

NLWJC - KAGAN

EMAILS RECEIVED

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[08/25/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Leslie Bernstein (CN=Leslie Bernstein/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-AUG-1998 11:25:24.00

SUBJECT: I-200

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

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

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

TO: edley (edley @ law.harvard.edu [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

TEXT:

Maria would like to have a meeting on I-200 Thursday at 11am.

I'll send out a room notice/reminder a later in the week.

Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 17:42:16.00

SUBJECT: Kay Bailey Hutchinson single sex schools amendment

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I had a meeting with ED and Justice staff (Rob Weiner was also there for part of it) to consider how to respond to the Hutchinson amendment that would permit school districts to use ESEA Title VI funds for the purpose of establishing single sex schools, by "clarifying" that title IX does not prohibit the use of these funds for single sex schools or classes, as long as comparable opportunities are provided to students of both genders.

Hutchinson's office has asked for ED's views on her amendment by this Thursday.

Here is where we ended up:

1. We will indicate to Hutchinson that we support the goal of permitting single sex schools and classrooms, but do not support her amendment, because:

It's unnecessary. ED's Title IX regs already recognize that single sex schools are permissible, as long as there are comparable opportunities. ED is working on new regs, to be issued in the Fall, that will also indicate that single sex classrooms are also acceptable under Title IX (ED previously believed that they were not). Since all Hutchinson's amendment does is say that single sex is permissible if there are comparable opportunities, ED is taking care of this administratively.

It will create confusion rather than clarity at the local level. Because the amendment centers on the use of Title VI funds, in its current form it would create confusion about whether single sex schools funded from other sources are also subject to the same interpretation of Title IX.

2. Art Coleman is drafting some talking points on this, which could also form the basis of a SAP if needed. These will be worded carefully enough to leave us room to propose or support legislation down the road if we decide we want to. ED and Justice understand that you and Chuck Ruff must have a shot at this before anything is finalized.

Here is why we ended up with this position:

There are significant downsides to proposing real improvements in the Hutchinson bill. The Hutchinson language is quite vague--it leaves the definition of "comparable opportunity" up to the Secretary, and therefore doesn't really create any greater clarity than current law and (soon to be revised) regulations. If we really want to provide greater clarity and reassurance to local communities on this issue through legislation, the most effective way would be to amend Title IX itself. ED had proposed language to do this, but nobody, including ED, thinks it is a good idea to propose amending Title IX, certainly not now. And we do not want to say anything to Hutchinson that will lead her in this direction.

We don't want to support riders to the appropriations bill in any event--and neither does Spector. Even if we liked the bill as drafted, we would

argue that this is not the right time or bill to which a single-sex schools amendment should be attached. But we don't want to see it on any other bill either.

While our policy position is in favor of single sex schools, this is not the position that a number of our friends support. This doesn't seem to be the time to start a battle on this issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 11:05:16.00

SUBJECT: Race and Education

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:

Attached is a draft of a document on race and education that (1) incorporates key data related to racial disparities in education, (2) catalogues what the Administration has already done or proposed, and (3) suggests some new ideas and next steps. In doing this, we have divided the education world into 3 areas--preschool, K-12, and postsecondary and lifelong learning. Its long--about 20 pages. This document is essentially the product of two meetings involving myself, PIR staff (including Chris at one meeting), and the few other DPC and NEC staff who happened not to be on vacation last week. At this point, the new ideas are probably more numerous than "big and bold", though I think it is probably too early in the process to discard ideas.

In some sense, the document is a response to the pressure to get something moving. And it is a good starting point for the next round of discussions that need to take place once there are more key policy people available (e.g., Barbara Chow, Jen Klein, Shireman, CC Rouse, Mike Smith).

I've sent this draft to Barry White, and asked him to respond to some issues in pieces of the draft produced by his staff. I see the next steps here as:

1. Circulating the document to the key DPC/NEC/OMB/ED policy people (Jen Klein, you and Bruce, Shireman and Rouse, Barbara Chow, Mike Smith), and asking for responses and additions.
2. I'm meeting with Chris Edley in a few minutes to review where we are, and to solicit his input. I'll give him a copy of the draft.
3. Calling a meeting later this week or early next week--depending upon when there is a critical mass of people available, to identify a more manageable set of issues and new ideas/proposals we want to send to the President in the Sept. 10 (or is it 6?) memo. I think it would be helpful if you participate in that meeting. I will also make sure that Chris and relevant PIR staff are invited.

Any reactions to substance or process would be greatly appreciated.=====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D17]MAIL48583563S.226 to ASCII,
The following is a HEX DUMP:

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Draft
MCohen
8/25/98

RACE AND EDUCATION

INTRODUCTION

There two fundamental issues pertaining to race and education that must be addressed. First, racial and ethnic minorities generally have lower levels of educational attainment -- as measured by academic performance as well as high school graduation and postsecondary enrollment and graduation -- and correspondingly fewer quality educational opportunities than white Americans. This appears to be a function of both race and of poverty, in varying degrees. Low income and minority students in particular are less likely to participate in quality preschool programs [check], and are more likely to attend schools with large classes, unqualified teachers, crumbling facilities, safety and discipline problems, fewer computers, and insufficient time and resources to provide students who need it with extra help.

In the main, the Administration's approach to this issue has been through initiatives and proposals to strengthen the quality of public schools overall (with higher standards, strengthened accountability, greater choice, smaller classes, modern school buildings, 21st century technology, better prepared teachers, mentors and tutors, after-school programs, etc.) and to target these and other resources for extra help and expanded opportunities for students in high poverty communities. The Administration has also provided the resources to expand access to preschool programs and to higher education.¹

New proposals to reduce racial and ethnic disparities in educational attainment and opportunities should be consistent with this overall approach, and should significantly extend it in strategically selected areas. For example, we should propose significant new Federal initiatives as well as challenges to states and local communities designed to significantly improve the quality of teachers for low income and minority students. We should also propose new initiatives, and challenge states and local communities, to take dramatic steps to provide students and families in urban communities with a broader range of high quality educational choices.

Second, to a considerable extent, many students in the United States still attend racially identifiable schools, despite the fact that our Nation as a whole has become increasingly diverse. At the K-12 level, segregated housing patterns in metropolitan areas make racial segregation among schools prevalent. Further, as a result of Prop. 209 in California and the Hopwood

¹This draft does not yet incorporate the role of civil rights enforcement activities in our efforts to reduce disparities in education performance, or with respect to related issues. Subsequent drafts will.

decision in Texas, minority application to and enrollment in selective institutions of higher education in those states has declined. If similar laws are enacted elsewhere or if other legal challenges erode affirmative action in higher education, we can expect to see a similar pattern on a wider scale.

In the wake of the 1954 Brown decision, school desegregation was seen as an essential tool for equalizing education opportunities, in recognition of the Court's finding that separate schools could not also be equal. However, the difficulties in eliminating de facto segregation, coupled with a growing recognition that school and instructional resources are more important determinants of academic performance than the racial composition of the school, have led policymakers, parents and educators to focus on making sure that every school is a good school regardless of its student body composition, rather than on continued school desegregation.

The challenge for the Administration is to make the case for the value of diversity in schools and colleges, despite the limited evidence that such diversity will enhance educational performance as conventionally understood. Rather, we must be able to argue that diversity in our schools and colleges will enable all students to be better prepared to participate in more diverse communities and workplaces, and in a global economy.

Further, we must articulate strategies that will achieve diversity. In higher education, our discussions to date have focused on partnerships with higher education and business communities to take the lead in making the case for diversity, as well as on a range of short and long term "pipeline" initiatives (e.g., High Hopes proposal for the long term, and new support for AP courses and test preparation programs for high school juniors and seniors in the short run).

We have not yet focused on promoting the value of diversity and school integration in public elementary and secondary schools. I believe it will be important to support this goal, and to talk about how it could be achieved. We should make clear that the tools of the past--busing in particular--are not the tools of the future. But we can articulate a strategy of sorts of making more of our schools more diverse racially and ethnically.

Our approach should be to first make every school a good school, using strategies described above. If we do this in urban areas, parents will have more freedom to choose where they will live. This could lead to more desegregated housing patterns, and help keep/attract white middle class families to cities.

We should also work to expand choice in ways that can promote desegregation. For example, charter schools could accomplish this (but may not always--the Education Department's recent charter schools report seems to indicate that some may be more racially identifiable than the surrounding community). Giving urban high school students the option to take courses in community colleges also might (if urban community colleges are more diverse than urban public schools [need to check data on this]). Dade County Florida has tried another approach, by creating Satellite Learning Centers. Initially conceived of as a way of coping with

rapid enrollment growth, these SLC's are "schools" located in the facilities of large employers. The employer provides the facility, the school system provides the staff, curriculum, textbooks, etc., and the students are the children of the employees. Since work settings tend to be more integrated than neighborhoods, this can be a means of creating schools that are integrated along racial, ethnic and socioeconomic lines. Consequently, encouraging cities and employers to locate schools on employment sites and letting parents take their kids to school near where they work rather than where they live could be another approach to promoting greater racial diversity in schools.

The pages that follow are designed to stimulate a more full and detailed consideration of the education ideas the President should advance in the context of his report on the race initiative. Organized roughly by age-level (pre-school years, elementary and secondary school years, postsecondary education and lifelong learning) they briefly summarize what we know about racial disparities, what the Administration has already accomplished and proposed, and what we additional steps we might take in the future.

The Pre-School Years

In the Pre-School Years: Children who do not reach school prepared to learn, quickly fall behind their peers, requiring expensive and complex remedial efforts that are not likely ever to overcome completely the initial learning gaps. Special focus is required for low-income racial and ethnic minority children who are least likely to attain this level of readiness without special help to the family and in child care and pre-school settings.

Data:

- Studies show that 89% of all children ages 3-5 are read to three or more times per week compared to 74% of black children and 62% of Hispanic children.
- Hispanics are under represented in Head Start; they comprise 29 percent of children in poverty, 23% of children in Head Start (excluding Puerto Rico).
- Low-income, minority children are more likely to receive child care in a family day care setting (which may be unlicensed and of uncertain quality). Research documents the importance of quality child care programs to school readiness. The research shows that when children are in better quality child care programs, they have stronger language, pre-mathematics, and social skills, better relationships with their teachers and stronger self-esteem.

Federal Efforts to Date:

- Head Start: (\$4,355 million in FY 1998) will serve 830,000 children in FY98, including 40,000 infants and toddlers; x% are minorities. Administration goal: serve 1 million children by 2002, including doubling the number of infants and toddlers.
- The Child Care and Development Fund (\$2,071 million in FY 1998) in subsidies to over 1 million children. President's FY99 proposal: (\$ 7,500 million over 5 years) to serve an additional 1 million children by FY 2003.
- Tax credits: \$16.5 billion (over five years) for the Child and Dependent Care Tax Credit, \$98 billion provided by the Child Credit, and \$150 billion provided by the Earned Income Tax Credit.
- Tax credits to private employers that expand or operate child care facilities. President's FY99 proposal (\$500 million over 5 years). Credits could be targeted to employers in Federally-designated empowerment zones.
- **Even Start provides educational services to low-income families. In 1998, 700 Even Start programs provided early childhood education services, adult education, and parenting education in integrated "family literacy" programs, serving over 34,000 families in high-poverty urban and rural areas across the country. Over two-thirds of the families served were minorities. Just under half of the programs emphasized an ESL as a major part of the curriculum.**
- America Reads is a new initiative to help States and communities ensure that all children can read well and independently by the end of the third grade. The original proposal

- included a component aimed at helping parents help their children prepare to read.
- The President's FY99 Child Care Initiative also includes:
 - \$100 million to assist states in enforcement of state health and safety standards.
 - \$44 million in scholarships for child care providers who seek training.
 - \$30 million to fund consumer education, parent hotlines, and research activities.
 - \$3 billion over five years for an Early Learning Fund that will provide grants to communities for activities that improve early childhood education and the quality and safety of child care for children under 5 years old.
 - \$5.1 billion over five years to offer more help to families with incomes under \$59,000 through the child and dependent care tax credit.
 - \$5 million in assistance to states in developing support systems for families of children with disabilities.

Business tax credits for child care facilities.

Potential New Strategies:

1. Strengthen Families' Ability to Help the Child in the Home. Improved parenting among low-income families can significantly improve the performance of children in school and in other developmental ways. There are a variety of relatively small scale investments in providing such aid, such as Even Start. Major new investments in parenting and related training could be made through models that provide home visits by family counselors or nurses teaching basic parenting skills and outreach (PAFT, HIPPY), or through USDA's WIC program (which reaches 45 percent of infants born in this country).
2. Make quality pre-school education universally available. Head Start can be a base for this. Encourage or provide incentives to States to provide all children the opportunity for a beneficial pre-school experience, with the first goal being meeting the needs of low-income children. Title 1 can fund preschool programs, at local discretion. We should consider setting aside a portion of Title 1 funds for preschool programs, and expanding total Title 1 investment in preschool. We should also make sure that performance standards required in Head Start reauthorization adequately address school readiness knowledge and skills.
3. Provide universal access to quality center-based child care for all who want it. Dramatic increases to the Child Care and Development Fund (which includes State matching) can help more families receive child care subsidies, thereby assisting low-income families in affording the child care settings of their choice.
4. Link pre-school programs with public schools. Require explicit ties between publicly-funded child care and Head Start, and the public schools, in order to ease the transition from pre-school to elementary school by: requiring updates on the child's developmental status to any problems from Head Start and child care to the school; agreements between schools and Head Start and child care centers on curriculum/developmental goals; consultations between schools, and Head Start and child care centers for children with special needs.

Elementary and Secondary School Years

In the K-12 Years: Success in elementary and secondary schooling is, among other things, heavily influenced by positive role models, family support and high quality educational services. Low-income racial and ethnic minority children often lack one or more of these critical success factors. Without meeting these requirements, many will not succeed in school, the workforce, or as citizens.

Data:

Race & Poverty

- Poverty rates for minorities remain disproportionately high: In 1996, more than one-quarter of both Hispanic and Black families lived in poverty (26.4% and 26.1%, respectively), while the poverty rate for White families was 8.6%. Moreover, this percentage increases greatly for minority families with school-age children -- approximately 33% of Hispanic and 34 of Black families with children under age 18 were poor, compared to 13% of comparable White families.
- High minority schools tend to be high poverty schools. 33.1% of schools with 0-10% minority enrollment have 0-10% poor enrollment. Contrastingly, 87.7% of schools with 90-100% minority enrollments have 50-100% poor enrollment. The correlation between percent black and Latino enrollment and percent free lunch eligible is .72 (*Deepening Segregation In American Public Schools: A Special Report From the Harvard Project on School Desegregation*, pg. 19).

Minority Enrollment

- Between 1975 and 1994, the percentage of White students declined at all school levels, while that of Black students grew from 14.5% to 16% and that of Hispanic students grew from 6.5% to 13%.

Student Achievement

- In general, data on grade retention and enrollment indicate that Hispanics are less likely than their White and black classmates to fall behind in grade level while in the *early* stages of their schooling. However, in the latter stages of their academic progress, higher percentages of Latinos than Whites are enrolled below their grade level.
- In 1994, the enrollment in gifted and talented programs was 81.4% White, 8.4% Black, and 4.7% Hispanic.

- By age nine, Hispanic American and Black students lag behind Whites in reading, math, and science proficiency. For example, in 1994, the gap between reading test scores for Whites and Hispanics was 32 points; the gap between Whites and Blacks was 33 points.
- Black and Hispanic students in 1994 continued to trail their White counterparts by 10 or more percentage points in their participation in upper level high school courses such as Algebra II, physics, chemistry and trigonometry. In addition, white 12th grade students were more likely than Hispanic and black students to take AP exams. In 1996, 133 out of every 1000 whites took AP exams while 74 out of every 1000 Hispanics took them. 32 out of every 1000 blacks took AP exams in that year. Hispanics though, were almost three times as likely (35 out of every 1000 students) to take a foreign language AP examination as Whites (12 out of every 1000 students). Overall, between 1984 and 1996, the number of students who took AP exams increased dramatically, rising from 50 to 131 students per 1000 12th grade students. Whites, Blacks and Hispanics all contributed to this significant increase (*Condition of Education 1997*, pg. 100).
- By 1996, Blacks had almost closed the high school completion gap with Whites but the gap of completion rates for Hispanics remained wide. In 1967, the gap between Whites and Blacks was 20 percentage points (approximately 75% to 55%) but by 1996, the gap had narrowed to a 7 percentage point difference (approximately 92% to 85%). Hispanics lagged far behind at approximately 60% in 1996. That slow progress is in large part explained by the increasing representation of Hispanic immigrants with less education (*Economic Report of the President 1998*, Chart 4-7).
- With regard to Internet access, in 1997, schools with 50 percent or more minority students enrolled lagged behind schools with 20 percent or few minority students.

Teachers

- Students in high-poverty and high-minority schools are more likely to be taught by teachers who do not have a major in the field in which they are teaching.
- There is a strong significant relationship between teacher scores on a basic literacy test (TECAT) and student test scores. (*Ron Ferguson, 96,97*). In Texas, Black and Latino children are far more likely to be taught by teachers who scored poorly on the TECAT. As the percentage of non-white children in a school increases, the average teacher score declines. (*John Kain & Kraig Singleton, 96*).
- Additionally, while minority students make up nearly a third of our nation's student population, only 13% of our teachers are minorities. And more than 40% of our nation's public schools do not have a single minority faculty member (*A Talented, Dedicated, and Well-Prepared Teacher in Every Classroom: U.S. Department of Education Initiative on Teaching*).

School Safety

- *Need to add data*

Federal Efforts to Date:

Since 1993, the Administration's strategy to strengthen K-12 education overall and reduce racial disparities in achievement has been to:

- Promote high standards for all students.
- Hold schools, school districts and states accountable for results and provide flexibility in how to achieve them.
- Target funds to high poverty schools and communities.
- Invest in providing critical learning opportunities, including smaller classes, modern buildings, 21st century technology, and after-school tutoring and learning opportunities.
- Expanded choice and charter schools [need to look at data on racial identification in charter schools, from latest charter school evaluation.]

These strategies have been incorporated into a number of specific program initiatives, including:

- Goals 2000 and the reauthorized ESEA, both enacted in 1994, re-oriented Federal K-12 education policy around school-wide and school system reforms, emphasizing standards-based reform and the increased use of technology in education.
- Title I -- In 1999 Title I grants to school districts will provide educational services to over 10 million students in high poverty communities.
- ED Technology -- The Administration has proposed a \$2 billion federal contribution over five years to education technology to ensure that all students are able to use computers with high-quality software and have access to the Internet in their classrooms, and that teachers have the training to integrate the use of technology into effective instruction.
- School Construction -- The FY 1999 budget proposed Federal tax credits to pay interest on nearly \$22 billion in bonds to build and renovate public schools.
- Education Opportunity Zones -- a new initiative proposed in the FY 1999 budget to assist high-poverty urban and rural local educational agencies to implement education reform strategies if they adopt tough reforms to hold schools accountable for improving quality, expanding public school choice, ending social promotion, and show real improvements in student achievement.
- Class Size -- a new initiative to help States and local school districts recruit, train, and hire 100,000 additional well-prepared teachers in order to reduce the average class size to 18 in grades 1 through 3 in public schools.

- Hispanic initiative -- the FY 1999 budget proposed increases \$XX million in increases for several existing programs that assist Hispanic students, such as Bilingual Education, Migrant Education, and TRIO.
- Comprehensive school reform demos -- a new program to help nearly 3,500 schools nationwide implement effective, research-based school improvement models.
- After School Programs (21st Century Learning Centers) -- the FY 1999 budget proposed a \$160 million to support nearly 3,000 before- and after-school programs that will focus primarily on improving student achievement and preventing juvenile violence and substance abuse. Because most of the centers will be located within schools, they can provide educational services directly linked to students' classroom needs.
- America Reads -- a presidential initiative to ensure that all children are reading well and independently by the end of the 3rd grade.
- Teacher Recruitment and Preparation -- new initiative proposed in the HEA -- \$67 million to improve the quality of teacher education and address shortages of well-trained teachers, particularly in urban and rural areas.

Potential New Strategies:

1. Make sure there are qualified teachers in high poverty schools. First, encourage and support state and local efforts to improve the preparation, certification, recruitment, selection, induction, retention, evaluation, reward and dismissal of teachers overall. Support necessary R&D on critical components of an upgraded system, such as assessing teacher competence in the classroom. Second, work to end the practice of disproportionately placing and keeping unqualified teachers in high poverty schools. Require states to require prospective teacher to pass basic skills/subject matter tests (and help them develop more demanding assessments) in order to be licensed. Prohibit school districts receiving Title 1 funds from staffing Title 1 funded classes (what about schoolwides???) with unqualified teachers, and bar those without an effective system for teacher evaluation (including removal of incompetent teachers) from receiving Federal (or just Title 1) funds. Require K-4 teachers in Title 1 schools to successfully complete training in teaching reading, and fund the training. Third, help attract and retain the best teachers for high poverty schools. Fund induction and continuing professional development programs in high poverty schools. Provide incentives for Board-certified teachers to teach in high poverty schools.
2. Recruit More Minority Teachers. Many believe that a major factor influencing children's success in education is role models. Enhance current recruitment programs with effective incentives to attract more minorities to the teaching profession. Minority teachers, administrators, and school personnel serve as role models for minority students and can provide an important link between schools and parents.

3. Make every LEP child competent in English within 3 years of obtaining services. English language competency is the key to success in schooling and the economy. ESL and similar services should be made universally available to all students who need them. Federal funding can provide matching grants to States to do this.
4. Support English Plus. In addition to ensuring that all LEP students learn English, we should promote foreign language learning, starting in the early grades, for student's whose native language is English. The objective is to dramatically increase the number of students who leave school fluent in two or more languages, regardless of their native language.
5. Report Cards. Pressure can effectively be brought to bear on State, school, and school district policies to improve educational achievement through public comparisons of achievement. Charter and "endow" (no government strings attached) a non-partisan, non-government body do fair report cards on State, school district, and school achievement.
6. Support demonstrations of, and if effective greatly expand "Newcomer High Schools" for recently arrived immigrant students. Many school districts are facing an increasing number of secondary immigrant students who have low level English or native language skills, and in many cases, have had limited formal education in their native countries. In order to prevent these students from dropping out (and these children are a significant factor in the 40% Hispanic drop-out rate), these students must learn English, take the required content courses and catch up to their U.S. peers. Some district have developed Newcomer programs -- either a separate school or a school-within-a-school. These programs typically educate students for a limited period of time (most for less than two years) before enrolling them in their home schools. Three such schools are 4-year high schools. The programs reach beyond the students themselves, providing classes to orient parents to the U.S. and 63% offer adult ESL classes. There are currently 75 such programs in 18 States and the Center for Applied Linguistics has sponsored an evaluation of their effectiveness.
7. Propose an Education Bill of Rights. The proposal would call for states and school districts to provide every child with essential education services, including (1) high standards, (2) qualified teachers, (3) curriculum and competent teaching that prepares each student for college or a good career, (4) parents right to know on an objective basis how well their children and are doing, (5) parental access to teachers and administrators to fix problems that are the fault of teachers and administrators, (5) preschool programs, (6) small classes, (7) 21st century technology, (8) after-school programs, (7) tutoring and other forms of extra help.
8. Expand Choice and Opportunity for students in Urban School Systems. Challenge states and school districts/cities to expand the range of high quality schools students and families can choose among, thereby enabling students in low performing schools to move to better ones. A variety of approaches should be encouraged, including:
 - Community College Enrollment. High school students should be permitted to enroll in

community colleges, for high school level or college level courses. This step could provide inner city students with access to more qualified teachers, because most community colleges have faculty with subject matter expertise (whereas urban high schools often have teachers teaching out of field). It could also help boost minority enrollment in college. [see if this can build on existing tech-prep programs, or other articulation agreements.]

- Contract School System. Transform urban school systems from bureaucracies which operate large numbers of schools into systems in which the local governing body contracts out the operation of each school--to teachers, private operators, etc. In effect every school becomes a charter school, with a distinct mission, control over its own staffing and budget, and accountable for results. The local school board is responsible for selecting the schools, identifying new types of schools that might be needed and soliciting proposals to operate the school, monitoring the performance of each school and holding it accountable. Under this approach, all schools would eventually be schools of choice.
- Schools located at large employers. Encourage large employers to provide facilities on site for schools for children of their own employees, while the school district provides the teachers, curriculum, instructional materials, etc. Dade County's Satellite Learning Centers provide the model for this approach. Dade's experience shows that these schools can (1) be more diverse than other schools, because work sites are more diverse than residential neighborhoods (2) save the school districts the cost of new facilities (3) save employers costs associated with employee turnover and (4) increase parental involvement in the schools.

9. School Safety Initiative

to be developed for 10/15 school safety conference

Postsecondary Education and Lifelong Learning

Data:

- High School Completion: In 1996, 4.1% of White students, 6.7 % of Black students, and 9.0% of Hispanic students in grades 10-12, aged 15-24 who had been enrolled the previous October were no longer enrolled and had not graduated.
- College enrollment: In 1996, 45% of Whites, 35.7% of Blacks, and 33.8% of Hispanics aged 18-24 who had completed high school were enrolled in college.
 - Longitudinal NELS data indicates that even among students who score in the top one-third of a standardized test, students from low-income families were five times as likely NOT to enroll in college as those from high-income families; nearly 60 percent of this group cited financial reasons for their decision.
 - In 1993, the average SAT score for Whites was 938 out of 1600, compared to 741 for Blacks and 802 for Mexican Americans.
 - Among high school seniors interested in going to college, those whose parents read financial aid materials were much more likely to enroll (80 percent vs. 55 percent).
 - According to NELS data, 71 percent of low-income students who took geometry went to college, compared to 26 percent who did not take geometry.
- College Graduation and Persistence: Of those aged 25-34, 41.7% of Asians have a bachelor's degree, as do 26% of whites, 12.2% of blacks, 9.8% of Hispanics, and 7.5% of Native Americans.
 - In 1995-1996, 62.9% of black undergraduates received some form of financial aid, as did 59.4% of Native Americans, 54.2% of Hispanics, 42.9% of Asians, and 47.9% of Whites. For graduate and professional schools, these numbers were 62.7% for blacks, 55.8% of Hispanics, 41% of Asians, and 51.3% of Whites.
 - Of those who began their postsecondary education at a 4-year institution in 1989-90, 56.4% of whites received a bachelor's degree within 4 years, as did 52.8% of Asian/Pacific Islanders, 45.2% of blacks, 41.3% of Hispanics. Of these students, 27% of whites were no longer enrolled and had not received a degree, as were 36.8% of blacks, 36.6% of Hispanics, and 25.5% of Asians.

- **Minority-Serving Institutions:** 21% of all Black postsecondary students attend one of the Historically Black Colleges and Universities (HBCU's), nearly 50% of all Hispanic students attend an Hispanic Serving Institution (HSI), and X% of all Native American students attend one of the Tribal Colleges and Universities (TCU's).
- **Graduate School enrollment:** Whites represented 82.6% of those enrolled in graduate schools, blacks represented 7.6%, Hispanics 4.4%, Asian/Pacific Islanders 4.9%, and Native Americans 0.5%.
- **Professional School enrollment:** Whites represented 76.9% of those enrolled in professional schools (e.g., law schools, business schools, etc.), blacks represented 7.4%, Hispanics 4.8%, Asian/Pacific Islanders 10.2%, and Native Americans 0.7%.
- **Adult Literacy:** According to the 1992 National Adult Literacy Survey (NALS), there are about twice as many racial minorities (across all groups) and immigrants in the lowest tier of literacy as there are in the overall population. These adults can barely, if at all, perform basic tasks such as totaling an entry on a deposit slip, locating the time or place of a meeting on a form, and identifying a piece of information in a news article. As a result, they are more likely to be unemployed, work fewer hours, and earn less. They are also more likely to live in poverty and receive public assistance, and less likely to vote.
 - Black, Hispanic, and American Indian/Alaska Native adults lag behind Whites in average educational attainment. In particular, Hispanics adults have the lowest average educational attainment at about 10 years, and a disturbingly large share of low-literate Hispanic adults failed to correctly perform even one task in the NALS.
- **Participation in Adult Education:** Racial minorities comprise a disproportionate share of clients served by adult education programs. In 1996, 38 percent of adult education participants were Hispanic, 32 percent White, 17 percent Black, and 12 percent Asian or Pacific Islander.
 - English as a second language (ESL) clients are the largest and fastest growing part of the adult education population. They receive substantially more hours of instruction and remain in programs longer than adult basic education (ABE) and adult secondary education (ASE) clients. Strong demand has created long waiting lists for ESL programs throughout the country, while ABE and ASE programs appear to have excess capacity.

Federal Efforts to Date: The funding levels below are the FY99 Budget requested levels, unless otherwise noted.

High School Completion and Postsecondary Enrollment

- High Hopes for College: \$140 million in federal funds (\$2.2 billion over 5 years). The program aims to reach 3,000 middle schools & serve over 1 million students over 5 years. ***Isn't this the same as the college-school partnership item below? Why do the per-student costs for this description come out to \$2200 per kid, while the description below is \$800 per kid?***
- College-School Partnership: \$140 million to provide early intervention services to approximately 175,000 high-poverty middle school students.
- TRIO Programs: \$243 million for Upward Bound (incl. Math/Science initiative) to increase enrollment in postsecondary education for approximately 60,000 disadvantaged students, and \$96 million for Talent Search to provide academic support to about 330,000 middle and high school youth.
- Hispanic Dropout Initiative: More than \$600 million dollars for a comprehensive action plan, including \$30 million to transform schools with high drop out rates, and increased funds for Hispanic-serving institutions as well as federal TRIO programs.
- School-to-Work (STW): \$250 million in federal funds. Over one million students participate. More than half of all partnership secondary schools, as well as 40 percent of postsecondary partners, have developed agreements that grant college credit or advanced standing for secondary school course work or dual enrollment.
- Summer Jobs: \$871 million a year to provide work experience in public and private agencies, enhance basic educational skills, encourage school completion, and expose 530,000 low-income youth to the world of work.
- Early Awareness Information: \$15 million in federal funds to publicize availability of financial aid and to encourage students and their families to prepare for higher education.
- Financial Aid: As the data above shows, minority students are heavily dependant on financial aid. The FY 1999 Budget provides a total of \$57 billion in aid, including \$39 billion from FFEL and Direct Loans (9.3 million awards) \$10.5 billion from the SFA accounts (8.8 million awards), and \$7 billion in HOPE and Lifetime Learning tax credits.
- Work Study: \$900 million in federal funds (\$1.1 billion with employer match). Over one million participants at 3,400 institutions.
- Pell Grants: \$7.5 billion available to 4 million students. \$3,100 maximum award, a 35% increase since FY 1994.

- Perkins Loans: \$1.1 billion in loan volume serving about 788,000 recipients.
- Suppl. Educational Opportunity Grants (SEOG): \$619 million in federal funds (\$784 million with match). About 1.05 million students receive aid at about 3,800 institutions.
- FFEL/Direct Loans: Income contingent and graduated repayment options are available. In addition, the HEA reauthorization bill should lower the interest rates on new FFEL and direct loans by 0.8%.

Minority Serving Institutions

- HBCU's: \$137.5 million to strengthen HBCU's; \$96 million for capital financing; Executive Order on HBCU's (i.e., Executive Agency Actions to Assist HBCU's).
- \$28 million to strengthen HSI's, and \$5 million to strengthen TCU's.
- National Need Graduate Fellowships (Consolidation of GAANN, Javits, etc.): \$37.5 million for X,XXX participants.

Adults, Dropouts and Others Outside the Education Mainstream

- **Adult Education State Grants** support local programs that provide ABE, ASE/GED preparation, and ESL services to adults and drop-outs with limited literacy skills. **1998 appropriation:** \$345 million. **1999 request:** \$361 million. **Participants served:** 4 million adults.
- **The Even Start Family Literacy Program** supports local school-community partnerships that provide an integrated, intergenerational program of adult education, early childhood education, and parenting education to low-income, educationally disadvantaged families. **1998 appropriation:** \$124 million. **1999 request:** \$115 million. **Participants served:** 31,500 families (36,400 adults).
- **The High School Equivalency Program** provides academic and support services to migratory and seasonal farmworkers (or children of such workers), who are 16 years of age or older and not currently enrolled in school, to obtain the equivalent of a high school diploma and subsequently to gain employment or begin postsecondary education or training. **1998 appropriation:** \$7.6 million. **1999 request:** \$10 million. **Participants served:** 3,000 students.
- **Youth Opportunity Areas** (proposed) would provide grants to support multiple education, job training, and social services for youth in EZ/EC and similar high poverty

areas. The goal of the initiative is to raise the employment rate for out-of-school youth in target communities from current levels of less than 50 percent to a level of 80 percent, or commensurate with the employment rate in non-poverty areas. **Participants to be served:** 50,000 youth.

- **Welfare to Work and TANF.** Resources to encourage and help welfare recipients to obtain needed education and good jobs.
- **Workforce Investment Act.** The reauthorized JTPA adult and youth programs.
- **One-Stop Career Centers:** \$147 million for implementation of One-Stop Career Centers and continued development of America's Labor Market Information System. These will provide streamlined access to job referrals, job search assistance, information on jobs and their skill requirements, and information on training opportunities. To date, all States have received implementation grants, and XX centers have been created across YY states.

Potential New Strategies:

High School Completion and Postsecondary Enrollment

1. Sustain and institutionalize the principles of the President's School to Work initiative as that law sunsets. The Workforce Investment Act enacted on August 7, 1998 establishes new Youth Councils that will develop the portions of the local plan relating to youth policy. With a re-constituted membership that includes local school representatives, these councils offer the based on which to build a more permanent local structure for coordination and cooperation of social services, business and schools that School to Work began. This is critical to the development, learning, and success of minority youth. *What is the action step here? Who does what?*
2. Aggressively expand early mentoring and information. The High Hopes for College initiative provides a model for all schools to provide families with early information about the cost of going to college, financial aid that is available, what courses to take (esp. math, science) to be well-prepared for college, and the mentoring many need. Backed by partnerships with area colleges, counselors would work with students in middle school to help raise expectations and goals early on. The current initiative is very small. It could be greatly expanded. *I don't think this is really a new proposal, unless we can really afford to ramp up High Hopes beyond its current trajectory--and unless the program can handle a faster growth rate. Can we, and can it?*
3. Federal Matching Funds for AP courses and for AP and SAT/ACT Preparation. The President has made universal access to two years of higher education a priority, and has created

ways to alleviate the financial hurdles. A logical next step in improving the quality of access is to make all students more competitive by closing the gaps in advanced course availability as well as SAT and ACT test scores. The Federal government could establish funding matching mechanisms to encourage states to improve access to AP courses and preparation for AP tests in low-income schools; in areas where AP courses are not available, funds could be used for partnerships with community colleges that offer similar courses. Similarly, matched funds could be used to do one of a number of things for SAT/ACT preparation: pay for low-income youth to attend prep courses (e.g., Kaplan; Princeton Review); fund poor school districts to set up their own test prep programs; as in America Reads, waive the federal match for Work Study students who help prepare disadvantaged students for the tests.

4. Encourage states to give scholarships to top of graduating class. States can create incentives by rewarding the top 5 or 10% of graduating seniors at every school with free tuition to any public institution in the state. This approach is currently being tried out in Texas. Federal matching funds could accelerate adoption in other States.

5. Aggressively Promote knowledge and use of the President's Income Contingent Repayment option: Many believe that low income, and especially minorities, will not take the risk of default seemingly inherent in borrowing money for college, and thus will not attend. The President's ICR repayment option eliminates the risk of borrowing for higher education. If a borrower fails to earn enough after schooling to repay the loans through normal repayment plans, ICL reduces payments only to what is affordable, and if not paid off in 25 years, converts the loan to a grant -- no further repayments required.

6. Frontload Pell grants: Under a frontloading scheme, rather than receiving a 4-year stream of federal grant awards, students would receive the same amount of grant aid but within the first two school years, and finance the remainder of their education entirely through loans. Frontloading has been shown to increase both the postsecondary enrollment and retention rates of disadvantaged students, with low income blacks and Hispanics realizing the largest gains.

7. Strengthen Civil Rights Enforcement and Laws: Civil rights enforcement could be strengthened by integrating investigation, litigation, and remediation approaches across Federal and state agencies, and increasing funding for civil rights enforcement. In addition, civil rights laws could be strengthened by forbidding institutions of higher education that are found guilty of discrimination from receiving Federal grants and/or student aid until the problem is remediated. Another option is to suspend guilty institution's tax exempt status.

8. Provide strong incentives for Higher Education Institutions to Establish Retention and Preparation Programs: While TRIO's current structure is not be conducive to a large expansion, it has developed useful models for helping minorities prepare for, enter, and stay in higher education. The federal government could encourage institutions to establish the next-generation of TRIO-like programs for all students who need them. Higher education institutions could be required set up programs modeled on successful aspects of TRIO as a condition of continued

eligibility for Pell grants and other programs that aid low income and minority students.

9. Encourage Institutions to Provide Scholarships to Local Disadvantaged Students: In an attempt to give back to their respective communities, many institutions of higher education (e.g., Harvard) provide undergraduate scholarships to local disadvantaged students. Again, the federal role in this strategy could include financial incentives, or it could be limited to challenging institutions to establish or expand these scholarships.

Minority Serving Institutions

1. Encourage Partnerships Between Minority Serving Institutions and other Institutions: As the data above shows, a large percentage of Blacks, Hispanics, and Native Americans attend HBCU's, HSI's, and TCU's, respectively. One way to help these students is to establish "partnerships" between minority serving institutions and other institutions of higher education (there is currently such a partnership between some HBCU's, Georgia Tech, Boston University, and Rochester Institute of Technology). These partnerships could, for instance, allow students at minority serving institutions to take courses at partner institutions, transfer to partner institutions without paying more in tuition, and use labs or other facilities at partner institutions.

The federal role in this strategy could be to provide financial incentives for schools to establish these partnerships (e.g., more student financial assistance funds). Or, the federal role could be limited to challenging schools to create these partnerships, similar to how the President called for institutions to put Work Study students to work as reading tutors as part of his America Reads Challenge.

Drop-outs, Adults, and Others Outside the Educational Mainstream

1. Concentrate multiple resources in lowest income areas for maximum impact. Combine the concepts of EZ/ECs, Youth Opportunity Areas, Education Opportunity Zones, with current investments in TANF, JTPA, and Title I-Education for the Disadvantaged (and other relevant resources, including housing and criminal justice) into a massive effort to improve the quality of education, training, and economic development, to lead to dramatic reductions in unemployment and in employment rates of low income, minority youth and adults in the locations where their problems are most intractable.

2. Universal ESL for every adult who needs it. Every adult who wants to learn English should be given the chance to do so. Create and fund a separate authority for ESL programs to accommodate rapid growth and unmet demand without diminishing other Adult Education purposes. Encourage life skills training for recent immigrants. Promote parent involvement, continuing education, and civic participation.

3. Redesign the GED to make it an effective alternative to a high school degree. The current GED is not valued as a real equivalent to a high school degree, but some such device is necessary

for those who cannot or will not obtain a high school degree. The Federal Government can subsidize develop of an effective GED that is aligned with challenging State content and performance standards for high school graduates, instead of norming them against a national average of high school graduates. *Do we want a new GED--or do we want states to provide alternative routes, and alternative ways, for adults to demonstrate that they have met the performance standards for a high school diploma?*

4. Newcomer High School. See "In the K-12 Years" for more information.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 16:14:31.00

SUBJECT: Tobacco

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

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

TEXT:

Secretry Glickman goes to North Carolina Thursday and asked if there was anything special on tobacco he should be saying. He'll likely get asked about the issue. Are there any new Q and A we should be passing him re:4th circuit or the status of new legislation?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 11:15:07.00

SUBJECT: Press Release from Safe Food Coalition Praises Administration

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:

I just faxed you the press release from the Safe Food Coalition, which praises the Administration and says the Administration has "done an excellent job in raising the public policy profile of food safety issues"

Also I talked to S.T.O.P. and they were very enthusiastic about the Council

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Cecilia E. Rouse (CN=Cecilia E. Rouse/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:25-AUG-1998 18:36:54.00

SUBJECT: H-1B memo for the VP

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

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

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

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

TEXT:

Gene, Sally, and Elena:

Attached is a draft of the memo for the VP in preparation for his trip to Silicon Valley and his meeting with Morty Barr and Co. David Beier had originally asked for the memo this evening, but has given us a "reprieve" until tomorrow. This memo has also been reviewed (and worked over!) by Julie and Peter J.

-- Ceci

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D23]MAIL42390373S.226 to ASCII,
The following is a HEX DUMP:

FF575043C9040000010A02010000000205000000A650000000020000E8E3F63105606652C97A51

March 10, 2010

DRAFT MEMORANDUM FOR THE VICE-PRESIDENT

FROM: GENE SPERLING
ELENA KAGAN

SUBJECT: STATUS OF H-1B LEGISLATION

Background

H-1B visas are temporary work visas that allow “highly skilled” immigrants (with a BA or equivalent) to work in this country for up to six years. Under current law, the number of H-1B visas is capped at 65,000 per year. During the last fiscal year, this cap was reached for the first time. This fiscal year the cap was reached in early May; as a result, no more visas can be issued until October 1. The information technology (IT) industry strongly supports raising the annual cap to address what it maintains is a shortage of U.S. workers with IT skills. Others, including the Department of Labor and organized labor, challenge the industry’s conclusions about a shortage and are concerned that the current H-1B program does not target its use to employers who are experiencing skills shortages.

Until last month there were two legislative vehicles for increasing the cap on the number of H-1B visas. On May 18, the Senate passed (78-20) an industry-backed bill sponsored by Senator Abraham (R-MI) that increases the cap on H1-B visas for three years and includes an authorization for additional scholarships. This bill does not, however, require companies to recruit or retain U.S. workers prior to hiring H-1B visa holders. In the House, late last spring, the Judiciary Committee approved (23-7) a bill sponsored by Rep. Lamar Smith (R-TX). The Smith bill also increases the cap for three years but differs sharply from the Abraham bill by including meaningful protections for U.S. workers. The Smith bill, however, failed to include any training component for U.S. workers.

Soon after the House committee vote, House Majority Leader Arney told Rep. Smith that he would not bring Smith’s bill to the House floor unless Rep. Smith worked out a compromise with Sen. Abraham that pleased the high tech business community. Consequently, in mid-July Rep. Smith and Sen. Abraham produced a compromise bill (the Abraham/Smith proposal) which includes weak and limited protections for U.S. workers and a small training provision. In part due to a senior advisors veto threat, the compromise measure failed to gain sufficient support in the House prior to the August recess and Republican leaders decided to postpone House floor consideration until September.

Administration Position

The Administration has consistently supported sound and balanced legislative efforts to address shortages of skilled workers within certain sectors of our economy. Our position has been that the most important way to widen the availability of skilled workers must be to improve

the skills of U.S. workers and ensure that employers seek U.S. workers first. We have agreed that it may be necessary in the short-term to increase the number of visas for temporary foreign workers, but that this must only be done in conjunction with additional efforts to increase the skill level of U.S. workers (funded through a modest H-1B application fee paid by employers) and meaningful reforms to the H-1B program to protect U.S. workers. These reforms would require employers to attest to having attempted to recruit U.S. workers before applying for an H-1B worker and to having not laid off a U.S. worker in order to hire an H-1B worker.

This position dictated our strong opposition to the bill sponsored by Senator Abraham because his bill emphasizes providing opportunities for foreign workers rather than providing opportunities for and protecting U.S. workers. Senator Abraham's bill did not include either a recruitment or a no lay-off attestation and weakened existing enforcement authority of the Department of Labor. In contrast, the Administration stated in a letter to Rep. Hyde that it would support Rep. Lamar Smith's bill, because it included meaningful reforms to the H-1B program, if it were modified to include a significant training provision.

In response to the Abraham/Smith proposal, the Administration made a statement to the press (on August 1) that if the proposal were presented to the President his senior advisors would recommend that he veto it because the reforms are too weak to adequately protect U.S. workers (largely because far too many employers would be exempt from the attestations) and the bill, as structured, would not generate sufficient funds for increased training opportunities for U.S. workers.

Soon after the release of this statement to the press, we put forth a list of proposed changes (see attached). We made clear that if the proposal were modified consistent with these suggestions, we would support it. This list includes significant compromises on our part; e.g., (1) we would agree to exempt firms that have a small percentage of H-1B workers (such as Microsoft, Intel, and HP) from having to attest to recruiting U.S. workers before hiring an H-1B worker; and (2) we would agree that the H-1B reforms will sunset with the increase in the cap. In addition, we have shown flexibility on the exact structure of a provision to protect U.S. workers from being laid-off and replaced with H-1B workers (although we have insisted that the provision be meaningful). These compromises have generated some opposition from organized labor and their Congressional supporters.

Since releasing our list of proposed changes, we have been engaged in serious discussions with members of Congress (including Senator Abraham and Representative Lofgren), and representatives from the business community (such as Jerry Jasinowski of NAM and Wade Randlett of Technet) and organized labor (such as the AFL-CIO) in an attempt to reach a compromise that would include a more substantial training provision and stronger protections for U.S. workers. We are hopeful that a compromise can be reached before the end of the Congressional session.

Industry's Position

The business community has generally not opposed the Administration's requirement that

any H-1B legislation must include a significant training provision. It has, however, argued that the reforms would generate unnecessary and intrusive federal regulations. As a result, the community supports the Abraham/Smith proposal because it increases the cap on the number of visas for five years and would exempt a large percentage of companies from the worker protections.

In addition, in response to the Administration's opposition to the Abraham/Smith proposal, some within the business community have accused us of "raising the bar" on what needs to be included in an acceptable bill and of attempting to block efforts to increase the cap. In fact, our position has not changed: in order for the President to sign a bill that increases the cap, it must also contain both a significant training provision and meaningful reform to the H-1B program. The Abraham/Smith proposal does not meet that standard.

Organized Labor's Position

Organized labor does not oppose an increase in the cap, as long as this increase is accompanied by strong worker protections and a meaningful training provision. Thus, they opposed the Abraham bill in the Senate and generally supported the Smith bill in the House (if it were modified to include a training provision). Organized labor opposes the Abraham/Smith proposal because the worker protections would only apply to a small number of companies, the training component is relatively small, and the H-1B reforms would sunset with the increase in the cap.

Talking Points -- H-1B Legislation
August 25, 1998

- The Administration has consistently supported sound and balanced legislative efforts to address shortages of skilled workers within certain sectors of our economy. Therefore, we support attempts to increase the number of H-1B visas as part of a larger package that includes both additional training for U.S. workers and meaningful reform of the H-1B program that both protects U.S. workers and respects the good faith business judgments of employers.
- I believe that the most important way to widen the availability of skilled workers must be to improve the skills of U.S. workers and ensure that employers seek U.S. workers first. While it may be necessary in the short-term to increase the number of visas for temporary foreign workers, this must only be done in conjunction with additional efforts to increase the skill level of U.S. workers and meaningful reforms to the H-1B program.
- Our goal is to help ensure that qualified U.S. workers have the opportunity to fill a job before a temporary foreign worker is hired and that U.S. workers not lose their jobs to temporary foreign workers. A substantial training component would help U.S. workers obtain the skills needed to fill these jobs and the kinds of reforms that we have advocated (like those included in the Smith bill) would effectively target H-1B visas to industries experiencing skill shortages.
- Although the agreement reached by the Republicans last month includes a training provision and limited protections for U.S. workers, it falls short in several respects. The training provision would not generate sufficient funds and the protections included some big loopholes that would have made it difficult to tackle abuses in the program.
- We have laid out specific suggestions for ways to improve the Abraham/Smith proposal that, if made, would cause us to give this proposal our full support. We have had a series of discussions with the bill's sponsors in an attempt to reach an agreement. Our suggested changes generally increase the funding for training and strengthen the protections for U.S. workers in an attempt to achieve a reasonable, balanced bill that both protects U.S. workers and respects the good faith business judgments of employers.

Q&A -- H-1B Legislation
August 25, 1998

Q: Why has the Administration not embraced the Republican compromise on H-1B legislation?

A: Although the Republican agreement includes a training provision and limited protections for U.S. workers, it fell short in several respects. The training provision would not generate sufficient funds and the protections included some big loopholes that would have made it difficult to tackle abuses in the program.

Q: Some Republicans and hi-tech executives claim that the Administration keeps moving the bar on what it would consider an acceptable bill. What has been going on?

A: Our position on this issue is unchanged: For the President to sign a bill that increases the cap on H-1B visas, it must contain both a significant training component and meaningful reform to the H-1B program to ensure that American companies do not lay-off U.S. workers and replace them with foreign workers.

The Republican agreement that was unveiled last month fell short in several respects. It watered down the training provisions and created some big loopholes that would have made it difficult to tackle abuses in the program.

We have laid out a very specific path to how to get our support on the legislation and have had a series of discussions with the bill's sponsors in an attempt to reach an agreement. Our suggested changes generally increase the funding for training and strengthen the protections for U.S. workers in an attempt to achieve a reasonable, balanced bill that both protects U.S. workers and respects the good faith business judgments of employers.

Q: Would the President veto the Abraham/Smith compromise?

A: If the Congress passes the Abraham/Smith proposal in its current form, the President's senior advisors will recommend that he veto it. While the President is willing to sign a bill that raises the cap on H-1B visas, he also wants to make sure that we protect and provide training for U.S. workers. We want to work with the Congress to develop a balanced bill that addresses the growing demand for highly skilled workers.

July 30, 1998

Proposed Administration Revisions to H.R. 3736 (the July 29, 1998 version):

1. Require either a \$500 fee for each position for which an application is filed or a \$1,000 fee for each nonimmigrant. Fee to fund training provided under JTPA Title IV. In addition, a small portion of these revenues should fund the administration of the H-1B visa program, including the cost of arbitration.
2. Define H-1B-dependent employers as:
 - a. For employers with fewer than 51 workers, that at least 20% of their workforce is H-1B; and
 - b. For employers with more than 50 workers, that at least 10% of their workforce is H-1B.
3. The recruitment and no lay-off attestations apply to: (1) H-1B dependent employers; and (2) any employer who, within the previous 5 years, has been found to have willfully violated its obligations under this law.
4. H-1B dependent employers attest they will not place an H-1B worker with another employer, under certain employment circumstances, where the other employer has displaced or intends to displace a U.S. worker (as defined in paragraph (4)) during the period beginning 90 days before and ending 90 days after the date the placement would begin.
5. DOL would have the authority to investigate compliance either: (1) pursuant to a complaint by an aggrieved party; or (2) based on other credible evidence indicating possible violations.
6. Establish an arbitration process for disputes involving the laying-off of any U.S. worker who was replaced by an H-1B worker, even of a non-H-1B dependent employer. This arbitration process would be largely similar to that laid out in H.R. 3736 except that it would be administered by the Secretary of Labor. The arbitrator must base his or her decision on a "preponderance of the evidence."
7. Reference in the bill to "administrative remedies" includes the authority to require back pay, the hiring of an individual, or reinstatement.
8. There must be appropriate sanctions for violations of "whistleblower" protections.
9. Close loopholes in the attestations:
 - a. Strike the provision that "[n]othing in the [recruitment attestation] shall be construed to prohibit an employer from using selection standards normal or

customary to the type of job involved.”

- b. Clarify that job contractors can be sanctioned for placing an H-1B worker with an employer who subsequently lays off a U.S. worker within the 90 days following placement.
 - c. Do not exempt H-1B workers with at least a master’s degree or the equivalent from calculations of the total number of H-1B employees.
 - d. Define lay-off based on termination for “cause or voluntary termination,” but exclude cases where there has been an offer of continuing employment.
- 10. Consolidate the LCA approval and petition processes within DOL, rather than within INS.
 - 11. Broaden the definition of U.S. workers to include aliens authorized to be employed by this act or by the Attorney General.
 - 12. Include a provision that prohibits unconscionable contracts.
 - 13. Include a “no benching” requirement that an H-1B nonimmigrant in “non-productive status” for reasons such as training, lack of license, lack of assigned work, or other such reason (not including when the employee is unavailable for work) be paid for a 40 hour week or a prorated portion of a 40 hour week during such time.
 - 14. Increase the annual cap on H-1B visas to 95,000 in FY 1998, 105,000 in FY 1999, and 115,000 in FY 2000. After FY 2000, the visa cap shall return to 65,000.
 - 15. Eliminate the 7500 cap on the number of non-physician health care workers admitted under the H-1B program to make the bill consistent with our obligations under the GATS agreement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 16:32:00.00

SUBJECT: Battered women and public charge

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Elena,

I received a memo a few weeks ago from AYUDA (advocates for battered immigrant women and abused immigrant children) re: battered women and public charge. AYUDA wants the INS to issue guidance (and possibly a regulation) that clarifies that battered immigrant women and children who qualify for relief under the Violence Against Women Act (VAWA) are exempt from the "public charge" ground of inadmissibility.

In short, the 1996 Immigration Act provided that VAWA self-petitioners (even those who are here illegally) would be considered "qualified aliens" for purposes of their access to public benefits. Thus, they are eligible to receive food stamps, Medicaid, TANF, etc. -- essentially all benefits that they could receive as lawful permanent residents. At the same time, however, the INA generally requires an assessment of whether a person requesting "admission" (which includes adjustment of status) is a "public charge" (as you know, we are in the midst of making a final determination as to which benefits should be considered in the public charge analysis generally).

According to AYUDA, the best interpretation of the INA is that battered immigrants with an approved VAWA self-petition are exempt from the public charge provision; however, they think that there is some confusion within the battered immigrant community about this question. INS, as a preliminary matter, agrees that VAWA self-petitioners are exempt. To be sure, INS is going to ask its General Counsel (at INS) to review the question and will let us know. If this is the correct interpretation, we could include this guidance as part of the general public charge guidance.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 17:35:45.00

SUBJECT: Race report -- accomplishments chapter

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,

I spoke with Michele Cavataio about the chapter on Administration accomplishments for the President's report. Michele has forwarded to me her proposal for how to organize the chapter. The idea is to organize it according to themes of the Administration and use specific policy accomplishments (over the last 5 1/2 years) to illustrate these themes. Edley has also asked Paul W. to review the proposal and to think about identifying themes. Edley also wants this chapter to include discussions of how various policy initiatives were developed and the tensions presented by some of the choices.

It is unclear precisely how this will develop, but Michele and Edley have suggested that we (including other WH folks, like Michele Waldman) should work to identify themes and policies to discuss and use to illustrate those themes. Michele can then take the lead (as Chris's staff person) in turing this into text. I have suggested that she and I (and perhaps Edley and Paul) meet to discuss the particulars of this early next week.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 14:44:00.00

SUBJECT: Food Safety

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

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

READ:UNKNOWN

TEXT:

1. Mary and I went over to the press conference, it looked fine-- 10 cameras including the three networks. I think the story will have trouble breaking through.

2. Today's WP Fed page has a leaked internal USDA memo opposing country of origin labeling. Glickman reportedly feels this was a calculated internal leak to lock him into this position. That bothers him and to push back, at the press conference he made a point of saying he is going to try and find a way to get something on labeling done. This is the best hope for this -- getting him to move his internal and trade bureaucracies. USDA will talk to Senator Johnson (the sponsor) and see if we can't come up with something.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 14:39:04.00

SUBJECT: Caroline Smith DeWaal

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:

I just faxed over the statement of Caroline issued today -- which is a lot more positive. Caroline called me to say that she thinks the Council is a good thing. She basically said that she was just caught off guard yesterday because the Times called before she had heard from us.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 12:31:46.00

SUBJECT: School Safety Conference Program Planning meeting -- Wednesday, Aug. 26 at

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

TEXT:

This meeting will focus on a review of program ideas with our team of communications experts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy W. Tobe (CN=Amy W. Tobe/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:25-AUG-1998 13:44:50.00

SUBJECT: Food Safety

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

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

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

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

TO: 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

TEXT:

According to USDA, all questions at the event were on the Food Safety announcement. They had over ten cameras and great attendance. Thanks to all!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 16:15:17.00

SUBJECT: Daily report on President's Council on Food Safety

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:

Today we announced your executive order creating a President's Council on Food Safety, which will develop a comprehensive strategic plan for federal food safety activities and will ensure that federal agencies annually develop coordinated food safety budgets. In addition, as one of its first orders of business, you directed the Council to review the recent National Academy of Sciences report, which recommended legislation to establish a unified office for managing food safety programs to be headed by a single official. The story on the Council was carried in Tuesday's New York Times. Today, the three co-chairs of the Council, the Secretary of Agriculture, the Secretary of Health and Human Service, and the Director of the Office of Science and Technology Policy, held a press conference at USDA, which was attended by all three networks and CNN. The response by the consumer advocates and the industry groups has been generally positive.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-AUG-1998 20:47:03.00

SUBJECT: Thursday event update

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Event Update: As of this afternoon, the speaking program looks long, primarily due to the number of electeds who want to participate. The feeling in the communications meeting was that in this instance, longer might actually be better. The order hasn't yet been worked out, except for the Mayor who will open, and the parent/teacher who will introduce the President. Here's what it looks like so far:

Speaking Program

1. Worcester Mayor Raymond Moriano
2. Representative McGovern
3. Worcester Police Chief Ed Gardella*
4. Senator Kennedy
5. Lt. Governor Kathleen Kennedy-Townsend*
6. Police Corps Grad*
7. Teacher/Parent
8. POTUS

As of tonight, Kennedy-Townsend is an unlikely, and Senator Kerry is very unlikely. Between the Police Chief and the Police Corps grad, one may get pulled. I would prefer to have the chief, since he is a really strong supporter -- but the Police Corps grad would be good too. Everyone except for the parent/teacher (teacher who is hopefully also a parent) has been identified and is available. Mike is working with NEA to get a teacher, and leg affairs is working with McGovern on it too.

With regard to the site, they have selected Mechanics Hall, otherwise known as the Great Hall in Worcester. They are trying to get about 1,300 people at the event -- which I figure to be almost 10% of the city population!

Paper: I've attached a revised one-pager on the event. Gore's folks asked to include the bullet on his school safety event in California. I will be forwarding Q&A and the briefing tomorrow.

I think we will be reviewing the speaking program in the morning. Let me know if you have any questions or thoughts on any part of this.

Thanks.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D23]MAIL41473373H.226 to ASCII,
The following is a HEX DUMP:

FF57504336050000010A02010000000205000000DD1A0000000200008C75A64057CB9ADE3AFF07

Keeping Our Schools and Streets Safe
August 27, 1998

In Worcester, today President Clinton will make announcements to support law enforcement and help make our schools safer. He will announce: (1) the release by the Departments of Justice and Education of an Early Warning Guide for teachers and principals to help identify and respond to violence in schools; and (2) the availability of \$30 million for states to provide college scholarships to aspiring law enforcement officers in return for a commitment of service.

Helping Schools Prevent and Respond to Violence

- Giving teachers and principals needed tools. Schools are among the safest places our children can be. Nonetheless, last year's tragic and sudden acts of violence in a number of schools remind us that no community can afford to be complacent when it comes to protecting its children. In response to the tragic loss of life and injuries at Thurston High School in Springfield, Oregon, in his June 13 radio address, President Clinton directed the Secretary of Education and the Attorney General to develop a guide to help teachers, principals, and parents respond to the early warning signs of troubled youth that can lead to school violence.

Today, the guide will be posted on the Education Department Website, and on September 1, a copy will be sent to every school in the country. The guide, based on research and experience in schools around the country, gives school communities information on how to:

(1) Identify the early warning signs that relate to violence and other behaviors, including a list of specific signs to look for in troubled youth, such as: uncontrolled anger; patterns of impulsive and chronic hitting, intimidating, and bullying; detailed and specific threats to use violence; gang affiliations; feelings of persecution; and past history of violent and aggressive behaviors such as cruelty to animals or fire setting. Trained staff can use these early warning signs, together with knowledge about students and their circumstances, to determine when to seek help for individual students and to prevent violence.

(2) Take action steps to prevent violence, intervene and get help for troubled children, and respond to school violence when it is imminent or has occurred. The guide instructs schools how to develop a violence prevention and response plan and form a school-based team to oversee the plan's implementation. It provides a crisis procedure checklist, a step-by-step plan to follow once sudden violence occurs. The guide also lists actions students can take -- such as listening to troubled friends, involving trusted adults, and asking law enforcement to conduct school safety audits -- to help create safer schools.

- Talking to communities about school safety. Today in San Francisco, Vice President and Mrs. Gore will visit Lincoln High School and hold a listening session on school safety with parents, local law enforcement, and community leaders and discuss the steps we can all take to make our schools safer and our children more secure. This session, and others held by administration officials around the country, will help the President and Vice President to prepare for the upcoming White House Conference on School Safety this October 15th.

Advancing the Education and Training of New Community Police Officers

- Police Corps: scholarships for service. The President will announce the availability of a total of \$30 million for 23 states to encourage young people to become law enforcement officers through college scholarships. The Police Corps provides educational assistance of up to \$7,500 per year for four years for students who agree to serve on a state or local police force for an equal length of time. Police Corps also provides policing agencies \$10,000 per participant for each year of required service.
- Expanding Police Corps to 23 states. Six new states will participate in Police Corps and will receive \$14.3 million to award scholarships for 330 students -- which will bring the total number of students funded by Police Corps to over 1,000. The remaining funds will support the ongoing expenses of Police Corps participants already approved to date. In all, 23 states will participate in Police Corps: AR, CO, CN, FL, GA, IN, IL, KY, MA, MD, MI, MS, MO, NV, NM, NC, OH, OR, OK, SC, TX, UT, WA and the Virgin Islands.