

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 074 - FOLDER -002**

**[03/17/1998 - 03/20/1998]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-MAR-1998 21:40:17.00

SUBJECT: American Immigration Lawyers

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

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

TEXT:

Folks--due to unforeseeable demands I have been requested to go on the trip to Las Vegas tomorrow--the meeting with the AILA lawyers' executive board is important--I am asking if any one of you could do the meeting for 45 minutes it would be greatly appreciated--truth be told they prefer to meet with the policy shops (little knowing that OPL in fact has a voice in the policy process thanks to you all)--please look at your schedules--if one of you could please just meet with these folks and listen, I would be eternally grateful (at least until one of you needs a favor). Please talk to Miriam Vogel in my office---thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-MAR-1998 22:51:26.00

SUBJECT: School Safety

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

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

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

TEXT:

Esteemed Colleagues:

Attached is a draft one-pager for the proposed school safety event on Thursday. Please note, Education has pulled back one of the studies, and key event logistics have not been finalized yet. Specifically...

Paper/Overall Outline -- Elena, does this one pager accurately reflect report and announcements? Do you still want to circulate this to others before we nail down the rest of the event detail? See also existing accomplishments doc from 12/97 that we will update for re-distribution.

Event Program -- Rahm, do we need a "real person" (principal) to speak? Scheduling recommended that we find one; Education and I don't think we need one and favor a shorter program w/just the AG (Riley and Deputy are both out of town).

Audience -- We still don't know which room we're doing this in. Scheduling initially talked about Roosevelt Room, which would allow us about 6 members, key staff and a handful of constituency types. However, there has been some talk of East Room. I don't think we want to do something this big -- do we?

Briefing -- Key Education staff are prepared to brief afterwards in the press room. I assume this is fine, and that we won't need extensive Q&A.

Remarks -- Education/Mike Cohen have two concerns about the speech: (1) that the crime stuff not be too inflamatory; and (2) that key overall education planks -- e.g., school construction -- be mentioned. Rahm, are you fine with this -- what are you priorities for the speech?

Finally, I've asked the folks from Education to attend the 10am crime meeting tomorrow (Room 211), so that we can get these things finalized. Jordan, if you haven't touched based with Rahm, you may want to visit

w/him -- as well as Education -- there.

Missing Christa,  
Jose'

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

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The following is a HEX DUMP:

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**Keeping Our Schools Safe and Drug-Free  
March 19, 1998**

**Announcement:** Today, the President announced: (1) the findings of the first ever national estimate of crime and violence in U.S. schools; (2) the availability of \$17.5 million in new funding from the President's 100,000 more police program for school safety; and (3) a series of recommendations by the Attorney General and Secretary of Education for an Annual Report on School Safety.

**"Violence and Discipline Problems in U.S. Schools: 1996-97"**. The National Center on Education Statistics released a national survey of principals from more than 1,200 public schools in the 50 states and Washington, D.C., on crime and violence in schools last year. Key findings of the survey include:

**A Majority of schools -- or 57% -- reported crimes to law enforcement.** This includes an estimated 190,000 physical attacks or fights without a weapon, 116,000 incidents of thefts or larceny, and 98,000 incidents of vandalism.

**Few schools -- only 10% -- reported serious violent crimes.** This includes an estimated 11,000 physical attacks or fights in which a weapon was used, 7,000 robberies, and 4,000 rapes or other types of sexual assault.

**Nearly half of all schools -- or 43% -- reported no incidents of crime.** And most schools -- or 80% -- reported 5 or fewer crimes.

**Schools with serious discipline problems were more likely to experience crime or violence.** Principals rate absenteeism, tardiness and fights as the 3 most common discipline problems among students.

**Community Policing and School Safety.** The Justice Department's COPS Office will make \$17.5 million available for a new community policing program to address school safety. This initiative will fund partnerships between law enforcement, schools, and community groups to develop innovative approaches to reduce crime on or near school grounds.

**Annual Report on School Safety** In his December 6, 1997 radio address, President Clinton called on the Attorney General and Secretary of Education to issue an annual report that principals, parents, and local officials could use to address their school crime problems. Today, Attorney General Reno and Secretary Riley presented the President with a framework for this report, which will be released at the beginning of every school year. This new report will include: an analysis of all existing national school crime data and an overview of state and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use, and class disruption; actions that parents can take locally to combat school crime, including a local safety checklist; and resources available to schools and communities to help create safe, disciplined, and drug-free schools.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:17-MAR-1998 23:05:55.00

SUBJECT: crime meeting agenda

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

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

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

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

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

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

TEXT:

===== ATTACHMENT 1 =====  
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## **Crime Meeting Agenda March 18, 1998**

### **Pending Events**

- \* 3/19 school violence
  - Violence and Discipline Problems in US Schools '96-'97
  - Outline of proposed School Violence Indicators Report
  - COPS funding availability -- \$17.5 million for law enforcement, schools and community groups
  - School Crime Supplement (joint DOJ/Education report) will not be ready until March 25
  
- \* 3/20 assault weapons for press conference (tentative)

### **Legislative Update**

- \* Juvenile crime
  
- \* Drugs
  - Proposed marijuana resolution
  
- \* Prison drug testing/treatment legislation
  - March 23 to 25 conference; possible announcements
  
- \* Justice authorization

### **Other Potential Events**

- \* Big picture crime speech

### **Miscellaneous/ Pending Items**

- \* Any other pending events/releases--DOJ Reports
  
- \* Meeting for curios/relics report and Durbin legislation
  
- \* International Crime Bill

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 08:56:12.00

SUBJECT: Congressional Record: Wellstone Bill (continued)

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

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

TEXT:

----- Forwarded by Richard Socarides/WHO/EOP on 03/18/98  
08:55 AM -----

Doug.Case @ sdsu.edu  
03/17/98 10:04:00 PM

Record Type: Record

To: Stuart D. Rosenstein, Richard Socarides  
cc:  
Subject: Congressional Record: Wellstone Bill (continued)

CONGRESSIONAL RECORD Partner stories continued:

#### Second case

Debra and Sara have been living together in a committed relationship for five years. They own a home together and have made other major purchases together. Debra and Sara had a child (Michael) 2 years ago. Sara gave birth to the child. Debra's employer offers health and life insurance benefits to domestic partners, and children of domestic partners are considered dependents of the employee for purposes of insurance coverage. Sara is self employed. Michael, Sara and Debra are all covered by insurance as a family through Debra's employer's plan. Six months ago Debra was recruited by a competing business because of her unique skill and experience, and was offered a job. The job would be a step up for Debra in the advancement of her career. The pay is about the same, but the prospective employer does not offer health and life benefits to unmarried partners and would not cover Michael as a dependent of Debra's. For these reasons, Debra decides to decline the offer of employment and delays career advancement as a result. The competing business misses out on Debra's unique skill and experience.

#### Third case

Joe is a student at a private college. His partner Jim works for a mid-size accounting firm. Jim's employer does not offer benefits to unmarried partners/dependents of its employees. Jim and Joe can't afford to pay the

\$160.00 per month for Joe's health insurance, and since Joe is only 38 years old, they hope the risk of health problems is low, and decide that he will have to go without coverage. Within a year, Joe is diagnosed with Crohn's disease and requires surgery, treatment and ongoing medications that are very expensive. Joe quits school under the financial pressure to look for a job that offers health benefits. Joe gets a job quickly and applies for health coverage, but the insurer will not cover any costs associated with Joe's pre-existing condition of Crohn's disease.

#### PERSONAL STATEMENTS--UNIVERSITY OF MINNESOTA

Selected personal statements of gay and lesbian University employees on the impact of not having equal benefits.

1. The University should honor its nondiscrimination policy statement by eliminating all policies that discriminate on the basis of sexual orientation.

The University should recognize domestic partnership couples as they do married couples. I simply want for my family what a married employee can count

on for his/her family. If, as an employee they receive a benefit, so should I.

The solution is to provide similar benefits to domestic partnership couples or

remove the benefits from married couples. As employees of the University we should have the same

treatment. Gays and lesbians employed by the University have been systematically excluded from benefits that have been provided to their heterosexual colleagues with whom they work side by side, sometimes performing

exactly the same work. That is very wrong and needs to be corrected!

On a personal level, for the 25 years I have been employed at the University I have been denied the full employment status and benefits provided

to my heterosexual colleagues. This has cost me dearly financially, and has sent me the message that who I love is not valued. This treatment tells me that my family concerns are not important to the University. Although I am also an employee of the University I am not provided with the same health care

security for my family as are my married colleagues.

Finally, as I approach retirement, I am outraged to find out that my partner can not defer taxes upon receiving my retirement money in the case of

my death as a married spouse is able to do. This amounts to a huge financial

loss for my partner and other gay and lesbian employees and their partners. Imagine your spouse having to pay 28% of \$250,000 (\$70,000) or 31% of \$300,000

(\$93,000) right off the top, thus diminishing the amount received by our partners to \$180,000 and \$207,000 respectfully. This is a concrete example for

two of us currently long time employees of the University and who are also in

long term domestic partnership relationships. In addition, both couples have

registered under the city of Minneapolis domestic partner ordinance.

I am angry, disappointed and frustrated that the Board of Regents,

President Hasselmo and the administrative leadership of the University have not taken action to enforce the University's nondiscrimination policy. The University should be playing a leadership role in righting this wrong, first, for its employees and then in initiating changes for the state of Minnesota and in urging Federal tax law changes.

2. When my partner's mother unexpectedly committed suicide five years ago, I was scheduled to leave that morning for an out-of-state business trip. I'll never forget my struggle over how I would approach my supervisor to request permission to either cancel the trip or to send someone in my place. I was up for a promotion and I was afraid that to acknowledge my sexual preference to this person, who I knew held fundamental religious values, would compromise my work and my livelihood.

I ultimately equivocated and asked if I could send someone else on the trip, because my `housemate--slash(/)--best friend needed my support. As you might guess, this didn't sound sufficiently persuasive and I left on the trip (shortened by two days) with the `blessing' of my partner, who, of course, was in shock. I succumbed to fear and in doing so compromised my own humanity and my bond with my partner. It is still deeply painful for me to remember the coerciveness of the situation, the fear and intimidation that I experienced, and my own personal failing.

It was one of the most demeaning and dehumanizing experiences of my life. I ask those of you who are married to imagine having to make such a choice: imagine having to ask permission to be with your grieving partner. There are no reparations the University can offer me to recast the past. I would, however, like to think that the Board of Regents and central administrators have the compassion and courage to act now so that others will not be confronted with such a choice.

3. The University is discriminating on the basis of sexual orientation. My family doesn't receive the same benefits as families of heterosexuals.

I have had the Group Health Plan benefits package for nearly sixteen years. I began family coverage when I married (1978), adding my spouse at a nominal monthly fee to the single coverage I already carried (which was paid in full by the University). When my children were born (1983, 1986) the cost of family coverage didn't change. In fact, the cost of family coverage is constant no matter how many dependents you have on the policy. I was amazed to learn that the cost of family coverage (including coverage for my ex-husband) remained the same even after getting a divorce. My ex-husband remained on my insurance policy--at no additional cost--even though we were not legally married.

I am now in a committed lesbian relationship. My partner and I have a relationship every bit as stable and committed as a marriage, but we are not

entitled to the same benefits I enjoyed when I was married.

My partner had been teaching part-time in a private school for two years before she became eligible for health insurance through her employer. Two weeks before her insurance was to take effect she was stricken with severe abdominal pain. Though we considered `toughing it out until her insurance kicked in, it became increasingly clear that she needed to be treated immediately. She had a large, twisted ovarian tumor removed in October, 1990.

By the time of the surgery, her insurance was in place. We breathed a sigh of relief.

Months later we learned that because her pain started (and was briefly treated) before her insurance began, the claim for coverage for the surgery and hospital stay were disallowed because there was a pre-existing condition

exclusion in her insurance policy. We are now faced with over \$5,000 (plus 12%

interest per year) in medical bills. That may not seem like a lot of money to

some people, but it certainly is to us. And it's money that wouldn't have had

to be spent at all if she had been on my family coverage all along.

So why is it that my ex-husband (no legal relation) was entitled to continue receiving benefits until he married, but my life partner has had to

go without medical insurance? The answer is simple--discrimination.

4. One of my colleagues, a male who is heterosexual, received his Ph.D. the

same year I did. We have taught the same number of years and were tenured here

the same year. However, he has received health benefits for his wife and two

children during this time. I believe that would add up to several thousand dollars more that he has received from this University than I have. My

partner

is self employed part time and works at the University only to receive benefits. I feel that I am discriminated against based on my sexual preference

and have suffered

significant financial loss by having to pay for health benefits for my partner

and our child.

5. I feel discredited in all but the most professional senses since my University will not acknowledge the centrality of my relationship with my partner of 14 plus years. This level of constant and costly discrimination makes any positive responses to me from the institution bittersweet at best and hypocritical at worst. My family life is erased and made invisible by an

institution of learning which touts acceptance of diversity and pursuit of truth. When I'm not furious, I'm terribly sad.

6. It is very demoralizing to see the incredible benefits that my married

colleagues (heterosexual) get and know that it will be a fight to get the same. My partner is self-employed and health coverage is astronomical for self-employed people. In order to buy a plan similar to that at the U, it would cost us \$5-\$7000 a year. Since it's so costly, my partner does not

have  
very good health coverage and as a result I am very concerned about what  
would  
happen if a serious health crisis  
occurs.

So I am not just losing the \$1500 or so the U would pay out to cover her  
because of the lack of recognition, I will have to pay \$5-\$7000 per year  
more  
than most of my colleagues. I view this as if I received that much less  
salary  
per year. How can the U have sexual orientation, gender and marital status  
in  
the equal opportunity statement and not consider this discrimination?

I wrote a letter to Gus Donhower when I heard of the proposed changes in  
health coverage. One option proposed was that those people covered by their  
spouses' employment could get the cash equivalent of coverage instead of  
being  
covered by the U. I suggested that if that were done, then those of us  
without  
spouses or dependents should certainly get the cash equivalent of  
spousal/dependent coverage. It seems an obvious parallel to me. He  
responded  
by saying it was an interesting idea but there's no money for this added  
benefit. Well, I think that's like  
saying it would be nice to pay blacks or women what we pay men, but we just  
don't have the money. One has no choice but to find the money. If there  
really  
isn't enough then some benefits may need to be removed from those who have  
them, in order to provide for those who don't. Maybe people with more than  
two  
children need to pay for their health insurance, or perhaps the cost for an  
employee for spousal coverage needs to increase. The current  
discrimination is  
so clear to me (of course I'm not a lawyer) that I wonder if a lawsuit  
could  
successfully challenge the University's non-compliance with its equal  
opportunity statement.

At this point, my commitment, dedication, willingness to work hard under  
increasingly difficult pressure, is affected by my feeling of not being  
seen,  
recognized, and treated equally to my heterosexual colleagues. Right now,  
it's  
hard not to feel taken advantage of . . . .

7. My partner returned to school to pursue a second advanced degree. She  
attends the University of Minnesota. At the same time, one of my married  
colleagues' spouse returned to school. Their health insurance profile did  
not  
change at all. Ours changed dramatically. Because I cannot get health  
insurance for my partner of 10 years (longer than my married colleague), we  
have paid 2,500 per year in health insurance and routine health care out of  
pocket. Over three years, the tax on being a lesbian has been \$7,500. I  
realize of course, that the cost of my health insurance would have  
increased  
during this period, so the net cost to us would have been above my current  
health insurance but below \$7,500. This economic burden is a clear example  
of  
otherwise similarly situated people being treated differently solely on the  
basis of sexual orientation.

Let me add that I do not think that the University should require

public registration of partnerships to receive partnership benefits unless the state revokes the so-called 'sodomy' law. To ask for such registration imposes the acknowledgement of legal risk as a cost for benefits. In addition, if reduced tuition is available for other family members, this benefit should be extended to gay and lesbian families as well.

8. The University considers me 'single'. As a 'single' person, I subsidize both married couples and individuals with children. But as a domestic partner

I should be able to enjoy the same benefits as other 'married' couples.

Last summer my partner required minor surgery for skin cancer. Because she was a substitute teacher, she had no coverage. As a result we became responsible for the bills. This created more financial and emotional distress

for us which I am certain impacted my own productivity.

Another issue I have is that it seems the administration wants us to provide documentation (e.g. registration, affidavits, etc.) to prove we are indeed a couple. Does the University require married couples to provide an affidavit or their marriage license when applying for benefits?

Furthermore, the domestic partnership applications become public records.

Given the history of the discriminatory treatment meted out on gays and lesbians in ours and other cultures, I would not want to be that public in my

sexual orientation, especially in a state without a human rights amendment protecting us.

9. How do I feel about the University's treatment of domestic partners? Not positive! My partner and I each have one dependent. We must each pay for family benefits which is a huge commitment, especially since my partner is self-employed and self-insured. Many of us are on federal benefits. If the University changes its policy we'll need help so that we can move to University benefits.

10. I feel that if the University is unable to provide health benefits to unmarried partners they should also refuse benefits to married partners and only cover under age dependents. I consider the lack of these benefits to be an unequal and discriminatory pay scale, with married employees receiving higher compensation levels just because they are married.

\*\*\*\*\*

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

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17 Mar 1998 19:02:44 -0800 (PST)

X-Sender: dcase@mail.sdsu.edu

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END ATTACHMENT 1

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 09:43:23.00

SUBJECT: Bad news on the education legislation front

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Please note the following depressing developments:

1. On the Coverdell/School Construction battle in the Senate: (1) we clearly will not have the votes to carry the substitute school construction bill; (2) we now clearly don't have 40 votes to sustain a filibuster of Coverdell (we have definitely lost Toricellil, Graham, Breaux, Feinstein, Biden, Cleland and Lieberman) and don't expect to pick up any R's. That means we only have 38 votes for filibuster--dangerously close to what we need to override a veto. Kennedy is trying to get enough signatures to demonstrate a veto-proof margin--that will tell us how strong we really are. My biggest fear is that we lose a few more Senate votes in the process (e.g., Landrieu may wind up following Breaux if she sees other Dem. defections), which then triggers Dem. defections in the House, rendering us unable to sustain a veto in either house.

2. D.C. Vouchers A D.C. voucher bill could come to the floor in the House as early as next week, though possibly not until later in April. Dems. want to use class size as an alternative; I think a DC-scale version of Zones is better (perhaps just for DC rather than a nationally competitive program). ED staff are setting up a meeting with Gephart's staff. I'll make sure that Janet Murguia and I are there. The Zones legislation is just about drafted and is in OMB clearance review. If we decide to go for the Zones as a whole, or if we decide to do a DC-size version, I'll make sure we figure out a way--formally or informally-- to get our bill up there.

If we go with the full Zones proposal, the one outstanding issue is whether to keep it targeted to high poverty communities or make it more broadly available. Clay has wanted a less targeted approach, to make it easier to attract more votes. Last week I argued we shouldn't give up targeting this early in the process, unless Clay can trade less targeting for specific bipartisan support. However, now my view is that we should design this bill in the fashion that will get us the most votes when it is put up against vouchers.

Any thoughts on this?

3. Higher Ed Reauthorization/Title V Goodling is marking up his reauthorization proposal at 10:30 this morning; the draft was closely held until late yesterday. A few key concerns for us: Apparantly the only teacher preparation piece in here is funding for Gov's to use to upgrade teacher certification and testing requirements. I've told ED we should be

supportive of this in principle (and reminded them of POTUS views on teacher testing), unless a review of the details when they are available causes us some concern. We shouldn't have any problem here.

There are two big problems however. First, there is no \$ for any teacher recruitment and preparation at all--so our version of Title V isn't included, and neither are any others that have been floating around. (This actually could be a blessing in disguise for us--Dem's are likely to be more seriously supportive of our class size proposal if their proposal for teacher recruitment aren't going anyplace.) Second, Goodling pays for his teacher certification proposal by killing federal support for the National Board for Professional Teaching Standards.

Democrats are going to try and save the national board funding--though unless they can enlist Castle's support, they probably won't get anyplace. The Dem. strategy on the rest of Title V is less clear--as of last night, they hadn't coalesced around an alternative.

I've talked to the National Board lobbyist this morning. They assume they will lose the vote today. Hunt is really pissed and is trying to rally Rep. Gov. support. (even Lamar Alexander still supports the board, and led the effort as Secretary to provide federal funding).

I assume Goodling is motivated by at least the following factors: (1) he has never liked the national board, and was pissed when Alexander supported it; (2) the far right hates the board and is gearing up an attack on the Hunt national commission on teaching and america's future, which has been supportive of the board. I think this continues the far right track record of opposing anything in education that has the word national in it; (3) if we are for the board, Goodling will be against it.

At some point we ought to get the President to do a high profile event and join the battle over the board. We will get easily get business and educators on our side; we should be able to get bipartisan support among gov's as well. And we can be for tough standards and better teachers, while Congressional R's are not.

Below is just an issue to resolve, not another depressing development:

4. Class size Clay is very anxious to introduce our class size bill, and doesn't want to wait until POTUS gets back from Africa. I don't yet see a specific need to rush, since its not going to go any place, and since POTUS seems to want to do a big rollout event. On the other hand, with a short legislative session it can't really be in our interest to delay sending something up there.

Bruce, is there anything in tobacco world that would impact on timing here. What do you think of letting Riley transmit and Clay introduce the bill, and then doing a big roll out with ED's white paper, state-by-state numbers, etc. --either at a legislature or someplace else?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Gay L. Joshlyn ( CN=Gay L. Joshlyn/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-MAR-1998 11:54:27.00

SUBJECT: ISTEA Deputies Meeting

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

TO: Mickey Ibarra ( CN=Mickey Ibarra/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: Jonathan Weiss ( CN=Jonathan Weiss/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

TO: 1199595@SKYTEL ( 1199595@SKYTEL [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

TO: Duncan T. Moore ( CN=Duncan T. Moore/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

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

CC: Scott R. Hynes ( CN=Scott R. Hynes/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

CC: Peter G. Umhofer ( CN=Peter G. Umhofer/OU=CEQ/O=EOP @ EOP [ CEQ ] )  
READ:UNKNOWN

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

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

CC: Jennifer R. Muller ( CN=Jennifer R. Muller/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

CC: Franklin F. Urteaga ( CN=Franklin F. Urteaga/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

CC: Alice H. Williams ( CN=Alice H. Williams/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

TEXT:

Sally Katzen will chair a NEC Deputies meeting to discuss ISTEAs on Monday, March 23 at 3:00 pm in OEOP Room 239. An agenda will be sent to you later this week. Please give me a call at 456-2801 if you have any questions.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrea Kane ( CN=Andrea Kane/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-MAR-1998 12:16:51.00

SUBJECT: ACF Testimony

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

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

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

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

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

TEXT:

We've reviewed both Olivia and Howard's testimony for House W&M Human Resources Subcommittee tomorrow. Olivia is giving a good overview of TANF implementation:

how it's going out in the states (quite positive, basically similar to Shalala memo and speech to AEI), what HHS is doing and new federal role (regs, guidance, research, partnerships with other federal agencies, accountability, TA), focus in coming months (working with states, communities and employers on job retention and success; working with states to make investments, develop knowledge, and provide supports for all families to succeed--including hardest to serve; completing transformation of welfare agencies to job centers, with appropriate linkages and community-based approaches; data collection and accountability; improving understanding of effects on children and families to continually improve programs and make necessary adjustments).

We've provided some comments to strengthen connections to our initiatives such as housing vouchers and Access to Jobs, and to make sure testimony is responsive to Shaw's concerns about HPB addressing all goals of TANF without specifically mentioning family formation and stability.

Howard is talking about research and evaluation--what we've learned, what we can expect to learn. We've provided a few comments to minimize chance that statements about what we know and don't know will get taken out of context in a negative way

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 12:03:37.00

SUBJECT: Bad news on the education legislation front

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

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

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

TEXT:

You missed some good news....Rep. Riggs has decided not to offer his anti-affirmative action amendment which would have been a tough vote.  
----- Forwarded by Janet Murguia/WHO/EOP on 03/18/98  
10:38 AM -----

Michael Cohen  
03/18/98 09:43:18 AM  
Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP  
cc: Janet Murguia/WHO/EOP  
Subject: Bad news on the education legislation front

Please note the following depressing developments:

1. On the Coverdell/School Construction battle in the Senate: (1) we clearly will not have the votes to carry the substitute school construction bill; (2) we now clearly don't have 40 votes to sustain a filibuster of Coverdell (we have definitely lost Toricellil, Graham, Breaux, Feinstein, Biden, Cleland and Lieberman) and don't expect to pick up any R's. That means we only have 38 votes for filibuster--dangerously close to what we need to override a veto. Kennedy is trying to get enough signatures to demonstrate a veto-proof margin--that will tell us how strong we really are. My biggest fear is that we lose a few more Senate votes in the process (e.g., Landrieu may wind up following Breaux if she sees other Dem. defections), which then triggers Dem. defections in the House, rendering us unable to sustain a veto in either house.

2. D.C. Vouchers A D.C. voucher bill could come to the floor in the House as early as next week, though possibly not until later in April. Dems. want to use class size as an alternative; I think a DC-scale version of Zones is better (perhaps just for DC rather than a nationally competitive program). ED staff are setting up a meeting with Gephart's staff. I'll make sure that Janet Murguia and I are there. The Zones legislation is just about drafted and is in OMB clearance review. If we decide to go for the Zones as a whole, or if we decide to do a DC-size version, I'll make sure we figure out a way--formally or informally-- to get our bill up there.

If we go with the full Zones proposal, the one outstanding issue is whether to keep it targeted to high poverty communities or make it more broadly available. Clay has wanted a less targeted approach, to make it easier to attract more votes. Last week I argued we shouldn't give up targeting this early in the process, unless Clay can trade less targeting for specific bipartisan support. However, now my view is that we should design this bill in the fashion that will get us the most votes when it is put up against vouchers.

Any thoughts on this?

3. Higher Ed Reauthorization/Title V Goodling is marking up his reauthorization proposal at 10:30 this morning; the draft was closely held until late yesterday. A few key concerns for us: Apparently the only teacher preparation piece in here is funding for Gov's to use to upgrade teacher certification and testing requirements. I've told ED we should be supportive of this in principle (and reminded them of POTUS views on teacher testing), unless a review of the details when they are available causes us some concern. We shouldn't have any problem here.

There are two big problems however. First, there is no \$ for any teacher recruitment and preparation at all--so our version of Title V isn't included, and neither are any others that have been floating around. (This actually could be a blessing in disguise for us--Dem's are likely to be more seriously supportive of our class size proposal if their proposal for teacher recruitment aren't going anyplace.) Second, Goodling pays for his teacher certification proposal by killing federal support for the National Board for Professional Teaching Standards.

Democrats are going to try and save the national board funding--though unless they can enlist Castle's support, they probably won't get anyplace. The Dem. strategy on the rest of Title V is less clear--as of last night, they hadn't coalesced around an alternative.

I've talked to the National Board lobbyist this morning. They assume they will lose the vote today. Hunt is really pissed and is trying to rally Rep. Gov. support. (even Lamar Alexander still supports the board, and led the effort as Secretary to provide federal funding).

I assume Goodling is motivated by at least the following factors: (1) he has never liked the national board, and was pissed when Alexander supported it; (2) the far right hates the board and is gearing up an attack on the Hunt national commission on teaching and america's future, which has been supportive of the board. I think this continues the far right track record of opposing anything in education that has the word national in it; (3) if we are for the board, Goodling will be against it.

At some point we ought to get the President to do a high profile event and join the battle over the board. We will get easily get business and educators on our side; we should be able to get bipartisan support among gov's as well. And we can be for tough standards and better teachers, while Congressional R's are not.

Below is just an issue to resolve, not another depressing development:

4. Class size Clay is very anxious to introduce our class size bill, and doesn't want to wait until POTUS gets back from Africa. I don't yet see a specific need to rush, since its not going to go any place, and since POTUS seems to want to do a big rollout event. On the other hand, with a short legislative session it can't really be in our interest to delay

sending something up there.

Bruce, is there anything in tobacco world that would impact on timing here. What do you think of letting Riley transmit and Clay introduce the bill, and then doing a big roll out with ED's white paper, state-by-state numbers, etc. --either at a legislature or someplace else?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 13:07:56.00

SUBJECT: Draft Agenda for Equal Pay Meeting

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

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

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

TEXT:

Here is a draft agenda for the meeting today at 2:30 on equal pay. Let me know if you want to make changes. Thanks, Mary ===== ATTACHMENT 1  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D8]MAIL406194673.026 to ASCII,  
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000FA12000000020000FB13E4A6385E59B15690C6  
A439017E29781848EACCC16EB1BE2EB7398554EC47D680746102E56F06A0B6AD142DF9EBF7F910

**EQUAL PAY MEETING AGENDA**  
**March 18, 1998**

- I. Current Legislation
  - A. Daschle Bill
    - 1. Increased penalties under Equal Pay Act
    - 2. Data collection
    - 3. Nonretaliation provision
    - 4. Training, research, education, and outreach
    - 5. Award
  - B. Harkin Comparable Worth
- II. Options on Data Collection
  - A. Directive to agencies to report back in 180 days to consider ways to how best to update the EEO-1 form to improve enforcement of wage discrimination
  - B. Annual report based on Bureau of Labor Statistics Data
- III. Options on Enforcement
  - A. Increase funding for enforcement at EEOC and DOL
  - B. Memorandum of Understanding (MOU) between EEOC and DOL to Cross Train
  - C. MOU between EEOC and DOL to Collect Damages
  - D. A Presidential Directive to Emphasize Existing Obligations for Federal Contractors
- IV. Options for Technical Assistance
  - A. Federal Contractor Best Practices
  - B. SWAT Team at DOL to Provide Technical Assistance
  - C. 10-Step Voluntary Self-Audit for Businesses and Employees
  - D. Awards
- V. Options for Federal Government
  - A. Guide to Recruitment and Retention of Women
  - B. Outreach
  - C. Best Practices
  - D. Career Development Programs
- VI. Timing of Next Steps

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 14:02:10.00

SUBJECT: INS Reform Rollout

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I just spoke with INS and they have had a change in heart on the rollout: they now would like for the Administration to be more visible on our plan leading up to Doris' testimony on March 31.

INS has already started to quietly speak to the leadership of some of the immigration groups on the plan and are getting good feedback. The groups have opined that a strong rollout would be useful in helping to sell our reform package. In addition, the Carnegie Foundation will be unveiling their own recommendations for INS reform next Wednesday.

Some of INS' ideas to increase visibility include building editorial board support, possibly giving an advance to the NYT, and scheduling an AG press briefing -- all next week.

This heads in a different direction than we were talking about at Monday's meeting. I would defer in particular to Elena and Peter about our communications and legislative strategy.

Please let me know what you think and let me know if we need to set up a conference call to make sure everyone is on the same page.

Thanks,  
Leanne

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 16:08:20.00

SUBJECT: Re: INS Reform Rollout

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

INS seems to think that they are respected by the public, and that a great wellspring of support for INS lies waiting to be tapped. Myself, I vote w/Peter -- we win the restructuring battle only if we stay low-key and provide an opportunity for the R's to take up our proposal and somehow make it their own (or at least accept our proposal as a nonpartisan, good-government management idea). If INS stirs up the media and promotes press stories that play up the 'us versus them' aspect of the restructuring debate (did CIR or the Administration win?), I think we will lose big time. Someone should ask the AG to talk w/Meissner and tell her to follow the lead of the WH on communications/legislative strategies.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 16:29:03.00

SUBJECT: Equal Pay follow

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

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

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

TEXT:

After you left, Sally was very strong in saying we would keep working on the data collection/EEO -1 issue. She went so far as to imply that on April 3rd we would make some kind of public, (though vague and conservative), announcement that we are doing a working group on the issue. Is that further than you would go?

We made clear to EEOC that we will work with them on the issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jessica L. Gibson ( CN=Jessica L. Gibson/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:18-MAR-1998 16:43:59.00

SUBJECT: Reminder: Becerra mtg

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:

Reminder:

Meeting w. Cong Becerra tomorrow, Thurs, March 19 @ 3:30 pm on INS  
in his office (1119 Longworth). Thanks.

Peter, could you remind whoever you have covering from DOJ/INS?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 16:44:36.00

SUBJECT: Weekly Tobacco Strategy Meeting

TO: satish narayanan ( CN=satish narayanan/O=ovp @ ovp [ UNKNOWN ] )  
READ:UNKNOWN

TO: weinstein\_dena ( weinstein\_dena @ ustr.gov @ inet @ vaxgtwy [ UNKNOWN ] )  
READ:UNKNOWN

TO: dan j. taylor ( CN=dan j. taylor/O=ovp @ ovp [ UNKNOWN ] )  
READ:UNKNOWN

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

TO: Donna L. Geisbert ( CN=Donna L. Geisbert/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: Peter R. Orszag ( CN=Peter R. Orszag/OU=OPD/O=EOP [ OPD ] )  
READ:UNKNOWN

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

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

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

TO: donald h. gips ( CN=donald h. gips/O=ovp @ ovp [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

READ:UNKNOWN

TO: Charles F. Stone ( CN=Charles F. Stone/OU=CEA/O=EOP @ EOP [ CEA ] )  
READ:UNKNOWN

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

TO: Sherman G. Boone ( CN=Sherman G. Boone/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

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

TO: toby donenfeld ( CN=toby donenfeld/O=ovp @ ovp [ UNKNOWN ] )  
READ:UNKNOWN

TO: Jerold R. Mande ( CN=Jerold R. Mande/OU=OSTP/O=EOP @ EOP [ OSTP ] )  
READ:UNKNOWN

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

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

TEXT:

We will have our weekly tobacco strategy meeting Thursday at 2:45 in room 211.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 17:52:43.00

SUBJECT: briefing memo

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

CC: Jose Cerda III ( CN=Jose Cerda III/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.D59]MAIL432433777.026 to ASCII,

The following is a HEX DUMP:

FF575043D2050000010A02010000000205000000DF270000000200007ACEA167153264D23EFF1E  
A2CF5ED675A9E362C4AED5545040051131384E8FCD7C336C4902198A355F25C28484CDD3B6386F

March 18, 1998

Automated Records Management System  
Hex-Dump Conversion

## SCHOOL SAFETY EVENT

**DATE:** March 18, 1998  
**LOCATION:** Grand Foyer  
**TIME:** 1:40 pm-2:10 pm  
**FROM:** Bruce Reed and Rahm Emanuel

### I. PURPOSE

To announce: (1) the findings of the first-ever national survey of school principals on violence and discipline in U.S. schools; (2) the availability of \$17.5 million in new funding for school safety from the President's COPS program; and (3) recommendations by the Attorney General and Secretary of Education for an Annual Report on School Safety.

### II. BACKGROUND

**You will speak to approximately 60 individuals from the education and law enforcement communities, as well as Members of Congress on the findings of a new survey on school crime. You will also announce new federal funds for school safety and receive the framework of a new report on school safety that has been jointly prepared by the Attorney General and Secretary of Education. Herb Berg, Superintendent of Alexandria Public Schools, will introduce you at this event and give an account of the success that T.C. Williams High School has achieved in reducing crime and violence. As a large, urban, and diverse high school, T.C. Williams should be at-risk for serious and violent crime problems. Instead, through law enforcement, parent involvement, and prevention, their crime and discipline problems have been significantly reduced.**

You will announce a new study by the National Center for Education Statistics on crime and violence in schools last year. The national survey is based on the responses of principals from more than 1,200 public elementary and secondary schools in the 50 states and Washington, D.C. Key findings of the survey include:

- (1) 47% of schools reported less serious crimes to law enforcement. This includes an estimated 190,000 physical attacks or fights without a weapon, 116,000 incidents of thefts or larceny, and 98,000 incidents of vandalism.
- (2) 43% of schools reported no incidents of crime. And most schools -- or 80% -- reported 5 or fewer crimes.
- (3) Few schools -- only 10% -- reported any serious violent crimes. This includes an estimated 11,000 physical attacks or fights in which a weapon was used, 7,000 robberies, and 4,000 rapes or other types of sexual assault.

- (4) Schools with serious discipline problems were more likely to experience crime or violence. Principals rated absenteeism, tardiness, and fights as the 3 most common discipline problems among students.

You will also announce that the COPS Office will make \$17.5 million available for a new community policing program to address school safety. This initiative will fund partnerships between law enforcement, schools, and community groups to develop innovative approaches to reduce crime on or near school grounds. Funding for this program was secured by Senator Robb.

The Attorney General will present you with the framework of a new school safety report being developed jointly by the Justice and Education Departments. The report is the result of your December 6, 1997 radio address, where you called on the Attorney General and Secretary of Education to issue an annual report that principals, parents, and local officials could use to address their school crime problems. The full report will be released before the beginning of the next school year.

The new report will include: an analysis of all existing national school crime data and an overview of state and local crime reporting; examples of schools and strategies that are successfully reducing school violence, drug use, and class disruption; actions that parents can take locally to combat school crime, including a local safety checklist; and a description of resources available to schools and communities to help create safe, disciplined, and drug-free schools.

### III. PARTICIPANTS

#### Briefing Participants

**Bruce Reed**

**Rahm Emanuel**

**Jose Cerda**

**Jordan Tamagni**

#### Event Participants

**The President**

**The Attorney General**

**Herb Berg, Superintendent of the Alexandria Public Schools**

**Members of Congress (tbd)**

### IV. PRESS PLAN

**Open Press**

### V. SEQUENCE OF EVENTS

- 1:15 p.m. THE PRESIDENT receives briefing in the Oval Office.
- 1:40 p.m. THE PRESIDENT proceeds to the Blue Room.
- 1:45 p.m. THE PRESIDENT greets Attorney General Reno, Superintendent Herb Berg, and MOC in the Blue Room.
- 1:50 p.m. THE PRESIDENT is announced from the Red Room into the Grand Foyer accompanied by Attorney General Reno, and Superintendent Herb Berg.

PROGRAM BEGINS

Attorney General Reno gives remarks and introduces Superintendent Herb Berg.

Herb Berg gives remarks and introduces THE PRESIDENT.

THE PRESIDENT gives remarks.

- 2:10 p.m. THE PRESIDENT departs.

**VI. REMARKS**

To be provided by Jordan Tamagni.

**VII. ATTACHMENTS**

One page summary.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Andrea Kane ( CN=Andrea Kane/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-MAR-1998 17:58:59.00

SUBJECT: Cover memo for Herman report on welfare-to-work

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

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

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

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

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

TEXT:

I've put the summary information I sent you yesterday into a draft memo to the President. Do you want to weigh in on any of Secretary Herman's proposals, such as the Opportunity Summit and quarterly Cabinet meetings? Phil Caplan needs the cover memo by Friday.===== ATTACHMENT 1 =====  
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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The following is a HEX DUMP:

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A3AE9A8401B9CCCB45F5C9F047A717CF4BE0702A1C1EC541AC9CC4F3DBFAD5613D05AAC822F4D8

March 18, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: BRUCE REED

SUBJECT: SECRETARY HERMAN'S REPORT ON WELFARE-TO-WORK

The attached memo from Secretary Herman provides a good report on her recent welfare-to-work tour and reflects her strong personal commitment to this issue. In her visits to 10 cities she talked with a wide range of people, including former recipients. She found plenty of evidence that we're on the right track-- people want to work and are proud to be working. At the same time, she identified challenges facing individuals moving from welfare to work and proposes steps to overcome these.

- Remove the stigma faced by former welfare recipients by shattering the myths about welfare, referring to former welfare recipients as "new workers", and making sure they receive worker protections.
- Continue attracting private sector employers by building on the work of the Welfare to Work Partnership and making sure they know about tax incentives. Employers and new workers were not well-informed about employer incentives or the EITC.
- Transportation, child care and affordable housing continue to be barriers to getting and keeping a job, which pending administration proposals and the WtW grants will help address. The smooth transition from welfare to work is also hampered by administrative glitches in some places.
- Encourage life long learning and skill building to ensure that people can advance in the workforce. (She heard that teen-age mothers in Milwaukee were forced to quit high school to pursue a job. It is our understanding that state policy follows the federal requirement that minor parents without a diploma must stay in school. Young parents between 18 and 20 are expected to prepare for work and may combine education with work.)
- Raise the earnings potential of fathers to ensure support from both parents.

Secretary Herman proposes 4 next steps:

1. Hold quarterly Cabinet level welfare-to-work meetings to enhance coordination among federal agencies. These would build on ongoing interagency staff-level meetings convened by DPC.
2. Encourage other Cabinet members, as well as state and local leaders, to go out and observe first hand how things are going.
3. Challenge labor, community, and faith-based organizations to do even more, building on the Vice President's coalition.
4. Convene an "Opportunity Summit" bringing together Cabinet members, governors, local officials, practitioners, labor, CBOs and welfare recipients to explore how to address the remaining challenges in making welfare-to-work a success. This is modeled after an event you convened as Governor.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Daniel C. Montoya ( CN=Daniel C. Montoya/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:18-MAR-1998 18:44:10.00

SUBJECT: PACHA Final Documents

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

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

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

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

TO: Sondra L. Seba ( CN=Sondra L. Seba/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: Lewis W. Oleinick ( CN=Lewis W. Oleinick/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

TO: JW14Z ( JW14Z @ nih.gov @ inet [ UNKNOWN ] )

READ:UNKNOWN

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

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

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

TO: Ursula J. Sanville ( CN=Ursula J. Sanville/OU=ONDCP/O=EOP @ EOP [ ONDCP ] )  
READ:UNKNOWN

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

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

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

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

TO: R J. Gregrich ( CN=R J. Gregrich/OU=ONDCP/O=EOP @ EOP [ ONDCP ] )  
READ:UNKNOWN

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

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

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

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

TO: Gordon P. Agress ( CN=Gordon P. Agress/OU=OMB/O=EOP @ EOP [ OMB ] )  
READ:UNKNOWN

TEXT:

The Presidential Advisory Council on HIV/AIDS concluded their meetings today. I am attaching a series of documents that include recommendations, resolutions, letters, press statements, etc. from the meeting. Please let me know if you need any further update. I can be reached at 632-1024, direct line.

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

TEXT:

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**PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS**

March 18, 1998

The Presidential Advisory Council on HIV/AIDS endorsed the following demands of the African-American Consultants to the Centers for Disease Control and Prevention African-American Initiative. These demands along with the Council endorsement will be transmitted to the President and the Secretary of Health and Human Services.

## **Presidential Advisory Council on HIV/AIDS**

### **Passed Recommendation**

#### **LEADERSHIP RECOMMENDATION**

In its ongoing Congressional lobbying related to FY 1999 budget and appropriations, the Council urges the Administration to advocate and fully support increased HIV/AIDS funding levels above those proposed in the President's own FY 1999 budget.

In so doing, the Council urges the Administration's full support for FY 1999 budget and appropriations funding levels proposed by National Organizations Responding to AIDS (NORA), which reflect documented community funding needs across the federal HIV/AIDS portfolio, especially those programs impacting African-Americans, Latinos, Native Americans, and Asian/Pacific Islanders.

Toward the goal of expanding access to promising new HIV therapies, the Council urges the Administration to consider the critical need for full funding for the ADAP program, as well as for primary medical care and other support services, including housing, which facilitate access to such treatments.

Considering the goal of reducing the number of new infections, the Council further urges the Administration to support efforts to provide substantial funding increases for prevention programs

There is a state of emergency because of HIV/AIDS in African-American and Latino communities. Therefore, the Council urges the Administration's full support for meaningful and sufficient funding levels for prevention and care initiatives targeting these communities.

## **Presidential Advisory Council on HIV/AIDS**

### **Passed Recommendation**

#### **DISCRIMINATION SUBCOMMITTEE:**

The President should work with Congress to create stronger protections for medical privacy, and should veto any legislation that 1) permits law enforcement authorities access to patient records without having obtained a warrant or meaningful and informed patient consent, or 2) fails to preserve the ability of the states to enact or maintain stronger privacy protections.

# **PACHA RESOLUTION ON NEEDLE EXCHANGE PROGRAMS**

**March 17, 1998**

WHEREAS we the members of the Presidential Advisory Council on HIV/AIDS have on several occasions advised the President and Health and Human Services Secretary Donna Shalala that the Administration's current policy on needle exchange programs threatens the public health, and directly contradicts current scientific evidence regarding the efficacy of such programs; and

WHEREAS this Administration has yet to put forward a coherent plan to increase access to substance abuse treatment or to combat the spread of HIV among injection drug users and their partners; and

WHEREAS nearly 50% of all new HIV infections, and 44%, 44%, and 61% of all reported AIDS cases among African-Americans, Latinos, and women, respectively, are related to injection drug use; and

WHEREAS the Congress in 1997 reaffirmed Secretary Shalala's authority to make federal funds available for needle exchange programs, provided that she first determine that needle exchange programs reduce HIV transmission and do not encourage drug use; and

WHEREAS no fewer than six federally funded reports (including a 1997 Consensus Report prepared by the National Institutes of Health) and numerous other scientific studies have concluded that the above two criteria have been met; and

WHEREAS the nation's leading public health groups, including the American Medical Association, the American Public Health Association, the National Academy of Sciences, and the Association of State and Territorial Health Officers support needle exchange programs and the elimination of federal funding restrictions; and

WHEREAS 61% of Americans surveyed believe that decisions regarding the use of federal funds for needle exchange programs should be made by local communities and not the federal government; and

WHEREAS it is essential that the nation's health policies be based on sound, scientific evidence rather than on unsubstantiated fears or politics; and

WHEREAS in light of the disproportionate impact of injection drug-related HIV on communities of color in the United States, the Secretary's continuing inaction undermines the credibility of the Administration's stated goal of reducing racial and ethnic health disparities; therefore

BE IT RESOLVED that, in the interest of the public health, and in our capacity as independent advisors to the Administration, we unanimously express "no confidence" in the Administration's commitment and willingness to achieve the President's stated goal of "reducing the number of new infections annually until there are no new infections"; and

BE IT FURTHER RESOLVED that the Council urges Secretary Shalala to issue an immediate determination declaring the efficacy of needle exchange programs in preventing the spread of HIV while not encouraging the use of illegal drugs.

March 17, 1998

PRESIDENTIAL  
ADVISORY  
COUNCIL ON  
HIV/AIDS

The Honorable William Jefferson Clinton

President

The White House

Dear Mr. President,

When you told us at the White House Conference on HIV/AIDS in 1995 that you wanted to see our country “reduce the number of new infections each and every year until there are no more new infections,” we believed you. Thus, it is with great frustration and disappointment that we, the members of your Presidential Advisory Council on HIV/AIDS, find it necessary to write this letter to you. We must express, in the strongest terms possible, our profound dismay regarding the lack of progress on the critical issue of removing the prohibition on the use of federal funds for comprehensive needle exchange programs.

Despite years of study and an overwhelming preponderance of scientific evidence, no action has been forthcoming. All six federally funded reports, an NIH Consensus Conference report, and many other reputable studies have concluded that needle exchange programs reduce HIV transmission and do not encourage drug use. In light of this overwhelming evidence—as well as support for needle exchange programs by the American Medical Association, the American Public Health Association and numerous other public health organizations across the country—the continuing delay by Secretary Shalala is appalling.

Tragically, we must conclude that it is a lack of political will, not scientific evidence, that is creating this failure to act. This political treatment of a public health issue is killing people; and it must cease.

According to studies from the Centers for Disease Control and Prevention, half of the 40,000 annual new HIV infections in this country are transmitted through needle sharing. Thousands more are infected through sexual contact with needle users. Injection drug use also accounts for the overwhelming majority of the pediatric AIDS cases in this country.

That the populations hurt most by your Administration’s continued silence are largely poor African-Americans and Latinos is particularly shameful in light of your Race Initiative’s stated goal of ending health disparities among racial and ethnic groups. We as a nation will never succeed in this goal without your bold leadership and political courage.

808 17th Street, N.W., Suite 820  
Washington, DC 20006

The Honorable William Jefferson Clinton  
March 17, 1998  
Page Two

It will be impossible to bring the epidemic to an end until you take decisive and effective action on this issue. Access to uncontaminated injection equipment, in conjunction with outreach, education, and referral and access to effective substance abuse treatment, is essential.

Additionally, we have yet to see any other coherent strategies or initiatives by the Administration to deal with the rampaging HIV epidemic among injection drug users, their partners, and their children. We are left with the unfortunate conclusion that their lives are considered to be expendable by those with decision-making power within this Administration.

Without action on this important matter, it is increasingly difficult to believe that your Administration is truly committed to ending new infections. As your advisors, we must tell you that this goal cannot be reached without action on this important item.

Mr. President, where do you stand on this issue?

We must further tell you that failure to act on this matter is destroying this Administration's credibility with people concerned about AIDS and is overshadowing the many other positive steps that have been made in combating this epidemic.

When the history of the AIDS epidemic is finally written, we do not want your legacy to be one of having failed to take a necessary step at a critical time to save thousands of lives.

We know that this issue is viewed by many as controversial. It is your leadership obligation to hear the varying viewpoints, weigh the scientific evidence, and make a Presidential decision on the matter. We fully believe that careful and honest consideration of the case on the merits can lead to only one conclusion: needle exchange programs decrease the transmission of HIV without encouraging drug use and, as such, are one important part of a continuum of activities to combat HIV.

Secretary Shalala must issue an immediate determination that needle exchange programs meet the two-pronged test laid out in the law and must remove the restriction on the use of federal funds where desired by state and local officials.

The Honorable William Jefferson Clinton

March 17, 1998

Page Three

In the nearly three years of the Council's existence, we have issued numerous recommendations and letters on this issue, and there is tremendous impatience and anger in the community and among Council members that nothing has happened. Every day that passes without action can be measured in needless new infections, infections we know how to prevent. The time for study and unwarranted delay is over. We urgently implore you and Secretary Shalala to act immediately.

Sincerely,

R. Scott Hitt, M.D.

Chair

**Presidential Advisory Council on HIV/AIDS Members:**

R. Scott Hitt, M.D., Chair  
Stephen N. Abel, D.D.S.  
Terje Anderson  
Regina Aragon, M.P.P.  
Judith A. Billings, Esq.  
Charles Blackwell  
Nicholas Bollman  
Jerry Cade, M.D.  
Lynne M. Cooper, D.Min.  
Rabbi Joseph Edelheit  
Robert Fogel, Esq.  
Debra Fraser-Howze, M.P.A.  
Kathleen Gerus  
Phyllis Greenberger, M.S.W.  
Nilsa Gutierrez, M.D., M.P.H.  
Bob Hattoy  
B. Thomas Henderson, Esq.  
Michael Isbell, Esq.  
Ronald Johnson  
Jeremy Landau  
Alexandra Mary Levine, M.D.  
Steve Lew  
Miguel Milanes  
Helen M. Miramontes, M.S.N., R.N., F.A.A.N.  
Rev. Altagracia Perez  
Robert M. Rankin, M.D., M.P.H.  
H. Alexander Robinson, Esq.  
Debbie Runions  
Sean Sasser  
Benjamin Schatz, Esq.  
Richard W. Stafford  
Denise Stokes  
Charles Quincy Troupe  
Bruce G. Weniger, M.D., M.P.H.

**STATEMENT BY DR. SCOTT HITT**  
**CHAIR PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS**  
**March 17, 1998**

Good morning. My name is Scott Hitt. I serve as Chair of the Council. In addition, I am a practicing physician, and have cared for more than 1,000 patients with HIV disease.

During the 3 days that this Council will meet, dozens of people's lives will have been forever changed because this Administration has failed to adopt a strategy that we know prevents HIV infection. In the 14 months since the Secretary of the HHS spoke about this issue, thousands of people have become infected as a result of injection drug use.

In December 1995, at the White House Conference on HIV/AIDS, the President established a goal of "reducing the number of new infections each and every year until there are no new infections." He spoke eloquently and with obvious feeling about the devastating impact this disease has had on the country. He spoke of personal friends lost to this epidemic and of societal loss as its consequence.

Thirteen months ago, the National Institutes of Health issued a consensus report which states, and I quote, "An impressive body of evidence suggests powerful effects from needle exchange programs. There is no longer doubt that these programs work, yet there is striking disjunction between what science dictates and what policy delivers." In other words, the NIH panel said needle exchange programs work.

A year ago, the President appointed Sandra Thurman as Director of the Office of National AIDS Policy. In remarks made immediately following her appointment, Director Thurman was asked by the press about needle exchange programs and declared her firm conviction, speaking for the administration, that we should quote, "follow the science."

There is clear and convincing evidence that the scientific community has reached the conclusion that needle exchange programs have a crucial role as part of a continuum of activities needed to combat HIV infection. It is time that the Secretary of Health and Human Services, as the chief public health official of the country, clearly and vigorously tell the American people what the scientists have told her: that needle exchange programs can prevent many new HIV infections. And, in answer to the question "does needle exchange promote drug use?"-- again, in the words of the NIH Consensus Statement, "a preponderance of evidence shows either no change or decreased drug use."

The American Medical Association, the American Public Health Assoc, National Academy of Sciences and numerous other public health organizations across the country have added their voices in support of such programs. The US Conference of Mayors, the American Bar Association, as well as the Chairs of the Congressional Black and Hispanic Caucuses, have urged action in this area. This Council has repeatedly urged the Administration to act.

Our patience is exhausted. We are angry at the inexcusable inaction by Secretary Shalala on this crucial issue affecting public health.

The Council unanimously passed a resolution expressing "no confidence" in the ADMINISTRATION'S commitment and willingness to achieve the PRESIDENT'S prevention goal. Today we are sending a letter to the President outlining our frustrations.

Mr. President, the time for study and delay is over; the science is indisputable; and the time for your action is now.

PRESIDENTIAL  
ADVISORY

COUNCIL ON March 16, 1998

HIV/AIDS

The Honorable Donna Shalala  
Secretary  
Department of Health and Human Services  
200 Independence Avenue  
Washington, D.C.

Dear Secretary Shalala:

As the leading public health official in the country, it is your responsibility to exercise leadership on critical issues affecting the health of the nation. As the Presidential Advisory Council on HIV/AIDS, we urge you to demonstrate that leadership on the issue of needle exchange programs in our common fight against the transmission of HIV.

As you know, the statistics are compelling - injection drug use is directly responsible for half of all new HIV infections in this country annually, and indirectly responsible for the infection of thousands more people who are the sexual partners or children of infected users. HIV transmission related to needle sharing is, to a great extent, responsible for the frightening and disproportionate spread of HIV among African-Americans and Latinos, particularly women.

As you also know, the scientific evidence of the efficacy of needle exchange programs in preventing new infections is equally compelling, and there is no credible evidence that needle exchange programs lead to increased drug use.

We are, therefore, increasingly dismayed by your almost complete silence and continued inaction. This critical health issue demands your leadership, not only inside the government but also on a public level. Needle exchange programs have powerful and vocal opponents. As the nation's leading spokesperson on health you must insure that science, not unsubstantiated fears, guides this administration's policies.

808 17th Street, N.W., Suite 820  
Washington, DC 20006

It is imperative that you state, publicly and unequivocally, what the scientific evidence demonstrates: needle exchange programs meet the two-pronged test laid out in the law. By issuing such a determination you will send an important message to the American people, and will help to change the terms of debate

and discussion on this issue.

The Honorable Donna Shalala

March 16, 1998

Page Two

It is equally imperative that you immediately engage the President on this matter, by providing him with a full briefing on the scientific data and stressing the critical role needle exchange programs can play in reaching his stated goal of reducing the number of new HIV infections until there are none. We are hopeful that, presented with such compelling evidence and your strong advocacy, the President will immediately act in the interest of public health and bring federal policy into line with current scientific knowledge.

Lack of political will can no longer justify ignoring the science. Every day that goes by means more needless new infections and more human suffering. We call upon you to make an immediate determination and to allow the local use of federal funds for needle exchange programs as part of a comprehensive HIV prevention program. To do anything less would be an abdication of your responsibilities.

Sincerely yours,

R. Scott Hitt, M.D.

Chair

**Presidential Advisory Council on HIV/AIDS Members:**

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Terje Anderson  
Regina Aragon, M.P.P.  
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Debra Fraser-Howze, M.P.A.  
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Bob Hattoy  
B. Thomas Henderson, Esq.  
Michael Isbell, Esq.  
Ronald Johnson  
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Alexandra Mary Levine, M.D.  
Steve Lew  
Helen M. Miramontes, M.S.N., R.N., F.A.A.N.  
Rev. Altagracia Perez  
Robert M. Rankin, M.D., M.P.H.  
H. Alexander Robinson, Esq.  
Debbie Runions  
Sean Sasser  
Benjamin Schatz, Esq.  
Richard W. Stafford  
Denise Stokes  
Charles Quincy Troupe  
Bruce Weniger, M.D., M.P.H.

*Denise Stokes Press Statement*  
*Tuesday, March 17, 1998*

In 1994, I sat a press conference as the Federal Government unveiled the America Responds To AIDS (prevention) Campaign. Having appeared in two of those ads, I shared the stage with The Secretary of Health, Donna Shalala. Her words that day reached me very deeply - as a person living with HIV - and as a young person there representing the future of America. She made such profound declarations. I sat and listened to Secretary Shalala say, "Every new HIV infection is a needless infection. We have the knowledge and the technology to prevent the ... spread of HIV. What we have lacked until now is the political will - because we have been too timid to talk openly about the prevention tools that are at your disposal."

Her words resounded in me and I understood them as being a promise made to me and to the rest of the American people that no more lives would be squandered away because of a lack of action from our government.

That was over 4 years ago ... and while people are dropping like flies, the Secretary still refuses to do what really needs to be done.

Reputable scientific data clearly indicates that needle exchange programs prevent the spread of HIV and do not encourage drug use. This is the technology ... these are the prevention tools at our disposal. When will this administration truly take a leadership role and exert this political will?

Real people - each with immeasurable value - have been neglected by this administration and left to die. Politics should not regulate the value of human lives.

Having been hit the hardest by the intravenous transmission of HIV, African American and Latino communities are outraged. Black AIDS leaders have declared a state of emergency because AIDS is killing us in such grossly disproportionate numbers. The Secretary of Health has at her immediate disposal the ability to begin a process which will save our lives.

Today, I am no longer speaking as the future of America ... I am now speaking for the dead and for the dying... because that is what we have become. At the age of 29, I have spent 16 years HIV positive. I have seen this disease gather momentum and devastate my community ... our communities. On behalf of those most at risk for HIV, I vehemently demand the right to life.

## Statement by Terje Anderson

### PACHA Press Conference

March 17, 1998

My name is Terje Anderson, I am Executive Director of the Southern Colorado AIDS Project located in Colorado Springs, and a member of the Council. I am also a recovering injection heroin user.

As someone who knows first hand the damage that drugs did in my life, I want to make clear that I am emphatically anti-drug and pro-treatment. We are not advocating programs that encourage people to use drugs. Substance abuse treatment and needle exchange programs are complementary parts of a whole system of services that we need, services that can help people along the path to recovery.

But I also know from personal experience that quitting is rarely easy. In my own case, it took several years in and out of various treatment programs, arrest, multiple emergency room visits and other traumas. But I finally did

quit - and I like to think my presence here is testament to that fact that recovery is possible, and that our lives our worth saving.

People do not begin using drugs because they have access to an uncontaminated needle any more than easy access to wine glasses is the cause of alcoholism or matches are the cause of teen smoking. It is not access to the means of administration that makes someone start an addictive, destructive behavior - it is much more complex, much deeper than that. Addiction is a chronic, progressive disease, and incredibly complex human factors influence who will and will not begin drug use.

There is a moral issue here, but not the one opponents of needle exchange programs are focusing on. The question should be: "Do you care about the lives of people like me? Are you willing to take steps - perhaps politically risky or unpopular steps - in order to save lives? Or, instead, are you willing to consider us expendable, disposable people? "

People with addictions can recover, we do recover. Please give us a chance to recover without first becoming infected with life-threatening diseases.



*PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS*

*RESEARCH SUBCOMMITTEE*

*Achieving the Goal of an AIDS Vaccine*

*Passed Recommendation*

*Background*

Approximately 40,000 people become infected with HIV in the USA each year; worldwide, 6 million new infections occur annually. Although behavioral change to reduce risk of HIV infection is a viable strategy for some, it is clear that this strategy will not work for all. Only a preventive vaccine will ultimately be successful in stopping the AIDS pandemic. Commendably, President Clinton declared the goal, in May 1997, of a successful AIDS vaccine within the next decade. However, the current federal AIDS vaccine effort is stalled in paralyzing scientific debate and bureaucratic delay.

Since late 1995, the Research Committee of the Presidential Advisory Council on HIV and AIDS has devoted significant time and effort to issues concerning the development of an AIDS vaccine. The Committee consulted with numerous experts in AIDS research and vaccinology (Appendix A), and also solicited and received written input from these and other experts (Appendix B).

The scientific issues involved in vaccine development are extremely complex and controversial, and should be addressed by existing Federal agencies. NIH has an essential role to play in elucidating the basic scientific knowledge that underlies vaccine generation. However, this is only one aspect in the complete process of vaccine development. Additional administrative and policy structures will also be required to address the myriad public policy

issues which must also be resolved, both nationally and internationally to expedite development of a successful AIDS vaccine. These issues include development and implementation of mechanisms to assure the active participation and coordination of all relevant agencies of the US government, as well as the pharmaceutical industry and the international community, where candidate vaccines must be tested for efficacy, and where the need for an effective vaccine is the greatest. The recommendations which follow concern these administrative issues, which must be planned and coordinated simultaneously with the actual generation of candidate vaccines.

*Requisite participants in vaccine development*

Federal agencies: The proposed restructuring of the AIDS vaccine program within NIH represents an important step in expanding the scientific leadership which will be necessary to expedite the development of candidate vaccines. The appointment of Dr. David Baltimore as Chair of the AIDS Vaccine Research Committee (AVRC), the expanded vaccine budget, and the proposed institution of a new Vaccine Research Laboratory at the NIH, can all serve to invigorate the scientific process. The appointment of a full-time Director of the Vaccine Research Lab could provide another mechanism for coordination of the vaccine development effort within NIH. However, the Council is very concerned that recent progress has been slowed substantially by the failure to appoint this individual, who must be at the highest level of expertise.

In addition to NIH, Federal agencies such as the Centers for Disease Control and Prevention (CDC), Department of Defense (DOD), and the United States Agency for International Development (USAID) have among them extensive experience and expertise in the area of vaccine development, field epidemiology, surveillance, and the conduct of vaccine efficacy trials, especially in developing countries. It would thus seem prudent to ensure the active cooperation, collaboration and communication of all relevant federal agencies in the areas of

candidate vaccine development and testing, if the President's goal is to be met. Similar recommendations were made by the Levine Commission. However, although various NIH vaccine meetings have been attended by DOD and CDC representatives, and although an informal interagency group was formed, this group does not include senior leadership, and has not met on a regular basis. Thus, it is clear that no formal process of interagency coordination has been developed or implemented. If the President's goal is to be met, such interagency communication and coordination must occur, involving the highest levels of leadership from each agency.

Pharmaceutical and biotechnology industries: It is clear that development of a successful AIDS vaccine will also require the active involvement of the pharmaceutical and biotechnology industries, working in a coordinated manner with relevant federal agencies. The pharmaceutical industry traditionally has been a major leader in the creation and development of vaccines, and should be encouraged to participate actively in the pursuit of an AIDS vaccine. Further, eventual product development will require the infrastructure and expertise which reside primarily within the private sector of pharmaceutical and biotechnology industries. To ensure the requisite coordination of both public and private sectors, an administrative mechanism must be created. Multiple policy issues must also be addressed, in an attempt to overcome existing financial disincentives for involvement by the private sector. This may entail subsidies for targeted applied research, cooperative agreements for pilot manufacture of vaccine approaches not commercially attractive, support of phase III human efficacy trials, tax rebates, and/or patent extensions. Federal leadership will also be needed to address related issues, such as intellectual property rights, liability, and international vaccine development and purchase funds.

International community: Due to the higher prevalence of HIV/AIDS in developing nations, the majority of clinical testing for efficacy of candidate vaccines (Phase III) must

be accomplished internationally. Further, the majority of AIDS vaccine use is expected to occur in nations outside the USA. It is thus apparent that mechanisms to develop true partnerships between the international community and the federal AIDS vaccine effort must begin at once, with exchange of information and full coordination of combined efforts. Agencies such as the United Nations Program on AIDS (UNAIDS), the World Bank, the International AIDS Vaccine Initiative (IAVI), and the leading developed countries (G-8), as well as those countries most affected, have critical roles to play in the final testing and implementation of an AIDS vaccine. A mechanism must be developed to provide a means for ongoing communication and collaboration among these groups, as well as the other critical constituencies listed above. Critical issues which must be addressed by these groups include active involvement in the process by scientists living in the countries involved, assurance of scientifically and ethically appropriate field testing of candidate vaccines, and mechanisms to ensure access to vaccine product after successful field testing.

#### Leadership and coordination

Role of the President's Office: It is only within the Office of the President that sufficient authority exists to ensure leadership, through coordination and collaboration of all requisite constituencies, including Federal agencies, private sector, and the international community. Responsibility for this effort should rest with the Office of National AIDS Policy (ONAP). The Council, therefore, recommends that the President formally charge the Director of ONAP with developing and maintaining administrative mechanisms for accomplishing the requisite communication and coordination among all relevant parties, including assurance of the involvement of senior leadership from all constituencies. Adequate resources must be made available for this function.

Generation of a Comprehensive Federal Plan for AIDS Vaccine Development: A Comprehensive Federal AIDS Vaccine Plan must be developed and implemented. This plan

must include the vision and process for vaccine development, and must also depict the specific objectives, responsibilities, strategies and outcomes for the implementation of the plan. Additional requisites of the plan should include the framework by which competing issues may be addressed, an overall work schedule, and a specific time-frame in which certain milestones are to be accomplished. The Council recommends that the process for development of this plan be organized within the Office of National AIDS Policy, working with relevant federal agencies.

### **Moving candidate vaccines into human trials**

Differences of opinion on the appropriate time for bringing AIDS vaccine strategies into human efficacy trials result from two divergent philosophical approaches. The “basic science” approach pursues knowledge of the underlying biological mechanisms of retroviral disease and immunity in animal models and limited human studies, in order to elucidate the protective immune response. Candidate vaccines are then designed to induce those specific responses, and only then do human efficacy trials proceed. The “empirical science” approach brings vaccines into human trials relatively earlier, if comparable vaccines were safe and effective in animals, even without a clear understanding of their biological mechanisms of action. This has been the case for many existing vaccines in current use. With the gravity of the current AIDS pandemic in the world, and the need to proceed with vaccine development as quickly as possible, the Council acknowledges that it will be necessary to test various traditional and novel vaccine design strategies in human clinical trials, even before the scientific correlates of protection have been fully deciphered. We thus advocate the simultaneous implementation of both basic and empiric scientific approaches. These parallel approaches should be recognized within the comprehensive Federal plan for AIDS vaccine development.

### **Summary of Recommendations:**

1. Substantive involvement, coordination, and collaboration among all relevant federal

agencies, the private sector, and the international community are critical to the development of an effective AIDS vaccine.

2. Federal leadership at the highest level will be required, through the Office of National AIDS Policy, ensuring that adequate resources are provided for the coordination process necessary to achieve the goal of an effective AIDS vaccine.
3. The Office of National AIDS Policy should ensure the development and implementation of a comprehensive federal plan to achieve the goal of an effective AIDS vaccine.
4. The process of defining the structure and mission of the proposed (AIDS) Vaccine Center at NIH, and the appointment of a director with the highest level of expertise, should proceed promptly.
5. The urgent need for an AIDS vaccine mandates the simultaneous implementation of both basic and empiric scientific approaches.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 19:57:11.00

SUBJECT: Remember to call Linda Robertson 622-1920. Cynthia

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

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

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 21:20:46.00

SUBJECT: INS reform

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:

Elena,

Here is a draft of the INS reform letter. It includes edits from Peter, Scott, Steve and Leanne. Thanks.

Julie

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D87]MAIL45741477E.026 to ASCII,

The following is a HEX DUMP:

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074FC1CF8A175C2184AEBC78231BC6A0C0D13AE91CD08E21507AB6B871BD764FB840BDCC65DE1B

March 31, 1998

**DRAFT**

Harold Rogers  
Chairman  
Subcommittee on Commerce, Justice, State,  
the Judiciary and Related Agencies  
Appropriations Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman,

In the Subcommittee's Report accompanying P.L. 105-119, the Congress directed the Attorney General to review the recommendations of the United States Commission on Immigration Reform (CIR) and develop a restructuring plan that would result in greater effectiveness and efficiency in the performance of the core functions of the federal immigration system. That request prompted the President to designate the Domestic Policy Council (DPC) to coordinate a top-to-bottom review of the Immigration and Naturalization Service (INS) to determine how the agency could be restructured to most effectively and efficiently accomplish the duties that have been delegated to the agency by statute and practice. In conducting this review, the DPC consulted with the Departments of Justice, Labor and State, the INS, staff of the CIR, immigration advocacy groups, and other White House offices, including the National Security Council and the Office of Management and Budget.

**The DPC review concluded that the CIR report correctly diagnosed many of INS's problems -- insufficient accountability between field offices and headquarters, lack of consistency and professionalism, overlapping organizational relationships, and significant management weaknesses. These problems lie at the core of the INS's inability to effectively pursue the tasks that Congress and the President expect the INS to perform: the effective enforcement of our immigration laws both at our borders and in our nation's workplaces, and the efficient provision of immigration and citizenship benefits and services to those non-citizens who are here lawfully. Improving the ability of the INS to pursue these critical priorities must be the guiding principle of any reform plan.**

**After careful and thorough consideration and study, the Administration believes that the most effective way to adhere to this guiding principle is to implement dramatic and fundamental reforms *within* the INS. The Administration's reform plan would untangle the INS's overlapping and frequently confusing organizational structure and replace it with two clear organizational chains of command -- one for accomplishing its enforcement mission and one for the provision of services. Additionally, the Administration plan retains essential integrating functions for supporting and coordinating the enforcement and service operations. The result will be an INS organization with strengthened accountability and improved efficiency and effectiveness that allows each operation to focus on the unique management, knowledge, skills, and abilities of its function.**

The key features of the Administration's plan are:

- **Effect an operational split between enforcement and services, resulting in two distinct, clear lines of authority from the field to headquarters, with an INS Commissioner continuing to be responsible for overall agency operations;**
- **Eliminate the current "district" field structure, and replace it with a functional and geography-based organization which allows for the creation of service offices in areas convenient to their immigrant "customers" and enforcement sites in the border areas or at significant ports of entry;**
- **Improve the quality of the workforce by creation of separate enforcement and service career paths for INS employees to ensure that the best employees can move up the ladder and are rewarded for high standards of performance;**
- **Restructure management and strategic planning operations to ensure the efficient delivery of a "shared support" operation that will service both the enforcement side and the service side of the agency by providing records and data management, technological support, employee relations and administrative support.**
- **Establish a Chief Financial Officer to address deficiencies in financial, accounting and budget execution systems.**

Apart from these primary recommendations on restructuring the INS, the Administration will work with the INS and the Departments of Labor and State to address concerns about duplication, overlapping responsibilities, and issues of coordination. In addition, the Department of Justice has contracted with a consulting firm to assist in making this plan "operational." A copy of their final report is attached.

It should be noted that during its review, the DPC carefully evaluated the recommendations of the CIR. The CIR concluded that the INS's dual responsibility of welcoming immigrants who enter legally and deterring those who attempt to enter or stay illegally has resulted in "mission overload." To address this issue, they recommended disbanding the INS and reallocating its primary responsibilities to the Department of Justice (DOJ) and the State Department. We believe those recommendations would only compound the current problems within INS.

First, such a reallocation would require a six or seven-year transition, exacerbating the existing concerns about long delays in processing basic immigration services. Second, creating a separate immigration enforcement agency within the Justice Department could ultimately result in hindering the coordination and communication necessary to maintain the integrity and effectiveness of both immigration enforcement and service operations. Moreover, moving immigration service operations to the State Department is inconsistent with the Department's foreign policy mission. To be effective, immigration policy and management should remain within one agency within the Justice Department. Severing

**the link between immigration enforcement and services serves only to weaken both critical functions.**

**The Administration's plan is a fundamental change in the way the INS conducts business. This restructuring --from top to bottom --will address long-standing concerns about the lines of authority and responsibility, consistency of operations, and performance within the INS. It will result in improved enforcement coordination, career paths that support professionalism and measurable changes in the way INS provides services to the immigration community. More importantly, it will greatly improve the ability of the INS to effectively and efficiently perform the duties that Congress and the President expect. We look forward to working with you and other members of Congress to implement this restructuring plan and to ensure successful, long-term improvements in the Nation's immigration system.**

**Sincerely,**

**Franklin Raines  
Director  
Office of Management and Budget**

**Bruce Reed  
Assistant to the President for Domestic Policy**

**Janet Reno  
Attorney General**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:18-MAR-1998 23:19:24.00

SUBJECT: Two out of Three Ain't bad

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

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

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

TEXT:  
EK:

Sorry, so late (2 out of 3 ain't bad, though), but here are 3 fundamental issues that Mike and/or Barry may be asked at the Noon brief before the event. They include: vouchers, overall school crime rates, and the need for a new report. I think it is safe to assume anything else can be punted to the specialty briefers after the event -- including any Q's on the DARE program, which was feature on NBC last night.

Jose'

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D89]MAIL40471477I.026 to ASCII,  
The following is a HEX DUMP:

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8AA50EE4BC7CF30A032AE25F11FB6BE11931C8D84B801D86B9FB55555FCC7658ED0E588B3ED025

**School Safety Event  
Questions and Answers  
March 19, 1998**

**Overall Findings of Survey**

**Q: Doesn't the Study being released by the President today really show that we have a serious crime problem in our schools that we haven't been able to impact? What's so encouraging about a majority of our public schools -- or 57% -- reporting crimes to law enforcement?**

**A:** Sure today's report shows that we have a serious crime problem in our schools -- frankly, even one serious crime in our schools is one too many. But the report also shows that:

- 90% of our public schools are free from serious violent crimes;
- 80% of schools reported 5 or fewer crimes; and
- 43% of schools reported no murders, rapes, sexual assaults, fights with or without weapons, robberies, thefts, or vandalism to law enforcement.

That means that a large majority of public schools are finding ways to keep their schools safe, and that's significant.

**Vouchers**

**Q: If these findings show that many of our schools are unsafe, why shouldn't vouchers given to be children in these unsafe schools to go to the private school of their choice?**

**A:** We must continue to invest and strengthen our nation's public schools. This means reducing class size, raising academic standards, modernizing our schools, expanding after-school programs, and connecting schools to the Internet so that all of our children can get the education they need and deserve. Vouchers would drain resources from our nation's public schools -- schools that are attended by 90% of our children -- to subsidize private schools.

The right way to help children in failing or unsafe schools isn't to drain those schools of resources -- it is to take drastic actions to fix and turn around the entire school for the benefit of all of the children in the school. We owe it to our children to preserve this nation's time-honored commitment to public education and our commitment to provide a good education to *all* of our children.

## **New Annual Report on School Safety**

**Q: How is the report being recommended by the Attorney General and Secretary Riley today any different from existing Departments of Education and Justice studies?**

A: While there currently exists a patchwork of useful reports on school safety, they cannot be easily compared. They are sponsored by a different agencies. They measure different aspects of school safety (i.e., incidence of crime, student victimization, possession of weapons, disciplinary actions) and at different levels (i.e., school, state, student). And none have been released on an annual basis.

The new Annual Report on School Safety represents the first time this information will be pulled together in a single, comprehensive document for use at the school level. It will be designed to help parents and principals, lawmakers and law enforcement better understand and combat their local school crime problems. It will include a local safety checklist and recommend actions that communities can take to improve school safety.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 09:54:26.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Reminder: you & Mike have 10:00 mtg. w/ Norma Cantu in 222

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Angelique Pirozzi ( CN=Angelique Pirozzi/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:19-MAR-1998 09:56:35.00

SUBJECT: Weekly PIR/White House Coordinating Meeting, Today @ 4:00 pm in Room 472

TO: Dario J. Gomez ( CN=Dario J. Gomez/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: Janelle E. Erickson ( CN=Janelle E. Erickson/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Maurice Daniel ( CN=Maurice Daniel/O=OVP @ OVP [ UNKNOWN ] )

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

READ:UNKNOWN

TO: Karen Tramontano ( CN=Karen Tramontano/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: Elena Kagan ( CN=Elena Kagan/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: Jon P. Jennings ( CN=Jon P. Jennings/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: Chandler G. Spaulding ( CN=Chandler G. Spaulding/OU=PIR/O=EOP @ EOP [ PIR ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

TO: Elizabeth Harrington ( CN=Elizabeth Harrington/O=OVP @ OVP [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

TEXT:  
AGENDA:

I. Presidential Activities

II. PIR ITEMS

A. PIR Status Reports

- Campus Week of Dialogue
- Denver Advisory Board Meeting
- One America Conversations- WH Participation
- CDF Forum on Race & the LA Promising Practices Visits.

B. Proposal for April Advisory Board Meeting

III. Report from White House Offices

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 10:07:58.00

SUBJECT: Re: draft Q & A on vouchers

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:

Mike's redone Q/A. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 03/19/98  
10:07 AM -----

Michael Cohen  
03/19/98 09:18:58 AM  
Record Type: Record

To: Jonathan H. Schnur/OVP @ OVP  
cc: Jose Cerda III/OPD/EOP  
Subject: Re: draft Q & A on vouchers

Jose: I edited Jon's draft to tighten it up.

Q: If these findings show that many of our schools are unsafe, why shouldn't vouchers be given to children in these unsafe schools to go to the private school of their choice?

A: The most important thing to keep in mind is that we know how to make all of our schools safer--clear discipline policies that are fairly and firmly enforced, parental and community involvement, strong partnerships between schools and police. The proper response when there are schools that are unsafe is to implement the practices that work so that all students can be safe. Simply sending a few students to other schools and leaving the rest in an unsafe school is simply no answer.

You can end the answer there or continue with the longer version below

We must continue to invest and strengthen our nation's public schools. This means reducing class size, raising academic standards, modernizing our schools, creating after-school programs, and connecting schools to the internet so that all of our children can get the education they need and deserve. Vouchers would drain resources from our nation's public schools -- schools that are attended by 90% of our children -- to subsidize private schools. The right way to help children in failing or unsafe schools isn't to drain those schools of resources -- it is to take drastic actions to fix and turn around the entire school for the benefit of all of the children in the school. We owe it to our children to preserve this nation's time-honored commitment to public education and our commitment to provide a good education to all of our children.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Charles Konigsberg ( CN=Charles Konigsberg/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:19-MAR-1998 10:25:08.00

SUBJECT: Budget Res. re-cap

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

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

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

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

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

TEXT:  
Overview

Domenici plan reported. The Senate Budget Committee Wednesday evening voted 12-10 along party lines to report the Domenici budget resolution. There were a number of Sense of the Senate amendments adopted (summarized below), but no substantive changes were made to the Domenici mark.

Democratic substitute defeated. The Budget Committee defeated 8-14 the Lautenberg Democratic substitute after only a few minutes of discussion. The vote was party line except for Hollings and Feingold who joined the Republicans in opposing the Lautenberg substitute. The final version of the Democratic substitute is attached.

#### Outlook for Floor Action

Lott has said the Senate will complete action on its version of the budget resolution prior to the April recess; therefore, the Domenici resolution will be on the Floor next week or the following week. At this time, Domenici's staff believes next week is more likely, so as to free up the following week for action on the Supp.

Under the Budget Act, the budget resolution cannot be filibustered on the Senate Floor because debate time is limited (50 hours). The budget resolution is also protected by a special germaneness requirement: whereas most bills are open to all amendments without limitation, the Budget Act prohibits nongermane amendments to the budget resolution. Because of these two limitations -- on debate and amendments -- only a simple majority is needed to pass a budget resolution, whereas most other controversial legislation requires 60 votes.

#### Contrast with last year's budget process

This year's budget resolution has less practical significance than last year's resolution, which contained mandatory reconciliation

instructions to the authorizing and tax committees; this year's resolution contains no instructions. (An attempt could be made on the Floor to add reconciliation instructions, but such an attempt would likely fail.)

In addition, last year's resolution was written to reflect the bipartisan balanced budget agreement, so that the assumptions underlying the functional numbers had significant standing, even though they were technically non-binding. By contrast, the non-binding programmatic assumptions underlying the functional totals in this year's budget resolution have no particular significance.

The practical significance of this year's budget resolution is limited to:

- (1) the amount of the 302(a) allocations which will be made to the Appropriations Committees in the Conference Report;
- (2) the tobacco reserve fund mechanism which would have the effect of requiring 60 votes to spend the tobacco receipts on anything other than Medicare Part A (although any tobacco settlement legislation would require 60 votes anyway);
- (3) the transportation reserve fund which has the practical effect of dedicating the list of specified mandatory savings to offsetting only highway and transit spending; these mandatory offsets would not be counted as savings for any other purpose;
- (4) the separate environmental allocation which has the effect of limiting the size of Superfund legislation; and
- (5) a mechanism which permits the Chairman of the Budget Committee to adjust committee allocations to reflect the outcome in the LIV court case.

#### Budget Committee Markup Details

[SoS = Sense of the Senate resolution; SoC = Sense of the Congress resolution]

Tuesday, 3/17

o Adopted by UC a Hollings/Conrad/Feingold/Boxer/Wyden sense of the Senate amendment that Congress and the President should...work to balance the budget without counting Social Security trust fund surpluses (and)...should work in a bipartisan way on specific legislation to reform the Social Security system, to ensure that it is financially sound over the long term and will be available for all future generations.

Wednesday 3/18

o Adopted by UC a Bond SoS that the budget totals and levels in this resolution assume the President's policy with respect to the School-to-Work program under the Education Reform Account and any such savings as a result should be applied to local initiatives focusing on early childhood development.

o Adopted by UC a Bond SoS that a portion of tax relief be set aside for improvement of taxpayer rights and reform of penalty rules.

o Defeated 10-12 a Conrad amendment to broaden the tobacco reserve by permitting tobacco receipts to be used for public health and anti-tobacco

programs, in addition to Medicare.

- o Defeated 10-12 a Conrad amendment to save part of the tobacco receipts for Social Security, in addition to Medicare.

- o Defeated 10-12 a Conrad amendment to permit the reserve fund to accommodate children's health insurance.

- o Defeated 9-13 a Conrad amendment to permit the use of tobacco receipts for tobacco farmers.

- o Defeated 10-12 a Conrad (catch-all) amendment to broaden the uses of tobacco receipts to cover a wide variety of uses.

- o Defeated 10-12 a Boxer amendment to expand the tobacco reserve fund to include NIH funding.

- o Defeated 2-20 a Grams amendment to split the surplus between tax cuts and debt reduction

- o Defeated by voice vote a Grams SoS amendment on downsizing the Energy Dept.

- o Defeated 10-12 a Murray amendment on a deficit neutral reserve fund for class size reduction.

- o Defeated 10-12 a Murray amendment on a deficit neutral reserve fund for child care.

- o Adopted by UC a Wyden SoS with respect to the global climate initiative.

- o Adopted by UC a Rod Grams SoC with respect to no implementation of Kyoto prior to Senate ratification.

- o Adopted by UC a Feingold SoS on moving toward full funding of the national guard.

- o Adopted by UC a Wyden SoS on Medicare choice.

- o Adopted by UC a Wyden SoS that the Medicare Commission should also look at long-term care.

- o Adopted by UC a Durbin SoS amendment to accelerate the health insurance deduction for self-employed.

- o Adopted by UC a Snowe SoS on student loans.

- o Adopted by UC a Snowe SoS on child care.

- o There was an Informal agreement reached among Domenici, Johnson, and Conrad to find a way to add additional money for Indian schools.

- o (Withdrawn, but will offer on the Floor) Wyden amendment to withhold for one year amounts equivalent to the inflation windfall unless the President certifies that it's needed.

- o Defeated 9-13 a Lautenberg amendment to establish an environmental reserve fund using the Superfund tax.

- o Passed 14-8 a Lautenberg SoS on \$1.50 increase in cigarettes to curb teen smoking.

o Defeated 9-13 a Lautenberg SoS on FDA authority to regulate tobacco products.

o Defeated 8-14 the Lautenberg Democratic substitute (Hollings and Feingold voted no).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 10:47:12.00

SUBJECT: 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:

Phil said this morning that we needed to get the weekly in on Friday so the Pres could read before he leaves.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 11:04:24.00

SUBJECT: update on school safety

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

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

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

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

TEXT:  
fyi.

----- Forwarded by Stacie Spector/WHO/EOP on 03/19/98  
11:03 AM -----

Aviva Steinberg

03/19/98 11:01:34 AM

Record Type: Record

To: Stacie Spector/WHO/EOP, Paul A. Tuchmann/WHO/EOP, Nanda  
Chitre/WHO/EOP, Mark D. Neschis/WHO/EOP  
cc:  
Subject: update on school safety

Currently we only have one Member confirmed and that is Chuck Robb.  
Therefore we are taking out the riser and putting Robb in the front row.  
He should obviously be acknowledged. Also there will be 4 students from  
T.C. Williams High School coming with Herb Berg. They will also be in the  
front row.

We currently have 42 confirmed guests plus 10 staff people from Education  
and Justice so our room will be full. Thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 11:55:34.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Reminder: Youth Lookback Penalty Mtg. is at 12:00 in Bruce's office

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:19-MAR-1998 13:08:30.00

SUBJECT: INS reorg letter

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:

Elena,  
Attached is a slightly revised version of the reorg. letter. The main change is to the intro paragraph -- making clear that the Pres. was responding to the CIR recommendations, not to Congress's request. Thanks.

Julie

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D77]MAIL442985777.026 to ASCII,  
The following is a HEX DUMP:

FF575043BA040000010A02010000000205000000E42B00000002000069F191AB61A06BAA7361A0  
89C068DB4E6BB980DF6DCE20A2F420DA17BA69A4642C5382B633B21C1815A2AC5D39C175E01291

March 31, 1998

**DRAFT**

Harold Rogers  
Chairman  
Subcommittee on Commerce, Justice, State,  
the Judiciary and Related Agencies  
Appropriations Committee  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Chairman,

In the Subcommittee's Report accompanying P.L. 105-119, the Congress directed the Attorney General to review the CIR recommendations and develop a restructuring plan that would result in greater effectiveness and efficiency in the performance of the core functions of the federal immigration system. The President, also responding to the Commission's report, asked the Domestic Policy Council (DPC) to "evaluate carefully the [CIR] proposal and other reform options designed to improve the executive branch's administration of the Nation's immigration laws." In conducting this review, the DPC consulted with the Departments of Justice, Labor and State, the INS, staff of the CIR, immigration advocacy groups, and other White House offices, including the National Security Council and the Office of Management and Budget.

**The DPC review concluded that the CIR report correctly diagnosed many of INS's problems -- insufficient accountability between field offices and headquarters, lack of consistency and professionalism, overlapping organizational relationships, and significant management weaknesses. These problems have hampered the INS's ability to effectively pursue the tasks that Congress and the President expect the INS to perform: effective enforcement of our immigration laws both at our borders and in the interior, and the efficient provision of immigration and citizenship benefits and services. Improving the ability of the INS to pursue these critical priorities must be the guiding principle of any reform plan.**

**After careful consideration and study, we have concluded that the most effective way to adhere to this guiding principle is to implement dramatic and fundamental reforms *within* the INS. The Administration's reform plan will untangle the INS's overlapping and frequently confusing organizational structure and replace it with two clear organizational chains of command -- one for accomplishing its enforcement mission and one for the provision of services. Additionally, the Administration plan retains essential integrating functions for supporting and coordinating the enforcement and service operations. The result will be an INS organization with strengthened accountability and improved efficiency and effectiveness that allows each operation to focus on the unique management, knowledge, skills, and abilities of its function.**



**The key features of the Administration's plan are:**

- **Effect an operational split between enforcement and services, resulting in two distinct, clear lines of authority from the field to headquarters, with an INS Commissioner continuing to be responsible for overall agency operations;**
- **Eliminate the current "district" field structure, and replace it with a functional and geography-based organization which allows for the creation of service offices in areas convenient to their immigrant "customers" and enforcement sites in the border areas or at significant ports of entry;**
- **Improve the quality of the workforce by creation of separate enforcement and service career paths for INS employees to ensure that the best employees can move up the ladder and are rewarded for high performance;**
- **Restructure management operations to ensure an effective "shared support" operation (i.e., records and data management, technological support, employee relations and administrative support) that will serve both the enforcement and service sides of the agency.**
- **Establish a Chief Financial Officer to address deficiencies in financial, accounting and budget execution systems.**

**Apart from these primary recommendations on restructuring the INS, the Administration will work with the INS and the Departments of Labor and State to address concerns about duplication, overlapping responsibilities, and issues of coordination. In addition, the Department of Justice has contracted with a consulting firm to assist in making this plan "operational." A copy of its final report is attached.**

It should be noted that during its review, the DPC carefully evaluated the recommendations of the CIR. The CIR concluded that the INS's dual responsibility of welcoming legal immigrants and deterring illegal immigration has resulted in "mission overload." To address this issue, they recommended disbanding the INS and reallocating its primary responsibilities to the Department of Justice (DOJ) and the State Department. We believe those recommendations would not only compound the current problems with the nation's immigration system.

**First, creating a separate immigration enforcement agency within the Justice Department could ultimately result in hindering the coordination and communication necessary to maintain the integrity and effectiveness of both immigration enforcement and service operations. Second, such a substantial reallocation of authority could require a six or seven-year transition, exacerbating the existing concerns about long delays in processing basic immigration services. Moreover, moving immigration service operations to the State**

**Department is inconsistent with that Department's foreign policy mission. To be effective, immigration policy and management should remain within one agency within the Justice Department.**

**The Administration's plan is a fundamental change in the way the INS conducts business. This restructuring --from top to bottom --will address long-standing concerns about the lines of authority and responsibility, consistency of operations, and performance within the INS. It will result in improved enforcement coordination, career paths that support professionalism and measurable changes in the way INS provides services to the immigration community. More importantly, it will greatly improve the ability of the INS to effectively and efficiently perform the duties that Congress and the President expect. We look forward to working with you and other members of Congress to implement this restructuring plan and to ensure successful, long-term improvements in the Nation's immigration system.**

**Sincerely,**

**Franklin Raines  
Director  
Office of Management and Budget**

**Bruce Reed  
Assistant to the President for Domestic Policy**

**Janet Reno  
Attorney General**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 13:15:57.00

SUBJECT: Equal Pay

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I'm sure you too got calls from Marcia, Judy etc today. Actually mine began about 15mins after I left the meeting. Personally I wished our colleagues would work within our group, but that is another conversation.....

Personally I think we should seriously consider getting behind Daschle. I spoke with Susan Liss and she and Ron I think concurr with this.....I'm sure they will talk to you about it.

Politically, we need to look for an announcement here. I'd like for you all to consider the consequences of endorsing Daschle.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 13:43:25.00

SUBJECT:

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

TEXT:

1:30 Legal Fees is in 476; Hill Mtg. w/ Bultena is now at 4:00

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 18:33:20.00

SUBJECT: Head Start

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

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

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

TEXT:

I wanted to update the two of you on the Head Start quality set-aside. HHS and OMB are still arguing, and HHS is under significant pressure to brief the hill on our position on reauthorization. (Olivia is also testifying next week.) After about seven weeks of OMB's thinking about options, they have proposed: (1) removing the requirement that 50% of quality funds be used for salary and benefit improvements; (2) requiring HHS to do an evaluation of the quality set-aside; and (3) changing the structure of the research reserve. HHS is fine with 2 and 3, but adamantly opposes 1. I have been working with Barbara Chow and told her (after our conversation at the staff meeting, Elena) that DPC (and NEC, according to Chuck Marr) agrees with HHS because changing the salary and benefit requirement would provoke an unbelievable uproar from labor and children's advocates as well disturb the delicate balance on the hill that was reached during the last Head Start negotiations.

I have called Jack Lew to let him know that I think this really needs to be resolved as soon as possible and that it needs to be resolved in HHS' favor (although I haven't reached him yet). Nicole will follow this tomorrow.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-MAR-1998 19:22:32.00

SUBJECT: Re: Unz memo

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I think Mickey's points are all very good--did you fax this to Karen--she should really see it before it goes in. I faxed you my edits which you'll see are less extensive than Mickey's but please consider. I think the only other point I would make is that it's really important not to set a three year time limit--make it an aspirational goal--also should we start changing the language to refer to language acquisition so that the negatives that bilingual has starts to be countered. talk to you tonight about this.

----- Forwarded by Maria Echaveste/WHO/EOP on 03/19/98

07:26 PM -----

Mickey Ibarra

03/19/98 05:21:34 PM

Record Type: Record

To: Michael Cohen/OPD/EOP

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

Subject: Re: Unz memo

Good memo Mike. Please consider the following comments/suggestions:

-I think adding a paragraph to describe the outreach effort and internal WH process we used is important for the President to know. In fact, a vigorous coordinated outreach effort by OPL, IGA, POL, and LEG, with DPC and Education was conducted to help us prepare this memo. The President should know we met with Mr. Unz, national advocacy groups, California elected officials, and others both in California and Washington, DC. I think it is relevant that Maria, Mickey, Janet, Karen, and Michael all spent time personally on the issue.

-I'm not comfortable with the second paragraph which describes current public opinion. I think we have polls (see Ross poll) now that are showing support for Unz dropping and this is BEFORE any real opposition campaign has begun. Also, I think that while we all remember the initial 84% Latino support figure from an LA Times poll, we have not put this one poll in the context of the longstanding support of bilingual education in previous

polls and voter exit interviews contained in the Andy Hernandez memo of February 16. I just think we need to soften the lead on this paragraph a bit.

-In the third paragraph I think we should insert the opportunity this issue provides us to advocate for our comprehensive action plan of research-based solutions to raising education attainment of Latino children the President has proposed. You do get to it later in the memo; I just think you should mention it earlier too.

-Mention that Ron Unz challenged Pete Wilson for the Republican nomination in 1994 for governor.

-On page five at the top talking about polls again, please insert "currently". It should read "Latino voters are CURRENTLY split...." I also think it is fair to remind folks that the LA Times and Field polls did not accurately predict the Latino vote in the end for either prop 187 nor 209. 77% of Latinos opposed 187 and 70% opposed 209 according to voter exit interviews in contrast to some polls which showed a split Latino vote.

-Jane Harman is opposed. Al Checchi is opposed. Dan Lungren (R), candidate and likely California nominee for Gov. is undecided. He has stated that he has concerns and will decide soon.

-We should add that a well financed campaign is expected by Unz for his initiative while the opposition campaign is struggling to raise the money necessary to conduct a credible campaign. Richie Ross is the lead consultant/organizer of the opposition effort. He is very good.

-  
Message Copied

To: \_\_\_\_\_

Maria Echaveste/WHO/EOP  
Janet Murguia/WHO/EOP  
Karen E. Skelton/WHO/EOP  
Judith A. Winston/PIR/EOP  
Robert M. Shireman/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:19-MAR-1998 19:34:06.00

SUBJECT: H1B visas

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

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

CC: Cecilia E. Rouse ( CN=Cecilia E. Rouse/OU=OPD/O=EOP @ EOP [ OPD ] )  
READ:UNKNOWN

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

TEXT:

Elena/Sally,

Peter tells me that Kennedy is presenting his bill on Wednesday. The Abraham bill is scheduled for mark-up on April 2nd. Ceci and I are working on the Presidential statement, and should have something for you to look at tomorrow. Thanks.

Julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Julie A. Fernandes ( CN=Julie A. Fernandes/OU=OPD/O=EOP [ OPD ] )

CREATION DATE/TIME:20-MAR-1998 10:14:24.00

SUBJECT: H1B potus statement

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:

Elena,  
Attached is a revised draft of the POTUS statement re: H1B. It may still be a little long, but could be shortened more by eliminating the detail on training and reforms. Peter tells me that Kennedy is making his statement on Wed., so I assume that is our target date for getting this done. Ceci is also sharing this draft with Sally. Thanks.

Julie

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D4]MAIL49497387C.026 to ASCII,  
The following is a HEX DUMP:

FF57504370040000010A02010000000205000000AF0D00000002000002C072AB82A6C113BCA0163  
BDFDB89A074C5A2E7A4B54CF21386CE01E7AC638A18C64318FA2DB8D5FA4CF944A976E390BEF19  
0A946530BC6C315E85BE9BEFFAC2A91A37C975D0B88588103BF844A846544BBF84794F25128F2E

The President supports efforts in the Congress to develop a comprehensive legislative package to address the increasing demand for skilled workers in industries where there has been substantial job growth -- including the information technology (IT) industry. In the short term, we may need to temporarily increase the number of temporary visas for foreign workers. However, this effort must be combined with both a reform of the H1B visa program and a concerted effort -- including commitments from both government and industry -- to find, place, educate and train U.S. workers for these high-growth and high-wage jobs.

Investing in training and education is the critical strategy to sustain our economic growth and make sure that all of our people benefit from this growth. Key components of this strategy are our HOPE Scholarships, the Lifetime Learning Tuition Credit, the expansion of Pell Grants, and the extension and expansion of Section 127 (that excludes employer-paid tuition assistance from income). This is also why it is critical that Congress pass the G.I. Bill for America's Workers this Spring.

The other essential component to ensuring an adequate supply of skilled workers to meet industry needs is reform of the current H1B visa program. Since 1993, this Administration has sought reforms of the H1B program, such as requiring employers to "recruit and retain" U.S. workers before hiring temporary foreign workers, prohibiting lay-offs of U.S. workers to replace them with foreign temporary workers, and reducing the maximum stay for H1B workers from 6 to 3 years. These reforms, if enacted, would help to target H1B usage to industries and employers that are exhibiting genuine labor shortages.

The nation's immigration system is not the solution for widespread U.S. skill shortages. We need to redouble our efforts -- through education and training for both new workers and those who wish to upgrade their skills -- to ensure that U.S. workers are prepared to meet the demands of our rapidly changing economy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: David S. Beaubaire ( CN=David S. Beaubaire/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:20-MAR-1998 10:14:42.00

SUBJECT: I found this in Treasury's weekly report.

TO: Stephen B. Silverman ( CN=Stephen B. Silverman/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

TEXT:

Tobacco: On March 25, Deputy Secretary Summers is scheduled to address George Washington University's School of Public Health on the costs of smoking in the U.S. and the case for comprehensive tobacco legislation. Treasury continues to assess the likely effect of tobacco legislation on the price and on the potential smuggling of tobacco products, and also continues work on the development of an excess profits tax for the industry and on preliminary revenue estimates of various Congressional proposals, including those of Sens. Kennedy, Hatch, McCain, and Conrad.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:20-MAR-1998 10:47:55.00

SUBJECT:

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

TO: CYNTHIA (Pager) #RICE ( CYNTHIA (Pager) #RICE [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

should i be ginning up AG's for tobacco statebystate for monday-call emily  
2896

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: James A. Brown ( CN=James A. Brown/OU=OMB/O=EOP [ OMB ] )

CREATION DATE/TIME:20-MAR-1998 11:17:46.00

SUBJECT: H.R. 2843, Aviation Medical Assistance Act of 1998

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

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

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

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

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

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

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

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

CC: David E. Tornquist ( CN=David E. Tornquist/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

CC: Sharon A. Barkeloo ( CN=Sharon A. Barkeloo/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

TEXT:

This bill is on the House Suspension Calendar for next Tuesday. It was previously circulated to most of you, as well as the Departments of Transportation and Justice, for comment on March 9th. Both Departments responded that they had no objection to the bill, and there were no internal objections. In keeping with the Department of Transportation's wishes on the bill (they do not object to enactment of the bill, but view most of its requirements as unnecessary), we plan to communicate an informal "no objection" to the bill via LA.

The chief provision of the bill is a "good samaritan" provision limiting the liability of individuals "providing or attempting to provide assistance in the case of an in-flight medical emergency." Such persons would be liable, however, if "guilty of gross negligence or willful misconduct" "while rendering such assistance." There is also a limited exclusion for air carriers for "obtaining or attempting to obtain the assistance of a passenger in an in-flight medical emergency, or out of the acts or omissions of the passenger rendering the assistance if the passenger is not an employee or agent of the carrier and the carrier in

good faith believes that the passenger is a medically qualified individual."

Other provisions of the bill require the Department to reevaluate current requirements regarding medical equipment maintained at airports and on aircraft operated by passenger air carriers.

. It excluding "medically qualified individuals" who are "not agents or employees