

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 070 - FOLDER -003**

**[11/21/1997-11/24/1997]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 09:07:11.00

SUBJECT: Re: weekly

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

READ:UNKNOWN

TEXT:

I am still waiting for a few more items- from healthcare and education.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 09:09:10.00

SUBJECT: Janet can't make the 9:00, but Peter is on his way

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 21-NOV-1997 09:17:58.00

SUBJECT: Weekly as of 9:15 11/21

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

READ: UNKNOWN

TEXT:

Unable to convert ARMS\_EXT: [MESSAGE.D63]MAIL421153422.316

The following is a HEX dump of the file:

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

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

TEXT:

Unable to convert ARMS\_EXT: [ATTACH.D63]MAIL421153423.316 to ASCII,

The following is a HEX DUMP:

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

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 10:00:48.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

10:00 Billilingual Ed. Mtg. is ready to start in Maria's office



**INDEPENDENT BOARD ASSUMES RESPONSIBILITY  
FOR DEVELOPING**

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Automated Records Management System  
Hex-Dump Conversion

*DRAFT* -- November 21, 1997

*Tonight, I issue a challenge to the nation: Every state should adopt high national standards, and . . . every state should test every 4th grader in reading and every 8th grader in math to make sure these standards are met.*

President Bill Clinton  
1997 State of the Union Address

Today, in his weekly radio address, President Clinton commended the bipartisan, independent National Assessment Governing Board (NAGB) for its plan to develop and pilot the new voluntary national tests in 4th grade reading and 8th grade math. The President also announced new appointments to the Board, including Diane Ravitch, former Assistant Secretary of Education in the Bush Administration and a strong supporter of national standards and tests.

**NAGB Assumes Control for National Tests.** As proposed by the President, the recently enacted Labor-Health and Human Services-Education Appropriations Bill **places** the bipartisan, independent NAGB in complete control of further work in developing the voluntary national tests. NAGB currently oversees the National Assessment of Educational Progress (NAEP), a sample test of core subjects that tracks the progress of the nation as a whole and of 43 participating states, but does not provide individual student, school, or district level results.

The new national tests will be modeled on the NAEP content frameworks in 4th grade reading and 8th grade mathematics. The NAEP standards reflect a national consensus of what students should know and be able to do when they reach these crucial stages of learning.

Under the legislation, NAGB is now responsible for formulating policy for the voluntary national tests, just as it does for NAEP. The law charges NAGB with reviewing and modifying, if necessary, the contract to develop the tests. NAGB can also review, modify, and approve test specifications. This week, before meeting with the President, NAGB formally assumed control over the tests and adopted a detailed plan and timeline for test development.

**New Appointment Underscores Bipartisan Commitment to National Tests.** Along with two other new members of NAGB, the President announced that Secretary Riley had appointed to the Board Diane Ravitch, a long-time supporter of national standards and tests. Ravitch, former Assistant Secretary for Educational Research and Improvement under the Bush Administration, has supported enhancing independence of the national tests by giving control to NAGB.

**Work Will Proceed in Key Areas of Test Development.** Over coming months, under the direction of NAGB, the test development contractor will research the needs of students, parents, and teachers; write test items; gather feedback from advisory panels on reading and math; plan pilot tests; and prepare for field tests. In addition, the Board will oversee development of guidelines for testing students with disabilities, appropriate test use, and test reporting, and will guide preparation of materials to inform states and school districts, as well as parents, teachers and students, about the tests.

*A Strategy to Master the Basics and Reach High Standards.* The voluntary national tests will provide students, parents, and teachers with meaningful scores to compare individual student performance to widely accepted national and international standards and to identify students and schools that need extra help. In addition, when parents, teachers and students receive test results, they will also learn which questions the student got right and which ones were incorrect. These standard measures of excellence will help teachers and principals improve curriculum and instruction, give students a guide for charting their own progress, and help parents hold schools accountable for improved performance.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 11:40:06.00

SUBJECT:

TO: BRUCE N. (Pager) #REED ( BRUCE N. (Pager) #REED [ UNKNOWN ] )  
READ:UNKNOWN

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

TEXT:

FYI- Riley is in Gene's office for 11:30 Ed. Mtg.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 11:44:57.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Gene REALLY wants you & Bruce asap in his office



**INDEPENDENT BOARD ASSUMES RESPONSIBILITY  
FOR DEVELOPING**

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**Work Will Proceed in Key Areas of Test Development.** Under the plan approved by NAGB, it will begin this month to establish specifications for the national tests to ensure that the tests are based on the same content in NAEP. The board hopes to approve specifications in March 1998. Test items will then be developed for and approved by NAGB based on those specifications. Approved items will be used to prepare pilot tests and to plan for field tests. In addition, the Board will oversee development of guidelines for testing students with disabilities, appropriate test use, and test reporting, and will guide preparation of materials to inform states and school districts, as well as parents, teachers and students, about the tests.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jacinta Ma ( CN=Jacinta Ma/OU=PIR/O=EOP [ PIR ] )

CREATION DATE/TIME:21-NOV-1997 14:47:27.00

SUBJECT: PIR Weekly Report

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

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

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

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

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

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

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

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

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

TO: Linda C. Gray ( CN=Linda C. Gray/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TO: Susan M. Liss ( CN=Susan M. Liss/O=OVP @ OVP [ UNKNOWN ] )  
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: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

TO: Marjorie Tarmey ( CN=Marjorie Tarmey/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: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

TO: Robert Wexler ( CN=Robert Wexler/OU=PIR/O=EOP @ EOP [ PIR ] )

READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: Janet Murguia ( CN=Janet Murguia/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: Michael Waldman ( CN=Michael Waldman/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: Bob J. Nash ( CN=Bob J. Nash/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: Mona G. Mohib ( CN=Mona G. Mohib/OU=WHO/O=EOP @ EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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



**MEMORANDUM FOR THE PRESIDENT**

FROM: JUDITH A. WINSTON

THROUGH: ERSKINE BOWLES  
SYLVIA MATHEWS

SUBJECT: PRESIDENT'S INITIATIVE ON RACE WEEKLY REPORT --  
NOVEMBER 16 - 22

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**ADVISORY BOARD ACTIVITIES**

**Advisory Board Meeting.** On November 19, all the Advisory Board members except Governor Kean attended the meeting. Two hundred and fifty people were in attendance at the meeting throughout the day. The meeting examined the value of diversity in higher education. The Board discussed the importance of civil rights data collection and enforcement and will present recommendations to you before the next Advisory Board meeting on December 17. (A copy of the meeting agenda is attached.)

**National Congress of American Indians Annual Meeting.** On November 20, Governor Winter, Angela Oh, and I met with tribal leaders to discuss the role of the Initiative and to share ideas about how the Initiative can be more inclusive of American Indians and Alaska Natives. Angela Oh gave a plenary address in which we challenged the participants to work with the Initiative to ensure that the American Indian perspective is included in the discussions.

**Outreach to Religious Leaders.** Following your Prayer Breakfast, on November 20, Reverend Johnson Cook met with religious leaders to discuss the Initiative. She urged these leaders to promote the need for race reconciliation. They agreed to reconvene in early December to develop a plan of action for reaching the community of faith.

**National Asian Pacific American Bar Association Conference.** On November 22, Angela Oh participated on a civil rights panel at the National Asian Pacific American Bar Association conference in San Francisco. She urged the approximately 300 Asian

Pacific American attorneys to view your Initiative as an opportunity to be leaders in bridging racial divides and urged them to build coalitions with other attorneys to promote the goals of the Initiative.

**America's Black Forum.** On November 20, Dr. Franklin appeared on America's Black Forum, a weekly half-hour program, hosted by Juan Williams and James Brown, with commentators, Julian Bond, Deborah Mathis and Armstrong Williams. Dr. Franklin discussed the Initiative and recent Board activities.

## **OFFICE OF THE EXECUTIVE DIRECTOR**

### **OUTREACH**

**Campus/Community Week of Dialogue.** On November 17, we met with representatives from the Association of American Colleges & Universities and the National Urban League to discuss their participation in a Campus/Community Week of Dialogue.

**Local and National Government Associations.** On November 20, we met with the Executive Director of the National Governors' Association, and in a separate meeting we met with the Executive Director of the U.S. Conference of Mayors. Both agreed to include the Initiative in their mid-winter meetings to be held in Washington, D.C.

### **RESEARCH AND POLICY PLANNING**

**Fact Book.** After discussions with White House staff, including members of the Council of Economic Advisors, we are no longer producing a condensed fact book for dissemination at the Town Hall meeting. We met with the CEA and the White House Chief of Staff's office to discuss the development of a detailed fact book which CEA will take the lead in producing.

### **COMMUNICATIONS**

**Initiative Brochure.** The Initiative brochure was printed and distributed at the November Advisory Board meeting. (A copy is attached.)

**Media Coverage.** Six news sources covered the November 19 Advisory Board Meeting: The New York Times (A1), Washington Post (National section), Washington Times (A1), AP Wire, Newsday Inc. (National section) and St. Petersburg Times (National section). Two news sources interviewed me about the Town Hall Meeting: ABC News, Cleveland and Ohio News Network.

## **WORK TEAMS**

CABINET AFFAIRS / FEDERAL AGENCY

**One America Conversations.** Four Cabinet Secretaries, three Advisory Board members, 50 Federal staff members, some White House staff members, some Initiative staff members, and I will host One America Conversations over the Thanksgiving weekend.

COMMUNICATIONS/PRESS

**Public Service Announcements.** On November 18, the Leadership Conference Education Fund, the Ad Council, and an advertising agency presented senior-level members of the White House and the Initiative, including Paul Begala and Rahm Emanuel, with three script ideas for the public service announcement that will be released in conjunction with your Town Hall meeting. We chose two scripts for test marketing. One script featured the use of the civil rights anthem, "We Shall Overcome" and rap music, and the other script featured a montage of people reciting a script that identifies social issues that transcend race and ethnicity. The Ad Council will test market these scripts this week to gauge which script would resonate with audiences age 17-25.

PROMISING PRACTICES

**Identifying Promising Practices.** We plan to have posted 40 promising practices on the website by December 3 to coincide with your Town Hall meeting.

RECRUITING LEADERS/OUTREACH

**Corporate Leaders.** The first regional corporate CEO forum will be in Miami Beach, Florida on December 1. Secretary of Transportation Rodney Slater and Advisory Board member Bob Thomas will lead the meeting.

DIALOGUE IN COMMUNITIES

**December 3 Town Hall Meeting.** Initiative staff and White House staff went to Akron, Ohio to examine potential sites and to speak with officials and community leaders about logistics and possible participants.

ADVISORY BOARD

**Advisory Board Meetings.** The dates for the Advisory Board meetings have been determined through June. The December Advisory Board meeting will occur on December 17 in Fairfax, Virginia. The meeting will focus on issues surrounding race related to K-12 education. The first Advisory Board Town Hall meeting will take place

in mid-January in Atlanta, Georgia.

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Hex-Dump Conversion

## **FEDERAL AGENCY ACTIVITIES**

### **Department of Treasury**

**Presidents Initiative on Race.** During his trip to the Midwest on November 17, Secretary Rubin met with Minority Business Leaders and also held a roundtable with the Runners Club, a group of African-American entrepreneurs mentored by business leaders. On November 20-22, the 15th annual national conference to recognize Minority Enterprise Development Week (MED Week) 97 will be held in Washington, DC. MED Week was created in 1983 to recognize and promote the achievements of the nation's minority-owned businesses. Treasury plans to have an exhibit booth at the conference and share information about procurement opportunities throughout the Department.

### **Department of the Interior**

**“Toward One America” Initiative -Message and Outreach Activities.** The Bureau of Reclamation helped sponsor the Annual Society of Hispanic Professional Engineers West Coast Exposition and Recruitment Fair, in Anaheim, CA. The fair attracted over 600 Hispanic and other university students from across the western and southwestern United States.

### **United States Department of Agriculture**

**Pine Ridge Indian Reservation.** USDA staff are providing area-wide planning assistance to the Pine Ridge Indian Reservation in South Dakota. The immediate goal is to identify resource issues on the reservation and develop a plan that will allow local people to solve local resource problems.

**African American Farmers.** In a lawsuit against USDA, 14 plaintiffs are purporting to represent a class of present and former African American farmers who have claims of racial discrimination pending against the Department or whose claims of discrimination were denied by the Department between 1983 and February 1997. The class has not been certified. On November 17, counsel for the government and for the plaintiffs agreed to a 30-day delay in certain procedural matters.

**Hispanic Association Speech.** On November 20, Under Secretary for Natural Resources and Environment Jim Lyons spoke at the Hispanic Association of Colleges International Conference on Natural Resources and Cultural Heritage in Phoenix, AZ.

### **Department of Housing and Urban Development**

**Chicago Race Discrimination Suit.** On November 13, Secretary Cuomo joined the Leadership

Council of Metropolitan Open Communities (LCMCC) to announce the settlement of a racial discrimination suit. According to the suit, an African American nun and psychologist, and her sister were forced to move from their Northwest Chicago apartment because of racial discrimination. LCMCC is a private fair housing group that receives funds from HUD's Fair Housing Initiatives Program. HUD has pledged to double the number of enforcement actions in housing discrimination cases over the next four years.

**Minority Home Ownership.** As part of your Initiative, HUD and the National Association of Realtors (NAR) created an historic partnership to help promote equal housing opportunity and increase minority home ownership rates. HUD and NAR will develop training and certification program open to more than 1.5 million real estate professionals across the country. The program will train real estate professionals to implement Fair Housing Act principles and to make housing markets more accessible to traditionally underserved populations, such as racial and ethnic minorities. Although recent gains in minority home ownership are largely responsible for pushing the national rate to an all-time high of 66 percent, only 45.8 percent of African Americans and 43 percent of Hispanics own their own homes - compared with 72.3 percent of whites.

Secretary Cuomo announced this partnership at a press conference following the National Association of Realtors Conference (NAR) in New Orleans, LA. Real estate professional certified under the program will earn the right to use the new One America logo in advertising and professional materials. The logo is expected to be a valuable marketing tool that will enable home buyers to identify real estate professionals committed to equal housing opportunity. Media coverage included *AP*, *Baltimore Sun*, *The Tennessean*, *The Indianapolis Star*, *The Dallas Morning News*, *The Los Angeles Times*, *Houston Chronicle*, *Washington Times*, *Long Island Newsday*, *The Arizona Republic*, *Chester County Local News*, *Chicago Defender*, *The Buffalo News*, *Milwaukee Journal Sentinel*, *The Times Picayune*. New Orleans ABC, NBC, ABC.

### **Department of Transportation**

**Action Plan Continues.** The FHWA work group on race relations met on November 10 and identified 13 day-to-day activities in which race relations can be addressed in the Plan. They have agreed to also identify major agency activities and events planned for this fiscal year which are conducive to addressing race relations.

### **Department of Energy**

**MED Week.** On November 21, The Secretary will introduce DOE's Diversity Clause that will require DOE contractors to insure balanced opportunities for workforce development, educational opportunities, community involvement, small business development, and economic development/technology transfer - DOE has put together the first comprehensive agency effort aimed at Federal government contractors. MED Week brings together over 1,000 minority small business owners - which makes it the nation's largest and most diverse minority business conference. The Secretary's keynote address will follow remarks by SBA Administrator

Alvarez, Commerce Deputy Secretary Mallett, and Acting Director Cox of Minority Business Development Agency.

**“One America” Event in San Diego.** The Secretary plans to hold a race relations discussion with students at San Diego State University on December 5 to amplify the President’s Race Initiative.

### **Department of Education**

**One America Conversations.** Secretary Riley is scheduled to host a "One America: Conversations that Bring us Together" event in Alexandria, VA, on November 24 and, tentatively, in Baltimore on December 11. The Secretary is also tentatively scheduled to attend the Town Hall Meeting in Akron on December 3.

### **Department Of Veterans’ Affairs**

**Federal Agency Youth Task Force.** On November 17, VA’s representative to the Federal Agency Youth Task Force, President’s Initiative on Race, attended the second meeting of the Task Force to discuss some of the initiatives and events that various Federal Departments and Agencies are planning in support of the President’s Initiative. The meeting was attended by approximately thirty employees from various Federal Departments and Agencies and staff members from the Executive Office of the President.

**National Alliance of Black School Educators Conference.** VA will support Historically Black Colleges and Universities (HBCUs) by participating at the National Alliance of Black School Educators Conference in Reno, NV, from November 18 to 23. VA will participate as a panelist with Presidents of HBCUs on a program entitled “Federal Agency Outreach Initiatives with HBCUs and Minority Educators.” VA’s Associated Health Programs and procedures for academic affiliations with minority academic institutions will be discussed.

**National Association of Hispanic Federal Executives (NAHFE).** On November 20, a Partnership Agreement between VA and the National Association of Hispanic Federal Executives (NAHFE) will be signed during NAHFE’s Sixth Annual Executive Leadership Development and Diversity Training and Recruitment Conference in Arlington, VA. VA will be represented at the signing ceremony by the Assistant Secretary for Human Resources and Administration. Under the Partnership Agreement, VA and NAHFE will agree to work collaboratively to increase the number of Hispanics in VA at the GS-13 and higher grade levels. The Deputy Assistant Secretary for Equal Opportunity will also participate as a panelist during the NAHFE Conference on a panel entitled “Affirmative Action: Will it Survive?”

**American Indian Science and Engineering Society National Conference.** VA will participate in the 19<sup>th</sup> Annual American Indian Science and Engineering Society National Conference in Houston, TX, from November 20 to 23. VA will participate as an exhibitor and

provide information on research, employment, and other opportunities.

### **Environmental Protection Agency**

**Environmental Briefing for African American Leaders.** On November 19, Administrator Browner and other Administration officials meet with 75 African American environmental leaders to discuss the Administration's environmental priorities. Several environmental justice leaders were in attendance and expressed frustration and serious concern about the Administration's commitment to environmental justice. In particular, many attendees expressed concern that they had not been invited to the White House for discussions on environmental issues since President Clinton signed Executive Order 12898 on Environmental Justice in 1994.

Administrator Browner made it clear that environmental justice remains an Administration priority and discussed several key environmental initiatives affecting the African American community, including the new clean air standards, community right-to-know, Superfund, and children's health protection. Administrator Browner was also asked about EPA's decision on September 10 regarding the Shintech facility in Convent, LA. Administrator Browner ordered Louisiana to stop issuance of air permits for a proposed Shintech chemical facility because the permits have technical deficiencies which fail to regulate all potential sources of air pollution. These issues must be resolved before the project can move forward. EPA is also conducting an investigation of local citizens' civil rights complaint, which alleges that African American residents would be disproportionately impacted by the permitting of the Shintech facility.

### **Small Business Administration**

**MED Week.** The Administrator will speak at and participate in various MED Week activities, including the kickoff reception on November 20 and giving the keynote speech at the business luncheon on November 22. At this luncheon, Kweisi Mfume, President and COO, NAACP, will be receiving the Pioneer award, and Congressman Albert Wynn will be receiving the Administrator's Leadership Award.

**One America Conversations.** The Deputy Administrator and a number of senior staff are planning to hold One America Conversations during the Thanksgiving holiday. Plans are also being considered for the Administrator to convene a One America Conversations session.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 16:03:44.00

SUBJECT: Team Leaders Meeting

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

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

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

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

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

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

TO: WEINSTEIN\_P ( WEINSTEIN\_P @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

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

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

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

CC: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TEXT:

TIME CHANGE -- The Weekly DPC Team Leaders Meeting for Monday, November 24, will happen at 11:30 a.m. in Bruce's Office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 16:31:23.00

SUBJECT: Weekly Strategy Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Emily Bromberg ( CN=Emily Bromberg/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

CC: Jill M. Pizzuto ( CN=Jill M. Pizzuto/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TEXT:

We will be having our weekly Education Strategy Meeting on Monday,  
November 24, at 4:30 p.m. in Room 211, OEOB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 16:42:43.00

SUBJECT: CFC Campaign

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

TO: BALDERSTON\_A ( BALDERSTON\_A @ A1 @ CD @ LNGTWY [ UNKNOWN ] ) (OPD)  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TO: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

TEXT:

Everyone should have recieved a CFC Campaign brochure today. We are going to get pledge cards out to everyone. Everyone should hand in your pledge cards to Allison Balderston. If you have any questions I will do my best to answer them. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 16:58:36.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Exciting News: the weekly is not due today- just anytime this weekend

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Barry White ( CN=Barry White/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:21-NOV-1997 18:47:11.00

SUBJECT: The Evidence on effects of Head Start quality investments

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

READ:UNKNOWN

TO: Jennifer L. Klein ( CN=Jennifer L. Klein/OU=OPD/O=EOP@EOP [ OPD ] )

READ:UNKNOWN

TO: Rebecca M. Blank ( CN=Rebecca M. Blank/OU=CEA/O=EOP@EOP [ CEA ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Amy N. Finkelstein ( CN=Amy N. Finkelstein/OU=CEA/O=EOP@EOP [ CEA ] )

READ:UNKNOWN

CC: Edwin Lau ( CN=Edwin Lau/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Janet Himler ( CN=Janet Himler/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: Jennifer Friedman ( CN=Jennifer Friedman/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

CC: Keith J. Fontenot ( CN=Keith J. Fontenot/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

Barry White ( CN=Barry White/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Following the last Deputies meeting, in response to HHS' statement that they have evidence of the positive effect of the Head Start quality investments on Head Start quality, I asked my staff to obtain from HHS the evidence to which HHS referred. HHS did not have a document to share, but did hold a lengthy conference call with my examiners. This is a report of that call.

In sum, HHS does not have data demonstrating that the investments in "quality" and the related COLAs since the law was revised in 1994 have

resulted in a higher quality program.

What they do have is the first round of findings from an evaluation ("FACES" -- Family and Child Experiences Survey), which provides some indication that Head Start projects are of "minimal to good quality." (They did not find any "inadequate" programs.)

The programs were evaluated on the "ECERS" (Early Childhood Environmental Rating Scale): it measures the use of materials, scheduling, facilities, interaction between teachers/staff and children. This is a tool in general use for assessing child care centers. Eventually this longitudinal study will report on the children's experiences in kindergarten.

OMB is insisting that HHS carry the study into lower grades to try to get a handle on whether Head Start affects learning in school, but HHS is resisting strongly. We aren't sure why.

They do not have data showing a causal relationship between quality and investments in quality, because they did not establish baseline data for the evaluation or from the period before the new law.

The contractors (Westat and Abt) will eventually try to find a correlation between quality and the higher salaries and benefits, more education for staff, length of teacher time in the programs. HHS had not planned to do this any time soon, but given the OMB (and working group) interest, HHS will now try to produce this data in the next few months.

They did find some correlation (not clear how strong) between new teachers and quality program, vs. the quality of programs with longer tenured teachers. This suggests that newly trained teachers may have a greater benefit for students.

This provides some preliminary support for our new teacher preparation scholarship.

In the conversation, it came up that since 1992, average Head Start salaries have increased from \$10,000 to \$17,000, an increase of 70%. The Head Start Director asserts, however, that this salary level is a "moral disgrace."

This report does not provide a ringing endorsement for spending more money on child care in the same ways in which it is spent in Head Start if, in fact, we want to do something serious about improving the quality of child care. It also isn't much support for Head Start's set-asides.

OMB staff would much prefer investing in directed State monitoring of health and safety conditions, State publication of "report cards" on child care center quality, giving the States money to help centers meet accreditation standards by the national body (NAEYC), and otherwise supporting specific activities to correct flaws found by the monitoring. \$50 m/year, \$250 m over 5, might be sufficient to get States to engage more aggressively in such activity.



...Draft...

Statement of the President on FBI Crime Statistics

Crime rates continue to fall dramatically throughout the country, and it's no accident. With community police at the center of our efforts, we have worked to give communities the tools they need to rid their neighborhoods of gangs, guns and drugs. We have made real progress: there are nearly 7,500 fewer murders in America today than in 1993.

Now, we need to take juvenile crime head on. The spending bill I will sign next week includes more than \$100 million to hire scores of local prosecutors, probation officers, and others to crack down on gangs. Combined with new after school programs and a \$195 million anti-drug media campaign, we can begin to pursue a strategy that works to keep all of our youth on track.



...Draft...

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-NOV-1997 23:08:05.00

SUBJECT: follow-up town-hall meeting

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

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

TO: Ron E Blankenship ( CN=Ron E Blankenship/O=EOP [ UNKNOWN ] )  
READ:UNKNOWN

TO: Lynn G. Cutler ( CN=Lynn G. Cutler/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: Andrew J. Mayock ( CN=Andrew J. Mayock/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: Lin Liu ( CN=Lin Liu/OU=PIR/O=EOP @ EOP [ PIR ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

TEXT:

FROM MINYON & ANN:

We will hold a follow-up meeting in Ann's office regarding the upcoming town hall meeting on Monday November 24th at 11:00 a.m. If you can't attend, please send a representative. We might need to move locations, so please be on alert for an e-mail or page from Ruby. Also, due to the holidays, we will meet daily and a time will be set for Tuesday and Wednesday during our meeting on Monday.

For lack of better words, those individuals who have taken the lead on certain areas should come prepared to report on their progress.

Special thanks to everyone who worked to bring closure to a number of issues that will be reported on in Monday's meeting.

p.s. if anyone was left off us this e-mail that should be included, please advise Ruby asap!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 09:15:47.00

SUBJECT: Town Hall Follow-Up Mtg

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

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

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

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

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

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

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

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

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

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

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

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

TO: Miriam H. Vogel ( CN=Miriam H. Vogel/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

TO: Thomas D. Janenda ( CN=Thomas D. Janenda/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: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

TEXT:

Today's 11am Race Town Hall follow-up mtg will be in room 472.

We will have follow-up mtgs on Tues and Wednesday as well at 11am [both days] and the mtgs will take place in the Roosevelt Room. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:24-NOV-1997 11:14:58.00

SUBJECT: INS Meeting

TO: Jeffrey P. Morales ( CN=Jeffrey P. Morales/O=OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

REMINDER: We will be holding the INS Restructuring Meeting, today at 3:00  
PM in room 211  
of the Old Executive Office Building.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Maureen T. Shea ( CN=Maureen T. Shea/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:24-NOV-1997 12:44:30.00

SUBJECT: Catholics

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:

Unable to convert ARMS\_EXT:[MESSAGE.D7]MAIL498574722.316

The following is a HEX dump of the file:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Essence P. Washington ( CN=Essence P. Washington/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:24-NOV-1997 13:33:24.00

SUBJECT: Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The Indian Country Law Enforcement Directive Meetings

Tuesday Nov 25: This meeting will be in room 211 of the Old Executive Office Building at 1:00PM.

Wednesday Nov 26: This Meeting will be in room 211 of the Old Executive Office Building at 11:00 AM.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 13:34:12.00

SUBJECT: Weekly Strategy Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Emily Bromberg ( CN=Emily Bromberg/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

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

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

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

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

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

CC: Jill M. Pizzuto ( CN=Jill M. Pizzuto/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

Today's weekly Education Strategy Meeting is CANCELLED.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 13:47:57.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

1:45 Race & Universities is starting in Roosevelt Room

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 13:59:14.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

They are calling for you to go to the Roosevelt Room for mtg. w/ Sec.  
Shalala & Riley



## M E M O R A N D U M

**TO: BRUCE REED, ELENA KAGAN**  
**FROM: THOMAS FREEDMAN, MARY L. SMITH**  
**RE: DOJ DEBT COLLECTION**  
**DATE: NOVEMBER 21, 1997**

---

Automated Records Management System  
Hex-Dump Conversion

### SUMMARY

There is approximately \$6 billion in uncollected federal criminal debt. A project that would have created a national database to oversee the collection has been terminated because it was behind schedule and plagued with problems. Only \$2 billion of the \$6 billion can reasonably be collected.

DOJ currently has two projects ongoing to address some of these issues. First, DOJ expects to award a contract in January 1998 to develop software to collect only federal **civil** debt.

However, the software is being developed to include data fields for criminal debt, so that criminal debt collection can be implemented in the future. This software would be installed at the Executive Office of the U.S. Attorney, the U.S. Attorneys' Offices, Main Justice, and any DOJ field office. Second, DOJ has proposed legislation to address some of the problems the Government has in enforcing and collecting primarily federal criminal debt.

### BACKGROUND

The National Fine Center was authorized by the Criminal Fine Improvements Act of 1987, Pl. 100-185, 101 Stat. 1279. The Criminal Fine Improvements Act of 1987 contemplated that the director of the Administrative Office of the U.S. Courts (AOUSC) would establish a single national center within the judicial branch for processing fines, restitution, and special assessments.

There is a great need for a collection service for criminal fines because many fines are not recovered. For instance, as of early 1992, DOJ estimated that the total amount of unpaid criminal debt exceeded \$1.6 billion. By late 1996, the amount of unpaid criminal debt had ballooned to nearly \$6 billion.

Once the criminal debts were collected, the National Fine Center, via the Treasury, was to make payments to either the victims (e.g. federal agencies, private corporations, banks, or individuals) or to the Crime Victims Fund. The Crime Victims Fund was established by the Victims of Crime Act, P.L. 98-473, 98 Stat. 2170. Virtually, all criminal fines, special assessments, and bail bond forfeitures are deposited into this fund, which is administered by the

Office for Victims of Crime in the Department of Justice. Ninety percent of the Crime Victims Fund is distributed to states for compensation programs such as rape crisis centers and child abuse centers that provide financial assistance to victims and survivors of victims of criminal violence.

The National Fine Center was closed on November 15, 1996. Debt collection will revert to the decentralized system employed by each federal judicial district in the country, which, in many districts, involve catalog cards or ledger books.

Part of the reason that the amount of uncollected debt is so high is that “vanity fines” stay on the books. Vanity fines are fines with no realistic expectation that they will be collected. In fact, Kathleen Hegerty at the Department of Justice estimates that two-thirds of the current \$6 billion in criminal debt is uncollectible, or, in other words, approximately only \$2 billion can reasonably be collected. In fact, one of the recommendations of a May 1995 GAO report was to establish procedures for determining the collectibility of criminal debt accounts.

Despite the uncollectibility of much of the accrued criminal debt, there is still potentially a surplus, given a few criminal defendants with large fines and penalties that do have the ability to pay such as ADM and Daiwa, the Korean bank .

## II. THE PROPOSED DOJ LEGISLATION

DOJ has drafted a bill that would improve the ability of Government attorneys to collect the approximately \$6 billion of debt owed to the United States. This legislation would require no additional cost to implement. As an initial rough estimate, DOJ expects that this legislation will improve collection of approximately \$200 million of the outstanding debt.

The bill is already drafted but needs some final vetting by DOJ.

Title I of the draft bill amends the Federal Debt Collection Procedures Act of 1990 (the “Act”). Title II of the bill, in large part, amends Title 18 of the United States Code. The provisions in Title II are largely the same as the restitution provisions in a draft bill that DOJ proposes to transmit on victims’ rights.

- **Surcharge.** The bill amends § 3011(a) of the Act to clarify that the United States is entitled to recover a surcharge anytime it is required to bring a legal action to collect a debt. The surcharge provision is intended to compensate the United States for the cost of litigation and is in lieu of attorney’s fees.
- **Discovery.** The bill makes it clear that discovery is not limited to cases in which the United States has sought a prejudgment or postjudgment remedy.
- **Assists in determining a debtor’s ability to pay a judgment through disclosure of**

**grand jury financial information and better access to other financial information at the time of conviction and after judgment is entered.**

- **Disclosure of grand jury information regarding financial condition.** This section of the bill will modify a Supreme Court decision that did not permit a criminal government attorney (the attorney in the grand jury proceeding) to disclose financial information to the civil government attorney (the attorney responsible for enforcing the fine or restitution imposed by the court in a criminal case).
- **Investigative power.** The bill permits investigation prior to the institution of a civil action by authorizing a civil investigative demand. Such a procedure is available in other civil contexts, like antitrust and FTC investigations.
- **Provides nationwide standards for property that civil debtors can protect from seizure.**
  - **Uniform federal law exempting property.** This bill creates a uniform federal exemption law that applies to all federal debts collected under the Act. Previously, exemptions for certain property was determined by looking to state law.
- **Eliminates limitation on value of property that may be used to satisfy a debt.** Section 131 of the bill clarifies that any of the debtor's property may be seized and used for satisfaction of the judgment debt, subject to the applicable exemptions. The amendment eliminates a confusing limitation on the value of the property that may be seized and sold. The limitation currently conflicts with § 3203(h) which clearly contemplates that an execution sale will yield a surplus on occasion.
- **Installment payment order.** The bill increases the discretion of the court to fashion an appropriate remedy by permitting the court to issue an installment payment order notwithstanding that the debtor's wages are subject to an order of garnishment. A wage garnishment is limited to 25% of the disposable earnings paid by the debtor's employer. However, a debtor's salary may be only a small fraction of the debtor's total income. Furthermore, a debtor may manipulate actual salary by negotiating to receive less salary and more benefits such as living expenses.
- **Eliminates impediments to seizure of wages and bank accounts while preserving the debtor's extensive due process rights.**
  - **Waiting period for garnishment.** The bill amends § 3205(b)(1) of the Act so that the 30-day waiting period applies only to garnishment of the judgment debtor's earnings rather than other assets such as bank accounts. The amendment is necessary to prevent the fraudulent transfer of non-wage assets during a

previously afforded 30-day window of opportunity.

- **Garnishment notice by mail.** The bill permits the service of a writ of garnishment by first class mail or in any manner provided under § 3004. The amendment eliminates the delay often associated with other methods of service and reduces the burden on the United States marshals.
- **Authorizes injunctive relief to prevent the dissipation of the debtor's assets while a debt to the United States remains unpaid.**
  - **Restraining notice.** The bill adds a new enforcement procedure, the restraining notice. This provision would require a judgment debtor to preserve his nonexempt assets while the judgment remains unsatisfied. The restraining notice does not restrain the transfer or disposition of any property necessary for the support of the debtor or the debtor's dependents, or property necessary to operate the debtor's business. Service of the restraining notice freezes the debtor's property to prevent its transfer or dissipation.
- **Clarifies the court's authority to prevent the debtor from evading, hindering, or delaying debt collection efforts by the United States.**
  - **Court may aid in enforcement of judgments.** The bill makes clear that the United States may enlist the aid of the court in the enforcement of its judgments. For instance, if the debtor has placed property outside the jurisdiction of the United States by transferring funds to an offshore bank, this amendment will permit the court to issue an order directing the debtor to wire transfer the funds to the Federal Reserve Bank of New York. Similar turnover powers are authorized in the Bankruptcy Code.
  - **Enhancement of enforced collection of criminal debts.** Without this amendment, the United States cannot invoke any procedures under the Act until the defendant has been sentenced to pay a financial penalty. The new provision permits the court, after a verdict, plea agreement, or decision in favor of the United States, to order the examination of any party and to issue a restraining notice with the same effect as if the restraining notice had been issued after judgment. The ability to examine the defendant immediately after an adverse decision, coupled with a restraining notice, will assist in preventing fraudulent transfers.
- **Extends the time for undoing collusive transfers of property when made to avoid paying criminal fines and restitution. (Makes the property available to pay the debt.)**

- **Statutes of limitation for fraudulent transfer actions.** Under current law, the United States is often time-barred in seeking to set aside a fraudulent transfer because the United States could not implement an action until a debt was actually created at the time of sentencing. Even when the right to set aside the transfer is not time-barred, there are other enforcement difficulties like the jurisdiction of the enforcement transferring to the probation service during any period of probation. The bill amends the statute of limitations to mitigate these impediments to the enforcement of restitution and fines.
- **Eliminates impediments to the enforcement of criminal monetary penalties, and strengthens the rights of victims of crime.**
  - **Enforcement of criminal monetary penalties.** The bill improves the enforcement of criminal monetary penalties. The bill allows the Government to seek accelerated payment of criminal monetary penalties if the court ordered deferred payment or payment in installments, and it is later determined that the debtor has the ability to pay a greater amount.
- **Clarifies that the United States may enforce victim restitution rights under the Federal Debt Collection Procedures Act.**
  - **Restitution enforcement.** The bill conforms the restitution enforcement provisions in the Child Support Recovery Act of 1994 with those authorized for other types of restitution under the Mandatory Victim Restitution Act.
  - **Restitution not dischargeable in bankruptcy.** The bill clarifies that orders of restitution, like criminal fines, are not dischargeable in federal bankruptcy proceedings.
  - **Restitution as part of plea agreement.** The bill requires the court to order restitution as agreed to by the parties in the plea agreement. In the past, despite any agreement that the debtor has made in the plea, the court has not included this restitution as part of its order.
  - **Restitution with large number of victims.** The bill provides the court with a variety of options when the number of victims or the complexity of the victims' losses may prolong or overly complicate the sentencing process. The bill permits, among other options, the court to create a reserve fund for restitution to victims when the aggregate loss is known or agreed to by the parties in the plea agreement, but all victims cannot be identified at the time of sentencing. After all identified victims are made whole, any surplus funds remaining in the reserve fund will be deposited in the Crime Victims Fund.

- **Joint and severable liability for restitution.** The bill adopts the principle of joint and severable liability with respect to restitution among co-defendants, making each debtor potentially liable for the full amount of each victim's loss. The adoption of this basic principle of tort liability streamlines the enforcement process and promotes prompter recovery of the victim's full losses.
- **Disclosure of information to enforce restitution.** The bill permits the Government to assist victims in enforcing restitution orders by disclosing certain information about the debtor that might otherwise be protected from disclosure by the Privacy Act, 5 U.S.C. § 552(a).
- **Eliminates the need to sue student loan debtors twice before enforcing collection.**
- **Assists in stopping federal payments and privileges (such as small business loans, hunting licenses) to debtors with outstanding federal civil and criminal judgments.**
- **Sections Related to the Elimination of the National Fine Center.**
  - The bill provides that the payment of fines, restitution, special assessments, and bail bond forfeitures shall be made in accordance with procedures established by the Director of the Administrative Office of the United States Courts. This change is necessary because of the elimination of the National Fine Center.
  - The bill repeals what was widely regarded as a mandate for a National Fine Center. The new wording requires the Director of the Administrative Office of the United States Courts to maintain oversight of the management of criminal debt information.
  - The bill completes the termination of the National Fine Center by eliminating mandatory annual funding transfers to the judicial branch from the Crime Victims Fund for the operation of a National Fine Center, and by requiring the return of unspent funds from the National Fine Center. The amendment permits the Director of the Crime Victims Fund to use the funds returned to the Crime Victims Fund for the benefit of crime victims in the federal criminal justice system.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 15:04:45.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

3:00 Immigration Mtg. is starting in room 211

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Audrey T. Haynes ( CN=Audrey T. Haynes/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:24-NOV-1997 16:30:35.00

SUBJECT: VAWA 245i

As all of you probably are aware, the special provisions of VAWA for battered immigr  
Additionally, Bonnie says the Justice Dept. is supportive of remedies on this issue.

If there is no plan, could we have a discussion ! thanks.

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

READ:UNKNOWN

TO: Green ( Green [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Roberta W. Greene ( CN=Roberta W. Greene/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:24-NOV-1997 16:45:17.00

SUBJECT: VAWA 245i

As all of you probably are aware, the special provisions of VAWA for battered immigr  
Additionally, Bonnie says the Justice Dept. is supportive of remedies on this issue.

If there is no plan, could we have a discussion ! thanks.

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

READ:UNKNOWN

TO: Peter G. Jacoby ( CN=Peter G. Jacoby/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

----- Forwarded by Janet Murguia/WHO/EOP on 11/24/97  
04:35 PM -----

Audrey T. Haynes

11/24/97 04:30:28 PM

Record Type: Record

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

cc: Robin Leeds/WHO/EOP

Subject: VAWA 245i

As all of you probably are aware, the special provisions of VAWA for  
battered immigrant women have been undercut by recent legislation. A  
number of our congressional friends, especially those in the Congressional  
Women's Caucus, spoke of their concern about this during their one minute  
floor speeches prior to adjournment. The advocacy groups are getting  
geared-up and are wanting relief on this issue and would like for the  
White House, the groups and our congressional friends to have a united fron  
t in getting this "fixed" before Congress reconvenes. Bonnie Campbell and  
Janna Sidley have spoken with me about this but do not want to encourage  
the groups one way or the other until they know the White House plan.  
Additionally, Bonnie says the Justice Dept. is supportive of remedies on  
this issue. Please advise as to our plan.

If there is no plan, could we have a discussion ! thanks.

Message Sent

To:

Bruce N. Reed/OPD/EOP

Elena Kagan/OPD/EOP

Maria Echaveste/WHO/EOP

Katharine Bütton/WHO/EOP

Janet Murguia/WHO/EOP

John L. Hilley/WHO/EOP  
Susan M. Liss/OVP @ OVP  
Thomas L. Freedman/OPD/EOP  
Green  
Roberta W. Greene/WHO/EOP  
Mary L. Smith/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jason S. Goldberg ( CN=Jason S. Goldberg/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:24-NOV-1997 17:04:58.00

SUBJECT: Desperate

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

ly seeking info for the President's daily report.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-NOV-1997 18:58:29.00

SUBJECT: Doggett Amendment

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

You dropped me a note about whether the Doggett amendment passed. It did in State/Commerce, but has not been signed yet. (It formalized the US position on tobacco exports-- prohibiting promotion of tobacco overseas but allowing the government to fight discrimination specifically against US tobacco).