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CREATION DATE/TIME: 2-APR-1999 10:14:10.00

SUBJECT: LRM CJB29 - - EDUCATION Draft Bill on Programs of National Significance: T

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

PLEASE DISREGARD THIS LRM. EDUCATION PLANS TO SUBMIT A REVISED VERSION.
YOU WILL RECEIVE A REVISED LRM LATER TODAY.

----- Forwarded by Melissa N. Benton/OMB/EOP on 04/02/99
10:12 AM -----

From: Melissa N. Benton on 04/01/99 05:24:29 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Constance J. Bowers/OMB/EOP@EOP
Subject: LRM CJB29 - - EDUCATION Draft Bill on Programs of National
Significance: Title X of the Elementary and Secondary Education Act
Reauthorization

LRM ID: CJB29
EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

Thursday, April 1, 1999

LEGISLATIVE REFERRAL MEMORANDUM

TO: Legislative Liaison Officer - See Distribution below

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

OMB CONTACT: Constance J. Bowers

PHONE: (202)395-3803 FAX: (202)395-6148

SUBJECT: EDUCATION Draft Bill on Programs of National
Significance: Title X of the Elementary and Secondary Education Act
Reauthorization

DEADLINE: 4 p.m. Tuesday, April 6, 1999

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

COMMENTS: The draft bill and sectional analysis language can be found on the following website:

<http://tabula.ost.dot.gov/ed>

Use the following identifying information:

username: LRM

password: text

[Note: The website has been established as a central point for reviewers to access all of the many pieces of ED's draft bill to reauthorize the ESEA. Because of the magnitude of this bill, review and clearance is being handled in separate parts. Most of these parts have been sent to you electronically as word processing files; however, some reviewers have experienced difficulty accessing the documents because of incompatible word processing systems. You may also access these documents electronically. Thanks for your cooperation.]

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LRM ID: CJB29 SUBJECT: EDUCATION Draft Bill on Programs of National
Significance: Title X of the Elementary and Secondary Education Act
Reauthorization
RESPONSE TO
LEGISLATIVE REFERRAL
MEMORANDUM

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

You may also respond by:

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

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

TO: Constance J. Bowers Phone: 395-3803 Fax: 395-6148
Office of Management and Budget
Branch-Wide Line (to reach legislative assistant): 395-7362

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

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

- _____ Concur
- _____ No Objection
- _____ No Comment
- _____ See proposed edits on pages _____
- _____ Other: _____
- _____ FAX RETURN of _____ pages, attached to this response sheet

- TITLE X-sbs.doc
- titleX-A.doc

Message Sent

To: _____

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DRAFT 4/1/99

TITLE X – PROGRAMS OF NATIONAL SIGNIFICANCE

SECTION-BY-SECTION ANALYSIS

PART A- FUND FOR THE IMPROVEMENT OF EDUCATION

Section 1001 of the bill would amend Part A of Title X of the ESEA, which authorizes funds to support nationally significant programs and projects to improve the quality of elementary and secondary education, to assist students to meet challenging State content standards and challenging State performance standards, and to contribute to the achievement of America's Education Goals.

Section 1001(1). Section 1001(1)(A) of the bill would amend section 10101(a) of the ESEA to stress that the Fund for the Improvement of Education (FIE) is a program focused on improving elementary and secondary education.

Section 1001(1)(B). Section 1001(1)(B) of the bill would amend section 10101(b) of current law by shortening and strengthening the list of authorized uses of funds. Authorized activities would include: (1) research, development, demonstration, evaluation, or other activities designed to improve the quality of elementary and secondary education; (2) activities to promote community participation in the planning, design, and use of new and existing schools; (3) the development, implementation, and evaluation of programs designed to foster student community service, encourage responsible citizenship; and improve academic learning; (4) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools; (5) joint activities with other agencies; (6) programs under section 10102 and section 10103(Character Education); (7) activities to study and implement strategies for creating smaller learning communities; and (8) other programs, including physical education programs, that meet the purposes of this section.

Section 1001(1)(C). Section 1001(1)(C) of the bill would change section 10101(c) of the ESEA to require an applicant for an award under this section to establish clear goals and objectives for its project and describe the activities it will carry out in order to meet these goals and objective. It would also require recipients of funds to report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the project's effectiveness. This change would emphasize the Department's desire to ensure that the effectiveness of all funded projects can be fully assessed. This language is also aligned with the performance indicators in the FIE plan under GPRA.

This section would also allow the Secretary to require recipients of awards under this Part to provide matching funds from sources other than Federal funds, and to limit competitions to particular types of entities, such as State or local educational agencies.

Section 1001(1)(D). Section 1001(1)(D) of the bill would amend section 10101(d) of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1001(2). Section 1001(2) of the bill would repeal section 10102 of the ESEA.

Section 1001(3). Section 1001(3) of the bill would make substantial changes to section 10103 of the ESEA, relating to Character Education. It would provide for more funding flexibility by removing the limit of 10 grants per year and \$1 million limitations on SEAs under current law, and authorize the Secretary to make up to 5-year grants to SEAs, LEAs, or consortia of educational agencies for the design and implementation of character education programs. These programs would be required to be linked to the applicant's overall reform efforts, performance standards, and activities to improve school climate. Allowing LEAs and consortia of educational agencies to apply would increase flexibility to fund innovative programs in school districts where the State is not interested in making an application.

Section 1001(3) of the bill would also streamline the application requirements under current law. The application would include: (1) a description of any partnership and other collaborative effort between the applicant and other educational agencies; (2) a description of the program's goals and objectives; (3) a description of activities to be carried out by the applicant; (4) a description of how the programs will be linked to broader educational reforms being instituted by the applicant, State and local standards for student performance, and activities that are being carried out to improve school climate; (5) a description of how the applicant will evaluate its progress in meeting its goals and objectives; and (6) any other information the Secretary would require.

Paragraph (3) would further require each recipient of a grant to submit a comprehensive evaluation on the effectiveness of its program in achieving its goals and objectives, including the impact of the program on students, teachers, administrators, and parents, to the Secretary, by the mid-point of the program, and no later than one year after completion of the program.

Finally, section 1001(3) of the bill would require the Secretary to make awards under this section that serve different areas of the Nation, including urban, suburban, and rural areas.

Section 1001(4). Section 1001(4) of the bill would redesignate section 10103 of the ESEA, as amended by section 1001(3), as section 10102, and add a proposed new section 10103.

Specifically, proposed new section 10103 would authorize a new program, under which the Secretary could make awards to SEAs, LEAs, IHEs, tribal organizations, and other public or private agencies to carry out research, development, dissemination,

technical assistance, and evaluation activities that support character education programs under new section 10102 of the ESEA.

The proposed new section 10103(b) of the bill would authorize funds under this section to be used to: (1) conduct research and development activities; (2) provide technical assistance to the agencies receiving awards under the program, particularly on matters of program evaluation; (3) conduct a national evaluation of the character education program; (4) compile and disseminate information on model character education programs, character education materials and curricula, and research findings in the area of character education; and (5) any other information that would be useful to character education program participants, and to other educators and administrators, nationwide.

Section 1001(5). Section 1001(5) of the bill would repeal sections 10104, 10105, 10106, and 10107 of the current law.

PART B-GIFTED AND TALENTED CHILDREN

Section 1002 of the bill would reauthorize and make minor improvements to Part B of title X of the ESEA, which provides financial assistance to State and local educational agencies, institutions of higher education, and other public and private agencies to build a nationwide capability in elementary and secondary schools to meet the special educational needs of gifted and talented students.

Section 1002(1). Section 1002(1) would make a technical change to the program's short title.

Section 1002(2). Section 1002(2) of the bill would amend section 10204(c) of current law to require the National Center for Research and Development in the Education of Gifted and Talented Children to focus the dissemination of the results of its activities to schools with high percentages of economically disadvantaged students. This modification would help to overcome the Centers current lack of targeting on low-income schools and school districts.

Section 1002(3). Section 1002(3) of the bill would add a new provision that would authorize the Secretary to evaluate the effectiveness of the programs under this Part.

Section 1002(4). Section 1002(4) of the bill would amend section 10207 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

PART D – ARTS IN EDUCATION

Section 1003 of the bill would reauthorize and streamline Part D of title X of the ESEA, which provides financial assistance to support education reform by strengthening arts education as an integral part of the elementary and secondary school curriculum.

Section 1003(1). Section 1003(1) of the bill would strike out the heading of subpart 1 of current law.

Section 1003(2)(A). Section 1003(2)(A) of the bill would amend section 10401(d) of the ESEA by adding a new authorized activity, model arts and cultural programs in the arts for at-risk children and youth, particularly programs that use arts and culture to promote students' academic progress, to the list of authorized activities of the Arts in Education program.

Section 1003(2)(B). Section 1003(2)(B) of the bill would amend section 10401(f) of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 20005.

Section 1003(3). Section 1003(3) of the bill would repeal subpart 2 of current law. This subpart has never been funded and the addition of the authorized activity in section 10401(d) of the ESEA, noted above, would provide a more flexible authorization for projects serving at-risk children and youth.

PART E –INEXPENSIVE BOOK DISTRIBUTION PROGRAM

Section 1004 of the bill would reauthorize without change Part E of title X of the ESEA, which supports Reading is Fundamental, which distributes inexpensive books to students to motivate them to read.

PART F – CIVIC EDUCATION

Section 1005 of the bill would reauthorize and streamline Part F of title X of the ESEA, which authorizes a program to educate students about the history and principles of the Constitution of the United States, including the Bill of Rights, and to foster civic competence and responsibility.

Section 1005(1). Section 1005(1) of the bill would repeal section 10602 of current law. This program, Instruction in Civics, Government, and the Law, was defunded several years ago.

Section 1005(2). Section 1005(2) of the bill would amend section 10603 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1005(3). Section 1005(3) of the bill would make conforming amendments to the Part.

PART G –ALLEN J. ELLENDER FELLOWSHIP PROGRAM

Section 1006. Section 1006 of the bill would repeal Part G of title X of the ESEA.

PART I – 21st CENTURY COMMUNITY LEARNING CENTERS

Section 1007 of the bill would reauthorize and improve Part I of title X of the ESEA, which authorizes grants to rural and inner-city public schools to plan, implement, or expand projects that benefit the educational, health, social service, cultural, and recreational needs of a rural or inner-city community.

Section 1007(1)(A). Section 1007(1)(A) of the bill would amend section 10903(a) of the ESEA by adding language to current law to clarify that the Secretary may award grants to local educational agencies and community based organizations (CBOs) (with up to 10% of the funds appropriated to carry out this part for any fiscal year) on behalf of public elementary or secondary schools in inner-cities, rural areas, and small cities. In both cases, awards would be limited to schools or CBOs that serve communities with a substantial need for expanded learning opportunities due to their high proportion of low-achieving students and lack of resources to establish or expand community learning centers.

Section 1007(1)(B). Section 1007(1)(B) of the bill would retain the provision in section 10903(b) of current law requiring equitable distribution among urban and rural areas of the United States, but would delete the provision requiring equitable distribution among States and urban and rural areas of a State.

Section 1007(1)(C). Section 1007(1)(C) of the bill would amend section 10903(c) of the ESEA to change the duration of grants awarded under this Part from 3-years to 5-years.

Section 1007(2). Section 1007(2)(A) of the bill would amend section 10904 of the ESEA to change the eligible applicant for a grant under this Part from a school to a local educational agency (which would apply on behalf of schools) or a community-based organization.

Paragraph (2)(A) would also add new language to current law to require the applicant to provide information that it will provide at least 50 percent of the annual cost

of project activities from non-Federal sources (which may be provided in cash or in kind), and in the fourth and fifth years of its project, to increase the percentage of the project's cost that is paid for by funds other than those received under this Part. The applicant would also be required to provide an assurance that in each year of the project, it will expend, from non-Federal sources, at least as much for the services as it expended for the preceding year. This addition to current law would allow the program to leverage greater amounts of funding, by requiring a 100 percent match in the first three years and an increasing match over the following two years, and would ensure that grantees do not use Federal funds to replace funds from other non-Federal sources.

Paragraph (2)(B) would amend section 10904(b) of the ESEA to require the Secretary to give priority, in all competitions, to applications that offer a broad selection of services that address the needs of the community, that offer significant expanded learning opportunities for children and youth in the community, and that contribute to reducing drug use and violence.

Paragraph (2)(C) would add new language to section 10904 of the current law to require an application submitted by a CBO to contain evidence that affected LEAs concur with the project. It would also allow the Secretary to waive the requirement of 10904(b)(4)(A) and permit an applicant to satisfy not more than 50 percent of the required match with other Federal funds awarded by the Secretary.

Section 1007(3). Section 1007(3) of the bill would amend section 10905 of the ESEA to require that applicants provide expanded learning opportunities and eliminate the requirement that applicants include at least four of the activities listed in this section. Instead, applicants must provide educational activities and may provide a range of other services to the community.

Section 1007(4). Section 1007(4) of the bill would amend section 10906 of the ESEA to clarify the definition of "community learning center" as an entity that provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community.

Section 1007(5). Section 1007(5) of the bill would amend section 10907 of the ESEA to authorize such sums as may be necessary to carry out this Part through fiscal year 2005.

Section 1007(6). Section 1007(6) of the bill would add a proposed new section 10908 to the ESEA that allows the Secretary to use funds appropriated under this Part to make continuation awards for projects that were funded with fiscal year 1998 and 1999 funds, under the terms and conditions that applied to the original awards. This provision has the effect of allowing the Department to provide continuous funding for the last year of 3-year grants made in fiscal year 1998 under the provisions of current law.

Section 1007(7). Section 1007(7) of the bill would redesignate Part I as Part G and make appropriate section number changes.

PART J - URBAN AND RURAL EDUCATION ASSISTANCE

Section 1008. Section 1008 of the bill would repeal Part J of the ESEA.

PART K – NATIONAL WRITING PROJECT

Section 1009. Section 1009 of the bill would reauthorize and improve Part K of title X of the ESEA, which authorizes a grant to the National Writing Project for the improvement of the quality of student writing and learning, and the teaching of writing as a learning process.

Section 1009(1). Section 1009(1) of the bill would amend section 10991 of the ESEA to update the findings.

Section 1009(2). Section 1009(2) of the bill would amend section 10992 of the ESEA to authorize the Secretary to conduct an independent evaluation of the program administered pursuant to this part. It would also authorize such sums as may be necessary to carry out this part for fiscal years 2001 through 2005.

Section 1009(3). Section 1009(3) of the bill would redesignate Part K as Part H.

INTERNATIONAL EDUCATION EXCHANGE

Section 1010 of the bill would reauthorize and make a minor change to the International Education Program found in title VI of Goals 2000: Educate America Act.

Section 1010(1). Section 1010(1) of the bill would amend section 601 of Goals 2000, by adding the Republic of Ireland and Northern Ireland to the definition of “eligible country”, as well as any other emerging democracy in a developing country.

Section 1010(2). Section 1010(2) of the bill would authorize such sums as may be necessary to carry out this part for fiscal year 2001 through 2005.

Section 1010(3). Section 1010(3) of the bill would redesignate the International Education Exchange Program as Part C of title X of the ESEA.

DRAFT 4/1/99

TITLE X – PROGRAMS OF NATIONAL SIGNIFICANCE

PART A – FUND FOR THE IMPROVEMENT OF EDUCATION

SEC.1001. Part A of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10101—

(A) by amending subsection (a) by inserting “elementary and secondary” immediately after “improve the quality of”;

(B) by amending subsection (b) to read as follows:

“(b) USE OF FUNDS.—Funds under this section may be used for—

“(1) research, development, demonstration, evaluation, or other activities that are designed to—

“(A) improve the quality of elementary and secondary education;

“(B) assist all students to meet challenging State standards; and

“(C) contribute to the achievement of America’s Education goals;

“(2) activities to promote community participation in the planning, design, and use of new and existing schools, including the development of a school system master plan or an individual school site space and design plan, to—

“(A) make effective use of all available resources; and

“(B) meet the needs of all students, as well as the needs of the larger community;

“(3) the development, implementation, and evaluation of programs that are designed to foster student community service, encourage responsible citizenship and improve academic learning, and give students the opportunity to apply what they learn in the classroom to meet actual community needs;

“(4) the identification and recognition of exemplary schools and programs, such as Blue Ribbon Schools;

“(5) joint activities with other agencies;

“(6) programs under section 10102 and section 10103;

“(7) activities to study and implement strategies for creating smaller learning communities; and

“(8) other programs and projects, including programs and projects in the area of physical education, that meet the purposes of this section.”;

(C) by amending subsection (c) to read as follows:

“(c) AWARDS.—(1) The Secretary may—

“(A) make awards under this section on the basis of competitions announced by the Secretary; and

“(B) support meritorious unsolicited proposals.

“(2) An applicant for an award under this section, shall—

“(A) establish clear goals and objectives for its project under this part; and

“(B) describe the activities it will carry out in order to meet the goals and objectives of its project.

“(3) A recipient of an award under this section shall evaluate the effectiveness of its project’s activities in achieving the goals and objectives stated in its application.

“(4) A recipient of funds under this section shall report to the Secretary such information as may be required, including evidence of its progress towards meeting the goals and objectives of its project, in order to determine the effectiveness of its project under this section.

“(5) The Secretary may—

“(A) require recipients of funds under this section to provide matching funds from non-Federal sources; and

“(B) limit competitions to particular types of entities, such as State or local educational agencies.

“(6) The Secretary shall use a peer review process in reviewing applications for assistance under this section and may use funds appropriated under subsection (d) for the cost of such peer review.”; and

(D) by amending subsection (d) to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS.— For the purposes of carrying out this section, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”;

(2) by repealing section 10102;

(3) by amending section 10103 to read as follows:

“State and Local Character Education Program

“SEC. 10103 (a) PROGRAM AUTHORIZED.—(1) The Secretary may make grants to State educational agencies, local educational agencies, or consortia of such educational agencies for the design and implementation of character education programs.

“(2) Each grant under this section shall be awarded for a period not to exceed five years, of which the recipient shall use not more than one year for planning and program design.

“(b) APPLICATIONS.—(1) Each applicant desiring a grant under this section shall submit an application to the Secretary at such time and in such manner as the Secretary may require.

“(2) Each application under this section shall include—

“(A) a description of any partnerships and other collaborative efforts between the applicant and other educational agencies;

“(B) a description of the program’s goals and objectives;

“(C) a description of the activities the applicant will carry out, and how these activities are designed to meet the program’s goals and objectives under subparagraph (B), including—

“(i) how parents, students, and other members of the community, including members of private and nonprofit organizations, will be involved in the design and implementation of the program;

“(ii) the curriculum and instructional practices that will be used or developed; and

“(iii) the methods of teacher training and parent education that will be used or developed;

“(D) a description of how the program will be linked to other efforts to improve educational outcomes, including—

“(i) broader educational reforms that are being instituted by the applicant or its partners;

“(ii) applicable State, and local standards for student performance; and

“(iii) any activities that the applicant is carrying out to improve the school learning environment;

“(E) a description of how the applicant will evaluate the progress of its program in meeting the goals and objectives under subparagraph (B), including the performance indicators that will be used to measure progress; and

“(F) any other information the Secretary may require.

“(c) EVALUATION AND PROGRAM DEVELOPMENT.—(1) Each applicant receiving a grant under this section shall submit to the Secretary a comprehensive evaluation of the effects of the programs assisted under this part, including its impact on students, teachers, administrators, parents and others—

“(A) at the mid-point of the program; and

“(B) not later than one year after completion of the program.

“(2) Evaluations under this subsection shall focus on the effectiveness of the program in achieving its goals and objectives.

“(d) DIVERSITY OF PROJECTS.— The Secretary shall make awards under this section that, to the extent practicable, support programs that serve different geographic areas of the Nation, including urban, suburban, and rural areas.”;

(4) by redesignating section 10103, as amended by paragraph (3), as section 10102 and adding a new section 10103 to read as follows:

“Character Education Research, Dissemination, and Evaluation

“SEC. 10103. (a) PROGRAM AUTHORIZED.— The Secretary is authorized to make grants, or enter into contracts or cooperative agreements with, State educational agencies, local educational agencies, institutions of higher education, tribal organizations, and other public or private agencies or organizations to carry out research, development, dissemination, technical assistance, and evaluation activities that support or inform character education programs under section 10102.

“(b) USE OF FUNDS.— Consistent with subsection (a), funds under this section may be used—

“(1) to conduct research and development activities that focus on such matters as—

“(A) the effectiveness of instructional models;

“(B) materials and curricula that can be used by programs in character education;

“(C) models of professional development; and

“(D) the development of outcome measures for character education programs; and

“(E) the effects of school learning environments on student outcomes;

“(2) to provide technical assistance to the agencies receiving awards under section 10102, particularly on matters of program evaluation;

“(3) to conduct a national evaluation of programs under section 10102;

and

“(4) to compile and disseminate, through various approaches, such as a national clearinghouse—

“(A) information on model character education programs;

“(B) character education materials and curricula;

“(C) research findings in the area of character education and character development; and

“(D) any other information that will be useful to character education program participants and other educators and administrators, nationwide.”;

(5) by repealing section 10104, section 10105, section 10106, and section 10107.

PART B– GIFTED AND TALENTED CHILDREN

SEC.1002. Part B of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10201, by striking out “of 1994”;

(2) in section 10204(c), by adding at the end thereof a new paragraph (3) to read as follows:

“(3) DISSEMINATION. The National Center shall focus the dissemination of the results of its activities under subsection (b)(7) to schools with high percentages of economically disadvantaged students.”;

(3) by amending section 10206(b) to read as follows:

“(b) REVIEW AND DISSEMINATION.— The Secretary—

“(1) shall use a peer review process in reviewing applications under this part;

“(2) shall ensure that the information on the activities and results of programs and projects funded under this part is disseminated to appropriate State and local agencies and other appropriate organizations, including private nonprofit organizations; and

“(3) may evaluate the effectiveness of programs under this part in accordance with section 14701 [will change] of this Act.”; and

(4) by amending section 10207 to read as follows:

“SEC. 10207. AUTHORIZATION OF APPROPRIATIONS. For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”.

PART D – ARTS IN EDUCATION

SEC.1003. Part D of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) by striking out the heading of subpart 1;

(2) in section 10401—

(A) in subsection (d)—

(i) by redesignating paragraphs (9) and (10) as paragraphs (10) and (11), respectively; and

(ii) by inserting immediately after paragraph (8) the following new paragraph:

“(9) supporting model arts and cultural programs for at risk children and youth, particularly programs that use arts and culture to promote students’ academic progress;” and

(B) by amending subsection (f) to read as follows:

“(f) AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by repealing subpart 2.

PART E – INEXPENSIVE BOOK DISTRIBUTION PROGRAM

SEC. 1004. Part E of title X of the Elementary and Secondary Education Act of 1965 is amended in section 10501(e) by striking out “\$10,300,000 for fiscal year 1995 and such sums as may be necessary” and inserting in lieu thereof “such sums as may be necessary for fiscal year 2001 and”.

PART F— CIVIC EDUCATION

SEC.1005. Part F of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) by repealing section 10602;

(2) by amending section 10603 to read as follows:

“SEC. 10603. AUTHORIZATION OF APPROPRIATIONS.—For the purpose of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by redesignating section 10603, as amended by paragraph (2), as section 10602.

PART G –ALLEN J. ELLENDER FELLOWSHIP PROGRAM

SEC.1006. Part G of title X of the Elementary and Secondary Education Act of 1965 is repealed.

PART I – 21ST CENTURY COMMUNITY LEARNING CENTERS

SEC. 1007. Part I of title X of the Elementary and Secondary Education Act of 1965 is amended--

(1) in section 10903--

(A) by amending subsection (a) to read as follows:

“(a) GRANTS BY THE SECRETARY.— (1) The Secretary is authorized, in accordance with paragraph (2), to award grants to community-based organizations and local educational agencies, on behalf of public elementary or secondary schools in inner-cities, small cities, and rural areas, that serve communities with a substantial need for expanded learning opportunities because they have a high proportion of low-achieving students and lack resources to establish or expand after-school centers that benefit the educational, health, social service, cultural, and recreational needs of the community.

“(2) The Secretary may reserve up to 10 percent of the funds appropriated to carry out this part for any fiscal year to make grants to community-based organizations to carry out projects, consistent with the purposes of this part.”;

(B) by amending subsection (b) to read as follows:

“(b) EQUITABLE DISTRIBUTION.— In awarding grants under this part, the Secretary shall ensure an equitable distribution of assistance among the States and among urban and rural areas of the United States.”; and

(C) in subsection (c), by striking out “3 years” and inserting in lieu thereof “5 years”;

(2) in section 10904—

(A) in subsection (a)--

(i) in the matter preceding paragraph (1), by striking out “an elementary or secondary school or consortium” and inserting in lieu thereof “a local educational agency, on behalf of one or more elementary or secondary schools, or a community-based organization”;

(ii) in paragraph (1), by striking out “the school or consortium” and inserting in lieu thereof “the applicant”;

(iii) in paragraph (2), by striking out “and” at the end thereof;

(iv) in paragraph (3)—

(I) in subparagraph (C), --

(aa) by inserting “schools,” immediately after “undertaken by”; and

(bb) by inserting a comma and “in order to promote community involvement in the planning and implementation of services provided under this part” immediately after “appropriate organizations”;

(II) in subparagraph (D), by striking out “the school or consortium” and inserting in lieu thereof “the applicant”; and

(III) in subparagraph (E), by—

(aa) striking out “the school or consortium” and inserting in lieu thereof “the applicant”; and

(bb) striking out the period at the end thereof and inserting in lieu thereof a semi-colon; and

(v) by adding, at the end thereof, the following new paragraphs (4) and (5):

“(4) information demonstrating that the applicant will--

“(A) provide at least 50 percent of the annual cost of project activities from non-Federal sources, which may be provided in cash or in kind, fairly evaluated; and

“(B) in the fourth and fifth years of its project, increase the percentage of the project’s cost that is paid for by funds other than those received under this part; and

“(5) an assurance that the applicant will, in each year of the project, expend, from non-Federal sources, at least as much for the services under this part as it expended for the preceding year.”;

(B) by amending section 10904(b) to read as follows:

“(b) PRIORITY.—The Secretary shall give priority to applications that describe projects that –

“(1) offer a broad selection of services that address the needs of the community;

“(2) offer significant, expanded learning opportunities for children and youth in the community; and

“(3) contribute to reduced drug use and violence.”; and

(C) by further amending section 10904 by adding at the end thereof a new subsection (c), to read as follows:

“(c) SPECIAL RULES.— (1) An application submitted by a community-based organization shall contain evidence that affected local educational agencies concur with the proposed project.

“(2) The Secretary may waive the requirement of subsection (b)(4)(A) and permit an applicant to satisfy not more than 50 percent of the match required by that provision with other Federal funds awarded by the Secretary, if the applicant demonstrates in its application that it cannot comply with subsection (b)(4)(A).”;

(3) in section 10905, by striking out “may be used to plan, implement, or expand community learning centers which include not less than four” and inserting in lieu thereof “shall be used to establish or expand community learning centers that provide activities that offer significant expanded learning opportunities, such as before and after school, for children and youth in the community, and that may also include any”;

(4) in section 10906, by amending paragraph (1) to read as follows:

“(1) provides expanded learning opportunities, and may also provide services that address health, social service, cultural, and recreational needs of the community; and”;

(5) by amending section 10907 to read as follows:

“SEC. 10907. AUTHORIZATION OF APPROPRIATIONS.—For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(6) by adding at the end thereof the following new section 10908:

“SEC. 10908. CONTINUATION AWARDS. The Secretary may use funds under this part to make continuation awards for projects that were funded with fiscal year 1998 and 1999 funds, under the terms and conditions that applied to the original awards for those projects.”.

(7) by redesignating —

(A) part I as part G; and

(B) sections 10901 through 10908, as amended by this section, as sections 10701 through 10708, respectively.

PART J – URBAN AND RURAL EDUCATION ASSISTANCE

SEC.1008. Part J of title X of the Elementary and Secondary Education Act of 1965 is repealed.

PART K – NATIONAL WRITING PROJECT

SEC.1009. Part K of title X of the Elementary and Secondary Education Act of 1965 is amended—

(1) in section 10991—

(A) in paragraph 15 —

(i) by striking “154 regional sites” and inserting in lieu

thereof “157 regional sites”; and

(ii) by striking “45 States” and inserting in lieu thereof “46 States”;

(B) in paragraph (18) by striking out “; and” and inserting in lieu thereof a period; and

(C) by striking out section 10991(19);

(2) in section 10992--

(A) by amending subsection (g) to read as follows:

“(g) EVALUATION. The Secretary may conduct an independent evaluation, by grant or contract, of the program administered pursuant to this part.”; and

(B) by amending subsection (i) to read as follows:

“(i) AUTHORIZATION OF APPROPRIATIONS. For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”; and

(3) by redesignating --

(A) part K, as amended by this section, as part H; and

(B) section 10991 and section 10992 as section 10801 and section 10802, respectively.

INTERNATIONAL EDUCATION PROGRAM

SEC.1010. Title VI of Goals 2000: Educate America Act is amended—

(1) in section 601(c)(6) to read as follows:

“(6) DEFINITIONS.—For the purposes of this subsection the term “eligible country” means a Central European country, an Eastern European country, Lithuania, Latvia, Estonia, Georgia, the Republic of Ireland and Northern Ireland, the Commonwealth of Independent States, any country that formerly was a republic of the Soviet Union whose political independence is recognized by the United States, and any other emerging democracy in a developing country. For the purpose of this definition, the term ‘developing country’ shall have the same meaning given it in the Education of the Deaf Act.”;

(2) by amending section 601(d) to read as follows:

“(d) AUTHORIZATION OF APPROPRIATIONS. For the purposes of carrying out this part, there are authorized to be appropriated such sums as may be necessary for fiscal year 2001 and each of the four succeeding fiscal years.”and

(3) by redesignating it as part C of title X of the Elementary and Secondary Education Act of 1965, and redesignating section 601 as section 10301.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 10:30:35.00

SUBJECT: Weekly Report 4/2

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D9]MAIL48252250P.136 to ASCII,
The following is a HEX DUMP:

FF5750435A110000010A02010000000205000000F06D00000002000003CB87DD955D6E439471BFB
2E9B468F0548C4F84D817C28F4017930F4E92ABAAF4C776B9D104D0DA89630D24F5D2A43E3A2CD

March 27, 1999

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

SUBJECT: DPC Weekly Report

Health Care -- Democratic Patients' Bill of Rights Event in Philadelphia: Next Friday, you are scheduled to participate in a multi-state, multi-state Congressional Democratic event in Philadelphia to receive an Internet-based petition calling for the Congress to pass a strong enforceable patients' bill of rights. In addition to announcing this petition, which will already have thousands of participants and is intended to attract over one million, you can announce the OPM "call letter" that will require all participating FEHBP insurers to come into full compliance with the patients' bill of rights. Among other provisions this action will ensure that every FEHBP plan will have new continuity of care protections. This event, long requested by the Democrats, provides you with another opportunity to call on the Congress to pass a strong patients' bill of rights and to contrast it with the weak proposal which was passed out of the Senate Labor Committee shortly before the recess.

Health Care -- Response to your request for information on the Medicare annual cap on patient services: The \$1500 cap on Medicare outpatient physical therapy and other rehabilitative services was included as part of the Balanced Budget Act of 1997. We opposed this because of our concern about the potential adverse impact on chronically ill beneficiaries. However, Congressman Thomas insisted that it be included in the final package. Providers and advocates are now arguing that this cap is problematic and a recent study shows that almost 13 percent of Medicare beneficiaries exceed the cap each year and are left with significant out-of-pocket expenditures. Senator Grassley has proposed legislation to allow Medicare beneficiaries to receive services above the cap if they have an illness that will clearly require additional services. However, this proposal may prove to be quite costly. We are requesting that it be scored and are reviewing alternatives.

Health Care -- Nationwide Medicare Toll-Free Line: On Thursday, HHS went nationwide on their new toll-free telephone line, 1-800 MEDICARE, designed to respond to the numerous questions that beneficiaries have about their new options. Callers can talk to a customer service representative in English or Spanish to get general information about Medicare; get updated information about Medicare health plan options in their community; get specific quality and satisfaction information or other

complex questions about health care. The new toll-free line is part of the National Medicare Education Program passed in the Balanced Budget Act, a comprehensive effort to help Medicare beneficiaries better understand the new health care options that are part of Medicare+Choice.

Tobacco -- Next Steps on Medicaid Recoupment: We met this week with our major public health allies to discuss ways to build support for our proposal to ensure a portion of the tobacco settlement funds goes to prevent youth smoking. We plan to step up efforts to generate regional press about the effectiveness of such programs and focus a spotlight on how little of the tobacco settlement funds states are planning to spend on these efforts in the absence of federal legislation requiring them to do so. As part of this effort, on Thursday we drew attention to the CDC publication of the Florida study we described to you last week, issuing a statement from you which ran in AP stories and The New York Times. We are now examining more closely information about how states plan to spend tobacco settlement funds to see which proposals we may want to highlight. For example, a proposal introduced in the Oklahoma legislature would use the money to eliminate highway tolls, while Louisiana's governor proposed paying off state debt and funding gene therapy research. Rhode Island's governor proposed using the first installment of \$63 million to balance the state's budget rather than to combat smoking and improve public health, prompting a heated debate in the state legislature. Moreover, many states planning to spend the tobacco funds on public health or tobacco use prevention are only supplanting current spending, thus freeing up unrestricted funds for other uses.

Tobacco -- Oregon Verdict: This week, a jury in Oregon ordered Philip Morris to pay \$79.5 million in punitive damages to the family of a man who died of lung cancer after smoking for 40 years. The jury award of \$81 million is the largest liability verdict ever against the tobacco industry and follows the \$51.5 million verdict against the company earlier this year in a California case. Shares of tobacco companies fell sharply after the news of the Oregon verdict and continued to fall throughout the week.

Political Reform--Campaign Finance Reform: There have been some positive signs, albeit small, that some of the key opponents of campaign finance reform maybe willing to entertain some possible compromises. Specifically, Mitch McConnell indicated recently that a soft-money-hard-money trade-off is "worth discussing." Other Republicans have signaled at least a willingness to consider alternatives. Norm Ornstein believes there maybe a small window of opportunity to resurrect campaign finance reform if Democrats and Republicans can reach agreement on raising the \$1,000 contribution limit and indexing it for inflation. Ornstein has proposed a five-point plan that would 1) raise the contribution limit to \$3,000 and index it for inflation; 2) end soft money and increase limits on hard-money contributions to parties; 3) bring greater disclosure to issue advocacy as proposed in the Senators Snowe and Jeffords amendment which was passed in the Senate last year; 4) bring small donors back to politics by providing a tax credit for contributions of \$100 or \$200 (the credit was repealed in 1986). In addition, candidates who raise over a threshold of amount of small contributions --

like \$25,000 in \$100 contributions or less -- would become eligible for a voucher program for broadcast time, half to be paid for by the broadcasters and half by the Federal government. Under the Ornstein proposal, for every \$1,000 in small contributions raised, a candidate would receive a \$500 broadcast voucher. Ornstein is planning to discuss this proposal with the authors of last year's bipartisan finance reform bill, Senators McCain and Feingold and Representatives Shays and Meehan. We will be having discussions with Ornstein as well and will keep you apprised.

Education -- ED-Flex Legislation: During the recess, Congressional staff are meeting to attempt to agreement on the provisions of a final bill. Staff from DPC, Leg Affairs and Education met with House Democratic staff that are seeking our support for a number of accountability provisions. We will continue to support the accountability measures that we supported during debate: i.e. provisions that prohibit waivers of the rank-order targeting provisions of Title I, but we will not take a position in conference on those that we did not address during debate. We have received indications that the Republican House staff are in the main prepared for each of the accountability provisions to accept the stronger of the House or Senate versions. We also understand that House Republican staff will not take a position on the class size provision that we strongly oppose (allowing class size funds to be spent on special education). OMB is circulating a letter from Secretary Riley to the conferees expressing support for the strongest possible accountability provisions and conveying his recommendation that you disapprove the bill if the class size provision remains in the final bill.

Education -- ESEA Social Promotions/LEP: We are continuing to outreach to various constituency groups (Hispanic education groups, civil rights organizations, NEA, AFT,) on the ESEA reauthorization and the no-social promotions policy. We are working with OMB and Education on the applicability of the no-social-promotions policy for LEP students. Our objective is to craft a policy that will hold schools accountable for the goal of teaching students English in three years but will not result in holding students back who can demonstrate academic competence in reading, math and other subject but are not yet proficient in English. These students should be promoted and continue to receive the necessary services to bring their English skills up to a proficient level. We are moderately optimistic that this social promotions policy for LEP students is one that the Hispanic education community can support.

Welfare -- Child Support: Upon a review of HHS's policy on prior approval of computer contracts, the agency discovered that conflicting policies existed within the Administration and they are now diligently working to rectify those inconsistencies. HHS's Administration for Children and Families (ACF) requires contracts for child support enforcement and child welfare computer systems to receive prior federal approval in order to receive federal reimbursement. States such as California, Hawaii, Kansas, Nevada, and Pennsylvania have been denied federal match under this policy, and Arkansas and others are under review. In comparison, HCFA provides for exceptions to this rule if the Medicaid

computer contract would have been approved if the request had been made in advance and that the state institutes controls to ensure that prior approval requirements are made in the future. USDA also allows retroactive prior approval in certain limited circumstances and requires the request be made by the head of the state agency. HHS is currently conducting a thorough legal and budgetary review, but is likely to soon redefine an agency-wide policy that will be similar to HCFA's.

Welfare -- GW Study on Diversion Policies: As you know, many states are experimenting with a variety of strategies to divert families from cash assistance. Next week, George Washington University will issue the second of its reports funded by HHS which provides an inventory of state approaches and examines practices in five cities (Atlanta, Annapolis, Kansas City, Missoula, and Cincinnati). The study finds that the most common form of diversion requires applicants for welfare to participate in job search before they can receive cash assistance. While nearly half the states also offer short-term diversion payments to help families meet short-term financial needs in lieu of going on welfare, these are so far being used on a very limited basis. The study notes that diversion has the potential to reduce initial access to Medicaid, especially as families by-pass welfare entirely or go to work so quickly that they may not qualify for Medicaid under most states' current eligibility criteria. The study highlights the importance of our Medicaid outreach efforts and our initiatives to encourage states to take advantage of the flexibility they have under current law to expand Medicaid eligibility for low-income working families. As you know last month HHS issued at our request new guidance which makes clear to states that individuals eligible for Medicaid must be enrolled as soon as they seek assistance, whether or not they are eligible for TANF. HHS also plans to award research funds to several states or large counties to track what happens to families who are diverted from the caseload, including the extent to which they continue to participate in Medicaid and other programs to support working families.

Workforce Investment Act Rule: In early April, the Department of Labor will publish an interim final rule to implement the Workforce Investment Act (WIA) you signed last August to reform the nation's job training system. The rule provides guidance to states and communities to help implement key provisions of the law including the development of a network of comprehensive One-Stop Career Centers that provide a single point of entry to a wide range of employment services for job seekers and employers. When the program is fully implemented, DOL expects that there will be at least 2,500 such One-Stop centers. Currently there are about 1,000 state and local variations of one-stops, but none of them are as comprehensive as what is envisioned under WIA. The rule will also implement Individual Training Accounts to provide individuals with access to quality job training of their choice. Consistent with the goal of consolidating and streamlining job training programs, the new regulation is approximately half the length of the old rule it replaces. DOL has coordinated with other federal agencies in developing this rule, and has consulted broadly with state and local government, key Congressional committees, and other stakeholders. While states have until July 2000 to fully implement the Act, a handful of states are expected to file their state plans shortly. We will work with DOL to identify any potential announcements.

Welfare -- Food Assistance: You asked what we could do to ensure that families obtain food assistance, in light of reports that more working families are seeking help from private food banks. We are working to address these issues on two fronts: first to ensure states follow the food stamp law and provide assistance to all eligible individuals who seek assistance; and second, to develop and implement new initiatives to make the food stamp program more accessible to working families.

We have taken numerous steps in recent months to ensure states follow the food stamp law. USDA has launched investigations of state and local practices, including an inquiry in New York City which found local welfare offices were not allowing individuals to apply for food stamps on their first visit to the office. (USDA has issued a formal warning and will impose penalties if these practices are not changed. Meanwhile, a U.S. District Court judge has issued an injunction and has required the city to provide a corrective action plan, which remains sealed.) At the same time, USDA issued formal guidelines to every state reminding them of their obligations to ensure that applicants are aware of their right to file an application for food stamps, process applications in a timely manner, and continue food stamp benefits when TANF benefits are denied or terminated.

In addition to these enforcement actions, we are working with USDA and others to develop and implement efforts to make food stamps more available to eligible families. Historically, individuals with earned income who are eligible for food stamps have been about half as likely to obtain them as individuals receiving cash assistance. There are several possible reasons for this. First, individuals with earnings are eligible for far less in food stamps and they may decide the amount is not worth it. For example, the monthly food stamp allotment for a family of three with a \$300 weekly income and \$500 monthly rent is \$40. When the same family reaches weekly earnings of \$342, the household is no longer eligible. Second, families need to follow somewhat cumbersome procedures to report their earnings to the food stamp office and it is often difficult for working families to get to this office during open hours.

We are currently working with USDA and OMB to devise administrative proposals to help address these and other potential barriers and we will provide you with an analysis of our options soon. While some of the options under consideration can be implemented through regulation, they may cost several hundred million dollars. In order to ensure we maintain our commitment to saving the surplus, we must enact other regulations saving a comparable amount -- a requirement OMB imposes on an agency-by-agency basis (e.g., USDA savings must pay for new USDA costs). These regulatory offsets could be difficult to obtain.

In addition to possible administrative actions, we will be working to enact the proposals in this year's budget to increase funds for food stamp outreach (the budget contains \$3.5 million to provide a 50 percent federal match for activities including media campaigns and distributing informational materials at various community locations such as shelters, senior centers, and churches) and to provide \$60 million for eligibility for an additional

15,000 legal immigrants who become elderly after their pre-1996 arrival. (The Agricultural Research Act restored benefits to those elderly as of 1996, as well as children, people with disabilities, and refugees.)

Drunk Driving -- .08 BAC studies: The Department of Transportation is planning to release three studies next week on the effects of lowering the illegal blood alcohol concentration (BAC) from .10% to .08%. Two of the three studies show that .08 BAC laws have a deterrent effect on drinking and driving, particularly in conjunction with other drunk driving laws and programs such as administrative license revocation (where police immediately suspend the driver's license of a driver arrested for DWI). The third study which looked at .08 BAC in a single state (NC) found no statistically significant impact of the law in drunk driving crashes.

(1) Nationwide study: This study looked at the effects of illegal per se BAC laws (.08 BAC and .10 BAC) and administrative license revocation (ALR) laws in all 50 states over a 16-year period. The study estimated that .08 BAC laws resulted in 275 fewer fatalities in the 16 states with .08 BAC laws in effect in 1997, and estimates that an additional 590 lives could have been saved in 1997 if all 50 states had .08 laws.

(2) Eleven-state study: This multi-state study analyzed the impact of .08 BAC and ALR laws and found that .08 BAC laws were associated with significant reductions in alcohol-related fatalities in five of the 11 states studied (VT, KS, NC, FL, NM). Two other states (VA, CA) registered reductions following the adoption of both .08 BAC and ALR laws. The remaining four states (UT, OR, ME, NH) experienced slight decreases or increases in their alcohol-related fatalities that were not considered statistically significant.

(3) North Carolina study: This study found little separate effect of a .08 BAC law in North Carolina even though the state recorded a modest reduction alcohol-related deaths during the study period. North Carolina has an aggressive enforcement program, with the .08 law just one of the steps they have taken to help decrease in drunk driving deaths. The finding of this study conflicts with the 11-state study cited above, which indicates a positive impact of the .08 BAC law in the state in reducing alcohol-related deaths.

The three independent studies were commissioned by the National Highway Transportation Safety Administration (NHTSA). On a related note, the GAO is preparing to release in June a review of a number of .08 BAC studies, including the three listed here. The GAO report was required under the omnibus transportation bill signed last year. The GAO review will criticize the methodologies used in earlier NHTSA studies, but generally confirm the soundness of the new studies. The GAO will conclude that .08 BAC laws can be effective in reducing alcohol-related deaths in combination with other laws, particularly ALR.

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However, the alcohol industry is likely to use the GAO report to discredit the previous DOT studies on .08 and the need for a national .08 standard.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 11:38:51.00

SUBJECT: List of Panel Participants for Equal Pay Roundtable

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:

We had a conference call today where we discussed the panel. There are two outstanding issues:

1. Sally and Gene are very concerned about having a comparable worth woman on the panel, even if we do not highlight her as such. They are worried that the groups and Harkin, after our event, will try to say that we are supporting comparable worth.

2. Ann Lewis is concerned about having the business on the panel because she thinks it takes our message away from that there is a real problem to be solved. She thinks with the MIT story and a business that is good actor focuses too much on solutions rather than a call to action. I'll send her an email saying that highlighting a good business is a call to action for other businesses to do the same. She was also worried that we are getting away from problems that can be solved by our legislative fix. I think she would rather have another woman -- the problem is that it is hard to find the straight equal pay women. One thought would be to add the African American basketball coach from Howard that the VP talked about last year (however, this would be two persons from universities)

----- Forwarded by Mary L. Smith/OPD/EOP on 04/02/99
10:58 AM -----

Mary L. Smith

04/01/99 11:10:37 PM

Record Type: Record

To: Elena Kagan/OPD/EOP

cc: Laura Emmett/WHO/EOP, Karin Kullman/OPD/EOP

Subject: List of Panel Participants for Equal Pay Roundtable

Attached is a list of three potential panel participants for the Equal Pay Event: (1) the woman professor who spearheaded the study at M.I.T.; (2) a business that is good on recruiting and hiring women and paying them equally; and (3) a comparable worth woman, who is a union member and works for the State of Minnesota. We are still looking for one other panel participant -- an older woman who is struggling in her retirement because she was not paid equally during her career. Ann Lewis thought that we couldn't have more than four persons other than the President and the First Lady on the panel and that if Secretary Herman were on the panel, then we could only have three women on the panel. (I think Herman is going to lobby heavily to get on the panel). Ann Lewis also had this vision that we should have a woman starting her career, one in the middle of her

career, and a woman in retirement. While we don't have a woman young in age, I think both the MIT professor and the Minnesota woman can speak to the issues of a woman starting her career. The MIT study found that young professors felt like they were treated equally, but that as they progressed in their careers, they felt marginalized. The Minnesota woman got a pay raise early in her career, which allowed her to quit her second job and helped her to decide to stay on the state payroll.

I am in the process of getting these people vetted. Let me know if you think they are alright. Is there anyone else you think I should send them to (Karen or Ann)? Thanks, Mary

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D86]MAIL445023503.136 to ASCII,
The following is a HEX DUMP:

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727BB56C1532944DE2D6FF20AD8BA29DD36DA7F554C1E1C111DEDD1134B27743B62D8ED243518D

Potential Panel Participants for Equal Pay Event

Professor Nancy Hopkins, molecular biologist, Massachusetts Institute of Technology

Professor Hopkins was the initiator of the effort at M.I.T. to study gender discrimination in the School of Science. At the beginning of her career at M.I.T, Professor Hopkins felt that she was treated equally with the male faculty members. However, even after learning somewhat fortuitously that she was 20 percent underpaid, she did not really believe that she was being discriminated against, albeit unintentionally. However, in 1994 after seeing how other women were treated, Professor Hopkins joined forces with the only 14 other tenured women faculty vs. 194 tenured male faculty in the School of Science to see whether their situations were unique. These woman found that they shared common experiences, and the university agreed to set up a committee to study how female faculty were treated in the School of Science. The committee found that senior female faculty members were marginalized; were not given sufficient space or resources for their research; and were not paid equally. Recently, M.I.T. published the report of the committee and has made concerted efforts to correct these disparities. Professor Hopkins believes that the success of this initiative stemmed, in large part, from the collaboration between the school and the professors in trying to identify and solve the problem. Professor Hopkins continues to try to expand this effort to the entire university.

United Technologies Corporation (UT), Hartford, Connecticut

UT is a federal contractor, which is unionized and manufactures high technology products such as elevators, helicopters, and air conditioners. UT has won the highest award at Department of Labor in 1998 -- the Secretary's Opportunity 2000 award. UT tries to provide excellent opportunities for women in several areas. In hiring, UT extensively recruits women for non-traditional fields such as engineering and provides a slating process to ensure that women and minorities are considered for new hires. In trying to retain its workforce, UT conducts ongoing salary reviews in each business unit to ensure that women and minorities are being paid equally. In addition, UT offers several "family friendly" benefits such as flextime, childcare, eldercare, and telecommuting. UT also offers an "Employee Scholar" program where it provides tuition reimbursement and paid leave for employees to pursue degrees. Upon complete of a degree program, UT provides a stock award. In the area of career development, UT tries to keep qualified women and minorities in the pipeline for upper-level jobs by ensuring that women and minorities are slated as potential successors and receive the training they need. In setting wages, UT does a factor analysis which looks at the tasks involved, the responsibility level, and skills needed. UT believes that these policies are a business necessity in order to attract and retain workers and remain profitable.

Anna Marie Rodriguez Krueger, Administrative Secretary, Minnesota Department of Revenue

Ms. Krueger is a member of AFSCME and the "comparable worth" story. She has worked in the Minnesota Department of Revenue since 1977. In 1982, at the age of 23, Ms. Krueger joined a strike of clerical workers for three weeks in order to get a pay raise. As the result of a new collective bargaining contract, Ms. Krueger received a pay raise over two years from \$6.50 per hour to \$8.94 per hour, with some of the raise a regular increase and the rest a pay equity adjustment. As the result of this raise at an early stage of her career, Ms. Krueger was able to

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quit her part-time job as a travel agent. Since that time, Ms. Krueger has been promoted to the top of the clerical rank. Ms. Krueger did not know the details of how the pay equity adjustment was reached (that her female-dominated job was compared with an equivalent male-dominated job); she just seemed happy that she received a raise. She recalled that after she returned to work after the strike, the other workers treated her and the other clerical workers with more respect.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 11:45:59.00

SUBJECT: Harkin and Equal Pay

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:

Caroline Frederickson called me last night to say that Harkin now plans on being here for the event and is pressing for a speaking role. I don't think we have told his office officially that we cannot support his bill. We should all sit down and discuss this. I think Karen is going to talk to Larry Stein about this.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 13:06:23.00

SUBJECT: OMB spoke to the Federal Register

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

READ:UNKNOWN

TEXT:

OMB spoke to the director of scheduling at the Federal Register who said pulling the rule was not impossible. The longer we wait the harder it is, so they can't offer us any guarantees without knowing our timing. Don Arbuckle will be glad to call on behalf of the President to push when and if we need him to. (Don is out of town so I did not speak to him personally, but this is what he told his staff person when he called in.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 13:49:24.00

SUBJECT: Possible Surgeon General's OpEd on Tobacco

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We discussed on Monday the SG's draft Op-Ed on tobacco.

I wanted you to know that the SG made the edits we wanted, including explicitly making a pitch for Congress to ensure settlement funds are used to prevent youth smoking, and has begun to shop the piece, starting with the Post, but don't expect any reaction until at least early next week.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman (CN=Karin Kullman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 2-APR-1999 16:31:24.00

SUBJECT: Verbage for Equal Pay Event

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Aviva Steinberg (CN=Aviva Steinberg/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

After talking with Stacie, we would like to use the following words for the backdrop of the Equal Pay event:

Equal Pay for America's Working Families

Elena, Karen, and Ann -- are you ok with this language?

Communications will need to go to print with it early on Monday, so please let me know if you have any concerns. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-APR-1999 18:48:11.00

SUBJECT: Equal Pay Panel Update

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

READ:UNKNOWN

CC: Karin Kullman (CN=Karin Kullman/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We've got Barbara Woolley helping us at finding a social worker or a nurse for the woman in a non-traditional job. However, it was hard to reach people today.

Nonetheless, I did talk to a woman who is a childcare worker:

Debbie Watkins, Park Street Children's Center, Rockville, Maryland
Ms. Watkins has a degree from Bowie State College in elementary education, and she has 15 years experience as a childcare worker, yet she earns about the same as she did teaching elementary school twenty years ago. She said that she could not continue working in this area if she did not have her husband's income. She said that even if she were single with no children, she could not really live on her current salary. She believes that in order to raise the pay of childcare workers, there should be alternate funding sources, both governmental and private.

What do you think?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 09:42:26.00

SUBJECT: draft of hate crimes directive

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is a draft of the hate crimes directive. ===== ATTACHMENT 1 =

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

TEXT:

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MEMORANDUM FOR THE ATTORNEY GENERAL
THE SECRETARY OF EDUCATION

SUBJECT: ANNUAL REPORTS ON HATE CRIMES IN SCHOOLS AND
COLLEGE CAMPUSES

One of the greatest challenges facing this country in the 21st century is to create a vision of One America where the American Dream is alive and well for every citizen responsible enough to work for it. We all must work together to ensure that all Americans share the same opportunities, regardless of their race, color, religion, national origin, sexual orientation, gender, or disability.

Tragically, however, our nation has witnessed a number of heinous and cowardly hate crimes, particularly in the past year. These shameful acts of violence are attacks not only against individuals, but against America and our shared values. Violence motivated by prejudice and hatred hurts us all.

We have a responsibility to ensure that our nation's laws fully protect all its citizens. That is why I support legislation which would strengthen existing federal hate crimes laws to remove needless barriers to prosecuting violent crimes based on race, color, religion, or national origin; and to expand the law to cover acts of violence committed because of a person's sexual orientation, gender, or disability.

However, we must not focus only on acts of intolerance and hate once they rise to the level of a crime. We can only fight prejudice by fighting the misunderstanding and the ignorance that produce it. This type of insidious hate is learned behavior. We must reach out to children and young people in order to teach them about the harmful effects of intolerance. Often intolerance begins with a bigoted remark or a lack of sensitivity toward individual differences. It begins with the taunting of children and young people because of their skin color, religion, sexual orientation, or disabilities. Parents and teachers must create an ongoing dialogue to change attitudes and to highlight positive ways in which to deal with diversity. Just as hate is not learned in only one day, attitudes about tolerance cannot be created with one lesson or discussion -- they must be interwoven into young people's daily lives.

In order to better understand the problem of hate crimes and intolerance among young people, I call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes and intolerant behavior among young people, both at school and away from school. In addition, I direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data and produce a report on incidents of hate crime and attitudes of bias for college on college campuses.

These steps, taken together and in coordination with our pending legislation, will help to create One America for all of America's families. I appreciate your commitment to improving the enforcement of this nation's laws and to working to teach tolerance among young people, and

I look forward to your continuing leadership in these areas.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 09:45:25.00

SUBJECT: My mistake

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I misunderstood the equal pay issue - there is no question about our not supporting the Harkin bill - my apologies to all -

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 10:00:59.00

SUBJECT: Hate Crimes is a go Maria

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

READ:UNKNOWN

TEXT:

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 10:23:36.00

SUBJECT: draft Q&A on hate crimes

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:

There is an article in the Washington Post today about the Matthew Shepard trial. The press office wanted guidance anyway, but we do not comment on pending trials. Here is a draft Q&A:

Q: What about the article in the Washington Post today about the Matthew Shepard trial?

A: The Administration does not comment on pending trials.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 10:25:03.00

SUBJECT: Larry King/Reno

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Just noticed that Reno will be on larry king on Weds--wonder if they'll be talking about racial profiling, etc. Wonder if you two have any guidance for her? (Of course, I'm sure they'll be talking about other things but that's the issue that has my attention.)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 11:38:13.00

SUBJECT: New Q&A on hate crimes

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is a new Q&A for the press office today which says that we don't comment on pending trials, but also lists what the Administration has done on hate crimes. Let me know if you need anything else. Thanks, Mary =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

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51544064AC99893083C66129DC189101A428143812F6F201F5A72CB25037FA150AEA6326CB8E1A

Hate Crime Q&A
April 5, 1999

Q: What about the article in the Washington Post today about the Matthew Shepard trial?

A: The Administration does not comment on pending trials. However, the Clinton Administration has taken a number of steps to combat hate crimes. In November 1997, the President held the first-ever White House Conference on Hate Crimes where he announced several initiatives to ensure effective law enforcement, including the creation of working groups in every U.S. Attorney's district in the country to improve coordination among local, state, and federal prosecutors; the addition of new FBI agents and prosecutors to work on enforcement of hate crimes laws; and the development of model curriculum for training law enforcement officers to deal with hate crimes. Since the conference, the Administration has issued publications such as "Preventing Youth Hate Crime: A Manual for Schools and Communities" and "Protecting Students from Harassment and Hate Crime." In his FY2000 budget, the President has requested approximately \$34 million for hate crimes enforcement.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 12:47:29.00

SUBJECT: Draft agenda for crime meeting

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

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

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

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

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

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

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

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

TEXT:

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

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

TEXT:

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The following is a HEX DUMP:

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610C7A045E8BB65E2918FD9A9FF8777D84A8FF885C16BD09853C0DF6841BB9C2E8F9575E2FECF2

**Crime Meeting
April 5, 1999**

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I. 21st Century Crime Bill

A. Policy issues

- OMB clearance meeting (4/7)
- HHS issues: nursing homes and bio-terrorism
- Memorandum to POTUS (4/9)

B. Legislative

- Juvenile crime issues
- Meeting w/White House Leg. Affairs (4/7)

C. Outreach/Communications

- Mayors -- Lifting cap and funding overtime
- Police groups -- miscellaneous concerns

II. Events

A. Crime Bill Events

- Bio-terrorism during victims week (4/19, OK City anniversary)
- Leak new gun provisions
- Crime Bill Introduction

B. 100,000th cop event

- Schedule during police week in mid-May

III. Miscellany

A. Upcoming DOJ, Treasury, ONDCP reports

B. Follow-up on police abuse/misconduct meetings

- PERF meeting w/chiefs and community leaders from 15 cities (4/8)

C. Racial profiling directive

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 15:00:44.00

SUBJECT: directive reviewed by DOJ and Education

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is the directive with language signed off by DOJ and Education. It only changed slightly. If you are OK with it, we can send it to Phil Caplan and Sean Maloney. Let me know, Mary===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D21]MAIL45557270D.136 to ASCII,
The following is a HEX DUMP:

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CA12358D766AAE4DF4DE1109964712C390151071B4D3336391BE0FFE7D4BF672FF41B470ACAFBF
82DAC97659CFE51F36924157DC12633389DE5B94F596732BD9FC3D8F77242EE8C3AEC7DBB047F3

MEMORANDUM FOR THE ATTORNEY GENERAL
THE SECRETARY OF EDUCATION

SUBJECT: ANNUAL REPORTS ON HATE CRIMES IN SCHOOLS AND
COLLEGE CAMPUSES

One of the greatest challenges facing this country is to ensure that all Americans share the same opportunities, regardless of their race, color, religion, national origin, sexual orientation, gender, or disability.

To meet this challenge, we must ensure that our nation's laws fully protect all its citizens. That is why I have called on Congress to support legislation to strengthen existing federal hate crimes laws by removing needless barriers to prosecuting violent crimes based on race, color, religion, or national origin and expanding the law to cover acts of violence committed because of a person's sexual orientation, gender, or disability. This legislation will assist us in responding to the kind of heinous and cowardly hate crimes we witnessed in the last year.

At the same time, we must learn more about the prevalence of hate crimes and other acts of intolerance -- especially among our young people, whose attitudes and experiences will shape the America of the 21st century. In order to better understand the problem of hate crimes and intolerance among young people, I call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, I direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crime and bias on college campuses for publication in a report.

These steps will help us better understand the problems of bigotry we face among young people, and to improve the ways we respond to these problems, through improved curricula, after-school youth programs, and the like. At the same time, our proposed legislation will ensure that when hate crimes do occur, they are prosecuted as effectively as possible. I appreciate your commitment to improving the enforcement of this nation's laws and to fighting bigotry among young people and others, and I look forward to your continuing leadership in these areas.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 15:08:20.00

SUBJECT: AmeriCorps Call

TO: Jennifer M. Palmieri (CN=Jennifer M. Palmieri/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: 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: Andrew J. Mayock (CN=Andrew J. Mayock/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

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

TEXT:

We will not be having our bi-weekly AmeriCorps Conference call this afternoon.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 15:14:35.00

SUBJECT: Re: Final Directive

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Education could not commit to an "annual" report because they do not have funding for this -- so we should take out the word "annual."

Laura Emmett

04/05/99 03:07:44 PM

Record Type: Record

To: Mary L. Smith/OPD/EOP

cc:

Subject: Final Directive

Elena made 4 minor edits and it is now good to go to staff secretary-thanks.

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D57]MAIL45311370M.136 to ASCII, The following is a HEX DUMP:

FF57504370040000010A020100000002050000001D0F000000020000AAAC44B96CE5614FB0E1C1
0ADA8E951D7ED6FC765A4705F01EE3ACD17E247A63BEB5DC97DBB698F406CF1987719406F8B8E7
CE40A67EB7B1EE020895F3872E5107474E858D82F4854947CCDB11DB2BB7301082B7EDD5108850
4972531EBD9EB91F0CB23901493B7B272F9101D04954A1C28008576390C3B9F6346A6EF2DA0A85
558BFFF18E3604DB55890BF6CA3C23AA8D44FEDCEB7A9306A140007E1223FCD585F9A799C87A85
800C5F23515D87A8105DCEE2613CE7F7366CBE120200DDA0437184012DA4F03317F43EB8041DA7

MEMORANDUM FOR THE ATTORNEY GENERAL
THE SECRETARY OF EDUCATION

SUBJECT: ANNUAL REPORTS ON HATE CRIMES IN SCHOOLS AND
COLLEGE CAMPUSES

One of the greatest challenges facing this country is to ensure that all Americans share the same opportunities, regardless of their race, color, religion, national origin, sexual orientation, gender, or disability.

To meet this challenge, we must ensure that our nation's laws fully protect all its citizens. That is why I have called on Congress to enact legislation to strengthen existing federal hate crimes laws by removing needless barriers to prosecuting violent crimes based on race, color, religion, or national origin and expanding the law to cover acts of violence committed because of a person's sexual orientation, gender, or disability. This legislation will assist us in responding to the kind of heinous and cowardly hate crimes we have witnessed in the last year.

At the same time, we must learn more about the prevalence of hate crimes and other acts of intolerance -- especially among our young people, whose attitudes and experiences will shape the America of the 21st century. In order to better understand the problem of hate crimes and intolerance among young people, I call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, I direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crimes and bias on college campuses for publication in an annual report.

These steps will help us better understand the problems of bigotry we face among young people, and to improve the ways we respond to these problems, through improved curricula, after-school youth programs, and the like. At the same time, our proposed legislation will ensure that when hate crimes do occur, they are prosecuted as effectively as possible. I appreciate your commitment to improving the enforcement of this nation's laws and to fighting bigotry among young people and others, and I look forward to your continuing leadership in these areas.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 15:16:33.00

SUBJECT: Reminder--comments on Revised Labor Draft bill on Alien Labor Certificatio

TO: llr@do.treas.gov (llr@do.treas.gov @ inet [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Robert F. Schoeni (CN=Robert F. Schoeni/OU=CEA/O=EOP@EOP [CEA])

READ:UNKNOWN

TO: rademachpr@state.gov (rademachpr@state.gov @ inet [UNKNOWN])

READ:UNKNOWN

TO: justice.lrm (justice.lrm @ usdoj.gov @ inet [UNKNOWN]) (OA)

READ:UNKNOWN

TO: Robert F. Mahaffie (CN=Robert F. Mahaffie/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Justine F. Rodriguez (CN=Justine F. Rodriguez/OU=OMB/O=EOP@EOP [OMB])

READ:UNKNOWN

TO: Cordelia W. Reimers (CN=Cordelia W. Reimers/OU=CEA/O=EOP@EOP [CEA])

READ:UNKNOWN

TEXT:

This is a reminder that your comments on the subject draft bill are due.

Please provide any comments no later than 10 a.m. Tuesday, April 6th, via fax (395-6148), e-mail, or phone (395-7887). If we do not hear from you, we will assume you have no comments.

Please call if you have any questions. Thanks!

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 15:52:50.00

SUBJECT: DPC Staff Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Bethany Little (CN=Bethany Little/OU=OPD/O=EOP @ EOP [OPD])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TEXT:

We will be having a DPC Staff Meeting tomorrow, April 6, at 9:15 a.m. in Room 211, OEOB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 16:09:07.00

SUBJECT: draft press paper for hate crimes event

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is a draft press release that DOJ and Education have signed off on. The press office called and said that they would like the paper a little bit earlier because they might leak it to USA Today. Jen Palmieri was going to call you.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D60]MAIL478283705.136 to ASCII, The following is a HEX DUMP:

FF57504370040000010A020100000002050000004817000000020000B2155B7B93DABCF86CC569
7BA42F7389FD1A01D4C1161F4B10F9242B356C0E63D9D782986DFA781886E0E7E30F211AE22246

**PRESIDENT CLINTON URGES PASSAGE OF
HATE CRIMES BILL AND ANNOUNCES PUBLIC-PARTNERSHIP
TO TEACH TOLERANCE IN MIDDLE SCHOOLS**

April 6, 1999

Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. The President urged Congress to pass the Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal acts of violence, even if they did not interfere with federally protected activities. Further, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases at all.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are the Departments of Justice and Education and AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership welcomes support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership entitled "Dealing with Our Differences," will provide an opportunity for an ongoing dialogue for middle-school students to learn about the harmful impact of intolerance and to highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Creating New Studies About Hate Crimes in Schools and Colleges. In order to better

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understand the problem of hate crimes and intolerance among young people, the President called on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, the President directed the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crime and bias on college campuses for periodic publication.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 16:55:04.00

SUBJECT: houston chronicle

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:

While Nancy Mathis is out for the month, John Henry and Bennett Roth are covering the White House. Bennett is in today - 393-6880.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 17:46:59.00

SUBJECT: judy shepard

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

judy shepard just called to tell me about russell henderson's guilty plea; she and her family are very pleased with the outcome; i said she might be interested to know the president would be speaking about hate crimes tomorrow; she repeated her desire to work with us in any appropriate way to advance our hate crimes legislation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 18:16:19.00

SUBJECT: questionnaire #2

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D25]MAIL43306570P.136 to ASCII,
The following is a HEX DUMP:

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DB083D226693501BB53072A073165917C5530A30A7745D43599DD06D42305ED37473FB57F34DEB

INFORMATION REQUESTED OF PROSPECTIVE JUDICIAL NOMINEES

A. NAME AND POSITION

1. **Name: (include any former names used)**
2. **Government position for which you are under consideration.**
3. **Address: List current residence address and mailing address.**
4. **List all office and home telephone numbers where you may be reached.**
5. **Marital Status: If married, identify spouse's present employer and spouse's employer for the five preceding years.**
6. **List all jobs held in the past 10 years, including the title or description of job, name of employer, location of work, and dates of inclusive employment.**

B. PERSONAL DATA

1. **Have your federal or state tax returns been the subject of any audit or investigation or inquiry at any time? If so, please explain.**
2. **Are you currently under federal, state, or local investigation for a possible violation of a criminal statute? If so, please give full details.**
3. **List all memberships and offices held in professional, fraternal, scholarly and civic organizations.**
4. **Have you ever been disciplined or cited for a breach of ethics or unprofessional conduct by, or been the subject of a complaint to, any court, administrative agency, professional association, disciplinary committee, or other professional group? If so, please give full details.**
5. **Have you ever been involved in civil litigation, or administrative or legislative proceedings of any kind, either as plaintiff, defendant, respondent, witness, or party in interest, which may be appropriate for consideration by the Committee of the Senate to which your nomination will be submitted? If so, please give full details.**
6. **List all offices with a political party held during the past 10 years. List any public office for which you have been a candidate during the past 10 years.**

7. **List all contributions to political parties or election committees during the past 6 years.**
8. **What is the condition of your health?**
9. **Have you had a physical examination recently?**
10. **Without details, is there or has there been anything in your personal life which you feel, if known, may be of embarrassment to the Administration in the event you should be nominated?**

What about any near relative?

C. FINANCIAL DATA

Please note that federal law and regulations governing conflicts of interest require Presidential appointees within 30 days of their entrance on duty to provide reports of specified financial interests as to themselves, their spouses and any other member of their immediate households. The initial four matters listed below are designed to elicit financial information similar to -- although, in some cases, broader in scope -- than that which all Presidential appointees are required to provide by Executive Order of the President. The remaining paragraphs in this section seek elaboration on your financial status beyond that which the existing Executive Order and regulations require. The information which you provide will not be transmitted to the Senate Committee considering your nomination, or otherwise be made public, without your consent. As to all matters, please provide the requested information for yourself, your spouse, minor children and any other member of the immediate household.

1. **List the names of all corporations, companies, firms, or other business enterprises, partnerships, nonprofit organizations, and education or other institutions --**
 - (A) **with which you are now connected as an employee, officer, owner, director, trustee, partner, advisor, attorney, or consultant. (Attorneys and consultants need list only their major clients, but should include all of those whom you represent on a regular basis or which might give rise to an appearance of bias on your part in connection with your proposed appointment.);**
 - (B) **in which you have any continuing financial interests, through a pension or retirement plan, stock bonus, shared income, severance pay agreement, or otherwise as a result of any current or prior employment or business or professional association. As to each financial arrangement, provide all details necessary for a thorough**

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understanding of the way in which the arrangement operates, including information concerning any renewal right you may have if the arrangement is allowed to lapse and whether lump sum or severance benefits are available in lieu of continuation of the interest;

- (C) in which you have any financial interest through the ownership of stocks, stock options, bonds, partnership interests, or other securities. Any interests held indirectly through trusts or other arrangements should be included. (Please provide a copy of any trust or other agreement).**

2. Provide a complete, current financial net worth statement that itemizes in detail:

- (A) the identity and value of all assets held, directly or indirectly. This itemization should include, but not be limited to, bank accounts, real estate, securities, trusts, investments and other financial holdings;**
- (B) the identity and amount of each liability owed, directly or indirectly, which is in excess of \$1,000. This itemization should include, but not be limited to, debts, mortgages, loans and other financial obligations for which you, your spouses or your dependents have a direct liability or which may be guaranteed by you, your spouse or your dependents.. In identifying each liability, indicate the nature of the liability and the entity or person to which it is owed.**

A sample net worth statement is attached for your convenience. You may use any form you like.

- (C) List sources and amounts of all items of value received during the previous two calendar years. (Including but not limited to, salaries, wages, fees, dividends, capital gains or losses, interests, rents, royalties, patents, honoraria, and other gifts other than those of nominal value).**
- (D) Please provide for review by this office (but not for submission to Senate Committee staff or to the public) copies of your federal income tax returns for the proceeding three-year period.**

D. FUTURE EMPLOYMENT RELATIONSHIPS

- 1. Will you sever all connections with your present employers, business firms, business associations or business organizations, if you are confirmed by the Senate.**

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2. **Do you have any plans, commitments or agreements to pursue outside employment, with or without compensation, during your service with the government? If so, explain.**

E. POTENTIAL CONFLICTS OF INTEREST

1. **Describe all financial arrangements, stock options, deferred compensation agreements, future benefits and other continuing relationships with business associates, clients or customers**
2. **Describe any business relationship, dealing or financial transaction which you have had during the last five years, whether for yourself, on behalf of a client, or acting as an agent, that could in any way constitute or result in a possible conflict of interest in the position to which you have been nominated.**
3. **Describe any activity during the past five years in which you have engaged for the purpose of directly or indirectly influencing the passage, defeat or modification of any legislation or affecting the administration and execution of law or public policy.**
4. **Explain how you will resolve any potential conflict of interest, including any that may be disclosed by your responses to the above items.**

FINANCIAL STATEMENT

NET WORTH

Provide a complete, current financial net worth statement which itemizes in detail all assets (including bank accounts, real estate, securities, trusts, investments, and other financial holdings) all liabilities (including debts, mortgages, loans, and other financial obligations) of yourself, your spouse, and other immediate members of your household.

ASSETS				LIABILITIES			
Cash on hand and in banks				Notes payable to banks - secured			
U.S. Government securities - add schedule				Notes payable to banks - unsecured			
Listed securities - add schedule				Notes payable to relatives			
Unlisted securities - add schedule				Notes payable to others			
Accounts and notes receivable:				Accounts and bills due			
Due from relatives and friends				Unpaid income tax			
Due from others				Other unpaid tax and interest			
Doubtful				Real estate mortgages payable - add schedule			
Real estate owned - add schedule				Chattel mortgages and other liens payable			
Real estate mortgages receivable				Other debts - itemize:			
Autos and other personal property							
Cash value - life insurance							
Other assets - itemize:							
				Total liabilities			
				Net Worth			
Total Assets				Total liabilities and net worth			
CONTINGENT LIABILITIES				GENERAL INFORMATION			
As endorser, comaker or guarantor				Are any assets pledged? (Add schedule.)			
On leases or contracts				Are you defendant in any suits or legal actions?			
Legal Claims				Have you ever taken bankruptcy?			
Provision for Federal Income Tax							
Other special debt							

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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 18:37:37.00

SUBJECT: radio interviews update

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

READ:UNKNOWN

TEXT:

WGN Radio

10/25/94

312-222-4700

FTC requires them to keep tapes for one year. After the year is up, they reuse the same reel to reel tapes over again, recording over all previously recorded material.

They suggested I call the broadcast museum (312) 629-6024 who reported that they do not keep any copies of radio shows or transcripts. They told me to call an air check company which records various radio shows for purchase.

They gave me the following contacts:

Windy City Air Checks
708-474-0926

National Air Checks
708-916-1780

Man from Mars Air Checks
603- 668-0652.

National Air Check appears not to be in existence. My contact at Man From Mars had never heard of it and the number does not work.

Windy City Air Checks was a one-man operation, and he passed away in December so the company is closing. Either his family will donate the tapes to charity or sell the business.

Man from Mars is also a one man operation. The owner only records music programs. He does not record news programs and is not aware of anyone who does. He told me to call Carol Nashe from the NARTSH, the National Association of Radio Talk Show Hosts, which has recently disbanded. She told me that she is not familiar with any company who records talk show programs, but she did have one phone call today from a company who is interested in getting started. She told me that there is basically no way to get a hold of a talk show tape from six years ago.

WBEZ Radio
The Mara Tapp show
2/4/93
12/15/94
312-832-3333

The Mara Tapp show has been off the air for 3 years and Dave McGuire , the head of radio archives says he doubts he will be able to get a copy from

this show. He has told me that he will check and get back to me. I have placed several calls back to him and I am waiting for his report. If he does not have it, then like the previous situation we will not be able to get a copy of it.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman (CN=Karin Kullman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 5-APR-1999 18:42:31.00

SUBJECT: Draft Briefing Paper

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached is the draft briefing paper for tomorrow's event, using Mary's draft press paper. If I get confirmation of Sen. Morella's attendance, I will let you know asap.===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D23]MAIL49379570H.136 to ASCII,
The following is a HEX DUMP:

FF575043B6040000010A0201000000020500000089200000000200006C3EFA57E697C9138DC056
76FE72DE8EE7349C3427B620CDC4A664435F78CECAF458A63171EB775FFE2A8B052954B31F8FA4
B0D5E34FE5B57595B8FE743659BE54BCE5044A4077948BC89E966F37754A35EEF4241F73D1633C

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April 5, 1999

HATE CRIMES ANNOUNCEMENT

DATE: April 6, 1999
LOCATION: Roosevelt Room
BRIEFING TIME: 10:00AM - 10:30AM
EVENT TIME: 10:30AM - 11:00AM
FROM: Bruce Reed, Mary Beth Cahill

I. PURPOSE

To urge Congress to pass quickly pending federal hate crimes legislation, and to demonstrate the broad base support for this legislation. Also, to announce other hate crimes initiatives targetted toward children, such as a public-private program that will develop a program for middle school children.

II. BACKGROUND

Today you will applaud public and private efforts to teach children about tolerance and urge Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. You will also announce a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, you will call on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. You will urge Congress to pass the Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal acts of violence, even if they did not interfere with federally protected activities. Further, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases at all.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. You will announce a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are the Departments of Justice and Education and AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership welcomes support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership entitled "Dealing with Our Differences," will provide an opportunity for an ongoing dialogue for middle-school students to learn about the harmful impact of intolerance and to highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Creating New Studies About Hate Crimes in Schools and Colleges. In order to better understand the problem of hate crimes and intolerance among young people, you will call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, you will direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crimes and bias on college campuses for periodic publication.

III. PARTICIPANTS

Briefing Participants:

Bruce Reed
Elena Kagan
Mary Beth Cahill
Janet Murguia
Eddie Correia
Richard Socarides
Paul Glastris

Event Participants:

Attorney General Drew Ketterer (ME), Vice Chair, National Association of Attorneys General and Chair, Civil Rights Committee
Rt. Rev. Jane Holmes Dixon, Suffragan Bishop of the Episcopal Diocese of Washington

On-Stage (No Speaking Role):

Secretary Richard Riley
Acting Assistant Attorney General Bill Lan Lee
Senator Patrick Leahy (D-VT)
Senator Connie Morella (R-MD) (T)

IV. PRESS PLAN

Pool Press.

V. SEQUENCE OF EVENTS

- You will enter the Roosevelt Room, accompanied by Secretary Richard Riley, Acting Deputy Attorney General Bill Lan Lee, Attorney General Drew Ketterer, and Bishop Jane Holmes Dixon.
- Attorney General Ketterer will make brief remarks and introduce Bishop Jane Holmes Dixon.
- Bishop Jane Holmes Dixon will make brief remarks and introduce you.
- You will make remarks and depart.

VI. REMARKS

To be provided by speechwriting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman (CN=Karin Kullman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 5-APR-1999 18:44:16.00

SUBJECT: Schedule Information for Hate Crimes Event

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

10:00 am-

BRIEFING

10:30 am

OVAL OFFICE

Staff Contact: Mary Beth Cahill, Bruce Reed

10:30 am-

HATE CRIMES ANNOUNCEMENT

11:00 am

ROOSEVELT ROOM

Remarks: Paul Glastris

Staff Contact: Mary Beth Cahill, Bruce Reed

Event Coordinator: Julie Eddy

POOL PRESS

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Karin Kullman (CN=Karin Kullman/OU=OPD/O=EOP [OPD])

CREATION DATE/TIME: 5-APR-1999 18:48:11.00

SUBJECT: new draft briefing paper

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Please disregard previous draft.===== ATTACHMENT 1 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D72]MAIL40611670N.136 to ASCII,

The following is a HEX DUMP:

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B9DE8B854DD8CB6681AE0D5BEACF259BA51CBF37AC6BD0C2F8D9D027E118F391E90C10E3148608
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Hex-Dump Conversion

April 5, 1999

HATE CRIMES ANNOUNCEMENT

DATE: April 6, 1999
LOCATION: Roosevelt Room
BRIEFING TIME: 10:00AM - 10:30AM
EVENT TIME: 10:30AM - 11:00AM
FROM: Bruce Reed, Mary Beth Cahill

I. PURPOSE

To urge Congress to pass quickly pending federal hate crimes legislation, and to demonstrate the broad base support for this legislation. Also, to announce other hate crimes initiatives targetted toward children, such as a public-private program that will develop a program for middle school children.

II. BACKGROUND

Today you will applaud public and private efforts to teach children about tolerance and urge Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. You will also announce a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, you will call on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. You will urge Congress to pass the Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal acts of violence, even if they did not interfere with federally protected activities. Further, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases at all.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. You will announce a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are the Departments of Justice and Education and AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership welcomes support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership entitled "Dealing with Our Differences," will provide an opportunity for an ongoing dialogue for middle-school students to learn about the harmful impact of intolerance and to highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Creating New Studies About Hate Crimes in Schools and Colleges. In order to better understand the problem of hate crimes and intolerance among young people, you will call on the Departments of Justice and Education to include in their annual report card on school safety a section on hate crimes among young people, both at and away from school. In addition, you will direct the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crimes and bias on college campuses for periodic publication.

III. PARTICIPANTS

Briefing Participants:

Bruce Reed
Elena Kagan
Mary Beth Cahill
Janet Murguia
Eddie Correia
Richard Socarides
Paul Glastris

Event Participants:

Attorney General Drew Ketterer (ME), Vice Chair, National Association of Attorneys General and Chair, Civil Rights Committee
Rt. Rev. Jane Holmes Dixon, Suffragan Bishop of the Episcopal Diocese of Washington

On-Stage (No Speaking Role):

Secretary Richard Riley

Acting Assistant Attorney General Bill Lan Lee

IV. PRESS PLAN

Pool Press.

V. SEQUENCE OF EVENTS

-You will enter the Roosevelt Room, accompanied by Secretary Richard Riley, Acting Deputy Attorney General Bill Lan Lee, Attorney General Drew Ketterer, and Bishop Jane Holmes Dixon.

-Attorney General Ketterer will make brief remarks and introduce Bishop Jane Holmes Dixon.

-Bishop Jane Holmes Dixon will make brief remarks and introduce you.

-You will make remarks and depart.

VI. REMARKS

To be provided by speechwriting.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 18:59:02.00

SUBJECT: new hate crimes announcement

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Here is the new draft changing the title to urge passage of the legislation and changing the word "welcomes" to "expects" support from other groups. Mary===== ATTACHMENT 1 =====
ATT CREATION TIME/DATE: 0 00:00:00.00

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D50]MAIL46213670K.136 to ASCII,
The following is a HEX DUMP:

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ECADBA03971C22974D438E51FD5FC7D297EB04890D4ACE61581EA64C6DDACE207C8AC5911B415C
DA940A2CE3AAB4F7293586824B6131621EC1171574E58E603BC4039A12D7064D51746CC022BA6C

**PRESIDENT CLINTON URGES PASSAGE OF FEDERAL
HATE CRIMES BILL, ANNOUNCES PARTNERSHIP
TO TEACH TOLERANCE IN MIDDLE SCHOOLS, AND
SIGNS DIRECTIVE TO INCREASE HATE CRIMES REPORTING**

April 6, 1999

Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Urging Passage of Expanded Federal Hate Crimes Law. The President urged Congress to pass the bipartisan Hate Crimes Prevention Act of 1999, which expands a principal federal hate crimes statute. The current statute prohibits acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would extend the situations where prosecutions could be brought by making these acts of violence illegal even if they did not interfere with federally protected activities. In addition, the legislation would authorize the Department of Justice to prosecute individuals who commit violent crimes against others because of the victim's sexual orientation, gender, or disability. Current federal law does not cover these cases.

Announcing Public-Private Partnership to Create a Middle-School Program about Tolerance. The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are the Departments of Justice and Education and AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance, and will highlight positive ways that young adolescents are dealing with diversity issues. The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities.

Automated Records Management System
Hex-Dump Conversion

Directing the Education and Justice Departments to Collect Data About Hate Crimes in Schools and Colleges. In order to better understand the problem of hate crimes and intolerance among young people, the President called on the Departments of Justice and Education to include in their annual report card on school safety a new section on hate crimes among young people, both at and away from school. In addition, the President directed the Department of Education, with appropriate assistance from the Department of Justice, to collect data on hate crime and bias on college campuses for periodic publication.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 19:29:40.00

SUBJECT: change from DOJ on press paper

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Justice now says because they have a consent decree with AT&T that they cannot be a full partner. They suggest the following language:

The members of the partnership are the Department of Education and AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Department of Justice.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 19:35:25.00

SUBJECT: race memo

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

READ:UNKNOWN

TEXT:

Reminder: it would be useful for me to have a new draft of Bruce's memo.
tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 20:08:16.00

SUBJECT: draft Q&A for hate crimes event

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D9]MAIL49746670K.136 to ASCII,
The following is a HEX DUMP:

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HATE CRIMES QUESTIONS AND ANSWERS

April 2, 1999

Q: What is a hate crime?

A: As a general matter, a hate crime is a crime that is motivated by bias based on the victim's race, color, religion, gender, national origin, sexual orientation, or disability. However, it is important to understand that hate crimes are defined by various federal and state criminal statutes, and these statutory definitions differ in their particulars from jurisdiction to jurisdiction. A principal federal hate crimes statute, for example, is currently limited to acts of violence committed because of the victim's race, color, religion or national origin; it does not include crimes committed because of the victim's gender, sexual orientation, or disability.

Q: What did the President announce today?

A: Today President Clinton applauded public and private efforts to teach children about tolerance and urged Congress to quickly pass the pending federal hate crimes legislation. This legislation strengthens the existing federal hate crimes law by (1) extending the situations where prosecutions can be brought for violent crimes motivated by bias based on race, color, religion, or national origin; and (2) expanding the federal hate crimes statute to protect against hate crimes based on sexual orientation, gender, or disability. The President also announced a new public-private partnership which will focus attention on issues of hate, tolerance, and diversity in middle-grade schools. Finally, the President called on the Departments of Justice and Education to include hate crimes in its annual report card on school safety and to report on hate crimes and bias on college campuses.

Q: What did the President announce with respect to a new public-private partnership?

A: The President announced a public-private partnership that will develop a program for middle-school students to teach tolerance in the classroom and in their daily lives. The members of the partnership are AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Justice and Education. This effort is supported by the NAACP, the Leadership Conference for Civil Rights, the National Council of La Raza, the National Asian Pacific American Legal Consortium, the National Association of Protection and Advocacy Systems, the National Education Association, and the National School Boards Association, and the Partnership expects support from other organizations that deal with these issues. Recognizing that tolerance cannot be taught in a single day and that raising awareness of diversity should be integrated into students' daily lives, this public-private partnership -- entitled "Dealing with Our Differences" -- will provide an opportunity for middle-school students to learn about the harmful impact of intolerance, and will highlight positive ways that young adolescents are dealing with diversity issues.

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The Partnership will develop in-school lessons and activities supported with cable TV programming; videos and websites; a nationally-televised forum on diversity and tolerance at the end of October; and post-show lessons and activities. This partnership builds on previous Administration efforts such as issuing the following publications: "Preventing Youth Hate Crime: A Manual for Schools and Communities;" "Healing the Hate: A National Bias Crime Prevention Curriculum for Middle Schools;" and "Protecting Students from Harassment and Hate Crime."

Q: What specific changes to current federal law is the President supporting?

A: The President supports pending federal legislation to expand the principal federal hate crimes statute. The current statute prohibits any acts of violence that are based on a person's race, color, religion, or national origin and that are intended to interfere with certain specified federally protected activities. The proposed legislation would make illegal these acts of violence even if they were not intended to interfere with federally protected activities. Further, the proposed legislation would prohibit any acts of violence based on sexual orientation, gender, or disability, as long as there is a connection with interstate commerce.

Q: How many hate crimes are there each year? Are hate crimes increasing?

A: In 1997, there were 8049 reported incidents of hate crimes. But these statistics almost certainly under-report hate crimes to a significant extent, and the rise in the number of reported incidents may be due to improvements in reporting, rather than to increases in crime. There are two reasons for thinking that current statistics under-report hate crime. First and most important, submission of hate crimes data to the FBI is voluntary, and many law enforcement agencies do not submit data at all or submit incomplete data. In addition, many victims of hate crimes fail to report the incidents because of fear, humiliation, or language difficulties. For example, 60% of the victims of anti-gay incidents who reported their incidents to private tracking groups did not report the incidents to the police, in many cases because of a fear of mistreatment or unwanted exposure.

FBI Hate Crime Statistics, 1991-1997

	1991	1992	1993	1994	1995	1996	1997
Total Hate Crime Incidents Reported	4,558	6,623	7,587	5,932	7,947	8,759	8,049
Total Hate Crime Offenses Reported	4,755	8,106	8,987	7,262	9,895	10,706	9,861
Participating Agencies	2,771	6,181	6,865	7,356	9,584	11,354	11,211
Number of States, including D.C.	32	42	47	44	46	50	49
% of U.S. Population Agencies Represent	N/A	51	58	58	75	84	83

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**Note: A single criminal incident can involve more than one offense because multiple offenses may be committed in an incident.*

Motivations Of Offenses (%), 1991-1997

	1991	1992	1993	1994	1995	1996	1997
Racial Bias	62.3	62.5	64.4	61.0	62.4	63.2	59.8
Religious Bias	19.3	15.3	15.1	17.1	14.3	14.0	15.0
Sexual Orientation	8.9	11.7	11.1	10.9	12.8	11.7	13.9
Ethnicity/National Origin	9.5	10.4	9.4	10.9	10.3	10.9	11.0

Q: What other activities has the Administration undertaken with respect to hate crimes?

A: At the White House Conference on Hate Crimes in November 1997, the President announced several initiatives to ensure effective law enforcement, including the creation of working groups in every U.S. Attorney's district in the country to improve coordination among local, state, and federal prosecutors; the addition of new FBI agents and prosecutors to work on enforcement of hate crimes laws; and the development of model curriculum for training law enforcement officers to deal with hate crimes. Since the conference, the Administration has committed significant resources to assisting enforcement of hate crimes and has issued publications such as "Preventing Youth Hate Crime: A Manual for Schools and Communities" and "Protecting Students from Harassment and Hate Crime." In his FY2000 budget, the President has requested approximately \$34 million for hate crimes enforcement.

Q: What is the Administration doing about hate on the Internet?

A: It is important to distinguish between hate crime and hate speech. Speech on the Internet is protected by the Constitution. The Clinton Administration is not regulating the Internet. However, there are many organizations such as the Anti-Defamation League that are working on developing programs for use by parents to be able to protect their children by filtering out hate sites. Where crimes motivated by bias happen on the Internet, such as e-mail threats, they have and will be prosecuted.

Q: Why isn't the President increasing penalties for hate crimes?

A: The Clinton Administration has already increased penalties for hate crimes in the Sentencing Enhancement Act, passed as part of the 1994 crime bill, which authorizes the imposition of enhanced sentences for federal crimes found to have been motivated by

race, color, religion, national origin, sexual orientation, gender, or disability. The Act became effective in November 1995.

Proposed Legislation

Q: Why is this legislation needed?

A: The legislation is needed for two compelling reasons. First, the problem of hate crimes based on sexual orientation, disability, and gender are serious, and are currently not covered under federal law. Second, the Department of Justice has been hindered in its efforts to prosecute racial hate crimes because of the need to show that the victim was attacked because he or she was engaging in a federally protected activity such as enrolling in or attending any public school or college. This amendment will ensure that all persons in the United States are protected under federal law from any hate crimes causing serious bodily injury.

Q: Why is federal hate crimes legislation necessary at all? Shouldn't this really be a matter for local prosecutors?

A: The federal government has an important supporting role to play in prosecuting hate crimes. As a matter of longstanding practice, federal officials defer to state prosecutors to make the initial determination whether to bring a hate crimes case. But the problem of hate crimes is serious enough to warrant providing the federal government with authority to act if federal jurisdiction is necessary to achieve justice in a particular case. And the proposed legislation will ensure that the federal government has this necessary authority.

Q: Won't this expansion of the new federal hate crimes statute require extra resources?

A: **Any new criminal law requires new resources to enforce it, and this one is no exception. The Administration will work to ensure that its new responsibilities are carried out as efficiently as possible.**

Q: Doesn't providing protections based on sexual orientation legitimize the gay lifestyle?

A: No. Whatever their views about homosexuality or about providing antidiscrimination protections to gays and lesbians, all people of good will should agree that people should not be subject to physical attack based on their sexual orientation. People in this country have a fundamental right to be safe and to live without fear of violence. This statute ensures that people will receive this protection.

Q: Won't the addition of gender to the federal hate crimes legislation federalize all rapes?

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A: No. The bill does not make every rape a federal crime. In addition to the violent act, there must be evidence of bias toward the victim because of the victim's gender and a sufficient connection with interstate commerce. The Act generally would not be used when state laws provide severe penalties, as in cases of rape. The more frequent use would be in cases of violent attacks against women where there is clear evidence of gender bias but state laws do not provide sufficient penalties or where state officials conclude it is difficult to bring a successful state prosecution. In addition, federal jurisdiction would also allow federal authorities to assist states in bringing their own cases.

**Automated Records Management System
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RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 5-APR-1999 23:43:11.00

SUBJECT: This morning's hate crimes speech

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

READ:UNKNOWN

TO: Tracy Pakulniewicz (CN=Tracy Pakulniewicz/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

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

READ:UNKNOWN

TO: David Halperin (CN=David Halperin/OU=NSC/O=EOP @ EOP [NSC])

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Joshua S. Gottheimer (CN=Joshua S. Gottheimer/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: Ruby Shamir (CN=Ruby Shamir/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: Tomasz P. Malinowski (CN=Tomasz P. Malinowski/OU=NSC/O=EOP @ EOP [NSC])

READ:UNKNOWN

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

READ:UNKNOWN

TO: Linda Ricci (CN=Linda Ricci/OU=OMB/O=EOP @ EOP [OMB])

READ:UNKNOWN

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

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READ:UNKNOWN

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

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TEXT:

Draft 04/05/99 11:15 p.m.

Paul Glastris

PRESIDENT WILLIAM J. CLINTON

REMARKS ON HATE CRIMES

ROOSEVELT ROOM

THE WHITE HOUSE

WASHINGTON, D.C.

April 6, 1999

Acknowledgments: Maine Att. Gen Drew Ketterer; Bishop Jane Holmes Dixon ; Acting Ass At. Gen. Bill Lann Lee; Secretary Riley; Sen. Patrick Leahy; Rep. Ben Cardin; Rep. William Delahunt

Ever since I became President, I have tried to stress to the American people we can no longer draw sharp lines between domestic and foreign affairs. In an age when information and capital, products and people, flow across borders with ever-greater ease and speed, there is a profound link between what we do at home and what we do abroad.

Today, I want to talk to you about new steps I am taking to prevent hate-inspired acts of violence here in America. But I also want to make clear that these steps must be seen as part of a larger global challenge that we face as we approach the 21st Century. Today, in Kosovo, thousands and thousands of families are being driven from their ancestral homes at the point of a gun, and many are being murdered, all because of their ethnicity and religion. Today, brave American men and women, working with our NATO allies, are striking back at the forces committing these terrible acts--the forces of Slobodan Milosevic. Mr. Milosevic is responsible for this crisis. He can end it, now, by withdrawing his military, police and paramilitary forces from Kosovo; by accepting the deployment of an international security force; and by making it possible for all refugees to return as we move towards a political framework for Kosovo based on the Rambouillet accords.

It is a sad to think that on the eve of a new millennium, there are still people who allow their own self-worth to be determined by who they are not; who think less about lifting themselves up than of holding others down; and who insist that the ethnic and religious identities of others are somehow a threat to their own. This kind of thinking is particularly tragic when you consider that in the era we have entered, diversity can be one of the greatest sources strength. It is no small irony that while Mr. Milosevic has impoverished Yugoslavia by pulling it apart along ethnic lines, much of the rest of Europe has been growing more prosperous by coming together economically and politically. Bosnia is increasingly governed not by the forces of ethnic hate, but by elected officials aided by a multinational force speaking different languages yet united in common purpose. And a key part of that force are U.S. soldiers who themselves represent every conceivable ethnic and religious background, but who also comprise the mightiest fighting force the world has ever known.

If the end of the 20th Century teaches anything it is that diversity can be manipulated into tragedy, or nurtured into a source of strength. Neither course is inevitable. That is why we have a real interest in nourishing tolerance and fighting violent intolerance, abroad as well as at home. In recent months, we have all been horrified by brutal acts of hate here in the U.S.. These crimes strike at the heart of

what it means to be an American. They challenge the values that define us as a nation. They threaten the peaceable diversity that underpins our strength and prosperity. We must reaffirm that we will not tolerate such acts.

Since I convened the first White House conference on hate crimes a year and a half ago, we have substantially increased the number of FBI agents devoted to hate crimes. We have successfully prosecuted a number of serious hate crime cases. And we have formed local hate crimes working groups in U.S. Attorney's offices around the country, to coordinate training and prevention efforts among federal, state, local law enforcement officials.

But we must do more. Over 8000 hate crime incidents were reported in 1997, the latest year for which FBI figures are available. That is nearly one hate crime every hour. We must do more to fight hate crimes now and prevent them in the future by reaching out to our young people. Today, I am pleased to announce important new steps to do just that.

First, I am calling upon the Departments of Justice and Education to include in their annual report card on school safety crucial information on hate crimes among young people, both at and away from school. Second, I am directing the Department of Education, with assistance from the Department of Justice, to collect data, for the first time, important on hate crimes and bias on college campuses.

Third, I am very pleased to announce a new public-private partnership to help reach middle school students with the message of tolerance. Like any value, tolerance must be taught, nurtured, and encouraged. That is the aim of the partnership, which includes AT&T, Court TV, the National Middle School Association, the Anti-Defamation League, and Cable in the Classroom, with assistance from the Departments of Education and Justice. The partnership will develop fresh new outreach methods, from in-school lessons to cable TV programs and websites.

Fourth, I call on Congress to pass the Hate Crimes Prevention Act. Our Federal laws already punish some crimes committed against people on the basis of race or religion or national origin, but we should do more. This crucial legislation would strengthen and expand the ability of the Justice Department to prosecute hate crimes by removing needless jurisdictional requirements for existing crimes and by giving Federal prosecutors the power to prosecute hate crimes committed because of the victim's sexual orientation, gender, or disability. All Americans deserve protection from hate. Congress missed an opportunity to pass this crucial legislation last year. Congress should not miss that opportunity this year.

As important as it is to pass a new hate crimes law, we must ultimately do more: we must be reconciled to one another. We must believe in one another's fundamental humanity. So often today America faces the challenge of helping to prevent conflicts overseas, fueled by divisions of race, ethnicity, and religion. We cannot meet these challenges abroad unless we have healed our divisions at home.