

NLWJC - KAGAN

EMAILS RECEIVED

ARMS - BOX 091 - FOLDER -004

[03/06/1999 - 03/09/1999]

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Address (1 page)	03/09/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[03/06/1999 - 03/09/1999]

2009-1006-F

jm67

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 6-MAR-1999 13:39:05.00

SUBJECT: Nicole R. Rabner/WHO/EOP is out of the office.

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

READ:UNKNOWN

TEXT:

I will be out of the office from 03/05/99 until 03/10/99.

If you need assistance before the morning of the 10th, please feel free to call 202/456-6266. Otherwise, I will respond to your message when I return.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 09:54:51.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

FYI- Sylvia called- Jack spoke to Waxman & she wants to update you when you are free 54742

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 11:18:34.00

SUBJECT: Daily Report: Food for Thought

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

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

TO: Charles M. Brain (CN=Charles M. Brain/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: Lawrence J. Stein (CN=Lawrence J. Stein/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: Robert B. Johnson (CN=Robert B. Johnson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Janet Murguia (CN=Janet Murguia/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: Lael Brainard (CN=Lael Brainard/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: Ilia V. Velez (CN=Ilia V. Velez/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: Jocelyn A. Bucaro (CN=Jocelyn A. Bucaro/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

TO: Neal Lane (CN=Neal Lane/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

Nicaragua boasts a unique cuisine. Typical meals consist of eggs or meat, beans and rice, salad (cabbage and tomatoes), tortillas and fruit in season. Most common of all Nicaraguan foods is gallo pinto, a blend of rice and beans, with cooking water from the beans added to color the rice. Other traditional dishes include bajo, a mix of beef, green and ripe plantains and yucca (cassava), and vigorón, yucca served with fried pork skins and coleslaw. Street vendors sell interesting drinks such as tiste, made from cacao and corn, and posol con leche, a corn and milk drink. And most important, Nicaragua boasts the best beer and rum in Central America.

There's a decent chance the President might be enjoying one of these regional delicacies when he reads our Daily Report tonight. Please send me your updates by 4 pm this afternoon (3/8) so we can get the report out in time for supper.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan M. Young (CN=Jonathan M. Young/OU=WHO/O=EOP [WHO])

CREATION DATE/TIME: 8-MAR-1999 12:21:50.00

SUBJECT: Thank you

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

READ:UNKNOWN

CC: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

Mary E. Cahill (CN=Mary E. Cahill/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

Victoria A. Lynch (CN=Victoria A. Lynch/OU=WHO/O=EOP [WHO])

READ:UNKNOWN

TEXT:

The information and context you provided about Ed-Flex is extremely valuable. I look forward to following-up with Tanya this afternoon.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 12:35:08.00

SUBJECT: AmeriCorps Meeting

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

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

There will be a meeting to discuss the AmeriCorps 5th Anniversary this Wednesday, March 10th at 4:00 in Room 100.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 13:22:17.00

SUBJECT: Meeting on Food Safety - Rescheduled

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

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

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

TO: Neal Lane (CN=Neal Lane/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

CC: Betty J. Fountain (CN=Betty J. Fountain/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

CC: Clifford J. Gabriel (CN=Clifford J. Gabriel/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

TEXT:

The meeting has now been rescheduled for 11a.m. on Thursday, March 11 in
Bruce Reed's office. Thanks, Mary

----- Forwarded by Mary L. Smith/OPD/EOP on 03/08/99

01:20 PM -----

Mary L. Smith
03/05/99 03:03:49 PM
Record Type: Record

To: Neal Lane/OSTP/EOP, Morley A. Winograd/OVP @ OVP, Bruce N.
Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: Meeting on Food Safety

We will have a meeting on the NAS report and a possible reorganization of
food safety inspections on Tuesday, March 9 at 2:15p.m. in Bruce's
office. Thanks, Mary

Message Copied

To: _____

Cathy R. Mays/OPD/EOP

Laura Emmett/WHO/EOP

Jennifer R. Muller/OVP @ OVP

Betty J. Fountain/OSTP/EOP

Clifford J. Gabriel/OSTP/EOP

Thomas L. Freedman/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Constance J. Bowers (CN=Constance J. Bowers/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 8-MAR-1999 13:33:16.00

SUBJECT: ED 800 Ed-Flex SAP w/ED Dept. edits

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

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

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

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

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

CC: Janet R. Forsgren (CN=Janet R. Forsgren/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

CC: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

TEXT:

ED now reports that they support the SAP language below without any change. Please let me know if this language is acceptable. Thanks.
----- Forwarded by Constance J. Bowers/OMB/EOP on
03/08/99 01:32 PM -----

Constance J. Bowers

03/08/99 10:54:52 AM

Record Type: Record

To: Sandra Yamin/OMB/EOP@EOP, Barbara Chow/OMB/EOP@EOP
cc: Barry White/OMB/EOP@EOP, Janet R. Forsgren/OMB/EOP@EOP
Subject: ED 800 Ed-Flex SAP w/ED Dept. edits

Below is the pending version of the Ed-Flex SAP containing ED's proposed edits. I understand that ED and Barbara are discussing, in particular, the last paragraph referencing amendments to ensure funding for Title I funding is preserved to an acceptable level.

House Rules Committee
March , 1999

H.R. 800 - Education Flexibility Partnership Act of 1999
(Rep.Castle (R) DE and 59 cosponsors)

The Administration supports House passage of H.R. 800, which would expand the Ed-Flex demonstration authority to permit all States that meet the eligibility criteria to waive certain statutory and regulatory requirements of Federal education programs. The Administration has long supported the concept of expanding ed-flex demonstration authority in a manner that will promote high standards and accountability for results, coupled with increased flexibility for States and local school districts to achieve those results.

The Administration is pleased with the amendments made at Committee mark-up to the bill upon reauthorization of the Elementary and Secondary Education Act of 1965 (to ensure consistency between that statute and Ed-Flex), to terminate local waivers if achievement levels decline, and to require public notice and comment before waivers are requested and granted.

The Administration strongly supports an amendment that is expected to be offered to H.R. 800 that would implement the President's proposal for a long-term extension of the one-year authority to help school districts reduce class size in the early grades, which the Congress approved last year on a bipartisan basis. In order to hire qualified teachers, arrange for additional classrooms, and take other steps that are necessary to reduce class size, school districts need to know, as soon as possible, that the Congress intends to support this initiative for more than one year.

The Administration also supports amendments designed to: (1) strengthen accountability provisions to ensure that the Ed-Flex program results in improved student achievement; and (2) ensure that Federal education dollars continue to reach the schools and students they were designed to serve.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 15:40:38.00

SUBJECT: Daily Report: How to stay healthy and happy

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

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

TO: Charles M. Brain (CN=Charles M. Brain/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: Lawrence J. Stein (CN=Lawrence J. Stein/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: Robert B. Johnson (CN=Robert B. Johnson/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

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

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

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

TO: Jeffrey M. Smith (CN=Jeffrey M. Smith/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Janet Murguia (CN=Janet Murguia/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: Lael Brainard (CN=Lael Brainard/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: Ilia V. Velez (CN=Ilia V. Velez/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: Jocelyn A. Bucaro (CN=Jocelyn A. Bucaro/OU=WHO/O=EOP @ EOP [WHO])
READ:UNKNOWN

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

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

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

READ:UNKNOWN

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

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

TO: Neal Lane (CN=Neal Lane/OU=OSTP/O=EOP @ EOP [OSTP])
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

Two crack White House staffers responded to this morning's Daily Report reminder with these pieces of wisdom:

On staying healthy:

"When writing about the food, don't forget to warn against drinking open beverages from vendors - many of whom water down drinks and fill empty bottles with excess - causing unsuspecting tourists to get Montezuma's Revenge."

On staying happy:

"I have little to add other than to remind you that Honduras, and to a growing extent Nicaragua, are making some of the finest cigars in the world. No better way for him to top off that meal."

Don't forget to turn your bullets in for the Daily Report by 4:00 pm.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 8-MAR-1999 16:17:55.00

SUBJECT: Draft SAP: House Ed Flex bill

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

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

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

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

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

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

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

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

TEXT:

The House Rules is expected to meet on H.R. 800, To Provide for Education Flexibility Partnerships, on Tuesday (3/9) at 1:00pm with floor action on Wednesday (3/10). We aim to release the SAP by tomorrow morning for Rules action. Please review the SAP and provide comments/clearance by 9:00am tomorrow. Thank you.

H.R. 800 - Education Flexibility Partnership Act of 1999
(Rep.Castle (R) DE and 59 cosponsors)

The Administration supports House passage of H.R. 800, which would expand the Ed-Flex demonstration authority to permit all States that meet the eligibility criteria to waive certain statutory and regulatory requirements of Federal education programs. The Administration has long supported the concept of expanding ed-flex demonstration authority in a manner that will promote high standards and accountability for results, coupled with increased flexibility for States and local school districts to achieve those results.

The Administration is pleased with the amendments made by the House Committee on Education and the Workforce to sunset the bill upon reauthorization of the Elementary and Secondary Education Act of 1965 (to ensure consistency between that statute and Ed-Flex), terminate local waivers if achievement levels decline, and require public notice and comment before waivers are requested and granted.

The Administration strongly supports an amendment that is expected to be offered to H.R. 800 that would implement the President's proposal for a

long-term extension of the one-year authority to help school districts reduce class size in the early grades, which the Congress approved last year on a bipartisan basis. In order to hire qualified teachers, arrange for additional classrooms, and take other steps that are necessary to reduce class size, school districts need to know, as soon as possible, that the Congress intends to support this initiative for more than one year.

The Administration also supports amendments designed to: (1) strengthen accountability provisions to ensure that the Ed-Flex program results in improved student achievement; and (2) ensure that Federal education dollars continue to reach the schools and students they were designed to serve.

* * * * *

(Do Not Distribute Outside Executive Office of the President)

This draft Statement of Administration Policy was developed by LRD (Connie Bowers) in consultation with the Department of Education (Riddle), and EIML (White/Mustain). It was also reviewed by DPC (Kagan/Schnur), OIRA (Chenok/Werfel), and BRCD (McAllister/Denduret).

OMB/LA Clearance:

BACKGROUND

The Education Flexibility Partnership Demonstration ("Ed-Flex") Act was enacted in 1994 as part of the Goals 2000: Educate America Act to test the idea of giving States authority to waive Federal statutory and regulatory requirements that impede the development and implementation of education reforms in the State. Originally limited to six States, this demonstration authority was extended to 12 States by the Omnibus Budget Reconciliation Act of 1996.

On March 3, 1999, Secretary Riley sent a letter to the House Committee on Education and the Workforce supporting the concept of expanding education flexibility, but supporting improvements that would provide greater accountability for results. The letter also strongly supported an amendment to extend, for six years, the current one-year authority to help school districts reduce class size in the early grades by hiring more teachers. The House Committee on Education and the Workforce ordered reported H.R. 800 on March 3, 1999. A similar bill, S. 280, is pending before the Senate.

SUMMARY OF H.R. 800

H.R. 800 would authorize the Secretary of Education to carry out an education flexibility program. Under the program, all States (as opposed to the 12 allowed in the current demonstration authority) could apply to waive for at least five years Federal st

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 17:34:19.00

SUBJECT: Hansen-Meehan tobacco menu bill

TO: johara (johara @ osophs.dhhs.gov [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Daniel N. Mendelson (CN=Daniel N. Mendelson/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: kburkel (kburkel @ os.dhhs.gov [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Devorah R. Adler (CN=Devorah R. Adler/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: 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: J. Eric Gould (CN=J. Eric Gould/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

TEXT:

As you may have heard, Reps Hansen and Meehan plan to introduce their menu bill tomorrow. Their draft is currently being tweaked at leg counsel -- we should get it tonight (I have the older version if anyone wants it -- all of 3 1/2 pages). Here's what the bill does:

Permits the Secretary to waive recoupment if the State has filed with the Secretary a plan which outlines how it will spend at least 25 percent of each year's tobacco settlement efforts to:

Reduce tobacco use (including cessation, enforcement activities, community-based and school-based programs),

Fund tobacco research and surveillance

Fund statewide counteradvertising and

Assist in the economic development of farmers and their communities as they transition to a more broadly diversified economy

There's language requiring this spending to supplement, not supplant, current spending and for all efforts to take into account the needs of minority populations and high risk groups.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 17:35:21.00

SUBJECT: Re: White House statement on meehan/hansen bill

TO: Elena Kagan (CN=El

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:18:56.00

SUBJECT: EdFlex statement

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:

----- Forwarded by Bruce N. Reed/OPD/EOP on 03/08/99
06:20 PM -----

Amy Weiss

03/08/99 05:29:00 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP

cc: Cathy R. Mays/OPD/EOP

Subject: EdFlex statement

Pls send the draft to Jason Schecter when it's ready. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:22:17.00

SUBJECT: New Draft of NAS report

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I will send over a new draft of the Food Safety Council's assessment of the NAS report. Apparently, at each subsequent draft, HHS is taking a harder stand to insert language to imply that we will not do a reorganization. Cliff Gabriel, who has been putting the agencies' edits in, is at an impasse now with HHS. The comments in question are bolded in the new draft. We should talk about this at our meeting on Thursday.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:33:53.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Please call or come see Bruce

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 8-MAR-1999 18:41:29.00

SUBJECT: revisions in daily report from Jon and Tanya

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:

Sorry about the change below! The addition is in bold, the deletion in brackets and italics. Elena, you may have already changed this. I have been paging people to try to get accurate info.

Today, the Senate resumed consideration of S.280 (Ed-Flex) and failed to get the 60 votes needed to approve a cloture motion ending debate on the Ed-Flex bill. Approval of the cloture motion would have prevented an up or down vote on the Murray-Kennedy class size amendment. Senator Lott has indicated that he will either set aside the bill or allow debate to continue with limited amendments, and another cloture vote is scheduled for tomorrow afternoon [morning]. Vice President Gore today made statements to the press calling on the Senate to allow an up-or-down vote on class size, and calling on the Senate to approve the Murray-Kennedy amendment. Meanwhile, Senator Jeffords plans to offer a second-degree amendment that would permit local school districts to choose whether to use FY 1999 class size appropriations for reducing class size or for special education. [to the class size measure rescind FY1999 class size appropriations and direct this funding into special education instead]. Republicans are attempting to recast the debate from whether to invest in education/class size to whether to fully fund a national commitment to special needs children before funding new initiatives like class size.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:41:34.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Please let eknow when I can submit statement & daily report -Laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:55:37.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Press Office is anxious to release statement- please advise -laura

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 8-MAR-1999 18:58:38.00

SUBJECT: pls call jennifer p re: ed flex statement. 62987

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (EXTERNAL MAIL)

CREATOR: Jason H. Schechter@EOP@LNGTWY@EOPMRX

CREATION DATE/TIME: 8-MAR-1999 19:03:00.00

SUBJECT: Statement by the President: Ed-Flex

TO: 1=US (1=US@2=WESTERN UNION@5=ATT.COM@*ELN\62955)
READ:NOT READ

TO: BARBUSCHAK_K (BARBUSCHAK_K@A1@CD) (OA)
READ:NOT READ

TO: INFOMGT (INFOMGT@A1@CD) (SYS)
READ:NOT READ

TO: JOHNSON_WC (JOHNSON_WC@A1@CD) (OA)
READ:NOT READ

TO: SULLIVAN_M (SULLIVAN_M@A1@CD) (WHO)
READ:NOT READ

TO: SUNTUM_M (SUNTUM_M@A1@CD) (WHO)
READ:NOT READ

TO: WOZNIAK_N (WOZNIAK_N@A1@CD) (NSC)
READ:13-APR-1999 13:40:50.42

TO: GRAY_W (GRAY_W@A1@CD) (NSC)
READ:NOT READ

TO: NAPLAN_S (NAPLAN_S@A1@CD) (NSC)
READ:NOT READ

TO: WEINER_R (WEINER_R@A1@CD) (DON)
READ:NOT READ

TO: GRIBBEN_J (GRIBBEN_J@A1@CD) (WHO)
READ:NOT READ

TO: RILEY_R (RILEY_R@A1@CD) (OA)
READ:NOT READ

TO: tnewell (tnewell@ostp.eop.gov@INET)
READ:NOT READ

TO: HEMMIG_M (HEMMIG_M@A1@CD) (WHO)
READ:NOT READ

TO: RUNDLET_P (RUNDLET_P@A1@CD) (WHO)
READ:NOT READ

TO: BUDIG_N (BUDIG_N@A1@CD) (NSC)
READ:NOT READ

TO: meglynn (meglynn@usia.gov@INET)
READ:NOT READ

TO: Christine A. Stanek (Christine A. Stanek@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Lori E. Abrams (Lori E. Abrams@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Anne M. Edwards (Anne M. Edwards@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: David E. Kalbaugh (David E. Kalbaugh@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: Elisa Millsap (Elisa Millsap@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: G. Timothy Saunders (G. Timothy Saunders@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

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

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

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

TO: Michael Waldman (Michael Waldman@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Dorian V. Weaver (Dorian V. Weaver@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Catherine T. Kitchen (Catherine T. Kitchen@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: Richard Socarides (Richard Socarides@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: Barbara D. Woolley (Barbara D. Woolley@EOP@LNGTWY@EOPMRX)
READ:NOT READ

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

TO: Sara M. Latham (Sara M. Latham@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Andrew J. Mayock
READ:NOT READ

(Andrew J. Mayock@EOP@LNKTWY@EOPMRX)

TO: Beverly J. Barnes
READ:NOT READ

(Beverly J. Barnes@EOP@LNKTWY@EOPMRX)

TO: Megan C. Moloney
READ:NOT READ

(Megan C. Moloney@EOP@LNKTWY@EOPMRX)

TO: Laura S. Marcus
READ:NOT READ

(Laura S. Marcus@EOP@LNKTWY@EOPMRX)

TO: Virginia N. Rustique
READ:NOT READ

(Virginia N. Rustique@EOP@LNKTWY@EOPMRX)

TO: Thomas D. Janenda
READ:NOT READ

(Thomas D. Janenda@EOP@LNKTWY@EOPMRX)

TO: Brian D. Smith
READ:NOT READ

(Brian D. Smith@EOP@LNKTWY@EOPMRX)

TO: Leanne A. Shimabukuro
READ:NOT READ

(Leanne A. Shimabukuro@EOP@LNKTWY@EOPMRX)

TO: Kim B. Widdess
READ:NOT READ

(Kim B. Widdess@EOP@LNKTWY@EOPMRX)

TO: 62955104
READ:NOT READ

(62955104@eln.attmail.com@inet@LNKTWY@EOPM

TO: backup
READ:NOT READ

(backup@wilson.ai.mit.edu@inet@LNKTWY@EOPM

TO: newsdesk
READ:NOT READ

(newsdesk@usnewswire.com@inet@LNKTWY@EOPMR

TO: usia01
READ:NOT READ

(usia01@access.digex.com@inet@LNKTWY@EOPMR

TO: usnwire
READ:NOT READ

(usnwire@access.digex.com@inet@LNKTWY@EOPM

TO: Elizabeth R. Newman
READ:NOT READ

(Elizabeth R. Newman@EOP@LNKTWY@EOPMRX)

TO: Jordan Tamagni
READ:NOT READ

(Jordan Tamagni@EOP@LNKTWY@EOPMRX)

TO: Kevin S. Moran
READ:NOT READ

(Kevin S. Moran@EOP@LNKTWY@EOPMRX)

TO: Ashley L. Raines
READ:NOT READ

(Ashley L. Raines@EOP@LNKTWY@EOPMRX)

TO: Peter A. Weissman
READ:NOT READ

(Peter A. Weissman@EOP@LNKTWY@EOPMRX)

TO: Douglas J. Band

(Douglas J. Band@EOP@LNKTWY@EOPMRX)

READ:NOT READ

TO: Edwin R. Thomas III
READ:NOT READ

(Edwin R. Thomas III@EOP@LN GTWY@EOPMRX)

TO: Sherman A. Williams
READ:NOT READ

(Sherman A. Williams@EOP@LN GTWY@EOPMRX)

TO: William W. McCathran
READ:NOT READ

(William W. McCathran@EOP@LN GTWY@EOPMRX)

TO: Julia M. Payne
READ:NOT READ

(Julia M. Payne@EOP@LN GTWY@EOPMRX)

TO: Robin J. Bachman
READ:NOT READ

(Robin J. Bachman@EOP@LN GTWY@EOPMRX)

TO: Ruby Shamir
READ:NOT READ

(Ruby Shamir@EOP@LN GTWY@EOPMRX)

TO: Nicole R. Rabner
READ:NOT READ

(Nicole R. Rabner@EOP@LN GTWY@EOPMRX)

TO: June Shih
READ:NOT READ

(June Shih@EOP@LN GTWY@EOPMRX)

TO: Brooks E. Scoville
READ:NOT READ

(Brooks E. Scoville@EOP@LN GTWY@EOPMRX)

TO: Neera Tanden
READ:NOT READ

(Neera Tanden@EOP@LN GTWY@EOPMRX)

TO: Sarah S. Knight
READ:NOT READ

(Sarah S. Knight@EOP@LN GTWY@EOPMRX)

TO: Tracy F. Sisser
READ:NOT READ

(Tracy F. Sisser@EOP@LN GTWY@EOPMRX)

TO: Woyneab M. Wondwossen
READ:NOT READ

(Woyneab M. Wondwossen@EOP@LN GTWY@EOPMRX)

TO: Jeannetta P. Allen
READ:NOT READ

(Jeannetta P. Allen@EOP@LN GTWY@EOPMRX)

TO: Judithanne V. Scourfield
READ:NOT READ

(Judithanne V. Scourfield@EOP@LN GTWY@EOPMR)

TO: Patrick E. Briggs
READ:NOT READ

(Patrick E. Briggs@EOP@LN GTWY@EOPMRX)

TO: Debra S. Wood
READ:NOT READ

(Debra S. Wood@EOP@LN GTWY@EOPMRX)

TO: Daniel W. Burkhardt
READ:NOT READ

(Daniel W. Burkhardt@EOP@LN GTWY@EOPMRX)

TO: Maureen A. Hudson
READ:NOT READ

(Maureen A. Hudson@EOP@LN GTWY@EOPMRX)

TO: Lana Dickey

(Lana Dickey@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: Carmen B. Fowler
READ:NOT READ

(Carmen B. Fowler@EOP@LNGBTWY@EOPMRX)

TO: Lynn G. Cutler
READ:NOT READ

(Lynn G. Cutler@EOP@LNGBTWY@EOPMRX)

TO: Julianne B. Corbett
READ:NOT READ

(Julianne B. Corbett@EOP@LNGBTWY@EOPMRX)

TO: Walker F. Bass
READ:NOT READ

(Walker F. Bass@EOP@LNGBTWY@EOPMRX)

TO: Virginia Apuzzo
READ:NOT READ

(Virginia Apuzzo@EOP@LNGBTWY@EOPMRX)

TO: Michael V. Terrell
READ:NOT READ

(Michael V. Terrell@EOP@LNGBTWY@EOPMRX)

TO: Elliot J. Diringer
READ:NOT READ

(Elliot J. Diringer@EOP@LNGBTWY@EOPMRX)

TO: Nanda Chitre
READ:NOT READ

(Nanda Chitre@EOP@LNGBTWY@EOPMRX)

TO: Amy Weiss
READ:NOT READ

(Amy Weiss@EOP@LNGBTWY@EOPMRX)

TO: Melissa M. Murray
READ:NOT READ

(Melissa M. Murray@EOP@LNGBTWY@EOPMRX)

TO: Lisa J. Levin
READ:NOT READ

(Lisa J. Levin@EOP@LNGBTWY@EOPMRX)

TO: Phillip Caplan
READ:NOT READ

(Phillip Caplan@EOP@LNGBTWY@EOPMRX)

TO: Katharine Button
READ:NOT READ

(Katharine Button@EOP@LNGBTWY@EOPMRX)

TO: Douglas R. Matties
READ:NOT READ

(Douglas R. Matties@EOP@LNGBTWY@EOPMRX)

TO: Eli G. Attie
READ:NOT READ

(Eli G. Attie@OVP@LNGBTWY@EOPMRX)

TO: wh-outbox-distr
READ:NOT READ

(wh-outbox-distr@pub.pub.whitehouse.gov@in)

TO: Sean P. Maloney
READ:NOT READ

(Sean P. Maloney@EOP@LNGBTWY@EOPMRX)

TO: Marsha Scott
READ:NOT READ

(Marsha Scott@EOP@LNGBTWY@EOPMRX)

TO: Jessica L. Gibson
READ:NOT READ

(Jessica L. Gibson@EOP@LNGBTWY@EOPMRX)

TO: Jodi R. Sakol

(Jodi R. Sakol@OVP@LNGBTWY@EOPMRX)

READ:NOT READ

TO: Linda Ricci
READ:NOT READ

(Linda Ricci@EOP@LNGTWY@EOPMRX)

TO: Mark D. Neschis
READ:NOT READ

(Mark D. Neschis@EOP@LNGTWY@EOPMRX)

TO: Jeffrey A. Shesol
READ:NOT READ

(Jeffrey A. Shesol@EOP@LNGTWY@EOPMRX)

TO: Heather M. Riley
READ:NOT READ

(Heather M. Riley@EOP@LNGTWY@EOPMRX)

TO: Jonathan E. Smith
READ:NOT READ

(Jonathan E. Smith@EOP@LNGTWY@EOPMRX)

TO: McGavock D. Reed
READ:NOT READ

(McGavock D. Reed@EOP@LNGTWY@EOPMRX)

TO: Chandler G. Spaulding
READ:NOT READ

(Chandler G. Spaulding@EOP@LNGTWY@EOPMRX)

TO: Janelle E. Erickson
READ:NOT READ

(Janelle E. Erickson@EOP@LNGTWY@EOPMRX)

TO: Delia A. Cohen
READ:NOT READ

(Delia A. Cohen@EOP@LNGTWY@EOPMRX)

TO: Maureen T. Shea
READ:NOT READ

(Maureen T. Shea@EOP@LNGTWY@EOPMRX)

TO: Fred DuVal
READ:NOT READ

(Fred DuVal@EOP@LNGTWY@EOPMRX)

TO: Pubs_Backup
READ:NOT READ

(Pubs_Backup@VAXGTWY@LNGTWY@EOPMRX)

TO: William C. Haymes
READ:NOT READ

(William C. Haymes@EOP@LNGTWY@EOPMRX)

TO: Jason H. Schechter
READ:NOT READ

(Jason H. Schechter@EOP@LNGTWY@EOPMRX)

TO: cmbeach
READ:NOT READ

(cmbeach@email.msn.com@inet@LNGTWY@EOPMRX)

TO: Sheyda Jahanbani
READ:NOT READ

(Sheyda Jahanbani@EOP@LNGTWY@EOPMRX)

TO: Marty J. Hoffmann
READ:NOT READ

(Marty J. Hoffmann@EOP@LNGTWY@EOPMRX)

TO: Dorinda A. Salcido
READ:NOT READ

(Dorinda A. Salcido@EOP@LNGTWY@EOPMRX)

TO: dmilbank
READ:NOT READ

(dmilbank@tnr.com@LNGTWY@EOPMRX)

TO: Julie B. Goldberg

(Julie B. Goldberg@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Sarah E. Gegenheimer
READ:NOT READ

(Sarah E. Gegenheimer@EOP@LN GTWY@EOPMRX)

TO: kyle.mckinnon
READ:NOT READ

(kyle.mckinnon@kcrw.org@LN GTWY@EOPMRX)

TO: Thomas M. Rosshirt
READ:NOT READ

(Thomas M. Rosshirt@OVP@LN GTWY@EOPMRX)

TO: Minyon Moore
READ:NOT READ

(Minyon Moore@EOP@LN GTWY@EOPMRX)

TO: Charles M. Brain
READ:NOT READ

(Charles M. Brain@EOP@LN GTWY@EOPMRX)

TO: Dario J. Gomez
READ:NOT READ

(Dario J. Gomez@EOP@LN GTWY@EOPMRX)

TO: Carolyn T. Wu
READ:NOT READ

(Carolyn T. Wu@EOP@LN GTWY@EOPMRX)

TO: Gregory B. Craig
READ:NOT READ

(Gregory B. Craig@EOP@LN GTWY@EOPMRX)

TO: Edward F. Hughes
READ:NOT READ

(Edward F. Hughes@EOP@LN GTWY@EOPMRX)

TO: Rajiv Y. Mody
READ:NOT READ

(Rajiv Y. Mody@EOP@LN GTWY@EOPMRX)

TO: Robin Leeds
READ:NOT READ

(Robin Leeds@EOP@LN GTWY@EOPMRX)

TO: Deborah B. Mohile
READ:NOT READ

(Deborah B. Mohile@EOP@LN GTWY@EOPMRX)

TO: Sondra L. Seba
READ:NOT READ

(Sondra L. Seba@EOP@LN GTWY@EOPMRX)

TO: Tania I. Lopez
READ:NOT READ

(Tania I. Lopez@EOP@LN GTWY@EOPMRX)

TO: Maritza Rivera
READ:NOT READ

(Maritza Rivera@EOP@LN GTWY@EOPMRX)

TO: Ilia V. Velez
READ:NOT READ

(Ilia V. Velez@EOP@LN GTWY@EOPMRX)

TO: Victoria A. Lynch
READ:NOT READ

(Victoria A. Lynch@EOP@LN GTWY@EOPMRX)

TO: Jena V. Roscoe
READ:NOT READ

(Jena V. Roscoe@EOP@LN GTWY@EOPMRX)

TO: Cheryl M. Carter
READ:NOT READ

(Cheryl M. Carter@EOP@LN GTWY@EOPMRX)

TO: Jocelyn A. Bucaro

(Jocelyn A. Bucaro@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: Kelley L. O'Dell (Kelley L. O'Dell@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jonathan M. Young (Jonathan M. Young@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jackson T. Dunn (Jackson T. Dunn@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Robert B. Johnson (Robert B. Johnson@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jon P. Jennings (Jon P. Jennings@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Charles H. Cole (Charles H. Cole@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: drosen (drosen@newsweek.com@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jennifer Ferguson (Jennifer Ferguson@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Joshua S. Gottheimer (Joshua S. Gottheimer@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Carrie A. Street (Carrie A. Street@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: mhall (mhall@usatoday.com@LNGETWY@EOPMRX)
READ:NOT READ

TO: spage (spage@usatoday.com@LNGETWY@EOPMRX)
READ:NOT READ

TO: bnichols (bnichols@usatoday.com@LNGETWY@EOPMRX)
READ:NOT READ

TO: Paul D. Glastris (Paul D. Glastris@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Maria E. Soto (Maria E. Soto@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Alejandro G. Cabrera (Alejandro G. Cabrera@OVP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Christopher K. Scully (Christopher K. Scully@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: JOHN.LONGBRAKE (JOHN.LONGBRAKE@MS01.DO.treas.sprint.com@L
READ:NOT READ

TO: kara.gerhardt (kara.gerhardt@ost.dot.gov@LNGETWY@EOPMRX)
READ:NOT READ

TO: Mindy E. Myers (Mindy E. Myers@EOP@LNGETWY@EOPMRX)

READ:NOT READ

TO: Larry.mcquillan (Larry.mcquillan@reuters.com@LN GTWY@EOPMRX)
READ:NOT READ

TO: Deborin (Deborin@aol.com@LN GTWY@EOPMRX)
READ:NOT READ

TO: Jonathan A. Kaplan (Jonathan A. Kaplan@EOP@LN GTWY@EOPMRX)
READ:NOT READ

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

TO: Skye S. Philbrick (Skye S. Philbrick@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Toby C. Graff (Toby C. Graff@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Samuel O. Spencer (Samuel O. Spencer@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Caroline R. Fredrickson (Caroline R. Fredrickson@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Matthew J. Bianco (Matthew J. Bianco@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Nancy.mathis (Nancy.mathis@chron.com@LN GTWY@EOPMRX)
READ:NOT READ

TO: Matt Gobush (Matt Gobush@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: James.gerstenzang (James.gerstenzang@latimes.com@LN GTWY@EOPM)
READ:NOT READ

TO: IGCP (IGCP@usia.gov@LN GTWY@EOPMRX)
READ:NOT READ

TO: Evan Ryan (Evan Ryan@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: rsimoncol (rsimoncol@aol.com@LN GTWY@EOPMRX)
READ:NOT READ

TO: Brian S. Mason (Brian S. Mason@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Stacie Spector (Stacie Spector@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Joseph C. Fanaroff (Joseph C. Fanaroff@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: Matthew W. Pitcher (Matthew W. Pitcher@EOP@LN GTWY@EOPMRX)
READ:NOT READ

TO: David R. Goodfriend (David R. Goodfriend@EOP@LN GTWY@EOPMRX)

READ:NOT READ

TO: photo (photo@upi.com@LNGTWY@EOPMRX)
READ:NOT READ

TO: kenneth.prewitt, (kenneth.prewitt@ccMail.census.gov@LNGTWY@
READ:NOT READ

TO: Eli P. Joseph (Eli P. Joseph@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Jeffrey M. Smith (Jeffrey M. Smith@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: David Y. Stevens (David Y. Stevens@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Neal Sharma (Neal Sharma@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: *@krwashington.com>@LNGTWY@EOPMRX
READ:NOT READ

TO: Jeffrey L. Farrow (Jeffrey L. Farrow@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: marhast (marhast@aol.com@inet@LNGTWY@EOPMRX)
READ:NOT READ

TO: mpena (mpena@efeamerica.com@inet@LNGTWY@EOPMRX)
READ:NOT READ

TO: mgarcia (mgarcia@pacific.org@inet@LNGTWY@EOPMRX)
READ:NOT READ

TO: info (info@elsoldetexas.com@inet@LNGTWY@EOPMRX)
READ:NOT READ

TO: durph (durph@aol.com@inet@LNGTWY@EOPMRX)
READ:NOT READ

TO: Linda L. Moore (Linda L. Moore@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Orson C. Porter (Orson C. Porter@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Bridget T. Leininger (Bridget T. Leininger@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Craig Hughes (Craig Hughes@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: Simeona F. Pasquil (Simeona F. Pasquil@EOP@LNGTWY@EOPMRX)
READ:NOT READ

TO: bob.davis (bob.davis@news.wsj.com@LNGTWY@EOPMRX)
READ:NOT READ

TO: Victoria L. Valentine (Victoria L. Valentine@EOP@LNGTWY@EOPMRX)

READ:NOT READ

TO: Elena Kagan (Elena Kagan@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: jeanne.cummings (jeanne.cummings@news.wsj.com@LNGETWY@EOPMR)
READ:NOT READ

TO: patricia.peart (patricia.peart@MSNBC.COM@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jordan D. Matyas (Jordan D. Matyas@OVP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Lorrie McHugh (Lorrie McHugh@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Sean P. O'Shea (Sean P. O'Shea@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Abigail C. Smith (Abigail C. Smith@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Veronica DeLaGarza (Veronica DeLaGarza@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Richard L. Siewert (Richard L. Siewert@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: Jade L Riley (Jade L Riley@EOP@LNGETWY@EOPMRX)
READ:NOT READ

TO: jorszag (jorszag@doc.gov@LNGETWY@EOPMRX)
READ:NOT READ

TEXT:

Message Creation Date was at 8-MAR-1999 19:00:00

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

March 8, 1999

STATEMENT BY THE PRESIDENT

The Republican Leadership continues to block a vote on an amendment to finish the job of hiring 100,000 teachers to reduce class size. Communities across the country need to know that Congress will live up to the bipartisan commitment we made last fall to fund this effort. The American people expect us to work together to improve the education of our students. I call on the Republican Leadership to allow an up-or-down vote on more teachers and smaller classes.

30-30-30

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 10:41:16.00

SUBJECT: Weekly Strategy Meeting

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

READ:UNKNOWN

TO: Paul D. Glastris (CN=Paul D. Glastris/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Lisa M. Towne (CN=Lisa M. Towne/OU=OSTP/O=EOP @ EOP [OSTP])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jonathan H. Schnur (CN=Jona

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 11:35:32.00

SUBJECT: Re: proposition 16

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Peter Rundlet (CN=Peter Rundlet/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

As you may have read, a district court struck down the NCAA's academic standards (at least the way they relied on the SAT) on the basis of the Title VI regulation, which prohibits policies that have a discriminatory impact unless there is an adequate justification and there is no equally effective less restrictive alternative. The United States is not a party but we could in theory file an amicus when it goes to the court of appeals. This is a difficult case, which will require some review. It raises the difficult question of when the civil rights laws should be used to overturn academic standards. At the moment, I believe our comment should only be that the Department of Justice is reviewing the opinion. Any thoughts?

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	Address (1 page)	03/09/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System [Email]
WHO ([Kagan])
OA/Box Number: 500000

FOLDER TITLE:

[03/06/1999 - 03/09/1999]

2009-1006-F

jm67

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 16:36:45.00

SUBJECT: Hatch to do Hate Crime Hearings

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Hatch announced today he will do hearings in April on hate crimes. They're interested in working with us.



RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Kate P. Donovan (CN=Kate P. Donovan/OU=OMB/O=EOP [OMB])

CREATION DATE/TIME: 9-MAR-1999 17:51:29.00

SUBJECT: Ed-Flex House Floor SAP

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

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

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

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

CC: Janet R. Forsgren (CN=Janet R. Forsgren/OU=OMB/O=EOP@EOP [OMB])
READ:UNKNOWN

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

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

TEXT:

As you know, we released the Rules SAP for the HR 800, the Ed-flex bill (copy at end of e-mail). Below is a copy of the rule that was just reported on the bill. Do you want to revise the SAP for floor action in order to reflect the reported rule? If not, I can reissue the Rules SAP without any changes to the text. Please advise - House floor action expected tomorrow.

FLOOR ACTION: MANAGERS: PRYCE/SLAUGHTER

Tuesday, March 9,

1999

H. RES. ____ [Report No. 106-____]

H.R. 800 - THE EDUCATION FLEXIBILITY PARTNERSHIP
ACT OF 1999

1. Modified open rule.

2. Waives clause 4(a) of Rule XIII (requiring a three-day layover of the committee report) against consideration of the bill.
3. Provides for one hour of general debate equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce.
4. Provides that the amendment process shall not exceed 5 hours.
5. Makes in order the Committee on Education and the Workforce amendment in the nature of a substitute now printed in the bill as an original bill for purpose of amendment, which shall be considered as read.
6. Makes in order only those amendments printed in the Congressional Record.
7. Provides that each amendment printed in the Congressional Record may be offered only by the Member who caused it to be printed or his designee, and each amendment shall be considered as read.
8. Allows the Chairman of the Committee of the Whole to postpone votes during consideration of the bill, and to reduce voting time to five minutes on a postponed question if the vote follows a fifteen minute vote.
9. Provides for one motion to recommit with or without instructions.

RESOLUTION

Resolved, That at any time after the adoption of this resolution the Speaker may, pursuant to clause 2(b) of rule XVIII, declare the House resolved into the Committee of the Whole House on the state of the Union for consideration of the bill (H.R. 800) to provide for education flexibility partnerships. The first reading of the bill shall be dispensed with. Points of order against consideration of the bill for failure to comply with clause 4(a) of rule XIII are waived. General debate shall be confined to the bill and shall not exceed one hour equally divided and controlled by the chairman and ranking minority member of the Committee on Education and the Workforce. After general debate the bill shall be considered for amendment under the five-minute rule for a period not to exceed 5 hours. It shall be in

order to consider as an original bill for the purpose of amendment under the five-minute rule the amendment in the nature of a substitute recommended by the Committee on Education and the Workforce now printed in the bill. The committee amendment in the nature of a substitute shall be considered as read. No amendment to the committee amendment in the nature of a substitute shall be in order except those printed in the portion of the Congressional Record designated for that purpose in clause 8 of rule XVIII and except pro forma amendments for the purpose of debate. Each amendment printed in the Record may be offered only by the Member who caused it to be printed or his designee and shall be considered as read. The chairman of the Committee of the Whole may: (1) postpone until a time during further consideration in the Committee of the Whole a request for a recorded vote on any amendment; and (2) reduce to five minutes the minimum time for electronic voting on any postponed question that follows another electronic vote without intervening business, provided that the minimum time for electronic voting on the first in any series of questions shall be 15 minutes. At the conclusion of consideration of the bill for amendment the Committee shall rise and report the bill to the House with such amendments as may have been adopted. Any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

HOUSE RULES SAP RELEASED 3/9:

H.R. 800 - Education Flexibility Partnership Act of 1999
(Rep.Castle (R) DE and 65 cosponsors)

The Administration supports House passage of H.R. 800, which would expand the Ed-Flex demonstration authority to permit all States that meet the eligibility criteria to waive certain statutory and regulatory requirements of Federal education programs. The Administration has long supported the concept of expanding ed-flex demonstration authority in a manner that will promote high standards and accountability for results, coupled with increased flexibility for States and local school districts to achieve those results.

The Administration is pleased with the amendments made by the House Committee on Education and the Workforce to ☐&sunset☐8 the bill upon reauthorization of the Elementary and Secondary Education Act of 1965 (to ensure consistency between that statute and Ed-Flex), terminate local waivers if achievement levels decline, and require public notice and comment before waivers are requested and granted.

The Administration strongly supports an amendment that is expected to be offered to H.R. 800 that would implement the President's proposal for a long-term extension of the one-year authority to help school districts reduce class size in the early grades, which the Congress approved last year on a bipartisan basis. In order to hire qualified teachers, arrange for additional classrooms, and take other steps that are necessary to reduce class size, school districts need to know, as soon as possible, that the Congress intends to support this initiative for more than one year.

* * * * *

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 17:58:49.00

SUBJECT: Memo on Pros and Cons of Comparable Worth

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

You asked for a brief handout on the pros and cons of comparable worth. Attached is a memo on this subject. OPM will send a memo tomorrow that outlines whether the federal government should implement comparable worth and if so, how we could do it. In addition, we will be sending you later tonight a memo that discusses options on data collection. ===== A
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D51]MAIL40126637Z.036 to ASCII,
The following is a HEX DUMP:

FF57504354150000010A02010000000205000000203D00000002000009B95B3A7CBA518E06BD4C7
CBA56B70C28E31C6FECE90928154355830BBB2D23A500CD2F567D0E5B6DECDDA4D487274B9BF60
947B52CB9048B5A0FD933FE411E9B406B1BB29CCF88E060D80E86385610879FC21BBB08B7F2956

.....

COMPARABLE WORTH

Senator Tom Harkin and Rep. Eleanor Holmes Norton introduced bills to implement comparable worth in the last Congress (and these bills are expected to be reintroduced this year).

- The Congressional comparable worth proposals would prohibit employers from paying lower wages for jobs dominated by employees of a particular sex, race, or national origin than for jobs dominated by employees of the opposite sex or different race or national origin for work on "equivalent" jobs. Equivalent jobs would be defined as jobs that may be dissimilar, but whose requirements are equivalent when viewed as a composite of skills, effort, responsibility, and working conditions. The EEOC would establish criteria for determining whether jobs are dominated by employees of a particular sex, race or national origin. The bills also provide that no wage rates may be reduced in order to comply with comparable worth requirements.

ARGUMENTS FOR COMPARABLE WORTH LAW

- **There is a significant wage gap.** According to the Council of Economic Advisors, in 1997, the gap between men's and women's wages was approximately 75 percent. The most recent detailed longitudinal study found that in the late 1980s about one-third of the gender pay gap was explained by differences in the skills and experience that women bring to the labor market and about 28 percent was due to differences in industry, occupation, and union status among men and women. Accounting for these difference raised the female/male pay ratio in the late 1980s from about 72 percent to about 88 percent, leaving around 12 percent as an "unexplained" difference. While some of this gap is due to unequal wages paid for the same job, some of the difference is due to women in occupations predominated by women not being paid the same by men in equivalent jobs.
- **Comparable worth could increase wages.** The AFL-CIO recently issued a study that shows that America's working families lose approximately \$200 billion of income annually to the wage gap -- an average loss of more than \$4,000 every year for each family, even after accounting for difference in education, age, location, and the number of hours worked. The study also showed that if married women were paid the same as comparable men, their family incomes would rise by nearly 6 percent, and their families' poverty rates would fall from 2.1 percent to 0.8 percent.
- **Eight states have implemented comparable worth laws for state employees.** Eight states -- Connecticut, Iowa, Minnesota, Montana, New York, Oregon, Washington, and Wisconsin -- have enacted comparable worth laws covering state government employees. With the exception of Montana whose pay equity study found that there was "no significant gender bias," the seven states that have implemented comparable worth expended only between 1 percent and 4 percent of their payroll budgets.
- **Comparable worth adjustments for state and local governments have resulted in payments.** Public employees in twenty states received collective bargaining related

equity adjustments during the 1980s. State employees in Michigan received \$21 million in comparable worth adjustments; in Pennsylvania, \$16 million; and in Washington, \$442 million. In the 1990's, state workers in Connecticut reached a \$22 million pay equity settlement that will give nearly half of that state's workforce an average of \$1,000 per year. In 1994, social workers in Los Angeles County won a 20 percent pay equity wage increase. Previously, there had been a 34 percent wage differential between the female-dominated social worker class and the male-dominated probation officer class, despite similarity of skills, responsibilities, and working conditions.

ARGUMENTS AGAINST COMPARABLE WORTH

- **Comparable worth policies could cause significant job losses.** Comparable worth job assessments are based on skills, effort, responsibility and working conditions required by the job without taking into account any of the traditional supply and demand factors. If the wages of child-care workers (which is dominated by women) were to be raised to be equivalent to a comparable job (e.g., mechanics, which is dominated by men), this would mean that wages would be increased above the market-clearing level and unemployment would result.
- **Comparable worth evaluations could cause substantial administrative costs -- and possibly extensive litigation.** The Harkin/Norton bills call for the EEOC to establish criteria for determining whether particular jobs meet the gender, race or ethnicity thresholds, but do not call for governmental classification of jobs. Assessments would be done by individual employers and comparisons would be made between jobs at a particular establishment. While this decentralized approach avoids direct government job ratings, it could lead to significant variation among establishments and to costly litigation challenging the criteria and scoring of jobs at particular establishments. While it could provide a job bonanza for human resource consultants, the resulting administrative costs could be a severe burden to many firms.
- **The accuracy of comparable worth job classifications is questionable.** A 1989 experimental study of comparable worth prepared for the Federal Reserve Bank of Kansas City had three commercial job evaluation firms rate the same 27 jobs in an actual company. The report concludes that scores provided by different job evaluators do not provide mutually consistent adjustments to existing pay scales.
- **Comparable worth is more invasive of private business decision-making than other Federal mandates.** For example, compared with the minimum wage which is uniform in its application and is relatively easy to administer, comparable worth would require more extensive record-keeping, incur greater administrative expenses, and affect wage levels and resource allocations without regard to productivity and other market conditions. As the American economy becomes more and more flexible, the rigid job classification framework of the Harkin/Norton bills would move us backwards -- against the tide toward more flexible job definitions, individual merit-based pay, and work teams.

- **Mandatory comparable worth experience in the United States -- which has been limited to public sector employment in a few states -- fails to establish a good model for a mandatory private sector program.** Governments generally use a traditional job-description based, administratively run system for determining wages. This makes it more feasible to implement a comparable worth system in government; however, both the private sector and reform-oriented government personnel systems are moving toward compensation-based regimes linked to individual worker performance. At least one study of public-sector comparable worth programs (Minnesota and San Jose, CA) found that women's wages increased slightly, but there was also a slight loss of employment in the form of reduced future jobs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 18:05:58.00

SUBJECT: Kasich

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:

Kasich said today that governors should have the flexibility to use left over welfare block money for special ed or other ed pgms or whatever they see fit. What shall I say?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 18:19:43.00

SUBJECT: AmeriCorps

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

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

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

TEXT:

Reminder: We have a 4:00 AmeriCorps Meeting in Room 100 on Wednesday, March 10th.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 21:20:00.00

SUBJECT: Long-Term Strategy Memo

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is our revised long-term strategy memo. We have not included any "challenges" that will require an Administration response because there are no (predictable) challenges in the areas of food safety, hate crimes or equal pay that we see as upcoming.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D52]MAIL449447376.036 to ASCII,
The following is a HEX DUMP:

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4. CIVIL RIGHTS

Our goal is to maintain our leadership role in promoting civil rights and use advocacy opportunities to highlight crucial issues including attacking hate crimes and promoting equal pay for women. Hate crimes legislation and equal pay are each powerful examples of further steps the nation needs to take to make sure everyone enjoys the American dream, and both issues have strong public support. The Administration has had a high profile on civil rights issues including creating the President's Initiative on Race, proposing an Administration-wide budget for civil rights agencies, endorsing new hate crimes legislation, promoting equal pay for women, and winning important increases and reforms for the Equal Employment Opportunity Commission.

A. **Hate Crime Legislation.** Legislation to strengthen the ability of the Justice Department to prosecute hate crimes based on race and religion by removing needless jurisdictional requirements and giving the Department the power to prosecute hate crimes committed because of the victim's sexual orientation, gender, or disability.

I. **Legislative Status:** Senators Kennedy and Specter will reintroduce the bill this month. Senator Hatch has stated that he intends to hold hearings on the subject in April.

II. **Presidential Actions:**

A scheduling request has been submitted for the President to host a White House event with the bipartisan Senate and House co-sponsors of the bill, on the occasion of its re-introduction in Congress. MTV is prepared to release a poll on the day of the event relating to youth and hate crimes.

III. **Republican Agenda:** There has been Republican criticism that including women as a category in the bill would lead to federal intervention in all assaults against women. Recently, Senator Hatch has indicated that he will hold hearings on hate crimes legislation and is interested in working with us on legislation. Rep. Hyde has also expressed interest in working on legislation. Senators Specter and Gordon Smith have already signed on, and Senators Chafee and Jeffords may decide to do so.

IV. **Timing and Strategy:** Because of recent high profile crimes, hate crime issues are currently receiving a good deal of attention. March/April is likely to be an important period for debate over the issue due to on-going criminal proceedings in Alabama and Wyoming, as well as Senator Hatch's decision to hold hearings on the topic. In addition, Matt Shepard's mother plans to start a foundation, and she may well receive publicity over the next several months.

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We are working closely with sponsoring members of Congress and interested groups to make sure that our legislation is consistently part of coverage of the hate crimes story. This month the legislation will be re-introduced with bi-partisan support. In early April, we are hopeful that the President will be able to hold an event or radio address on the topic which sets the focus for senate hearings. MTV has plans to publicize the story as well, and is planning a poll of youth attitudes towards hate crimes to be released in conjunction with our event. Following hearings, if we are able to gain bi-partisan support from Hyde and/or Hatch, the legislation would have some chance of passage. If not, presidential event(s) in April would still serve to highlight the Administration's strong position on this high profile issue.

B. Equal Pay. We have supported Senator Daschle's Paycheck Fairness Act, which would increase remedies available for women under the Equal Pay Act. We are also in the process of analyzing whether we could support (1) a strengthened version of the Daschle bill requiring greater disclosure of wage information by employers and (2) legislation sponsored by Senator Harkin on comparable worth.

I. Legislative Status: Senator Daschle's bill has 20 Democratic cosponsors, and Congresswoman DeLauro's equivalent bill, H. R. 541, has 34. Senator Harkin's comparable worth bill had eight cosponsors in the last Congress, while the House version garnered 64 cosponsors.

II. Presidential Actions:

A scheduling request is pending for the President to hold a roundtable event on fair pay on April 7.

III. Republican Agenda: Republicans probably will continue to oppose Senator Daschle's bill. If we support Senator Harkin's comparable worth bill, it might become a high-profile target for Republican attacks.

IV. Timing and Strategy: April 8th is designated "Equal Pay Day" and the President is tentatively scheduled to hold a roundtable event on the topic on April 7th. Following that event, our equal pay budget initiative for EEOC and Labor may receive some attention in congressional hearings, but it is unlikely to gain significant Republican support. When the agencies' budgets reach the House and Senate floor, the President will again be in a good position to publicly advocate for the initiative. The legislation we have endorsed (currently the Daschle bill) is unlikely to achieve passage. If we are able to identify a new formulation for equal pay legislation that can win broad support, fighting for a fair pay bill is an excellent issue that should be part of Administration packages on both economic issues and civil rights that we can

highlight in coming months.

6. FOOD SAFETY

A. *Congressional Action on Food Safety:*

Our major objective over the next several months will be to re-affirm the Administration's position as the leader in the fight for better regulation of food and place opponents in the spotlight for being against needed measures. We intend to highlight our pro-consumer position by supporting our food safety budget initiative, and pushing two legislative measures which will increase USDA's authority to regulate unsafe food production and provide better oversight of imported food.

I. Legislative Status: The food safety budget will be the subject of congressional hearings beginning in mid-March. The SAFER Meat and Poultry Act, which gives USDA the ability to recall products and impose civil fines, is included in the Senate Democratic Leadership package. Senator Harkin has the lead. Our bill to give FDA greater authority to halt food imports from countries that do not have adequate food safety inspection systems has been the subject of interest to Senator Collins, a key Committee chair. She has told the FDA that she would push for a compromise bill if the Administration agreed to support it. We have not responded to her. If we agree, the bill could well pass. If we do not, the bill is unlikely to leave committee.

II. Presidential Actions:
-We are exploring events with new technologies in the food safety area that highlight the need for investments in prevention and surveillance. In addition, the July 4th radio address is an excellent opportunity to urge passage of our budget request and food safety legislation.

III. Republican Agenda: Republicans in the past have opposed new spending in this area and our legislation to give agencies greater authority. Last year we were able to obtain most of our requested initiative funding following a Senate floor battle. We will likely have a similar dispute this year. On the imported food legislation, Senator Collins has held hearings on the problem and will likely continue to work on the issue seeking a bipartisan compromise. Republicans have indicated that under the Administration bill they are worried that farmers in the U.S. will be faced with new regulations.

IV. Timing and Strategy:

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For our budget measures, the most valuable time for a statement of Presidential support would be sometime close to the date of mark-up, perhaps in May or later. Our two legislative measures can be supported in tandem, perhaps along with our budget measure, as part of an Administration package of efforts on food safety. In the past, we have found holiday weekends, such as July 4th (see above), are good opportunities to speak for food safety. Senator Harkin is looking for an appropriate legislative vehicle to attach his SAFER bill. As he is uncertain what when such a vehicle is likely to appear on the floor, we should be prepared to quickly issue a statement of support and rally advocates in support of the bill.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 21:27:38.00

SUBJECT: memorandum on collecting wage data

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is a memorandum that describes what we currently do with respect to data collection in the equal pay context and lists some options that would improve information about the wage gap, including collecting wage data. ===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D55]MAIL428947377.036 to ASCII,

The following is a HEX DUMP:

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March 9, 1999

MEMORANDUM FOR ELENA KAGAN

FROM: THOMAS FREEDMAN
MARY SMITH

SUBJECT: Equal Pay Data Collection

This memorandum describes several alternatives for improving collection of wage data by the federal government. Last year, the Administration endorsed Senator Daschle's bill which currently contains only a Sense of the Senate provision, recognizing that the Administration should look into ways to collect this data. A previous version of Daschle's bill contained a general provision that required employers to submit wage data to the EEOC, broken down by race, sex, and national origin, but this provision was removed at the Administration's request. Recently, however, Senator Daschle has made it clear that he intends to return some kind of data collection provision to his bill before Equal Pay Day on April 8 -- either what he previously included or some other recommendation from the Administration. This memorandum outlines how the federal government currently collects wage data, how it uses this data, and what efforts could be made to improve data collection.

I. Current Methods of Collecting Wage Data

There are three major uses of wage data: enforcement, technical assistance, and research. Both the Equal Employment Opportunity Commission (EEOC) and the Department of Labor's Office of Federal Contract Compliance Programs (OFCCP) currently collect data that is used for enforcement. The Bureau of Labor Statistics and the Bureau of the Census both collect data that is used for informational and research purposes, but not for enforcement.

A. EEOC

The EEOC currently collects annual data regarding the demographic breakdown of the workforces of private employers with 100 or more employees and of federal contractors with 50 or more employees on the EEO-1 form. However, the EEOC does not currently collect salary data with respect to private employers. (The EEOC does collect pay data from state and local governments through the EEO-4 form.) The EEOC uses the data on the EEO-1 form, after an individual claimant's charge is filed, to examine a company's practices. In addition, the EEOC uses this data to determine whether it will file a Commissioner's charge, a charge filed by the

EEOC, not by a private citizen.

After a charge is filed, the EEOC can investigate and obtain wage data from an individual employer. This data could then be used in litigation. However, by statute, the data on the EEO-1 is subject to privacy protections, and the EEOC cannot give this data to the public.

B. OFCCP

OFCCP currently collects wage data from contractors when they are performing an compliance review on-site. While OFCCP is on-site, they obtain detailed wage data on individual employees. OFCCP has taken this data off-site in some instances. They use this data to settle cases with contractors and ensure that contractors correct their pay policies. OFCCP also uses the EEO-1 form in helping to determine which contractors they will audit. Recently, OFCCP has requested wage data before venturing on-site, at the earlier stage of the audit called the "desk audit" phase. However, they are formally requesting OMB to allow them to do this for all cases.

C. BLS and Census

In general, BLS gathers data from employers and from households. In virtually every case the respondents contribute information voluntarily. BLS, in turn, pledges to maintain the confidentiality of all survey responses and the identity of survey respondents.

The household-based surveys are the principal source of data on earnings by demographic variables such as sex and race. The employer-based surveys do not gather wage data on a demographic basis. BLS believes that voluntary employer-based surveys are not useful vehicles for obtaining demographic information.

The Census also collects some wage data by household but not by employer.

New Wage Gap Report. As announced by the Vice President last year, BLS will soon be issuing a report on women's earnings. This report will provide greater detail than previous reports. The data will be culled from the Current Population Survey (the major household survey). BLS intends to publish figures on women's earnings by various characteristics, such as full-time and part-time status; union status; occupation; educational attainment; and marital status. This compendium of tables will be accompanied by a brief analytical text.

II. Possible New Methods of Collecting Wage Data

Below are listed some options for collecting wage data for enforcement, technical assistance, and informational purposes.

A. Wage Data for Enforcement and Technical Assistance

If data were collected for enforcement or technical assistance, either the EEOC or OFCCP should collect this data.

1. EEOC

The most likely way for the EEOC to collect this data would be to add back in a provision to Daschle's bill. The old version of Daschle's bill provided for the collection of pay information by the EEOC **from employers with 100 or more employees, analyzed by the race, sex, and national origin of the employees.** It was somewhat vague on exactly how the wage data would be collected. In particular, it did not specify that the data needs to be collected on the EEO-1 form, which is the form used by the EEOC to collect employment data.

Senator Harkin's bill also requires employers to submit wage data with respect to job category, sex, race, and national origin. Unlike Senator Daschle's bill which requires employers with 100 employees or more to submit this data, however, Senator Harkin's bill requires employers with 25 or more employees in the first two years and 15 or more employees in subsequent years to submit this data. Furthermore, under Harkin's bill, the EEOC is authorized to publish this data and may provide specific employer's reports to the public. This provision is very controversial. As noted above, Senator Daschle's bill had originally contained a requirement for greater collection of wage data, but the Administration felt this would draw a great deal of fire from Republicans and the business community and it was replaced with Sense of the Senate language that the President should increase the amount of information available on wage disparities.

The main concerns with collecting data on the EEO-1 form centered around opposition from the business community and Congress. The EEO-1 form has remained virtually unchanged for the past 30 years, despite its review every 3 years for OMB paperwork clearance (most recently in 1997). The nine occupational categories are so broad that each job category contains many individual jobs. As a result, many in the business community perceive the EEO-1 form as a waste of time and money. (OMB estimates that adding wage data would likely increase the compliance costs dramatically -- possibly by several hundred-fold -- although creating a supplement to the form or limiting it to a subset of the reporting universe could mitigate some of these costs.) Nonetheless, the EEOC believes that collecting wage data on the EEO-1 form would greatly improve its ability to target and prioritize discrimination cases. It also would assist the Department of Labor (DOL) in targeting its enforcement efforts and monitoring affirmative action programs:

There is consensus that any attempts to add wage data to the EEO-1 form will draw immediate fire from the Republicans and the business community. Indeed, any announcement of a process to determine the best way to gather this data would likely provoke a rider and risk the increase in funds requested for the EEOC in our FY2000 budget. **(The budget requests \$312 million for the EEOC -- \$33 million or 12 percent more than enacted in the 1999 budget. Almost one-third of the increase, or \$10 million, will be used for our Equal Pay Initiative. EEOC will advance outreach to businesses and employees to educate them**

about the legal requirements for paying equal wages, provide technical assistance, improve training for EEOC employees to better identify wage discrimination issues, and launch a public service announcement campaign to highlight the wage gap.)

We might consider adding in a more narrow provision to the Daschle bill such as a supplement to the EEO-1 form to send to a subset of businesses and/or federal contractors which would require employers to disclose data on experience, education, race, wages, and gender. This could be targeted on an industry basis. This data could be used for technical assistance and enforcement by both OFCCP and EEOC.

2. OFCCP

There are two basic methods by which OFCCP could collect wage data: (1) a Scheduling Request which is currently pending at OMB and (2) a new Affirmative Action Summary. The Scheduling Request at OMB proposes to collect detailed wage data (which identifies individual employees) by mail from the 5000 or so federal contractors that are scheduled for compliance reviews each year. (Incidentally, OFCCP has already requested and received this same data from some contractors without explicit OMB approval). While OFCCP currently is able to obtain this data on-site at a later stage of the review process, this pending request seeks to get detailed pay information on every single employee at a particular site by mail at the early "desk audit" stage of the process. This data would be permitted to be used for technical assistance and enforcement. The Department of Labor requested that the decision on this issue be extended by 90 days until May of this year.

The other option for OFCCP to collect wage data would be in a proposed Affirmative Action Summary (also known as 60-2). For several years, OFCCP has been authorized to issue a regulation that would allow them to collect summary information from all the approximately 200,000 federal contractors, including wage data, by mail. OFCCP informs us that this proposal currently is being reviewed by their Solicitor's Office. OFCCP believes the advantages of this proposal are two-fold: (1) OFCCP will be able to get some idea of how the entire universe of federal contractors, not only those scheduled for compliance reviews, are implementing the civil rights laws; and (2) every federal contractor, simply by being required to compile this data, will become more aware of how they can better implement the civil rights laws by paying equal wages and preventing discrimination.

Both of these options have received strong resistance from the business community and strong support from the women's groups. OMB, DPC, and the Women's Office have met with both contractors and the women's groups on the pending request at OMB. The business community believes that the request is overly burdensome because businesses do not keep in a readily available format the pay information that OFCCP is requesting. The business groups also do not believe that this is the most effective method for OFCCP to determine whether discrimination based on race, sex, and pay exists. They do not, however, have a better proposal, but OMB is setting up a meeting between the business groups and Labor to discuss further the issue. The women's groups, on the other hand, do not believe the pending request advances the

data collection issue at all. The women's groups believe that this request is merely a reaffirmation of existing OFCCP authority. In their minds, they believe that this request is separate and distinct from trying to come up with other ways to collect wage data.

As for the Affirmative Action Summary, even though the request has not even cleared Labor, the business community is already gearing up for a fight on this issue. While the women's groups believe this summary would be a powerful tool because it would reach every single contractor, it is clear that Labor will not have this proposal ready for April.

B. Wage Data for Informational Purposes

BLS and the Census Bureau would be the appropriate places to explore if we decide to collect more pay data for informational purposes. BLS does not allow matching of its data with the data gathered from enforcement or regulatory agencies, owing to the clear differences in the respective missions. The Census Bureau and BLS have research programs that allow approved researchers, under carefully structured conditions, to gain access to "microdata" (the basic responses provided by survey respondents) in order to produce new research on relevant economic or social issues.

However, BLS asserts, as a general matter, that it can be a very complex undertaking to add additional data to existing surveys or to expand the surveys' sample sizes. There are issues regarding cost and design that have to be taken into account while balancing the desire for new data with an attempt to maintain survey response rates and not add to respondent burden.

In addition, Treasury has suggested funding a grant for a third party academic study. They believe this would lead to useful information. We have asked them to draft a brief proposal for our meeting on March 10.

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 9-MAR-1999 13:41:45.00

SUBJECT: REQUEST FOR DOCUMENTS

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

READ:UNKNOWN

TO: Irene Bueno (CN=Irene Bueno/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Jennifer Klein (Jennifer Klein [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Leanne A. Shimabukuro (Leanne A. Shimabukuro @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

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

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

TO: J. Eric Gould (CN=J. Eric Gould/OU=OPD/O=EOP @ EOP [OPD])
READ:UNKNOWN

TO: Cathy R. Mays (Cathy R. Mays @ EOP @ LNGTWY [OPD])
READ:UNKNOWN

TEXT:

----- Forwarded by Paul J. Weinstein Jr./OPD/EOP on
03/09/99 01:23 PM -----

Ashley L. Raines
03/09/99 12:25:54 PM
Record Type: Record

To: Paul J. Weinstein Jr./OPD/EOP
cc: Karl A. Racine/WHO/EOP
Subject: REQUEST FOR DOCUMENTS

Karl Racine in the Counsel's Office said DPC should respond to this request. Please forward it to your staff. Thanks.

----- Forwarded by Antoinette D. Marchette/WHO/EOP on
03/08/99 03:03 PM -----

PostMaster 03/05/99 05:26:29 PM

Record Type: Record

To: All WHO Users, All Staff
cc:
Subject: REQUEST FOR DOCUMENTS

MEMORANDUM TO: White House Office and Office of the Vice President
Staff

FROM: Cheryl D. Mills
Deputy Counsel to the President

SUBJECT: REQUEST FOR DOCUMENTS

We have received a request for records and materials relating to certain individuals and entities. Please conduct a thorough and complete search of all your records -- whether in hard copy, computer form, or any other form -- for the period January 1, 1995 to December 31, 1996, for any of the following material:

1. All materials reflecting, referring to, or relating to any meeting or meetings on or about November 15, 1995, in which the participants included, among others, the President, the Vice President, Harold Ickes, Jennifer O'Connor, or representatives of the AFL-CIO, and in which was discussed, among other topics, the AFL-CIO's plans for political contributions and other political activity in 1996.

2. All materials reflecting, referring to, or relating to any meeting or meetings on or about December 5, 1995, in which the participants included, among others, Harold Ickes and representatives of the AFL-CIO or the American Federation of State, County and Municipal Employees ("AFSCME"), and in which was discussed, among other topics, "Project +95" or "The +95 Project" and the AFL-CIO and/or AFSCME's plans for political and/or field activity in 1996.

3. All materials reflecting, referring to, or relating to any meeting or meetings, on or about December 7, 1995, in which the participants included, among others, Harold Ickes, Dick Morris, or representative of, or consultants to, the AFL-CIO or other labor organizations, and in which was discussed, among other topics, advertisements that were broadcast or proposed to be broadcast by the AFL-CIO and/or other labor organizations.

4. All materials or other information that reflect, refer to, or relate to any occasion on which the AFL-CIO or its representatives screened for, played for, or transmitted to the White House any communications made or proposed to be made by the AFL-CIO to any of its members or to the general public, that contained the name or names of any candidate(s) for Federal office in 1996, or that urged people to vote or to register to vote.

5. A memorandum dated January 31, 1996 from Joe Velasquez to Harold Ickes referring or relating to the United Steelworkers of America or its president, George Becker.

6. All memoranda, including drafts, dated on or about February 14, 1996 from Jennifer O'Connor to Harold Ickes concerning "labor."

7. All materials that reflect, refer to, or relate to communications between the White House and any individual identified as, or you know to be, an officer, employee, agent or vender of, consultant to, or otherwise acting on behalf of, the AFL-CIO regarding:

- a. "Issue advocacy" advertisements or "electronic voter guide" advertisements to be run or broadcast by the AFL-CIO;
- b. Communications by the AFL-CIO to any of its members, or to the general public, that contained the name or names of any candidate(s) for Federal office in 1996, or that urged people to vote, or to register to vote;
- c. Any plans by the AFL-CIO to run, sponsor, make or engage in advertising, communication to any of its members or the general public;

d. Participation by the AFL-CIO, its affiliates or members in the Democratic National Committee's "coordinated campaign," or the "coordinated campaigns" of state Democratic party committees or any particular state Democratic party committee, in 1996; or

e. Any plans, projects, activities or needs of any political party committee or any candidate for Federal office in the 1995-96 election cycle.

8. All materials reflecting, referring to, or relating to any communication or meeting between the White House and AFL-CIO Political Director Steven Rosenthal during the time period October 15, 1995 to December 31, 1996 regarding any subject identified in parts "a" through "d" of question 7 above.

9. All materials reflecting, referring to or relating to any communication between the White House and any individual identified as, or you know to be, an officer, employee, agent, or vendor of, consultant to, or otherwise acting on behalf of DNC Services Corp./Democratic National Committee ("DNC") regarding any subject identified in parts "a" through "d" of question 7 above.

10. All materials reflecting, referring to or relating to any communications between the White House and any individual identified as, or you know to be, an officer, employee, agent, or vendor of, consultant to, or otherwise acting on behalf of the Clinton-Gore campaign regarding any subject identified in parts "a" through "d" of question 7 above.

11. All materials including, but not limited to, written notes, transcripts, invitations or other material, which reflect, refer to, or relate to the appearance of the Vice President of the United States before the AFL-CIO Executive Council in Bal Harbour, Florida in February 1995 and on or about February 19, 1996.

12. Any transcripts, audio or video recordings, written notes, transcripts, outlines or other documents (including, but not limited to, invitations of any other preliminary or preparatory materials) which reflect, refer to, or relate to, the remarks of the Vice President of the United States to the Special Convention of the AFL-CIO in Washington, D.C., on or about March 25, 1996.

Every employee is responsible for searching his or her own files and records to ensure a comprehensive search. Each office head of Assistant to the President must certify that his or her staff has done a complete and thorough search.

In addition, if you believe that files from your office that have been sent to the Office of Records Management may contain responsive information, please advise us so that we may ensure that all responsive documents have been located.

All Materials must be provided to Karl Racine (OEOB 479) by noon on Thursday, March 18, 1999.

If you have any questions or anticipate any difficulty in meeting this deadline, please call Karl Racine at 456-6285.

Message Sent

To: _____

Ashley L. Raines/OA/EOP

Douglas R. Matties/OA/EOP

Joyce A. Larkin/WHO/EOP

Brooks E. Scoville/WHO/EOP

Kelli R. McClure/WHO/EOP

John Dankowski/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jonathan H. Schnur (CN=Jonathan H. Schnur/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 9-MAR-1999 23:08:03.00

SUBJECT: updated draft of long-term education plan from Jon and Tanya

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Tanya E. Martin (CN=Tanya E. Martin/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.D45]MAIL41349737B.036 to ASCII,
The following is a HEX DUMP:

FF5750439E050000010A0201000000020500000002E610000000200001EA9D1E28DEB930831EFC
2A8602A8CB0DD91514647F55468C53032D1818ED0EBA8AB9386F30DCD45E6B4C2901AD02BC8402
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B6043BF9B96B20AB12916DF6F697627A2C89FBCC944BC2FCC86CA66E22CD3BB3A97A29F6FE38BD

1. EDUCATION

Our major objectives on education over the next few months will be to: 1) frame the education debate through the President's arguments that accountability, and targeted investments in class size, school construction, and after-school, must be national priorities; 2) keep Democrats united behind our accountability agenda; and 3) attack Republican efforts to regain credibility and broaden their appeal on education, such as Domenici's jumbo block grant and Coverdell's education savings accounts.

A. Education Accountability Act. Legislation to reauthorize the Elementary and Secondary Education Act which will require states and districts receiving federal funds to end social promotion, fix failing schools, end use of unqualified teachers, issue report cards, and institute discipline codes. Programs that are part of ESEA include Title I, After-School, Class Size (see below), Bilingual, Safe and Drug-Free, Technology, Charters, and Teacher Quality

I. Presidential Actions:

-- Announcement in late March or early April of bill transmittal, perhaps preceded by leaks on key unannounced components such as a new teacher quality initiative.

-- Release of Dept. of Education social promotions guide. The President would like to visit a school district that has ended social promotion. He could accompany Tony Blair who is visiting Chicago's schools before the NATO Summit in late April.

-- Release of Dept. of Education study on public school choice initiatives and the third year of a 4-year Education Department study on charter schools. The President would like to do an event at a charter school, and there are several charter schools in the District of Columbia he could visit.

-- Visit to a poor, rural school in Appalachia or the Delta.

-- Address to a state legislature.

-- Commencement at a teacher college.

II. Republican Agenda: ESEA is the centerpiece of the federal government's K-12 education policy. This is a top priority item for Republicans, who will seek to have ESEA reflect their key education initiatives --flexibility, block grants, and possibly vouchers.

III. Timing and Strategy. The administration plans to transmit its bill to Congress around the Easter recess. The reauthorization process is expected to run through much of 1999 and possibly into next year. The House has already started hearings on the bill. The Senate and House are expected to start mark-up this summer. Overall, we need to shape the debate around the need to hold states and districts accountable for the use of federal funds rather than around the Republican approach of providing large block grants with no accountability. We

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need to enlist the support of key constituency groups, members of Congress and the public around our accountability platform by working to identify and diffuse concerns that could lead to opposition -- particularly around issues such as social promotion (of concern to civil rights groups and others), flexibility (Governors of both parties are concerned that our proposal will not provide them with adequate flexibility to carry out these initiative), bilingual education and the conversion of formula grants programs to competitive programs. Because timing will be driven by an unpredictable legislative process, our goal will be to sustain efforts to ensure that our accountability message is breaking through and to communicate with concerned groups around key issues.

B. Ed-Flex Demonstration Program. Legislation to expand Ed-Flex to give all 50 states authority to waive certain federal rules in exchange for showing results.

I. Presidential Actions:

-- See timing and strategy below

II. Republican Agenda: Republicans have made Ed-Flex expansion their number one priority. It will be the first education vote this session. Flexibility is a key theme of their education agenda, and they will claim passage as a victory unless Democrats succeed in passing a class size amendment (see below).

III. Timing and Strategy: This week the Ed-Flex bill is on the floor in the Senate and under consideration in the House Education and Workforce Committee. The President has indicated that he will sign an Ed-Flex bill that has strengthened accountability to better link the waivers to student performance. If not approved this week, we will continue to work across party lines to enact this measure, along with other key initiatives like class size.

C. Class Size. Legislation to authorize \$11.4 billion more over six years to complete the hiring 100,000 teachers and reduce class size in the early grades to the national average of 18. (We will still also need to appropriate \$1.4 billion in FY 2000).

I. Presidential Actions:

-- *Completed:* March 6th radio address to release Dept of Education Class Size program guidance, and challenge Senate to adopt Murray-Kennedy amendment.

-- *Completed:* Release of local allocations for Class Size program.

II. Republican Agenda: This is not a program Republicans love, but they funded it in the last appropriations bill and are thus on record in support. Republicans would prefer to make class size an allowable use of a block grant proposal. Republicans are also attempting to recast this debate from the need for class size funding to one of whether to permit local school districts to use this funding for special education (see IDEA/Special education section below).

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III. Timing and Strategy: Senators Murray and Kennedy have offered a class size amendment to the Ed-Flex bill to authorize the program for the remaining six years in the President's proposal. The President strongly supports this amendment. Republicans are attempting to shut-down debate and force a vote on Ed-Flex without having a vote on the class size amendment. If Republicans succeed in blocking a vote, we should call attention to their failure to support class size. Because of the need for school districts to have certainty regarding continued funding for this program as they began to hire additional teachers, we will need to consider whether to attach this to other measures. We will find ways to sustain the message on the importance of smaller class sizes. Also, we will work to ensure that first-year funding is carefully implemented so that school districts are not encountering administrative problems just as this debate is underway.

D. School Modernization. Legislation to create tax credits to support \$25 billion in bonds to help build, repair, or modernize up to 6,000 schools.

I. Presidential Actions:

-- Events or statements coordinated with legislative action.

II. Republican Agenda: Republicans will try to push an alternative school construction proposal, which would change arbitrage provisions for school bonds. The school superintendents organization supports this proposal; we will have to work hard to make the case that this proposal is fundamentally flawed (because the proceeds do not have to be used for school construction and go to districts that do not need assistance).

III. Timing and Strategy: Rep. Rangel will introduce the administration's school modernization proposal in the House. A Sense of the Senate resolution on this issue may be offered during the Ed-Flex debate. Ultimate success will come, if at all, on a larger tax vehicle. We will continue efforts to promote message on the importance of dealing with the growing need for school construction and renovation. We will need to address potential flashpoints, including Davis-Bacon and Sen. Bob Graham's school construction alternative.

E. Education FY 2000 Appropriations Bill. Legislation to fund federal education programs, including after-school; turning-around failing schools; class size; Troops to Teachers; master teachers; GEAR-UP; Title I; technology grants; choice initiatives (charters, work-site and magnets); and Safe and Drug-Free Schools.

I. Presidential Actions:

-- National Teacher of the Year event in April.

-- FY 99 grants announcements --e.g., after-school, charter school, teacher recruitment and quality, Gear-Up, technology.

--Reports on various issues --e.g., charter schools, teacher quality, after-school.

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II. Republican Agenda: Republicans probably will support increases in funding, but will try to push block grants and target increases towards IDEA (essentially a politically viable form of block grants). Recent court rulings and new federal regulation may strengthen the Republican case for increases in IDEA funding. We will have to counter with sustained campaigns for increases in our priority programs.

III. Timing and Strategy: Appropriations Committee hearings begin in March; final bills will get to the President in the late fall/early winter. Our overall message will stress the purpose and importance of our education initiatives. Many of these initiatives were first funded - or received expanded funding - in the 1999 fiscal year. FY 1999 grant announcements provide us with an opportunity to take credit for Clinton-Gore victories and to call on Congress to expand on this good work. We will also continue to identify members of Congress to champion key initiatives and work with groups to ensure that they are communicating their support for these initiatives to members. We will develop strategies to place op-eds and communicate with opinion leaders on our approach of identifying promising practices, using targeted funding to spread their use, and combining flexibility in use of federal funds with accountability for results -- as opposed to the Republican approach of broad - and ultimately unaccountable block grants.

F. Should we add something on national testing/national standards?

CHALLENGES

A. Bilingual Education/LEP. The Administration's ESEA reauthorization will include the President's goal of helping children learn English within three years. There is considerable division around the best approach to teach English to children with limited English proficiency. Bilingual education - where students first receive instruction in their native language in order to then learn English - has been the target of a ballot initiative (Unz initiative) in California that the administration opposed.

Republicans may offer measures to effectively end bilingual education and/or require students to leave bilingual education programs within one or two years. They may criticize the Administration's position as for being too protective of the status quo in bilingual education. Some groups who support bilingual education will criticize the Administration's effort for being too draconian. Our legislative proposal in ESEA will accommodate some of these concerns.

1. Timing. This issues will likely come to the forefront during hearing on the ESEA reauthorization, since that bill will reauthorize the federal bilingual education program.

2. Responses. Introduction of the ESEA legislation will give us the advantage of defining the debate early. Establishing a 3-year goal for learning English will counter criticisms that children stay in bilingual education far too long - while at the same time allowing districts to

choose the education method that best suits their need (i.e. unlike the California initiative, we don't specify whether to teach students English in bilingual or immersion classes). We will need to address concerns in the Hispanic community through targeted outreach and communications strategy explaining our position and legislation. This will include briefings on our legislation to Hispanic groups and members of the Hispanic caucus, as well as a communications strategy targeted at the Hispanic media. We also will need to identify members of Congress in both parties who can champion our approach. Moreover, we will work closely with many of these groups to seek expansion of the Hispanic Education Action Plan announced by Vice President Gore last year (an array of federal education initiatives that serve high concentrations of Latino students) and find appropriate ways to ensure that existing federal programs help students with limited English proficiency.

3. Presidential Action. It is not clear whether a Presidential statement will be needed. The ESEA reauthorization will be transmitted around the Easter recess.

B. Race-Based Admissions. Admissions decisions that consider the race of the applicant either for the purpose of remedying past discrimination or to enhance the diversity of the student body.

1. Timing. Affirmative action opponents have filed cases against school districts and universities across the country to challenge admissions that factored race into the admissions decision process. In several instances (Boston, San Francisco), schools have changed their admissions process to avoid legal challenges. Congressional Republicans may try and offer amendments to any moving piece of education legislation to prohibit race from being considered in school and university admissions.

2. Responses. The administration supports the consideration of race in school admissions decisions to remedy past discrimination and to promote diversity. The counsel's office is working the Departments of Justice and Education to monitor several of these cases and to determine where federal intervention would be appropriate. The Administration also fought efforts in the last Congressional session to prohibit the use of race as a factor in admission decision and should be prepared to engage in a similar battle.

3. Presidential Action. The higher education groups are working on an effort to unite university presidents behind an enhanced strategy to increase campus diversity because of the identifiable benefits diversity brings to classroom environment (e.g., diverse opinions). If this group is effectively pulled together, the President should announce its formation. The timing is unclear, but this could be part of the roll-out for the President's report on the race initiative.

C. Vouchers. Vouchers would provide tax dollars - usually those that would otherwise be allocated to the public schools -- to students to use at a private school.

1. Timing. Republicans may propose vouchers as part of their own approach to reauthorizing ESEA (spring/summer) or as part of the education appropriations or D.C. appropriations (fall)

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bills.

2. *Response.* The administration should continue to oppose the use of federal funds to support private school vouchers. The major education groups have also long-opposed vouchers and we should continue regular discussions with them to coordinate our efforts as individual legislative measures on vouchers arise.

The Administration's efforts to support interventions in failing schools -- and strengthening school accountability more generally -- provide one effective counter to vouchers, principally because voucher advocates typically use the image of students trapped in failing schools as a major reason for advocating vouchers. Moreover, the Administration's efforts to expand choice within public education can preempt calls for vouchers by demonstrating that we are making progress expanding parental choice without hurting public education. Finally, our efforts to invest in common-sense steps like smaller classes and modern school buildings help round out an agenda that may make more sense to the public than markets and vouchers. Partly because of these steps, Republicans are trying to scale back the focus on vouchers in their education agenda, but they clearly will continue to press on this issue.

3. *Presidential Action.* A Presidential statement may be needed in late summer or fall if Republicans propose attaching vouchers to appropriations bills or to ESEA. Moreover, Presidential events on fixing failing schools, expanding public school choice, and reducing class size and modernizing school buildings will help undermine the effectiveness of the voucher message. Finally, the livability agenda -- its focus on schools as centers of community -- may help undermine the voucher message by reminding people of the importance of building up our public schools as centers of community rather than tearing them down through vouchers.

D. Individuals with Disabilities Education Act (IDEA) and Special Education. Many Republicans are trying to broaden the appeal of their education agenda -- and attack the President's agenda -- by criticizing the Administration's alleged failure to provide adequate funding to help local school districts serve students with disabilities. Republicans argue that the federal government should be providing 40% -- rather than the current 11% -- of the costs of special education. These Republicans are beginning to make the case to the public that the federal government should fully fund requirements to serve students with disabilities before funding new initiatives like class size. Moreover, they argue that providing extra support to school districts for special education would free up other resources that local school districts could choose to use on reducing class size, after-school programs, etc. They argue that this approach -- supposedly providing investments and flexibility to local school districts -- is preferable to the Administration's approach of leaving school districts hold the bag on special education and then direct them to spend other federal resources on specific strategies like class size, after-school, etc. The Governors raised this issue to the President in NGA, and complaints have been increasing from communities across the country about this problem.

1. Timing. This issue will likely be raised throughout the year during deliberations in the House and Senate on Presidential education initiatives, consideration of the budget resolution and appropriation bills. Moreover, it appears there may be a coordinated strategy for Governors, school districts, and others to raise this with the president and vice president in meetings on education.

Moreover, IDEA regulations will be released later this month. Major issues involve how the regulations address discipline for children with disabilities.

2. Response. We have been arguing that special education funding has increased over the past few years and that many of our investments in strategies like smaller classes also help special education students -- indeed some of these strategies help children learn to read well and may keep them from being placed in special education in the first place.

We are examining other strategies to address this issue.

3. Presidential Actions.

We are examining other strategies to address this issue.

E. Block Grants. Republicans will also continue to promote the theme of investments in education coupled with flexibility through their block grant proposals.

1. Timing. The Senate could try to bring block grant proposals to the Senate floor this spring.

2. Response. We will continue to emphasize the message that states and school districts should be held accountable for federal funds -- rather than giving out funding without

accountability through block grants. Moreover, we will also continue to emphasize the importance of targeted funding for important national purposes like smaller classes and modern school buildings.

3. *Presidential Actions.* Presidential events around his education agenda.

F. Teacher quality. Republicans will also likely advocate proposals to improve teacher quality through initiatives that could be difficult for the Administration to support -- such as testing for current teachers and merit pay for high-performing teachers.

1. *Timing.* The timing of Republican proposals along these lines is uncertain but could come this spring or summer.

2. *Response.* The Administration's ESEA proposal will contain several initiatives to improve teacher quality that will help define the debate early -- including ending the use of unqualified teachers and supporting national certification for highly accomplished teachers. Moreover, the Administration is advocating other teacher quality initiatives such as attracting retiring military troops and talented young people into teaching. Special emphasis on the President's initiatives to hold teachers accountable and support good teachers will be helpful in defusing possible support for these likely Republican efforts.

3. *Presidential Actions.* Presidential events around his teacher quality initiatives.

POSSIBLE EXECUTIVE ACTIONS

- Release two Education Department studies on public school choice and charter schools.
- Release Administration report on ending social promotion.