

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 060 - FOLDER -005

[05/02/1997]

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. email	Russell Horwitz to Ann McGuire and Elena Kagan. Subject: outreach document [partial] (1 page)	05/02/1997	P6/b(6)
002b. email attachment	Budget Rollout: An Action Plan for the 24 to 48 Hours Following a Budget Agreement [partial] (5 pages)	05/02/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
 Automated Records Mangement System [Email]
 WHO ([Kagan])
 OA/Box Number: 500000

FOLDER TITLE:

[05/02/1997]

2009-1006-F

wr75

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: June G. Turner (CN=June G. Turner/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 2-MAY-1997 09:12:22.00

SUBJECT: Friday Reconciliation Meeting - Message #2

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

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

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

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

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

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

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

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

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

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

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

TO: John O. Sutton (CN=John O. Sutton/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Patricia E. Romani (CN=Patricia E. Romani/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

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

TO: Doris O. Matsui (CN=Doris O. Matsui/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: Betty W. Currie (CN=Betty W. Currie/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

CC: Virginia N. Rustique (CN=Virginia N. Rustique/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TEXT:

The Reconciliation Meeting today is cancelled due to budget & Mexico events

Attendees:

Betty Currie
Don Baer
Dawn Chirwa
Maria Echaveste
Rahm Emanuel
Richard Hayes
Elena Kagan
Ann Lewis
Cheryl Mills
Bob Nash
Janet Murguia
John Podesta
Bruce Reed
Richard Socarides
Tracey Thornton
Minyon Moore
Andrew Mayock
Rob Weiner
Robert Johnson
John Hilley
Alexis Herman
Doris Matsui
Doug Sosnik
Carolyn Curiel
James Edmonds
Ann Walker
Michael Waldman
Frank Raines
Beverly Barnes
Susan Liss
Ellen Lovell
Kitty Higgins
Flo McAfee
Marcia Hale
Mary Ellen Glynn
Stephanie Streett
Michael Diech
Rose Ochi (Justice)
Isabel Pinzler (Justice)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Scott Quehl (CN=Scott Quehl/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 2-MAY-1997 20:22:45.00

SUBJECT: DC MOU FINAL DRAFT

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

TO: Bradley W. Kyser (CN=Bradley W. Kyser/OU=OMB/O=EOP @ EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

TO: Mark D. Menchik (CN=Mark D. Menchik/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: Ananias Blocker III (CN=Ananias Blocker III/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

TO: Dennis K. Burke (CN=Dennis K. Burke/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: MAZUR_M (MAZUR_M @ A1 @ CD @ LNGTWY [EOP]) (WHO)
READ:UNKNOWN

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

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

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

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

TEXT:

----- Forwarded by Scott Quehl/OMB/EOP on 05/02/97 08:18
PM -----

MEMORANDUM OF UNDERSTANDING BETWEEN:

THE DISTRICT OF COLUMBIA

Marion Barry, Jr., Mayor _____

Charlene Drew Jarvis, Council Chairperson Pro Tempore _____

Pursuant to Council Resolution 12-XXX, the Memorandum of Understanding on the President's National Capital Revitalization and Self-Government Improvement Plan Emergency Resolution of 1997."

DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE AUTHORITY

Andrew Brimmer, Chairman _____

OFFICE OF MANAGEMENT AND BUDGET, EXECUTIVE OFFICE OF THE PRESIDENT

Franklin D. Raines
Chair, President's District of Columbia Task Force _____

Dated: _____

SECTION I. PURPOSE

The parties respect the Home Rule Charter as the fundamental basis for governance in the District. The purpose of this memorandum is to strengthen Home Rule and to agree to work toward the revitalization of the District of Columbia. By providing for additional District government functions, the Federal government will enable the District to focus its resources on the functions that remain. In some cases, however, this memorandum provides for Federal assumption of not only funding for certain government functions, but Federal assumption of management of those functions as well. While this is appropriate in limited circumstances, the parties generally favor the principle of local management over District government functions, regardless of the source of funding for those programs.

This memorandum is intended only to improve the management of, and the relationship between, the District of Columbia and the Federal government, and is not intended to and does not create any right, benefit, trust or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States or the District of Columbia, its agencies, its officers, or any person.

SECTION II. PUBLIC LAW 104-8, "THE DISTRICT OF COLUMBIA FINANCIAL RESPONSIBILITY AND MANAGEMENT ASSISTANCE ACT OF 1995"

The parties recognize the provisions of effectiveness of PL 104-8 and dedicate themselves to the cooperative implementation of these its provisions. Among these provisions are:

Finance.

- For each Fiscal Year for which the District is in a control period, the Mayor shall develop and submit to the Financial Responsibility and Management Assistance Authority (the "Authority") and District Council a Budget and Financial Plan for the applicable Fiscal Year and the next three Fiscal Years.
- Expenditures for the District government for each Fiscal Year, beginning in FY1999, may not exceed revenues for that Fiscal Year.
- During Fiscal Years 1996, 1997, and 1998, the District government shall make continuous, substantial progress toward equalizing its expenditures and revenues.
- The District may not borrow money during a control year unless the Authority provides prior certification that the borrowing is consistent with the financial plan and budget for the year.
- For the Secretary of the Treasury to make a short-term advance to the District, an Authority-approved Budget and Financial Plan must be in place, the Mayor must submit a requisition for an advance including a schedule for timing and amounts for advances, the

Inspector General must certify the accuracy of the information provided to the Secretary, and the Secretary determines -- and the Authority certifies -- that the District lacks market access on reasonable terms, and that the Treasury has reasonable assurance of being reimbursed.

Management.

- An Office of the Chief Financial Officer will be established in the Executive Branch of the District government, headed by the Chief Financial Officer, and including the Office of the Treasurer, Controller, Budget, Financial Information Services, and Finance and Revenue.
- An Office of the Inspector General will be established in the Executive Branch of the District government.
- During the control period, the Mayor shall submit proposed contracts and leases to the Authority for review, and cannot enter into a contract or a lease unless the Authority determines it is consistent with the Budget and Financial Plan.
- The Authority may submit recommendations to the Mayor, the Council, the President, and Congress on actions the District or Federal governments may take to ensure the District's compliance with a Budget and Financial Plan and promote its

financial stability, management responsibility, and service delivery efficiency. The Mayor and the Council shall submit a statement to the Authority, President, and Congress providing notice as to whether the District will adopt the recommendations. An affirmative

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the
Senate

SECTION III. GENERAL PROVISIONS

1. ~~**Balanced Budget.**~~ PL 104-8 requires that the District balance its budget by FY1999. By this agreement, the District agrees to present and/or approve a balanced budget for the Fiscal Year beginning October 1, 1997.
2. ~~**Agreement to be Bound.**~~ ~~The District agrees to be bound by and to use its offices and best efforts to implement this agreement.~~

SECTION IV. SUBMISSION OF LEGISLATION & FEDERALLY ASSUMED FUNCTIONS

As Chair of the President's District of Columbia Task Force, the Director of the Office of Management and Budget intends to recommend the submission of legislation to the Congress that is consistent with the National Capital Revitalization and Self Government Improvement Plan (the "Plan") announced by the President on January 14, 1997.

Once implemented, the Plan will provide the District substantial relief from its operating expenditures, relief which will grow over time. It will also invest considerable resources to improve the District's criminal justice systems and capital infrastructure. If this legislation is enacted, the Federal government will undertake the functions described below. The Federal government will not undertake a function until the District government meets the conditions for that function, described in Section V.

1. **Medicaid.** The Federal government will increase its share of the District's Medicaid payments to 70 percent, thereby reducing the District's share to 30 percent. The Department of Health and Human Services will continue to provide more intensive

technical assistance to help the District improve the management of its Medicaid program.

2. ***Pensions.*** The Federal government will take financial and administrative responsibility for virtually all pension benefits accrued under the plans for all active and retired police and firefighters, and teachers, and will take full responsibility for the pensions of judges. The bulk of the assets of the retirement plans will be transferred to the Federal government and placed with a third party Trustee chosen by the Secretary of the Treasury. A significant amount of assets will be left with the District of Columbia to fund the benefits of participants in the District's plans and to reduce the District's annual contribution. The Trustee will invest funds, manage the existing plans, and make payments on behalf of beneficiaries. The Federal government will pledge its full faith and credit to meet its responsibilities to pay these benefits. Current retirees will have all their benefits paid by the Federal government. Retirement, death, and some disability benefits payable by the Federal government to current employees will be based on service earned as of the date the legislation is introduced. While the Federal government will not be responsible for benefits earned during future years of service by members of the current retirement programs (other than judges), these members will get the benefit of pay increases on the frozen benefits. Frozen benefits will continue to be subject to cost-of-living adjustments under the terms of the existing programs. All future employee contributions (except for judges) will be paid into the new plans.
3. ***Treasury Loans to Eliminate the Deficit.*** The United States Treasury will provide loans of up to 15-year terms to assist the District to eliminate its accumulated fund balance deficit and to manage its liquidity position. The combined amount of the Treasury loans may not exceed \$500 million. The Treasury loans will have an interest rate equal to the prevailing yield on outstanding Treasury marketable securities of comparable maturity plus 1/8th of one percent. The Treasury may also provide intra-year loans for the purposes of seasonal cash-flow management.
4. ***Criminal Justice.*** The Federal and District governments will develop and implement a transition plan which transfers responsibility over a three-to-five-year period for incarcerating felons. The Federal Bureau of Prisons (BOP) will house adult felons convicted of D.C. Code violations and designated in the same manner as Federal inmates in correctional institutions operated or contracted by the BOP. This will occur after BOP's capacity has been increased through new construction at Lorton and other locations selected by BOP, and through renovation of existing facilities at Lorton, Virginia. After October 1, 2001, the BOP will also designate to Federal correctional institutions sentenced D.C. felons in the custody of the D.C. Department of Corrections, as the Director of BOP deems appropriate, in accordance with available capacity, until they have all been designated to Federal institutions. The BOP will accept employment applications from persons currently employed by the D.C. Department of Corrections for existing BOP vacancies, and will process such applications in accordance with existing Federal procedures and standards.

The Attorney General will select, after consultation with the Mayor, the D.C. City Council, and the Chair of the D.C. Financial Responsibility and Management Assistance Authority, a Trustee to oversee operations of the D.C. Department of Corrections until the BOP assumes responsibility for all incarcerated District felons.

The Federal and District governments will develop and implement a framework for changes to the D.C. sentencing system, including the abolition of parole, institution of determinate guideline sentencing and the enactment of the new mandatory minimum drug sentences, which are a prerequisite for the Federal government accepting responsibility for the incarceration of felons convicted of D.C. Code violations. The sentencing system will be enacted within 24 months, or the Federal government will not be required to obligate any funds appropriated for the purpose of incarcerating D.C. Code felons and will have no responsibility for housing such persons.

Consulting with representatives of the Federal and District judiciary, the Federal and District governments will also develop and implement a transition plan transferring responsibility for D.C. Code violation offender pretrial, public defender, parole, probation, and post-adjudication/post-conviction adult offender supervision from the District government to the Federal government over a three-to-five-year period. The United States Parole Commission will continue to assume responsibility for all D.C. felons housed in Federal Correctional Institutions who have sentences subject to provisions of parole.

The Federal government will take direct responsibility (in consultation with the D.C. judiciary) for funding the D.C. court system and related services (including plans relating to retirement benefits and other personnel matters), and establishing an independent budgetary, financial oversight, and administrative support system for the D.C. courts. The Courts will remain self-managed, and District involvement in the selection and review of D.C. judges will not be diminished.

5. ***Economic Development.*** The Federal government will assist the economic development of the District of Columbia in three ways:

First, a new economic development corporation (EDC) will be established as a public authority of the District of Columbia, with the mission of revitalizing the nation's capital city and benefitting the District's residents and businesses. The EDC will be governed by a board of directors consisting of nine voting members. ~~Six~~ Five of the board members will be appointed by the President in consultation with the Congress. Of those ~~six~~ five, four will be selected from the for-profit business community, and ~~two~~ one will be selected from a community-based organizations. One of the board members will be appointed by the Mayor with the advice and consent of the Council, from the for-profit business community or from a community-based organization. All six of the appointed board members will be persons who either maintain a primary residence or have a primary place of business in the District. The remaining three board members will be ex officio members, one chosen by the President from the Federal government, a second who will be the Mayor or such alternatives as the Mayor may from time to time designate

to serve as the Mayor's representative, and a third who will be the Council Chairman's representative. chosen by the Mayor from the District government, and a third chosen by the Council from the District government.—The EDC will be run by a Chief Executive Officer and served by a professional staff. The EDC will receive an initial capitalization of Federal funds.

The EDC will evaluate existing economic development plans and will give expedited consideration to applications for financial assistance for projects contemplated by existing plans that the EDC adopts. The EDC will establish a comprehensive strategic plan for economic development and will consult with the rest of the District government in doing so. The EDC will provide financial assistance for economic development projects, directly or in participation with other sources of financing, by making loans, equity investments, and grants, but not guarantees; by leasing or conveying land; by allocating tax credits for qualified equity investments and loans; by issuing tax-exempt private activity bonds for certified qualified projects; and by issuing project revenue obligations for any economic development project that it approves. All EDC projects will be required to comply with applicable Federal and District law. The EDC will have ~~the power~~ limited powers to acquire property through condemnation by eminent domain in the name of the District of Columbia and furtherance of its statutory objectives.

Second, the Federal government will provide \$250 million in tax incentives to encourage business investment both downtown and in distressed communities, and to help businesses increase employment of residents of the District. There will be a new 40 percent tax credit on the first \$10,000 of eligible wages in the first year of employment for employers in the District that hire certain residents of the District. Businesses that have a significant portion of their activities in higher poverty areas of the District and that have a work force at least 35 percent of which is made up of District residents will be eligible for expensing (rather than capitalizing) an additional \$20,000 of business equipment and machinery acquired each year. The EDC will be authorized to issue tax-exempt private activity bonds to finance a broader range of business property than under existing District law if the business is located in a higher poverty area of the District and has a work force at least 35 percent of which is made up of District residents.

The EDC will be authorized to allocate \$95 million in tax credits for investors in, or lenders to, District businesses for up to 25 percent of the amount invested or loaned.

Third, the District government's borrowing authority will be improved by removing impediments in its borrowing statutes so that the District government will have the same legal capacity to finance projects similar jurisdictions have.

These provisions will be undertaken in a manner consistent with a legislative outline being developed with the District.

6. ***Infrastructure.*** The Department of Transportation will assume responsibility for the funding and oversight of certain National Highway System (NHS) capital projects (including roads, bridges, and transit) and NHS operations and maintenance projects (excluding police authority, National Park Service roads, and transit) in

consultation with the District. The District will select the NHS projects to be funded and the Secretary of Transportation will review the District's project selections in accordance with Title 23 planning procedures. Contract administration will be performed by the Federal Highway Administration. In addition, eligibility for Surface Transportation Program (STP) funds will be expanded to include local public roads. To support NHS projects, the National Capital Infrastructure Fund (NCIF) will be established in FY1998 with \$108 million for road, bridge, and transit capital projects. An additional \$17 million will be provided in FY1998-03 for NHS operations and maintenance. Federal-aid funds for the District's NHS, Interstate Maintenance, and Bridge programs will be transferred to the NCIF in FY1998-03. The Administration also proposes that the NCIF be authorized to accept contributions from other sources.

7. *Personal Income Tax Collection Administration.* At the request of, and at no cost to, the District, the Internal Revenue Service will assume responsibility from the District of Columbia for administering and/or enforcing D.C. individual income ~~and payroll~~ taxes. ~~This would potentially include the processing of those taxes paid by individuals, as well as the payment of related employment and payroll taxes.~~ The District government will maintain processing and collection responsibility for all other taxes.

Both during the drafting and upon enactment of the legislation to implement the Plan, the parties to the MOU will review the legislation and confer on whether any revisions to the MOU are necessary to ensure its consistency with the legislation.

SECTION V. DISTRICT CONDITIONS

The District government understands that it will be expected to undertake significant actions as part of the *National Capital Revitalization and Self-Government Improvement Plan* (the "Plan"). This section sets out the actions that the District government agrees to take as a condition of the Federal government actions under the legislation to carry out the Plan.

1. *Medicaid.* The District agrees to develop and implement plans satisfactory to the Secretary of Health and Human Services to accomplish each of the following:
 - 1.1. To develop an effective system for the identification and collection of amounts owed by third parties for medical care and services furnished to individuals under the District's Medicaid plan.
 - 1.2. To ensure the timely audit and settlement of cost reports of institutional providers (including hospitals, nursing facilities, and intermediate care facilities for the mentally retarded) under the District's Medicaid plan, including prompt elimination of the backlog of such audits and settlements.
 - 1.3. To develop and implement, directly or under contract, a comprehensive health care management information system that will standardize data base development and

management, and integrate health care delivery with a public health data system. Such a system shall at a minimum have the capacity to accomplish the following functions:

- 1.3.1. To assist with eligibility verification;
 - 1.3.2. To create utilization and financial profiles of providers;
 - 1.3.3. To identify services (including preventive services) received by program beneficiaries;
 - 1.3.4. To monitor the claims processing and other Medicaid operations of the fiscal agent;
 - 1.3.5. To monitor the quality of care provided under managed care contracts; and
 - 1.3.6. To coordinate information management with respect to the District's Medicaid program and other public health programs and functions.
- 1.4. To develop a comprehensive behavioral managed health care system, which combines substance abuse and mental health grant programs. Development of such a plan shall include a pilot project for better evaluation of in-patient acute psychiatric patient admissions, and the purchase of a comprehensive, risk-based system for managed care of behavioral health which covers all eligible populations and services.

2. ***Pensions.*** The District Government agrees: (see Appendix One for definitions)

2.1. To establish a Replacement Plan for the current Retirement Program

2.1.1. The Replacement Plan will cover all existing and new employees (except for judges) who are, or would be, covered by the Retirement Program, if the Retirement Program continued unchanged, and will be established by the date specified in legislation.

2.1.2. To the extent required by current law, the Replacement Plan will be established through collective bargaining.

2.1.3. After the Adoption Date, the Replacement Plan may not be amended in any manner that materially increases the cost of the Replacement Plan without provision of a mechanism for funding such increases, in accordance with Section 2.2.

2.2 That the Replacement Plan will use appropriate funding methods and costs that do not exceed the sum available in the District of Columbia Budget and Financial Plan.

2.2.1. The cost of any defined benefit plan will be determined in accordance with the measurement standards of Governmental Accounting Standards Board Statement No. 27 (GASB 27), with the following additional restrictions:

2.2.1.1. funding methods will be limited to *entry age* or *frozen entry age*; and

- 2.2.1.2. amortization of any unfunded actuarial liability is required over no more than 30 years on a *closed* basis.
- 2.2.2. The cost of any defined contribution plan is the employer contribution required under the provisions of the plan.
- 2.2.3. All costs of the Replacement Plan must be reflected in the D.C. Budget and Financial Plan in accordance with the standards described above.
- 2.2.4. All costs of the Replacement Plan must be paid in accordance with the D.C. Code 1981, Title 1, Chapter 7, subchapter III.
- 2.2.5. Contributions of all existing and new employees (except judges) will be paid into the Replacement Plan.
- 2.3. To transfer copies of books and records of the Retirement Program and the Fund and to be financially responsible for errors and omissions, including all necessary records of individual employees.
 - 2.3.1. Copies of any books and records pertaining to the Retirement Program and the Fund required by the Secretary of the Treasury or the Trustee must be made available to the Secretary or Trustee within 30 days after the Secretary or Trustee requests them.
 - 2.3.2. The District will reimburse the Trustee for all costs, including benefit payments, resulting from errors or omissions in the books and records pertaining to the Fund.
- 2.4. To transfer assets from the Fund
 - 2.4.1. Any and all assets of the Fund required to be transferred to the Trustee shall be transferred on the Transfer Date in a form specified by the Trustee.
 - 2.4.2. The District of Columbia Retirement Board will administer the retirement programs until the Trustee assumes these responsibilities. The District government will reimburse the Fund for any benefits paid out of the Fund between the Freeze Date and the transfer date that exceed payments that would have been the responsibility of the Federal government if the transfer had occurred simultaneously with the freeze.
 - 2.4.3. A significant amount of assets will be left with the District of Columbia to fund the benefits of participants in the District's plans and to reduce its annual contribution.
- 3. ***Treasury Loans to Eliminate the Deficit.*** The District agrees that:
 - 3.1. Any Treasury loan to eliminate the accumulated fund balance deficit would be for no more than 15 years, with an interest rate equal to the prevailing yield on outstanding Treasury marketable securities of comparable maturities plus 1/8 of one percent.

- 3.2. The combined amount of the Treasury loans to eliminate the accumulated fund balance deficit and to manage its liquidity position will not exceed the amount of \$500 million, except for intra-year loans.
- 3.3. The Secretary of the Treasury may require early reimbursement if the District can obtain credit in the commercial market on reasonably [beneficial] terms for refinancing as determined by the Secretary.
- 3.4. **Before any lending may occur, the District must provide a requisition for an advance of funds and a promissory note to reimburse the Treasury for the Advance, in forms satisfactory to the Secretary of the Treasury.**
- 3.5. Before any lending may occur, the Treasury shall consider the impact of such lending on the District's obligations to District bond and note holders.
- 3.6. **Before any lending may occur, the Secretary of the Treasury must receive certifications from the Financial Responsibility and Management Assistance Authority and the District of Columbia Inspector General that there is an approved Budget and Financial Plan in effect for the District for the Fiscal Year in which the requisition is made, that the District is in compliance with the Authority-approved Budget and Financial Plan, and that the borrowing and repayment of the loan is consistent with the Authority-approved Budget and Financial Plan.**
- 3.7. **Before any lending can occur, the Secretary of the Treasury must receive certifications from the District government and the Financial Responsibility and Management Assistance Authority that the District is unable to obtain enough credit elsewhere to meet the District government's need for financing.**
- 3.8. The Federal government will work with the District government to amend its general obligation debt limit provisions in order to allow implementation of the District's capital plan in an orderly and sustainable manner.

4. ***Criminal Justice.*** This subsection of the Memorandum of Understanding (MOU) between the Federal government and the District of Columbia government (D.C.) outlines the offer of the Federal government, conditioned wholly on appropriations and D.C.'s acceptance and satisfaction of all other conditions and predicates identified and described herein, to assist D.C. by assuming responsibility for certain traditionally State responsibilities and the conditions that D.C. must agree to and fulfill should it choose to accept that offer as it relates to criminal justice functions, including, but not limited to, certain defendant and offender services, corrections and the judiciary. The MOU sets forth the expectations and responsibilities relating to proposed changes and reforms in the D.C. criminal justice and judicial system and the procedures (including new statutory and regulatory provisions) the Federal government and D.C. will use to implement the MOU. In particular, the MOU is designed to:

- 4.i. provide a framework for changes to the D.C. sentencing system, including the abolition of parole, institution of determinate guideline sentencing and the enactment of the new mandatory minimum drug sentences, which are a prerequisite for the Federal government accepting responsibility for the incarceration of felons convicted of D.C. Code violations.
- 4.ii. ensure that such sentencing system is to be enacted within 24 months after funding has been provided, or the Federal government will not be required to obligate any funds appropriated for the purpose of incarcerating D.C. Code felons and will have no responsibility for housing such persons.
- 4.iii. ensure an appropriate transfer and transition of responsibility from D.C. to the Federal government for pretrial, public defender, parole, probation, and post-conviction supervision and services for adult D.C. Code defendants and offenders.
- 4.iv. ensure an appropriate transfer of responsibility from D.C. to the Federal government for the incarceration of sentenced felons convicted of D.C. Code violations, assuming sufficient resources are provided by Congress to develop necessary bed space to accommodate the resulting increase in the Federal Bureau of Prisons (BOP) population and D.C. Code violators are designated in the same manner as Federal inmates.
- 4.v. provide the basis for establishing an independent budgetary, financial oversight, and administrative support system for the D.C. courts.
- 4.vi. define the respective roles of the D.C. and Federal Governments in relation to lawsuits and resulting liability, as they may be affected by the reforms agreed to in this MOU.
- 4.vii. ensure the development by D.C. and the Federal Governments of transition plans
 - 4.vii.a. (in consultation with the Federal and D.C. judiciaries) for transferring responsibility for pretrial, public defender, parole, probation, and post-conviction supervision and services for adult D.C. Code defendants and offenders over a transition period of one to three years from the enactment of the federal implementing legislation.
 - 4.vii.b. for transferring responsibility for incarcerating sentenced felons convicted of D.C. code violations over a period of approximately three to five years.
 - 4.vii.c. (in consultation with the D.C. judiciary) for transferring responsibility for funding the D.C. court system and related services, including plans relating to retirement benefits and other personnel matters.

4.vii.d. for transferring control of the property at Lorton, Virginia to the Federal Government.

4.1. Administration of District of Columbia Pretrial, Parole, Probation, and Post-Conviction Offender Supervision, Housing, and Public Defender Services

4.1.1. *Federal Government Responsibilities*

4.1.1.1. After consultation with the Mayor of D.C., representatives of the D.C. Council, the Chairman of the D.C. Financial Responsibility and Management Assistance Authority (Financial Authority), and members of the affected Federal and D.C. judiciaries, the Attorney General will select an Offender Supervision, Defender and Courts Services Trustee to:

- a) assure the smooth transition and continued operations of D.C.'s Pretrial Services Agency and Public Defender Service;
- b) implement an orderly shutdown of the D.C. Board of Parole in coordination with the U.S. Parole Commission and the Superior Court for the District of Columbia;
- c) establish and operate a new D.C. Offender Supervision, Defender and Courts Services Agency; and
- d) accomplish, without disruption of services, the transfer of the adult offender probation supervision functions of the D.C. Courts Social Services Division,

until the Federal government assumes responsibility for each of these functions.

4.1.1.2. During the transition period, under the general auspices of the Trustee, the D.C. Pretrial Services Agency will continue uninterrupted to provide services and support for both juvenile and adult D.C. Code and Federal defendants and offenders to the U.S. District Court for the District of Columbia, the U.S. Court of Appeals for the District of Columbia, the Superior Court for the District of Columbia, and the District of Columbia Court of Appeals. The Director of Pretrial Services may employ such personnel as shall be necessary pursuant to procedures and standards established by the Trustee to facilitate transition to Federal status.

4.1.1.3. Following the transition period, the D.C. Pretrial Services Agency and the D.C. Public Defender Service will be organizationally housed in a part of a

new Federal D.C. Offender Supervision, Defender and Courts Services Agency.

4.1.1.4. The D.C. Board of Parole will be terminated after the Trustee establishes a transition agency with the capacity to provide adequate field supervision to adult D.C. offenders on parole, probation or supervised release, and the U.S. Parole Commission is capable of carrying out parole functions for D.C. Code felony offenders. Subject to appropriations, the D.C. Board of Parole's functions and jurisdiction *vis a vis* felon parolees will be assumed by the U.S. Parole Commission. Similarly, its functions and jurisdiction *vis a vis* misdemeanor parolees will be assumed by the D.C. court system. Substantive D.C. law will continue to apply to parole determinations for all D.C. Code offenders. The District of Columbia Superior Court Division of Social Services will continue to provide supervision to D.C. Code juvenile offenders and will assume responsibility for the supervision of misdemeanor parolees.

~~4.1.1.5. The Trustee will accept employment applications for new offender field supervision positions in the transition agency from persons currently employed by the D.C. court system and the D.C. Board of Parole. Applications will be processed in accordance with procedures and standards established by the Trustee to facilitate transition to subsequent Federal law enforcement employment in the successor Offender Supervision, Defender and Courts Services Agency. Positions will be advertised prior to hiring.~~

4.1.1.5. The Trustee will accept employment applications for new offender field supervision positions in the transition agency from persons who are currently employed by the District of Columbia Board of Parole or in offender supervision-related capacities by the District of Columbia Court System. Qualified, experienced personnel will be essential to an effective, timely transition and will receive priority consideration. Applications will be processed in accordance with procedures and standards established by the Trustee to facilitate transition to subsequent Federal law enforcement employment in the successor Offender Supervision, Defender, and Courts Services Agency. Positions will be advertised prior to hiring to assure notice to all interested D.C. agency personnel.

4.1.1.6. During the transition period, the Federal government will transfer funds for the Pretrial Services Agency, the Public Defender Service and the supervision of D.C. offenders to the Trustee. The head of any Federal department or agency may provide the services of any personnel on a reimbursable basis to the Trusteeship to assist in carrying out the Trustee's duties.

- 4.1.1.7. During the transition period, under the general auspices of the Trustee, the Public Defender Service will continue uninterrupted to provide services to D.C. Code defendants and the D.C. court system. The Director of the Public Defender Service may employ such personnel as shall be necessary pursuant to procedures and standards established by the Trustee to facilitate transition to Federal status.
- 4.1.1.8. During the transition period, the employees of and funds allocated to the Trustee and the agencies for which the Trustee is responsible shall not be counted against the personnel and budget ceilings imposed on D.C. by the Financial Authority or Congress.
- 4.1.1.9. The U.S. Marshals Service (USMS) will contract with D.C., at a mutually agreeable rate, to obtain space not needed by D.C. at D.C.'s Correctional Treatment Facility (CTF), to house persons in the custody of the USMS for whom the USMS requires bed space in the D.C. area.
- 4.1.1.10. Subject to appropriations, the Federal government will provide funds to support the D.C. Board of Parole functions during the one to three year transition period culminating in the termination of the D.C. Board of Parole.

4.1.2. District of Columbia Responsibilities

- 4.1.2.1. The District of Columbia will maintain responsibility for all D.C. Code juvenile offenders not prosecuted as adults.
- 4.1.2.2. The District of Columbia will have responsibility for housing and supervising persons charged with and/or convicted of misdemeanor violations in the Superior Court for the District of Columbia, both before and after sentencing.
- 4.1.2.3. The District of Columbia will continue to house persons charged with felonies under the D.C. Code and persons convicted of felonies under the D.C. Code but not yet sentenced, in the Superior Court for the District of Columbia. To the extent beds are available, D.C. will continue to house persons charged with felonies under the U.S. Code, and persons convicted of felonies under the U.S. Code but not yet sentenced in the U.S. District Court. D.C. will continue to receive reimbursement, at a mutually negotiated rate, from the Federal government for the costs of housing such persons. "House" and "housing" include subsistence, transportation of persons to and from court appearances, revocation

hearings, medical facilities, and the maintenance of necessary prisoner records.

- 4.1.2.4. The District of Columbia will continue to house persons sentenced by the Superior Court and detained pending a hearing for revocation of parole, probation, or supervised release, and will provide suitable facilities for such hearings. To the extent beds are available, D.C. will house persons sentenced by the U.S. District Court and detained pending a hearing for revocation of parole, probation, or supervised release, will provide suitable facilities for such hearings, and will continue to receive reimbursement by the Federal government at a mutually negotiated rate for the costs of housing such persons and for providing such facilities. "House" and "housing" include subsistence, transportation of persons to and from court appearances, revocation hearings, and medical facilities, and the maintenance of necessary prisoner records.
- 4.1.2.5. The Trustee will be an independent officer of the D.C. Government and can be removed by the Mayor only with the concurrence of the Attorney General. The Attorney General has authority to remove the Trustee only for misfeasance or malfeasance in office.
- 4.1.2.6. The Trustee will propose funding requests for offender supervision and services for inclusion in the President's budget for each Fiscal Year of the transition.
- 4.1.2.7. The Trustee will allocate funds for offender supervision (including adult felon parole and probation) in D.C., including funds for short term improvements, equipment contracts, and salary increases necessary to retain key personnel, maintain and enhance current levels of service, including offender drug testing, and provide for the safety and security of the community.
- 4.1.2.8. Upon receipt of funds identified by Congress or other entities for Pretrial Services, the Trustee will immediately transfer such funds to the Pretrial Services Agency.
- 4.1.2.9. Upon receipt of funds identified by Congress or other entities for the D.C. Public Defender Service, the Trustee will immediately transfer such funds to the Public Defender Service.
- 4.1.2.10. Effectively immediately and in view of the responsibility to be undertaken by the U.S. Parole Commission to carry out the functions of the D.C. Board of Parole pursuant to the parole laws and regulations of D.C., the D.C. Council will not enact legislation that changes or modifies parole

laws and regulations as applicable to felony offenders without the concurrence of the Attorney General. D.C. will immediately take steps to modify parole as applicable to misdemeanants to provide for D.C. court supervision of D.C. misdemeanor parolees and the elimination of the D.C. Board of Parole. ~~Following the assumption by the U.S. Parole Commission of the functions of the D.C. Board of Parole, the D.C. Council will cede to Congress the sole authority to legislate changes to the D.C. Code pertaining to the parole of D.C. felony offenders.~~

- 4.1.2.11. It is expected that the transition period for these offender, defender and court services will end no sooner than one year but not later than three years after the enactment of the related legislation.
- 4.1.2.12. The D.C. Corporation Counsel will provide representation for the Trustee and Trustee supervised agencies. (see litigation and liability section)

4.2. Administration of District of Columbia and Federal Prisons

4.2.1. *Federal Government Responsibilities*

4.2.1.1. The Federal government will take administrative control of the nine parcels of land, collectively located at or in the vicinity of Lorton, Virginia ("the Lorton property"), and other appropriate sites. After the BOP's capacity has been increased through renovation of existing facilities and new construction at the corrections complex in Lorton and other locations selected by BOP, BOP will house felons who were convicted of D.C. Code violations and sentenced to terms of imprisonment. (A recently completed Congressionally mandated study of the D.C. Department of Corrections revealed that most of the institutions at Lorton have exceeded their useful lifespan and need major renovations or demolition.)

4.2.1.2. BOP will conduct a thorough preliminary assessment of the Lorton property to determine its environmental condition, including a study of the contamination on the property and an estimation of the costs associated with bringing the property into compliance with environmental and other applicable regulations. Based on preliminary information gathered pursuant to a review of the environmental conditions of a portion of the Lorton property, BOP could begin planning for renovation and construction immediately; actual physical renovations would not begin until Fiscal Year 1998. The estimated date for the completion of the preliminary environmental assessment process is March 21, 1998.

- 4.2.1.3.** BOP will oversee the operation of community corrections centers in D.C. as necessary to provide an appropriate transition for inmates who are nearing release from Federal prisons, including those convicted of D.C. Code violations. BOP intends to use existing community corrections centers in D.C. to the extent practicable and will work with D.C. officials to identify prospective sites, as needed to establish new community corrections facilities.
- 4.2.1.4.** D.C. Code offenders will be housed together with Federal offenders in facilities operated by BOP in Lorton, Virginia and elsewhere. Every effort will be made to house D.C. felons at facilities as close to D.C. as permitted by inmate program and security needs and BOP population management requirements. D.C. felons will be designated in the same manner as Federal inmates, and ordinarily initially assigned to institutions located within a 500-mile radius of their release residence. BOP anticipates that many of the initial designations for D.C. offenders will be within a significantly closer radius. BOP also will work with D.C. officials to identify sites for possible Federal correctional facility construction within D.C.
- 4.2.1.5.** During the transition period, based upon assurances from D.C. that felons convicted of violating the D.C. Code will, in the future, receive sentences similar to those received by comparable offenders convicted of comparable Federal offenses, BOP will house those sentenced D.C. felons in the custody of the D.C. Department of Corrections as the Director of the BOP deems appropriate in accordance with available capacity. If such a new structure for sentencing under the D.C. Code is in place as of October 1, 2001, BOP will accept D.C. felons sentenced under the new sentencing structure in accordance with the capacity of BOP. By October 1, 2002, and assuming fulfillment of all requisite conditions, BOP will have assumed responsibility for incarcerating all sentenced D.C. felons.
- 4.2.1.6.** BOP will accept employment applications from persons currently employed by the D.C. Department of Corrections for BOP vacancies and will make hiring selections in accordance with existing Federal procedures and standards. Qualified, experienced personnel will receive priority consideration. Positions for new BOP facilities will be advertised prior to hiring to assure notice to all interested D.C. agency personnel.
- 4.2.1.7.** After consultation with the Mayor, representatives of the D.C. Council, the Chair of the Financial Authority, members of the judiciary and others, the Attorney General will select a Corrections Trustee to oversee expenditures of the D.C. Department of

Corrections relating to sentenced, incarcerated felons, until BOP assumes responsibility for all incarcerated sentenced D.C. felons.

- 4.2.1.8. To the extent authorized by law, the Federal government will provide funds for the incarceration of sentenced D.C. felons through the Trustee to the D.C. Department of Corrections. The head of any Federal department or agency may provide on a reimbursable basis the services of any personnel to the Trustee to assist in carrying out the Trustee's duties.**
- 4.2.1.9. Of the Federal funds received by the Trustee, the Trustee will reimburse BOP for those funds identified by Congress to be used for the construction of new facilities and the major renovation of existing facilities. BOP will be responsible and accountable for determining how these funds will be used, including the type, security level, and location of new facilities.**
- 4.2.1.10. During the transition period, the employees of and appropriations allocated to the Trustee and the agencies for which the Trustee is responsible shall not be scored or counted against the personnel and budget ceilings imposed on D.C. by the Financial Authority or Congress.**

4.2.2. *District of Columbia Responsibilities*

- 4.2.2.1. Offenders convicted of D.C. Code violations will be sentenced pursuant to a new D.C. sentencing system, described below. BOP shall not be required to obligate any funds appropriated for the absorption of D.C. Code felons into the Federal prison system and will have no responsibility to house any persons convicted of felony offenses, if the new sentencing system is not enacted within 24 months of the authorizing legislation's enactment.**
- 4.2.2.2. D.C. will continue to house felons sentenced to terms of imprisonment by the Superior Court for the District of Columbia until such persons have been designated by BOP. To the extent beds are available, D.C. will continue to house felons sentenced to terms of imprisonment by the U.S. District Court until such persons have been designated by BOP and will continue to receive reimbursement by the Federal Government, at a mutually negotiated rate, for costs of housing persons sentenced by the U.S. District Court.**
- 4.2.2.3. The Trustee will be an independent officer of the D.C. government and can be removed by the Mayor only with the concurrence of the Attorney General. The Attorney General has authority to remove the Trustee only for misfeasance or malfeasance in office.**

- 4.2.2.4. **The Trustee will propose funding requests for the incarceration of sentenced D.C. felons, for inclusion in the budget submitted by the President to Congress for each Fiscal Year of the transition.**
- 4.2.2.5. **The Trustee will allocate funds to the D.C. Department of Corrections, including such sums as may be appropriated for short term improvements that are necessary for the safety and security of staff, inmates, and the community.**
- 4.2.2.6. **The D.C. Department of Corrections will implement the short term improvements in physical security identified in the "District of Columbia Department of Corrections Short-Term Improvements Plan (September, 1996)."**
- 4.2.2.7. **Upon receipt of Federal funds identified by Congress for constructing new prisons and making major renovations to existing facilities for the incarceration of D.C. felons, the Trustee will immediately reimburse BOP for such funds.**
- 4.2.2.8. **The D.C. Corporation Counsel will provide representation for the Trustee and Trustee supervised agencies. (see litigation and liability section)**
- 4.2.2.9. **During the transition, D.C. will transfer custody and control of the property at Lorton, Virginia to the Federal Government, though the D.C. Department of Corrections may continue to house D.C. felons at facilities located at Lorton until such time as BOP absorbs such offenders into the Federal prison system.**

4.3. Sentencing. The District of Columbia understands and agrees that the D.C. sentencing system will be changed pursuant to proposed legislation in the following manner:

- | 4.3.1. ~~Congress will amend~~ The D.C. Code will be amended to abolish parole for all persons convicted of D.C. felony offenses committed on or after three years from the enactment of the Federal authorizing legislation.
- | 4.3.2. ~~Congress will amend~~ The D.C. Code will be amended so that good time calculations for all persons convicted of D.C. felony offenses committed on or after three years from the enactment of the Federal authorizing legislation will be made according to the Federal requirements.
- 4.3.3. Congress will establish a new D.C. Board of Criminal Sentences (the Board) as an independent body within the D.C. Government. All persons convicted of D.C. felonies committed on or after three years from the enactment of the Act will be

sentenced according to a determinate sentencing system promulgated by the Board and transmitted by the Board to the D.C. Council no later than 18 months after enactment of the Federal authorizing legislation.

- 4.3.4. The Board will develop a sentencing system which shall include binding guidelines and may include such amendments or repeals of provisions in the D.C. Code relating to the maximum and minimum prison terms as are necessary to accomplish the purposes of the Act. Ninety days after the Board promulgates and transmits the sentencing system to the D.C. Council, the sentencing system, its guidelines, amendments and repeals will become effective unless disapproved in its entirety by an Act of a majority of the Council. ~~If disapproved by the Council, the system may be enacted by Congress.~~
- 4.3.5. The promulgated sentencing system will supersede any inconsistent provision of the D.C. Code.
- 4.3.6. ~~Congress will repeal certain other provisions of the D.C. Code will be to conform with the new sentencing system (D.C. Code Title 24, Chapters 2 and 8), including the Youth Rehabilitation Act. Provisions of the D.C. Code that do not conform with the new sentencing system will be amended or repealed to conform with the new sentencing system.~~
- 4.3.7. ~~Congress will amend~~ D.C. Code Title 33, Section 541 will be amended to adopt certain mandatory penalties necessary to further the Superior Court of the District of Columbia's Drug Intervention Program and effective local law enforcement. The new sentencing system will incorporate these mandatory penalties, thereby excluding local narcotics offenses from the mandate that sentences be similar to those that would be imposed upon comparable offenders in the Federal system.
- 4.3.8. The Board will not have the authority to provide for capital punishment under any law applicable exclusively in D.C.
- 4.3.9. The Board will have seven voting members. All the members of the Board shall have knowledge and responsibilities with respect to criminal justice matters. The Attorney General (or the Attorney General's designee) will chair the Board. The other members will include two judges of the Superior Court for the District of Columbia and one representative each of the following entities: the D.C. Council, the Executive Branch of the D.C. Government, the D.C. Public Defender Service, and the U.S. Attorney for the District of Columbia. One representative each of the D.C. Corporation Counsel and BOP will serve as non-voting, ex officio members.
- 4.3.10. An affirmative vote of at least six Board members will be necessary to promulgate the sentencing system.

- 4.3.11. In developing the sentencing system, the Board will hold two or more public hearings, review other sentencing guideline system models, consult with sentencing reform experts, and solicit written comments from the public.
- 4.3.12. If the Board fails to promulgate a sentencing system within 18 months, the Board will terminate, and the Attorney General will develop a sentencing system to be transmitted to the D.C. Council for approval. Ninety days after the Attorney General transmits the sentencing system to the D.C. Council, the sentencing system, its guidelines, amendments, and repeals will become effective, unless an Act of the Council disapproves the system in its entirety ~~and Congress, in turn, does not approve it.~~
- 4.3.13. The Board will have the mandate to ensure that the sentencing system it establishes, among other things:
- 4.3.13.1. will result in sentences for those convicted of D.C. felony offenses similar to those that would be imposed upon comparable offenders convicted of comparable offenses in the Federal system;
 - 4.3.13.2. will result in sentences that reflect the seriousness of the offense and provide for just punishment, afford adequate deterrence to potential future criminal conduct of the offender and others, and provide the defendant with needed educational or vocational training, medical care, and other correctional treatment;
 - 4.3.13.3. will provide certainty and fairness in meeting the purposes of sentencing, avoiding unwarranted sentencing disparities among similar defendants, while maintaining sufficient flexibility to permit individualized sentences;
 - 4.3.13.4. will take into account the high volume of sentencing proceedings in the D.C. Superior Court as bearing upon the degree of complexity of the sentencing system; and
 - 4.3.13.5. will ensure that the system is neutral as to the race, sex, marital status, ethnic origin, religious affiliation, national origin, creed, socioeconomic status, and sexual orientation of offenders, if not related to the commission of the offense.
- 4.3.14. As part of the sentencing system, the Board will develop binding guidelines for use in determining the sentence to be imposed upon convicted felons. The guidelines will specify:

- 4.3.14.1. when to impose a sentence of probation, a fine, or a term of imprisonment and the appropriate amount or length, thereof, as well as intermediate sanctions;
- 4.3.14.2. when to impose a term of supervised release following imprisonment, and the appropriate length, thereof; and
- 4.3.14.3. whether multiple sentences to terms of imprisonment should run concurrently or consecutively.
- 4.3.15. ~~Ninety days after promulgation of the sentencing system, the Board will be terminated. There will be established a successor, Federally funded agency to amend the guidelines as necessary to achieve the purposes of the Act. The D.C. Council may recommend to Congress whether or not these amendments should be approved. However, the amendments will take effect as prescribed by the successor agency, unless they are modified or disapproved by Congress. The successor agency will have no powers to revise the D.C. Code but will recommend changes to the Code as may be necessary to further the purposes of the Act.~~
- Ninety days after promulgation of the sentencing system, The Board shall terminate. There will be established a successor, Federally-funded agency. The successor agency shall be available to advise the Council regarding sentencing-related matters but will have no powers to revise the D.C. Code. The successor agency will recommend to the Council such changes to the D.C. Code as may be necessary to further the purpose of the Act. The D.C. Council will continue to have authority to enact D.C. Code revisions independent of the recommendations of the successor agency. The successor agency also may recommend to the D.C. Council amendments to the D.C. sentencing guidelines as necessary to achieve the purposes of the Act. Such amendments shall articulate sentencing adjustments or new guidelines subject to maximum sentences or ranges established by the D.C. Council in D.C. Code. Guideline amendments that pertain to established D.C. Code provisions will take effect unless disapproved by an Act of the Council that is in turn affirmed by the Congress. Guideline provisions related to proposed changes in the D.C. Code will only take effect under this procedure if the Code change is first adopted by the Council.
- 4.3.16. The Superior Court for the District of Columbia, D.C. Department of Corrections, and any other agency will submit information about convicted felons as required by the Board and the U.S. Department of Justice. This would permit an assessment of the extent to which sentences imposed by the Superior Court of the District of Columbia are similar to those imposed for comparable offenders in the Federal system. The results of this assessment would be used by the Board in developing the new sentencing system for D.C.

4.3.17. Four years after the enactment of the new sentencing system, there will be an evaluation to determine the extent to which the sentencing system has succeeded in accomplishing the goals set forth in the Act.

4.4. Liability and Litigation Responsibility and Authority

4.4.1. *Federal Government Responsibilities*

4.4.1.1. The Federal government will be responsible for the defense of any claim arising from any alleged act or failure to act on the part of the United States, its agencies and personnel, in connection with pretrial, defender, offender supervision, sentencing reform, corrections, probation and parole services, and for any resulting liability, after responsibility for these services has passed to the Federal government at the end of the transition period.

4.4.1.2. The Federal Government's assumption of responsibility for the defense of claims, and any resulting liability, set forth in paragraph 4.4.1.1. above shall include claims arising from any alleged act or failure to act of BOP, its agencies and personnel in connection with the demolition, repair, renovation, or construction of any building, structure, or other improvement of any kind at the Lorton, Virginia property.

4.4.1.3. At the discretion of the Attorney General, the Attorney General may direct any litigation involving the Trustees appointed pursuant to sections 4.1.1.1. and ~~4.2.1.6.~~ 4.2.1.7. above, pretrial services, offender supervision services, or sentencing reform during the transitional period, and may provide litigation services for the Trustees and the agencies responsible for pretrial services, offender supervision services, and sentencing reform during the transitional period in lieu of representation by D.C. ~~Exercise of the Attorney General's discretion shall not change the terms of this agreement and shall not otherwise enlarge the liability of the United States, its agencies, or personnel. However, D.C. The District~~ may petition the Attorney General to request reimbursement for litigation costs and liability arising from actions of the Trustees.

4.4.2. *District of Columbia Responsibilities and Liability*

4.4.2.1. D.C. will be responsible for the defense of any claim that has arisen or may arise from any act or alleged failure to act by D.C., its agencies or personnel, in connection with D.C.'s pretrial, defender, offender supervision, sentencing reform, corrections, or probation and parole services, and for any resulting liability. D.C. will remain responsible for defending and

bearing any liability resulting from any such claim even if responsibility for the pertinent service has passed to the Federal Government. D.C. will also be responsible for the defense of any claim arising from any activity of D.C., its agencies or personnel as a result of any action agreed to in this MOU, and for any resulting liability.

4.4.2.2.D.C. is, and will remain, responsible for the defense of any and all claims described in paragraph 4.4.2.1. above, including the defense of claims arising from any alleged act or failure to act of the Trustees (see sections 4.1.1.1. and ~~4.2.1.6. 4.1.2.7.~~). Except as otherwise in this MOU provided in paragraph 4.5.3. and in paragraph 4.1.3.) above, the D.C. Corporation Counsel will provide litigation services as required to carry out this responsibility.

4.4.2.3. Notwithstanding paragraph 4.4.2.2. above, the Trustees and the agencies responsible for pretrial, defender, offender supervision services, and sentencing reform may choose not to utilize the Corporation Counsel and to engage other litigation services.

4.4.2.4. D.C. is responsible for petitioning the Attorney General to request reimbursement for litigation and liability costs arising from actions of the Trustees. Such a petition should include if appropriate documentation that such litigation resulted from actions of the Trustees and/or the extent to which D.C.'s liability may have been enlarged by actions of the Trustees.

4.5. District of Columbia Courts

4.5.1. ~~Congress will make all necessary amendments to the D.C. Code will be amended~~ and other laws to terminate budgetary control ~~and other involvement~~ of the D.C. Government in the finances and administration of the D.C. court system, including the Superior Court of the District of Columbia and the District of Columbia Court of Appeals.

4.5.2. The Joint Committee on Judicial Administration of the D.C. courts will prepare and submit the budget for the D.C. court system, in accordance with section 1105(b) of Title 31 of the U.S.C. Prior to submission to Congress, the budget for the DC court system shall be provided to the Mayor and the Council of the District of Columbia in order that they may develop recommendations on the budget to the Office of Management and Budget and the Congress. The budgetary requests of the D.C. courts system will not be subject to revision by the D.C. Government or the Executive Branch of the Federal Government.

- 4.5.3. The D.C. court system, through its Executive Office, will be authorized to contract with D.C. agencies, Federal agencies, and other public and private entities, for necessary supplies, equipment, and services.
- 4.5.4. Expenditures of the D.C. court system will be paid out of funds appropriated for those courts and credited to a Treasury account established for that purpose. Funds received by the D.C. court system will not be part of the funds or budget of D.C.

4.5.5. District involvement in the selection and review of D.C. judges will not be diminished.

5. *Economic Development.* The District government will:

- 5.1. Implement timely and efficient zoning, permitting, and licensing processes by the end of FY1997 1998.
- 5.2. Offer personnel resources and fully cooperate with the Economic Development Corporation (EDC) in its review and evaluation of existing economic development plans, in the development of the EDC's strategic plan, and in subsequent implementation of the plan.
- 5.3. Give expedited consideration to the EDC's request for land transfers (including transfers from the Redevelopment Land Agency), zoning adjustments (including variances and special exceptions), and building and other permits and licenses for projects and activities as requested by the EDC.
- 5.4. Support legislation that:
 - 5.4.1. allocates to the EDC 50 percent of the applicable State ceiling on the authority of the District government to issue private activity bonds in each calendar year after 1997 under section 141 of the Internal Revenue Code, and that any portion of the ceiling allocated to the EDC, but not identified for specific projects by the EDC within the calendar year allocated, reverts back to the District;
 - 5.4.2. authorizes the EDC to acquire property in furtherance of its statutory objectives through certain limited powers of condemnation by eminent domain in the name of the District of Columbia; and
 - 5.4.3. provides that all powers, rights, assets, duties, obligations, and liabilities of the EDC will transfer to the District government upon the EDC's dissolution.

6. *Infrastructure.*

6.1. Secretary of Transportation Responsibilities. The Secretary of Transportation (hereinafter in this section referred to as the Secretary) agrees that:

- 6.1.1. Beginning on October 1, 1997, the Secretary shall assume responsibility for the funding and oversight of certain National Highway System (NHS) capital projects that have been selected by the District of Columbia in accordance with 6.1.2 and shall assume responsibilities for funding operations and maintenance costs related to the NHS within the District of Columbia (exclusive of police authority and exclusive of funding those NHS routes currently under the jurisdiction of the National Park Service) with funds made available under the National Capital Revitalization and Self-Government Improvement Act of 1997, to be referred to henceforth in this section as the "Act."**
- 6.1.2. The Secretary shall advance NHS projects through the Federal Highway Administration (FHWA) in consultation with the District of Columbia. Projects will be selected by the District of Columbia in accordance with the requirements of Title 23, United States Code, and in particular, the planning requirements of 23 U.S.C. 134 and 135. The Secretary shall fully exercise his current authorities under Title 23 to oversee, approve, and modify these plans and project selections. In reviewing the plans, the Secretary shall consider the District of Columbia Needs Assessment and Strategic Action and Investment Program currently being developed by the FHWA in cooperation with the District of Columbia Department of Public Works. The FHWA shall provide the District of Columbia with technical assistance to improve the planning process.**
- 6.1.3. The Secretary, through the FHWA and in consultation with the District of Columbia, shall award and manage the contracts necessary to advance the NHS projects selected in accordance with sections 6.1.2 and 6.1.4.**
- 6.1.4. Beginning on October 1, 1997, the District of Columbia shall continue to advance those NHS projects approved prior to that date that are not under construction or under a contract for such construction by October 1, 1997, unless the FHWA and the District of Columbia agree to vest responsibility for such project advancement with the FHWA. Such projects that are transferred under this section shall also be governed by the requirements contained in section 6.2.5.**
- 6.1.5. The Secretary, in response to a request by the District of Columbia, may transfer National Capital Infrastructure Funds authorized under the Act and available for capital expenditures and NHS apportioned funds authorized to be transferred under the Act to other Federal-aid highway funding categories, consistent with Title 23, United States Code provisions governing the transfer of NHS funds. In addition, the Secretary must certify that performance measures related to the condition of and congestion on the NHS and any other performance measures, including safety, that may be established by the Secretary of Transportation are met before such transfers may occur.**

- 6.1.6. Funds made available to the Secretary for obligation on NHS projects under this Act shall be administered by FHWA. From time to time as work progresses on a project, payments shall be made by FHWA for the costs of construction, operations, maintenance, and other eligible activities under this Act in accordance with applicable procedures under Title 23, United States Code, or as established by the Secretary.**
- 6.1.7. For fiscal year 1998, \$108 million shall be authorized to be appropriated to the National Capital Infrastructure Fund (NCIF) which shall be used for construction, reconstruction, and rehabilitation of the NHS in accordance with 23 U.S.C. 103 (i), including transit capital projects eligible for funding under section 103 (i).**
- 6.1.8. In each of the fiscal years 1998 through 2003, the Secretary shall retain and deposit into the NCIF:**
- (a) 100 percent of the District of Columbia's apportionment for the NHS;**
 - (b) 100 percent of the apportionments for Interstate Maintenance; and**
 - (c) 75 percent of the apportionment for the Highway Bridge and Replacement for use consistent with 23 U.S.C. 103 (i).**
- 6.1.9. In each of the fiscal years 1998 through 2003, \$17 million shall be authorized to be appropriated to fund operations and maintenance of the NHS within the District of Columbia, exclusive of those NHS routes under the jurisdiction and control of the National Park Service.**
- 6.1.10. The Secretary shall be responsible for funding those operations and maintenance activities and costs to the extent funds are appropriated in accordance with 6.1.9, excluding police services (except for those construction zone, incident management and other police activities that are eligible for Federal-aid highway reimbursement under Title 23, United States Code) associated with the management and operations of NHS highways including the following activities: routine maintenance of roadways and rights-of-way, road repair, snow removal, lighting, signage, and those utilities necessary for the NHS operations. Operating expenses for any transit activities shall not be eligible for funding under this Act.**
- 6.1.11. The Secretary shall continue to provide oversight and technical assistance to the District of Columbia for all Federal-aid projects that remain the responsibility of the District of Columbia.**
- 6.1.12. The Secretary, through the FHWA, will enter into any agreements or contracts with any entity to advance, construct, reconstruct, rehabilitate, repair, maintain, or operate the NHS**

within the District of Columbia, excluding those NHS roadways under the jurisdiction and control of the National Park Service, consistent with 23 U.S.C. 103 (i).

6.1.13. The Secretary shall encourage the hiring of local labor by contractors awarded contracts including welfare to work labor, on NHS projects financed under this Act to the maximum extent possible and consistent with federal law.

6.1.14. Unless reauthorized by Congress on, or prior to, September 30, 2003, the Secretary of Transportation's new responsibilities under this Act, other than the oversight of projects for which funding has been previously received through this Act, would cease and no new deposits of Federal funds would be made into the National Capital Infrastructure Fund after September 30, 2003.

6.1.15. The Secretary shall provide the District of Columbia with the technical assistance necessary to reassume its NHS responsibilities by September 30, 2003. The April 1996 findings of FHWA's review of the organizational capacity of the District of Columbia's Department of Public Works shall guide the assistance.

6.2. *District of Columbia Responsibilities.* The District of Columbia agrees that:

6.2.1. The District of Columbia shall retain its current responsibilities under Title 23, United States Code, for NHS project selection.

6.2.2. The District of Columbia shall continue to be responsible for providing police services on NHS highways (including, but not limited to civil police functions, crime prevention, investigations including traffic and accident investigation, and emergency traffic direction). The District shall continue to own the right-of-way of NHS highways that are located within the District of Columbia.

6.2.3. The District of Columbia will continue to be responsible for all utilities and utility work that are not necessary for operation of the NHS even if such utilities are located within the right-of-way of the NHS.

6.2.4. The District of Columbia shall continue to be responsible for non-NHS projects funded with Federal-aid highway funds. Surface Transportation Program (STP) funds will be made available to the District of Columbia for use on local streets, highways, and roadways (except alleys). This authority does not relieve the District of Columbia of the responsibility for the non-Federal matching share for STP funds. The use of other Federal-aid highway apportioned funds by the District of Columbia, other than as provided herein, also requires a non-Federal matching share.

6.2.5. Beginning on October 1, 1997, the District of Columbia is relieved of the responsibility to provide the non-Federal match for NHS projects that are funded by the Secretary with monies made available through the NCIF for NHS projects

under this Act. The relief from providing the non-Federal match shall not include those projects that were approved by FHWA prior to October 1, 1997 for which Federal-aid highway funds have been obligated. The District of Columbia is responsible for providing the non-Federal match, the Federal-aid funds, and any obligation authority for any such projects transferred to the Secretary for project administration, oversight, or contracting.

6.2.6. The District of Columbia shall continue to be responsible for any liability incurred on the basis of the activities of the District of Columbia, its agencies, or personnel as a result of any acts or omissions in carrying out this Act. The United States, its agencies, and personnel will not incur any liability for any such acts or omissions.

6.2.7. The District of Columbia shall cooperate with the FHWA in its technical assistance efforts in order to assure that the District of Columbia can reassume its NHS responsibilities by September 30, 2003. The goal of the effort shall be to satisfy the April 1996 findings of FHWA's review of the organizational capacity of the District of Columbia's Department of Public Works.

7. *Personal Income Tax Administration* The District agrees that:

~~7.1. General~~

~~7.1. The District and the Executive Branch will agree to develop a mutually acceptable legislative proposal consistent with the intent of Section IV.7. The IRS shall administer and/or enforce the District's individual income and employment taxes.~~

~~7.1.2. The District shall continue to administer its unemployment benefits program.~~

~~7.2. Tax Codes~~

~~7.2.1. The IRS will administer the District's existing individual income and employment tax laws. The only provision the IRS cannot administer is the District's refundable property tax credit. If the District wishes to retain this provision, it must be transferred to its real estate tax administration.~~

~~7.2.2. All of the administrative, procedural, and enforcement provisions of the Internal Revenue Code of 1986 and related statutes will govern IRS administration of District taxes. The District will have to amend its own tax code to achieve this to the satisfaction of the Secretary of the Treasury.~~

~~7.2.3. To avoid the possibility of any inconsistent interpretations of similar provisions, the District will have to amend its definitional provisions to conform them to the Internal Revenue Code to the satisfaction of the Secretary of the Treasury.~~

~~7.2.4. District must notify the Secretary of the Treasury of any future changes to its individual income and employment tax laws. The Secretary may object if, in his judgement, the prospective change would prove overly burdensome to the IRS, in which case such change shall not be administered or enforced by the IRS. If the Secretary does not object within 60 days after notification, the IRS will administer the provision within a reasonable time after enactment.~~

~~7.3. Transfers to the District~~

~~7.3.1. The IRS will set up separate accounting and deposit systems for its collections of District taxes. The District must, in turn, identify the person and/or office authorized to receive transfers of collected amounts and set up related deposit accounts.~~

~~7.4. Effective Date~~

~~7.4.1. The IRS administration of District taxes shall be prospective, starting on January 1 of the calendar year that is at least 18 months after the Secretary certifies that the District of Columbia has met the conditions set forth in the Memorandum of Understanding between the United States and the District of Columbia.~~

Appendix One

DEFINITIONS FOR THE PENSIONS SECTION OF THE MOU

“Adoption Date” means the date the Replacement Plan is adopted by the District Government or, if later, October 1, 1997.

“District Government” means, as appropriate, the “District government” as defined by section 305(5) of the District of Columbia Financial Responsibility and Management Assistance Act of 1995 (Pub. L 104-8) or the District of Columbia Retirement Board as defined in section 102(5) of the Reform Act.

“Freeze Date” means the date of introduction of the Revitalization Act.

“Fund” means the District of Columbia Police Officers and Fire Fighters’ Retirement Fund, the District of Columbia Teachers’ Retirement Fund, and the District of Columbia Judges’ Retirement Fund as defined in section 102(10) of the Reform Act.

“Reform Act” means the District of Columbia Retirement Reform Act (Pub. L. 96-122).

“Replacement Plan” means the plan or plans described under Title I of the Revitalization Act.

“Retirement Program” means any of the retirement programs as described in section 102(7) of the Reform Act as in effect on the day before the freeze date.

“Revitalization Act” means the “District of Columbia Revitalization Act of 1997.”

“Secretary” means the Secretary of the Treasury or the Secretary’s designee.

“Transfer Date” means the date on which the assets and obligations of the Fund are transferred to the Trust.

“Trust” means the District of Columbia Retirement Trust created under Title I of the Revitalization Act.

“Trustee” means the firm designated by the Secretary of the Treasury under Title I of the Revitalization Act.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Michael Cohen (CN=Michael Cohen/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-MAY-1997 17:55:35.00

SUBJECT: weekly report

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is my contribution to the weekly report.

Weekly Report

1. Education Town Hall Meeting: We are working to arrange an Education Town Hall Meeting focused on your national testing initiative, and designed to provide you with an opportunity to explain what high standards are really all about -- perhaps by literally working through a couple of sample test items from NAEP. You would then take questions from an audience of educators, parents and students. We are exploring a number of possible locations for this event, with Kentucky the leading contender at the moment.

2. National Testing Initiative: Last week Mike Cohen met separately with Rep. Frank Riggs, who chairs the House subcommittee on Early Childhood, Youth and Families, and with Rep. Dale Kildee. Both are strong supporters of your testing initiative. In addition, Secretary Riley testified before Mr. Riggs's subcommittee on this issue. These were mainly positive developments, though they also helped to define the nature of the opposition we will face on Capitol Hill. There is strong support among House Democrats on this committee for your initiative, including from George Miller, Tim Romer, and Patsy Mink, in addition to Dale Kildee. On the Republican side, Frank Riggs and Mike Castle are strong supporters. However, Mr. Goodling has apparently reversed his previous position of support, and has now expressed serious concerns over this initiative, on the grounds that the tests would lead to the ranking of individual schools. In addition, both Mr. Goodling and Mr. Riggs argued that a move to national testing ought to involve Congressional authorization (though Mr. Riggs concedes that we already have general statutory authority to undertake the development of the tests).

These developments do not suggest any change in our basic strategy to developing the tests and signing up states. However, we will work closely with Congressional supporters on both sides of the aisle to determine how best to move this initiative forward, including through the appropriations process, with the broadest base of support.

May 2, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED, CYNTHIA RICE, AND DIANA FORTUNA
SUBJECT: COLLEGE AND WELFARE WORK REQUIREMENTS

You asked about reports that welfare recipients enrolled in college are dropping out or being asked to drop out in order to go to work and help states meet the welfare law's work requirements.

The welfare law does not require states to tell clients to drop out of school -- although some jurisdictions, such as New York City, have done so. (New York City has moved aggressively to require welfare recipients to participate in community work experience jobs such as cleaning parks. This was done not as a result of the Federal welfare law, but at the initiative of Mayor Giuliani. As a result, the number of students on welfare enrolled at the City University of New York has reportedly fallen from 29,000 to 18,000.)

The following are some of the ways in which states can accommodate welfare clients who wish to stay in school:

- **Colleges could make it easier for students on welfare to work 20 or 30 hours a week and still attend school.** Many Americans work their way through college: Department of Education statistics show that in 1993, 38% of undergraduates worked at least 35 hours a week, while 16% worked between 21 and 34 hours a week. Colleges could make it easier for welfare recipients to combine work and college by providing work study opportunities that meet the work requirements. *Although most colleges limit work study to 10 to 15 hours a week, there is no limit in federal law -- colleges can provide as many hours as needed to meet the student's financial need.* A student could also work 15 hours a week in an on-campus work study job and 15 hours a week in a private-sector, off-campus job subsidized by her welfare check.

We recommend sending colleges a letter from Secretaries Riley and Shalala to clarify that colleges can use work study to help students on welfare meet their work requirements and still complete their degree. Jonathan Alter has also suggested a novel way for colleges to help with welfare reform. He recommends that colleges stop putting work study students to work in kitchens and dining halls and send them into communities to be tutors and mentors. That, in turn, would free up a number of entry-level jobs on campus that could be used to hire people off welfare (whose wages in some cases could be subsidized by their welfare checks).

- **States could encourage recipients to attend vocational post-secondary training,**

which can be counted for up to 12 months in the state's participation rate. Overall, no more than 20 percent of individuals can be counted as working by participating in vocational training or secondary school, and in many states much of that 20% will be made up of teenage parents finishing high school.

- **States could put college students in separate state programs to which the work rates do not apply.** Under the law states could use savings from welfare reform (from dropping caseloads or the fact that they need maintain only 75% of historic state spending to get the TANF block grant) to set up separate state programs in which they could support welfare recipients in college. Currently, work rates do not apply to either 1) programs funded by completely separate state dollars or 2) programs funded by "maintenance of effort" dollars which states spend in order to get the TANF block grant. We have argued that the work rates should apply to the latter, which is integrally related to the federal program, lest states structure their programs to significantly undermine the work rates. This change would require legislation. However, even if work rates applied to the "maintenance of effort" programs, states could use the savings from welfare reform to fund separate state programs for college students.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001a. email	Russell Horwitz to Ann McGuire and Elena Kagan. Subject: outreach document [partial] (1 page)	05/02/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Mangement System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[05/02/1997]

2009-1006-F
wr75

RESTRICTION CODES

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

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

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

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

RR. Document will be reviewed upon request.

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

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Russell W. Horwitz (CN=Russell W. Horwitz/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-MAY-1997 16:57:43.00

SUBJECT: outreach document

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

[002]

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

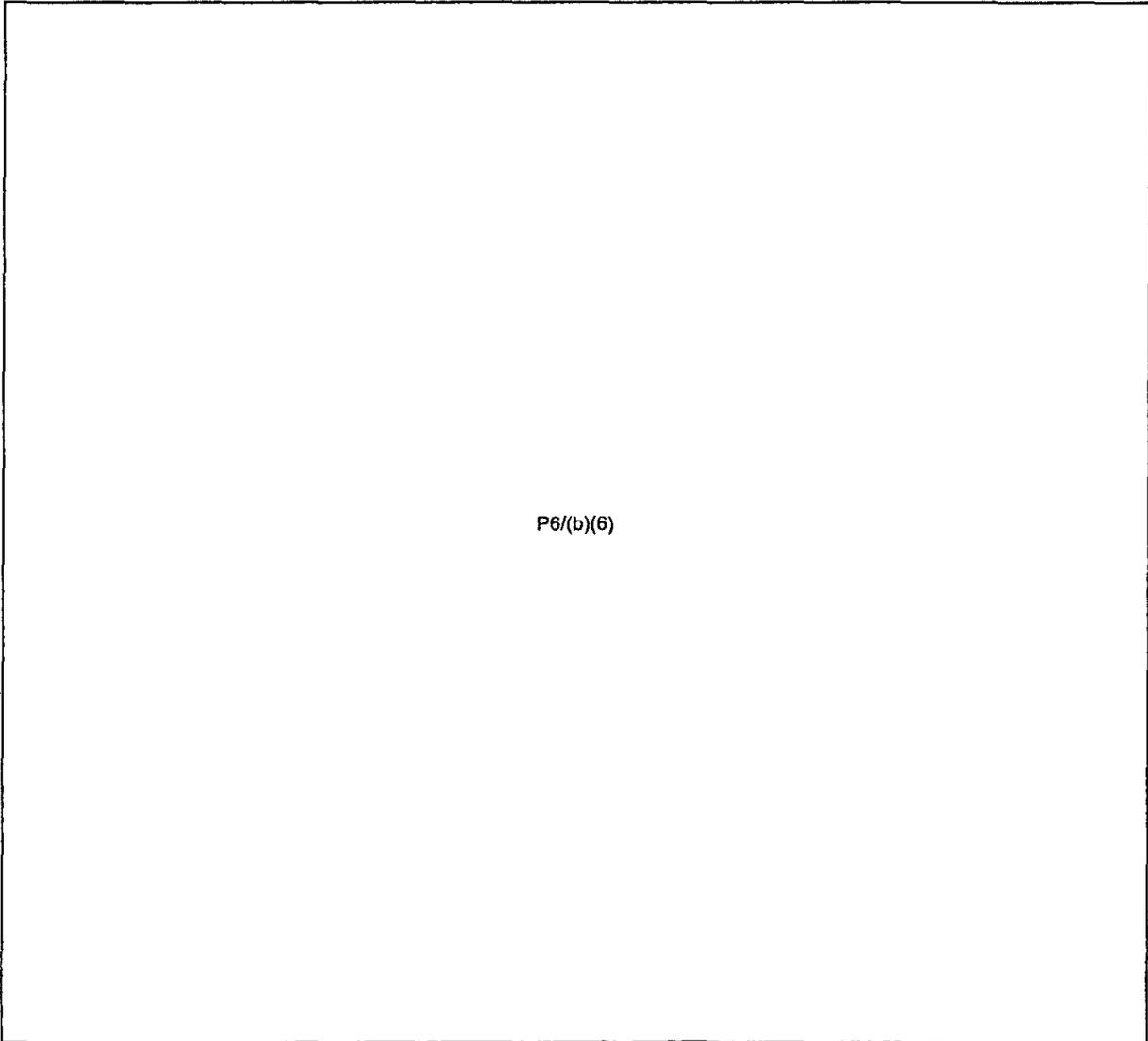
TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D21]MAIL43911612V.116 to ASCII,
The following is a HEX DUMP:



P6/(b)(6)

BUDGET ROLLOUT:
*An Action Plan for the 24
to 48 Hours Following a
Budget Agreement*

**KEY CALLS TO BE MADE ON THE DAY THAT A
BUDGET DEAL IS REACHED**

VICE-PRESIDENT

<i>Call Made By</i>	<i>Call To</i>	<i>Emphasis</i>
VPOTUS (his call)/otherwise EB/JP	John Sweeney AFL-CIO 637-5231	Check-in/Heads-Up
VPOTUS (his call)/otherwise EB/JP	Horace Deets AARP 434-2277	Check-in/Heads-Up

**BUDGET TEAM: BOWLES, HILLEY RUBIN, RAINES,
SPERLING, SUMMERS, YELLEN**

Press

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Gene Sperling John Hilley Mike McCurry	AP (Al Fram; 776-9490), Reuters (Arshad Mohammed; 898-8324) , UPI (Ken Bazinet; 898-8100)	Shape Early Wire Stories
VPOTUS Bob Rubin Erskine Bowles	Network Anchors (Brokaw, Jennings, Rather)	Shape First Evening News Story

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002b. email attachment	Budget Rollout: An Action Plan for the 24 to 48 Hours Following a Budget Agreement [partial] (5 pages)	05/02/1997	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Mangement System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[05/02/1997]

2009-1006-F

wr75

RESTRICTION CODES

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

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
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C. Closed in accordance with restrictions contained in donor's deed of gift.

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- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

VALIDATION PHONE CALLS

[001b]

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Frank Raines	Bob Reischauer P6/(b)(6)	Entitlements/CPI/Disc Realistic
Gene Sperling or Larry Summers or Janet Yellen	Henry Aaron P6/(b)(6)	Entitlements/Health/Over all
Bob Rubin	Alan Greenspan P6/(b)(6)	Entitlement, CPI
Janet Yellen or Larry Summers	Alice Rivlin P6/(b)(6)	Entitlement/Overall
Erskine Bowles or Frank Raines or Gene Sperling	Sam Nunn, Warren Rudman P6/(b)(6)	Entitlement Reform
Frank Raines Gene Sperling	Carol Cox	Entitlements
Frank Raines Gene Sperling	Martha Phillips P6/(b)(6)	Entitlements
Larry Summers	Charlie Scultz P6/(b)(6)	Overall
Gene Sperling	Bob Greenstein P6/(b)(6)	Medicaid/FStamps/Child ren

Overall Deal: We Won

<i>Call Made By</i>	<i>Call To</i>	<i>Emphasis</i>
Gene Sperling	George Stephanopolous P6/(b)(6)	Ed/Child Health
Rahm Emanuel or Gene Sperling	James Carville P6/(b)(6)	President/Avg Person won
Gene Sperling	Bob Reich P6/(b)(6)	President Strategy Worked
S. Mathews	Henry Cisneros P6/(b)(6)	Immigrants/Urban
Bruce Reed	Al From	President Strategy Worked

**HEALTH CARE TEAM: SHALALA, JENNINGS, MIN,
VLADECK,
LAMBREW**

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
VPOTUS (his call)/otherwise Erskine Bowles Donna Shalala	AARP	Medicaid/Social Security/ children's health/Medicare -- savings and structural reforms
Donna Shalala Bruce Vladeck	AHA	Medicare -- minimize criticism
Donna Shalala	AMA	Medicare

Nancy Ann Min		
Donna Shalala	National Committee to Preserve Social Security and Medicare	Medicare, Medicaid, Social Security

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Chris Jennings	Uwe Reinhardt P6/(b)(6)	Medicare reforms
Chris Jennings Bruce Vladeck	Stuart Altman P6/(b)(6)	Medicare reforms, specifically structural reforms
Bruce Vladeck or Nancy-Ann Min	Marilyn Moon P6/(b)(6)	Medicare
Jeanne Lambrew	Judy Feder P6/(b)(6)	Medicare/Medicaid per capita cap/children's health

Health Care Reporters

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Donna Shalala Chris Jennings	NY Times, Robert Pear P6/(b)(6)	M/M/children's health
Melissa Skofield Bruce Vladek	Post, Ed Chen	M/M/children's health
Chris Jennings	Laurie McGinely	M/M/children's health
Melissa Skofield	Post, Judy Havemann	M/M/children's health
Chris Jennings	USA Today, Judy Hasson P6/(b)(6)	M/M/children's health

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Erskine Bowles Bob Rubin Frank Raines Gene Sperling	Network Bureau Pundits Russert; (885-4764, Roberts (222-7700); , Schieffer; (457-4481), Sesno;(898-7540)	Shape Initial Spin
Erskine Bowles Bob Rubin Frank Raines	WH Correspondents (Blitzer (638-5234), Braver (457-4444), Bloom, Donovan)	Shape Early Stories
Bob Rubin	Apple, <u>NY Times</u>	Overall Importance
Frank Raines or Gene Sperling	Broder, <u>Washington Post</u> 334-7444	Overall Importance
Frank Raines or Gene Sperling	Hunt, <u>WSJ</u> 862-9211	Overall
Gene Sperling	Murray, <u>WSJ</u> 862-9232	Overall
Larry Summers	Brownstein, <u>LA Times</u> 861-9232	Entitlements, Overall
Erskine Bowles John Hilley Bob Rubin Frank Raines Gene Sperling Larry Summers Janet Yellen	Lehrer News Hour, "Larry King Live," CNN, CNBC, MSNBC, "Fox Morning News"	Overall

Health Care: Elected Officials

<i>Call Made By</i>	<i>Call To</i>	<i>Emphasis</i>
Donna Shalala or Chris Jennings or Nancy-Ann Min	Gov. Lawton Chiles	Medicaid/per capita cap/flexibility
Donna Shalala or Chris Jennings or Nancy Ann-Min	Gov. Howard Dean (802) 828-3333	Medicaid per capita cap and flexibility
Chris Jennings or Nancy-Ann Min	Gov. Zell Miller	Higher ed tax/Medicaid/per capita cap/flexibility
Chris Jennings	Gov. Romer	Medicaid -- per capita cap and flexibility
Nancy Ann-Min	Mayor Archer	
Nancy Ann-Min	Mayor Lanier	
Nancy Ann-Min	Mayor Daley	
Nancy Ann-Min	Mayor Schmoke	

EDUCATION TEAM: RILEY, BRUCE REED, MIKE SMITH

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>

Dick Riley or Mike Smith	Barry Munitz	Higher ed: tax & Pell Grants
Dick Riley or Mike Smith	Stan Ikenberry P6/(b)(6)	Higher ed
Dick Riley or Mike Smith	Ed Elmendorf P6/(b)(6)	Higher ed
<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Dick Riley Mike Smith	Donald Stewart (college bd)	Higher ed
Dick Riley Mike Smith	Gordon Ambach	El-Sec
Mike Smith Bob Shireman	Erica Adelsheimer	Higher ed: students
Mike Smith Bob Shireman	Ivan Frishberg	Higher ed: students
Dick Riley Mike Smith	Ed Kealy	All education (esp. discret.)
Dick Riley Mike Smith	David Pierce	Community colleges
Dick Riley Mike Smith	David Warren	Private colleges
Dick Riley Mike Smith	Arnold Fege	El-Sec (PTA)
Shireman/Cohen	Terry Hartle P6/(b)(6)	Higher ed
Moore/Shireman/Cohen	Henry Ponder	Black colleges (NAFEO)

WELFARE TEAM: REED, SHALALA, APFEL

<i>Call Made By</i>	<i>Call To</i>	<i>Emphasis</i>
Erskine Bowles or Alexis Herman or Bob Rubin	Jesse Jackson	Welfare/Overall
Erskine Bowles or Alexis Herman or Bob Rubin	Kweisi Mfume	Welfare/Overall
Donna Shalala	Patricia Ireland	Overall welfare
Gene Sperling or Bruce Reed or Donna Shalala	Hugh Price, Urban League P6/(b)(6)	Welfare-to-work
Gene Sperling	Bob Greenstein P6/(b)(6)	Overall welfare, food stamps
Donna Shalala	Cecilia Munoz, La Raza	Immigrants
Donna Shalala	Josh Bernstein, National Immigration Law Center	Immigrants
Donna Shalala	Sharon Daly, Catholic Charities	Overall welfare, immigrants
Donna Shalala	Marty Ford, ARC	Disabled children

Reporters

<i>Call Made By</i>	<i>Call to</i>	<i>Emphasis</i>
Dick Riley or Mike Smith	Robert Greene AP 776-9447	Overall Education
Dick Riley or Mike Smith	Richard Whitmire 703-276-5226 Gannett	Overall Education
Dick Riley or Mike Smith	Peter Applebome NYT 404-524-2410	Overall Education
Dick Riley or Mike Smith	Rene Sanchez Washington Post 334-5191	Overall Education
Dick Riley Mike Smith	Tamara Henry USA Today 703-276-3467	Overall Education
Mike Smith Bob Shireman	Richard Colvin L.A. Times 213-626-2323	Overall Education

Donna Shalala/HHS SSA	National Assoc. of Public Hospitals	Immigrants/Medicaid
Donna Shalala/HHS	American Hospital Assoc.	Immigrants/Medicaid

Reporters

<i>Call Made By</i>	<i>Call To</i>	<i>Emphasis</i>
Bruce Reed Donna Shalala	Jason DeParle NYT	Welfare/Overall
Bruce Reed Ken Apfel	Judith Havemann WPost	Welfare/Overall
Bruce Reed Ken Apfel	Dana Milbank WSJ	Welfare/Overall
Bruce Reed Ken Apfel	Virginia Ellis LAT	Welfare/Overall
Bruce Reed Donna Shalala Ken Apfel	Elizabeth Shogren LAT	Welfare/Overall
Bruce Reed Ken Apfel	Richard Wolf USA Today	Welfare/Overall

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAY-1997 11:01:59.00

SUBJECT: Cocaine Subgroup Meeting.

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

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

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

TO: Edward H. Jurith (CN=Edward H. Jurith/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

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

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

TEXT:

We are setting up a group to develop an outline of the Cocaine report who will later review the finished project. We are setting up the first meeting to begin working on this report on Tuesday, May 6 at 1:00 pm in room 211 OEOB. Please let me know if you will be unable to attend.

Attendees:

Elena Kagan
Jose Cerda
Leanne Shimabukuro
Dawn Chirwa
Karen Popp
Kent Markus
Jonathan Schwartz
Ed Jurith

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAY-1997 17:39:32.00

SUBJECT: Weekly Report

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:

You may want to put something in the weekly about the fact that the DPC organized a reception for the Police Executive Research Forum (PERF) on May 1, 1997. The 250 police chiefs who attended are the most prominent and influential voices in the law enforcement community throughout the country. Rahm Emanuel and Joe Brann, Director of the COPS Program, spoke to the group about key elements of the Administration's juvenile justice legislation and elements of the budget effecting law enforcement. Bill Bratton received PERF's Annual Leadership Award.

Other events this week:

Service Summit

HRC Teen Pregnancy Event

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAY-1997 16:37:15.00

SUBJECT: More items for weekly

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.D20]MAIL43320612K.116 to ASCII,
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00D06C617780657870726573736C7980666F7262696473806665646572616C6C79847375627369

Weekly Item on Displacement

You asked whether there are protections in the welfare law to prevent worker displacement. The law expressly forbids federally-subsidized welfare reform programs from placing welfare recipients in job openings created by company layoffs, terminations, or involuntary reductions of the workforce (section 407(f) of the law). Welfare recipients can, however, be placed in jobs that are vacant for reasons other than firings or layoffs (openings created, for example, by attrition or the cancellation of a vendor contract). Moreover, while states must have a grievance procedure for resolving complaints of alleged displacement, the law does not require specific procedures or proscribe penalties for state violations, leading some to argue that the prohibition against displacement is unenforceable.

Thus, the April 23rd USA Today editorial was correct in saying, "The law bars employer from firing existing workers to hire welfare recipients whose compensation is subsidized by the state. But its intent can be defeated by reducing hours, wages or benefits for existing workers or terminating outside contracts; workfare recipients can then fill vacancies."

During Senate consideration of the welfare legislation, Senator Rockefeller, with some help from Republicans like Senator D'Amato, fought unsuccessfully to strengthen this provision.

Weekly Item on Welfare to Work Partnership

We have made plans with Eli Segal for a May 20th White House event to launch the Welfare to Work Partnership, which was formed by the five CEOs you praised in the State of the Union. You will announce that 25 or more additional companies have accepted your challenge to hire welfare recipients. We also plan to have you announce your commitment to ensure that funds are available for innovative transportation efforts to ensure that welfare recipients can get to work. You would announce pilot grants to 25 states to develop welfare to work transportation plans and promote your proposal to provide \$600 million in welfare to work funds (part of your NEXTEA transportation bill). We may be able to also announce that some of the companies present would commit to providing matching funds for such welfare-to-work transportation efforts.

May 2, 1997

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed

RE: DPC Weekly Report

1.) Displacement: You asked whether there are protections in the welfare law to prevent worker displacement. The law expressly forbids federally-subsidized welfare reform programs from placing welfare recipients in job openings created by company layoffs, terminations, or involuntary reductions of the workforce (section 407(f) of the law). Welfare recipients can, however, be placed in jobs that are vacant for reasons other than firings or layoffs (openings created, for example, by attrition or the cancellation of a vendor contract). Moreover, while states must have a grievance procedure for resolving complaints of alleged displacement, the law does not require specific procedures or proscribe penalties for state violations, leading some to argue that the prohibition against displacement is unenforceable.

Thus, the April 23rd USA Today editorial was correct in saying, "The law bars employer from firing existing workers to hire welfare recipients whose compensation is subsidized by the state. But its intent can be defeated by reducing hours, wages or benefits for existing workers or terminating outside contracts; workfare recipients can then fill vacancies."

During Senate consideration of the welfare legislation, Senator Rockefeller, with some help from Republicans like Senator D'Amato, fought unsuccessfully to strengthen this provision.

2.) Work Partnership: We have made plans with Eli Segal for a May 20th White House event to launch the Welfare to Work Partnership, which was formed by the five CEOs you praised in the State of the Union. You will announce that 25 or more additional companies have accepted your challenge to hire welfare recipients. We also plan to have you announce your commitment to ensure that funds are available for innovative transportation efforts to ensure that welfare recipients can get to work. You would announce pilot grants to 25 states to develop welfare to work transportation plans and promote your proposal to provide \$600 million in welfare to work

funds (part of your NEXTEA transportation bill). We may be able to also announce that some of the companies present would commit to providing matching funds for such welfare-to-work transportation efforts.

3. Education Town Hall Meeting: We are working to arrange an “Education Town Hall Meeting” focused on your national testing initiative, and designed to provide you with an opportunity to explain what high standards are really all about -- perhaps by literally working through a couple of sample test items from NAEP. You would then take questions from an audience of educators, parents and students. We are exploring a number of possible locations for this event, with Kentucky the leading contender at the moment.

4. National Testing Initiative: Last week Mike Cohen met separately with Rep. Frank Riggs, who chairs the House subcommittee on Early Childhood, Youth and Families, and with Rep. Dale Kildee. Both are strong supporters of your testing initiative. In addition, Secretary Riley testified before Mr. Riggs’ subcommittee on this issue. These were mainly positive developments, though they also helped to define the nature of the opposition we will face on Capitol Hill. There is strong support among House Democrats on this committee for your initiative, including from George Miller, Tim Romer, and Patsy Mink, in addition to Dale Kildee. On the Republican side, Frank Riggs and Mike Castle are strong supporters. However, Mr. Goodling has apparently reversed his previous position of support, and has now expressed serious concerns over this initiative, on the grounds that the tests would lead to the ranking of individual schools. In addition, both Mr. Goodling and Mr. Riggs argued that a move to national testing ought to involve Congressional authorization (though Mr. Riggs concedes that we already have general statutory authority to undertake the development of the tests).

These developments do not suggest any change in our basic strategy to developing the tests and signing up states. However, we will work closely with Congressional supporters on both sides of the aisle to determine how best to move this initiative forward, including through the appropriations process, with the broadest base of support.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jay K. Footlik (CN=Jay K. Footlik/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 3-MAY-1997 15:35:43.00

SUBJECT: Budget Agreement

TO: The Jewish Leader (The Jewish Leader @ 1-203-443-4175 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: The Jerusalem Post (The Jerusalem Post @ 1-212-599-4743 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levitt Harriette (Levitt Harriette @ 1-602-620-0921 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levin Senator Carl (Levin Senator Carl @ 224-1388 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levin Mr. Gerald (Levin Mr. Gerald @ 1-212-765-5985 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levine Leonard (Levine Leonard @ 1-612-699-4792 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levine Honorable Mel (Levine Honorable Mel @ 1-213-229-7520 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Leventhal Alan (Leventhal Alan @ 1-617-261-0152 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Leval Mr. Gerard (Leval Mr. Gerard @ 857-6395 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lerman Honorable Miles (Lerman Honorable Miles @ 1-407-586-9368 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lender Mr. Marvin (Lender Mr. Marvin @ 1-203-397-8506 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lefton Mr. Donald (Lefton Mr. Donald @ 1-305-445-4255 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levenson Cecile (Levenson Cecile @ 1-217-367-0077 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Laveson Rabbi Stacy (Laveson Rabbi Stacy @ 1-415-479-9220 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lauder Honorable Ronald S. (Lauder Honorable Ronald S. @ 1-212-572-4046 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lantos Honorable Tom (Lantos Honorable Tom @ 225-7900 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Langus Ronald (Langus Ronald @ 1-914-627-7881 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Landsberg Rabbi Lynne (Landsberg Rabbi Lynne @ 667-9070 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Landa Ms. Esther R. (Landa Ms. Esther R. @ 1-801-359-9321 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lainer Harriet (Lainer Harriet @ 1-212-888-5972 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lachmann David (Lachmann David @ 225-6923 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kuttab Mr. Sam (Kuttab Mr. Sam @ 1-215-235-7320 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kunian Mr. J. Louis (Kunian Mr. J. Louis @ 1-404-874-2522 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kremer Honorable Cecile (Kremer Honorable Cecile @ 1-703-525-8841 @ FAX [UNKNO
READ:UNKNOWN

TO: Krandel Robert (Krandel Robert @ 1-408-356-0733 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kramer Leo (Kramer Leo @ 296-6275 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovner Mr. Victor A. (Kovner Mr. Victor A. @ 1-212-489-8340 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovler Mr. Peter B. (Kovler Mr. Peter B. @ 467-2781 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovach Mr. Gerald J. (Kovach Mr. Gerald J. @ 887-2788 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kornreich Mr. Morton A. (Kornreich Mr. Morton A. @ 1-212-922-9299 @ FAX [UNKNO
READ:UNKNOWN

TO: Koppel Ianne (Koppel Ianne @ 1-615-694-4861 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Konover Mr. Simon (Konover Mr. Simon @ 1-203-523-9180 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kohl Hon. Herb (Kohl Hon. Herb @ 224-9787 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Knight Peter (Knight Peter @ 1-202-293-9235 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klutznick James (Klutznick James @ 1-312-944-4116 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kline Jeff & Consuelo (Kline Jeff & Consuelo @ 1-505-982-6884 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klein Paul (Klein Paul @ 1-904-922-6259 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klein Dennis (Klein Dennis @ 1-201-992-6660 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Klass Kathie (Klass Kathie @ 1-202-337-0070 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klagsbrun Dr. Samuel (Klagsbrun Dr. Samuel @ 1-914-763-9597 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kisber Honorable Matthew (Kisber Honorable Matthew @ 1-615-741-1446 @ FAX [UNK
READ:UNKNOWN

TO: Kestenbaum Honorable Louis (Kestenbaum Honorable Louis @ 1-718-486-6997 @ FAX [UNK
READ:UNKNOWN

TO: Keat Peter (Keat Peter @ 1-212-867-9752 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kaufman Ann (Kaufman Ann @ 1-212-481-4174 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Richard A. (Katz Richard A. @ 1-619-287-7078 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Lewis (Katz Lewis @ 1-212-685-2816 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Honorable David (Katz Honorable David @ 1-201-740-1785 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katzenberg Jeffrey (Katzenberg Jeffrey @ 1-818-567-2820 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kansas City Jewish Chronicle (Kansas City Jewish Chronicle @ 1-913-381-9889 @ F
READ:UNKNOWN

TO: Kamm Linda H. (Kamm Linda H. @ 1-202-387-6793 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kamenetz Mr. Kevin B. (Kamenetz Mr. Kevin B. @ 1-410-486-6115 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kahn Ms. Felicia (Kahn Ms. Felicia @ 1-504-899-4925 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kagan Honorable Cheryl (Kagan Honorable Cheryl @ 1-301-858-3850 @ FAX [UNKNOWN
READ:UNKNOWN

TO: Joseph Rabbi Shira (Joseph Rabbi Shira @ 1-215-968-3296 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Josephson Mr. Marvin (Josephson Mr. Marvin @ 1-212-556-6886 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Joffe Howard & Paula (Joffe Howard & Paula @ 1-215-567-4488 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jewish Telegraphic Agency (Jewish Telegraphic Agency @ 1-212-643-8498 @ FAX [U
READ:UNKNOWN

TO: Jewish Journal FL (Jewish Journal FL @ 1-305-429-1207 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Jewish Horizon (Jewish Horizon @ 1-908-654-4567 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jewish Bulletin of Northern... (Jewish Bulletin of Northern... @ 1-415-957-0266
READ:UNKNOWN

TO: Jaffee Liz (Jaffee Liz @ 1-212-514-6938 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jacobs Bernard (Jacobs Bernard @ 1-610-929-0886 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Itkin Representative Ivan (Itkin Representative Ivan @ 1-412-422-9441 @ FAX [U
READ:UNKNOWN

TO: Isenstein Sandra (Isenstein Sandra @ 1-212-674-3057 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Inzunza Mr. Ralph E. (Inzunza Mr. Ralph E. @ 1-619-336-4376 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Ifshin David (Ifshin David @ 824-6010 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hyler Ms. Joan E. (Hyler Ms. Joan E. @ 1-310-392-8264 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Horowitz Ruth (Horowitz Ruth @ 1-212-528-6973 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Horowitz Mr. Dale (Horowitz Mr. Dale @ 1-212-783-2477 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Honigman Steve & Irene (Honigman Steve & Irene @ 1-703-693-7560 @ FAX [UNKNOWN
READ:UNKNOWN

TO: Hollander Mr. Sanford (Hollander Mr. Sanford @ 1-201-383-4922 @ FAX [UNKNOWN]
READ:UNKNOWN

TO: Hodes Anne (Hodes Anne @ 1-609-393-9891 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hirsh Dr. Steven (Hirsh Dr. Steven @ 1-213-629-5484 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hirsch Rabbi Ammiel (Hirsch Rabbi Ammiel @ 1-212-517-7698 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hirschfield Michael (Hirschfield Michael @ 1-213-651-3250 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hier Rabbi Marvin (Hier Rabbi Marvin @ 1-310-553-8007 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hertz Ms. Judith (Hertz Ms. Judith @ 1-212-650-4059 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hertzberg Rabbi Arthur (Hertzberg Rabbi Arthur @ 1-201-567-8573 @ FAX [UNKNOWN

READ:UNKNOWN

TO: Hermelin Mr. David (Hermelin Mr. David @ 1-810-827-1718 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Henson Honorable Michele (Henson Honorable Michele @ 1-404-296-8685 @ FAX [UNK
READ:UNKNOWN

TO: Heller Barbara (Heller Barbara @ 364-9593 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Heilman Dr. Samuel (Heilman Dr. Samuel @ 1-212-642-1988 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hassenfeld Mr. Alan (Hassenfeld Mr. Alan @ 1-401-727-5121 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hara Mr. Max (Hara Mr. Max @ 1-714-773-5088 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Halpern Honorable Sam (Halpern Honorable Sam @ 1-908-750-9515 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hadassah Magazine (Hadassah Magazine @ 1-212-303-8282 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Habush Jerrold Freedman (Habush Jerrold Freedman @ 1-213-930-0730 @ FAX [UNKNO
READ:UNKNOWN

TO: Gutkin Rochelle (Gutkin Rochelle @ 1-716-461-0912 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gunther Mr. Richard (Gunther Mr. Richard @ 1-310-552-1635 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Guberman Mr. David A. (Guberman Mr. David A. @ 1-617-542-5186 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gross Mr. Kenneth A. (Gross Mr. Kenneth A. @ 371-7956 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Grossman Rabbi Raphael (Grossman Rabbi Raphael @ 1-212-727-8452 @ FAX [UNKNOWN
READ:UNKNOWN

TO: Green Mr. Steve (Green Mr. Steve @ 543-8382 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greenspun Brian (Greenspun Brian @ 1-702-259-4143 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greene Honorable Leroy (Greene Honorable Leroy @ 1-916-327-6341 @ FAX [UNKNOWN
READ:UNKNOWN

TO: Greenberg Mr. Arnold (Greenberg Mr. Arnold @ 1-203-521-6209 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greenberger Mr. & Mrs. Michael (Greenberger Mr. & Mrs. Michael @ 828-2195 @ FAX
READ:UNKNOWN

TO: Grass Mr. Alex (Grass Mr. Alex @ 1-717-975-5905 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Gottstein Mr. Barney J. (Gottstein Mr. Barney J. @ 1-907-272-3695 @ FAX [UNKNO
READ:UNKNOWN

TO: Gottfried Honorable Richard (Gottfried Honorable Richard @ 1-212-312-1494 @ FAX
READ:UNKNOWN

TO: Gordon Senator Helen Davis (Gordon Senator Helen Davis @ 1-813-253-0393 @ FAX [
READ:UNKNOWN

TO: Gordon Julia (Gordon Julia @ 663-6363 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goodman Mr. Charles H. (Goodman Mr. Charles H. @ 1-312-899-5039 @ FAX [UNKNOWN
READ:UNKNOWN

TO: GondaHonorable Louis (GondaHonorable Louis @ 1-213-467-0670 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gold Peter (Gold Peter @ 1-213-655-4458 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gold Mrs. Ruth (Gold Mrs. Ruth @ 1-703-437-3443 @ FAX Gold Mr. Stanley @ 1-818-
READ:UNKNOWN

TO: Goldstein Sandi (Goldstein Sandi @ 1-310-424-3915 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldrich Jona (Goldrich Jona @ 1-310-204-1900 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldman Elizabeth (Goldman Elizabeth @ 1-606-268-0775 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldhirsch Mr. Fred (Goldhirsch Mr. Fred @ 1-212-751-5449 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldfarb Mr. Ronald (Goldfarb Mr. Ronald @ 293-3187 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldenberg Paul (Goldenberg Paul @ 1-310-697-8397 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldberg J.J. (Goldberg J.J. @ 1-212-865-0905 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Glinsky Howard (Glinsky Howard @ 1-818-954-6607 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Glicken Mr. Howard (Glicken Mr. Howard @ 789-4242 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Glaser Mr. Ernest (Glaser Mr. Ernest @ 1-510-283-4268 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gilliland Lukin Jr. (Gilliland Lukin Jr. @ 1-210-283-4268 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Genack Rabbi Menachem (Genack Rabbi Menachem @ 1-212-564-9058 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Gelman Mr. Michael (Gelman Mr. Michael @ 1-301-951-3570 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Geller Rabbi Laura (Geller Rabbi Laura @ 1-310-274-2677 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gelfand Rabbi David (Gelfand Rabbi David @ 1-216-464-3628 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gates Mr. Christopher T. (Gates Mr. Christopher T. @ 1-303-571-4404 @ FAX [UNK
READ:UNKNOWN

TO: Garsek Elliott (Garsek Elliott @ 1-817-292-3214 @ FAX Gartner Mr. & Mrs. Allen
READ:UNKNOWN

TO: Gans Honorable Erna I. (Gans Honorable Erna I. @ 1-847-564-7026 @ FAX [UNKNOWN
READ:UNKNOWN

TO: Gale Mr. Scott L. (Gale Mr. Scott L. @ 544-5559 @ FAX Galinson Mr. Murray L. @
READ:UNKNOWN

TO: The Jewish Journal OH (The Jewish Journal OH @ 1-216-746-7926 @ FAX [UNKNOWN]
READ:UNKNOWN

TO: Southern Illinois Jewish News (Southern Illinois Jewish News @ 1-618-398-0539 @
READ:UNKNOWN

TO: Leviton Lawrence R. M.D. (Leviton Lawrence R. M.D. @ 1-407-840-9425 @ FAX [UNK
READ:UNKNOWN

TO: Levin Mr. Mark (Levin Mr. Mark @ 898-0822 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levine Ms. Jacqueline (Levine Ms. Jacqueline @ 1-201-316-2518 @ FAX [UNKNOWN]
READ:UNKNOWN

TO: Levine Jeffrey (Levine Jeffrey @ 586-0861 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levine Carl (Levine Carl @ 1-312-444-2901 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Levens Honorable Esther H. (Levens Honorable Esther H. @ 1-913-648-2204 @ FAX [
READ:UNKNOWN

TO: Lerner Honorable Theodore (Lerner Honorable Theodore @ 1-301-770-0144 @ FAX [U
READ:UNKNOWN

TO: Leopold David (Leopold David @ 1-216-771-5894 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Leichter Senator Franz S. (Leichter Senator Franz S. @ 1-212-210-9444 @ FAX [U
READ:UNKNOWN

TO: Leesfield Mr. Ira (Leesfield Mr. Ira @ 1-305-854-8266 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lazarovici Laureen (Lazarovici Laureen @ 224-8438 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Lautenberg Senator Frank (Lautenberg Senator Frank @ 224-9707 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Las Vegas Israelite (Las Vegas Israelite @ 1-702-364-1009 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lansburgh Richard M. (Lansburgh Richard M. @ 1-410-752-1177 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Langer Rabbi Ruth (Langer Rabbi Ruth @ 1-617-736-2070 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Landow Mr. Nate (Landow Mr. Nate @ 1-301-986-5782 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Landau Ms. Marilyn (Landau Ms. Marilyn @ 1-310-371-6290 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Lack Mr. David (Lack Mr. David @ 1-512-576-9814 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Labovitz Judah (Labovitz Judah @ 1-215-440-7680 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kushner Howard (Kushner Howard @ 1-716-282-5090 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Krueger Harvey (Krueger Harvey @ 1-212-619-9602 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Krantz Marc (Krantz Marc @ 1-216-621-6536 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kramer Mark R. (Kramer Mark R. @ 1-617-731-0981 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovner Sarah (Kovner Sarah @ 690-7098 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovnat Mrs. Ruth (Kovnat Mrs. Ruth @ 1-505-757-1983 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kovler Mr. Jonathan (Kovler Mr. Jonathan @ 1-312-664-8983 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kort Ms. Joan (Kort Ms. Joan @ 857-1380 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kopp Hon. Nancy (Kopp Hon. Nancy @ 1-301-858-3026 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kopelman Hon. Ari (Kopelman Hon. Ari @ 1-212-303-5956 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kolben Peter (Kolben Peter @ 1-201-595-1532 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Knobel Rabbi Peter (Knobel Rabbi Peter @ 1-708-869-7830 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Knauer Len (Knauer Len @ 1-908-526-7560 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klothen Kenneth (Klothen Kenneth @ 1-610-543-6262 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kligerman Alan (Kligerman Alan @ 1-609-645-0767 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klein Morton (Klein Morton @ 1-212-481-1515 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klein Ann G. (Klein Ann G. @ 1-216-881-5447 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klasky Sandra (Klasky Sandra @ 1-818-886-7612 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Klafter Rabbi Beth (Klafter Rabbi Beth @ 1-516-621-4725 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kirshner Nancy (Kirshner Nancy @ 1-202-219-7312 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kentucky Jewish Post (Kentucky Jewish Post @ 1-502-459-1915 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kaufman Ronald (Kaufman Ronald @ 1-415-986-0246 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Susan (Katz Susan @ 1-212-645-7466 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Rabbi Rueben M. (Katz Rabbi Rueben M. @ 1-212-725-1211 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Janyce (Katz Janyce @ 1-614-236-2092 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Katz Dick (Katz Dick @ 1-619-287-7078 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kasirer Suri (Kasirer Suri @ 1-212-579-9044 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kamm Lisa (Kamm Lisa @ 1-212-462-6000 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kaminetsky Chaim (Kaminetsky Chaim @ 1-212-727-9526 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kahn Tom (Kahn Tom @ 225-0464 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Kahn Mr. David (Kahn Mr. David @ 1-212-249-3672 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: JUF News (JUF News @ 1-312-855-2470 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Joseph Mr. Arthur (Joseph Mr. Arthur @ 1-212-645-7355 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Joselow Deborah (Joselow Deborah @ 1-908-233-3959 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jewish Voice (Jewish Voice @ 1-302-478-5374 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jewish Ledger Rochester (Jewish Ledger Rochester @ 1-716-427-8521 @ FAX [UNKNO
READ:UNKNOWN

TO: Jewish Journal (Jewish Journal @ 1-213-386-9501 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jewish Herald- Voice (Jewish Herald- Voice @ 1-713-630-0404 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jaffe Alan (Jaffe Alan @ 1-212-888-7538 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jacobs Suzanne (Jacobs Suzanne @ 1-904-922-6259 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Jacobson Wendy (Jacobson Wendy @ 205-3848 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Israel Mr. & Mrs. Fred (Israel Mr. & Mrs. Fred @ 659-5559 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Irmias Mr. Sydney (Irmias Mr. Sydney @ 1-310-312-9405 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Intermountain Jewish News (Intermountain Jewish News @ 1-303-832-6942 @ FAX [U
READ:UNKNOWN

TO: Hymes David (Hymes David @ 234-5662 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hyatt Mr. Joel (Hyatt Mr. Joel @ 1-216-694-4305 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Horowitz Ms. Rachelle (Horowitz Ms. Rachelle @ 393-6375 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Horn Honorable Robert J. (Horn Honorable Robert J. @ 347-8423 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hollinger Honorable Paula (Hollinger Honorable Paula @ 1-410-486-6295 @ FAX [U
READ:UNKNOWN

TO: Hoffman Elaine (Hoffman Elaine @ 1-310-472-5962 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hochberg Mr. Fred (Hochberg Mr. Fred @ 1-212-353-2288 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hirsch Rabbi Deborah (Hirsch Rabbi Deborah @ 1-212-254-5407 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Hirsch Mr. Jay D. (Hirsch Mr. Jay D. @ 1-713-609-7600 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hirschberg Jeffrey (Hirschberg Jeffrey @ 327-6737 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Heyman Ralph (Heyman Ralph @ 1-513-854-2850 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hertz Eli (Hertz Eli @ 1-212-684-3658 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hersher Kurt (Hersher Kurt @ 1-203-374-0770 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Heritage Florida Jewish News (Heritage Florida Jewish News @ 1-407-831-0507 @ F
READ:UNKNOWN

TO: Heller Douglass (Heller Douglass @ 1-415-495-6635 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hellerstein Mr. Alvin K. (Hellerstein Mr. Alvin K. @ 1-212-806-6006 @ FAX [UNK
READ:UNKNOWN

TO: Hebrew Watchman (Hebrew Watchman @ 1-901-763-2216 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Harris Mr. David (Harris Mr. David @ 1-212-838-2120 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hanaw Jerome (Hanaw Jerome @ 1-504-568-9290 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Halperin Dr. Samuel (Halperin Dr. Samuel @ 872-4050 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Hachen Rabbi Debra (Hachen Rabbi Debra @ 1-508-870-0608 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Haber Mr. William (Haber Mr. William @ 1-310-288-4800 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gussman Mrs. Roseline (Gussman Mrs. Roseline @ 1-918-583-0888 @ FAX [UNKNOWN]
READ:UNKNOWN

TO: Guggenheimer Ms. Elinor C. (Guggenheimer Ms. Elinor C. @ 1-212-764-0402 @ FAX [
READ:UNKNOWN

TO: Grunewald Ralph (Grunewald Ralph @ 488-2693 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Grossman Steven (Grossman Steven @ 1-617-623-8058 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Grinberg David (Grinberg David @ 663-4912 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greenwald Larry (Greenwald Larry @ 1-212-806-6006 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Greene Ms. Alison (Greene Ms. Alison @ 1-914-328-7153 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greenberg Rabbi Irving (Greenberg Rabbi Irving @ 1-212-867-8853 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Greenberg Dr. Alvin (Greenberg Dr. Alvin @ 1-203-387-1818 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Grayzel Ron (Grayzel Ron @ 1-908-985-3295 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Grant Eugene (Grant Eugene @ 1-212-983-0351 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gottschalk Dr. Alfred (Gottschalk Dr. Alfred @ 1-513-221-3695 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gosman Abraham D. (Gosman Abraham D. @ 1-617-433-1290 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gordon Rabbi Julie (Gordon Rabbi Julie @ 1-612-698-2291 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gordon Honorable Ken (Gordon Honorable Ken @ 1-303-866-2291 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goodkind Mr. Robert E. (Goodkind Mr. Robert E. @ 1-212-818-0477 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gonchar Ilizabeth Sara (Gonchar Ilizabeth Sara @ 219-5120 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gold Ms. Bertha (Gold Ms. Bertha @ 1-216-464-9095 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gold Honorable Shirley (Gold Honorable Shirley @ 1-503-775-6605 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldstein Mr. Richard (Goldstein Mr. Richard @ 1-212-318-3800 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldmeier Karen (Goldmeier Karen @ 225-0566 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldin Rabbi Shmuel (Goldin Rabbi Shmuel @ 1-201-568-2991 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldfeder Jerry (Goldfeder Jerry @ 1-212-406-3548 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Golden Rachel (Golden Rachel @ 1-708-864-3248 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Goldberg Mr. Arthur (Goldberg Mr. Arthur @ 1-908-469-3876 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Godfrey Mr. H. Lee (Godfrey Mr. H. Lee @ 1-713-653-7897 @ FAX [UNKNOWN])

READ:UNKNOWN

TO: Glick Helen (Glick Helen @ 1-203-443-4175 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gleichman Norman (Gleichman Norman @ 653-5000 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Ginsberg Joel (Ginsberg Joel @ 619-6876 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gerry Alan (Gerry Alan @ 1-914-295-2701 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gelt Howard (Gelt Howard @ 1-303-298-0940 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gelman Mr. Joe (Gelman Mr. Joe @ 1-310-550-1767 @ FAX Gelman Norman & Ester @ 2
READ:UNKNOWN

TO: Geller Honorable Steven (Geller Honorable Steven @ 1-954-920-6885 @ FAX [UNKNO
READ:UNKNOWN

TO: Gejdenson Honorable Sam (Gejdenson Honorable Sam @ 225-4977 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gary Donna (Gary Donna @ 331-7792 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Garrett Mr. Richard (Garrett Mr. Richard @ 1-305-579-0717 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Ganchrow Dr. Mandell (Ganchrow Dr. Mandell @ 1-914-357-0080 @ FAX [UNKNOWN])
READ:UNKNOWN

TO: Gaal Ms. Linda (Gaal Ms. Linda @ 1-212-645-7355 @ FAX [UNKNOWN])
READ:UNKNOWN

TEXT:

President Clinton Delivers the First Balanced Budget in A Generation
Historic Agreement Promotes the Country's Priorities

President Clinton has achieved a balanced budget agreement that includes critical investments in education, health care, and the environment while strengthening and modernizing Medicare and Medicaid -- just as he promised last year. We have cut the deficit 63% -- from \$290 billion in 1992 to \$107 billion last year. This historic achievement will finish the job, giving the American people the first balanced budget in a generation, while meeting the President's goals.

GOAL: To ensure that every 8 year-old can read, every 12 year-old can log on to the Internet, and every 18 year-old can go to college.

Largest Pell Grant increase in two decades -- 4 million students will receive a grant of up to \$3,000, an increase of \$300 in the maximum grant.

\$35 billion of tax cuts targeted to higher education to make college more affordable for America's families.

An America Reads initiative to mobilize a million tutors to help three

million children

learn to read by the end of the third grade.

Expansion of Head Start -- to achieve goal of one million kids in 2002.

Doubles funding to help schools integrate innovative technology into the curriculum.

GOAL: Expand health coverage for as many as 5 million uncovered children.

Medicaid improvements and added Medicaid investments.

A new capped mandatory grant program that provides additional dollars to supplement

states efforts to cover uninsured children in working families.

GOAL: Secure and strengthen Medicare and Medicaid

Extends the solvency of Medicare Trust Fund to at least 2007 through long overdue structural reforms.

Expands coverage of critical preventive treatments of diseases such as diabetes and breast cancer.

Preserves the federal Medicaid guarantee of coverage to our nation's most vulnerable people.

GOAL: Strengthen environmental protection and enforcement

Accelerates Superfund cleanups by almost 500 sites by the year 2000.

Expands the Brownfield Redevelopment Initiative to help communities cleanup

and redevelop contaminated areas.

Boosts environmental enforcement to protect public health from environmental threats.

GOAL: Move people from welfare to work and treat legal immigrants fairly

A Welfare-to-Work tax credit to help long-term welfare recipients to get jobs.

Restores disability and health benefits for legal immigrants.

Restores Medicaid coverage for poor legal immigrant children.

Preserves food stamp benefits for people willing to work.

Provides States and cities with additional resources to move disadvantaged recipients into jobs.

GOAL: Cut taxes for America's hard working families

A Child Tax Credit to make it easier for families to raise their kids.

\$35 billion of tax cuts targeted to higher education to make college more affordable

A Welfare-to-Work tax credit to help long-term welfare recipients get jobs.

Establishes additional Empowerment Zones and Enterprise Communities.