

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 089 - FOLDER -001**

**[02/04/1999]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Mike Cohen <mikec\_20904@yahoo.com> ( Mike Cohen <mikec\_20904@yahoo.com> [ U

CREATION DATE/TIME: 4-FEB-1999 07:43:38.00

SUBJECT: flexibility proposal for ESEA

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

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

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

TEXT:

Attached is a first cut at a flexibility proposal for ESEA, as I've promised to deliver before leaving.

I'll be in the office by mid-morning to complete checking out before heading over to ED. I'll check in with you then.

---

DO YOU YAHOO!?

Get your free @yahoo.com address at <http://mail.yahoo.com>

- flexibility.wpd===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D14]MAIL44031573M.036 to ASCII,  
The following is a HEX DUMP:

FF575043BB040000010A02010000000205000000D13C000000020000DC0BB95D4F1EBB2E01AE87  
EF20A801BF4FA211DCA626B8741FAF1B2E06690D7D59E733B5B8F751F567CF809934CCD0E4D007

Automated Records Management System  
Hex-Dump Conversion

MEMORANDUM FOR BRUCE REED  
ELENA KAGAN  
MIKE SMITH  
BARBARA CHOW

FROM: Mike Cohen

SUBJECT: Proposal to Expand Flexibility and Reward Performance

Now that we have clearly staked out a position to strengthen accountability in ESEA, I think we also must advance a related proposal to expand flexibility as well. Toward this end, I've sketched out a proposal that would provide new and significant flexibility in the use of federal funds to high poverty school districts, in exchange for increased performance. The core of the proposal is a performance partnership between the federal government and somewhere in the neighborhood of 100 high poverty urban and rural school districts. In this partnership, school districts that first demonstrate significant and sustained improvements in student achievement would be able to combine funds from a number of federal education programs and use them to support a local improvement strategy. The performance partnership would be a three-year agreement between the district and the Education Department, though the districts would continue to enjoy this high level of flexibility as long as they continue to make satisfactory gains in student achievement. More specifically, here is how I envision this program working:

**Eligible School Districts.** The performance partnership program would be open to high poverty urban and rural school districts nationwide. I would use the same definition of "high poverty" as we used in the Education Opportunity Zones legislation -- more than 20%, or 10,000, students in poverty. This is not very highly targeted, but it includes a broad enough cross section of school districts to have some Congressional appeal. In order to be eligible, school districts must have a track record of improving student achievement, on a districtwide basis, for at least two years. This is a more stringent requirement than we had proposed in the Zones proposal; in our bill we would have accepted gains in a few targeted schools as evidence that the district was capable of intentional improvements.

Interested school districts would compete on the basis of their track record in improving student achievement--the ones showing the greatest gains would be the most competitive. They would also compete on the basis of how ambitious they are--those committed to making the greatest gains in the future should get a leg up in the competition.

We would want the districts to describe their education improvement strategy, in order to help pick the most promising approaches, or perhaps to help us ensure that we pick a set of

partnerships school districts with a range of different approaches, so that we can learn more from this effort. However, I think we want to keep the primary focus on results rather than plans, and we would not necessarily get too deeply involved in reviewing and approving these plans.

**Measuring Performance and Success.** The key performance indicators for each district would be student performance on measures of achievement, using state and/or local testing programs. We would require tests in reading and math, and a few other core indicators such as the high school graduation rate. Districts would be free to add additional measures that reflect local priorities. As part of the final selection process, the Secretary would negotiate with each district the performance gains that would be required over a three year period, in order to continue in the partnership. In order to make adequate progress, the district would have to demonstrate increases in achievement overall as well as reductions in the gaps between racial, ethnic and income groups, or between the highest and lowest achievers. And we must insist on disaggregated data, at the district and student level, in order for us to provide the kind of flexibility I am envisioning here. This is consistent with the approach we have discussed in the design of a reward-for-performance program for states and local districts.

Districts would be required to comply with our package of accountability measures -- school report cards, ending social promotion, intervening in failing schools and phasing out the use of unqualified teachers. We would also continue to monitor other performance indicators for each district, related to the underlying purposes of specific funding programs.

**Rewarding Performance.** We would reward improved performance in three ways. First, entering the performance partnership and gaining added flexibility is largely a reward for prior success. Second, continued flexibility is dependent upon continuing success. District's would be given added flexibility for three years, and would lose it if it failed to make adequate progress during that period. And if a district's performance actually dropped during that period, the Secretary could discontinue the partnership sooner if circumstances warranted.

Third, we ought to provide discretionary money as an additional reward for performance. We can link this to the basic plan we already have already developed for rewarding performance, so that after 2-3 years of additional flexibility, those school districts with the greatest gains would be eligible for bonus funds. Under our current proposal for rewarding performance, we would have \$200 million per year, starting in 2003, for rewards to urban districts and states. The districts would get half of the funds. We could use this pot of funds as the pool for rewarding partnership districts making outstanding gains.

Alternatively--and preferably, in my view--if we can figure out a way to make the necessary budget accommodations, we could provide some additional funds immediately--once the districts enters the partnership. In this option, the performance partnership would involve a three year grant of funds as well as a three year "grant" of flexibility. Districts that fail to make adequate progress would lose funds and flexibility after three years. Those that succeed could continue to receive both. This approach would be more compelling to local school districts, but

wouldn't be cheap. I have not costed this out in any detail yet, but it is worth noting that our Zones proposal started at \$200 million for the first year, and would initially fund some 15-20 school districts. Our bonus fund would make \$100 million available to about 50 districts.

**Expanded Flexibility: Combining Funds from Different Programs.** Districts participating in this partnership would be permitted to combine funds from different programs into a "responsible block grant." That is, they could take funds they receive under any ESEA program,-- including Title 1, Safe and Drug Free Schools, Class Size Reduction, the new Reading Excellence Act, the Obey-Porter Comprehensive School Reform program, Eisenhower (or whatever teacher quality grant program we develop), Technology Literacy Challenge, 21<sup>st</sup> Century Community Learning Centers, and Bilingual Education,-- and use them to support the local improvement strategy that they described in their initial application and that is responsible for the success they have already achieved. Districts would not be required to track dollars to specific programs. We *might* want to give them additional flexibility with regard to the allocation of funds to specific schools, though there are also down sides to this.

In effect, the deal we strike with the district recognizes that if they have already shown they can make significant achievement gains, we are going to let them use our funds to support their own approach and priorities, even if they are different from ours. In their initial application, the district would tell us what approach works for them, and how they would use federal funds to help them carry it out more effectively. They would still have to address the purposes of the underlying program, but with greater ability to make tradeoffs among them than at present, in order to boost student achievement. Thus, if the district's plan called for a greater emphasis on after-school programs and less on computers, this would effectively allow them to spend more federal funds on after-school programs and less on computers. Or if the district believed it was more important to reduce class size in grades four, eight and ten in order to support an end to social promotion the right way, they could do that--as long as it yields the student achievement results they have agreed to.

Since we would normally require states to monitor indicators reflecting underlying program purposes (e.g., ratio of multimedia computers to kids, class size in grades 1-3) we would need to figure out some way to take local priorities into account in this process with respect to the level of progress we would expect to see on some indicators.

### **Concluding Thoughts**

I see a number of advantages to this approach. It balances our strong accountability message, and underscores that we are for accountability and flexibility, sensibly linked. The focus on high poverty local districts helps underscore our commitment to closing performance gaps. The overall focus on local school districts helps in a number of additional ways. It blunts the Republican argument that they are for local control and we aren't. By creating a large-scale demonstration program, it gives us a way to more effectively respond to the push for block grants and preserve the basic structure of federal education programs. Yet it will help us with mayors

such as Daley and Menino, who like our agenda but really do want block grants. It should also help keep the local school boards and administrators closer to us, when they are otherwise tempted by block grant proposals.

This proposal may cause concern in the education community or among our allies in Congress, who may feel this goes too far down the road to block grants. While I don't share that assessment, there are ways this proposal could be modified to address those concerns, while retaining the overall approach. For example, existing programs could be combined into categories (e.g., kid and equity oriented programs such as Title 1 and Bilingual Education in one category, capacity-building programs such as professional development and technology in another, with district's able to combine funds within but not across categories).

Finally, this emphasis on local school districts leaves out the states, for now. The states will be less important in the reauthorization battles than the local districts will, in light of the Republican interest in bypass states and getting money right to the classroom. Further, we could still address the states in a number of ways. Since they are almost certain to get the Ed-Flex bill the governors are working so hard for, we could argue that their flexibility needs are already addressed. We could still work on a state-level approach to rewarding performance with bonus funds, as we have previously discussed. Or, if necessary we could develop a companion state-level performance partnership proposal, though if we went in this direction we would want to be sure that we don't let states undermine our own efforts to allocate funds to high poverty communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Elizabeth R. Newman ( CN=Elizabeth R. Newman/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 08:28:13.00

SUBJECT: school construction

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

can we get guidance from you all on school construction? thanks

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 10:51:57.00

SUBJECT: Weekly Strategy Meeting

TO: Vicky\_Stroud ( Vicky\_Stroud @ ed.gov@inet [ UNKNOWN ] )

READ:UNKNOWN

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP @ EOP [ OSTP ] )

READ:UNKNOWN

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: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

CC: Jason H. Schechter ( CN=Jason H. Schechter/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Today's Education Strategy Meeting is RESCHEDULED for Tuesday, February 9,  
at  
5:15 p.m.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Vicky Stroud at Wdcb04 <"IMCEACCMail-Vicky+20Stroud+20at+20Wdcb04"@ed.gov>

CREATION DATE/TIME: 4-FEB-1999 10:51:21.00

SUBJECT: RE: Weekly Education Strategy Meeting

TO: Shirley S. Sagawa ( CN=Shirley S. Sagawa/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

TO: David L. Stevenson ( CN=David L. Stevenson/OU=OSTP/O=EOP [ OSTP ] )  
READ:UNKNOWN

TO: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

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

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

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

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

CC: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

CC: Jason H. Schechter ( CN=Jason H. Schechter/OU=WHO/O=EOP [ WHO ] )  
READ:UNKNOWN

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

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

CC: Sonyia Matthews ( CN=Sonyia Matthews/OU=OPD/O=EOP [ OPD ] )  
READ:UNKNOWN

TEXT:

Cathy,

Mike is out on travel (California) and Diane Rogers is out sick today.  
Let me know if they want someone to attend from here.

Thanks,

Vicky

---

Reply Separator

---

Subject: Weekly Education Strategy Meeting  
Author: "Cathy\_R.\_Mays@opd.eop.gov" [SMTP:Cathy\_R.\_Mays@opd.eop.gov] at  
USDOED  
Date: 2/3/99 4:51 PM

We will be having the weekly Education Strategy meeting tomorrow, February 4, at 5:15 p.m. in Bruce Reed's office, 2 Floor, West Wing.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Fred DuVal ( CN=Fred DuVal/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 10:55:52.00

SUBJECT:

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

READ:UNKNOWN

CC: Jeanne Lambrew ( CN=Jeanne Lambrew/OU=OPD/O=EOP @ EOP [ OPD ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Are you tracking the Mississippi CHIP issue. I understand HCFA may turn it down. Obviously I wanted to make sure notifications were appropriately handled, particularly on the Congressional (Lott) side. This was discussed last night at Deputies and Maria asked me to coordinate with you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 11:08:57.00

SUBJECT: Crime Strategy Meeting

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

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

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

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

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

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

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

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

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

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

TEXT:

We will NOT be having a Crime Strategy Meeting on Monday, February 8.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 11:40:20.00

SUBJECT: Q&A

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here's the Q&A. This INS plan is going to cause us greater heartburn in the future.

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ATTACHMENT 1  
=====

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D84]MAIL476320839.036 to ASCII,  
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**INS Criminal Aliens  
Question and Answer  
February 4, 1999**

- Q. Today, the *Washington Post* reported that the INS is considering a plan to release criminal aliens -- including drug offenders, and aliens smugglers -- into the community due to lack of detention space. Is this true?**
- A. Recent changes in the law has caused the number of people that INS must detain to skyrocket -- and despite the fact that this Administration has dramatically increased the number of criminal aliens removed to their country of origin, and increased detention space --- serious problems have arisen with INS' capacity to hold criminal aliens. The INS has worked with the Congress to find an acceptable answer to this problem but has not yet been able to come up with a satisfactory solution. As a result, INS is exploring a variety of options to solve this problem.**

It should be clear that INS' primary concern for any plan is the impact on public safety. Among the options being considered are removing additional people to their country of origin, and alternatives for detention for those who do not pose a threat to the community. In addition, the INS is looking into separate plans for each local facility to detain the highest risk aliens and release those that present the lowest risk to the community. This plan is still being developed and is not final. Reports of releasing criminals is premature. INS is focused on protecting the community as its first priority and satisfying the requirements set out in the law.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 11:43:46.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

I have INS Q&A and Chris is finishing HC Q&A for you to review -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: MaryEllen C. McGuire ( CN=MaryEllen C. McGuire/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 11:53:29.00

SUBJECT: AmeriCorps Conference Call

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

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

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

TO: JGompert ( JGompert @ cns.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

CC: Twest ( Twest @ cns.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

TEXT:

Just a reminder that our next biweekly conference call on AmeriCorps Visibility will be this coming Monday, February 8th at 4:00pm. Call 757-2100 code 4129.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 12:24:43.00

SUBJECT: Q&A

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

BR/EK:

This is a disaster. I think any guidance we give Joe and the press office should be unequivocal in saying that we have no intention of releasing criminals into our communities. Our budget includes new funds (about \$22 million, not enough to cover the need). And we have supported legislation to delay the implementation of this detention requirement that we could push for again as a temporary, if inadequate, solution. But we should immediately shut down any notion that we're entertaining releasing criminals...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/04/99  
12:19 PM -----

Leanne A. Shimabukuro  
02/04/99 11:59:47 AM  
Record Type: Record

To: Jose Cerda III/OPD/EOP  
cc:  
Subject: Q&A

This was keeping me occupied the last hour or so. We should be concerned about this.

----- Forwarded by Leanne A. Shimabukuro/OPD/EOP on  
02/04/99 12:00 PM -----

Leanne A. Shimabukuro  
02/04/99 11:40:01 AM  
Record Type: Record

To: Laura Emmett/WHO/EOP, Elena Kagan/OPD/EOP  
cc:  
Subject: Q&A

Here's the Q&A. This INS plan is going to cause us greater heartburn in the future.

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D84]MAIL49420183R.036 to ASCII,  
The following is a HEX DUMP:

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2B0F539015E040BBEC15913B8D95DF4EDB6208DCD742ED769A3D1D76FCD48AA02FD4139B798A2A

**INS Criminal Aliens  
Question and Answer  
February 4, 1999**

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It should be clear that INS' primary concern for any plan is the impact on public safety. Among the options being considered are removing additional people to their country of origin, and alternatives for detention for those who do not pose a threat to the community. In addition, the INS is looking into separate plans for each local facility to detain the highest risk aliens and release those that present the lowest risk to the community. This plan is still being developed and is not final. Reports of releasing criminals is premature. INS is focused on protecting the community as its first priority and satisfying the requirements set out in the law.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 13:22:22.00

SUBJECT: Equal Pay Wage Collection

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

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

READ:UNKNOWN

TEXT:

FYI -- OMB has decided to extend the deadline for responding to OFCCP's request to collect wage data for three months, and, in the meantime, work with us in exploring options of how wage data could be collected. I told OMB that seems fine. If you have a problem with that, let me know.

In addition, Josh Gotbaum is supposed to sit down with the women's groups next week and listen to their complaints about the lack of wage data and listen to what they have to say about OFCCP's pending request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Sean P. Maloney ( CN=Sean P. Maloney/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 13:57:31.00

SUBJECT: Judy Shepard

TO: Philip G Dufour ( CN=Philip G Dufour/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Karen Tramontano ( CN=Karen Tramontano/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: Lisa A. Berg ( CN=Lisa A. Berg/O=OVP @ OVP [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Judy Shepard (Matthew Shepard's mom) called me today to say she was coming to Washington on February 18-19. She asked to have lunch on the 19th, and I invited her to come to the Mess. Thought I'd pass it along in case anyone thinks there's an opportunity to do something more with her while she's here. (Looking ahead, she'll be in Wyoming through March 1st, then in Saudi Arabia through March 20th or so; then, back to Wyoming for the first defendant's trial). On a related note: as some of you know, her husband and she taped a Dateline NBC interview a couple weeks ago that will be aired tomorrow night.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 14:50:35.00

SUBJECT: radio address on gun shows -- draft 2/4 2:30pm -- comments to Jeff Shesol

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Douglas B. Sosnik ( CN=Douglas B. Sosnik/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: Paul E. Begala ( CN=Paul E. Begala/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: Laura Emmett ( CN=Laura Emmett/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: mawaldman ( mawaldman @ aol.com @ inet [ UNKNOWN ] )

READ:UNKNOWN

CC: Joshua S. Gottheimer ( CN=Joshua S. Gottheimer/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Draft 02/04/99 2:30pm

Jeff Shesol

PRESIDENT WILLIAM J. CLINTON

RADIO ADDRESS ON GUN SHOWS

THE WHITE HOUSE

February 6, 1999

Good morning. Six years ago, I determined that Washington had to

get off the sidelines and join the frontlines in the fight against crime. I committed my administration to recovering our streets from violence, to reclaiming our neighborhoods as safe havens for families. Since then, we have pursued a new strategy of law enforcement based not on tough talk but on tougher penalties, better prevention, and the substantial, visible presence of community police.

Our strategy is showing remarkable results. Since 1993, crime rates in America have fallen to the lowest point in a quarter century. Property crime is down; violent crime has dropped 20 percent in the last six years; and the murder rate is the lowest in 30 years. Americans can take pride in streets that are safer; but, mostly, they can take comfort in lives that are more secure.

There are many reasons that crime is on a sharp decline. Chief among them is our ability to keep guns out of the hands of criminals. Gun trafficking and gun-related crime are on the wane; and it is no wonder: according to a recent report by the Justice Department, the background checks we required in the Brady law have put a stop to [nearly a quarter million] handgun purchases. Thanks to Brady, we turn away [118] felons a day, sending them home empty-handed instead of well armed. And the Insta-Check system that took effect last November is allowing us to conduct even more checks -- in even less time.

Retail gun stores, sporting goods stores, licensed gun dealers -- they are all working to keep guns out of the hands of felons and fugitives. But there is a loophole in the law, and criminals know how to exploit it: They go to gun shows. Last year, there were more than 4,400 gun shows across America. I come from a state where these shows are very popular. I have visited and enjoyed them over the years. I know they are the first place where many parents teach their children how to handle firearms safely.

But at the same time, and at too many gun shows, criminals are buying guns with no questions asked. That's because the law permits some dealers -- one quarter to one half of the vendors at a typical gun show -- to skip the background checks required by Brady. That is a dangerous loophole. It is wide enough that criminals reach right through it, grabbing, collectively, thousands of firearms that disappear without a trace.

Last fall, I asked the Attorney General and the Secretary of the Treasury -- who join me here today -- to report on the problem and to come up with solutions. I now have their report. It is sensible -- and sobering. It shows conclusively that gun shows are a forum for gun traffickers -- a cash-and-carry convenience store for weapons used to maim and to kill.

We must close this loophole. America cannot allow its gun shows to become illegal arms bazaars, where law-breakers shop side-by-side with the law-abiding. That is why I strongly support the recommendations of Attorney General Reno and Secretary Rubin. We should extend Brady checks and gun tracing records to any and all open markets where large numbers of firearms are sold. And we should vigorously and fairly enforce the rules.

To toughen enforcement of the existing law, my balanced budget includes new funds to hire ne

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Rebecca L. Walldorff ( CN=Rebecca L. Walldorff/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 15:39:13.00

SUBJECT: Legislative Rollout next meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Karen Tramontano ( CN=Karen Tramontano/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Dominique L. Cano ( CN=Dominique L. Cano/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: Thurgood Marshall Jr ( CN=Thurgood Marshall Jr/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: Leslie Bernstein ( CN=Leslie Bernstein/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Maya Seiden ( CN=Maya Seiden/OU=WHO/O=EOP @ EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

The next Legislative Rollout meeting will be on Wed Feb 10 at 4PM in the Roosevelt Room. Please email me with questions/conflicts.

Thanks!

Rebecca

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Caroline R. Fredrickson ( CN=Caroline R. Fredrickson/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 16:04:07.00

SUBJECT: conference call with Bill Corr

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Are you all free 10:30 for a quick conference call on recoupment?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Heather M. Riley ( CN=Heather M. Riley/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 16:05:10.00

SUBJECT: meeting in joe's is starting--thanks

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

READ:UNKNOWN

TO: PAUL (SKY) (Pager) #BEGALA ( PAUL (SKY) (Pager) #BEGALA [ UNKNOWN ] )

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Amy Weiss ( CN=Amy Weiss/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 16:35:53.00

SUBJECT: States reach tentative agreement on dividing \$5.15 billion

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

States reach tentative agreement on dividing  
\$5.15 billion

RALEIGH, N.C. (AP) - Tobacco states reached a tentative agreement Thursday on dividing a \$5.15 billion trust fund for farmers that would be financed by the major cigarette makers.

The distribution plan will use the 1998 basic quota system set by the U.S. Department of Agriculture, said North Carolina Attorney General Mike Easley and other officials.

``It's the most equitable way and what our farm groups want here. All states come out pretty much even with that,`` Easley said.

Kentucky Gov. Paul Patton said Phil Carlton, the lawyer for four largest U.S. tobacco companies, would prepare a final draft of the proposed agreement, and the states' representatives would meet again to discuss it.

About 70 people met behind closed doors at a Raleigh hotel to work out the distribution plan.

North Carolina, the largest flue-cured tobacco state, and Kentucky, the biggest burley tobacco producer, would receive the biggest shares under the proposal - 38.34 percent and 29.97 percent, respectively, sources who spoke on condition of anonymity said.

The sources said Tennessee would get 7.65 percent; South Carolina, 7.01 percent; Virginia, 6.65 percent; and Georgia, 5.91 percent.

The other tobacco quota states will receive less than 5 percent, based on their 1998 basic quotas. Maryland and Pennsylvania tobacco farmers are not part of the quota system, and their shares of the settlement still must be worked out, the sources said.

The private trust fund was created last month by tobacco-growing states and cigarette makers following last fall's \$206 billion settlement between the tobacco industry and 46 states. The fund was created to aid tobacco farmers expected to be squeezed by the higher cigarette prices and curbs on tobacco promotion that are part of the deal.

The trust fund will be financed by contributions over 12 years by Philip Morris Cos., R.J. Reynolds Tobacco Co., Lorillard Tobacco Co. and Brown & Williamson Tobacco Corp. The payments could begin as early as April.

Burley's share of the basic quota was 44 percent in 1998; flue-cured tobacco farmers got the other 56 percent, according to the U.S. Farm Service Agency. Using that formula to divide the trust fund money, burley states would get \$2.256 billion and flue-cured states, \$2.892 billion.

Burley-tobacco states and states that grow flue-cured tobacco entered Thursday's meeting at odds over how to divide up the trust fund money. Each backed formulas that favored their crop.

Danny McKinney, chief executive officer of Burley Tobacco Growers Cooperative in Lexington, Ky., said each state must work out how to distribute the money to the farmers and how much goes to quota owners, tenants who work tobacco acreage and lessees.

``When it leaves here and goes back to the state level, that's when the civil war starts,'' he said. ``It's going to get pretty hateful pretty darn quick.``

Major tobacco states involved in setting up the trust fund were Virginia, North Carolina, South Carolina, Georgia, Tennessee and Kentucky. Other involved were Maryland, West Virginia, Indiana, Florida, Alabama and Ohio.

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RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Mark D. Neschis@EOP@LN GTWY@EOPMRX

CREATION DATE/TIME: 4-FEB-1999 17:24:00.00

SUBJECT: Weekend Shows

TO: MAYS\_C ( MAYS\_C@A1@CD ) (OPD)  
READ: 4-FEB-1999 17:33:50.73

TO: REED\_B ( REED\_B@A1@CD ) (OPD)  
READ:NOT READ

TO: MAPLE\_D ( MAPLE\_D@A1@CD )  
READ:NOT READ

TO: FALK\_D ( FALK\_D@A1@CD )  
READ:NOT READ

TO: ECHAVESTE\_M ( ECHAVESTE\_M@A1@CD ) (WHO)  
READ:NOT READ

TO: TARMEY\_M ( TARMEY\_M@A1@CD ) (WHO)  
READ:NOT READ

TO: LEAVY\_D ( LEAVY\_D@A1@CD ) (NSC)  
READ:NOT READ

TO: CROWLEY\_P ( CROWLEY\_P@A1@CD ) (NSC)  
READ:NOT READ

TO: NAYLOR\_N ( NAYLOR\_N@A1@CD ) (VPO)  
READ:NOT READ

TO: Eli G. Attie ( Eli G. Attie@OVP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: David S. Beaubaire ( David S. Beaubaire@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Marsha E. Berry ( Marsha E. Berry@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Paul K. Engskov ( Paul K. Engskov@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Nancy V. Hernreich ( Nancy V. Hernreich@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Julie E. Mason ( Julie E. Mason@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Anne E. McGuire ( Anne E. McGuire@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Cheryl D. Mills ( Cheryl D. Mills@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Kevin S. Moran ( Kevin S. Moran@EOP@LN GTWY@EOPMRX )

READ:NOT READ

TO: John Podesta ( John Podesta@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Laura D. Schwartz ( Laura D. Schwartz@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Douglas B. Sosnik ( Douglas B. Sosnik@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Barry J. Toiv ( Barry J. Toiv@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: June G. Turner ( June G. Turner@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Dag Vega ( Dag Vega@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Joseph W. Cerrell ( Joseph W. Cerrell@OVP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Ron Klain ( Ron Klain@OVP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Sara M. Latham ( Sara M. Latham@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Brenda M. Anders ( Brenda M. Anders@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Beverly J. Barnes ( Beverly J. Barnes@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Ann F. Lewis ( Ann F. Lewis@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Todd Stern ( Todd Stern@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Cynthia M. Jasso-Rotunno ( Cynthia M. Jasso-Rotunno@EOP@LNGETWY@EOPMR )  
READ:NOT READ

TO: Christopher J. Lavery ( Christopher J. Lavery@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Laura S. Marcus ( Laura S. Marcus@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Megan C. Moloney ( Megan C. Moloney@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Evan Ryan ( Evan Ryan@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Charles F. Ruff ( Charles F. Ruff@EOP@LNGETWY@EOPMRX )  
READ:NOT READ

TO: Ora Theard ( Ora Theard@EOP@LNGETWY@EOPMRX )

READ:NOT READ

TO: Thomas D. Janenda ( Thomas D. Janenda@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Elizabeth R. Newman ( Elizabeth R. Newman@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Lynn G. Cutler ( Lynn G. Cutler@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Sandra Thurman ( Sandra Thurman@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Julia M. Payne ( Julia M. Payne@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Jennifer M. Palmieri ( Jennifer M. Palmieri@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Daniel C. Montoya ( Daniel C. Montoya@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Andrew J. Mayock ( Andrew J. Mayock@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Bruce R. Lindsey ( Bruce R. Lindsey@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Lanny A. Breuer ( Lanny A. Breuer@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Julianne B. Corbett ( Julianne B. Corbett@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Katharine Button ( Katharine Button@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Jake Siewert ( Jake Siewert@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Gene B. Sperling ( Gene B. Sperling@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Joseph P. Lockhart ( Joseph P. Lockhart@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Michael V. Terrell ( Michael V. Terrell@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Serena C. Torrey ( Serena C. Torrey@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Sidney Blumenthal ( Sidney Blumenthal@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Ruby Shamir ( Ruby Shamir@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Paul E. Begala ( Paul E. Begala@EOP@LN GTWY@EOPMRX )

READ:NOT READ

TO: James E. Kennedy  
READ:NOT READ

( James E. Kennedy@EOP@LN GTWY@EOPMRX )

TO: Stacie Spector  
READ:NOT READ

( Stacie Spector@EOP@LN GTWY@EOPMRX )

TO: Lawrence J. Stein  
READ:NOT READ

( Lawrence J. Stein@EOP@LN GTWY@EOPMRX )

TO: Janet Murguia  
READ:NOT READ

( Janet Murguia@EOP@LN GTWY@EOPMRX )

TO: Donald Goldberg  
READ:NOT READ

( Donald Goldberg@EOP@LN GTWY@EOPMRX )

TO: Jennifer N. Devlin  
READ:NOT READ

( Jennifer N. Devlin@OVP@LN GTWY@EOPMRX )

TO: Patricia M. Ewing  
READ:NOT READ

( Patricia M. Ewing@OVP@LN GTWY@EOPMRX )

TO: Christopher S. Lehane  
READ:NOT READ

( Christopher S. Lehane@OVP@LN GTWY@EOPMRX )

TO: Lawrence J. Haas  
READ:NOT READ

( Lawrence J. Haas@OVP@LN GTWY@EOPMRX )

TO: Michele Jolin  
READ:NOT READ

( Michele Jolin@EOP@LN GTWY@EOPMRX )

TO: Elena Kagan  
READ:NOT READ

( Elena Kagan@EOP@LN GTWY@EOPMRX )

TO: David T. Johnson  
READ:NOT READ

( David T. Johnson@EOP@LN GTWY@EOPMRX )

TO: Christopher C. Jennings  
READ:NOT READ

( Christopher C. Jennings@EOP@LN GTWY@EOPMRX )

TO: Steven J. Naplan  
READ:NOT READ

( Steven J. Naplan@EOP@LN GTWY@EOPMRX )

TO: Mark A. Kitchens  
READ:NOT READ

( Mark A. Kitchens@EOP@LN GTWY@EOPMRX )

TO: Jason H. Schechter  
READ:NOT READ

( Jason H. Schechter@EOP@LN GTWY@EOPMRX )

TO: Nanda Chitre  
READ:NOT READ

( Nanda Chitre@EOP@LN GTWY@EOPMRX )

TO: Robin M. Roland  
READ:NOT READ

( Robin M. Roland@EOP@LN GTWY@EOPMRX )

TO: Jonathan E. Smith  
READ:NOT READ

( Jonathan E. Smith@EOP@LN GTWY@EOPMRX )

TO: Julie B. Goldberg

( Julie B. Goldberg@EOP@LN GTWY@EOPMRX )

READ:NOT READ

TO: Sarah E. Gegenheimer ( Sarah E. Gegenheimer@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Gregory B. Craig ( Gregory B. Craig@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Guy Smith ( Guy Smith@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Heather M. Riley ( Heather M. Riley@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Roger V. Salazar ( Roger V. Salazar@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Amy Weiss ( Amy Weiss@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Karen Tramontano ( Karen Tramontano@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Linda Ricci ( Linda Ricci@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Steve Ricchetti ( Steve Ricchetti@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TO: Jonathan M. Prince ( Jonathan M. Prince@EOP@LN GTWY@EOPMRX )  
READ:NOT READ

TEXT:  
Message Creation Date was at 4-FEB-1999 17:23:00

FEBRUARY 4, 1999

MEMORANDUM TO JOE LOCKHART , ANN LEWIS, DOUG SOSNIK, & PAUL BEGALA  
FROM MARK NESCHIS  
SUBJECT WEEKEND TELEVISION

FRIDAY FEBRUARY 5, 1999

WASHINGTON WEEK IN REVIEW

Topic: tbd  
Guest: tbd

Topic: tbd  
Guest: tbd

Topic: tbd  
Guest: tbd

Topic: tbd  
Guest: tbd

SATURDAY FEBRUARY 6, 1999

EVANS, NOVAK, SHIELDS & HUNT (CNN)

Topic: Impeachment, Budget  
Guest: Sen. Stevens

CAPITAL GANG

Topic: tbd  
Guest: tbd

SUNDAY FEBRUARY 7, 1999

FOX NEWS SUNDAY (FOX)

Topic: Impeachment  
Guest: Former Senator John Danforth, Request for Former New York Governor Mario Cuomo

Topic: Impeachment  
Guest: Sen. Harkin, Sen. Shelby, other guests tbd

Roundtable: Brit Hume, Fox News, Juan Williams, Washington Post, Mara Liasson, NPR

FACE THE NATION(CBS)

Topic: Impeachment  
Guest: Sen. McConnell, Sen. Bennett, Sen. Collins, Sen. Leahy, Sen. Breaux

no roundtable

THIS WEEK (ABC)

Topic: Impeachment  
Guest: Rep. Asa Hutchinson

Topic: Impeachment  
Guest: Sen. Dodd, Sen. Kay Bailey Hutchison

Roundtable: , William Kristol, George Stephanopoulos

MEET THE PRESS (NBC)

Topic: Impeachment  
Guest: House Manager TBD

Topic: Impeachment  
Guest: Sen. Feinstein, Sen. Lieberman, Sen. Snowe, Sen. Domenici

LATE EDITION (CNN)

Topic: Impeachment  
Guest: House Manager TBD

Topic: Impeachment

Guest: Former Senator Dale Bumpers

Topic: Impeachment

Guest: Sen. Hatch, Sen. Schumer

Roundtable: Susan Page, USA Today, Steven Roberts, New York Daily News, Tucker Carlson, Weekly Standard

MCLAUGHLIN GROUP

Topic:

Guest:

MCLAUGHLIN ONE ON ONE

Topic: tbd

Guest: tbd

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 18:00:36.00

SUBJECT:

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Do we have an appropriate policy or announcement ?

----- Forwarded by Ann F. Lewis/WHO/EOP on 02/04/99 05:47  
PM -----

Fred Duval 02/04/99 01:30:07 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Ann F. Lewis/WHO/EOP

cc:

Subject:

I would like to pitch the idea of doing the radio address on the 20th on education and doing it with Democratic Governors in attendance. They are meeting that afternoon and education will top their agenda. I anticipate the GOP Govs will be pushing their local education theme while they are here - and I fully expect a GOP Gov to do their radio response on the 20th.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kevin S. Moran ( CN=Kevin S. Moran/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 19:03:17.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

pls call kevin if possible re: agenda items for tomorrow's 8:30. 6-6798

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 19:17:17.00

SUBJECT: CBS did thing on disabled going to work -- don't know if we got credit for

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:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Clara J. Shin ( CN=Clara J. Shin/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME: 4-FEB-1999 19:45:59.00

SUBJECT: crime section

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I was hoping to track down DPC's comments on the crime section of the Race Report. Maria would like to circulate the comments memo and discussion points tonight in preparation for tomorrow's meeting. We are waiting on DPC's comments to do so. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-FEB-1999 21:27:06.00

SUBJECT: Draft Press Paper for Gun Shows

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

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

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

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

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

TEXT:  
Sorry so late...again...jc3

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

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

TEXT:  
Unable to convert ARMS\_EXT:[ATTACH.D56]MAIL42304883V.036 to ASCII,  
The following is a HEX DUMP:

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78E6037B71E9B8C3A27B8E8D52AC4327E3662292A171E9FD143B0E3F3A2356BC0905BF9756CFD4

**Gun Shows Radio Address  
Questions and Answers  
February 6, 1999**

**Q: If there are over 4,000 gun shows each year, and only 314 ATF investigations, are you overstating the gun show problem?**

A: No, we are not. Today's report makes a very strong case that gun shows have provided a forum for illegal gun sales and firearms trafficking. The 314 gun show investigations reviewed in the report involved tens of thousands of firearms and led to very serious crimes, including homicide. Specifically, in just these 314 cases, we uncovered:

- more than 54,000 firearms of all sorts, with the largest case involving up to 10,000 firearms and a third of the cases involving at least 50 guns each;
- felons buying and selling firearms;
- guns bought and sold at gun shows being used in serious crimes;
- persons selling firearms without a license;
- gun dealers selling firearms "off the books" -- that is, without conducting a background check or keeping a record; and
- the transfer of firearms to juveniles, felons and other persons prohibited by law from buying a gun.

**Q: Doesn't the report essentially recommend regulating every private and secondary sale of a firearm?**

A: No, it does not. The report does recommend defining gun shows broadly and including any place -- such as a flea market -- where 50 or more guns are sold by at least 2 people, and this will cover many previously unregulated gun sales. But the report does not put any restrictions on the private sale of individual firearms by unlicensed persons, though it encourages these gun owners about their responsibilities under the law.

**Q: Instead of new legislation, why doesn't the Administration simply enforce existing laws more effectively?**

A: Although we intend to enforce existing laws more vigorously, and the President's FY 2000 budget includes nearly \$30 million in new funds for that purpose, current federal law only regulates federally licensed gun dealers (FFLs). Non-licensees and private

collectors -- who are not formally engaged in the business of selling firearms -- are generally allowed to transfer firearms at a gun show without conducting a background check or keeping records. The legislative recommendations presented in today's report will close this loophole.

**Q: Isn't this really a problem for the States? What are the States doing about gun shows?**

**A:** Gun shows are a problem for the federal government and the states. More than half of the states impose no prohibition whatsoever on the private transfer of firearms among unlicensed persons and do not regulate the operation of gun shows. Other states only impose restrictions on the private sales or transfers of firearms similar to the federal law, such as prohibiting the transfer of firearms to felons, juveniles, the mentally disturbed, etc. Thus, today's recommendations will make a big difference in the many areas where there are currently almost no restrictions on the sale of firearms at gun shows.

#### **Brady/NICS**

**Q: How many Brady background checks have been performed since the National Instant Criminal Background System (NICS) took effect on November 30, 1998?**

**A:** Since its implementation on November 30, 1998, the NICS has handled over 1.5 million Brady background checks. Of these, about 790,000 of these were handled by the FBI and resulted in the denial of over 16,200 illegal gun sales to felons, fugitives, and other prohibited purchasers. The remaining 700,000 were processed by states that have agreed to serve as NICS points-of-contact. We do not, at this time, have information on the number of denials at the state level.

**President Clinton: Closing the Loophole on Gun Shows**  
**February 6, 1999**

Today, President Clinton will release a report from Treasury Secretary Rubin and Attorney General Reno, recommending actions the Administration can take to ensure that firearms sold at gun shows are not exempt from federal firearms laws. The President will accept their recommendations and also announce an increase of nearly \$30 million in his FY 2000 budget to enhance firearms enforcement and prosecutions for gun law violations, including those committed at gun shows.

**Findings of the Report.** In response to a directive by the President last November, the Treasury and Justice Departments reviewed 314 gun show-related investigations involving more than 54,000 firearms, and spanning a wide range of federal firearms violations. Their review found the following:

**Number of gun shows.** In 1998, there were an estimated 4,442 gun shows. Most gun shows were sponsored by state and local firearms collectors organizations, though some shows were promoted by individual collectors and business people. Ten states sponsored gun shows the most frequently: TX (472); PA (250); FL (224); IL (203); CA (188); IN (180); NC (170); OR (160); OH (148); and NV (129).

**Typical gun show.** The typical gun show costs about \$5 to attend and draws an average of between 2,500 and 5,000 people. Vendors rent tables for a fee ranging from \$5 to \$50, and the number of tables varies from as few as 50 to as many as 2,000. Federally-licensed firearms dealers (FFLs) make up about 50 to 75 percent of these vendors, with unlicensed gun sellers representing the remaining 25 to 50 percent. Unlicensed gun sellers -- who are assumed to be selling from their personal collections -- are not required to conduct background checks or keep records of gun sales. Large quantities of firearms are also sold in less formal and smaller public markets, such as flea markets.

**Guns sold.** The types and variety of firearms sold at gun shows include both new and used handguns, semiautomatic assault weapons, shotguns, rifles, and curio and relic firearms (novel and older firearms). Additionally, vendors often sell large capacity magazines, machine gun parts, and a wide variety of other paraphernalia (knives, ammunition, military artifacts, books).

**Forum for illegal sales and trafficking.** The review makes clear that gun shows provide a forum for illegal firearms sales and gun trafficking. Felons buying and selling firearms were involved in more than 46 percent of the 314 gun show investigations reviewed, and in more than a third of these investigations the firearms involved were subsequently used in serious crimes, including homicides. Other gun law violations observed at gun shows included: selling firearms without a federal gun license (more than 50 percent of the cases reviewed); dealers selling firearms "off the books" -- or without conducting a background check or keeping a record (about 20 percent of cases); selling guns to prohibited purchasers, such as felons or juveniles (15 percent of the cases); and violations of the federal ban on the sale and transfer of machine guns (20 percent of cases). Finally, more than a third of the investigations involved more than 50 firearms, and at least one investigation involved up to 10,000 firearms.

**The Report's Recommendations.** To close the gun show loophole that allows countless firearms to be sold on a "no questions asked" basis, the President will endorse all of the report's recommendations and support legislation, to be introduced by Senator Frank Lautenberg and Representative Rod Blagojevich, that will make them the law of the land. These recommendations include:

- (1) **Defining gun shows** to include not only specialized gun events, but flea markets and other markets outside of licensed firearms shops at which 50 or more firearms are offered for sale by 2 or more persons;
- (2) **Requiring gun show promoters to register** and notify the Bureau of Alcohol, Tobacco, and Firearms (ATF) of all gun shows;
- (3) **Requiring Brady background checks** on all firearms transferred at gun shows, with the assistance of federally-licensed dealers;
- (4) **Reporting information on firearms sold** -- such as manufacturer, model, and serial number -- to ATF's National Tracing Center, so that guns sold at gun shows cannot disappear without a trace;
- (5) **Reviewing the law's definition of what it means to be "engaged in the business,"** so that we can better identify and prosecute illegal gun traffickers;
- (6) **Increasing resources to combat the illegal trade of firearms at gun shows;** and
- (7) **Educating gun owners about their responsibilities under the law,** so that when they sell or dispose of firearms they do not fall into the wrong hands.

**New Resources for Firearms Enforcement.** Consistent with the report's findings and recommendations, the President's FY 2000 budget includes over \$28 million in new funds to enhance the enforcement of federal firearms laws, including:

**\$12.6 million** for more than 100 new ATF agents to support investigations at gun shows, arrest violent criminals and gun traffickers, and crack down on illegal gun sales;

**\$5 million** for more than 40 additional federal prosecutors to conduct intensive firearms prosecution projects targeting violent felons who possess guns, armed drug traffickers, and illegal gun markets; and

**\$11.2 million** to expand the number of local law enforcement agencies engaged in comprehensive gun tracing through the President's Youth Crime Gun Interdiction Initiative.