

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 082 - FOLDER -004

[08/27/1998 - 09/04/1998]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jordan Tamagni (CN=Jordan Tamagni/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:27-AUG-1998 08:25:19.00

SUBJECT: Redraft

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:

Revised Draft 8/26/98 8:15am

Jordan Tamagni

PRESIDENT WILLIAM J. CLINTON
REMARKS FOR SCHOOL SAFETY EVENT
MECHANICS HALL
WORCESTER, MASSACHUSETTS
August 26, 1998

Acknowledgments: Mayor Raymond Mariano; Sen. Kennedy; Rep. McGovern [for leadership crime-fighting and safe schools]; State A.G. Scott Harshbarger; Police Chief Edward Gardella; Kathleen Bisson [Burncoat Middle School teacher]; Officer Michael Jones [Police Corps graduate].

It is an honor to be here today in the city of Worcester [wuh-ster], [the heartbeat of Massachusetts] for 150 years... an honor to speak in this great hall where so many great Americans have spoken, from Frederick Douglas, to Susan B. Anthony, to Henry David Thoreau. I am also honored to share this stage with Kathleen Bisson and Officer Michael Jones, and to hear what they are doing to make their communities stronger and safer.

Before I begin my remarks, I want to say a few words about the havoc Hurricane Bonnie has wreaked in North Carolina over the last 24 hours. Many of the communities hit by this storm had only just rebuilt homes and businesses destroyed by Hurricanes Bertha and Fran. Like all Americans, my heart goes out to families affected by this powerful storm. Thankfully, there has been no loss of life, but the full extent of the damage remains to be seen, as the storm moves along the coast. Under the leadership of Director James Lee Witt, FEMA is working with state and local emergency agencies to assess that damage. Hundreds of people and reserves of equipment stand at the ready to bring relief as soon as the hurricane is over. And we will be there every step of the way, for as long as it takes, to help communities rebuild.

Now, I'd like to talk to you about what has brought all of us here today -- and what Vice President and Mrs. Gore, and Secretary Riley, are in California to talk about today: our common commitment to make our streets and our schools safe for our families and our children.

For five and a half years now, I have had the great honor of serving you and working with you to strengthen America for a new century and a new millennium. We have tried to look ahead with new ideas relevant to the times, but based on our oldest values: to deepen the meaning of our freedom; to widen the circle of opportunity; to strengthen the bonds of our union; to give our children and our grandchildren the chance to live

out their dreams.

Thanks to the hard work, ingenuity, and civic spirit of the American people, this is a time of great prosperity and promise. We have 16 million new jobs, the lowest unemployment in 28 years, the smallest percentage of our people on welfare in 29 years, the smallest federal government in 35 years, and the highest home ownership rate in history.

But as I have said many times before, this is not a time to rest. There is critical business ahead of us -- work that we must do together -- to prepare our nation and all of our people for the challenges of the 21st Century.

Protecting our families and making our communities safe is one of the most important challenges we face. When I was first running for President in 1992, a man came up to me at a rally. He told me that he was an immigrant, working hard to make a better life for his family. He said, "Where I come from, we were poor, but we were free. Here, I have more money, but we're not free." He told me that his young son couldn't walk two blocks to school without fear of being attacked or hit by a stray bullet. "So," he said to me, "if I vote for you, I want you to make my boy free."

I have never forgotten his words. Since that day, I have tried to live up to them -- to make his boy, and all children, free from the fear of violence, free to play in parks and go to school in safety, free to live up to their God-given potential, every one of them.

Working together with state and local leaders, we put in place a bold new anti-crime strategy, grounded in the principles and practices law enforcement officers and local leaders told us were working to make their communities safer: community policing; anti-gang initiatives; targeted deterrence; tougher penalties; smarter, more comprehensive prevention.

I am proud to say that this comprehensive strategy is producing remarkable results. Crime rates are at 25-year low, juvenile crime has begun to decrease, and all across America, families are beginning to feel safe again -- free again -- in their homes and on their streets.

To make our schools places of learning, order, and safety, we have expanded the Safe and Drug Free schools program, and promoted anti-truancy, curfew and school uniform policies. We have strictly enforced zero tolerance for guns in schools. Last year alone, over 6,000 students with guns were disarmed and sent home, doubtless preventing many acts of violence. This year, a new report showed that the overwhelming majority of America's schools are safe. This Fall, we will hold the first-ever White House Conference on School Safety to continue our progress.

But when children in inner city schools must walk through metal detectors to protect them from the threat of violence ... when high schools in small towns like Springfield, Oregon and Jonesboro, Arkansas are torn apart by disturbed teenagers armed with deadly weapons ... when gang violence still ravages communities large and small, we know we must do more.

I want to talk to you now about two new steps we are taking to make our schools safe and protect our families: first, by offering a guide to help prevent school violence before it starts, and second, by expanding

the remarkable Police Corps program.

Early Warning Guide: Earlier this year, in the aftermath of the tragedy in Springfield, I directed Secretary Riley and Attorney General Reno to develop a safe schools guide to help educators and parents recognize and respond to the early warning signs of violence. Today, I am pleased to announce that the guide is ready -- and over the next few weeks, every school in America will receive a copy, just in time for the start of the new school year.

This guide gives schools the help they need to recognize a troubled or potentially violent young person early on, and it outlines the steps they must take to intervene before it is too late. As Secretary Riley and Attorney General Reno say in their introduction, the guide should never be used to stigmatize or label young people in distress. Rather, it should be used by schools as vital part of their overall violence prevention efforts -- efforts that must include teachers, parents, and young people themselves. Because we will only meet the challenge of making our schools and our communities safe if every teacher, every parent, and every young person makes a commitment to get involved and stay involved-- sharing resources, listening to one another, and learning from one another.

Police Corps: The Police Corps program we heard about earlier embodies these same principles. I first heard about the Police Corps nearly ten years ago, when I was Governor of Arkansas. I was so impressed by this program -- and by Adam Walinsky's commitment to it -- that I became a charter member of the National Committee for the Police Corps on the spot. And I was proud to sign into law state legislation to create a Police Corps scholarship program in Arkansas.

What impressed me about the Police Corps was the way it embodies the vision of President Kennedy and Robert Kennedy, who understood that citizenship meant giving something back to the community, and that law enforcement meant more than policing a community; it meant being part of it.

When I became President, I was determined to help carry this vision forward. Thanks to the efforts of Senator Ted Kennedy, of Adam Walinsky, and of Lieutenant Governor Kathleen Kennedy Townsend, we are doing exactly that. The Police Corps program was a fundamental part of my 1994 Crime Bill. As we have already heard, much in the way of the ROTC, this remarkable program gives talented young people college scholarships in return for their service as police officers in our communities. In 17 states around the country, the Police Corps is helping to create a new generation of police officers -- young men and women, trained to stand on the front lines and to listen on front porches ... to work in distressed communities and be role models for troubled young people ... and to take their place alongside our nation's dedicated police officers.

As you know, we are joined here today by several young members of the Police Corps. They embody everything we hope for in our law enforcement officers: honor, courage, commitment to community and country. We need more police officers like these fine young men and women. That is why today, I am pleased to announce that we are expanding the Police Corps program to help 6 more states, including Massachusetts, award college scholarships to more than 300 dedicated young people who will go on to serve on our nation's police forces.

The Police Corps is a wonderful example of what we can do when we

put progress ahead of partisanship, when we put people ahead of politics, and when we put our children's future above all else.

Bobby Kennedy once said, "The fight against crime is, in the last analysis ... a fight to preserve that quality of community which is at the root of our greatness; a fight to preserve confidence in ourselves and our fellow citizens; a battle for the quality of our lives."

With these actions, we are moving one step closer to winning that battle for all Americans, and to building a stronger America for the 21st Century.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-AUG-1998 10:09:20.00

SUBJECT: School Safety Conference -- Proposed Participant names due September 5th

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: Julie_green (Julie_green @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

CC: Sara_Strizzi (Sara_Strizzi @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

CC: Bill_Modzeleski (Bill_Modzeleski @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

CC: Ansley Jones (CN=Ansley Jones/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

CC: allen.kent (allen.kent @ mail.va.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

CC: JOHNSON_R (JOHNSON_R @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

CC: Ann_O'Leary (Ann_O'Leary @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

CC: Kevin_sullivan (Kevin_sullivan @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

CC: lisa.wetzl (lisa.wetzl @ mail.va.gov [UNKNOWN])
READ:UNKNOWN

CC: Kelley L. O'Dell (CN=Kelley L. O'Dell/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

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

CC: Jena V. Roscoe (CN=Jena V. Roscoe/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

CC: Ilia V. Velez (CN=Ilia V. Velez/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

CC: Tania I. Lopez (CN=Tania I. Lopez/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

CC: WOOLLEY_B (WOOLLEY_B @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

CC: MATSUI_D (MATSUI_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)
READ:UNKNOWN

TEXT:

See below.

----- Forwarded by Richard Socarides/WHO/EOP on 08/27/98
10:02 AM -----

Charles H. Cole
08/21/98 02:15:01 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Marsha Scott/WHO/EOP
Subject: School Safety Conference

Please forward all inquiries about the School Safety Conference to Marsha Scott in Room 149. You may also forward any phone calls to 456-6351. Names of potential participants must include an address, phone number and fax. Without this information names will not be accepted. The deadline for names is September 5th. Once we get the master list we will start meeting soon after the 5th. The following are suggested categories to be looking for representatives:

Advocacy Groups

Business

Religious Leaders and Heads of Religious Organizations

Congress

State and Local Elected Officials

Foundations
Local, State and National Law Enforcement Officials
Medical/Psychological Organizations
Model Violence Prevention Programs
Interested National Organizations
Parents/Parent Groups
Researchers
Local, State School Officials
National School Organizations
Students
Victims

Thanks,
Marsha Scott

Message Sent

To: _____

Robin J. Bachman/WHO/EOP
Beverly J. Barnes/WHO/EOP
Jose Cerda III/OPD/EOP
Michael Cohen/OPD/EOP
Lynn G. Cutler/WHO/EOP
Janelle E. Erickson/WHO/EOP
Elizabeth Gore/OMB/EOP
Tanya E. Martin/OPD/EOP
Doris O. Matsui/WHO/EOP
Emory L. Mayfield/WHO/EOP
Mark D. Neschis/WHO/EOP
Christa Robinson/OPD/EOP
Trooper Sanders/OVP @ OVP
Leanne A. Shimabukuro/OPD/EOP
Karen E. Skelton/WHO/EOP
Richard Socarides/WHO/EOP
Christine A. Stanek/WHO/EOP
Neera Tanden/WHO/EOP
Amy W. Tobe/WHO/EOP
Laura K. Demeo/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi (CN=Sarah A. Bianchi/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:27-AUG-1998 11:29:34.00

SUBJECT: here's latest version of Lott letter

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D96]MAIL45795583C.226 to ASCII,
The following is a HEX DUMP:

FF575043F1200000010A000100000000FBFF050032001D01000003000A000000042000000060010
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7C0050000000010000010F00000043616E6F6E204C42502D3820494949006E6C79000000000000

August 26, 1998

The Honorable Trent Lott
Majority Leader
U.S. Senate
Washington, DC 20510

Dear Senator Lott:

Thank you for your letter regarding the patients' bill of rights. I am pleased to reiterate my commitment to working with you -- and all Republicans and Democrats in the Congress -- to pass long overdue legislation this year.

Since last November, I have called on the Congress to pass a strong, enforceable, and bipartisan patients' bill of rights. During this time, I signed an Executive Memorandum to ensure that the 85 million Americans in Federal health plans receive the patient protections they need, and I have indicated my support for bipartisan legislation that would extend these protections to all Americans. With precious few weeks remaining before the Congress adjourns, we must work together to respond to the nation's call for us to address their concerns about the quality of health care they are receiving.

Assuring basic patient protections is not and should not be a political issue. I was therefore disappointed in the partisan manner in which the Republican Leadership bill was developed. It appears clear that the lack of consultation with the White House or any Democrats during the development of your legislation contributed to its serious shortcomings and the fact it has failed to receive the support of the patients and doctors it purports to assist. It leaves millions of Americans without critical patient protections; contains provisions that are more rhetorical than substantive; completely omits patient protections that virtually every expert in the field believes are basic and essential; and includes "poison pill" provisions that have nothing to do with a patients' bill of rights. More specifically, the bill:

Does not cover all health plans and leaves over 100 million Americans completely unprotected. The provisions in the Senate Republican Leadership bill apply only to self-insured plans. As a consequence, the bill leaves out over 100 million Americans, including millions of workers in small businesses. This approach contrasts with the bipartisan Kassebaum-Kennedy insurance reform law, which provided a set of basic protections for all Americans.

Lets HMOs, not health professionals, define medical necessity. The external appeals process in the Senate Republican Leadership bill provides virtually no protections to patients because it allows HMOs themselves, rather than independent health professionals, to arbitrarily define what services are medically necessary. This structure will make it very difficult for patients to prevail on an appeal to get the treatment their doctors believe they need.

Fails to guarantee direct access to specialists. The Senate Republican Leadership proposal fails to ensure that patients with serious health problems have direct access to the specialists they need. We believe that patients with cancer or heart disease should not be denied access to the doctors they need to treat their conditions.

Fails to protect patients from abrupt changes in care in the middle of treatment. The Senate Republican Leadership bill fails to assure continuity-of-care protections when an employer changes health plans. This deficiency means that pregnant women or individuals undergoing care for a chronic illness may have their care suddenly altered, potentially causing serious health consequences.

Reverses course on emergency room protections. The Senate Republican Leadership bill backs away from the emergency room protections that Congress implemented in a bipartisan manner for Medicare and Medicaid beneficiaries in the Balanced Budget Act of 1997. The bill includes a watered-down provision that does not require health plans to cover patients who go to an emergency room outside their network and does not ensure coverage for any treatment beyond an initial screening. These provisions put patients at risk for the huge costs associated with critical emergency treatment.

Allows financial incentives to threaten critical patient care. The Senate Republican Leadership legislation fails to prohibit secret financial incentives to providers. This would leave patients vulnerable to financial incentives that limit patient care.

Fails to hold health plans accountable when their actions cause patients serious harm. The proposed per-day penalties in the Senate Republican Leadership plan fail to hold health plans accountable when patients suffer serious harm or even death because of a plan's wrongful action. For example, if a health plan improperly denies a lifesaving cancer treatment to a child, it will incur a penalty only for the number of days it takes to reverse its decision; it will not have to pay the family for all the damages they will suffer as the result of having a child with a now untreatable disease. And because the plan will not have to pay for all the harm it causes, it will have insufficient incentive to change its health care practices in the future.

Includes "poison pill" provisions that have nothing to do with a patients' bill of rights. For example, expanding Medical Savings Accounts (MSAs) before studying the current demonstration is premature, at best, and could undermine an already unstable insurance market.

Despite the shortcomings of the bill, I remain committed to working with you and the Democratic Leadership to pass a meaningful patients' bill of rights before the Congress adjourns.

As I have said, however, I would veto a bill that does not address the serious flaws in the current Senate Republican Leadership proposal. I could not sanction presenting a bill to the American people that is nothing more than an empty promise.

Producing a patients' bill of rights that can attract bipartisan support and receive my signature will require a full and open debate on the Senate floor that will address important policy concerns. To achieve this end, I believe that there must be adequate time and a sufficient number of amendments to ensure the bill gives patients the basic protections they need and deserve. I am confident that you and Senator Daschle can work out a process that accommodates the scheduling needs of the Senate with the health care needs of the American public.

Last year, we worked together in a bipartisan manner to pass a balanced budget which included historic Medicare reforms and the largest investment in children's health care since the enactment of Medicaid. This year, we have another opportunity to work together to improve health care for millions of Americans.

I urge you to make the patients' bill of rights the first order of business for the Senate when it returns next week. Further delay threatens the ability of the Congress to pass a bill that I can sign into law this year. I stand ready to work with you and Senator Daschle to ensure that patients -- not politics -- become a bipartisan priority.

Sincerely,

POTUS

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Edward W. Correia (CN=Edward W. Correia/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:27-AUG-1998 12:19:47.00

SUBJECT: Re: next steps

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

READ:UNKNOWN

TEXT:

Regarding Chris's book, he and I have met a few times, along with staff from PIR, DOJ and ED. We have tried to narrow the list of topics, but it was still rather long at last count. Just in our area -- civil rights enforcement -- there are a host of fairly major policy issues that could require significant discussion to resolve. So, it will take some effort to develop positions in a thoughtful way.

On another matter, I am proceeding with the memo on major enforcement issues, which we discussed earlier. One of those is higher education admissions, and I am assuming that our memo or Chris's book or some combination may provide a way to resolve the issues that were left open after our meeting on the Univ. of California investigation -- e.g., enforcement versus public persuasion. Your suggestions are welcome.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-AUG-1998 17:40:10.00

SUBJECT: A request from SK regarding the H-2A meeting

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: 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

TEXT:

Hi. I just spoke to Sally and informed her that she would be chairing the H-2A meeting on Monday. I will give her the DOL memo outlining the "idea inventory," however she would also like to know, in advance, your assessment of the different ideas. She would also like to know what you would like to come out of this meeting. Sally will be in tomorrow morning but will leave mid-afternoon.

Thanks.

-- Ceci

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:27-AUG-1998 18:30:58.00

SUBJECT: Weekly

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:

Education: We are planning an education event for Monday August 31 at an elementary school in Virginia. We expect that you will make brief remarks and participate in a roundtable discussion with the school principal, teachers and parents, before an audience of teachers and parents from the school. Students will not return to the school until the following week. The purpose of the event is to allow you to frame the education agenda for Congress as it returns, and to challenge Congress to enact legislation for your education priorities (school modernization and class size reduction, charter schools, early literacy, and the Higher Education Act, including your proposal to recruit and prepare 35,000 teachers for high poverty communities and your High Hopes mentoring initiative) and to appropriate the funds you have requested. The Senate appropriations subcommittee will mark-up the Labor-HHS-Education bill on Tuesday, which is expected to restore many of the cuts made in the House. Therefore, it will be particularly timely for you to challenge the Senate on Monday to restore these cuts.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi (CN=Sarah A. Bianchi/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:27-AUG-1998 23:42:26.00

SUBJECT: weekly report insert

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

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

TEXT:

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D12]MAIL41462293K.226 to ASCII,
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5AAF3F96125977D9515B221453FAE1EEF0ED4161D6B139598D4764EF9B510CF369AA5DA4308F47

Vice President's Children's Health Care Event. On Tuesday, the Vice President is scheduled to participate in a children's health insurance outreach event with Irwin Redlener's Children's Health Fund to announce two to three new states that are receiving Children's Health Insurance Program (CHIP) approvals. The states include Iowa and possibly Georgia, Delaware, Montana or Kansas. At this event, the Children's Health Fund will be focusing attention on its new medical caravan, which is touring through several states over the next week in an effort to sign up uninsured children who are eligible but not enrolled in health insurance programs. In addition, the Vice President will also highlight some of the initiatives that Federal government is taking in response to the Executive Memorandum you issued in June at the Family Conference in Nashville directing eight Federal agencies to enroll and cover uninsured children, including over 150,000 children's health pamphlets that are being sent Treasury Department workers, administering the EITC and other low-income assistance programs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Christopher Edley, Jr." ("Christopher Edley, Jr." [UNKNOWN])

CREATION DATE/TIME:28-AUG-1998 08:18:05.00

SUBJECT: I-200 and loose nukes

TO: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lisa M. Brown@OVP (Lisa M. Brown@OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Scott R. Palmer (CN=Scott R. Palmer/OU=PIR/O=EOP [PIR])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

In advance of Maria's 11:30 meeting on I-200, I offer one substantive observation on the level of principle. My sense is that some, probably most, WH staff believe that the fate of I-200 is basically a local concern, and that the Administration's posture should be one of "support", rather than "responsibility." From that, it follows that you should just monitor, and be reactive and responsive.

The alternative principle is that if I-200 passes it will ignite a firestorm of Prop 209-like activity, and in combination with adverse lower court rulings, broaden and deepen the risks to affirmative action policies the President and Vice President strongly support. This is no more a "local" problem than loose nukes in the Former Soviet Union.

What I hear is that "No-200" is in serious financial trouble, relative to the need; that the battle is winnable (as Prop 209 probably was); and that

the local folks are pretty good (which was only half true on Prop 209).

So the first question is, What's our principle? If you agree with me, then the second question is, What would the Administration have to do to maximize the chances of defeating I-200, and how much of that are we actually willing to undertake, given everything else?

Finally, I'll play the WW parlor game: I'll bet that if the issues and arguments were put before the President, he would say that he does not want to preside over the dismantling of affirmative action; that he wants an aggressive (not reactive) strategy to defend his mend-it-don't-end-it policy; and that he would make these points with an edge of impatience.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-AUG-1998 08:46:04.00

SUBJECT: Complete Weekly Report 8/18

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

READ:UNKNOWN

TEXT:

includes education, health care, and immigration===== ATTACHMENT
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D81]MAIL49071393H.226 to ASCII,
The following is a HEX DUMP:

FF575043900F0000010A02010000000205000000B43000000002000000AE43E0EFA6E2315E0E0E6
CC996BDEA383EA8F749815C6CAE8A1CF9BA6ABCD5595C6990ABD5D7EF7A40B797B79477203E18A
E79FC212DF4E557935B4F6810AF5A1850375399AAB27C2F4A990FA1A7A412A18EE07CA9B64939C

August 28, 1998

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

RE: DPC Weekly Report

Education -- Back to School Event: We are planning an education event for Monday, August 31 at an elementary school in Virginia. We expect that you will make brief remarks and participate in a roundtable discussion with the school principal, teachers and parents, before an audience of teachers and parents from the school. Students will not return to the school until the following week. The purpose of the event is to allow you to frame the education agenda for Congress as it returns, and to challenge Congress to enact legislation for your education priorities (school modernization and class size reduction, charter schools, early literacy, and the Higher Education Act, including your proposal to recruit and prepare 35,000 teachers for high poverty communities and your High Hopes mentoring initiative) and to appropriate the funds you have requested. The Senate appropriations subcommittee will mark-up the Labor-HHS-Education bill on Tuesday, which is expected to restore many of the cuts made in the House. Therefore, it will be particularly timely for you to challenge the Senate on Monday to restore these cuts.

Health Care -- Vice President's Children's Health Care Event: On Tuesday, the Vice President is scheduled to participate in a children's health insurance outreach event with Irwin Redlener's Children's Health Fund to announce two to three new states that are receiving Children's Health Insurance Program (CHIP) approvals. The states include Iowa and possibly Georgia, Delaware, Montana or Kansas. At this event, the Children's Health Fund will be focusing attention on its new medical caravan, which is touring through several states over the next week in an effort to sign up uninsured children who are eligible but not enrolled in health insurance programs. In addition, the Vice President will also highlight some of the initiatives that Federal government is taking in response to the Executive Memorandum you issued in June at the Family Conference in Nashville directing eight Federal agencies to enroll and cover uninsured children, including over 150,000 children's health pamphlets that are being sent Treasury Department workers, administering the EITC and other low-income assistance programs.

Immigration -- H-1B Visas: In the face of growing pressure from the Republic leadership to reach a compromise, Rep. Smith and Sen. Abraham developed a proposal that increases the H-1B cap and includes limited and weak reforms to the H-1B program and a small application fee to fund training. Since releasing our list of proposed changes to the Abraham/Smith proposal, we have been engaged in serious discussions with members of Congress (including Sen. Abraham and Rep. Lofgren), and representatives from the business

community and organized labor 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.

Immigration -- H-2A guestworkers: As you know, in July the Senate passed an amendment to the CJS appropriations bill (sponsored by Sens. Wyden and Graham) that would create a new agricultural guestworker program. Secretary Herman sent a letter to Sen. Wyden strongly opposing his amendment because it would weaken the labor protections for migrant farm workers. However, in an attempt to address the real concerns with the H-2A program raised by growers while, at the same time, protecting the interests of farmworkers, the Department of Labor has initiated contacts with various members of Congress to establish a bi-partisan working group on this issue. This group will likely include Sens. Wyden, Graham, Kennedy, Feinstein, Abraham and Coverdell and Representatives Lamar Smith, Bishop, Becerra, Watt and Berman. Our goal is to examine various policy proposals related to the guestworker program and determine whether and where consensus can be reached.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sarah A. Bianchi (CN=Sarah A. Bianchi/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:28-AUG-1998 08:57:02.00

SUBJECT: Draft radio address paper

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D48]MAIL416904930.226 to ASCII,
The following is a HEX DUMP:

FF5750431F070000010A02010000000205000000743300000002000000DE0298BCD239E9DF2C6B1
4A03E2CD5A4DD41B368133D9C3D0AD2E01BFEC9E9D3DC9C563A85E8170C65CD194A1FB9A8A985F

PRESIDENT CLINTON ANNOUNCES NEW INTERNAL APPEALS REGULATION FOR OVER 120 MILLION AMERICANS AND REITERATES NEED FOR CONGRESS TO MAKE A STRONG PATIENTS' BILL OF RIGHTS THE LAW OF THE LAND

August 29, 1998

Today, in his weekly radio address, President Clinton announced a new regulation that requires all insured health plans, covering over 120 million Americans, to implement an internal appeals process for enrollees who have grievances with their health plans. This new proposed regulation, released by the Department of Labor, is part of the President's ongoing efforts to institute the patients' bill of rights for all health plans under Federal oversight.

The President emphasized, however, that the Administration does not have the statutory authority to assure other critical protections for patients in employer-based health plans, such as access to specialists, emergency care protections, and an independent external appeals. Only Congress can provide the necessary authority by passing a strong, enforceable patients' bill of rights. The President urged the Senate to take up the patients' bill of rights as their first order of business when they return next week, but warned that he could not sign the Republican Leadership proposals as currently drafted and highlighted the reasons why. Today, the President:

ANNOUNCED A NEW INTERNAL APPEALS REGULATION FOR THE 50 MILLION AMERICANS IN SELF-INSURED HEALTH PLANS. While the Republican Leadership has delayed passing strong enforceable patients' bill of rights, the President has directed Federal agencies to implement these patient protections where possible. The Department of Labor is releasing a new proposed regulation that would assure, for the first time, that patients are assured a timely, fair internal review when they have a grievance with their health plan, including an expedited appeals for urgent claims. The proposed regulation includes:

- Requiring plans to notify enrollees of their appeal rights under the plan;
- Drastically reducing the time health plans have to respond to non-emergency appeals (from 90 days to 15 days), and require plans to respond to emergency appeals within 72 hours; and
- Giving enrollees greater access to documents used in reviewing their claims.

HIGHLIGHTED NEED FOR STRONG LEGISLATION AND URGED CONGRESS TO MAKE IT THE FIRST ORDER OF BUSINESS. The Labor Department regulation the President unveiled today also underscores the limitation of what the Administration can do without additional legislative authority. Without Congressional action, Americans in private health plans cannot be assured most of the consumer protections outlined in the patients' bill of rights, such as access to specialists, emergency care protections, or an external appeals mechanism. Recognizing this, the President urged the Republican Leadership to make passing a strong patients' bill of rights the first order of business when they return next week.

REITERATED WHY THE ADMINISTRATION CANNOT SUPPORT THE REPUBLICAN LEADERSHIP PATIENTS' BILL OF RIGHTS. He also reiterated his serious concerns about the shortcomings of the current Republican Leadership bills which:

- **Let HMOs, not informed health professionals, define medical necessity.** The Republican

Automated Records Management System

Hex-Dump Conversion

Leadership proposals provide for an external appeals process, but make this process meaningless by allowing HMOs themselves, rather than informed health professionals, to define what services are medically necessary. This loophole will make it very difficult for patients to prevail on an appeal to get the treatment doctors believe they need.

- **Fail to guarantee direct access to specialists.** The Republican Leadership proposals fail to ensure that patients with serious health problems have direct access to the specialists they need. We believe that patients with cancer or heart disease should not be denied access to the doctors they need to treat their conditions.
- **Reverse course on emergency room protections.** The Republican Leadership proposals back away from the emergency room protections that Congress implemented in a bipartisan manner for Medicare and Medicaid beneficiaries in the Balanced Budget Act of 1997. The bills include a watered-down provision that does not require health plans to cover patients who go to an emergency room outside their network and does not ensure coverage for any treatment beyond an initial screening. These provisions put patients at risk for the huge costs associated with critical emergency treatment.
- **Fail to protect patients from abrupt health care changes.** The Republican Leadership bills fail to assure continuity of care when an employer changes health plans. This deficiency means that pregnant women or individuals undergoing care for a chronic illness may have their care suddenly altered mid course, potentially causing adverse health consequences.
- **Allow financial incentives to threaten critical patient care.** The Republican Leadership proposal fails to prohibit financial incentives to providers. This would leave patients vulnerable to financial incentives that limit patient care.
- **Undermine existing medical privacy protections.** The House Republican Leadership bill would preempt some existing medical privacy protections guaranteed by state law, without putting any protections in their place. As a result, it would increase the number of individuals who can review and give out health records without a patient's knowledge or consent.
- **Fail to compensate patients who have suffered harm as a result of a wrongful health plan action.** The proposed per day penalties in the Republican Leadership plans fail to hold health plans accountable when patients suffer serious harm or even death because of a health plans' wrongful action. For example, if a health plan improperly denies a lifesaving cancer treatment to a child, it will incur a penalty only for the number of days it takes to reverse its decision but will not have to pay the family for all the damages they will suffer as the result of having a child with a now untreatable disease. And because the plan will not have to pay for all the harm it causes, it will have insufficient incentives to change its health care practices in the future.
- **Do not cover all health plans.** Both Republican Leadership bills leave millions of Americans unprotected. The Lott proposal, for example, covers only self-insured plans, thus leaving out 100 million Americans, including millions of Americans in small businesses. These Americans are held hostage to the hope that states will provide them with every patient protections that the Republicans in Congress will not.

LABOR DEPARTMENT REGULATION BUILDS ON THE ADMINISTRATION'S EFFORTS TO EXTEND THE PATIENTS' BILL OF RIGHTS TO ALL HEALTH PLANS UNDER FEDERAL

OVERSIGHT. In February, the President issued an Executive Order directing all Federal health plans to come into compliance with the patients' bill of rights. In June, the Department of Health and Human Services extended the patients' bill of rights to the 40 million Americans who receive Medicare.

Last month, the Department of Veterans' Affairs began to put in place a new, rapid appeals process for its 3 million beneficiaries. This month, the Department of Defense issued a directive to all military bases throughout the world, extending patient protections to 8 million servicemen and women and their families, and the Office of Personnel Management released a new anti-gag regulation as part of their efforts to implement the patients' bill of rights for the nine million Federal employees and their dependents in Federal Employees Health Benefits Program.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-AUG-1998 11:22:12.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- Podesta is starting his weekly msg mtg- first I heard of it- I told Kevin you were tied up w/ someone

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Phillip Caplan (CN=Phillip Caplan/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:28-AUG-1998 12:44:24.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

supposedly, jeanne lambrew wrote the long-term care memo...doesn't she work for you? don't you want to rewrite it now?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan Orszag (CN=Jonathan Orszag/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME:28-AUG-1998 13:06:31.00

SUBJECT: Revised Version of Education Document

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

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

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

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

CC: Paul K. Orzulak (CN=Paul K. Orzulak/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TEXT:

Here's a revised version of the education priorities document. It includes Gene's and OMB's comments.....

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D43]MAIL418085933.226 to ASCII,
The following is a HEX DUMP:

FF5750438E0E0000010A02010000000205000000F84E000000020000180BDFAD8174362D8E5143

PRESIDENT CLINTON'S EDUCATION AND TRAINING PRIORITIES FOR THE FALL

President Clinton is committed to helping prepare our students and our country for the 21st Century by enacting proposals to strengthen and invest in public education, expand access to higher education, and provide those who need it with the training needed to succeed in the workplace. The following list outlines President Clinton's education and training key priorities for the remainder of this Congressional session:

1. **MODERNIZING OUR SCHOOLS.** President Clinton is committed to ensuring that we help prepare all students for the future, by providing them with safe, modern school buildings, small classes and access to up-to-date technology.
 - **School Modernization Tax Credits.** To help rebuild, modernize and build over 5,000 public schools, President Clinton will work with the Congress to pass Federal tax credits to pay interest on nearly \$22 billion in bonds at a cost of \$5 billion over five years.
 - **Reducing Class Size.** President Clinton is committed to helping local schools provide smaller classes with well-prepared teachers in the early grades. The initiative would provide \$12.4 billion over seven years to reduce class size in grades 1-3 to a nationwide average of 18 and help make sure that every child receives personal attention, gets a solid foundation for further learning, and learns to read independently and well by the end of third grade.

2. **EDUCATION TECHNOLOGY: PREPARING FOR THE 21ST CENTURY.** The Clinton Administration has made an unprecedented commitment to bringing technology into the classroom and to ensuring that all children are technologically literate by the dawn of the 21st century. The House-passed appropriations bill cuts the President's request for educational technology by \$180 million; for example, it eliminates \$75 million for technology teacher training, which would help new teachers learn to use technology effectively to strengthen instruction and enhance student learning, and it cuts \$50 million from the President's request for the Technology Literacy Challenge Fund, which would deny funding to 400 school districts to provide students and teachers with access to classroom computers, training and the latest educational software and telecommunications technology. The President will also continue to strongly oppose any effort by the Congress to repeal or delay the "e-rate" -- an expansion of universal service to provide discounted Internet access and telecommunications services to schools and libraries.

3. **PASSING THE HIGHER EDUCATION ACT: PROVIDING STUDENT FINANCIAL AID, RECRUITING AND PREPARING GOOD TEACHERS, AND MENTORING MIDDLE-SCHOOL STUDENTS .** Congress must pass the reauthorization of the Higher Education Act. Passed in different forms by both Houses, this bill would reduce interest rates on student loans, consistent with the Administration's proposal announced by the Vice President earlier this year. It will also extend the Pell Grant program, which provides billions of dollars in college aid for low income students, and the Federal Work-Study program, which helps students work their way through college.

- **High Hopes Mentoring Initiative.** President Clinton will also work to ensure that the Higher Education Act includes his High Hopes mentoring initiative, to inspire more of our young people to have high expectations, to stay in school, and to go to college.
- **Teacher Preparation and Recruitment.** The President will also work to ensure that the Higher Education Act includes his proposal to strengthen teacher training programs and provide scholarships to 35,000 well-prepared teachers who commit to teaching in underserved urban or rural schools. He will also work with Congress to include new proposals to strengthen accountability for teacher education programs.

4. **HELPING EVERY EIGHT-YEAR OLD LEARN TO READ.** More than two years ago President Clinton proposed the America Reads program, to mobilize an army of tutors to help all children read independently and well by the end of the third grade. In the Balanced Budget Agreement, the Congress pledged to fund an early literacy initiative based on this proposal. It is time that Congress keeps its commitment. The literacy bill, now pending in Congress, would ensure that children receive quality instruction from well-trained teachers and have opportunities to practice and further develop their reading skills after school and on weekends with trained tutors. It would also ensure that families receive the support they need to help our youngest children develop necessary language and literacy skills from infancy so that when they get to school they are ready to learn to read.

- **Expanding Head Start Helps Children Start on the Right Track.** One of the reasons President Clinton is fighting to expand Head Start is so that our children start school ready to learn, which is an important first step to early literacy. The President will work to restore the \$160 million House Republicans underinvest in Head Start -- which would deny slots to 25,000 low-income children.

5. **STRENGTHENING AND EXPANDING CHARTER SCHOOLS.** President Clinton will work with Congress this fall to complete work on bipartisan legislation to strengthen federal support for the growing charter schools movement, to help meet his goal of establishing 3,000 high-quality charter schools by early in the next century. Last year, the House of Representatives passed a bill with bipartisan support to direct federal resources for charter schools to states that increase the number of charter schools, provide them with maximum flexibility, and periodically review their performance. The Administration has

worked with Senators of both parties to strengthen the bill to increase accountability for academic performance in charter schools and ensure that charter schools receive their fair share of other federal education funds. The President will call on Congress to send him legislation that meets these goals before the end of the session.

6. **STRENGTHENING PUBLIC SCHOOL EDUCATION.** President Clinton will work to restore \$2 billion in Congressional cuts to his proposed investments to strengthen public schools, and expand access to higher education, and invest in preparing our youth to enter the workforce:

- **Title I (Education for the Disadvantaged).** The President will fight the Republican efforts to cut \$392 million in grants to high-poverty school districts, which would mean that 520,000 students in high-poverty communities would not get extra help to master the basics and meet high-academic standards.
- **After-School Programs.** The President will work to ensure that Congress fully funds his efforts to strengthen after-school programs. The House Republicans provide \$140 million less than the President's request, which would deny about 425,000 children access to safe learning centers.
- **Expanding Head Start.** President Clinton is committed to ensuring that children enter school ready to learn -- that is why he will continue to press Congress to fully fund his request for Head Start. The President will work to restore the \$160 million House Republicans underinvest in Head Start -- which would deny slots to 25,000 low-income children.
- **Hispanic Education Action Plan.** Because the education of Hispanic Americans requires special attention -- their high school drop-out rate, for example, is unacceptably high -- President Clinton is committed to ensuring that his \$600 million Hispanic Education Action Plan is fully funded. This action plan provides for the increased investments necessary to help students master the basic skills (Title I), and become proficient in English (Bilingual Education), help schools implement research-proven reforms to reduce drop-out rates (Comprehensive School Reform), help adults receive basic skills training and participate in English-as-a-second-language programs (Adult Education), and provide assistance to colleges and universities that serve large numbers of Hispanic students.
- **Goals 2000.** The President will fight Republican efforts to cut by \$255 million (51%) Goals 2000, reversing support for efforts to raise academic standards, affecting 6,000 schools serving over 3 million students.
- **Education Opportunity Zones.** The President will fight for his Education Opportunity Zones initiative, which would help high-poverty urban and rural communities increase student achievement by raising standards, improving teaching, ending social promotions, and turning around failing schools.
- **Safe and Drug-Free Schools and Communities.** The President will fight Republican efforts to cut Safe and Drug-Free Schools by \$50 million, eliminating funding for School Coordinators to help fight drug and alcohol abuse and increase

school safety.

7. **EXPANDING INVESTMENTS IN YOUTH EDUCATION AND TRAINING.** One of President Clinton's top priorities this fall is ensuring that Republicans do not eliminate the Summer Jobs Program -- which provides work experience to disadvantaged youth -- and the new Youth Opportunity Areas initiative -- which helps provide hope and opportunity to youth in high-poverty areas.
- **Summer Jobs.** Up to 530,000 disadvantaged young people would be denied the opportunity to gain skills and valuable work experience over the summer months, if the House Republican budget plan passes. The President is absolutely committed to ensuring that all of the money for the summer jobs program is restored because studies show that the Summer Jobs initiative works: a 1995 report concluded that more than three out of four young people enrolled in the program would have been jobless without it.
 - **Youth Opportunity Areas.** The House Republican budget does not fund the \$250 million requested in the President's FY 99 Budget and rescinds \$250 million that was appropriated last year for this program. The President will fight to restore the full funding for this initiative because it will help provide job opportunities for up to 50,000 youth in the poorest communities.
 - **School-to-Work.** The President will work to ensure that House Republicans do not cut School-to-Work by \$100 million, seriously hampering efforts in all States to help young people move from high school to careers or postsecondary training and education.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-AUG-1998 14:25:02.00

SUBJECT: Appropriations message mtng

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:

This was Maria's meeting which centered mostly on ways the outreach offices could help advance Administration positions on appropriations bills. Eventually, it was decided that various offices (OMB, CEQ, DPC) would put together cheat sheets of what is in bills that OPL could use to reach out to groups such as women, minorities, gays. DPC was asked to do a list on education and community development. I'd checked before the meeting with Mike, Andrea, Leane, Sarah and Julie F. and had the issues they considered important included in other peoples lists (e.g. OMB is doing race) which we can double check next week. The issues DPC folks wanted included were race and health, brady, juvy prevention, EEOC, national testing, Goals 2000, and WTW housing vouchers. Tobacco money and America Reads also came up.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:28-AUG-1998 16:20:53.00

SUBJECT: DPC Daily Items 8/24-8/27

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

TEXT:

----- Forwarded by Laura Emmett/WHO/EOP on 08/28/98 04:20
PM -----

Kevin S. Moran 08/28/98 12:11:09 PM

Record Type: Record

To: Laura Emmett/WHO/EOP

cc:

Subject: Hope this is helpful. k

DPC REPORT (8/26)

Single Sex Schools. Senator Kay Bailey Hutchinson has asked for the Education Department to provide views by Friday on an amendment she will try to attach to the Labor-HHS-Education Appropriations bill regarding single sex education. The amendment would permit school districts to use ESEA Title VI (an education block grant) funds for the purpose of establishing single sex schools, by "clarifying" that Title IX allows this use so long as the district provides comparable educational opportunities to students of both genders. Unless you instruct us otherwise, we are planning to advise Senator Hutchinson not to offer her amendment, while assuring her that we share her goal of permitting districts to establish single-sex schools. We will tell Senator Hutchinson that her amendment is unnecessary because Title IX already allows districts to establish single-sex schools so long as they provide comparable opportunities to students of both sexes. There is an open question about whether the comparable opportunity standard requires single sex schools for each gender or, alternatively, allows districts to establish a single-sex school for one sex only. (This is the question raised by New York City's all-girls school.) Hutchinson's amendment, however, does nothing to answer this question. Further, her amendment might be read to imply that school districts cannot use other federal funds to establish single-sex schools. Given these substantive problems, we believe there is no reason to depart from our general opposition to riders on appropriations bills, or to provoke a fight with the women's community, which largely opposes the amendment.

Education Event. We are working with NEC to plan a back-to-school event for Monday, in which you can highlight your education agenda and challenge the returning Congress to enact it. You can call on Congress to enact legislation to modernize schools, reduce class size, expand charter schools, and promote early literacy, as well as to reauthorize the Higher

Education Act which includes your teacher preparation and High Hopes initiatives. You also can use this occasion to reiterate your education and training priorities for the Labor-HHS-Education appropriations bill. The event probably will take place at a suburban Maryland elementary school.

DPC REPORT (8/25)

Food Safety Council. Secretaries Glickman and Shalala and Director Lane briefed the press this afternoon on the Executive Order you approved over the weekend to establish a new Council on Food Safety. As you know, the Council is charged with improving coordination among the various federal agencies that deal with food safety issues by developing a comprehensive food safety plan and a unified food safety budget. The Council also is charged with reviewing the National Academy of Science's recent recommendation that Congress pass legislation establishing a single food safety agency. Consumer groups generally praised the Executive Order. For example, the Center for Science in the Public Interest said that the Council represents an important improvement of the existing food safety system, and the Safe Food Coalition stated that the creation of the Council is a productive step toward improving the safety of America's food supply. At the same time, all these groups called on the Council to support the NAS's call for legislation establishing a single food safety agency. We suspect that HHS and USDA will resist this proposal, in part for turf reasons.

New Department of Labor (DoL) Regulations. Per your request, attached is a memo overviewing the new DoL regulations that you are tentatively scheduled to announce in this week's radio address.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jcnnifer M. Palmieri (CN=Jennifer M. Palmieri/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:29-AUG-1998 13:27:21.00

SUBJECT: Youth Handgun Report

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

READ:UNKNOWN

TEXT:

At yesterday's message meeting, we discussed the possibility of doing an event unveiling this year's youth handgun report on either 9/10 or 9/14. Rahm said I should check with you to see if you thought the report could be ready by this date. What do you think? thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jordan Tamagni (CN=Jordan Tamagni/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME:30-AUG-1998 18:09:43.00

SUBJECT: Revised Draft -- Comments Back by 9:00am

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

READ:UNKNOWN

TO: Leslie Bernstein (CN=Leslie Bernstein/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

TO: Jonathan Orszag (CN=Jonathan Orszag/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Draft 8/30/98 6:00pm

JordanTamagni

PRESIDENT WILLIAM J. CLINTON

TALKING POINTS FOR EDUCATION ROUNDTABLE

HERNDON ELEMENTARY SCHOOL

HERNDON, VIRGINIA

August 31, 1998

[The President and Secretary Riley are introduced into the auditorium and take their seats at the table. Herndon Elementary School Principal Michele Freeman makes brief welcoming remarks from the podium; Sec. Riley introduces the participants to the President , who makes informal opening remarks.]

OPENING REMARKS: Thank you for inviting me to be here with you today. I want to spend most of our time listening to your ideas and concerns, and then I'd like to take a few minutes to talk about what I believe we must do to achieve the kind of educational excellence our children need as we move into the 21st century. Vice President Gore is in Dayton, Ohio today, having the same kind of conversation with parents and teachers at Carlson Elementary School, and I am looking forward to continuing these dialogues in the months ahead.

And now, I'd like to turn the conversation over to you, starting with Principal Michele Freeman.

[The round table discussion begins, led by the President and Secretary Riley; Secretary Riley wraps up discussion, and introduces the President's concluding remarks at the podium.]

CONCLUDING REMARKS: I want to thank you all for sharing your experiences and ideas with me this morning. From everything you have told me about what you are doing here -- from your Reading Recovery and mentoring programs to your Saturday school -- it is clear to me that Herndon Elementary School is on the right track.

It is also clear that we share a vision for building the America we want for our children and our grandchildren, starting by building an education system for the 21st Century. A world-class system based on high standards and accountability; a system that involves the community, bringing parents, teachers, principals, and leaders together; above all, an education system that gives all of our children -- no matter where they live or what their racial, ethnic, or economic background -- the same opportunity to make the most of their God-given potential.

This is a time of great prosperity for our people. We have the lowest unemployment in 28 years ... the smallest percentage of people on welfare in 29 years ... the smallest government since John F. Kennedy was President ... the highest home ownership rate in history ... and we are about to realize the first balanced budget and surplus in 29 years.

All Americans should be proud of our progress. But this is not a time to rest, for the world is changing very quickly. We must use the confidence, the resources, and the understanding we have acquired in the last six years to face the long-term challenges ahead. There is critical business ahead of us -- business we must take up now that Congress has returned to Washington.

To build the America we want in the 21st Century, we must keep our economy growing, by continuing to pursue the policies that have helped to create our prosperity. Before we touch a penny of our budget surplus, we must save Social Security for future generations. We must continue to work to make sure every American family has access to quality health care. We must continue to work to preserve and protect our environment. Finally, and in many ways, most important, we must redouble our efforts to give our children the best education in the world.

To do our part to meet that challenge, I have proposed a comprehensive education agenda with high national standards ... more well qualified teachers ... smaller classes ... modern schools equipped with computers ... reading tutors for children who are falling behind ... before- and after-school programs to keep young people learning in the classroom ... and summer job programs to give young people the skills they need to succeed once they leave school.

But to build an education system for the 21st Century, Congress must also do its part. Here are the steps I believe Congress must take:

First, provide our children with modern schools, smaller classes, and better teachers. We should pass tax credits to rebuild, modernize and build over 5,000 public schools. I also call on the Congress to enact and fully fund my plan to reduce class size to an average of 18 in grades 1 through 3 by helping local schools hire 100,000 new teachers.

Second, make sure our children have the skills they need for the jobs of the future, by fully funding for my plan to equip our nation's classrooms with computers and cutting edge educational software, and to train our teachers in the new technology.

Third, strengthen and expand charter schools, by passing bipartisan legislation that will help meet my goal of establishing 3,000 charter schools.

Fourth, reauthorize the Higher Education Act. From middle school through college, this critically important legislation will help more of our children to reach their highest potential, by improving teacher education, expanding mentoring programs, reducing interest rates on student loans, and extending the Pell Grant program and the Federal Work Study program, which helps students work their way through college.

Fifth, make sure every child can read independently by the end of the third grade, by passing a bipartisan Early Literacy Bill, that will help train our teachers and mobilize an army of volunteer literacy tutors.

Sixth, invest in all of our children's future by strengthening our public schools. I have proposed to expand Head Start so more children come to school ready to learn ... to strengthen after-school programs for hundreds of thousands of children ... to help more disadvantaged children master the basics and learn to high standards ... to keep thousands of Hispanic American young people from dropping out of school ... and to keep our children safe by supporting our Safe and Drug-Free Schools program.

Unfortunately, the House Republican Bill falls far short of these goals -- and short changes our children's futures in the process. I urge the Congress to fully fund these vitally important programs.

Finally, Congress should not turn its back on the Summer Jobs Program, which gives more than 500,000 young people the chance to work and learn new skills. At a time when we should be doing everything we can to help our young people compete for the jobs of tomorrow, we simply cannot afford to cut this vitally important program. But the House Republican budget would do exactly that.

Tomorrow, a Senate subcommittee will likely take up this matter. I am confident that the Senate will vote to restore funding for the Summer Jobs program -- and other critical investments in education -- that have helped so many young people to reach their dreams.

These are the steps I believe Congress must take to give our children the education they need and deserve. I look forward to working with the Congress every step of the way to meet this great challenge. For, as President Lincoln once said: "Education is the most important thing we as a people can be engaged in." If we really want to build a stronger America in the 21st Century, then we must put progress ahead of partisanship, people over politics, and our children's future above all else.

Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Christopher Edley, Jr." ("Christopher Edley, Jr." [UNKNOWN])

CREATION DATE/TIME:31-AUG-1998 07:44:32.00

SUBJECT: Re: Chapter on Accomplishments

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Maria, Elena, Sidney:

This (accomplishments chapter) is one of the topics for dinner tonight.

At 03:58 PM 8/24/1998 -0400, Michele_Cavataio@pir.eop.gov wrote:

>Chris and I were hoping to get some feedback from you on the attached memo

>which proposes a format for the accomplishments chapter in the President's

>book on race. We hope that our next step will be to meet with Michael

>Waldman and others to flesh out the themes. (See attached file:

>ACCOMPS2.WPD)

>Thanks.

>

>Attachment Converted: "c:\Documents\Attachments\ACCOMPS21.WPD"

>

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Christopher Edley, Jr." ("Christopher Edley, Jr." [UNKNOWN])

CREATION DATE/TIME:31-AUG-1998 08:13:57.00

SUBJECT: I-200 and loose nukes

TO: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lisa M. Brown@OVP (Lisa M. Brown@OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

CC: Scott R. Palmer (CN=Scott R. Palmer/OU=PIR/O=EOP [PIR])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

In advance of Maria's 11:30 meeting on I-200, I offer one substantive observation on the level of principle. My sense is that some, probably most, WH staff believe that the fate of I-200 is basically a local concern, and that the Administration's posture should be one of "support", rather than "responsibility." From that, it follows that you should just monitor, and be reactive and responsive.

The alternative principle is that if I-200 passes it will ignite a firestorm of Prop 209-like activity, and in combination with adverse lower court rulings, broaden and deepen the risks to affirmative action policies the President and Vice President strongly support. This is no more a "local" problem than loose nukes in the Former Soviet Union.

What I hear is that "No-200" is in serious financial trouble, relative to the need; that the battle is winnable (as Prop 209 probably was); and that

the local folks are pretty good (which was only half true on Prop 209).

So the first question is, What's our principle? If you agree with me, then the second question is, What would the Administration have to do to maximize the chances of defeating I-200, and how much of that are we actually willing to undertake, given everything else?

Finally, I'll play the WW parlor game: I'll bet that if the issues and arguments were put before the President, he would say that he does not want to preside over the dismantling of affirmative action; that he wants an aggressive (not reactive) strategy to defend his mend-it-don't-end-it policy; and that he would make these points with an edge of impatience.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:31-AUG-1998 10:57:45.00

SUBJECT: School Safety Conference Planning Mtg, Tues., Sept. 1 at 1:30pm -- Rooseve

TO: Charles.a.simon (Charles.a.simon @ usdoj.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Ricki.l.seidman (Ricki.l.seidman @ usdoj.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Ann_O'Leary (Ann_O'Leary @ ed.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: Kevin_sullivan (Kevin_sullivan @ ed.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: lisa.wetzl (lisa.wetzl @ mail.va.gov [UNKNOWN])

READ:UNKNOWN

TO: Kelley L. O'Dell (CN=Kelley L. O'Dell/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Jocelyn Neis (CN=Jocelyn Neis/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Jena V. Roscoe (CN=Jena V. Roscoe/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Ilia V. Velez (CN=Ilia V. Velez/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Tania I. Lopez (CN=Tania I. Lopez/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TO: Christine A. Stanek (CN=Christine A. Stanek/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: JOHNSON_R (JOHNSON_R @ A1 @ CD @ LNGTWY [UNKNOWN]) (WHO)

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: 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: gregory.king (gregory.king @ usdoj.gov [UNKNOWN])
READ:UNKNOWN

TO: Shay.Bilchik (Shay.Bilchik @ usdoj.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Julie_green (Julie_green @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Sara_Strizzi (Sara_Strizzi @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

TO: Bill_Modzeleski (Bill_Modzeleski @ ed.gov @ inet [UNKNOWN])
READ:UNKNOWN

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

TO: Ansley Jones (CN=Ansley Jones/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

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

TO: Peter G. Jacoby (CN=Peter G. Jacoby/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

TEXT:

We will review the progress we have made in shaping an agenda and update WH offices on the specifics so far.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lisa Zweig (CN=Lisa Zweig/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME:31-AUG-1998 18:40:43.00

SUBJECT: URGENT: SENATE FOREIGN OPERATIONS FLOOR SAP

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

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

TO: Kerri A. Jones (CN=Kerri A. Jones/OU=OSTP/O=EOP@EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

TO: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])
READ:UNKNOWN

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

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

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

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

TO: RUDMAN_M@A1@CD@VAXGTWY (RUDMAN_M@A1@CD@VAXGTWY [UNKNOWN]) (NSC)

READ:UNKNOWN

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

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

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

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

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

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

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

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

TEXT:

Tomorrow morning, the Senate plans to consider the FY99 Foreign Operations Appropriations Below is the draft SAP and the language is similar to language you reviewed in a prior draft SAP on July 23rd. Therefore, we need your comments by 9:00 am Tuesday morning. Thanks.

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D71]MAIL445895343.226 to ASCII,
The following is a HEX DUMP:

FF575043C5060000010A020100000002050000009E6D0000000200001E82347B915B8198FF5B88
0F37CEADFB8D105185E3AE63610863DC8C27E85F28D77294A7A1863B5F4F996A17F54B7211DE25

September x, 1998
(Senate Floor)

**S. 2334 -- FOREIGN OPERATIONS, EXPORT FINANCING,
AND RELATED PROGRAMS APPROPRIATIONS BILL, FY 1999**

(Sponsors: Stevens (R), Alaska; McConnell (R), Kentucky)

This Statement of Administration Policy provides the Administration's views on S. 2334, the Foreign Operations, Export Financing, and Related Programs Appropriations Bill, FY 1999, as reported by the Senate Appropriations Committee. Your consideration of the Administration's views would be appreciated.

The Administration appreciates efforts by the Committee to accommodate many of the President's priorities within the limited 302(b) allocation available, and commends the Committee for its support of key funding priorities such as the International Monetary Fund (IMF). However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. As a result, a number of key programs are seriously under-funded.

To have an effective foreign policy, a strong national security policy, and to promote continued economic prosperity, it is essential that additional resources be made available to the Subcommittee. In addition, there are a number of objectionable restrictions on funding in the bill and a significant number of earmarks that, combined with the reduced funding level, would seriously limit the Administration's ability to conduct foreign policy. For these reasons, if the bill were presented to the President in its current form, the President's senior advisers would recommend that he veto the bill. We hope to reach consensus on these issues as the bill moves forward.

This legislation is a critical element of America's national security budget. At the dawn of a new century, America faces unique challenges and unprecedented opportunities to strengthen our national security, enhance our global leadership, extend the reach of our democratic values, and deepen our own prosperity. The challenges we face are formidable. If this bill in its current form were to become law, however, it would erode our ability to promote critical American interests at home and abroad effectively. The responsibility of safeguarding our national security and exercising U.S. leadership cannot be secured within the resources available to the Subcommittee. We urge the Congress to provide the resources needed to keep America safe, strong, and prosperous.

The only way to achieve the appropriate investment level for the programs funded through this bill is to offset discretionary spending by using savings in other areas. The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings through user fees and certain mandatory programs to help finance this spending. In the Transportation Equity Act, Congress -- on a

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broad, bipartisan basis -- took similar action in approving funding for surface transportation programs paid for with mandatory offsets. We want to work with the Congress on mutually-agreeable mandatory and other offsets that could be used to increase funding for high-priority discretionary programs, including those funded by this bill.

International Monetary Fund

The Administration welcomes and commends the Committee's efforts to provide funding for both the International Monetary Fund's (IMF's) New Arrangements to Borrow and quota increase. The Administration believes that the immediate approval of these requests is necessary to provide the IMF with the resources it needs to protect the international financial system -- and therefore the U.S. economy -- against the risk of new, escalating, or spreading crises. As recent events, including the new stabilization program for Russia, clearly demonstrate, the IMF's need for additional resources grows more urgent by the day.

The Administration is concerned, however, with some of the provisions of the Committee-reported bill as currently drafted. The Administration is in agreement with many of the underlying objectives as policies that the United States should vigorously promote at the IMF and looks forward to working with the Congress to address these issues in a manner consistent with our goals.

New Independent States

As recent events have indicated, the incomplete peaceful transition of the New Independent States (NIS) to stable, market-based democracies is vital to the U.S. national security. The Congress has shared this view and provided considerable support for this program in the past. The current political/economic situation in Russia indicates how great the stakes are for the United States to continue to help Russia achieve this peaceful transformation. The enormous economic potential of the Caspian Basin represents great opportunities to advance our mutual goals. The Administration commends the Committee for providing resources above the House level. However, the cuts embodied in the Committee's funding level for USAID assistance programs to the NIS would result in a funding level that is \$30 million below the FY 1998 level and \$185 million below the request.

These cuts would make it extremely difficult to push for market reforms and support democratic forces across the region. Further, the prohibition on all assistance to Russia -- not just the government -- pending certification of termination of all nuclear reactor and ballistic missile technology cooperation with Iran, is so rigid as to impede the Administration's ability to ensure that termination. This would hold programs designed to foster the private sector across Russia hostage to Government policy in Moscow. In addition, the numerous country earmarks would make it more difficult for the Administration to shift assistance to take advantage of new opportunities such as the election of reform-minded governments, peace agreements settling ethnic disputes, or helping leverage reforms by coordination of our assistance with international financial institutions. The Administration strongly favors repeal of continued restrictions on U.S. assistance to Azerbaijan. These restrictions operate as a disincentive to securing peace in

the Caucasus, and they do not serve U.S. national interests.

Middle East Assistance

The Administration welcomes the efforts of the Committee to work with us in encouraging changes in traditional levels of assistance to countries in the Middle East. We believe that Israel's initiative to reduce Economic Support Fund (ESF) assistance provides an important basis on which to build future assistance programs that meet our needs in the Middle East and beyond. However, due to the very constrained funding levels for international affairs programs, the Administration has proposed an accelerated approach to the reduction of Israel's ESF. We would encourage the Senate to give strong consideration to such an approach as the bill proceeds through the process.

We are very concerned about the deletion of current authority to allow the Palestine Liberation Organization (PLO) to maintain an office in Washington, D.C. This would severely undermine our ability to facilitate dialogue between Israel and the Palestinians at what is an extremely sensitive juncture of the peace process. Finally, we favor maintaining a Foreign Military Financing funding level of \$1.3 billion for Egypt in FY 1999.

Export-Import Bank

The Administration appreciates the Committee's effort to increase the funding for the Export-Import Bank (Ex-Im Bank) substantially. The funding increase represents a vote of confidence in the Bank's mission to sustain U.S. jobs and exports that would not otherwise go forward. However, the bill falls short of the level needed to meet anticipated U.S. exporter demand in FY 1999.

The Administration is concerned with the language prohibiting disbursements of Ex-Im Bank credits to programs or enterprises that are majority owned or managed by State entities. The Administration wants to promote private sector development in Russia and other NIS countries. The Administration shares the Committee's goal of supporting private sector businesses in the region and would like to work with the Committee to develop responses to the difficult issue of how to work with governments in the transition period from command to free markets. However, the proposed language would imperil almost \$4 billion in U.S. exports tied to current and probable transactions, provoking substantial litigation and undermining the credibility of Ex-Im Bank's financing support for U.S. exporters.

The Administration is opposed to an amendment that may be offered that would require the Ex-Im Bank to approve transactions that did not conform to its environmental guidelines if a foreign government offered -- or indicated -- support for the transaction. This "least common-denominator" amendment could effectively eliminate the guidelines, as virtually every case involving the guidelines is potentially subject to foreign competition. Both in the G-8 and the Organization for Economic Cooperation and Development (OECD), the United States has made real progress in getting other countries to take a serious look at the impact of export credit financing on the environment. If the Ex-Im Bank's environmental guidelines are eliminated due

to this amendment, the United States' leadership and credibility on these issues would be significantly threatened and progress on these issues would be substantially hindered.

Nonproliferation, Anti-terrorism, Demining, and Related Programs (NADR)

The Administration is concerned with the \$46 million, or 21 percent, cut to the \$216 million request for NADR, but greatly appreciates the Committee's support for the Korean Peninsular Energy Development Organization. Unfortunately, the NADR reduction undermines the multi-prong effort that NADR supports to reduce the proliferation threat to U.S. national and global security. Lack of funding for the Comprehensive Test Ban Treaty (CTBT) Preparatory Commission would harm U.S. national security interests as it would eviscerate planned improvements in our ability to monitor nuclear testing worldwide. The recent Indian and Pakistani tests are a stark reminder of the importance of this monitoring. As well, we would be forced to reduce support for demining efforts, NIS science centers, and other related activities. The Commission and its International Monitoring System should be funded, regardless of ratification of the CTBT.

Global Environment Facility

The Administration is concerned with the refusal of the Committee to fully fund the request for the Global Environment Facility (GEF), which is helping to reduce long-term environmental risks that will affect all Americans. The full \$300 million request for GEF (of which \$192.5 million is for arrears) is needed to assure that GEF does not run out of resources in FY 1999. Concerns that funding GEF would prejudge debate on the Kyoto Climate Protocol are misplaced: the new replenishment agreement is funded at the same level as the prior one, and GEF will continue with precisely the same broad work program that it had prior to Kyoto. The GEF is among the best vehicles that the U.S. has to encourage developing countries to shoulder greater responsibility for protecting both the local and global environment. Under the terms of the bipartisan Balanced Budget Act, the Senate can fully fund the arrearage request without making reductions to other programs funded in the bill. It is manifestly in our interests to clear our arrears and keep GEF running, and the Administration strongly urges the Senate to restore funding for this critical program.

Economic Support Fund

The Administration is concerned with the overall funding level for the Economic Support Fund (ESF). At the Committee mark, the Fund would be cut by 50 percent of the funds necessary to support economic and political stability in Latin America, as well as other emerging democracies in Africa and Asia. We strongly encourage the Senate to support a higher funding level for the ESF as the bill moves forward.

Excessive conditions on aid to Haiti, even with a national security waiver, would undercut our efforts to achieve a democratic, self-sustaining Haiti with an honest, independent judiciary.

Peacekeeping Operations

The Committee has reduced the \$83 million request for Peacekeeping Operations (PKO) by 17 percent. PKO provides vital assistance and support for many important national security and foreign policy activities, including commitments in Bosnia and Haiti, conflicts in Africa, and potential trouble spots such as in the Balkans. This reduction would limit the President's ability to respond to these and other evolving events.

Central and Eastern Europe

The Administration appreciates the continued support of the Senate for our efforts to achieve a lasting peace in the Balkans. The assistance programs are essential to meet the goals of the Dayton agreement, including the ability of refugees and displaced persons to return to their homes, reintegration of multi-ethnic communities and institutions, and helping the citizens of the region decide their futures through free and fair elections. The 11-percent reduction to the request for assistance to Bosnia is of concern because it would reduce our ability to react to unforeseen problems or opportunities. This lack of flexibility could impair our ability to reach the goals outlined above and, in turn, would pose a potential problem in terms of reducing our troop levels, a goal shared by the Administration and the Congress. Finally, restrictions in the bill intended to prevent war criminals from benefitting from U.S. assistance, though well-intentioned, would prove extremely difficult to administer. We look forward to working with the Senate to make this language more workable.

Additional reductions in the assistance program for the rest of the region are problematic as well. These reductions come at a time when we are working to phase out assistance. FY 1999 is planned to be the last year for new funding in Lithuania, Poland, and Slovakia, and the year in which we planned to begin capitalizing a joint public-private partnership to help sustain democracy after U.S. bilateral assistance is phased out.

African Development Fund

The Administration is deeply concerned with the \$150 million cut to the request for the African Development Fund, which provides resources for the poorest countries in SubSaharan Africa, including the entire request to fund the annual commitment of \$67 million and \$83 million in arrears. Funding the request is necessary to support the reform measures underway for the past three years at the African Development Bank and Fund. The Administration strongly urges the Senate to restore funding for this critical program.

Community Adjustment and Investment Program

The Administration is very concerned with the Committee's failure to fund the Community Adjustment and Investment Program (CAIP), a program initially funded through the North American Development Bank, a multilateral development bank. The CAIP was established to help communities affected by adverse trade patterns associated with implementation of the North American Free Trade Agreement. To date, the program has assisted in more than 120 loans in 20 States, leveraging private sector financing of over \$70 million. The \$37 million requested would significantly bolster CAIP's ability to continue this work, as well as to support technical assistance, grants, and micro-lending. The Administration strongly urges the Senate to restore funding for this innovative program.

Asian Development Fund

The Administration appreciates the Committee's support for the Asian Development Fund, reflected in the \$187 million funding of arrears. Nevertheless, the Committee's mark excludes the \$100 million request to fund our annual commitment to the Asian Development Fund; thus, it would result in substantial net new arrears to the Fund. The Administration is committed to clearing up current arrears and to avoiding the creation of new arrears. The Asia Development Fund has played an important role in addressing the Asian economic crisis. The Administration strongly urges the Senate to fund the Administration's request of \$150 million towards arrears and \$100 million towards the annual commitment.

Peace Corps

The Administration is deeply concerned with the \$49 million cut to the request for the Peace Corps. This reduction, to a level \$5 million below the FY 1998 funding level, would not only preclude the Peace Corps initiative to fund 10,000 volunteers by the year 2000, but would require the Peace Corps to reduce costs equivalent to closing six country programs and reducing the number of volunteers by 500. The Administration strongly encourages the Senate to support a higher funding level for the Peace Corps.

Treasury Debt Restructuring

The \$25 million funding level for international debt restructuring is inadequate to finance anticipated debt restructuring for some of the poorest countries in FY 1999, especially debt relief proposed under the President's new Africa Initiative. The Administration's \$72 million request was made on the basis of debt reduction anticipated for up to 14 countries to receive debt relief through the Paris Club group of official creditors or through the Africa Initiative's bilateral concessional debt reduction component. If this \$25 million funding level were enacted, the Administration would be unable to provide debt relief to a number of sub-Saharan African countries likely to be eligible under the Africa Initiative.

U.S. Agency for International Development (USAID) Development Assistance

While the Administration appreciates the Committee's provision (after permitted transfers) of an amount for USAID Development Assistance very close to the President's request, we are concerned about the multitude of earmarks, which would make it difficult to fully fund the shared assistance priorities of the President and Congress in regions such as Africa and Latin America. In particular, while the Administration is committed to helping Indonesia through its current economic crisis, we are concerned that the Committee's earmark for Indonesia, by reducing the President's flexibility, may actually impede our efforts to respond most effectively to the changing nature of the Asian economic crisis. The Administration is concerned about new onerous language related to climate change, including additional procedural requirements and the omission of existing language that provides "notwithstanding" authority for activities intended to reduce global greenhouse gas emissions.

International Narcotics Control

The Administration is deeply concerned about the \$53 million reduction to the \$275 million request for International Narcotics Control. Such a reduction would negatively impact country programs, especially in the Andean region, that are aimed at reducing the supply of cocaine. The reduction would force the redirection of available resources to cocaine producing countries at the expense of heroin reduction efforts in Southeast Asia.

International Organizations and Programs

The Committee bill reduces the request for International Organizations and Programs by \$44 million, which would limit significantly U.S. ability to participate and support a number of international organizations, particularly those involved with global environmental activities.

U.S. Agency for International Development (USAID) Operating Expenses

The Administration appreciates the Committee's effort to provide a small increase above the FY 1998 enacted level for USAID Operating Expenses. However, we are concerned that this level will not allow USAID to complete the Year 2000 conversion and implement other necessary management improvements while implementing the President's initiatives in Africa and Latin America and effectively managing its ongoing programs, including congressional priorities in areas such as infectious diseases and child survival. Therefore, we urge the Senate to provide additional funding for USAID Operating Expenses.

U.S. Agency for International Development (USAID) Operating Expenses: Inspector General

The Administration appreciates the Committee's effort to provide a small increase above the FY 1998 enacted level for Operating Expenses for the Office of the USAID Inspector General. However, we are concerned that this level will not provide sufficient funding to allow

the Inspector General to carry out fully his increased audit responsibilities under the GPRA and GMRA while also responding to the increased costs of providing security for USAID in the Ronald Reagan Building. Therefore, we urge the Senate to provide additional funding for the USAID Inspector General.

U.S. Agency for International Development (USAID) Credit Programs

The Administration is concerned that the Committee has reduced the requested subsidy amount for the Urban Environment (UE) credit program and has not provided transfer authority for USAID's Development Credit Authority (DCA). As the Congress and the Administration agreed in the FY 1998 appropriations legislation, USAID has taken substantial steps towards developing the capacity to manage both its existing and future credit portfolios. We urge the Senate to restore the transfer authority for the DCA and increase funding for the UE program. Failure to do so would limit the ability of USAID to use credit to promote development in urban areas and to encourage the development of needed private sector financial mechanisms.

Overseas Private Investment Corporation

The Administration is pleased the Committee has provided full program funding for the Overseas Private Investment Corporation (OPIC). However, we are concerned with the provision of the bill that would withhold one-half of the agency's administrative budget. The Administration is working closely with the Committee to resolve any outstanding issues and notes that withholding funds would impede the agency's efforts to support American business and promote U.S. foreign policy.

African Development Foundation

The Committee has reduced the \$14 million request for the African Development Foundation (ADF) by 43 percent. Through its grants program, ADF supports community-based, self-help initiatives in Africa. This reduction would severely limit the ability of the Foundation to respond to the development needs at the grassroots level in Africa. The Administration urges the Senate to fund this program at the requested level.

Year 2000 Conversion

The need to conform with Year 2000 (Y2K) conversion requirements mandates the additional investments in information technology and credit management that are included in the requests for USAID Operating Expenses, Peace Corps, and the other agencies funded in this bill.

It is essential to make Y2K funding available quickly and flexibly. We appreciate the action of the Senate Appropriations Committee to provide an emergency fund in the Treasury/General Government bill for such purposes. We urge Congress to leave as much as possible of the reserve unallocated so that funds are available to address emerging needs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-SEP-1998 15:41:59.00

SUBJECT: Weekly Crime Meeting

TO: Rhonda Melton (CN=Rhonda Melton/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

TO: Christopher S. Lehane (CN=Christopher S. Lehane/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: GALLEGOS_S (GALLEGOS_S @ A1 @ CD @ VAXGTWY [UNKNOWN])
READ:UNKNOWN

TO: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

TO: Jennifer Brown (CN=Jennifer Brown/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

TO: NELSON_J (NELSON_J @ A1 @ CD @ LNGTWY [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

TO: 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:

MEMORANDUM TO DISTRIBUTION LIST

FROM: Bruce Reed
Assistant to the President for Domestic Policy

SUBJECT: September 2, 1998 CRIME MEETING

On Wednesday, September 2, at 10:00 a.m. in Room 211 of the Old Executive Office Building, we will hold the weekly crime meeting.

Thank You.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-SEP-1998 20:48:21.00

SUBJECT:

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

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

TEXT:

pls call Amy Weiss re: Lott press q. 456-2987.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-SEP-1998 12:29:02.00

SUBJECT: Weekly Strategy Meeting

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

TO: David W. Beier (CN=David W. Beier/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

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

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

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

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

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

CC: Satish Narayanan (CN=Satish Narayanan/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

TEXT:

There will be a Health Care Strategy Meeting tomorrow, Thursday, September 3, in Bruce Reed's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-SEP-1998 15:01:12.00

SUBJECT: Weekly Strategy Meeting

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

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

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

TO: Vicky_Stroud (Vicky_Stroud @ ed.gov@inet [UNKNOWN])
READ:UNKNOWN

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

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

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

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

TEXT:

We will be having the Education Strategy Meeting tomorrow, Thursday, September 3, at 5:15 p.m. in Bruce's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-SEP-1998 16:56:15.00

SUBJECT: Women's Mtg

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

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

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

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

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

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

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

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

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

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

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

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

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

TO: Maria Echaveste (CN=Maria Echaveste/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: Lucia F. Gilliland (CN=Lucia F. Gilliland/O=OVP @ OVP [UNKNOWN])
READ:UNKNOWN

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

TO: Janet L. Graves (CN=Janet L. Graves/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

TO: Francine P. Obermiller (CN=Francine P. Obermiller/OU=CEA/O=EOP @ EOP [CEA])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

There will be a Women's Mtg on Thursday at 9am in room 100. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-SEP-1998 18:21:30.00

SUBJECT: FYI -- Naturalization Accomplishments/Briefing Format

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

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

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

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

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

TEXT:

FYI.

----- Forwarded by Julie A. Fernandes/OPD/EOP on 09/02/98
06:39 PM -----

Steven M. Mertens

09/02/98 06:18:34 PM

Record Type: Record

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

CC:

Subject: FYI -- Naturalization Accomplishments/Briefing Format

I met with INS and Justice staff to review progress in achieving the naturalization milestones announced as part of the naturalization improvement/reprogramming rollout and to develop a monthly naturalization reporting format to track naturalization accomplishments. I emphasized the importance OMB placed on achieving these milestones and our intention to closely monitoring progress.

In general, INS has moved forward with the incremental improvements they agreed to accomplish by October 1.

They have restructured the naturalization operation and merged the naturalization policy shop into INS' organizational/operational structure. A respected interim Deputy Executive Associate Commissioner for Immigration Services has been announced and INS' Deputy Commissioner is expected to select division heads for customer service, backlog reduction, reengineering and operations next week. We expressed concern that these division heads be permanent not interim selections so they can take charge/responsibility upon their appointment.

Backlog reduction "managers" have been selected for the top six cities. INS does not agree with our concept of backlog reduction or SWAT teams

that are mobile, dedicated to backlog reduction, and report to headquarters, preferring to designate "teams" at the district level that report to the district director. To date no "teams" have been established using existing resources -- however, their activation under the INS definition may await the approval of the reprogramming.

Most of the minor restructuring/reengineering accomplishments INS agreed to complete by October 1 should be implemented -- probably late, but within the month of October.

Report Format: With INS and Justice, we worked through a draft reporting format that INS will begin submitting to OMB on October 15 and on the 15th of each month through FY 1999. They agreed to all the data elements we requested and will establish milestones and deliverables by month so we can track progress. This reporting format will be used to brief the AG and CJS Appropriations Committee staff, which have sought similar information. A draft reporting format will be developed and submitted to OMB by September 18th.

If you have any questions regarding the above, please let me know. Thanks.

Message Sent

To: _____

Sylvia M. Mathews/OMB/EOP
Charles E. Kieffer/OMB/EOP
Michael Deich/OMB/EOP
Julie A. Fernandes/OPD/EOP
Kenneth L. Schwartz/OMB/EOP
David J. Haun/OMB/EOP
Adrienne C. Erbach/OMB/EOP
Robert L. Nabors/OMB/EOP
Theodore Wartell/OMB/EOP
Patricia E. Romani/OMB/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Lisa Zweig (CN=Lisa Zweig/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 3-SEP-1998 10:49:03.00

SUBJECT: URGENT: SENATE INTERIOR FLOOR SAP - NEED CLEARANCE

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Robert L. Nabors (CN=Robert L. Nabors/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Julie M. Anderson (CN=Julie M. Anderson/OU=WHCCTF/O=EOP@EOP [WHCCTF])
READ:UNKNOWN

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

CC: Wesley P. Warren (CN=Wesley P. Warren/OU=CEQ/O=EOP@EOP [CEQ])

READ:UNKNOWN

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

TEXT:

We have just heard that the Senate may take up the Department of Interior FY99 Appropriations bill as early as 11:30 am today. While major amendments are not expected until next week, we need your quick clearance within the hour. Please note that there is a senior advisors veto threat over both funding and language issues. Please respond to Lisa Zweig (5-4790) by 11:30 am. Thank you for your cooperation.

September __, 1998
(Senate Floor)

H.R. 4193 -- DEPARTMENT OF THE INTERIOR
AND RELATED AGENCIES APPROPRIATIONS BILL, FY 1999
(Sponsors: Stevens (R), Alaska; Gorton (R), Washington)

This Statement of Administration Policy provides the Administration's views on H.R. 4193, the Department of the Interior and Related Agencies Appropriations Bill, FY 1999, as reported by the Senate Appropriations Committee. Your consideration of the Administration's views would be appreciated. Due to inadequate funding levels for priority programs and at least 21 objectionable language riders, discussed below, the President's senior advisers would recommend that he veto the bill if it were presented to him as approved by the Committee.

The Administration appreciates efforts by the Senate to accommodate certain of the President's priorities within the 302(b) allocation. However, the allocation is simply insufficient to make the necessary investments in programs funded by this bill. The only way to achieve the appropriate investment level is to offset discretionary spending by using savings in other areas.

The President's FY 1999 Budget proposes levels of discretionary spending for FY 1999 that conform to the Bipartisan Budget Agreement by making savings in mandatory and other programs available to help finance this spending. In the Transportation Equity Act, Congress -- on a broad, bipartisan basis -- took similar action in approving funding for surface transportation programs together with mandatory offsets. In addition, this year, as in the past, such mandatory offsets have been approved by the House and Senate in other appropriations bills. The Administration urges the Congress to consider such mandatory proposals for other priority discretionary programs, including those funded through this bill.

Departments of the Interior and Agriculture

The Administration strongly objects to inadequate funding provided by the Committee for high priority programs within these two departments,

including:

Everglades restoration and other land acquisition funding from the Land and Water Conservation Fund;

the Clean Water Action Plan to clean up America's ground and surface waterways;

the Disaster Information Network providing enhanced data to protect Americans;

BIA education operations and construction, the Indian Country law enforcement initiative, and the land consolidation pilot project and other trust system reforms;

the Endangered Species Programs, including landowner incentive grants;

Forest Service General Administration account, thereby significantly complicating the Administration's efforts at financial reform;

Forest Service Ecosystem Planning, Inventory and Monitoring, Wildlife and Fisheries Management, Rangeland Management, Watershed Improvement, and Road Maintenance while effectively increasing the Forest System timber program by \$20 million; and,

specific earmarks for many unrequested projects that would limit the land management agencies' ability to allocate funds for high priority needs.

The Administration urges the Senate to report a clean bill that does not attempt to roll back environmental protections and circumvent the public hearing process by attaching riders to appropriation bills. Unfortunately, the Committee bill contains at least 21 objectionable riders, 20 in bill language and two additional ones in report language. The Administration strongly objects to such language, including provisions that would:

unwisely terminate the Interior Columbia Basin Ecosystem Management Project in six Northwest States;

establish an unprecedented easement for the community of King Cove for a road and utilities across a wilderness area in Alaska in the Izembek National Wildlife Refuge;

mandate a high timber sale level on the Tongass National Forest in Alaska, regardless of environmental impacts, other resource priorities, and the ongoing public process for finalizing the Tongass Forest Plan;

continue to delay rules that would establish the fair market value for Federal and Indian oil leases, costing the Treasury \$64 million a year in underpaid royalties;

delay implementation of environmental protections for hardrock mining reclamation on Federal lands;

institute for the first time a means-test for tribes as a basis for redistributing Tribal Priority Allocation funding;

amend an authorizing statute, the 1992 Elwha Act, to significantly change the congressionally approved plan for restoring Elwha River and Olympic National park and leave the National Park Service owning two non-compliant dams without the funds to remove them;

hinder efforts to restore endangered and threatened Pacific salmon runs in the Columbia and Snake Rivers;

require the Forest Service to maximize commercial wood harvesting before the agency conducts prescribed burning projects, effectively stopping most prescribed burns and endangering lives and property;

prohibit Grizzly Bear reintroduction into the Selway-Bitterroot area of Idaho and Montana;

prohibit Park Service regulation of commercial fishing in Glacier Bay National Park in Alaska;

undermine the CFO Act and the responsibilities of USDA top management by encouraging the Forest Service to select and implement a financial computer system that is independent of the Department of Agriculture;

transfer the jurisdiction over the valued Land Between The Lakes National Recreation Area from the Tennessee Valley Authority, where it has been successfully managed for over thirty-five years, to the U.S. Forest Service, a disruptive change that would involve additional transition costs without improving service;

place unnecessary limits on Federal land acquisitions in Alaska;

prevent the Forest Service from charging fair market value for summer vacation homes in an Idaho national forest, undermining the current effort to reappraise all such leases nationwide;

require the Forest Service to trade timber in return for restoration practices, an adverse precedent that could devolve into a perpetual cycle of using logging to pay for land management;

require unauthorized four-wheel-drive roads to be obliterated before any other type of road can be decommissioned, virtually preventing work on regular roads that pose serious environmental risks and are ready to be removed;

waive environmental laws and automatically extend the term of grazing leases that are undergoing review by the Bureau of Land Management even though authority already exists to protect lease holders from termination of leases undergoing review;

force the Forest Service to sell all Alaskan timber sales using an outdated, impracticable appraisal method that undermines the public return on national forest management; and,

prohibit the Department of the Interior from using FY 1999 funds to transfer land into trust status in Minnesota, setting a precedent for limitations on trust land acquisition.

In addition, the Senate Committee Report includes objectionable language, including language that would:

require timber sale offers from national forests to be 3.8 billion board feet rather than the 3.4 billion board feet assumed in the FY 1999 Budget; and,

direct the National Park Service to maintain aviation access to a gravel airstrip within the Denali National Park, effectively overturning a 1997 Environmental Impact Statement calling for eventually closing the airstrip and relying on a paved airstrip 10 miles away.

Land and Water Conservation Fund

The Administration strongly objects to the Committee's deep cuts in land acquisition funding to protect our national parks, forests, refuges, and public lands. The Committee has provided only \$233 million of the \$270 million requested, with Everglades land acquisition funds cut by half. This reduction in funding would prevent the Administration from making significant land acquisitions such as Cumberland Island National Seashore in Georgia and West Eugene Wetland in Oregon.

The Administration also objects to the Committee's continued inaction on the promised congressional release of the \$362 million appropriated in FY 1998 for Federal priority land acquisitions. As requested by Congress, the Administration has submitted a list of proposed land acquisitions. In response, the Committee has not only held back the FY 1998 Title V funding but also has funded some items on the Administration's 1998 list with FY 1999 funding, resulting in critical acquisitions planned for both years being delayed or unfunded.

Millennium Program

The Administration appreciates very much the \$13 million provided to the National Park Service and the Smithsonian for Millennium Program projects. We strongly urge the Senate to provide full funding with maximum flexibility and discretion for allocation in order to preserve other important cultural and historic treasures for the next millennium that are in danger of deteriorating beyond repair. Many of these projects are urgent and cannot be delayed.

Department of Energy

While higher than the House Committee mark, the Senate Committee's funding level represents a very objectionable \$162 million reduction to the President's request for Energy Conservation. The Committee mark would be damaging to progress in partnerships with industry on improved industrial energy efficiency, development of more efficient autos and trucks, and designs and materials for more efficient buildings.

The President's budget requests \$36 million for payment to the State of California for the Retired Teachers System associated with the sale of Elk Hills, which is not included in the Committee bill. The Administration prefers that this payment be appropriated consistent with the National Defense Authorization Act.

The Administration would like to work with the Congress to restore funding to these important Department of Energy programs as the bill moves through the process.

Indian Health Service

The Administration is concerned that the Committee bill does not include

funding increases requested for the President's Race Initiative, alcohol and substance abuse initiative, and for first-year construction of the Fort Defiance Health Facility. The Administration intends to work with the Senate to fund these important initiatives within funds available for the Indian Health Service.

The Administration strongly objects to the Committee's inclusion of authorizing language, without hearings or tribal consultation, that requires contract support costs to be distributed to tribes on a pro-rata (proportional) basis.

Cultural Agencies

The Administration appreciates the Senate's support for the National Endowment for the Arts (NEA). We urge the Senate to provide funding for NEA and NEH at the President's requested level of \$136 million each and for the Institute for Museum and Library Services at the requested level of \$26 million.

Likewise, the Administration appreciates the Senate's support for the other cultural agencies funded by this bill, including funding for the National Museum of the American Indian and the full request for the National Gallery of Art, the Holocaust Museum, and the Kennedy Center for the Performing Arts. However, the Administration urges the Senate to provide the full \$40 million request for repair and restoration in the Smithsonian Institution and the requested funding for digitization of the Smithsonian collections.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-SEP-1998 16:04:05.00

SUBJECT: H2A -- Latino Summit on 9/10

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

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

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

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

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

TEXT:

On Thursday, September 10th, there will be a Latino Summit (sponsored by NCLR, MALDEF, and a few farmworker organizations) to protest the Wyden guestworker amendment attached to the Sen. CJS bill. The organizers of the summit have asked Maria E. to attend and to make a statement strongly opposing the amendment and pledging to work to get it removed from the bill in conference. As you know, when the amendment was considered in the Senate, we issued a statement (letter from Secy Herman) strongly opposing the amendment. Also, we have a Secy of Labor veto statement on a similar (but not as bad) bill in the House.

Though the amendment passed the Senate by a large margin, the Latino groups, farmworker advocates and labor unions have been working members of Congress to get them to understand how bad the Wyden amendment is. Also, Lamar Smith has sent a letter to Rogers asking that he oppose inclusion of this guestworker bill in the CJS conferenced bill. In addition, Gallegly sent a letter to Livingston (with 82 House signatories -- most, if not all, Republicans) also asking for this amendment to be excluded. According to Earl G. at Labor, it is likely that this amendment will not end up included in the conferenced bill.

The question is whether we think it would be a good idea for Maria E. to attend the Latino Summit and make a strong statement opposing the Wyden amendment. Maria returns this week-end, and may want our advice on this. Thanks.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-SEP-1998 13:26:39.00

SUBJECT: I-9 verification -- DOL/INS

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

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

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

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

TEXT:

Maria/Elena:

I met with Bob Bach and John Fraser today to discuss next steps in developing a revised MOU between INS and DOL re: I-9 inspections. John F. is going to draft a revised MOU that limits DOL's I-9 inspections to non-complaint cases (so-called "directed" cases). The idea, as you know, is for labor complaints from workers not to serve as the trigger for an I-9 inspection. This MOU will also give the DOL concurrent authority (with INS) to sanction employers for failing to adequately fill out I-9 forms. John hopes to get us a draft by the end of next week.

julie

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-SEP-1998 13:30:26.00

SUBJECT: EDUCATION Amendment(s) on HR6 Higher Education Amendments of 1998

TO: Winifred Y. Chang (CN=Winifred Y. Chang/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

READ:UNKNOWN

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

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

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

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

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

TEXT:

----- Forwarded by Melissa N. Benton/OMB/EOP on 09/04/98
01:28 PM -----
Total Pages: _____

LRM ID: MNB221
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Friday, September 4, 1998

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

OMB CONTACT: Melissa N. Benton
PHONE: (202)395-7887 FAX: (202)395-6148

SUBJECT: EDUCATION Amendment(s) on HR6 Higher Education Amendments of 1998

DEADLINE: Noon Tuesday, September 8, 1998

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

COMMENTS: These amendments are intended to: (1) reduce the lender reinsurance rate from 98 percent to 96 percent; (2) set the FFEL consolidation loan interest rate at Treasury bill plus 2.3 percent (not to exceed 8.25 percent for loans made on or after October 1, 1998 and before October 1, 2000); and (3) eliminate the "7-year" aspect of dischargeability of student loans and other educational debts in bankruptcy.

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- David J. Haun
- John E. Thompson
- Alan B. Rhinesmith
- Winifred Y. Chang
- Brian S. Mason

LRM ID: MNB221 SUBJECT: EDUCATION Amendment(s) on HR6 Higher Education Amendments of 1998

RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

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

You may also respond by:

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

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

TO: Melissa N. Benton Phone: 395-7887 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)
 _____ (Name)
 _____ (Agency)
 _____ (Telephone)

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

_____ Concur

_____ No Objection

_____ No Comment

_____ See proposed edits on pages _____

_____ Other: _____

_____ FAX RETURN of _____ pages, attached to this response sheet

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D89]MAIL488726646.226 to ASCII,
The following is a HEX DUMP:

FF57504368040000010A020100000002050000002F1B000000020000371214A16AF17ED5164C92

draft 9/3/98 11:30 a.m.

[page and line numbers refer to Senate version of H.R.6]

Page 187, insert immediately after line 6 the following (and renumber accordingly):

“(C) in subparagraph (G), by striking out ‘98 percent’ and inserting in lieu thereof ‘96 percent’;”.

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

draft 9/3/98 1:00 p.m.

[page and line numbers refer to Senate version of H.R.6]

Page 179, insert immediately after line 24 the following (and renumber accordingly):

“(2) CONSOLIDATION LOANS.--Section 428C(c)(1) (20 U.S.C. 1078-3(c)(1))

is amended by adding at the end thereof the following new subparagraphs:

“(E) A consolidation loan made on or after October 1, 1998 and before October 1, 2000, shall bear interest at a rate that shall, during any 12-month period beginning July 1 and ending on June 30, be determined on the preceding June 1 and be equal to--

“(i) the bond equivalent rate of 91-day Treasury bills auctioned at the final auction held prior to such June 1; plus

“(ii) 2.3 percent;

“except that such rate shall not exceed 8.25 percent.

“(F) A consolidation loan made on or after October 1, 2000, shall bear the interest rate described in subparagraph (C).’.”.

draft 9/3/98 1:00 p.m.

[page and line numbers refer to Senate version of H.R.6]

[3.1 and lenders pay current 105 basis point interest rebate fee]

Page 182, line 4, strike out the close quotation marks and the period at the end thereof.

Page 182, insert immediately after line 4 the following:

“(v) CONSOLIDATION LOANS.--In the case of any loan made under section 428C on or after October 1, 1998 and before October 1, 2000, clause (i)(III) of this subparagraph shall be applied by substituting “3.1 percent” for “2.8 percent”.’.”.

draft 9/3/98 1:00 p.m.

[page and line numbers refer to Senate version of H.R.6]
[2.3 and lenders pay 25 basis point interest rebate fee]

Page 182, line 4, strike out the close quotation marks and the period at the end thereof.

Page 182, insert immediately after line 4 the following (and renumber accordingly):

“(v) CONSOLIDATION LOANS.--In the case of any loan made under section 428C on or after October 1, 1998 and before October 1, 2000, clause (i)(III) of this subparagraph shall be applied by substituting “2.3 percent” for “2.8 percent”.’.

“(2) CONSOLIDATION LOAN INTEREST REBATE FEE.--Section 428C(f)(1) (20 U.S.C.1078-3(f)(1)) is amended--

“(A) by striking out ‘For’ and inserting in lieu thereof ‘(A) Except as provided in subparagraph (B), for’; and

“(B) by adding at the end thereof the following new subparagraph:

“(B) For any month beginning on or after October 1, 1998 and before October 1, 2000, subparagraph (A) shall be applied by substituting “.25 percent” for “1.05 percent”.’.”.

draft 9/3/98 11:30 a.m.

[page and line numbers refer to Senate version of H.R.6]

Page 523, insert immediately after line 21 the following new section:

“DISCHARGEABILITY OF EDUCATIONAL DEBTS IN BANKRUPTCY

“SEC. 799G. (a) Section 523(a)(8) of the Bankruptcy Code (11 U.S.C. 523(a)(8)) is amended to read as follows:

“(8) for an educational benefit overpayment or loan made, insured or guaranteed by a governmental unit, or made under any program funded in whole or in part by a governmental unit or nonprofit institution, or for an obligation to repay funds received as an educational benefit, scholarship, or stipend, unless excepting such debt from discharge under this paragraph will impose an undue hardship on the debtor and the debtor’s dependents;’.

“(b) EFFECTIVE DATE.--The amendments made by subsection (a) shall be effective with respect to any bankruptcy filing by a debtor filed on or after October 1, 1998.”.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Phillip Caplan (CN=Phillip Caplan/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-SEP-1998 16:19:32.00

SUBJECT: Medal of Freedom

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

READ:UNKNOWN

TO: Jake Siewert (CN=Jake Siewert/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TO: Lowell A. Weiss (CN=Lowell A. Weiss/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Eric W. Woodard (CN=Eric W. Woodard/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: Maria Echaveste (CN=Maria Echaveste/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: Antony J. Blinken (CN=Antony J. Blinken/OU=NSC/O=EOP @ EOP [NSC])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jeffrey A. Shesol (CN=Jeffrey A. Shesol/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

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

TEXT:

There will be a meeting at 10:00 am in the Roosevelt Room on Thursday, September 10 to begin discussing candidates to recommend to the President for the 1998 "class" of Medal of Freedom recipients.

Next week I will circulate a list of potential names. The purpose of the meeting will be to discuss these names and come up with ideas of some others -- we are particularly in need of women and minority candidates.

My goal is to have an East Room event prior to Thanksgiving.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: "Christopher Edley, Jr." <edley@law.harvard.edu> ("Christopher Edley, Jr.")

CREATION DATE/TIME: 4-SEP-1998 17:26:47.00

SUBJECT: Draft POTUS memo on race book

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

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

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

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

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

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

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

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

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

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

TO: Francis S. Redburn (CN=Francis S. Redburn/OU=OMB/O=EOP [OMB])
READ:UNKNOWN

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

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

TO: terry.edmonds@ssa.gov (terry.edmonds@ssa.gov [UNKNOWN])
READ:UNKNOWN

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

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

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

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

READ:UNKNOWN

TO: aedmonds1@home.com (aedmonds1@home.com [UNKNOWN])
READ:UNKNOWN

CC: Jane T. Price-Smith (CN=Jane T. Price-Smith/OU=PIR/O=EOP [PIR])
READ:UNKNOWN

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

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

CC: Jacinta Ma (CN=Jacinta Ma/OU=PIR/O=EOP [PIR])
READ:UNKNOWN

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

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

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

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

TEXT:
Comrades:

Have a good weekend. You will enjoy it more if you take a look at the attached draft memorandum, which has been sent to the Staff Secretary for clearance. Maria is holding a clearance meeting on Tuesday afternoon at 4 pm, but comments are welcome before or after that. The memo is due in to POTUS mid-week. Sorry I couldn't finish this earlier in the day.

- Memo-v6.wpd===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:
Unable to convert ARMS_EXT:[ATTACH.D90]MAIL49148274S.226 to ASCII,
The following is a HEX DUMP:

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CB3D35DC586A6738F72CB1B6ECA51C659D7FDB5C8FFD266DFB99A551D293E6CE0902536A495F97

••

Draft v6

September 9, 1998

MEMORANDUM FOR THE PRESIDENT

From: Christopher Edley, Jr.
Professor of Law

Through: Maria Echaveste
Deputy Chief of Staff

Re: Progress Report on the Race Book, and Request for Interim Guidance

This memorandum is organized in the following sections:

- I. Introduction, process and organization of the effort
- II. The Vision (book chapter 2), and basic themes
- III. The Workplan (chapter 6)
- IV. Leadership (chapter 7)
- V. Next steps, and summary of decisions requested

I. INTRODUCTION, PROCESS AND ORGANIZATION OF THE EFFORT

The purpose of this memorandum is to review our progress, confirm our general direction, and solicit interim guidance on a few substantive matters. Most important, Part II is a first attempt to sketch your "vision" of One America with racial justice and equal opportunity in the 21st century. Then, Part III adds some flesh to key portions of the "workplan" chapter outline you have already seen, offering a partial menu of ideas.¹ We want to know if this conceptual

¹The current detailed (and daunting) outline of the book is at Tab A. The chapter outline is:

Introduction: One America in the 21st Century

Chapter 1: Where Is America On Race, And Where Are We Going?

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framework makes sense, and if we are heading for the right mix of bold and pedestrian, thematic and programmatic. White House policy staff are fully engaged and have both contributed to this workplan material and reviewed this memorandum. Important disagreements and special concurrences are noted in this document or accompanying memoranda.

We hope to complete the workplan menu within two weeks and, based on your tentative approval of several ideas, proceed with more detailed policy development between now and early November. This is key: I want these first stages of developing the workplan to emphasize thoughtfulness and boldness in the selection of the challenges, goals, themes and general strategies, connecting those to the vision. The next step, for greater detail over the next two months, is to figure out more concretely what ought to be done by whom (federal government? parents?). Throughout, Maria Echaveste will ensure that the interests of the policy councils are well regarded, that the formal clearance process is used when appropriate, and that I can appeal to you with any conflicts we cannot resolve in a timely way.

We have four working groups to help prepare the policy, or “workplan” chapter. These are co-led by the appropriate NEC or DPC staff and me. As yet, they do not span the entire range of subjects you may want to cover, but they are a good start:

- Education
- Economic Development and Employment Opportunity
- Criminal Justice and Community Security
- Civil Rights Enforcement

We also have less elaborate collaborative discussions moving forward on: Health, Strengthening Families, Native Americans, and Democracy/Civic Engagement. The “book team” includes a handful of PIR staff, and the addition soon of Terry Edmonds. I’m confident that several White House and OMB staff will also play critical roles, as they have in preparation of this document.

Outreach: Finally, Maria has assigned Minyon Moore and OPL the overall responsibility for coordinating external consultations by the outreach offices and, through Cabinet Affairs, conversations with key appointees in the agencies. Throughout September, many members of your staff will be making calls or conducting meetings with some 400 individuals, asking about

Chapter 2:	More Than A Dream: Racial And Ethnic Justice In The 21 st Century
Chapter 3:	Wrestling Lessons: Honest, Constructive Engagement Of Our Vexing Differences
Chapter 4:	Promising Practices: How To Build Bridges That Connect People Across Lines Of Class And Color, Creating Community And Opportunity
Chapter 5:	The Record Of The Clinton-Gore Administration
Chapter 6:	A Workplan For Our Nation
Chapter 7:	Leadership For One America
Chapter 8:	Conclusion

the proposed framework for your report, the most important actions you should take after the Advisory Board's work, and any elements they think it is especially important for you to communicate in your report. We will share some of the substantive responses with you, but all of them will be weighed by the book team.

**

II. THE VISION CHAPTER, AND BASIC THEMES

This section summarizes my best sense of your central vision for the book -- chapter 2 in the current outline. It builds on earlier material sent to you by Sidney Blumenthal and by me, as well as previous statements by you. In the book, the vision discussion will be preceded by an introduction and by the chapter describing where America has been and is on race, including demographics, discrimination, disparities, and intergroup relations. While not yet in your language, what follows is an effort to capture the key ideas and their interrelationships. At the end of the section, we also want to engage you on some cross-cutting questions, such as the role of government.

(a) *Why is this subject so important for us to tackle?*

Renewing America for the new century: For six years, I have worked to prepare America for the challenges of the 21st century. We have put our fiscal house in order, taken important steps to strengthen the international economic system, worked at home and abroad to create a post-cold war national security framework, launched an investment program in vital areas of education, training, new technologies and environmental protection. One additional area, without which we cannot succeed in the decades ahead, is overcoming the divisions of race and ethnicity so that we can be One America, united in a web of mutuality that gives us the strength to be our best as individuals, as communities and as a nation.

Global and historical context: The difficulty of the problem is evident not only from our own national history, but from events around the world -- even today. The conflict is commonplace, as differences give rise to hatreds and then bloodshed. As President, I've seen it over and over again, and struggled to find ways that, through our actions and example, this nation could help troubled societies see their shared humanity and find peace. But make no mistake: This struggle to build peace and strength out of differences is a struggle against deep failings and sinfulness that seem inherent in the human spirit. In

my own religious tradition, sin can be overcome through struggle and faith, and it is a never-ending struggle. We should expect no easier a task when it comes to dealing with our differences here in America.

The stakes: On a more practical plane, making diversity a source of strength rather than division promises great rewards in social peace and home and economic success globally.

New complexity: The civil rights movement of three and four decades ago was largely framed in black and white, but led to bursts of energy and progress for other minorities and for women. Today's diversity gives us great opportunities, but also more complex challenges.

Cause for confidence: There is cause for confidence, because our ideals and values are far more than words locked behind glass in the National Archives. They are an incandescent beacon for peoples worldwide, and the lodestar by which we chart our own course and criticize our missteps. Our noblest moments and wisest leaders are marked not by the exploitation of difference, but by recalling us to the commitments of equality, tolerance, opportunity and justice. In my life, I have seen this most profoundly in the struggle against racial segregation and bigotry. No nation matches our capacity for moral greatness.

(b) *What would it mean to have a full measure of racial justice and opportunity in America? What would our relationships be like, and what would society look like?*

Vision of community: [Celebration of our diversity, not mere tolerance of our differences; building inclusive communities and organizations to take advantage of the benefits and strengths that flow from diversity. (Examples from forums, correspondence, etc.)]

“One America” does not mean that we lose our ethnic identities, becoming some homogenized undifferentiated mass. We can be proud of our cultural identities and distinctiveness, and at the same time be proud of and loyal to America – indeed, that is one of the most important elements of our nation's greatness.

In religion, for example, scholars tell us that we are the most observant of developed nations, and that freedom of religion and separation of church and state are important parts of the explanation. We are a nation full of religious individuals, yet we do not all worship in the same way. Indeed, our civic values are that we tolerate and respect different religious traditions, and celebrate the legal and civic values that make diversity

possible. We are proud of that diversity, and together with tolerance, recognize it as a defining greatness of America. And much of the rest of the world recognizes this too.

So, too, with our racial and ethnic diversity. Our greatness in the decades ahead depends not merely on overcoming prejudice and bigotry rooted in our differences, and not only in tolerating differences. We must instead celebrate those differences as a source of richness and strength. Our personal lives are enriched by this diversity, and our society and economy are strengthened by it.

In the community of America, the things that connect us must be stronger than those that divide us. A “community” means shared interests. But we must also have a shared concern for our collective advancement, and mutual concern for each other. Transcending differences, while respecting them, is part of creating such a community.

So there is a delicate balance, because we have far too much to lose if we retreat into ethnic enclaves – walled off from one another by prejudice, stereotypes or even simple ignorance and misunderstanding. We sacrifice greatness and goodness, richness and riches, if by circumstance or choice we separate ourselves into subcommunities along the very fracture lines that have traced our national racial tragedies since Europeans arrived on these shores.

Vision of opportunity: [Opportunity enjoyed so equally that there is no discernable legacy of slavery, colonization or conquest; of Jim Crow or internment. (Examples from forums, correspondence etc.)]

We have legacies of slavery, conquest and colonialism; of Jim Crow and racist immigration quotas. The inheritance is evident in the patterns of our lives: the racially isolated communities, the gaping disparities in educational achievement, employment, criminal victimization and wealth; the still too-rare close friendships across lines of race. This inheritance is a burden to our spirits and a tax on our prosperity. Perhaps most tragically, for too many of our fellow citizens, the legacy has shackled dreams that are every American’s inalienable right. This is wrong, and we can do better.

One way our children and grandchildren will know when we have achieved racial justice and opportunity is that the evidence of America’s legacy of inequality will be found only in history books, and not in brutal social and economic disparities surrounding them.

Vision of responsibility: Responsibilities of citizenship; responsibility to reach out to others; responsibility of each of to combat whatever stereotypes and fears we may have;

and responsibility to take advantage of opportunities. (Examples from forums, letters, etc.)

We must do this for our children and their children. We must do this to honor those who have sacrificed over the generations in earlier battles, including civil rights battles, to put our sacred civic values into practice. And I believe we must do this to honor the God who has created us all equal, and blessed our nation in so many countless ways.

(c) *Why is this vision preferable to alternative, competing visions?*

Why embracing “equal opportunity” is necessary, but insufficient alone to produce a full measure of justice and fairness in One America.

Why color blindness makes sense, and why it doesn’t.

Why assimilation as Americans is important, but not an assimilation that seeks to erase our diverse identities. Is tolerance of differences sufficient, or must there be more?

**

III. THE WORKPLAN CHAPTER

The purpose of this chapter is to explain the most important steps the nation must take over the next decade in pursuit of your vision of racial justice and opportunity, as described earlier in the book. As with the promising practices chapter, you want to provide inspiring “news you can use” to people in communities and organizations across the nation who are looking for ideas. The workplan is organized by policy sectors, and within each sector it will contain federal, state, local, private and personal elements. This is *not* just about the federal government, or government generally. Few items will have FY 2000 budget impacts, although several will have “down payments” in Administration accomplishments and earlier proposals. (The ideas which follow reflect substantial contributions from DPC, NEC and OMB; this memorandum has been through an accelerated clearance process. Comments from your advisors are noted in this document or in appended memoranda.)

The book should be highly thematic, avoiding an exhaustive and mind-numbing recitation of comprehensive programmatic details. But it must contain just enough pointed recommendations to leave the reader with a sense that you have provided concrete direction, not just rhetoric. This also entails being very selective – not *every* good idea for addressing *every* important problem. In areas where thoughtfulness or clarity requires more program detail, the final document can use

textual boxes set apart from the flow of the narrative.

Two final points. The boldness you have requested in policy ideas seems in some cases to come in the statement of a national goal (“close disparities in education achievement by X percent”), and in other cases may not be evident until we offer specific public or private interventions to advance the goal. Relatedly, in the stating the goals we have repeatedly between brave aspirations and statements that are more cautious and achievable. We need your general guidance on this.

*

§ 6.2 THE EDUCATION SECTION OF THE WORKPLAN

Apart from the economy, I assume that education will be the clear first-among-equals in your workplan for the nation, receiving disproportionate emphasis throughout the book. Despite improvements over the last several decades, racial disparities in opportunity and achievement persist throughout the education pipeline, and these disparities are powerful obstacles to achieving your vision. We’ve tolerated it for too long. It is wrong. Therefore, the workplan focuses on areas of significant disparity that have the greatest impact on educational outcomes. It also emphasizes the instrumental and ethical necessity of heightened responsibility and accountability.

In addition, racial isolation, often in combination with poverty concentration, remains a problem both among and within our schools, presenting barriers to achievement, excellence, and to your vision of mutual understanding and community. This is the third pillar of the education workplan.

-- Outline of the section

Introduction/Context

- Education is primary [only central?] to achieving my vision. This requires:
 - (1) eliminating racial disparities in educational opportunity and achievement;
 - (2) reinforcing responsibility and strengthening accountability for administrators, teachers and students, as well as for the political institutions governing education; and
 - (3) promoting racial and economic integration in education.

- These problems have long gone unsolved because they are difficult and because race has divided us, but also because we need to reassess the roles of the different levels of government and of the family in education. The old formulas need revision, the old problems need new thinking, and the old values need new life.
- We need to provide every family, regardless of race or zip code, with an Education Bill of Rights.²

(a) **Close the racial gap in opportunity and achievement.** Notwithstanding important progress, significant racial disparities in achievement persist. We must close these gaps and raise the bar for everyone. This means overcoming racial disparities in the educational opportunity available to every child – including both resources and expectations – and simultaneously insisting on high standards for achievement. Beyond this, we must improve our ability to make targeted, individualized efforts to ensure that every child succeeds to his or her full potential. Among the key elements of an education bill of rights for equal opportunity and achievement:

Parenting and early childhood: Ensure that every child has a parent or other adult actively engaged in that child's learning, and that every young child has access to early learning opportunities.

Teaching: Improve the quality of teacher training, ensure that high-quality teachers are equitably distributed, and ensure that teachers promote high expectations for students of all races.

Curriculum and standards: Ensure that every child has access to challenging curricula tied to high standards, and that tracking does not prevent any child from achieving his or

² Such a Bill of Rights might include the following:

- (1) Every child shall have a parent or other adult actively engaged in his/her learning and have access to support services to help that child achieve to his/her full potential.
- (2) Every child shall have access to early learning opportunities.
- (3) All parents have the right to send their children to equitably funded schools that are accountable for their child's learning.
- (4) Every child shall have access to high-quality teachers.
- (5) Every child shall be held to high expectations and standards and have access to challenging curricula.
- (6) Every child shall have access to adequate facilities and modern technology.
- (7) Every LEP child shall have access to the tools necessary to help him/her learn English within three years.
- (8) Every child shall learn in a safe environment.
- (9) All parents and children shall have the right to choose to attend racially and ethnically integrated schools.
- (10) Every high school graduate shall have the financial support and opportunity to go to college.

her full potential. Students of color are often tracked into special education and out of honors courses.

English acquisition: Guarantee each LEP child an effective opportunity to master English, and hold students and educators accountable for success.

Infrastructure: Close the racial disparity in full access to adequate facilities and modern technology.

Post-secondary attainment: Overcome racial disparities in high school graduation rates, and in college participation, retention and graduation rates.

- (b) **Institute greater accountability and heightened responsibility for administrators, teachers, students and public officials.** Without much stronger mechanisms for accountability, the goals of closing disparities in opportunity and achievement are mere aspirations, not commitments. Moreover, to break the back of inertia and complacency we will have to design interventions that target the political, bureaucratic and jurisdictional impediments to sustained reform. The Voluntary National Test is such an intervention, as is public school choice, and we must build on such approaches while providing needed safeguards against abuses.

Tests and accountability: Use the best assessment methods, including national tests, to build broader and deeper systems that will hold administrators, teachers, and students accountable for educational achievement. The accountability should flow “up” from parents and “down” from Federal taxpayers and presidential leadership. The range of tools, both carrots and sticks, should stretch from more effective parental action, to political mobilization, to school reconstitution or receivership, to fiscal incentives – and everything in between.

Governance and leadership: If eliminating the disparities in opportunity and achievement require modifications of our traditional structure of roles and authority, so be it. We need new ways to think about old problems.

- (c) **Promote integration and diversity in education to enrich the learning experience for all students.** We also care about integration, so that students have the opportunity to learn together in ways that dissolve stereotypes and improve race relations. Parents and students should have a right to chose an integrated education. But, after a burst of progress in the late 1960s and early 1970s, segregation in K-12 education is worsening. For example, a recent study reports that one-third of black and Hispanic students attend schools with more than 90 percent minority enrollment, and almost nine in 10 of those

schools are predominantly poor. High-quality integrated schools provide a more complete educational experience for all students than high-quality segregated schools. Conversely, ineffective, racially isolated schools in high-poverty areas present our greatest obstacle to closing the disparities in opportunity and achievement.

Educate the public on the value of inclusion, diversity and integration -- reviving that ideal: An inclusive community of students and educators can: improve teaching and learning by enriching the learning environment with diverse perspectives; strengthen students' critical-thinking skills by challenging their existing perspectives; teach students how to interact comfortably with people different from themselves and thereby how to function as good neighbors, colleagues and citizens in our diverse democratic society; improve students' preparation for employment by teaching them the value of diverse perspectives, how to function in diverse business settings, and how to communicate effectively in our increasingly diverse domestic marketplace and the expanding global marketplace; and foster the advancement of knowledge by spurring study in new areas of concern.

Reduce racial segregation and isolation among schools: This is not a call for massive, federally mandated strategies where there is no constitutional violation demanding court-supervised remedies. Instead, parents and educators should make use of a range of measures such as magnet schools, multidistrict transfer programs, and so forth. Most important, we must better appreciate the important stake we have in making diversity work in the world of our children. Schools of unquestioned excellence are the easiest to make and keep diverse.

Reduce segregation within schools: Even in diverse schools, evidence shows that students are often resegregated into racially homogenous classes through tracking and other mechanisms, thereby reducing their opportunities to learn together and have positive cross-racial interactions.

Inclusion in higher education: Promote access and diversity in higher education, and foster the educational benefits of diversity. Mend, don't end, affirmative action. And wherever possible, use creative race-neutral mechanisms in admissions and in the K-12 pipeline. Ensure that in sustaining the crucial role of HBCUs, HSIs, and Tribal colleges (which are integrated) we don't "excuse" historically white institutions from the principle of excellence-through-inclusion.

-- Discussion issues on the education workplan

Are you comfortable with the three major pillars: closing the race gap in opportunity and achievement; accountability and governance; attacking racial isolation?

- Do the bulleted items capture your personal priorities? Are any high priorities missing?
Can any of them be demoted for attention in textual boxes rather than in your narrative?
- Can we explore some rethinking of the federal role in order to tackle these disparities?

*

§ 6.4 CRIMINAL JUSTICE AND COMMUNITY SECURITY

From hate crimes to crack houses, from police misconduct to police hiring, from disparate incarceration rates to racial profiling -- barely a week goes by without some aspect of crime and criminal justice standing as a lightning rod for racial and ethnic tensions. No area is more freighted with divisive stereotypes and misunderstanding. Yet it must be tackled with vigor because victimization and criminality destroy communities and families, just as they fuel alienation and division.

– Outline of the section

Introduction/Context

- Racial disparities exist in both the realities and perceptions of crime and the administration of justice: communities of color disproportionately bear the social, economic, and personal costs of crime, and, according to polls, have less confidence in the fairness of the criminal justice system than do whites.
 - Building One America requires building a criminal justice system that serves and treats Americans of all races fully and fairly, and thereby closes the trust gap while making community security a right enjoyed equally.
- (a) **Community Security: Eliminate racial disparities in victimization.** The right to be secure cannot be discounted by race. Every American is entitled to live in a safe community, and the race of residents shouldn't tell us the crime rate. From 1992 to 1997, rates of violent crime in America have decreased, but disparate victimization rates persist. Tackling this problem directly is part of the opportunity agenda, as well as a matter of decent fairness. The Administration's record has numerous elements, which we can build upon and target to close the disparities.
- (b) **Keep young people out of the criminal justice system, and for those who have contact with it, make it their last.** Racial minorities, especially young, black males, are more likely than whites to be both the offenders and victims of certain crimes, including

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violent crimes. Furthermore, one third of young, black men are presently under the supervision of the criminal justice system (on probation, in prison, or on parole), and the chance that a young, black male will go to prison during his lifetime is nearly 30%. The realities are flatly inconsistent an American vision of racial justice and equal opportunity.

- (c) **Build greater fairness and trust in the criminal system.** Several past and present factors contribute to mistrust in our criminal justice system among persons of color, including negative interactions, disparities in the administration of justice (incarceration, sentencing, death penalty), and lagging diversity in law enforcement (police, prosecutors, judges, juries). Without more trust, creating safe communities is impossible, because legitimacy, support and cooperation don't come free.

- *Prohibit the use of racial profiling:*³ No American should be subject to disparate application of the state's policing power because of his/her race. Statistically efficient allocation of resources, some claim, justifies impositions on innocent persons, while perpetuating stereotypes and contributing to tensions. Targeting based on color, without individualized evidence, is rarely if ever fair and just.

- *Pursue zero tolerance for racially suspect police misconduct and brutality:* While the vast majority of police are dedicated public servants who deserve our respect and support, several high-profile cases illustrate that incidents of police misconduct and brutality motivated by racial animus still occur. We are deeply divided in perceptions of the magnitude of the problem.

- *Eliminate racial discrimination and unjustified disparities in incarceration, sentencing, and imposition of the death penalty.*

- *Increase diversity and representation in the criminal justice system.*

-- Discussion issues on the criminal justice workplan

- Can we speak of community safety as a "right", and the racial disparities in victimization as flatly inconsistent with your vision? If so, are disparities a fair index of this aspect of racial justice and opportunity?

- Should we "prohibit" racial profiling, or "restrict" it?

³Profiling will also be considered in the "Wrestling Lessons" chapter, as one of the hard questions that forces us to think about differences in values and perceptions.

· Similarly, should we tackle disparities in rates of incarceration, presumably with targeted attention to prevention, diversion and post-incarceration?

· Can we assume that the primary public sector role is state and local, or do you envision continued growth in the federal role?

*

§ 6.7 THE CIVIL RIGHTS ENFORCEMENT SECTION OF THE WORKPLAN

We have considered distributing the civil rights law enforcement issues in several sectoral subsections – as components of the education or jobs strategies, for example. But for now, I want to press ahead as sketched below because the audience will appropriately expect some attention to the traditional antidiscrimination enforcement agenda. This also permits you to teach about this unfinished work. Moreover, the best opportunities for boldness are in cross cutting issues, among them: policy judgments about the lawfulness under Title VI of persistent resource disparities; retooling agency enforcement strategies to emphasize proactive technical assistance and voluntary action; and rethinking the legal framework and enforcement priorities to reflect our 21st century diversity.

We are joined at the hip with Chuck Ruff, and will cooperate in his effort to put before you suggested civil rights enforcement priorities for the next two years.

-- Outline of the section

Introduction/Context

- Persistence of discrimination, and of enforcement backlogs.
 - We have opportunities to strengthen and more aggressively enforce civil rights principles, and also support appropriate voluntary actions that promote equal opportunity and access. This includes defending disparate impact doctrine, and defending affirmative action.
 - The traditional agenda needs renovation to (i) increase its efficiency at handling the retail problem of discrimination; (ii) contribute more directly to the opportunity agenda in education, jobs and community economics; (iii) reflect our 21st century diversity.
- (a) **Overcome racial disparities in opportunity by expanding the use of civil rights enforcement.** Civil rights enforcement can play an especially important role in

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overcoming barriers to educational and economic opportunity, and we should strengthen and focus civil rights enforcement to complement the opportunity agenda.

- *Strengthen antidiscrimination laws and enforcement procedures:* For example, we could amend Title II, which prohibits discrimination in public accommodations, to include businesses that provide goods and services. At present, racial discrimination in retail sales (e.g., the Eddie Bauer case in which a black teenager was ordered by a security guard to strip off his shirt because he did not have a sales receipt) does not raise a strong federal cause of action. We nearly abandoned pattern and practice investigations during the 1980s. That was wrong.
 - *Use Title VI to address racial disparities:* No federal money should be spent in a manner that supports unjustified racial disparities in opportunity. For example, in education, Title VI prohibits policies and practices that have an unjustified disparate impact on select racial groups in terms of access to educational resources, tracking into challenging courses, the use of unvalidated high stakes tests, and more. We should strengthen Title VI enforcement.
 - *How much discrimination is there?* We should expand research on the extent of racial discrimination, using the best available methodologies (testers where appropriate), in such areas as employment, housing, and access to capital. The results of such testing should be published in an annual report card.
- (b) **Fully address all forms of discrimination affecting our increasingly diverse population by strengthening civil rights laws and enforcement.** We must retool our civil rights laws and refocus enforcement efforts to fully address civil rights issues affecting our diverse citizenry.
- *New immigrants:* Strengthen laws and enforcement to promote the rights of new immigrants. For example, in immigration and employment, we could expand enforcement against labor abuses in “sweatshops,” the victims of which are often new immigrants of Hispanic or Asian origin, and amend present laws to stabilize the immigration status of persons who report labor abuses so those persons do not fear reprisal, official or private.
 - *Language acquisition:* Promote the rights of LEP populations. For example, in education, we could develop regulations to clarify the *Lau* standard concerning what legal requirements schools must meet in educating LEP students.
 - *Learning your rights:* Educate immigrant and LEP populations about civil rights laws and mechanisms. We should promote outreach to immigrant and LEP populations whose rights are protected but who are underutilizing civil rights laws.

- (c) **Address discrimination and disparities by promoting voluntary efforts in conjunction with enforcement of civil rights laws.** In addition to reacting to civil rights complaints, civil rights enforcement agencies should act proactively to encourage and support voluntary compliance with civil rights laws and values.

Expand civil rights consultations and clarify legal standards: There are civil rights areas where both the law and policy are unclear and where people of good will may be managing inappropriate programs. We should act to clarify legal standards and to encourage actors to seek guidance concerning their civil rights obligations. We could promote laws or regulations encouraging voluntary consultations with civil rights agencies. If an actor voluntarily submits his/her practice for civil rights review, he/she is safe harbored and/or any agreement approved by the civil rights agency following that review would be defended by the federal government if later challenged by a third party.

Expand proactive enforcement: Absent a formal complaint, where potential civil rights violations are discovered, civil rights agencies should follow up with the party to correct the injustice. If discussions are not fruitful, the enforcement agency reserves the right to launch a more formal civil rights enforcement examination. For example, in education, the Department of Education's Office of Civil Rights (OCR) recently learned of a Georgia education policy that placed students into gifted and talent programs based solely on IQ test scores, despite the fact that the IQ test was not validated for that purpose nor validated to be the *sole* factor for any purpose. This policy led to a disproportionately low number of minority students being admitted to gifted and talented programs. OCR consulted with Georgia officials, and the policy was properly amended.

- (d) **Mend, don't end, affirmative action as enforcement remedy and voluntary measure to promote access and inclusion**

- (e) **[Hate crimes.]**

-- *Discussion issues on the civil rights workplan*

After further interagency discussion, we will need policy guidance about a number of Title VI issues.

Should we develop a package addressing "the new diversity"?

How much technical assistance should be done proactively to implement “mend don’t end” in various sectors?

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IV. THE LEADERSHIP CHAPTER

Following the workplan chapter, you can challenge leaders in a range of sectors to do their part, and combine this with a vision of locally-based efforts to use the promising practices and devise locally-oriented workplans. Finally, in this chapter you should describe the ongoing mechanism within the White House to help support the sectoral leadership, community-based leadership, and the Federal government elements of your workplan.

(a) *Challenges for sectoral leadership*

We expect, by the publication date, to have worked successfully with leadership groups in a few sectors, prompting them to develop a list of action steps tailored to their sector, and a practical strategy for implementation. A brief status report on what we have initiated follows.

Higher Education: With staff support from the American Council on Education, a core group of college and university presidents is working to establish a broader coalition that will lead a coordinated campaign to educate the public about the value of diversity in higher education and to share campus practices that promote diversity. We expect them to launch the effort, designed with Frank Greer as lead consultant, sometime this fall. (There is a possibility of using a White House event to bless the undertaking.)

Faith Community: Sandy Cloud of the National Conference for Community and Justice has agreed to lead a steering committee in convening, on October 22 and October 23, an implementation summit at which a group of faith leaders will write and commit to a practical work plan for both national and community-based action, and devise a coalition mechanism for follow through. This will include special efforts to reach those faith communities that have not traditionally been leaders in racial justice. In addition, at your September 11 breakfast for religious leaders, you will have an opportunity to mention Sandy Cloud’s leadership, and encourage those in the room to respond positively to the effort.

Corporate: Secretary Daley will informally convene a group of CEOs in October to identify the most appropriate elements of a corporate sector initiative, and strategies for enlisting support from key executives. In preparation for that session, White House and agency staff will brainstorm with some current and former Administration officials in corporate leadership.

Youth: We are organizing a team of White House staff and representatives from national youth-oriented organizations to prepare a workplan intended for widespread endorsement and dissemination. (The outside collaborators will include USSA, Young Democrats, Young Republicans, the youth divisions of the NAACP, Urban League, La Raza and the Congress of Asian Pacific American Youth.) Tentatively, we think the plan's three major components will be: (i) a national campaign to educate the youth sector about the intricacies and history of race and racism; (ii) an initiative to improve race-related curriculum and teaching in grades K-16; and (iii) a mechanism to ensure youth sector involvement.

(b) Options for an ongoing structure to carry out your work plan

While the work plan is not yet completed, we know that there will be some general components which will require continuity and should compose the major responsibilities of the new entity:

- Policy making (including research and data collection)
- Outreach and leadership development (including technical assistance to communities)
- Communication campaign (including an awards program)
- Support for promising practices (such as a clearinghouse, conferences, grant funding)

The work plan lays out an ambitious agenda that will require the involvement of several players. With such an extensive scope of work, a coordinating body for the federal sector, and for liaison with non-federal actors is needed to ensure continued momentum and follow up from outside efforts. Non-federal leaders engaged on the workplan will expect a central point of contact and technical assistance.

Option A: President's Council for One America

A1: President's Council for One America Plus an External Advisory Committee

The continuing effort could take a form similar to the Council for Environmental Quality or the Office of Science and Technology Policy. This arrangement would be short of the ONDCP model which has a large staff, a significant budget, and substantial operating

authority. The council, created by Executive Order, would be run by an Assistant to the President (as Executive Director) with a small staff and a blue ribbon advisory committee.

A council staff should include a policy component, which would work with existing White House policy offices and federal agencies to promote data collection and research and to develop and monitor policies to overcome disparities and eliminate discrimination.

It would also have a communications component, which would help lead a public education campaign, support a promising practices clearinghouse, and conduct outreach to help improve race relations.

- Pros:
- Location places the Presidency squarely behind racial reconciliation effort
 - Relatively stable structure
 - Staff appointed by you ensures White House control
 - Advisory committee offers opportunity for showcasing diverse leadership, provides credibility in building partnerships

- Cons:
- Location and staffing make the stakes high
 - Advisory committee requires support and nurturing; the familiar headaches

A2: President's Council for One America, No Advisory Committee

This option would be the same as option A1 but it would not include an Advisory Committee.

- Pros:
- Staff would not be distracted by the day-to-day demands of managing an Advisory Committee

- Cons:
- Lacks the outside validation that an Advisory Committee can provide

Option B: Dedicated Staff reporting to the Office of the Chief of Staff

An Assistant to the President with a small staff, reporting to the Chief of Staff's office, could take responsibility for managing Administration efforts.

- Pros:
- Closely linked to you and the White House
 - At the center of activity

- Cons:
- Not a formal structure, may not be stable
 - May not be viewed publicly as a significant enough commitment

Option C: Private Foundation Model

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C1: *One America Foundation*

The structure could take the form of a private foundation, established at your urging and supported to varying degrees by the federal government, similar to the Points of Light Foundation. The goals of the foundation could include promoting research on issues of race, promoting a public education campaign to support racial reconciliation, and supporting community efforts to improve race relations. Such a foundation could perhaps best complement a separate policy-making effort within the federal government.

- Pros:
- Serves as umbrella to coordinate several areas of activity
 - Independence
 - Ability to raise money

- Cons:
- May not be viewed as closely connected to the White House
 - Requires someone's time and attention to pull together

C2: *Clinton Library Model*

This option is similar to the Foundation model above except that it would be an endeavor for you after your final term ends, possibly as part of the Clinton library. Staff could begin immediately to design the structure.

- Pros:
- More time to put together the funding and structure
 - You will have more time to devote to it

- Cons:
- Delays significant Presidential involvement for a few more years
 - May be partisan resistance to participating in activities because of close alignment with this Administration

V. *NEXT STEPS*

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Attachments:

- Current book outline.

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- NEC memorandum on employment issues
- ???

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karen Tramontano (CN=Karen Tramontano/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 4-SEP-1998 18:05:20.00

SUBJECT: USDA Food Stamp Waiver

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

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

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

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

TEXT:

I just got a call from AFSCME informing me that our friends at USDA are seriously considering waivers for Florida and Arizona of merit staff for food stamp workers ----
also they heard that USDA is visiting Florida to review its TANEF Pilot --

Kris, can you check this out w/USDA

Any other info/advice pls let me know