

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 048 - FOLDER -004**

**[04/01/1999]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 08:11:19.00

SUBJECT: REVISED President's statement on MMWR

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

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

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

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

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

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

TO: mpe0 ( mpe0 @ cdc.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TO: bhall ( bhall @ os.dhhs.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

TO: FOLEY\_M ( FOLEY\_M @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (WHO)  
READ:UNKNOWN

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

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

TO: eam0 ( eam0 @ cdc.gov @ inet [ UNKNOWN ] )

READ:UNKNOWN

TO: johara ( johara @ osophs.dhhs.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TO: zoa2 ( zoa2 @ cdc.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

CC: Jason H. Schechter ( CN=Jason H. Schechter/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TEXT:

The 4th sentence in the attached statement has been revised slightly to say "without such a commitment" rather than "without such legislation". Cut and paste version is below.

THE WHITE HOUSE  
Office of the Press Secretary

Embargoed until 4:00pm Thursday April 1, 1999

STATEMENT BY THE PRESIDENT

Today, the Centers for Disease Control and Prevention is publishing promising new results from the youth anti-smoking program launched by the late Florida Governor Lawton Chiles. The study shows that in just one year, smoking has declined by 19 percent among middle school students and by 8 percent among high schoolers. These results show why every state should have a comprehensive program to reduce youth smoking and why I oppose any legislation waiving the federal government's claim to tobacco settlement funds without making a commitment from the states to fund such efforts. Without such a commitment, states won't have to spend a single penny of the \$246 billion settlement to reduce youth smoking. We must act now: every day, 3000 children become regular smokers and 1000 will have their lives cut short as a result.

###

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D50]MAIL48467530S.136 to ASCII,  
The following is a HEX DUMP:

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D6A02F82D4EC5E1A40CA470313BF5173F95ACCB50C6FCCF8D62FE9AF87CE68B0B76702153BB5D0

**THE WHITE HOUSE**

**Office of the Press Secretary**

---

**Embargoed until**

**4:00pm Thursday April 1, 1999**

**STATEMENT BY THE PRESIDENT**

**Today, the Centers for Disease Control and Prevention is publishing promising new results from the youth anti-smoking program launched by the late Florida Governor Lawton Chiles. The study shows that in just one year, smoking has declined by 19 percent among middle school students and by 8 percent among high schoolers. These results show why every state should have a comprehensive program to reduce youth smoking and why I oppose any legislation waiving the federal government's claim to tobacco settlement funds without making a commitment from the states to fund such efforts. Without such a commitment, states won't have to spend a single penny of the \$246 billion settlement to reduce youth smoking. We must act now: every day, 3000 children become regular smokers and 1000 will have their lives cut short as a result.**

**###**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Tracy Pakulniewicz ( CN=Tracy Pakulniewicz/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 1-APR-1999 09:27:54.00

SUBJECT: Humanitarian Event Msg Mtg

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

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

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

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

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

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

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

TO: Tomasz P. Malinowski ( CN=Tomasz P. Malinowski/OU=NSC/O=EOP @ EOP [ NSC ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

TO: Chandler G. Spaulding ( CN=Chandler G. Spaulding/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: Karin Kullman ( CN=Karin Kullman/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

CC: Sean P. O'Shea ( CN=Sean P. O'Shea/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

CC: Joseph D. Ratner ( CN=Joseph D. Ratner/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

CC: Ann C. Hertelendy ( CN=Ann C. Hertelendy/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

CC: George G. Caudill ( CN=George G. Caudill/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

CC: Melissa G. Green ( CN=Melissa G. Green/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

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

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

TEXT:

Loretta Ucelli will hold a message meeting to discuss tomorrow's humanitarian event today, April 1 at 12:00 pm in her office.

Thank you

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Paul J. Weinstein Jr. ( CN=Paul J. Weinstein Jr./OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME: 1-APR-1999 10:39:26.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

elena, do you want us to go to this?

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on  
04/01/99 10:39 AM -----

LESLIE

BERNSTEIN

04/01/99 09:43:14 AM

Record Type: Record

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

cc: Ora Theard/WHO/EOP

Subject:

As a follow-up to Maria and Chuck's civil rights meeting on Friday,  
we will be meeting again today at 11:30am in The Roosevelt Room.

Thanks

Message Sent

To:

Edward W. Correia/WHO/EOP

Peter Rundlet/WHO/EOP

Tanya E. Martin/OPD/EOP

Thomas L. Freedman/OPD/EOP  
Paul J. Weinstein Jr./OPD/EOP  
Mary L. Smith/OPD/EOP  
Jonathan A. Kaplan/OPD/EOP  
Clara J. Shin/WHO/EOP

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D76]MAIL41305730Q.136 to ASCII,  
The following is a HEX DUMP:

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**CIVIL RIGHTS COORDINATING COUNCIL**  
**(Summary of Correia, Rundlet, Bueno Memos)**

**Near-Term Projects**

Issue Area	Status Update
<p>Worker Exploitation/ Trafficking of Women and Children</p>	<ul style="list-style-type: none"> <li>• DPC held a meeting to discuss issues related to worker exploitation.</li> <li>• <i>Identified issues:</i> (1) Current criminal and labor statutes restrict efforts to prosecute worker exploitation cases and discourage victims from reporting these cases; and (2) there is no comprehensive law that sanctions the range of activities recognized as trafficking (of women and children) or that protects victims.</li> <li>• <i>Goals:</i> (1) Coordinate the investigation, prosecution, and prevention of worker exploitation and trafficking cases; (2) establish a central information bank of information; (3) address the unique needs of victims of worker exploitation and trafficking where they will be more willing to come forward and report these crimes; and (4) build support for the President's Crime Bill proposals.</li> <li>• <i>Next steps:</i> (1) Continue to support law enforcement efforts to prosecute cases; and (2) identify additional resources to combat worker exploitation and trafficking.</li> </ul>
<p>CRA/Commercial and Residential Lending</p>	<ul style="list-style-type: none"> <li>• Rundlet has met with representatives from Justice, Treasury, HUD, and OMB.</li> <li>• <i>Identified issues:</i> (1) There is a current battle on the Hill, led by Senator Gramm, over the continued relevance of the CRA -- Senator Gramm supports exempting banks with assets totaling less than \$100 million (38% of all banks) from CRA's requirements and creating a safe harbor for institutions that currently have a satisfactory CRA rating (98% of all banks); (2) the perennial effort on the part of Justice and HUD to increase the number, scope, and timeliness of referrals from bank regulatory agencies is difficult to actualize absent some new enforcement efforts by the regulatory agencies; and (3) we are dependent on the Federal Reserve to revise Regulations B and C, and they have put off making such changes until June.</li> <li>• <i>Next steps:</i> DPC, NEC, Treasury, and Justice are working to protect CRA in the context of financial services modernization. In addition, HUD has committed to the following: (1) creating an inter-agency task force to curtail predatory lending practices that occur in the subprime mortgage and commercial lending markets; (2) working with industry and civil rights groups to create a voluntary code of conduct for lenders; (3) studying the impact on minority borrowing of the more recent lending practices of credit scoring and automated underwriting; (4) improving HMDA reporting; and (5) developing guidance on proper lending discrimination audits.</li> </ul>
<p>EEO Backlog</p>	<ul style="list-style-type: none"> <li>• <i>Goal:</i> Publish regulations that will reduce the federal sector EEO backlog and improve the process.</li> <li>• <i>Next step:</i> Support efforts to clear the regulation and assist in its implementation.</li> </ul>

**Broad-Range Priorities**

Issue Area	Status Update
Race-Conscious Admissions	<ul style="list-style-type: none"> <li>• <i>Next steps:</i> (1) Develop and distribute guidance to higher education institutions on the current state of the law with regard to voluntary affirmative action in admissions; (2) make policy decisions on using standardized tests to assess merit for higher education admissions; and (3) engage higher education and corporate leaders in promoting diversity.</li> </ul>
K-12 Civil Rights Issues	<ul style="list-style-type: none"> <li>• <i>Next steps:</i> (1) Distribute OCR guidance on resource comparability issues; (2) explore the possibility of OCR getting engaged in a resource comparability case -- with better facts than were presented in <i>Powell</i>; (3) finalize and distribute OCR guidance on high-stakes testing; (4) develop a response plan if high percentages of minorities do not pass high stakes tests and are held back; (5) consider distributing guidance with regard to the use of narrowly-tailored affirmative action in magnet school admissions; (6) consider the use of narrowly-tailored affirmative action in charter school admissions; (7) consider issuing guidance for charter schools that addresses desegregation plans, resource comparability issues, single-sex schools and classrooms, and religious affiliation; and (8) discuss next steps with regard to Title IX and single-sex education.</li> </ul>
National Origin Discrimination/ Language Rights	<ul style="list-style-type: none"> <li>• DPC held a meeting to discuss national origin discrimination on the basis of language.</li> <li>• <i>Goals:</i> (1) Eliminate language-based discrimination in the work place, including speak-English-only rules and discriminatory employment practices based on accent; and (2) eradicate discrimination that results in the denial of equal access to government programs of Limited English Proficient (LEP) persons.</li> <li>• <i>Next steps:</i> (1) Focus EEOC's enforcement efforts in this area and begin outreach efforts to communities that speak languages other than English to educate them of their rights; (2) develop recommendations with regard to educating employers and employees of civil rights laws that prohibit language-based employment discrimination; and (3) ensure that agencies are complying with Title VI of the Civil Rights Act as it relates to provisions of services to LEP persons by providing legal guidance.</li> </ul>
Hate Crimes	<ul style="list-style-type: none"> <li>• <i>Next steps:</i> (1) Increase support by state and local law enforcement; (2) address federalism and first amendment concerns; (3) increase outreach, including meeting with the ACLU to resolve their concerns and organizing a White House event for early April; and (4) consider extending this effort beyond legislation to include harassment.</li> </ul>
Wage Gap	<ul style="list-style-type: none"> <li>• <i>Identified issue:</i> There is currently no regular collection of wage data by any federal agency and we thus have no adequate basis for monitoring wage patterns by individual employers or industries.</li> <li>• <i>Next steps:</i> (1) Consider what data collection requirements the Administration would support in the Daschle bill; and (2) determine whether we should require additional data from government contractors per DOL's recommended revision of its current data collection requirements.</li> </ul>

<p>Diverse and Skilled Workforce</p>	<ul style="list-style-type: none"> <li>• <i>Goals:</i> (1) Increase diversity in the science, technology, and engineering (ST&amp;E) workforce; (2) increase opportunities for disabled Americans; and (3) eliminate job barriers stemming from discrimination based on sexual orientation.</li> <li>• <i>Recommended next step:</i> The President or Vice President to meet with high-tech industry leaders in about two months with the expectation that we could announce the following industry commitments: (1) to establish scholarships; (2) to form partnerships with HBCUs, Hispanic Serving Institutions, inner-city schools, state and local governments, or others; (3) to develop corporate internship programs; and (4) to establish a permanent industry-funded organization to promote these kinds of opportunities.</li> <li>• <i>Other next steps:</i> (1) Reach out to high-tech firms; (2) improve recruiting efforts by federal agencies; (3) hold an EEOC Commission meeting to highlight the lack of minorities and women in some job categories; and (4) call attention to an upcoming OSTP report on the lack of diversity in the ST&amp;E workforce.</li> </ul>
<p>Authoritative Data Collection</p>	<ul style="list-style-type: none"> <li>• <i>Next steps:</i> To support the CEA-led effort to expand and improve our current statistical ability to measure and track discrimination in five key sectors (labor markets, education, housing, criminal justice, and health services): (1) the National Research Council is creating a Roundtable with agencies and outside academics to develop a methodology for accurately determining the presence or absence of discrimination; and (2) Labor, Education, Justice, HUD, and HHS are developing workplans for utilizing the FY2000 money budgeted for measuring discrimination.</li> </ul>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi ( CN=Sarah A. Bianchi/O=OVP [ UNKNOWN ] )

CREATION DATE/TIME: 1-APR-1999 10:40:27.00

SUBJECT: OASIS gas

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

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

TEXT:

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D19]MAIL487157309.136 to ASCII,  
The following is a HEX DUMP:

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03A517F701496A25A129453A85EAF9D342F3FC062EAA8427CF59B3F5BBA50DD047C6CA64542AD0

**Q: Why did the Vice President ask that the Health Care Financing Administration (HCFA) to review its proposals to implement OASIS?**

**A: The President, the Vice President, and the Secretary are extremely committed to assuring that patients have strong privacy protections. The Vice President and others were concerned that the plans for OASIS did not adequately protect patient privacy.**

**At the request of the Vice President, HCFA has agreed to do a comprehensive review of the privacy issues related to the new proposal to collect data on home health patients -- to assure that home health care achieves the necessary balance between preservation of privacy and the statutorily required provisions to improve the quality of care provided to beneficiaries receiving home health care services, and to ensure that providers are paid fairly.**

**The agency is now planning to explore new ways to protect patient privacy in this area, such as speeding up the encryption of data and eliminating the use of identifiable data for non-Medicare and non-Medicaid patients.**

**The Administration a strong commitment to ensure the confidentiality of medical records, and demand that states and providers carefully safeguard confidential information. We are proud of our record in this area and will continue to work diligently to protect patient privacy.**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lisa M. Kountoupes ( CN=Lisa M. Kountoupes/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 1-APR-1999 11:06:16.00

SUBJECT: FYI - hse items

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

TO: johara ( johara @ osophs.dhhs.gov [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

TO: kburkel ( kburkel @ os.dhhs.gov [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

READ:UNKNOWN

TEXT:

Meehan has about 20 democratic cosponsors lined up for the Meehan/Hansen bill. Still waiting on repubs...

His office is also working on a letter to the appropriations conferees opposing the senate provision. They hope to get the task force members to sign it.

They and Hansen are holding a briefing with the task force members staff next week with HCFA and outside groups to talk about what the states are planning to do with the money and why the Administration must allow the states to sue on their behalf and seek 1/2 of the settlement funds.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 11:25:08.00

SUBJECT: Comments on the Race Book

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Ron Klain ( CN=Ron Klain/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

TO: Sidney Blumenthal ( CN=Sidney Blumenthal/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 @ EOP [ WHO ] )

READ:UNKNOWN

TO: Gene B. Sperling ( CN=Gene B. Sperling/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: John Podesta ( CN=John Podesta/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Clara J. Shin ( CN=Clara J. Shin/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: edley ( edley @ law.harvard.edu @ inet [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Folks--comments were due 3/26. While it is true that the President's attention has been directed elsewhere these last ten days, at some point soon he will be focused on the book. Therefore, we need all of your

comments to Todd by Monday, April 5 (copy to me, please). We want to schedule some time next week for the President on this matter and having everyone's comments in will help us structure how to best utilize his limited time. Thank you all very much for your prompt attention to this matter. Remember we are down the home stretch--the end is in sight; please help us get there.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Joshua S. Gottheimer ( CN=Joshua S. Gottheimer/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 1-APR-1999 14:22:04.00

SUBJECT: schools

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

----- Forwarded by Joshua S. Gottheimer/WHO/EOP on  
04/01/99 02:21 PM -----

Paul D. Glastris

04/01/99 02:19:39 PM

Record Type: Record

To: Joshua S. Gottheimer/WHO/EOP

cc:

Subject: schools

To give all of our children the educations they need for the 21st Century, all of our public schools must be safe. That is why I am pleased today to announce that the Departments of Justice, Education, and Health and Human Services are launching a a new \$380 million Safe Schools-Healthy Students Initiative. This initiative will help 50 communities across the country to develop safe school plans with more school resource officers, more anti-truancy initiatives, and more conflict resolution programs to help prevent youth violence before it starts. Working together, we can keep our children safe in and out of school. Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sandra Yamin ( CN=Sandra Yamin/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME: 1-APR-1999 14:39:20.00

SUBJECT: ESEA Reauthorization Meeting

TO: Neera Tanden ( CN=Neera Tanden/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

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

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

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

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

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

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

CC: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

CC: Wayne Upshaw ( CN=Wayne Upshaw/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

CC: Noelle Hull ( CN=Noelle Hull/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

CC: Leslie S. Mustain ( CN=Leslie S. Mustain/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

CC: Barry White ( CN=Barry White/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

We have scheduled another ESEA Reauthorization meeting for Mon., Apr 5 from 12:00 - 1:30PM in Barbara Chow's office (OEOB 260). The topic to be covered will be Title II. Please forward this message to anyone I may have missed. Thank you.

Also, today is my last day with the EIML Division. Please contact Iratha Waters regarding any questions or changes to this meeting. It has been a pleasure working with you all and I look forward to working with you again in my new capacity in OMB Leg Affairs. Thank you.

Attendees:

Barbara Chow, OMB  
Bruce Reed, DPC  
Elena Kagan, DPC  
Neera Tanden, DPC  
Jon Schnur, OVP  
Tanya Martin, DPC  
Broderick Johnson, WHLA  
Mike Smith, ED  
Mike Cohen, ED  
Ann O'Leary, ED  
Diane Rogers, ED  
Scott Fleming, ED  
Tom Corwin, ED  
Judith Johnson, ED

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Dan Marcus ( CN=Dan Marcus/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 1-APR-1999 14:55:59.00

SUBJECT: grijalva

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

TEXT:

I am sending you a copy of the brief in opposition to certiorari in Grijalva, filed a couple of days ago.. As expected, the advocates argue (pp. 13-21) that the role of HMOs in Medicare is very different from that of the insurance companies in worker's comp and that Sullivan doesn't change anything. The cases they cite are Medicaid cases rather than Medicare cases, raising the possibility that the SG's reply, if he and HHS want to, can try to separate Medicare from Medicaid on state action. Harriet Rabb says they have a new theory on this, which she will discuss with me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 16:01:40.00

SUBJECT: grijalva

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

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

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

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

TEXT:

I am sending you a copy of the brief in opposition to certiorari in Grijalva, filed a couple of days ago.. As expected, the advocates argue (pp. 13-21) that the role of HMOs in Medicare is very different from that of the insurance companies in worker's comp and that Sullivan doesn't change anything. The cases they cite are Medicaid cases rather than Medicare cases, raising the possibility that the SG's reply, if he and HHS want to, can try to separate Medicare from Medicaid on state action. Harriet Rabb says they have a new theory on this, which she will discuss with me.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 17:24:21.00

SUBJECT: LRM CJB29 - - EDUCATION Draft Bill on Programs of National Significance: T

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

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

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

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

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

TO: Robert G. Damus ( CN=Robert G. Damus/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

TO: Neera Tanden ( CN=Neera Tanden/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: Lynn G. Cutler ( CN=Lynn G. Cutler/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

TO: Wei-Min C. Wang ( CN=Wei-Min C. Wang/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

TO: Howard Dendurent ( CN=Howard Dendurent/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

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

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

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

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

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

TO: Jonathan H. Schnur ( CN=Jonathan H. Schnur/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: Leslie S. Mustain ( CN=Leslie S. Mustain/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

CC: Constance J. Bowers ( CN=Constance J. Bowers/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

LRM HHS ( LRM HHS [ UNKNOWN ] )  
READ:UNKNOWN

LRM JUSTICE ( LRM JUSTICE [ UNKNOWN ] )  
READ:UNKNOWN

LRM INTERIOR ( LRM INTERIOR [ UNKNOWN ] )  
READ:UNKNOWN

LRM Office of National Drug Control Policy ( LRM Office of National Drug Control Pol  
READ:UNKNOWN

LRM STATE ( LRM STATE [ UNKNOWN ] )  
READ:UNKNOWN

LRM National Endowment for the Arts ( LRM National Endowment for the Arts [ UNKNOWN  
READ:UNKNOWN

TEXT:

LRM ID: CJB29

EXECUTIVE OFFICE OF THE PRESIDENT  
OFFICE OF MANAGEMENT AND BUDGET

Washington, D.C. 20503-0001

Thursday, April 1, 1999

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

OMB CONTACT: Constance J. Bowers

PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: EDUCATION Draft Bill on Programs of National Significance: Title X of the Elementary and Secondary Education Act Reauthorization

DEADLINE: 4 p.m. Tuesday, April 6, 1999

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

COMMENTS: The draft bill and sectional analysis language can be found on the following website:

<http://tabula.ost.dot.gov/ed>

Use the following identifying information:

username: LRM

password: text

[Note: The website has been established as a central point for reviewers to access all of the many pieces of ED's draft bill to reauthorize the ESEA. Because of the magnitude of this bill, review and clearance is being handled in separate parts. Most of these parts have been sent to you electronically as word processing files; however, some reviewers have experienced difficulty accessing the documents because of incompatible word processing systems. You may also access these documents electronically. Thanks for your cooperation.]

DISTRIBUTION LIST

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61-JUSTICE - Dennis Burke - (202) 514-2141

59-INTERIOR - Jane Lyder - (202) 208-4371

89-Office of National Drug Control Policy - John Carnevale - (202) 395-6736

114-STATE - Paul Rademacher - (202) 647-4463

75-National Endowment for the Arts - Richard Woodruff - (202) 682-5434

EOP:

Barbara Chow

Sandra Yamin

Barry White

Wayne Upshaw

Leslie S. Mustain

Wei-Min C. Wang

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Elena Kagan  
Jonathan H. Schnur  
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William H. White Jr.  
Broderick Johnson  
Neera Tanden  
Peter Rundlet  
Robert G. Damus  
Rosalyn J. Rettman  
Daniel J. Chenok  
Daniel I. Werfel  
Pamula L. Simms  
Howard Dendurent  
Crystal J. Roach  
Kelley A. Lehman  
Jack A. Smalligan  
James Boden  
Janet R. Forsgren  
James J. Jukes

LRM ID: CJB29 SUBJECT: EDUCATION Draft Bill on Programs of National  
Significance: Title X of the Elementary and Secondary Education Act  
Reauthorization  
RESPONSE TO  
LEGISLATIVE REFERRAL  
MEMORANDUM

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

You may also respond by:

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

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

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148  
Office of Management and Budget  
Branch-Wide Line (to reach legislative assistant): 395-7362

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

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

\_\_\_\_\_ Concur



DRAFT 4/1/99

## TITLE X – PROGRAMS OF NATIONAL SIGNIFICANCE

### SECTION-BY-SECTION ANALYSIS

#### PART A- FUND FOR THE IMPROVEMENT OF EDUCATION

Section 1001 of the bill would amend Part A of Title X of the ESEA, which authorizes funds to support nationally significant programs and projects to improve the quality of elementary and secondary education, to assist students to meet challenging State content standards and challenging State performance standards, and to contribute to the achievement of America's Education Goals.

Section 1001(1). Section 1001(1)(A) of the bill would amend section 10101(a) of the ESEA to stress that the Fund for the Improvement of Education (FIE) is a program focused on improving elementary and secondary education.

Section 1001(1)(B). Section 1001(1)(B) of the bill would amend section 10101(b) of current law by shortening and strengthening the list of authorized uses of funds. Authorized activities would include: (1) research, development, demonstration, evaluation, or other activities designed to improve the quality of elementary and secondary education; (2) activities to promote community participation in the planning, design, and use of new and existing schools; (3) the development, implementation, and evaluation of programs designed to foster student community service, encourage responsible citizenship; and improve academic learning; (4) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools; (5) joint activities with other agencies; (6) programs under section 10102 and section 10103(Character Education); (7) activities to study and implement strategies for creating smaller learning communities; and (8) other programs, including physical education programs, that meet the purposes of this section.

Section 1001(1)(C). Section 1001(1)(C) of the bill would change section 10101(c) of the ESEA to require an applicant for an award under this section to establish clear goals and objectives for its project and describe the activities it will carry out in order to meet these goals and objective. It would also require recipients of funds to report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the project's effectiveness. This change would emphasize the Department's desire to ensure that the effectiveness of all funded projects can be fully assessed. This language is also aligned with the performance indicators in the FIE plan under GPRA.

This section would also allow the Secretary to require recipients of awards under this Part to provide matching funds from sources other than Federal funds, and to limit competitions to particular types of entities, such as State or local educational agencies.

Section 1001(1)(D). Section 1001(1)(D) of the bill would amend section 10101(d) of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1001(2). Section 1001(2) of the bill would repeal section 10102 of the ESEA.

Section 1001(3). Section 1001(3) of the bill would make substantial changes to section 10103 of the ESEA, relating to Character Education. It would provide for more funding flexibility by removing the limit of 10 grants per year and \$1 million limitations on SEAs under current law, and authorize the Secretary to make up to 5-year grants to SEAs, LEAs, or consortia of educational agencies for the design and implementation of character education programs. These programs would be required to be linked to the applicant's overall reform efforts, performance standards, and activities to improve school climate. Allowing LEAs and consortia of educational agencies to apply would increase flexibility to fund innovative programs in school districts where the State is not interested in making an application.

Section 1001(3) of the bill would also streamline the application requirements under current law. The application would include: (1) a description of any partnership and other collaborative effort between the applicant and other educational agencies; (2) a description of the program's goals and objectives; (3) a description of activities to be carried out by the applicant; (4) a description of how the programs will be linked to broader educational reforms being instituted by the applicant, State and local standards for student performance, and activities that are being carried out to improve school climate; (5) a description of how the applicant will evaluate its progress in meeting its goals and objectives; and (6) any other information the Secretary would require.

Paragraph (3) would further require each recipient of a grant to submit a comprehensive evaluation on the effectiveness of its program in achieving its goals and objectives, including the impact of the program on students, teachers, administrators, and parents, to the Secretary, by the mid-point of the program, and no later than one year after completion of the program.

Finally, section 1001(3) of the bill would require the Secretary to make awards under this section that serve different areas of the Nation, including urban, suburban, and rural areas.

Section 1001(4). Section 1001(4) of the bill would redesignate section 10103 of the ESEA, as amended by section 1001(3), as section 10102, and add a proposed new section 10103.

Specifically, proposed new section 10103 would authorize a new program, under which the Secretary could make awards to SEAs, LEAs, IHEs, tribal organizations, and other public or private agencies to carry out research, development, dissemination,

technical assistance, and evaluation activities that support character education programs under new section 10102 of the ESEA.

The proposed new section 10103(b) of the bill would authorize funds under this section to be used to: (1) conduct research and development activities; (2) provide technical assistance to the agencies receiving awards under the program, particularly on matters of program evaluation; (3) conduct a national evaluation of the character education program; (4) compile and disseminate information on model character education programs, character education materials and curricula, and research findings in the area of character education; and (5) any other information that would be useful to character education program participants, and to other educators and administrators, nationwide.

Section 1001(5). Section 1001(5) of the bill would repeal sections 10104, 10105, 10106, and 10107 of the current law.

#### PART B-GIFTED AND TALENTED CHILDREN

Section 1002 of the bill would reauthorize and make minor improvements to Part B of title X of the ESEA, which provides financial assistance to State and local educational agencies, institutions of higher education, and other public and private agencies to build a nationwide capability in elementary and secondary schools to meet the special educational needs of gifted and talented students.

Section 1002(1). Section 1002(1) would make a technical change to the program's short title.

Section 1002(2). Section 1002(2) of the bill would amend section 10204(c) of current law to require the National Center for Research and Development in the Education of Gifted and Talented Children to focus the dissemination of the results of its activities to schools with high percentages of economically disadvantaged students. This modification would help to overcome the Centers current lack of targeting on low-income schools and school districts.

Section 1002(3). Section 1002(3) of the bill would add a new provision that would authorize the Secretary to evaluate the effectiveness of the programs under this Part.

Section 1002(4). Section 1002(4) of the bill would amend section 10207 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

#### PART D – ARTS IN EDUCATION

Section 1003 of the bill would reauthorize and streamline Part D of title X of the ESEA, which provides financial assistance to support education reform by strengthening arts education as an integral part of the elementary and secondary school curriculum.

Section 1003(1). Section 1003(1) of the bill would strike out the heading of subpart 1 of current law.

Section 1003(2)(A). Section 1003(2)(A) of the bill would amend section 10401(d) of the ESEA by adding a new authorized activity, model arts and cultural programs in the arts for at-risk children and youth, particularly programs that use arts and culture to promote students' academic progress, to the list of authorized activities of the Arts in Education program.

Section 1003(2)(B). Section 1003(2)(B) of the bill would amend section 10401(f) of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 20005.

Section 1003(3). Section 1003(3) of the bill would repeal subpart 2 of current law. This subpart has never been funded and the addition of the authorized activity in section 10401(d) of the ESEA, noted above, would provide a more flexible authorization for projects serving at-risk children and youth.

#### PART E –INEXPENSIVE BOOK DISTRIBUTION PROGRAM

Section 1004 of the bill would reauthorize without change Part E of title X of the ESEA, which supports Reading is Fundamental, which distributes inexpensive books to students to motivate them to read.

#### PART F – CIVIC EDUCATION

Section 1005 of the bill would reauthorize and streamline Part F of title X of the ESEA, which authorizes a program to educate students about the history and principles of the Constitution of the United States, including the Bill of Rights, and to foster civic competence and responsibility.

Section 1005(1). Section 1005(1) of the bill would repeal section 10602 of current law. This program, Instruction in Civics, Government, and the Law, was defunded several years ago.

Section 1005(2). Section 1005(2) of the bill would amend section 10603 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1005(3). Section 1005(3) of the bill would make conforming amendments to the Part.

#### PART G –ALLEN J. ELLENDER FELLOWSHIP PROGRAM

Section 1006. Section 1006 of the bill would repeal Part G of title X of the ESEA.

#### PART I – 21<sup>st</sup> CENTURY COMMUNITY LEARNING CENTERS

Section 1007 of the bill would reauthorize and improve Part I of title X of the ESEA, which authorizes grants to rural and inner-city public schools to plan, implement, or expand projects that benefit the educational, health, social service, cultural, and recreational needs of a rural or inner-city community.

Section 1007(1)(A). Section 1007(1)(A) of the bill would amend section 10903(a) of the ESEA by adding language to current law to clarify that the Secretary may award grants to local educational agencies and community based organizations (CBOs) (with up to 10% of the funds appropriated to carry out this part for any fiscal year) on behalf of public elementary or secondary schools in inner-cities, rural areas, and small cities. In both cases, awards would be limited to schools or CBOs that serve communities with a substantial need for expanded learning opportunities due to their high proportion of low-achieving students and lack of resources to establish or expand community learning centers.

Section 1007(1)(B). Section 1007(1)(B) of the bill would retain the provision in section 10903(b) of current law requiring equitable distribution among urban and rural areas of the United States, but would delete the provision requiring equitable distribution among States and urban and rural areas of a State.

Section 1007(1)(C). Section 1007(1)(C) of the bill would amend section 10903(c) of the ESEA to change the duration of grants awarded under this Part from 3-years to 5-years.

Section 1007(2). Section 1007(2)(A) of the bill would amend section 10904 of the ESEA to change the eligible applicant for a grant under this Part from a school to a local educational agency (which would apply on behalf of schools) or a community-based organization.

Paragraph (2)(A) would also add new language to current law to require the applicant to provide information that it will provide at least 50 percent of the annual cost

of project activities from non-Federal sources (which may be provided in cash or in kind), and in the fourth and fifth years of its project, to increase the percentage of the project's cost that is paid for by funds other than those received under this Part. The applicant would also be required to provide an assurance that in each year of the project, it will expend, from non-Federal sources, at least as much for the services as it expended for the preceding year. This addition to current law would allow the program to leverage greater amounts of funding, by requiring a 100 percent match in the first three years and an increasing match over the following two years, and would ensure that grantees do not use Federal funds to replace funds from other non-Federal sources.

Paragraph (2)(B) would amend section 10904(b) of the ESEA to require the Secretary to give priority, in all competitions, to applications that offer a broad selection of services that address the needs of the community, that offer significant expanded learning opportunities for children and youth in the community, and that contribute to reducing drug use and violence.

Paragraph (2)(C) would add new language to section 10904 of the current law to require an application submitted by a CBO to contain evidence that affected LEAs concur with the project. It would also allow the Secretary to waive the requirement of 10904(b)(4)(A) and permit an applicant to satisfy not more than 50 percent of the required match with other Federal funds awarded by the Secretary.

Section 1007(3). Section 1007(3) of the bill would amend section 10905 of the ESEA to require that applicants provide expanded learning opportunities and eliminate the requirement that applicants include at least four of the activities listed in this section. Instead, applicants must provide educational activities and may provide a range of other services to the community.

Section 1007(4). Section 1007(4) of the bill would amend section 10906 of the ESEA to clarify the definition of "community learning center" as an entity that provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community.

Section 1007(5). Section 1007(5) of the bill would amend section 10907 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1007(6). Section 1007(6) of the bill would add a proposed new section 10908 to the ESEA that allows the Secretary to use funds appropriated under this Part to make continuation awards for projects that were funded with fiscal year 1998 and 1999 funds, under the terms and conditions that applied to the original awards. This provision has the effect of allowing the Department to provide continuous funding for the last year of 3-year grants made in fiscal year 1998 under the provisions of current law.

Section 1007(7). Section 1007(7) of the bill would redesignate Part I as Part G and make appropriate section number changes.

## PART J - URBAN AND RURAL EDUCATION ASSISTANCE

Section 1008. Section 1008 of the bill would repeal Part J of the ESEA.

## PART K – NATIONAL WRITING PROJECT

Section 1009. Section 1009 of the bill would reauthorize and improve Part K of title X of the ESEA, which authorizes a grant to the National Writing Project for the improvement of the quality of student writing and learning, and the teaching of writing as a learning process.

Section 1009(1). Section 1009(1) of the bill would amend section 10991 of the ESEA to update the findings.

Section 1009(2). Section 1009(2) of the bill would amend section 10992 of the ESEA to authorize the Secretary to conduct an independent evaluation of the program administered pursuant to this part. It would also authorize such sums as may be necessary to carry out this part for fiscal years 2001 through 2005.

Section 1009(3). Section 1009(3) of the bill would redesignate Part K as Part H.

## INTERNATIONAL EDUCATION EXCHANGE

Section 1010 of the bill would reauthorize and make a minor change to the International Education Program found in title VI of Goals 2000: Educate America Act.

Section 1010(1). Section 1010(1) of the bill would amend section 601 of Goals 2000, by adding the Republic of Ireland and Northern Ireland to the definition of “eligible country”, as well as any other emerging democracy in a developing country.

Section 1010(2). Section 1010(2) of the bill would authorize such sums as may be necessary to carry out this part for fiscal year 2001 through 2005.

Section 1010(3). Section 1010(3) of the bill would redesignate the International Education Exchange Program as Part C of title X of the ESEA.

**DRAFT 4/1/99**

**TITLE X – PROGRAMS OF NATIONAL SIGNIFICANCE**

**PART A – FUND FOR THE IMPROVEMENT OF EDUCATION**

SEC.1001. Part A of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10101—

(A) by amending subsection (a) by inserting “elementary and secondary” immediately after “improve the quality of”;

(B) by amending subsection (b) to read as follows:

“(b) USE OF FUNDS.—Funds under this section may be used for—

“(1) research, development, demonstration, evaluation, or other activities that are designed to—

“(A) improve the quality of elementary and secondary education;

“(B) assist all students to meet challenging State standards; and

“(C) contribute to the achievement of America’s Education goals;

“(2) activities to promote community participation in the planning, design, and use of new and existing schools, including the development of a school system master plan or an individual school site space and design plan, to—

“(A) make effective use of all available resources; and

“(B) meet the needs of all students, as well as the needs of the larger community;

“(3) the development, implementation, and evaluation of programs that are designed to foster student community service, encourage responsible citizenship and improve academic learning, and give students the opportunity to apply what they learn in the classroom to meet actual community needs;

“(4) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools;

“(5) joint activities with other agencies;

“(6) programs under section 10102 and section 10103;

“(7) activities to study and implement strategies for creating smaller learning communities; and

“(8) other programs and projects, including programs and projects in the area of physical education, that meet the purposes of this section.”;

(C) by amending subsection (c) to read as follows:

“(c) AWARDS.—(1) The Secretary may—

“(A) make awards under this section on the basis of competitions announced by the Secretary; and

“(B) support meritorious unsolicited proposals.

“(2) An applicant for an award under this section, shall—

“(A) establish clear goals and objectives for its project under this part; and

“(B) describe the activities it will carry out in order to meet the goals and objectives of its project.

“(3) A recipient of an award under this section shall evaluate the effectiveness of its project’s activities in achieving the goals and objectives stated in its application.

“(4) A recipient of funds under this section shall report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the effectiveness of its project under this section.

“(5) The Secretary may—

“(A) require recipients of funds under this section to provide matching funds from non-Federal sources; and

“(B) limit competitions to particular types of entities, such as State or local educational agencies.

“(6) The Secretary shall use a peer review process in reviewing applications for assistance under this section and may use funds appropriated under subsection (d) for the cost of such peer review.”; and

(D) by amending subsection (d) to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS.— For the purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”;

(2) by repealing section 10102;

(3) by amending section 10103 to read as follows:

“State and Local Character Education Program

“SEC. 10103 (a) PROGRAM AUTHORIZED.—(1) The Secretary may make grants to State educational agencies, local educational agencies, or consortia of such educational agencies for the design and implementation of character education programs.

“(2) Each grant under this section shall be awarded for a period not to exceed five years, of which the recipient shall use not more than one year for planning and program design.

“(b) APPLICATIONS.—(1) Each applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) Each application under this section shall include—

“(A) a description of any partnerships and other collaborative efforts between the applicant and other educational agencies;

“(B) a description of the program’s goals and objectives;

“(C) a description of the activities the applicant will carry out, and how these activities are designed to meet the program’s goals and objectives under subparagraph (B), including—

“(i) how parents, students, and other members of the community, including members of private and nonprofit organizations, will be involved in the design and implementation of the program;

“(ii) the curriculum and instructional practices that will be used or developed; and

“(iii) the methods of teacher training and parent education that will be used or developed;

“(D) a description of how the program will be linked to other efforts to improve educational outcomes, including—

“(i) broader educational reforms that are being instituted by the applicant or its partners;

“(ii) applicable State, and local standards for student performance; and

“(iii) any activities that the applicant is carrying out to improve the school learning environment;

“(E) a description of how the applicant will evaluate the progress of its program in meeting the goals and objectives under subparagraph (B), including the performance indicators that will be used to measure progress; and

“(F) any other information the Secretary may require.

“(c) EVALUATION AND PROGRAM DEVELOPMENT.—(1) Each applicant receiving a grant under this section shall submit to the Secretary a comprehensive evaluation of the effects of the programs assisted under this part, including its impact on students, teachers, administrators, parents and others—

“(A) at the mid-point of the program; and

“(B) not later than one year after completion of the program.

“(2) Evaluations under this subsection shall focus on the effectiveness of the program in achieving its goals and objectives.

“(d) DIVERSITY OF PROJECTS.— The Secretary shall make awards under this section that, to the extent practicable, support programs that serve different geographic areas of the Nation, including urban, suburban, and rural areas.”;

(4) by redesignating section 10103, as amended by paragraph (3), as section 10102 and adding a new section 10103 to read as follows:

“Character Education Research, Dissemination, and Evaluation

“SEC. 10103. (a) PROGRAM AUTHORIZED.— The Secretary is authorized to make grants, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, institutions of higher education, tribal organizations, and other public or private agencies or organizations to carry out research, development, dissemination, technical assistance, and evaluation activities that support or inform character education programs under section 10102.

“(b) USE OF FUNDS.— Consistent with subsection (a), funds under this section may be used—

“(1) to conduct research and development activities that focus on such matters as—

“(A) the effectiveness of instructional models;

“(B) materials and curricula that can be used by programs in character education;

“(C) models of professional development; and

“(D) the development of outcome measures for character education programs; and

“(E) the effects of school learning environments on student outcomes;

“(2) to provide technical assistance to the agencies receiving awards under section 10102, particularly on matters of program evaluation;

“(3) to conduct a national evaluation of programs under section 10102;

and

“(4) to compile and disseminate, through various approaches, such as a national clearinghouse—

“(A) information on model character education programs;

“(B) character education materials and curricula;

“(C) research findings in the area of character education and character development; and

“(D) any other information that will be useful to character education program participants and other educators and administrators, nationwide.”;

(5) by repealing section 10104, section 10105, section 10106, and section 10107.

## PART B- GIFTED AND TALENTED CHILDREN

SEC.1002. Part B of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10201, by striking out “of 1994”;

(2) in section 10204(c), by adding at the end thereof a new paragraph (3) to read as follows:

“(3) DISSEMINATION. The National Center shall focus the dissemination of the results of its activities under subsection (b)(7) to schools with high percentages of economically disadvantaged students.”;

(3) by amending section 10206(b) to read as follows:

“(b) REVIEW AND DISSEMINATION.— The Secretary—

“(1) shall use a peer review process in reviewing applications under this part;

“(2) shall ensure that the information on the activities and results of programs and projects funded under this part is disseminated to appropriate State and local agencies and other appropriate organizations, including private nonprofit organizations; and

“(3) may evaluate the effectiveness of programs under this part in accordance with section 14701 [will change] of this Act.”; and

(4) by amending section 10207 to read as follows:

“SEC. 10207. AUTHORIZATION OF APPROPRIATIONS. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”.

#### PART D – ARTS IN EDUCATION

SEC.1003. Part D of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking out the heading of subpart 1;

(2) in section 10401—

(A) in subsection (d)—

(i) by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively; and

(ii) by inserting immediately after paragraph (8) the following new paragraph:

“(9) supporting model arts and cultural programs for at risk children and youth, particularly programs that use arts and culture to promote students’ academic progress;” and

(B) by amending subsection (f) to read as follows:

“(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by repealing subpart 2.

#### PART E – INEXPENSIVE BOOK DISTRIBUTION PROGRAM

SEC. 1004. Part E of title X of the Elementary and Secondary Education Act of 1965 is amended in section 10501(e) by striking out “\$10,300,000 for fiscal year 1995 and such sums as may be necessary” and inserting in lieu thereof “such sums as may be necessary for fiscal year 2001 and”.

#### PART F— CIVIC EDUCATION

SEC.1005. Part F of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) by repealing section 10602;

(2) by amending section 10603 to read as follows:

“SEC. 10603. AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by redesignating section 10603, as amended by paragraph (2), as section 10602.

PART G –ALLEN J. ELLENDER FELLOWSHIP PROGRAM

SEC.1006. Part G of title X of the Elementary and Secondary Education Act of 1965 is repealed.

PART I – 21<sup>ST</sup> CENTURY COMMUNITY LEARNING CENTERS

SEC. 1007. Part I of title X of the Elementary and Secondary Education Act of 1965 is amended--

(1) in section 10903--

(A) by amending subsection (a) to read as follows:

“(a) GRANTS BY THE SECRETARY.— (1) The Secretary is authorized, in accordance with paragraph (2), to award grants to community-based organizations and local educational agencies, on behalf of public elementary or secondary schools in inner-cities, small cities, and rural areas, that serve communities with a substantial need for expanded learning opportunities because they have a high proportion of low-achieving students and lack resources to establish or expand after-school centers that benefit the educational, health, social service, cultural, and recreational needs of the community.

“(2) The Secretary may reserve up to 10 percent of the funds appropriated to carry out this part for any fiscal year to make grants to community-based organizations to carry out projects, consistent with the purposes of this part.”;

(B) by amending subsection (b) to read as follows:

“(b) EQUITABLE DISTRIBUTION.— In awarding grants under this part, the Secretary shall ensure an equitable distribution of assistance among the States and among urban and rural areas of the United States.”; and

(C) in subsection (c), by striking out “3 years” and inserting in lieu thereof “5 years”;

(2) in section 10904—

(A) in subsection (a)--

(i) in the matter preceding paragraph (1), by striking out “an elementary or secondary school or consortium” and inserting in lieu thereof “a local educational agency, on behalf of one or more elementary or secondary schools, or a community-based organization”;

(ii) in paragraph (1), by striking out “the school or consortium” and inserting in lieu thereof “the applicant”;

(iii) in paragraph (2), by striking out “and” at the end thereof;

(iv) in paragraph (3)—

(I) in subparagraph (C), --

(aa) by inserting “schools,” immediately after “undertaken by”; and

(bb) by inserting a comma and “in order to promote community involvement in the planning and implementation of services provided under this part” immediately after “appropriate organizations”;

(II) in subparagraph (D), by striking out “the school or consortium” and inserting in lieu thereof “the applicant”; and

(III) in subparagraph (E), by—

(aa) striking out “the school or consortium” and inserting in lieu thereof “the applicant”; and

(bb) striking out the period at the end thereof and inserting in lieu thereof a semi-colon; and

(v) by adding, at the end thereof, the following new paragraphs (4) and (5):

“(4) information demonstrating that the applicant will--

“(A) provide at least 50 percent of the annual cost of project activities from non-Federal sources, which may be provided in cash or in kind, fairly evaluated; and

“(B) in the fourth and fifth years of its project, increase the percentage of the project’s cost that is paid for by funds other than those received under this part; and

“(5) an assurance that the applicant will, in each year of the project, expend, from non-Federal sources, at least as much for the services under this part as it expended for the preceding year.”;

(B) by amending section 10904(b) to read as follows:

“(b) PRIORITY.—The Secretary shall give priority to applications that describe projects that –

“(1) offer a broad selection of services that address the needs of the community;

“(2) offer significant, expanded learning opportunities for children and youth in the community; and

“(3) contribute to reduced drug use and violence.”; and

(C) by further amending section 10904 by adding at the end thereof a new subsection (c), to read as follows:

“(c) SPECIAL RULES.— (1) An application submitted by a community-based organization shall contain evidence that affected local educational agencies concur with the proposed project.

“(2) The Secretary may waive the requirement of subsection (b)(4)(A) and permit an applicant to satisfy not more than 50 percent of the match required by that provision with other Federal funds awarded by the Secretary, if the applicant demonstrates in its application that it cannot comply with subsection (b)(4)(A).”;

(3) in section 10905, by striking out “may be used to plan, implement, or expand community learning centers which include not less than four” and inserting in lieu thereof “shall be used to establish or expand community learning centers that provide activities that offer significant expanded learning opportunities, such as before and after school, for children and youth in the community, and that may also include any”;

(4) in section 10906, by amending paragraph (1) to read as follows:

“(1) provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community; and”;

(5) by amending section 10907 to read as follows:

“SEC. 10907. AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(6) by adding at the end thereof the following new section 10908:

“SEC. 10908. CONTINUATION AWARDS. The Secretary may use funds under this part to make continuation awards for projects that were funded with fiscal year 1998 and 1999 funds, under the terms and conditions that applied to the original awards for those projects.”.

(7) by redesignating –

(A) part I as part G; and

(B) sections 10901 through 10908, as amended by this section, as sections 10701 through 10708, respectively.

#### PART J – URBAN AND RURAL EDUCATION ASSISTANCE

SEC.1008. Part J of title X of the Elementary and Secondary Education Act of 1965 is repealed.

#### PART K – NATIONAL WRITING PROJECT

SEC.1009. Part K of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10991—

(A) in paragraph 15 —

(i) by striking “154 regional sites” and inserting in lieu

thereof “157 regional sites”; and

(ii) by striking “45 States” and inserting in lieu thereof “46 States”;

(B) in paragraph (18) by striking out “; and” and inserting in lieu thereof a period; and

(C) by striking out section 10991(19);

(2) in section 10992--

(A) by amending subsection (g) to read as follows:

“(g) EVALUATION. The Secretary may conduct an independent evaluation, by grant or contract, of the program administered pursuant to this part.”; and

(B) by amending subsection (i) to read as follows:

“(i) AUTHORIZATION OF APPROPRIATIONS. For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by redesignating –

(A) part K, as amended by this section, as part H; and

(B) section 10991 and section 10992 as section 10801 and section 10802, respectively.

#### INTERNATIONAL EDUCATION PROGRAM

SEC.1010. Title VI of Goals 2000: Educate America Act is amended—

(1) in section 601(c)(6) to read as follows:

“(6) DEFINITIONS.—For the purposes of this subsection the term “eligible country” means a Central European country, an Eastern European country, Lithuania, Latvia, Estonia, Georgia, the Republic of Ireland and Northern Ireland, the Commonwealth of Independent States, any country that formerly was a republic of the Soviet Union whose political independence is recognized by the United States, and any other emerging democracy in a developing country. For the purpose of this definition, the term ‘developing country’ shall have the same meaning given it in the Education of the Deaf Act.”;

(2) by amending section 601(d) to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS. For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”and

(3) by redesignating it as part C of title X of the Elementary and Secondary Education Act of 1965, and redesignating section 601 as section 10301.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 18:22:29.00

SUBJECT: FL tobacco study / AP story w/ POTUS quote

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

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

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

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

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

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

TEXT:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 04/01/99  
06:22 PM -----

J. Eric Gould 04/01/99 06:13:51 PM

Record Type: Record

To: Cynthia A. Rice/OPD/EOP  
cc:  
Subject: FL tobacco study / AP story

CDC: Anti-Smoking Campaign Works

By PATRICIA J. MAYS Associated Press Writer

ATLANTA (AP) -- Smoking among middle school

students in  
state launched  
children, the

Florida dropped 19 percent in the year since the  
an aggressive anti-tobacco campaign aimed at  
federal government said Thursday.

among youth  
of teen smoking  
Prevention

The decline, which is larger than any nationally  
since 1980, could indicate that the prevalence  
has peaked, the Centers for Disease Control and

reported  
percent in  
Cigarette use  
to 25.2  
  
million to  
series of TV  
fun at the  
  
and why I  
government's claim to  
commitment from  
Clinton said in a  
  
use among  
to 11.9  
seventh- and  
4.9 percent,  
  
slightly among  
  
billion settlement  
largest cigarette  
pack. The  
the rates of  
  
Department of

said.

The number of Florida middle school students who  
having smoked cigarettes declined from 18.5  
February 1998 to 15 percent in February 1999.  
among high schoolers dropped from 27.4 percent  
percent during the same period.

The Florida Legislature last year allocated \$70  
vigorously enforce smoking age limits and for a  
and radio ads produced by teen-agers that poke  
tobacco industry. The program started last April.

"These results show why every state should have a  
comprehensive program to reduce youth smoking  
oppose any legislation waiving the federal  
tobacco settlement funds without making a  
the states to fund such efforts," President  
statement.

Since Florida's program was implemented, cigar  
middle school students dropped from 14.1 percent  
percent, the CDC said. And fewer sixth-,  
eighth-graders are using smokeless tobacco --  
down from 6.9 percent.

Cigar and smokeless tobacco use dipped only  
high schoolers.

After the tobacco industry reached a \$206  
with states last November, the nation's two  
makers increased wholesale prices by 45 cents a  
CDC said the higher prices also may have lowered  
teen smoking.

The study was based on 1998 and 1999 Florida  
Health surveys of 20,000 public school students.

□#AP-NY-04-01-99 1601EST<

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04/01

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-APR-1999 23:11:59.00

SUBJECT: List of Panel Participants for Equal Pay Roundtable

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is a list of three potential panel participants for the Equal Pay Event: (1) the woman professor who spearheaded the study at M.I.T.; (2) a business that is good on recruiting and hiring women and paying them equally; and (3) a comparable worth woman, who is a union member and works for the State of Minnesota. We are still looking for one other panel participant -- an older woman who is struggling in her retirement because she was not paid equally during her career. Ann Lewis thought that we couldn't have more than four persons other than the President and the First Lady on the panel and that if Secretary Herman were on the panel, then we could only have three women on the panel. (I think Herman is going to lobby heavily to get on the panel). Ann Lewis also had this vision that we should have a woman starting her career, one in the middle of her career, and a woman in retirement. While we don't have a woman young in age, I think both the MIT professor and the Minnesota woman can speak to the issues of a woman starting her career. The MIT study found that young professors felt like they were treated equally, but that as they progressed in their careers, they felt marginalized. The Minnesota woman got a pay raise early in her career, which allowed her to quit her second job and helped her to decide to stay on the state payroll.

I am in the process of getting these people vetted. Let me know if you think they are alright. Is there anyone else you think I should send them to (Karen or Ann)? Thanks, Mary

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

TEXT:

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## **Potential Panel Participants for Equal Pay Event**

### **Professor Nancy Hopkins, molecular biologist, Massachusetts Institute of Technology**

Professor Hopkins was the initiator of the effort at M.I.T. to study gender discrimination in the School of Science. At the beginning of her career at M.I.T, Professor Hopkins felt that she was treated equally with the male faculty members. However, even after learning somewhat fortuitously that she was 20 percent underpaid, she did not really believe that she was being discriminated against, albeit unintentionally. However, in 1994 after seeing how other women were treated, Professor Hopkins joined forces with the only 14 other tenured women faculty vs. 194 tenured male faculty in the School of Science to see whether their situations were unique. These woman found that they shared common experiences, and the university agreed to set up a committee to study how female faculty were treated in the School of Science. The committee found that senior female faculty members were marginalized; were not given sufficient space or resources for their research; and were not paid equally. Recently, M.I.T. published the report of the committee and has made concerted efforts to correct these disparities. Professor Hopkins believes that the success of this initiative stemmed, in large part, from the collaboration between the school and the professors in trying to identify and solve the problem. Professor Hopkins continues to try to expand this effort to the entire university.

### **United Technologies Corporation (UT), Hartford, Connecticut**

UT is a federal contractor, which is unionized and manufactures high technology products such as elevators, helicopters, and air conditioners. UT has won the highest award at Department of Labor in 1998 -- the Secretary's Opportunity 2000 award. UT tries to provide excellent opportunities for women in several areas. In hiring, UT extensively recruits women for non-traditional fields such as engineering and provides a slating process to ensure that women and minorities are considered for new hires. In trying to retain its workforce, UT conducts ongoing salary reviews in each business unit to ensure that women and minorities are being paid equally. In addition, UT offers several "family friendly" benefits such as flextime, childcare, eldercare, and telecommuting. UT also offers an "Employee Scholar" program where it provides tuition reimbursement and paid leave for employees to pursue degrees. Upon complete of a degree program, UT provides a stock award. In the area of career development, UT tries to keep qualified women and minorities in the pipeline for upper-level jobs by ensuring that women and minorities are slated as potential successors and receive the training they need. In setting wages, UT does a factor analysis which looks at the tasks involved, the responsibility level, and skills needed. UT believes that these policies are a business necessity in order to attract and retain workers and remain profitable.

### **Anna Marie Rodriguez Krueger, Administrative Secretary, Minnesota Department of Revenue**

Ms. Krueger is a member of AFSCME and the "comparable worth" story. She has worked in the Minnesota Department of Revenue since 1977. In 1982, at the age of 23, Ms. Krueger joined a strike of clerical workers for three weeks in order to get a pay raise. As the result of a new collective bargaining contract, Ms. Krueger received a pay raise over two years from \$6.50 per hour to \$8.94 per hour, with some of the raise a regular increase and the rest a pay equity adjustment. As the result of this raise at an early stage of her career, Ms. Krueger was able to

quit her part-time job as a travel agent. Since that time, Ms. Krueger has been promoted to the top of the clerical rank. Ms. Krueger did not know the details of how the pay equity adjustment was reached (that her female-dominated job was compared with an equivalent male-dominated job); she just seemed happy that she received a raise. She recalled that after she returned to work after the strike, the other workers treated her and the other clerical workers with more respect.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi ( CN=Sarah A. Bianchi/O=OVP [ UNKNOWN ] )

CREATION DATE/TIME: 1-APR-1999 23:40:44.00

SUBJECT: weekly

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READ:UNKNOWN

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

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

TEXT:

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

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**HATE CRIMES QUESTIONS AND ANSWERS**  
**April 2, 1999**

**Q: What is a hate crime?**

A: As a general matter, a hate crime is a crime that is motivated by bias based on the victim's race, color, religion, gender, national origin, sexual orientation, or disability. However, it is important to understand that hate crimes are defined by various federal and state criminal statutes, and these statutory definitions differ in their particulars from jurisdiction to jurisdiction. A principal federal hate crimes statute, for example, is currently limited to acts of violence committed because of the victim's race, color, religion or national origin; it does not include crimes committed because of the victim's gender, sexual orientation, or disability.

**Q: What did the President announce today?**

A: Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

**Q: What did the President announce with respect to a new public-private partnership?**

A: The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Justice and Education. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance, and will highlight positive ways that young adolescents are dealing with diversity issues.

The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities. This partnership builds on previous Administration efforts such as issuing the following publications: "Preventing Youth Hate Crime: A Manual for Schools and Communities;" "Healing the Hate: A National Bias Crime Prevention Curriculum for Middle Schools;" and "Protecting Students from Harassment and Hate Crime."

**Q: What specific changes to current federal law is the President supporting?**

A: The President supports pending federal legislation to expand the principal federal hate crimes statute. The current statute prohibits any acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal these acts of violence even if they were not intended to interfere with federally protected activities. Further, the proposed legislation would prohibit any acts of violence based on sexual orientation, gender, or disability, as long as there is a connection with interstate commerce.

**Q: How many hate crimes are there each year? Are hate crimes increasing?**

A: In 1997, there were 8049 reported incidents of hate crimes. But these statistics almost certainly under-report hate crimes to a significant extent, and the rise in the number of reported incidents may be due to improvements in reporting, rather than to increases in crime. There are two reasons for thinking that current statistics under-report hate crime. First and most important, submission of hate crimes data to the FBI is voluntary, and many law enforcement agencies do not submit data at all or submit incomplete data. In addition, many victims of hate crimes fail to report the incidents because of fear, humiliation, or language difficulties. For example, 60% of the victims of anti-gay incidents who reported their incidents to private tracking groups did not report the incidents to the police, in many cases because of a fear of mistreatment or unwanted exposure.

***FBI Hate Crime Statistics, 1991-1997***

	1991	1992	1993	1994	1995	1996	1997
<b>Total Hate Crime Incidents Reported</b>	4,558	6,623	7,587	5,932	7,947	8,759	8,049
<b>Total Hate Crime Offenses Reported</b>	4,755	8,106	8,987	7,262	9,895	10,706	9,861
<b>Participating Agencies</b>	2,771	6,181	6,865	7,356	9,584	11,354	11,211
<b>Number of States, including D.C.</b>	32	42	47	44	46	50	49
<b>% of U.S. Population Agencies Represent</b>	N/A	51	58	58	75	84	83

*\*Note: A single criminal incident can involve more than one offense because multiple offenses may be committed in an incident.*

**Motivations Of Offenses (%), 1991-1997**

	1991	1992	1993	1994	1995	1996	1997
<b>Racial Bias</b>	62.3	62.5	64.4	61.0	62.4	63.2	59.8
<b>Religious Bias</b>	19.3	15.3	15.1	17.1	14.3	14.0	15.0
<b>Sexual Orientation</b>	8.9	11.7	11.1	10.9	12.8	11.7	13.9
<b>Ethnicity/National Origin</b>	9.5	10.4	9.4	10.9	10.3	10.9	11.0

**Q: What other activities has the Administration undertaken with respect to hate crimes?**

A: At the White House Conference on Hate Crimes in November 1997, the President announced several initiatives to ensure effective law enforcement, including the creation of working groups in every U.S. Attorney's district in the country to improve coordination among local, state, and federal prosecutors; the addition of new FBI agents and prosecutors to work on enforcement of hate crimes laws; and the development of model curriculum for training law enforcement officers to deal with hate crimes. Since the conference, the Administration has committed significant resources to assisting enforcement of hate crimes and has issued publications such as "Preventing Youth Hate Crime: A Manual for Schools and Communities" and "Protecting Students from Harassment and Hate Crime." In his FY2000 budget, the President has requested approximately \$34 million for hate crimes enforcement.

**Q: What is the Administration doing about hate on the Internet?**

A: It is important to distinguish between hate crime and hate speech. Speech on the Internet is protected by the Constitution. The Clinton Administration is not regulating the Internet. However, there are many organizations such as the Anti-Defamation League that are working on developing programs for use by parents to be able to protect their children by filtering out hate sites. Where crimes motivated by bias happen on the Internet, such as e-mail threats, they have and will be prosecuted.

**Q: Why isn't the President increasing penalties for hate crimes?**

A: The Clinton Administration has already increased penalties for hate crimes in the Sentencing Enhancement Act, passed as part of the 1994 crime bill, which authorizes the imposition of enhanced sentences for federal crimes found to have been motivated by

race, color, religion, national origin, sexual orientation, gender, or disability. The Act became effective in November 1995.

**Proposed Legislation**

**Q: Why is this legislation needed?**

A: The legislation is needed for two compelling reasons. First, the problem of hate crimes based on sexual orientation, disability, and gender are serious, and are currently not covered under federal law. Second, the Department of Justice has been hindered in its efforts to prosecute racial hate crimes because of the need to show that the victim was attacked because he or she was engaging in a federally protected activity such as enrolling in or attending any public school or college. This amendment will ensure that all persons in the United States are protected under federal law from any hate crimes causing serious bodily injury.

**Q: Why is federal hate crimes legislation necessary at all? Shouldn't this really be a matter for local prosecutors?**

A: The federal government has an important supporting role to play in prosecuting hate crimes. As a matter of longstanding practice, federal officials defer to state prosecutors to make the initial determination whether to bring a hate crimes case. But the problem of hate crimes is serious enough to warrant providing the federal government with authority to act if federal jurisdiction is necessary to achieve justice in a particular case. And the proposed legislation will ensure that the federal government has this necessary authority.

**Q: Won't this expansion of the new federal hate crimes statute require extra resources?**

A: **Any new criminal law requires new resources to enforce it, and this one is no exception. The Administration will work to ensure that its new responsibilities are carried out as efficiently as possible.**

**Q: Doesn't providing protections based on sexual orientation legitimize the gay lifestyle?**

A: No. Whatever their views about homosexuality or about providing antidiscrimination protections to gays and lesbians, all people of good will should agree that people should not be subject to physical attack based on their sexual orientation. People in this country have a fundamental right to be safe and to live without fear of violence. This statute ensures that people will receive this protection.

**Q: Won't the addition of gender to the federal hate crimes legislation federalize all rapes?**

A: No. The bill does not make every rape a federal crime. In addition to the violent act, there must be evidence of bias toward the victim because of the victim's gender and a sufficient connection with interstate commerce. The Act generally would not be used when state laws provide severe penalties, as in cases of rape. The more frequent use would be in cases of violent attacks against women where there is clear evidence of gender bias but state laws do not provide sufficient penalties or where state officials conclude it is difficult to bring a successful state prosecution. In addition, federal jurisdiction would also allow federal authorities to assist states in bringing their own cases.

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi ( CN=Sarah A. Bianchi/O=OVP [ UNKNOWN ] )

CREATION DATE/TIME: 1-APR-1999 23:40:44.00

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TO: Paul J. Weinstein Jr. ( CN=Paul J. Weinstein Jr./OU=OPD/O=EOP @ EOP [ OPD ] )  
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**Democratic Patients' Bill of Rights Event in Philadelphia.** Next Friday, you are scheduled to participate in a multi-state, multi-state Congressional Democratic event in Philadelphia to receive an Internet-based petition calling for the Congress to pass a strong enforceable patients' bill of rights. In addition to announcing this petition, which will already have thousands of participants and is intended to attract over one million, you can announce the OPM "call letter" that will require all participating FEHBP insurers to come into full compliance with the patients' bill of rights. Among other provisions this action will ensure that every FEHBP plan will have new continuity of care protections. This event, long requested by the Democrats, provides you with another opportunity to call on the Congress to pass a strong patients' bill of rights and to contrast it with the weak proposal which was passed out of the Senate Labor Committee shortly before the recess.

**Response to your request for information on the Medicare annual cap on patient services.** The \$1500 cap on Medicare outpatient physical therapy and other rehabilitative services was included as part of the Balanced Budget Act of 1997. We opposed this because of our concern about the potential adverse impact on chronically ill beneficiaries. However, Congressman Thomas insisted that it be included in the final package. Providers and advocates are now arguing that this cap is problematic and a recent study shows that almost 13 percent of Medicare beneficiaries exceed the cap each year and are left with significant out-of-pocket expenditures. Senator Grassley has proposed legislation to allow Medicare beneficiaries to receive services above the cap if they have an illness that will clearly require additional services. However, this proposal may prove to be quite costly. We are requesting that it be scored and are reviewing alternatives.

**Nationwide Medicare Toll-Free Line.** On Thursday, HHS went nationwide on their new toll-free telephone line, 1-800 MEDICARE, designed to respond to the numerous questions that beneficiaries have about their new options. Callers can talk to a customer service representative in English or Spanish to get general information about Medicare; get updated information about Medicare health plan options in their community; get specific quality and satisfaction information or other complex questions about health care. The new toll-free line is part of the National Medicare Education Program passed in the Balanced Budget Act, a comprehensive effort to help Medicare beneficiaries better understand the new health care options that are part of Medicare+Choice.