locke (WA). Their seats appear to be "safe." The three "safe" Republican incumbents are Schafer (ND), Leavitt (UT) and Underwood (WV). The three open seats held by Democrats (Delaware, Missouri and North Carolina) may prove challenging to hold. The open Montana seat provides Democrats with the best opportunity for picking up a currently Republican held state.

Open Seats

Delaware: Governor Thomas Carper (D) cannot run in 2000, because of state-imposed term limits. In 1996, he defeated state Treasurer Janet Rzewnicki (R), 70% - 31%. Lt. Governor Ruth Minner (D), is the only candidate to announce her intention to run for governor and already has raised over \$325,000 for her campaign. Other potential candidates include: Delaware Speaker of the House Terry Spence (R); businessman and ex-Dupont executive Dennis Rochford (R); Chamber of Commerce President John Burriss (R); and Attorney General M. Jane Brady (R).

Note: Governor Carper is seriously considering a bid for U.S. Senate. Incumbent Senator William Roth (R) has not announced his intentions for 2000, although most analysts expect him to run for another term. At the request of the DSCC, Vice President Gore will call Governor Carper this week to urge him to run. Former governor and current Representative Tom Castle (R) will run for the Republican nomination if Roth does not, and he has not ruled out a primary challenge to Roth, although it is unlikely.

Missouri: Outgoing Governor Mel Carnahan (D) is term limited and is running for the Senate against incumbent Senator John Ashcroft (R). Rep. Jim Talent (R) kicked off his campaign for governor last week and plans to focus his campaign on lowering taxes, fixing public education

and improving highways. Talent will face state Treasurer Bob Holden (D) in the general election next year.

Montana: Montana offers Democrats one of their best opportunities to pick up a governorship. Governor Marc Racicot (R), who is quite popular, is term limited. In 1992, he beat Dorothy Bradley (D) 51% - 49%. Racicot won in 1996, defeating Judy Jacobson (D) 79% - 19%. The prospective Democratic candidates are all fairly strong candidates with good name recognition. On the Republican side, no viable candidate has emerged from a field that is largely unknown and at the far right of the party. To date, Secretary of State Mike Cooney (D) is the only announced candidate for the governor in 2000. Other Democrats expected to join the primary race are Attorney General Joe Mazurek (D) and State Auditor Mark O'Keefe (D). The primary is slated for June 2000.

North Carolina: Governor Jim Hunt (D) is term-limited. In 1996, he defeated Robin Hayes (R) 56% - 43%. North Carolina is shaping up like recent races in Alabama and South Carolina, where the lottery-education issue is at the center of the campaign. Lt. Governor Dennis Wicker (D) and Attorney General Mike Easley (D), the leading potential Democratic candidates, support the lottery. All three likely GOP hopefuls for governor are lottery opponents.

Democratic Incumbents

Indiana: In 1996, Governor Frank O'Bannon (D) came from behind to defeat Indianapolis Mayor Steve Goldsmith (R) 52 - 47 . He served as Lt. Governor for eight years under then Governor Evan Bayh (D). He consistently posts approval ratings in the 70 s, and is in strong shape for his reelection campaign next year.

New Hampshire: Gubernatorial elections in New Hampshire are held every two years. Governor Jeanne Shaheen is expected to run and win again in 2000. In 1998, she won a second term as governor 65% - 35% over Jay Lucas. In 1996, she won a first term by defeating Ovide Lamontagne (R) 57% - 40%.

Vermont: Gubernatorial elections in Vermont are also held every two years. Governor Howard Dean (D), who first assumed office in '91, won his bid for reelection last November by defeating Ruth Dwyer (R) 56% to 41%. Dean served as DGA chair in 1997-98.

Washington: Governor Gary Locke (D-WA) faces reelection in 2000. He was first elected in 1996 by defeating his Republican opponent Ellen Craswell (R), 58% - 42%. Locke made history in 1996 by becoming the nation's first elected Chinese-American governor. Locke has been a very popular governor. To date, he faces no primary opponent. On the Republican side, 1998 senate nominee and former Rep. Linda Smith is likely to run.

Republican Incumbents

North Dakota: While Gov. Edward Schafer (R) has not announced whether he will run in 2000, it is likely that he will. In 1992, Schafer won the governship by defeating Nicholas Spaeth (D) 58% - 41%. In 1996, Schafer beat Lee Kaldor (D) 66% - 34% to retain his seat.

Utah: Governor Leavitt (R) is expected to run and win easily in 2000. Recently, he has emerged as a strong voice of reform in the aftermath of the Olympic scandal. In 1996, Leavitt beat Jim Bradley (D) 75% - 23% for a second term.

West Virginia: Governor Cecil Underwood (R) was first elected governor in 1956, making him the nation's youngest governor at age 34. When he was reelected in 1996, he became the nation's oldest governor at age 74. Former state tax secretary James Paige III (D) filed pre-candidacy papers announcing his decision to run for Governor. Paige joins Rep. Bob Wise (D) and Charleston Attorney Jim Lees (D) as the likely candidates in the race to unseat Governor Underwood.

HOT ISSUES

We wanted to brief you on a few "hot" issues facing governors who do not face races in 1999-2000, but which we felt should be noted for you.

Alabama: Governor Don Siegelman (D) defeated Fob James last November 58% - 42% to win his first term as governor. **The biggest question in Alabama right now is whether Siegelman will get the education lottery on which he campaigned. The lottery will require a constitutional amendment, and Siegelman will have a tough time getting a lottery special election bill passed by the legislature when they convene next month. Religious and conservative groups are still very much against the plan. On his first day in office, Siegelman signed an executive order instructing school administrators to begin the process of removing portable classrooms.**

Iowa: In a dramatic come-from-behind race, state Senator Vilsack (D) defeated former Rep. Jim Ross Lightfoot (R) 53% - 46% to become Iowa's first Democratic governor in 30 years. He follows Governor Terry Branstad (R), who had served as governor since 1983.

A Des Moines Register poll conducted January 22 - 25 showed Governor Tom Vilsack's (D) job approval rating is 57%, his disapproval rating is only 5%, while 38% were unsure.

The two hottest issues in the Iowa state legislature are education initiatives and methamphetamine use. The Governor and the Legislature have agreed on a three-part school finance package that includes a 4% increase in per-pupil spending for the 2001 budget year, a guarantee that school districts with enrollment losses would be allowed to spend the same amount next year on regular programs as this year, and accelerated state aid totaling \$4 million for districts with growing enrollments. Governor Vilsack is now trying to get a five-year plan approved which would further increase education spending, limit K-3 class sizes to 17 students, and demand accountability from local school districts. The legislature likely will pass a weakened version of the plan.

Governor Vilsack has put forth a plan which addresses education, treatment and law enforcement. The most controversial part of his plan calls for mandatory life sentences for those caught selling meth to children. Republicans are debating the issue. This stance has

made Vilsack appear to be the hawk and Republicans the doves when it comes to getting tough with drug pushers.

Vilsack and his Lt. Governor, Sally Pederson, have a very strong partnership, much like your relationship with the Vice President. Vilsack and Pederson are developing a reinventing government initiative, modeled after the Vice President's NPR program.

New Jersey: Wednesday's surprise announcement by Senator Frank Lautenberg (D) have Governor Christie Todd Whitman (R) seriously weighing a bid for the Senate. Whitman's moderate policies as governor nearly guarantee her a primary challenge from the conservative wing of the party, and a primary could drive a large wedge in the New Jersey GOP. In 1994, Lautenberg beat Chuck Hayataian (R) 50% - 47% in a very bitter race. In 1988, Lautenberg won the Senate seat 54% - 46% over Peter Dawkins (R).

Attachments: Map of Partisan Control of Governorships in 1999
Map of 1999 Governor Elections by Partisan Status
Map of 2000 Governor Elections by Partisan Status
Map of 2000 U.S. Senate Elections by Partisan Status

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 00:49:50.00

SUBJECT: draft excerpt for release from long-term care remarks

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

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

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

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

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

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

TEXT:

Draft 02/17/98 5:45pm
Jeff Shesol

PRESIDENT WILLIAM J. CLINTON
EXCERPTED REMARKS
ON LONG-TERM CARE TAX CREDIT
DOVER, NEW HAMPSHIRE
February 18, 1999

I want to talk this morning about meeting the greatest challenge of the new century: the aging of America. As the Baby Boom becomes the Senior Boom, long-term care will become a growing need. So it is more important than ever that we help families provide that essential kind of care for their loved ones. In my balanced budget, I have proposed and paid for a long-term care tax credit of \$1,000 to help families do exactly that. . .

Providing long-term care at home is, more and more often, a common choice, but it is rarely an easy one. . . We have taken steps to ease the burdens on these families in a number of ways: by strengthening Medicare, by extending the trust fund, by promoting prevention and cracking down on fraud and abuse. But the aging of America in the 21st Century will demand more of us. The long-term care tax cut I proposed last month would help to meet the needs of individual families, empowering them to do what is best, showing them how very much we value the work they do. . . Caregiving is a vital and sacred compact among generations -- and one we should recognize and reward as a nation.

A long-term care tax cut is exactly the kind of tax cut we should be making. As you know, we are engaged in a great national debate right now about how to use the budget surplus. Now, we can all agree that America should have tax cuts. But there are two very different ways we can go about it. First, there is the old way -- failed and full of risk -- that some Republicans are trying to resurrect. They are saying: splurge today, save tomorrow. That's not the approach that Vice President Gore and I have proposed. Our approach says invest today, save for tomorrow. Our kind of tax cut is one that doesn't destroy our fiscal discipline, but preserves it. Our kind of tax cut is not indiscriminate, but is, instead, targeted to meet people's real needs for the future. Above all, our kind of tax cut allows us to meet our responsibility to future generations -- and to invest the lion's share of the surplus in saving Social Security and Medicare first.

Even some Republican moderates are coming to see the wisdom in this approach, in targeted tax cuts. I look forward to working with them to make the right choices for future generations -- to make sure we don't squander our historic opportunity to save Social Security and Medicare, and pay down the debt. As I said in my State of the Union Address one month ago, we can make good on that opportunity -- while providing tax relief like USA Accounts, and while making targeted tax cuts in areas from urban investment to clean energy technology, and from child care to long-term care. That is the way we should use our surplus: We should invest it. Invest it in America's future.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 09:17:54.00

SUBJECT: Guidance today - a long list

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

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

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

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

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

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

TEXT:

Gun Tracing
Police Brutality
Ed Flex
Ed Accountability
Tobacco recoupment
INS Story (WTimes)
Drunk Driving (NYC Law - Nanda e-mailed about it already)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 09:22:01.00

SUBJECT: AmeriCorps News Flash

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

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

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

TEXT:

----- Forwarded by Nicole R. Rabner/WHO/EOP on 02/22/99
08:21 AM -----

JGOMPERT @ cns.gov
02/21/99 11:45:00 PM

Record Type: Record

To: Nicole R. Rabner
cc:
Subject: AmeriCorps News Flash

TO: White House Friends

FROM: John Gomperts

RE: Big News in the AmeriCorps World

As many of you know, Harris has worked extremely hard to develop strong bi-partisan support for AmeriCorps. This prospecting for support is time-consuming, and the results come slowly. Sometimes they come so slowly that one wonders if they are coming at all.

Well today we got a big break, one that Harris has been working on for a long time. In a story in today's Columbus Dispatch, Rep. John Kasich said that he has changed his mind about AmeriCorps, and that he would no longer vote to eliminate the program.

Some time ago, Kasich visited the Harlem Peacemakers program and was exceptionally impressed by the program. He was surprised to learn that many of the people working with the program were AmeriCorps members, and soon thereafter told Harris that this experience was causing him to rethink his view of AmeriCorps. Kasich then had a long session with Harris in which he learned more about AmeriCorps, and clearly seemed to be reconsidering his position. Today's story shows that he has completed his decision-making process.

The full story from the Dispatch is reproduced below. Please read it and enjoy this news. Thanks. JG

Kasich reverses on AmeriCorps

February 21, 1999

By Jonathan Riskind

Dispatch Washington Bureau

MUSCATINE, Iowa -- When Rep. John R. Kasich visited an AmeriCorps office Friday during a campaign stop for his presidential bid, he revealed that he has changed his mind about the federal program.

The Westerville Republican and House Budget Committee chairman said he has been transformed in recent months from a foe to a fan.

Kasich in the past joined many other Republicans trying unsuccessfully to eliminate the Clinton administration program. AmeriCorps provides a stipend and educational scholarships to those who spend a year in public service jobs.

Critics have said AmeriCorps isn't a true volunteer effort because participants are paid. Some questioned whether the benefits are worth the cost.

But AmeriCorps has stopped calling its participants volunteers, and Kasich said he has witnessed AmeriCorps making valuable public-service contributions.

"I have seen them do some amazing things in Harlem . . . I know that AmeriCorps workers were involved in a number of the homeless programs," he said. "I would like to spend some time trying to refocus pieces of it and trying to make it more of a public/private situation, but I don't think I would cast a vote anymore that would eliminate it."

Kasich said the program can be made more effective, "but they've done some really great work, and I'm impressed with them."

Tina Dunphy, a slightly surprised AmeriCorps project director who greeted Kasich when he entered her storefront office in this eastern Iowa town, said 20 "members" work here on such projects as tutoring and mentoring elementary-school students.

Clinton has requested \$585 million for AmeriCorps in his 2000 budget proposal, a \$113 million increase over current funding. The increase would add 20,000 participants to the program, for a total of 70,000. Clinton has proposed funding 100,000 members in 2002.

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

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

TEXT:

RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
id <01J80UOY1QTC00025X@PMDF.EOP.GOV> for Rabner_N@a1.eop.gov; Sun,
21 Feb 1999 23:31:56 EST

Received: from storm.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
with ESMTTP id <01J80UOICFQO0002GJ@PMDF.EOP.GOV> for Rabner_N@a1.eop.gov; Sun,

21 Feb 1999 23:31:35 -0500 (EST)

Received: from mailrelay.cns.gov ([204.124.231.2])
by EOP.GOV (PMDF V5.2-29 #34437) with SMTP id <01J80UNOP6Q40014MF@EOP.GOV> for

Rabner_N@a1.eop.gov; Sun, 21 Feb 1999 23:30:46 -0500 (EST)

Received: from smtpgate2.cns.gov (smtpgate2.cns.gov [204.124.231.17])
by mailrelay.cns.gov (8.6.9/8.6.9) with SMTP id WAA24080; Sun,
21 Feb 1999 22:56:32 -0500

Received: by smtpgate2.cns.gov with Microsoft Mail id
<36D0DDB3@smtpgate2.cns.gov>; Sun, 21 Feb 1999 23:31:47 -0500 (EST)

===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 09:29:24.00

SUBJECT: Chief State School Officers

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

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

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

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

TEXT:

Bruce forwarded me a letter from the Council of Chief State School Officers requesting a meeting with the President sometime during their legislative conference in DC March 14-16. Would you like me to go ahead and submit a scheduling proposal for this meeting?

Would we just want to do a meeting with the group, or would we want to build some kind of message event around it?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 09:43:50.00

SUBJECT: one more thing

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

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

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

TEXT:

ther eis an editorial in the washington times by bill mccollum and orrin hatch on budget cuts for law enforcement - can we get guidance on this?
thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 11:16:49.00

SUBJECT: Title One Report

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Lorrie McHugh (CN=Lorrie McHugh/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

On today's amplification call, the Education Dept noted that it's releasing a mixed report on Title I next Monday (Julie Green says some good, some bad). Just an fyi, in case you did not know, I guess we will need guidance for Monday.

**Gun Tracing
Question and Answer
February 22, 1999**

Q: Over the weekend, the Treasury Department released a report on its gun tracing efforts. What were the major findings of the report?

A: Yesterday, the Treasury Department released its second major report on President Clinton's Youth Crime Gun Interdiction Initiative (YCGII) in place in 27 cities across the nation. Among the report's major findings were:

- Over 25 percent of guns recovered by law enforcement in the 27 cities are moving rapidly from retail sale to point of recovery by law enforcement. This short "time to crime" suggests that these guns were likely to have been illegally trafficked.
- Over half (51 percent) of the guns used in crimes by juveniles and youths ages 18-24 were acquired by intermediaries such as straw purchasers acting on behalf of the real buyer.
- Over 11 percent of guns used in crime were possessed by juveniles (age 17 and under), and over 32 percent were possessed by youths ages 18-24.
- Semi-automatic pistols were predominant among crime guns in each of the 27 cities, and constitute over half (52 percent) of all trace requests.
- Over one-third of traffickers involved in illegal trafficking investigations had prior felony convictions.

The 27 cities included in the YCGII report are: Atlanta, Baltimore, Birmingham, Boston, Bridgeport (CT), Chicago, Cincinnati, Cleveland, Detroit, Gary, Houston, Inglewood (CA), Jersey City, Los Angeles, Memphis, Miami, Milwaukee, Minneapolis, New York, Philadelphia, Richmond (VA), Salinas (CA), San Antonio, St. Louis, Seattle, Tucson, and Washington, DC.

In addition, a performance report released by the Treasury Department on YCGII last week, showed that of ATF's 648 illegal trafficking investigations involving youth and juveniles -- 51 percent involved straw purchasers or straw purchaser trafficking rings.

The President's FY 2000 budget includes an additional \$11.2 million for YCGII for more tracing and new ATF agents to bolster trafficking investigations-- bringing the total funding for this initiative to \$45.2 million.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 12:42:58.00

SUBJECT: Re: Chief State School Officers

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

READ:UNKNOWN

TEXT:

That's a decent platform for our agenda. We could pitch it as a chance to do our social promotion guidebook. (I don't think the bill itself will be ready by 3/15.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 12:46:19.00

SUBJECT: Re: Title One Report

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

READ:UNKNOWN

TEXT:

No, first I've heard of it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 12:58:40.00

SUBJECT: Guidance

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

READ:UNKNOWN

TEXT:

Thanks for your offer to help get timely guidance for Joe's briefing. Sadly, it did not go well today. We did not get guidance from DPC until 12:00 pm (asked for by 11:15 am). Joe has a foreign policy call every day from 12:00 pm until 12:30 pm, so this left him with less than a half hour to absorb all the domestic guidance (and there was a lot today). He was not too pleased. Would appreciate whatever you can do to help this along -- it's a particularly important period for us now. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 13:15:38.00

SUBJECT: Re: Draft council reponse to NAS report

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

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

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

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

TEXT:

I agree on both counts. The summary is ok, the text of the report only lists reasons not to. I've argued for simply removing the reasons not to. Cliff Gabriel is agreeable but we will need to present a united front to the agencies.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 13:30:11.00

SUBJECT: McDade Amendment

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

EK/BR: .

Dennis and some of the DOJ folks are coming over to meet w/Leg. Affairs on what's happening with the McDade Amendment (applying state ethics requirements to federal prosecutors). As you know, DOJ remains pretty exercised about this, and it is sure to play into the crime bill/appropriations deliberations. I plan on going, but thought, EK, you may be interested. Also, what was the final resolution on this w/Podesta during last year's budget negotiations...I forget what, if any, commitments were made to the AG, members, etc.

We can catch up on this tomorrow.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy Weiss (CN=Amy Weiss/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 13:46:04.00

SUBJECT: SPecial Ed Guidance

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

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

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

TEXT:

Joe needs guidance on what our position on unfunded mandates re: special ed...

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 14:18:38.00

SUBJECT: Please answer the following questions for me:

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

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

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

TEXT:

1. How did we come up with the \$18.9 figure for 2001-2004 -- does it represent 57% of something?
2. Joe was asked specifically today about Governor Gray Davis's comments that California is not getting reimbursed at all for Medicaid costs because they took Medicaid out of their suit. What's the answer to that? (I might want to post an answer to this one in the back of the press room.)
3. We are only trying to direct states how to spend the \$18.9 plus future years of our share, not their share as well, correct?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: MaryEllen C. McGuire (CN=MaryEllen C. McGuire/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 14:34:58.00

SUBJECT: AmeriCorps Visibility Call

TO: JGompert (JGompert @ cns.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Anne E. McGuire (CN=Anne E. McGuire/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: Andrew J. Mayock (CN=Andrew J. Mayock/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: Tanya E. Martin (CN=Tanya E. Martin/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Stacie Spector (CN=Stacie Spector/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

CC: TWest (TWest @ cns.gov @ inet [UNKNOWN])

READ:UNKNOWN

CC: Ruby Shamir (CN=Ruby Shamir/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Just a reminder, our AmeriCorps Visibility Conference Call is at 4pm today, 757-2100 code 4129.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 14:52:26.00

SUBJECT: Re: Guidance

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

READ:UNKNOWN

TEXT:

thanks.

Elena Kagan

02/22/99 01:28:01 PM

Record Type: Record

To: Jennifer M. Palmieri/WHO/EOP

cc:

Subject: Re: Guidance

sorry -- bruce and I were both at the NGA meeting and our staff is pretty
wll trained not to send stuff in until one of us has looked at it. It
won't happen again.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 15:00:42.00

SUBJECT: Re: AmeriCorps Visibility Call -- Discussion Items

TO: twest (twest @ cns.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: jgompert (jgompert @ cns.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

Topics for discussion:

1. Overview of Americorps Calendar -- Principal involvement -- Linking up with the Peace Corps
2. Nailing down dates for the five year anniversary
3. Promotion of the "Call to Service" (letter to Governors etc)
4. Presidential Service Awards
5. CYZYG

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy Weiss (CN=Amy Weiss/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 15:07:42.00

SUBJECT: Ed q;s I need a's for....

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

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

TEXT:

Q A lot of the governors were demanding that the federal government meet its share of special education funding before the President proposes, as he has already, a whole bunch of new education programs. I'm wondering what is his response going to be to that, how is he going to try to -- or is he going to try to assure --

MR. LOCKHART: Let me look at that, because I'm not aware of any special education issue between the states and the federal government. I think the President laid out his ideas for what the federal government should do as far as lowering class size, building new schools, and also as far as holding states accountable to certain standards and results. But on special ed, I'll just have to look into it.

Q Could you take that on special ed?

MR. LOCKHART: Sure.

Q Supposedly, Head Start, they were saying that they want those programs funded first before --

Q Was the President moved at all by what the governors said about cutting the strings that he wants attached to the additional education funding?

MR. LOCKHART: Well, I think the President believes and has believed, as a former governor, that the place where the majority of educational decisions are made are on the state and local level. And that will continue. I think what the President has said in his State of the Union and in the budget is that it's time to stop throwing good money after under-performing schools and schools that can't meet standards. It's time to make people reach a standard as far as what they expect to get from the federal government.

It's not about how they teach. It's not about how they make the decision of how they're going to run their school. It's about expecting some results.

Q Governor Leavitt said that the states -- or certainly his state welcomes additional federal funding for education, but in terms of being a limited partner and not a managing partner. They feel that the federal government is trying to impose its will on the state administration of

education.

MR. LOCKHART: I think they clearly haven't taken a close enough look at what the President is talking about. The President is talking about looking around the country, finding the best practices, trying to replicate best practices, looking at programs that work. But the bottom line is results. Schools, local communities, local jurisdictions will continue to have the ability to decide how they want to implement education, education reform. But the bottom line is the federal government for too long has put money into local school districts that are aren't performing and it's time to start focusing on results.

Q Is it just results? I mean, is it just some bottom line result? Isn't the President also suggesting to people the way they should proceed, what kinds of students they should work with, what kinds of programs should be set up for them?

MR. LOCKHART: I think the President has said -- and he's been saying for years -- that we need to look at a state like North Carolina, where things are working, and say, what can we draw from North Carolina, from programs that were started on the state and local level and how we can replicate that around the country. But there's no one in Washington that's trying to tell people actually how they have to run their school districts. We're saying that it's time to start demanding results.

Q Aren't there some things, though -- when you did the State of the Union and you put out a little briefing paper, there were three or four steps on various things, including students that haven't met promotion standards for promotion.

MR. LOCKHART: Sure.

Q Isn't federal government laying out some things that it will insist the states do, step by step, rather than just saying you should do a better job on this front?

MR. LOCKHART: No, they're expecting results. And one of the results is that we stop moving people along before they're ready to move along. And how states do that is, they can work off of the models that have worked in other communities around the country, they can come up with their own novel approach. But what the federal government is saying is, it's time to stop allowing people just to keep promoting those, even though they're not ready for the next level of education.

Q How do you decide, though, whether they are or are not doing what you want them to do in order to get the money?

MR. LOCKHART: Well, we're going to have to work with states and local governments, but I think there are clear standards that schools will have to meet in order to qualify for some of the federal funds that are available. You know, it's not just you have to meet these standards or you're not getting it, we have -- I think the President has tripled the after-school budget to work with the students who need the most help, to give students who need extra help the attention they need in order to get the skills they need to move on.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sean P. Maloney (CN=Sean P. Maloney/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 16:34:29.00

SUBJECT: The President's Trip to AZ & CA

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

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

TO: 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: 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: 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: 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: 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: 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: 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: 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: 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: 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 Thursday, February 25, the President will travel to Tucson, Arizona, to attend a Social Security/Medicare event. He will then proceed to California to attend a DSCC/DCCC dinner in San Francisco. On Friday, February 26, the President will deliver a foreign policy speech, tape the radio address, and travel to Los Angeles to attend a reception and dinner.

Deadlines for the President's trip book are as follows:

AZ & CA Background Memos:

DUE WED, FEB. 24, AT NOON

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

AZ & CA Event Memos:

DUE WED, FEB. 24, AT 6:00 P.M.

- Social Security/Medicare Event
- DSCC/DCCC Dinner
- Foreign Policy Speech
- Radio Address
- Saxophone Club/WLF Receptions
- Dinner

Please call or email me if you have any questions. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mickey Ibarra (CN=Mickey Ibarra/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 17:38:01.00

SUBJECT: NGA Special Ed Message

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Mickey Ibarra/WHO/EOP on 02/22/99
05:36 PM -----

William H. White Jr.

02/22/99 05:32:03 PM

Record Type: Record

To: Mickey Ibarra/WHO/EOP, Fred DuVal/WHO/EOP, Tanya E. Martin/OPD/EOP

cc:

Subject: NGA Special Ed Message

Obviously, the GOP Governors are trying to push their message that there should be "no new initiatives (class size, school construction) unless current federal commitments (IDEA at 40 %) are fully funded." Jonathan Jones (Carper) has inserted into NGA policy a helpful and important twist; "No new initiatives OR TAX CUTS unless federal commitments are fully funded."

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy Weiss (CN=Amy Weiss/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 18:06:46.00

SUBJECT: White House Watch: The Day After

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

READ:UNKNOWN

TEXT:

White House Watch: The Day After

By Dana Milbank

A few hours after the Senate acquitted President Clinton last Friday, Paul Begala celebrated by taking his young sons to the rodeo. The weary presidential counselor had come for some relaxation; instead, he found allegory. The rodeo announcer declared that a fellow named J.W. Hart would be riding that night--for the first time since a nasty spill last year earned him 80 stitches and 30 staples in his head.

Good ol' J.W., the announcer said, had to pull out some of the staples that night just to put on his ten-gallon hat. "For me, it was a fitting metaphor," Begala says. "You get sutured up and climb back on. My heart went out to him: there he was, back on that bull."

The White House staff, too, was back on its prescandal bull this week. After a three-day weekend and a presidential jaunt to Mexico, the senior staff meeting Tuesday was almost boring in its efficiency. Counsel Charles Ruff, after months in the spotlight, delivered a one-word report: "Nothing." Press Secretary Joe Lockhart stepped up the push for a first-in-ages Clinton press conference amid signs the president might actually do it. The White House drug office, of all things, delivered the longest report of the morning, and representatives of the bureaucracy's alphabet soup--OMB, CEQ, DPC, NEC, NSC--basked in their sudden return to relevance.

"All these people who had been on page twentyone for the last year are now on page one," says one top Clinton aide. The White House plans a profusion of Social Security and USA Account events, plus new attention for Kosovo, Iraq, and even Ghana. One long-neglected national security adviser remarked excitedly to his colleagues: "Sixty-four foreign policy stories today in The New York Times! It's like the old days!"

As for the scandalmen, it's more like nap time. "I was thinking of having a 'will spin for food' sign made up," says Jim Kennedy, the scandal spokesman. "It's amazing: my pager didn't go off once on Sunday." Kennedy, who, like most staffers, took President's Day off, will

spend the next few days
cleaning off his desk.

Things are much the same for the White House press corps, which, after a year of wishing away the scandal, seems to have more of a sense of dread than relief. There was an eerie calm in Washington the Day the Scandal Died. Nobody was staking out the Mayflower. Not a camera was posted outside Monica's lawyers' offices. At the White House's Northwest Gate, where Monica threw her now-infamous jealous fit upon learning from the Secret Service that her man was in the Oval Office with another gal, all was quiet. Inside the briefing room, bored photographers were watching a TV talk show titled "My Daughter Dresses Too Revealing." Out on the lawn, television correspondents were applying makeup, getting ready to tell the world what it already knew: Clinton was off the hook. The only disturbance was a stiff breeze, which disrupted the correspondents' equipment--and hairdos. A few minutes before the vote, a windswept Sam Donaldson stormed into the briefing room, shouting "Jesus Christ!" A woman laughed. "Hold that toupee," she said after he passed.

There were occasional bursts of jubilation as the afternoon progressed, first with the Senate acquittal and then with the Clinton acceptance speech. "He's free! Free Willy!" a gentlelady of the press exclaimed. But despite the professions of relief, reporters quietly confided to each other a different sentiment--boredom. "Who are we going to throw out now?" one asked. "It doesn't feel very historical, does it?" mused another. "Now what are we going to write about?" a reporter for a big daily asked. "That," somebody responded, "is what I'm afraid of." Me, too. How are we going to fill our pages without the scandal? Are we now to turn to the much-neglected stories of the past year? Will we finally learn the details of the education policies Monica Lewinsky shared with the president? Will we explore the legal precedents in Ken Starr's defense of Meineke Discount Muffler? The boredom has already set in. Even before the vote, the press was trying to make the roll call into a parlor game, predicting the irrelevant matter of whether there would be 50 votes for either charge. By the Monday following the vote, deflated networks were already returning to JonBenet Ramsey. NBC's Jamie Gangel, who snagged the first Linda Tripp interview, was reduced Tuesday to doing a way-too-long segment on the revival of roller derby.

At the moment, the press is entertaining itself by trying to catch Clinton and his aides in flagrante delicto, gloating. Lockhart felt compelled to declare the White House a "gloat-free zone," and the no-gloat policy was so strictly enforced that the press-office staff showed not so much as a grin when

Clinton was acquitted. Lockhart's office curtains were drawn Friday to hide whatever gloating happened inside. Photographers with telephoto lenses found an open window on the second floor of the White House, but the gloaters quickly discovered the espionage and drew the shades. After the acquittal vote, a White House janitor walked out with an empty case of Maker's Mark whiskey--tantalizing evidence that somebody must be gloating somewhere inside the mansion.

Moments later, I was almost knocked over by a stampede of photographers chasing Ruff's wheelchair as he made his way through the gate to the Bombay Club for lunch. A reporter later asked Lockhart whether such a conspicuous departure for lunch was smoking-gun evidence of gloating. "If you think walking out through one gate over another is some sort of signal to someone, you're overthinking," Lockhart said. Looking for gloating in all the wrong places and finding none, journalists had to content themselves with fantasies about behind-the-scenes gloating. "They're probably in there trying to stick rags down his throat," one correspondent said of Clinton after the acquittal. When Lockhart's briefing was delayed, another journalist suspected surreptitious gloating. "Joe can't keep himself from smiling," he said. "They have to wait until he stops. It's a gloat-free zone."

Actually, the only gloating I could detect at the White House was gloating about not gloating. Relieved, they said. Content, yes. Liberated, certainly. But gloating? "No," said Lanny Davis, who proceeded to parse the definition of gloating. "I don't mind saying I feel vindicated," the spinner said. "I intend to constantly remind every Republican member of the House who voted for perjury to call Fred Thompson and Richard Shelby," two GOP senators who voted against the perjury article. But, Lanny, isn't that gloating? "That part of it isn't gloating," Davis said. "It's vindication. It's legitimate."

Clintonites have good reason not to gloat. For one, there's no predicting what Starr might try next.

"How many days you think will pass after the impeachment trial before Starr files a sixty-three-count indictment against the president?" one Clinton aide asked. "He's on a mission from God." A number of White House aides, burned out by the scandal, are heading for the door now that it's over. Greg Craig and Lanny Breuer will leave the counsel's office; two other members of the scandal team, Adam Goldberg and Don Goldberg, have already left. Elena Kagan, number two at the Domestic Policy Council, is off to Harvard; even Begala is said to be leaving.

Too many White House aides have been saddled with huge legal bills, have been personally devastated, or are just worn out by scandal management. "I feel as if I've been hit by a truck," says

Larry Stein, Clinton's top lobbyist. One senior Clinton aide says he's tired of the "doe-eyed" looks of reporters who profess distaste for scandal and delight now that it's over. "I'm sure it's hard to cover a fire," he says, "but don't dare tell me covering a fire is harder than having the [expletive] house burning down around you."

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Marjorie Tarmey (CN=Marjorie Tarmey/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:22-FEB-1999 18:54:36.00

SUBJECT: Racial Profiling

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

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

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

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

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

TEXT:

Maria has scheduled a mtg for Monday, March 1 at 12:30 re Racial Profiling. The following people will attend: Bill Lann Lee, Eric Holder and Chris Edley.

**PRESIDENT CLINTON AND FIRST LADY HILLARY RODHAM CLINTON
LAUNCH THE INSURE KIDS NOW CAMPAIGN PROMOTING
CHILDREN'S HEALTH INSURANCE OUTREACH
DRAFT: February 23, 1999**

Today, the President and the First Lady, along with Governors Carper and Leavitt and Secretary Shalala, launched the nationwide "Insure Kids Now" campaign designed to enroll every eligible but uninsured child in Medicaid and the new Children's Health Insurance Program (CHIP). Building on his efforts to ensure that it is easy and accessible for families to enroll their children, the President has engaged a broad-based, bipartisan, public-private coalition to use whatever means possible to educate and assist families in insuring their children. This includes launching a nationwide, toll-free number set up by the National Governors' Association in partnership with the White House and Bell Atlantic, allowing families to get essential information; airing public service announcements on TV and radio; placing the toll-free number on corporate products; enlisting grass-roots organizations to get the word out; and stepping up activities by over 10 Federal agencies that interact with working families. Altogether, these actions will make a major contribution towards the President's goal of covering up to 5 million uninsured children.

CHILDREN'S HEALTH INSURANCE INITIATIVE

The President and First Lady have made improving children's health a priority. Studies show that children without health insurance are more likely to be sick as newborns, less likely to be immunized as preschoolers, and less likely to receive medical treatment when they are injured.

- **Historic, new options for children.** The President, with bipartisan Congressional support, created the State Children's Health Insurance Program (CHIP) in 1997, which devotes \$24 billion dollars over the next five years for health coverage for children. Today, 47 states have implemented CHIP and expect that they will enroll over 2.5 million children when fully operational.
- **Greater challenge: enrolling children.** Ensuring that all eligible children get enrolled in health insurance is a formidable challenge. Barriers like complicated applications, lack of coordination between children's programs, and the perception that working families are not eligible prevent uninsured children from getting the coverage that they need. To remove these barriers, the President has taken numerous actions to encourage states to streamline their application and enrollment processes, accept mail-in applications, and place eligibility workers in convenient locations. He also ordered 8 Federal agencies, through their hundreds of programs that serve working families, to aggressively assist in enrolling children.

NEW, NATIONWIDE "INSURE KIDS NOW" OUTREACH CAMPAIGN

Building on last year's efforts, today the President and First Lady launched the "Insure Kids Now" public-private campaign. For the first time, major TV and radio networks, corporations, health care organizations, religious groups, and other community-based organizations can join Federal agencies in raising awareness of the importance of children's health insurance.

- **Launching "1-877-KIDS NOW" Hotline.** Today, Governors Carper and Leavitt unveiled 1-877 KIDS NOW, a new toll free number developed by the National Governors Association in partnership with Bell Atlantic and the Administration, that provides state-specific information about Medicaid and CHIP to families in all 50 States. Families calling the line will speak with a person who can provide information about eligibility criteria, benefits, and how to apply for coverage. Beginning in

October, HHS will assume responsibility for this line.

- **Running public service announcements on national television about Insure Kids Now.** Beginning tomorrow, to help surround families with information about Insure Kids Now, NBC, ABC, Univision, Turner Entertainment, the National Association of Broadcasters, and Viacom/Paramount will air public service announcements providing information about the importance of health insurance and promoting the Insure Kids Now number.
- **Airing radio advertisements about Insure Kids Now.** Today, the Department of Health and Human Services (HHS) will begin funding radio ads on Insure Kids Now in 45 States and DC, starting with California, Utah, Colorado, Alabama, Illinois, Ohio, Kentucky, North Carolina, New Jersey, Connecticut, and Maine. Later this year, Radio Disney and Bonneville will run similar ads nationwide. Radio advertisements reach over 77 percent of consumers daily, making them an incredibly effective way to reach the millions of families with children who are eligible for Medicaid or CHIP. In addition, when radio and television are used together as part of a larger educational campaign, over 70 percent of people remember the visual images of the television advertisement when hearing the radio advertisement.
- **Publishing editorials and writing articles about Insure Kids Now.** This spring, USA Today will publish an editorial and Blue Cross/Blue Shield will publish a full page advertisement in the April issue of Time Magazine on children's health insurance. In addition, Pfizer, the American College of Emergency Physicians, the American Nurses Association, the United Way, American College of Physicians, the National Collaboration for Youth, the Association of State and Territorial Health Officials, Wyeth Lederle, Kaiser Permanente, Volunteers of America, the March of Dimes, the Points of Light Foundation, Hope for Kids, the Veterans of Foreign Wars, the National Education Association, and religious organizations from across the country have agreed to put information on Insure Kids Now in their product handbooks, circulars, and mass mailings, as well as distributing posters featuring the Insure Kids Now number to their clients and constituents. Print media is an effective educational tool, especially when used together with other media, because it allows the reader to reread and thoroughly digest the information.
- **Printing the Insure Kids Now toll free number on commonly used products.** Public service announcements and advertisements are only one component of a successful communications campaign. Building on a series of commitments made in 1998, K-Mart, General Motors, the American Dental Hygienists Association and American Medical Response have joined the Insure Kids Now campaign and have pledged to put the new toll free number on grocery bags, toothbrushes, diaper boxes, pharmaceutical products, child safety seats, and on the sides of buses.
- **New Federal efforts to promote children's health insurance outreach.** The President has both legislative and administrative proposals to help enroll children in Medicaid and CHIP, including Over \$1.2 billion in his FY 2000 budget for children's health outreach, through proposals that will help states access additional funding for successful outreach activities, and new actions by the Federal Task Force on children's health outreach, including launching the new "InsureKidsNow.Gov" website today that provides information about state programs and the Administration's public-private outreach campaign; distributing 145,000 posters to over 20,000 health centers, providers, and other grantees; sending 92,000 USDA employees information about outreach on March 8 on their wage and earning statements, including the national toll-free number; and sending a letter and posters with the Insure Kids Now number from the Department of Justice to all 170 sites in Operation Weed and

Feed, a crime prevention and community revitalization initiative.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 19:24:31.00

SUBJECT: B. Toiv calling CNN Hdlne News (report makes it sound like we're for waive

TO: 4807 (4807 @ WHCA [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: 4021 (4021 @ WHCA [UNKNOWN])

READ:UNKNOWN

CC: 4697 (4697 @ WHCA [UNKNOWN])

READ:UNKNOWN

TEXT:

*A NATIONAL EFFORT TO REDUCE CLASS SIZE:
SMALLER CLASSES WITH WELL-PREPARED TEACHERS*

February 23, 1999

AN OPPORTUNITY FOR BIPARTISAN PROGRESS IN EDUCATION Last year, President Clinton proposed a historic initiative to reduce class size in the early grades when children learn to read and get a solid foundation in the basics by hiring 100,000 well-prepared teachers over seven years. Congress enacted a down payment on this request last year with bipartisan support, providing a one-time \$1.2 billion appropriation to help communities hire approximately 30,000 teachers nationwide. This week, Congress has the opportunity to build on its bipartisan efforts to reduce class size and finish the job by passing legislation authorizing this initiative for the next six years.

SUPPORTING EFFECTIVE LOCAL PLANNING Under the initiative enacted into law last year, school districts will begin to receive funding this July 1 in order to hire teachers to begin reducing class sizes this fall. While last year's one-year appropriation provided an important start on President Clinton's seven-year initiative, Congress has the chance to support effective local planning by giving school districts the confidence they need that funding will be available under this initiative for years to come. Rejecting this legislation this week will send a dangerous message to school districts about the prospects for continued funding just at the moment when they are beginning to make decisions about how to implement this new initiative.

INCREASED FUNDING FOR COMMUNITIES ACROSS THE NATION In this year's budget, President Clinton and Vice President Gore proposed \$1.4 billion to hire a total 38,000 teachers.

- This initiative would provide [STATE] with [STATE ALLOCATION] to support [NUMBER OF TEACHERS] to reduce class size in early grades across the state.

SMALL CLASSES MAKE A DIFFERENCE. **Studies show that smaller classes help teachers provide more personal attention to students and spend less time on discipline; as a result students learn more and get a stronger foundation in the basic skills.** Research shows that smaller class size increases student achievement, reduces discipline problems and increases instruction time for teachers, and make the greatest difference for students in the early grades and for minority and disadvantaged students. According to studies, students from smaller classes in North Carolina, Wisconsin, Indiana, Tennessee, and from across the nation outperformed their peers in larger classes. A national study of 10,000 4th graders and 10,000 8th graders found the greatest impact of smaller classes on inner-city youth.

ENDORSEMENTS FROM MAJOR EDUCATION ORGANIZATIONS. Most major education organizations have expressed support for the President's initiative to reduce class size.