

**NLWJC - KAGAN**

**EMAILS RECEIVED**

**ARMS - BOX 095 - FOLDER -001**

**[05/12/1999-05/15/1999]**

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 00:15:32.00

SUBJECT: q/a

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: 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.D75]ARMS29676354W.136 to ASCII,  
The following is a HEX DUMP:

FF57504356050000010A0201000000020500000003739000000020000E637E44FF9DA7A4C77319E  
C25F793CF80D9CE40C0BE093860998539150D6DF09B210D95891E4BF7CA6A1D98085662B6D4D2E  
CE973F70509AE565FF5F85653628456DAED625E6B8AA6DB30F0CC3555B103515410CE65F0C91CB  
3A47767313918C9D374B0FF953CFEEC7F710705F0B9972A419AA2074762F08A3FDCE425128C0C4  
561FFA9CBF219908F1839B01A083E34CD0E5DFFEAEC1C0CCCF35E7552D8E7BB841F10D3BF3BCA  
70C71D396830A950348340F529E31B36CF7F271362EC633A47C1F9FCC8C1095C727834C9993B7A

**21st Century Law Enforcement and Public Safety Act Event  
Questions and Answers  
May 12, 1999**

**100,000 COPS**

**Q: Today you announced the funding of 100,000 officers. How many of these officers are actually on the street? And why the discrepancy between how many are on the streets as opposed to how many are funded?**

**A:** Of the 100,000 officers funded, more than 50,000 officers are already on the beat helping to fight crime. The rest will join them shortly: recruiting, screening, hiring and training new officers takes between 12-18 months, and many officers we've funded are currently in the pipeline.

**Q: Isn't it true that some police departments have misused their COPS funds and not used them to hire new officers?**

**A:** Over 11,300 state and local law enforcement agencies across the country receive COPS funding. Only about one percent of these jurisdictions have been found to misspend the money, and the COPS Office is working with every local agency to resolve outstanding issues to make sure that funds are spent properly. Also, it should be noted that use of a portion of COPS money for purposes other than hiring new officers -- such as buying new technology to allow current officers to get out on the street -- is completely appropriate.

**Q: How do you know that the COPS Program is actually helping to drive down the crime rate?**

**A:** There is no question that the COPS Program is helping to reduce crime and improve public safety across the nation. Numerous police chiefs can attest to the positive impact the COPS Program has had in helping them fight crime and bring the violent crime rate down to its lowest level in a quarter of a century. Crime is down in all categories and in every region of the country. And community members, mayors, and other elected officials will tell you the same thing: COPS has made a difference.

And while the COPS Program is certainly not the sole reason for the drop in our nation's crime rate, it has been an important part of our overall crime strategy -- along with keeping guns off the street and out of the hands of criminals, tougher punishment for hardened criminals, and smarter prevention for our young people to avoid crime in the first place.

**21st Century Crime Bill**

**Q: Can you explain how the President's 21st Century Policing Initiative is different from the current COPS Program?**

A: The Community Oriented Policing Services (COPS) program created in the 1994 Crime Act authorized \$8.8 billion over six years to help communities hire and redeploy 100,000 officers to our nation's streets and to promote community policing in other ways. To date, COPS has awarded over \$5.9 billion in grants to more than 11,300 state and local law enforcement agencies -- helping to fund more than 100,000 officers. As these numbers suggest, for the most part the current COPS program has focused on hiring new officers and redeploying veteran officers to the streets.

The President's bill builds on the success of the original COPS program, but it also takes a giant step forward by giving law enforcement the tools and partners it needs to keep crime coming down well into the 21st Century. First, the 21st Century Policing Initiative will help communities to hire, redeploy, and retain police officers. Second, the initiative provides significant new funds to give law enforcement access to the latest crime-fighting and crime-solving technologies -- improved police communications, crime mapping, laptop computers, crime lab improvements, and more. And third, the initiative makes an unprecedented commitment to engage the entire community in the hard work of preventing and fighting crime -- by funding new community-based prosecutors, and partnerships with probation and parole officers, school officials, and faith-based organizations.

### **International Crime/Bioterrorism**

**Q: The provisions you are proposing to crack down on bioterrorism sound pretty tough. Will implementing these provisions to control dangerous biological agents have a "chilling" effect with respect to ongoing research?**

A: While the bill significantly tightens controls over dangerous biological agents to prevent them from getting into the wrong hands, it also preserves the scientific community's ability to conduct legitimate research with certain biological agents so that we can continue to develop new vaccines and more. The President has made scientific research to protect against biological and other public health threats a high Administration priority, and we will continue to consult with the scientific community on this matter.

### **Drugs/Zero Tolerance Drug Supervision**

**Q. You've talked about a "zero tolerance" policy for prisoners and drugs before, as well as requiring states to drug test and treat offenders. What does the proposal in your bill do that is different?**

- A. The President's crime bill will take us a step further in accomplishing comprehensive testing and treatment for offenders in two significant ways. First, the bill authorizes a new \$100 million initiative for states to carry out their own plans to test and treat prisoners and parolees. And second, these funds can be used, for the first time, to begin to test and treat the over 3 million adult probationers -- two-thirds of which have serious substance abuse problems.

### Victims/Elder Crime

**Q: What will the bill do to address nursing home abuse?**

**A: The President's bill will provide the Departments of Justice and Health and Human Services with new authority to impose civil and criminal penalties on substandard nursing home facilities and chains. This includes new criminal sanctions for organizations or individuals who knowingly abuse or neglect residents; civil penalties that could be imposed on individuals, facility chains, or management companies if they harm residents; and new injunctive authority that will allow the Federal government to order facility chains and individual nursing homes to put an immediate stop to neglectful or abusive behavior.**

**Q: Can you cite examples of problems that justify this legislation for nursing homes?**

**A: Most nursing homes do an excellent job and provide high quality care to their residents. However, recent reports by the General Accounting Office and the HHS Office of the Inspector General indicated that almost 25 percent of the nation's nursing homes have severe quality infractions that often go unpunished, even though the conditions jeopardize the health and safety of residents. For example, one nursing home chain was cited for violations in Washington, Maine, Missouri, Texas, and California -- and only received a fine. We feel strongly that these new actions are necessary to protect the vulnerable elderly who depend on these homes for their daily care.**

### Miscellaneous

**Q: Why aren't there any gun proposals in this bill?**

**A: Two weeks ago, the President unveiled his comprehensive gun legislation, the Youth Crime Gun Enforcement Act. The President's proposal expands the successful Brady Law, extending Brady background checks to all gun show sales, as well as to the purchase of explosives. Second, his proposal further restricts youth access to guns by raising the age of the current youth handgun ban from 18 to 21 years of age, and banning youth possession of all semiautomatic assault rifles and large capacity**

ammunition clips. And finally, the President's legislation cracks down on illegal gun traffickers by limiting handgun sales to no more than one per month per person, helping law enforcement to trace more crime guns to their source, and creating new tools to go after gun dealers involved in illegal gun trafficking. So, while these provisions are technically separate from the crime bill introduced today, the President's gun proposal is an important part of his overall anti-crime strategy -- and we expect Congress to act on both of these bills.

**Q: The Senate is currently considering juvenile crime legislation. Do you have a position on the Senate Republican bill?**

A: The Congress has an historic opportunity to ensure community safety into the 21<sup>st</sup> century by continuing and expanding on the successful programs put into place by the 1994 Crime Act. While we commend the Senate for addressing the important issue of juvenile crime, we believe the legislation fails to address a number of other areas critical to addressing the overall crime problem. We support a broad-based approach to crime, and would support Senate passage of S. 254 if it were to provide a more comprehensive strategy to fighting and preventing crime, such as common sense measures to keep guns out of the hands of kids and criminals, and resources to improve overall public safety through more police and community crime prevention efforts -- to deter and combat both adult and juvenile crime.

**Q: The Senate Democrats held their own crime bill event earlier today. Are your bills similar? Do you support their legislation?**

A: The Senate Democratic crime bill contains many of the same provisions as the President's bill, and it certainly emphasizes the same crime-fighting priorities. For example, both bills: (1) extend the COPS program; (2) reauthorize a series of successful initiatives from the 1994 Crime Act (Violence Against Women, drug courts, prison funds, etc.); (3) incorporate key provisions of the President's Anti-gang and Youth Violence Strategy; and (4) include measures to boost our international crime control efforts. The most important point, however, is that congressional Democrats generally agree with the President on the key elements of 21st Century crime legislation -- and that we will be working together to pass these measures into law.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 09:29:02.00

SUBJECT: RLPA

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Are you available to talk about RLPA with Hill staff tomorrow at 11:30 in 180 OEOP? Canady has a hearing on it today, and we will have a better sense of where things are headed by then.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 09:58:49.00

SUBJECT: Conf Call

TO: Mike\_cohen@ed.gov ( Mike\_cohen@ed.gov @ inet [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Emma\_Harrell@ed.gov ( Emma\_Harrell@ed.gov @ inet [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Iratha H. Waters ( CN=Iratha H. Waters/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

TEXT:

Bruce will be having an education conference call tomorrow, May 13, at 10:00 a.m. You may call in at 456-6777; the Conference Code will be 7213.

Folks invited to participate on this call are:

Bruce Reed

Elena Kagan

Barbara Chow

Mike Cohen

Nancy Zirkin

Bill Taylor

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 10:40:21.00

SUBJECT: revised

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

READ:UNKNOWN

TEXT:

Revised Draft 5/12/99 10:30am  
Tamagni

PRESIDENT WILLIAM J. CLINTON  
REMARKS FOR 21ST CENTURY CRIME BILL EVENT  
THE ROSE GARDEN  
May 12, 1999

Acknowledgments: AG Reno; Senators Leahy, Biden, Specter; Representatives Conyers and Stupak; Mayor Rendell Officer Jonathan Hall; representatives of police forces and law enforcement organizations. Dep. AG Holder; Assoc. AG Fisher, Treasury Undersecretary for Enforcement Jim Johnson, and COPS Office Director Joe Brann.

Good afternoon and welcome to the White House. Five years ago this summer, after a remarkable bipartisan effort in Congress -- and with the support of many of the people here with us today -- I signed into law a Crime Bill that was the first of its kind. A comprehensive crime bill that funded local solutions to local problems and embraced the promising practice of community policing. A bill that took on the gun lobby -- banning assault weapons and requiring waiting periods for handgun purchases -- and demanded tougher punishments for the toughest criminals.

Above all, it was a crime bill that brought our laws back in line with our oldest values -- requiring all of us to take responsibility, at every level of government, in every community in America, to prevent crime and protect our families.

Today, we know our strategy is working. Thanks to the efforts of law enforcement and local residents, our success has been nothing short of remarkable. The murder rate is down to its lowest level in 30 years. Violent crime has dropped by 20% in the last six years alone. And in many smaller ways -- reducing crimes like vandalism and littering that undermine our quality of life -- we are beginning to repair our social fabric and restore civility to our everyday lives.

There are many reasons for our success. One of the biggest factors has been the Brady Bill, which has stopped over 250,000 illegal handgun sales to felons and fugitives. The assault weapons ban has helped. So have tougher penalties and the waning of the devastating crack epidemic.

But police chiefs, politicians, and people on the street will all tell you that the most important factor in our progress has been community policing. Where police officers used to cruise anonymously through the streets, community police officers walk the beat. They become involved in the lives of the people they protect -- and involve those people in the fight against crime.

Community policing has worked miracles in places like Boston, Chicago, and San Diego, where violent crime was out of control and law abiding citizens mistrusted police as much as they feared drug gangs. Now, in those cities and communities all over the country, residents work together with police, forming neighborhood watches, banding together against drug dealers, and building the connections that are the core of community life and the heart of civil society.

When I signed the Crime Bill, I pledged to help communities all over America fund 100,000 community police officers by the year 2000 -- and today, we are fulfilling that pledge.

Since 1994, our COPS program has funded 99,000 new police officers -- and over half are already on the beat. Today, I am pleased to announce the latest COPS grants -- over \$96 million to more than 500 communities -- bringing us to over 100,000 community police officers funded, ahead of schedule and under budget.

The results are in: More police and fewer guns equals less crime. By funding 100,000 community police, we have made the thin blue line thicker, and America is safer as a result.

But you and I know that our job is far from finished. Last week, I sent new legislation to Congress that will close the loopholes in our gun laws, raise the age of handgun ownership from 18 to 21, and hold adults liable for recklessly keeping guns and ammunition within the reach of children.

Today, I will send to Congress a new Crime Bill for the 21st Century. This bill builds on the successes of the 1994 Crime Bill -- and focuses new efforts in areas that will be increasingly important in the years to come.

First, and most important, my bill will expand the remarkably successful COPS program, helping communities hire up to 50,000 more police officers -- especially those communities hardest hit by crime. It will also help them to hire local prosecutors who work much as community police officers do -- in the neighborhoods where they make the biggest difference. My bill will also give police the 21st Century tools they need to fight criminals who are increasingly using technology to commit crimes and avoid capture.

And my bill will provide grants to help communities engage schools, faith-based groups, and citizens themselves in restoring peace to our neighborhoods. School districts can use these grants to prevent the tragedies that have shaken communities from Jonesboro to Littleton.

Second, this will crack down on youth gangs and violent young people, with tougher penalties for gang members who intimidate witnesses, anti-truancy programs and other initiatives to prevent youth crime.

Third, my bill will help break the cycle of crime and drugs. Three out of four people in our criminal justice system have drug problems. If we can get at their drug problem, we can cut the crime rate dramatically. My crime bill says to says to prisoners: If you stay on drugs, you have to stay behind bars. And to those on parole: If you want to keep your freedom, you must stay free of drugs.

Fourth, my crime bill will do more to protect our most vulnerable

citizens. It will punish retirement rip-off artists, nursing home operators who abuse and neglect their residents, and telemarketers who prey on older Americans. It will toughen penalties for people who commit violent crimes in the presence of children, and reauthorize the Violence Against Women Act.

Finally, my crime bill will strengthen our efforts to combat international crime and terrorism. The threat of biological weapons and other weapons of mass destruction is real and increasing in an age of new technologies and open borders. My bill will make it a federal crime to possess the agents used in such weapons without a legitimate, peaceful purpose.

This is the kind of comprehensive approach that has brought the crime rate down for six years in a row -- and this is the kind of tough, smart approach we need in the 21st Century. I am pleased that so many Democratic members of Congress are committed to move this agenda forward this year -- and I look forward to working with members of both parties to protect our families and make our communities safe.

Now, as you all know, this is Police Week, the time of year we pay tribute to the courage and commitment of our nation's law enforcement officers -- and the time of year we mourn the loss of those who gave their lives in the line of duty. In 1998, 61 police officers made that ultimate sacrifice - 13% fewer than last year. But even one death is too many. That is why we must renew our pledge to honor the lives of those fallen officers. To protect our nation's police officers, we must give them the tools to protect themselves -- and my 21st Century Crime Bill will do exactly that. We cannot allow their sacrifice to have been in vain.

And now, I would like to introduce Officer Jonathan Hall from the Wilmington, Delaware Police Department. Officer Hall was a 5th grade teacher when he decided to become a police officer, but he still finds time to be a mentor to at-risk young people, and he takes every chance he can to talk to children about how they can protect themselves from crime. Ladies and gentleman, a community police officer for the 21st Century -- Officer Jonathan Hall.

[Following the program, the President will return to the podium to conclude]

I hope that what we have heard today sends a loud message to every corner of America: We will work together to do whatever it takes to fight crime and keep our families safe. Thank you all for coming.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 11:34:49.00

SUBJECT: Heads up: ED letter on Ashcroft (IDEA) amendment to S. 254 Juvenile Crime

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

READ:UNKNOWN

TO: Ronald E. Jones ( CN=Ronald E. Jones/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Richard E. Green ( CN=Richard E. Green/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Caroline R. Fredrickson ( CN=Caroline R. Fredrickson/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: Jonathan H. Schnur ( CN=Jonathan H. Schnur/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:

We expect to receive shortly for clearance from ED a draft letter strongly opposing a possible Ashcroft amendment to S. 254, the Juvenile Crime bill that is now on the Senate floor. Accordingly, ED's letter must be sent to the Senate today. A copy will be faxed to you shortly for your quick review.

The Ashcroft amendment was also introduced as S. 969. It would permit school personnel to unilaterally suspend or expell from school children with disabilities for unlimited periods of time, without any educational services, for carrying or possessing a weapon, or threatening to carry or possess a weapon, to or at a school or school function. We expect the ED letter to oppose the amendment as contrary to the IDEA, which currently provides schools with effective tools to discipline students with disabilities involved in gun related incidents.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Jeffrey L. Farrow ( CN=Jeffrey L. Farrow/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:12-MAY-1999 11:57:45.00

SUBJECT: ESEA transmittal

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Will you have me kept in the loop on our ESEA transmittal so we can try to get the maximum benefit from our Puerto Rico Title I proposal? Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 12:24:07.00

SUBJECT: profiling

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

After the terrific job Jose did in meeting with Chris yesterday on the Crime chapter, I wanted to follow up on the one policy piece on crime that is still unresolved. Until the profiling issue is settled, we won't be able to get this chapter put to bed. So I'm playing the role of pest here to urge you guys to schedule the meeting you're planning to have, figure out what kind of memo needs to move forward to the President, and then get it there. If I can be helpful in any way, please let me know. And if you could let me know when you do schedule the meeting, I'd appreciate it. Many thanks. tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 13:57:46.00

SUBJECT: Clearance Needed on Ashcroft amendment to youth crime bill ASAP!

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

ED reports that Sen. Ashcroft's IDEA amendment is expected to be considered by the Senate TODAY. We faxed you ED's draft letter strongly opposing the amendment. Please let me know as quickly as possible if you have a problem with ED transmitting this letter.

----- Forwarded by Constance J. Bowers/OMB/EOP on 05/12/99 01:54 PM -----

Constance J. Bowers

05/12/99 11:34:42 AM

Record Type: Record

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

cc:

Subject: Heads up: ED letter on Ashcroft (IDEA) amendment to S. 254 Juvenile Crime for quick clearance

We expect to receive shortly for clearance from ED a draft letter strongly opposing a possible Ashcroft amendment to S. 254, the Juvenile Crime bill that is now on the Senate floor. Accordingly, ED's letter must be sent to the Senate today. A copy will be faxed to you shortly for your quick review.

The Ashcroft amendment was also introduced as S. 969. It would permit school personnel to unilaterally suspend or expell from school children with disabilities for unlimited periods of time, without any educational services, for carrying or possessing a weapon, or threatening to carry or possess a weapon, to or at a school or school function. We expect the ED letter to oppose the amendment as contrary to the IDEA, which currently provides schools with effective tools to discipline students with disabilities involved in gun related incidents.

Message Sent

To:

- 
- Bruce N. Reed/OPD/EOP@EOP
  - Elena Kagan/OPD/EOP@EOP
  - Jonathan H. Schnur/OPD/EOP@EOP
  - Tanya E. Martin/OPD/EOP@EOP
  - Jose Cerda III/OPD/EOP@EOP
  - Leanne A. Shimabukuro/OPD/EOP@EOP
  - Caroline R. Fredrickson/WHO/EOP@EOP
  - Michelle Peterson/WHO/EOP@EOP
  - James Boden/OMB/EOP@EOP
  - Barbara Chow/OMB/EOP@EOP
  - Barry White/OMB/EOP@EOP
  - Wayne Upshaw/OMB/EOP@EOP
  - David Rowe
  - Daniel I. Werfel/OMB/EOP@EOP
  - Robert G. Damus/OMB/EOP@EOP
  - James J. Jukes/OMB/EOP@EOP
  - Janet R. Forsgren/OMB/EOP@EOP
  - Richard E. Green/OMB/EOP@EOP
  - Ronald E. Jones/OMB/EOP@EOP
  - Sandra Yamin/OMB/EOP@EOP

Elizabeth Gore/OMB/EOP@EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 15:53:23.00

SUBJECT: H2A Accomplishments document

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Attached for your review is a draft of the H2A accomplishments document that OMB drafted in consultation with DPC and Labor. NEC and WH Leg Affairs are also reviewing this document.

Please let me know if you have any questions or comments.

Thanks.

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D89]ARMS20381364S.136 to ASCII, The following is a HEX DUMP:

FF575043D6110000010A02010000000205000000333B000000020000833C3C107CCF47B617BD56

---

## Administration Progress on H-2A Reform

May 12, 1999

---

Farm workers are among the poorest and most vulnerable in our society. Average annual earnings of farm worker families are only about \$6,500 and farm workers are employed on average only about 26 weeks per year.

The H-2A "guest worker" program admits temporary nonimmigrant agricultural workers to provide farmers with an adequate supply of laborers during the peak periods in the growing season. There is no cap on the number of H-2A visas granted annually. Currently, there are 1.6 million hand-harvest farm workers in the U.S. of which it is estimated that approximately 600,000 are undocumented, 1 million are legal (citizens or authorized resident labor), and 35,000 are in the H-2A program.

### Employer Obligations

**Under the current program, in order to hire H-2A workers, an employer must demonstrate to the Department of Labor (DOL) that:**

- (a) there are not sufficient U.S. workers able, willing, qualified and available to perform the services; and,**
- (b) there will be no adverse effect on the wages and working conditions of similarly-employed U.S. workers.**

**To meet these criteria, employers are required to:**

- ✓ **pay workers the higher of the minimum wage, locally prevailing wage, or an "adverse effect wage rate" (AEWR), determined by the average wage paid to non-managerial agricultural workers in the state;**
- ✓ **provide free housing to workers coming from outside the commuting area;**
- ✓ **reimburse workers' inbound transportation if they complete half the contract, outbound also if they complete the contract; and,**
- ✓ **guarantee 3/4 of the hours of the contract the grower offers; and,**
- ✓ **hire any qualified U.S. worker who applies during the first half of the work contract.**

### Administration Principles on Reform

The H-2A program has been heavily criticized by the GAO, DOL's IG, and the Hill primarily due to the administrative burdens placed on growers and its failure to adequately protect workers. As a result, Congress has proposed many different bills to restructure the H-2A program.

The Administration has acknowledged problems with the program and is working administratively (through administrative actions and the regulatory process) to reengineer and streamline the H-2A program to ease adjudication burdens while maintaining strong worker protections. The Administration does not believe that legislation is necessary or appropriate at this time.

The Administration's guiding principles in reforming the H-2A program are designed to create a system:

- ✓ with procedures that are simple and the least burdensome for growers;
- ✓ which assures an adequate labor supply for growers in a predictable and timely manner;
- ✓ that provides a clear and meaningful first preference for U.S. farm workers and that diminishes the reliance on foreign workers;
- ✓ which avoids the transfer of costs and risks from businesses to low wage workers;
- ✓ that encourages longer periods of employment for legal U.S. workers; and,
- ✓ which assures decent wages and working conditions for domestic and foreign farm workers, and that normal market forces work to improve wages, benefits, and working conditions.

The Administration is committed to improving the H-2A program to assure growers of an adequate, predictable labor supply while protecting U.S. farm workers who are among the poorest and most vulnerable in our society.

#### FY 2000 Budget Initiative

The President's pending Budget requests \$10 million to fund America's Agricultural Labor Network ("AgNet") that would benefit growers and workers by having an efficient alternative mechanism to match workers with employment opportunities. AgNet would serve as an information broker through an electronic system that allows both growers to find workers and workers to find employment opportunities that meet their needs (e.g., location, duration, type of crop, etc.).

#### H-2A Regulatory Reform

DOL will soon publish a final regulation that will complete an earlier proposal to:

–reduce the length of time that employers must file an H-2A application from 60 to 45 days before the date when employees are needed;

–reduce the deadline for when employer-provided housing must be available for inspection before the date of need; and,

–modify the requirement that certified H-2A employers provide notice of the exact date on which H-2A employees have departed for the place of employment.

INS will soon issue a final regulation that will complete an earlier proposal to delegate H-2A petitioning authority to DOL. This proposed change would significantly reduce the burden to growers when filing for H-2A workers by removing an entire step from the current process.

DOL has also made additional administrative changes to the H-2A program such as modifications to the positive recruitment requirement. DOL intends to consistently meet the existing 20 day deadline to issue approved certifications for growers.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 16:28:57.00

SUBJECT: AGs tobacco

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I just talked to Tom Miller who will call Christine Greggiore and urge a conf call tomorrow with the AGs to see if they will join us on a deal that will "get this done". He was, he was quick to remind me, one of the four AGs who did not sign the AGs "no strings attached" letter. He thinks 15% is the bare minimum. I told him he had friends here but needed to work his colleagues.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 17:36:56.00

SUBJECT: Weekly Health Care Strategy Meeting

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

CC: Joseph D. Ratner ( CN=Joseph D. Ratner/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

TEXT:

We will be having the weekly Health Care Strategy Meeting tomorrow, May 13, at 4:00 p.m. in Bruce Reed's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 17:38:11.00

SUBJECT: Weekly Education Strategy Mtg

TO: Emma\_Harrell@ed.gov@inet ( Emma\_Harrell@ed.gov@inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

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

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

TO: Mike\_Cohen@ed.gov@inet ( Mike\_Cohen@ed.gov@inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

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

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

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Joseph D. Ratner ( CN=Joseph D. Ratner/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

CC: Iratha H. Waters ( CN=Iratha H. Waters/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We will be having our weekly Education Strategy Meeting tomorrow, May 13,  
at 5:15 p.m. in Bruce Reed's office.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 17:48:01.00

SUBJECT: foster care wire story

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

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

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

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

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

TEXT:

This is on the wire tonight. We plan to put out a POTUS statement tomorrow on the introduction of the bill.

Aging Foster Kids,510  
GOP backing bill to aid aging foster kids

WASHINGTON (AP) Republican leaders are promising a vote by next month on legislation to help some of the 20,000 foster children abruptly dropped from state care when they turn 18.

The bipartisan bill is being introduced in the House on Thursday, where it will get high-powered backing from Rep. Tom DeLay, R-Texas, the GOP whip and a foster father.

The bill, which would cost about \$500 million over five years, would double funding for a program that helps these young adults make the transition to independence. It would also allow states to extend Medicaid to them through age 21. The package is similar to one proposed by President Clinton in his budget.

``These kids really have been woefully neglected,`` said Rep. Nancy Johnson, R-Conn. ``The money's never been there.``

Johnson, who chairs the Ways and Means human resources subcommittee, said GOP leaders have promised a vote in June. The legislation is expected to clear the Ways and Means Committee by the end of May. DeLay, along with experts in the field, will testify at a subcommittee hearing Thursday.

Abused and neglected children who are removed from their parents' care are supported with government money until they turn 18. Federal and state dollars pay for their expenses in foster homes, treatments in group facilities and medical care.

But that support ends at age 18 even when they have not finished high school and no matter how prepared they are to enter the world.

Congressional Republicans are generally hostile to new social spending particularly spending measured in the hundreds of millions of dollars. But, like other efforts to improve the adoption and foster care system, this measure appears to have

bipartisan backing.

Michael Kharfen, a spokesman for the Department of Health and Human Services, noted that congressional Republicans have opposed other administration requests for increased domestic spending.

"We have a track record on child welfare where there's been bipartisan support," Kharfen said.

The legislation being introduced by Johnson and Rep. Ben Cardin, D-Md., would:

Double funding for the Independent Living Program, which teaches foster kids life skills such as how to plan a budget or look for an apartment. The \$70 million program would grow to \$140 million per year, and states could, for the first time, use some of this money to help the young adults pay for housing.

Allow states to extend Medicaid to these young people. The administration proposed mandatory Medicaid for them, but House experts said that would be too expensive about \$400 million over five years. Instead, the House bill would allow states to extend the coverage if they want to, which could cost \$200 million.

Tighten rules in the Supplemental Security Income program, which serves poor Americans with disabilities. This is expected to save money that could be used for the foster child program.

Make minor changes in reimbursement rates to state child support programs, saving additional dollars.

APWR-05-12-99 1658EDT

Copyright (c) 1999 The Associated Press

Received by NewsEDGE/LAN: 5/12/99 5:04 PM

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 18:05:06.00

SUBJECT: tobacco

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

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

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

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

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

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

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

TEXT:

One thing we might consider - depending where things are on the Hill negotiations - is having the President address tobacco while in Seattle friday. He will be with a Governor (Locke) who will have - that very morning - just signed his state budget which puts 100 mil into smoking cessation and who is fully behind a federal menu ( and would even call on the President to veto the budget supp over this if we thought it was helpful), and the state Atty Gen who lead the national negotiations and who will also support a smoking cessation set aside. It is a very attractive place to make a statement and get validation.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 19:50:42.00

SUBJECT: THE 51-47 ROLL CALL BY WHICH THE SENATE VOTED TO REJECT

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

BR/EK: tough vote, eh? jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 05/12/99  
07:50 PM -----

SHIMABUKUR\_L @ A1

05/12/99 06:43:00 PM

Record Type: Record

To: Leanne A. Shimabukuro, Jose Cerda III

cc:

Subject: THE 51-47 ROLL CALL BY WHICH THE SENATE VOTED TO REJECT

Date: 05/12/99 Time: 18:10

SThe 51-47 roll call by which the Senate voted to reject

The 51-47 roll call by which the Senate voted to reject mandatory background checks on private sales at gun shows.

On this vote, a ``yes'' vote was a vote to reject mandatory background checks on private sales at gun shows and a ``no'' vote was a vote to support the background checks.

Voting ``yes'' were 2 Democrats and 49 Republicans.

Voting ``no'' were 41 Democrats and 6 Republicans.

DEMOCRATS YES=

Baucus, Mont.; Cleland, Ga.

DEMOCRATS NO=

Akaka, Hawaii; Bayh, Ind.; Biden, Del.; Bingaman, N.M.; Boxer, Calif.; Breaux, La.; Bryan, Nev.; Byrd, W.Va.; Conrad, N.D.; Daschle, S.D.; Dodd, Conn.; Dorgan, N.D.; Durbin, Ill.; Edwards, N.C.; Feingold, Wis.; Feinstein, Calif.; Graham, Fla.; Harkin, Iowa; Hollings, S.C.; Johnson, S.D.; Kennedy, Mass.; Kerrey, Neb.; Kerry, Mass.; Kohl, Wis.; Landrieu, La.; Lautenberg, N.J.; Leahy, Vt.; Levin, Mich.; Lieberman, Conn.; Lincoln, Ark.; Mikulski, Md.; Murray, Wash.; Reed, R.I.; Reid, Nev.; Robb, Va.; Rockefeller, W.Va.; Sarbanes, Md.; Schumer, N.Y.; Torricelli, N.J.; Wellstone, Minn.; Wyden, Ore.

DEMOCRATS NOT VOTING=

Inouye, Hawaii; Moynihan, N.Y.

REPUBLICANS YES=

Abraham, Mich.; Allard, Colo.; Ashcroft, Mo.; Bennett, Utah;  
Bond, Mo.; Brownback, Kan.; Bunning, Ky.; Burns, Mont.; Campbell,  
Colo.; Cochran, Miss.; Collins, Maine; Coverdell, Ga.; Craig,  
Idaho; Crapo, Idaho; Domenici, N.M.; Enzi, Wyo.; Frist, Tenn.;  
Gorton, Wash.; Gramm, Texas; Grams, Minn.; Grassley, Iowa; Gregg,  
N.H.; Hagel, Neb.; Hatch, Utah; Helms, N.C.; Hutchinson, Ark.;  
Hutchison, Texas; Inhofe, Okla.; Jeffords, Vt.; Kyl, Ariz.; Lott,  
Miss.; Mack, Fla.; McCain, Ariz.; McConnell, Ky.; Murkowski,  
Alaska; Nickles, Okla.; Roberts, Kan.; Roth, Del.; Santorum, Pa.;  
Sessions, Ala.; Shelby, Ala.; Smith, N.H.; Smith, Ore.; Snowe,  
Maine; Specter, Pa.; Stevens, Alaska; Thomas, Wyo.; Thompson,  
Tenn.; Thurmond, S.C.

REPUBLICANS NO=

Chafee, R.I.; DeWine, Ohio; Fitzgerald, Ill.; Lugar, Ind.;  
Voinovich, Ohio; Warner, Va.  
APNP-05-12-99 1812EDT

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:12-MAY-1999 20:40:28.00

SUBJECT: nagging

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

READ:UNKNOWN

TEXT:

I need you to look at Civil Rights chapter. Staff Secretary has the May 11 version if you need that. Also, are you ok with the part of the Education chapter that essentially endorses the dozen or so lawsuits that are challenging property tax method of school funding? tds

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 09:45:15.00

SUBJECT: What happened last night on tobacco recoupment

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Jeanne Lambrew ( CN=Jeanne Lambrew/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:

I couldn't put all the details in my pages last night, but here in a nutshell is what happened.

Despite our urging none of our allies (Harkin, Specter, Obey) put forward an amendment that could have won. Working with Martha we worked all three offices at several levels (staff directors, tobacco staff, approps staff) but clearly to no avail.

First Specter proposed that the Senate recede to the House and (lo and behold) this all or nothing approach failed.

Then Rogers proposed to have the House recede to the Senate and Obey offered his long complicated version of 40 percent of the settlement for health coverage plus tobacco. There was much parliamentary maneuvering and lucky for us it was decided the Obey vote would happen first. And, surprise surprise, the amendment failed.

In the meantime Martha Foley persuaded Young to prevent a vote on Rogers. Young asked Rogers to withdraw his amendment and he did. We had a temporary reprieve.

The GOP committee chairs then met behind closed doors. Around 10 the conference re-convened and in their first order of business Young proposed to have the House recede to the Senate and the motion passed by voice vote.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 10:12:25.00

SUBJECT: RLPA

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Reminder -- we're going to discuss the status of RLPA at 11:30  
this morning in 180 OEOB.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 15:54:41.00

SUBJECT: Schumer FACE Amendment Letter

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI -- No need for either of you to act on this letter regarding the Schumer clinic violence amendment to the bankruptcy bill but wanted to be sure you were aware.

----- Forwarded by Jennifer M. Luray/WHO/EOP on 05/13/99  
03:47 PM -----

Joel K. Wiginton

05/13/99 03:43:35 PM

Record Type: Record

To:

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

Subject: Schumer FACE Amendment Letter

Attached is a draft of the letter to Schumer regarding his FACE amendment. This version has been cleared by Sarah, Jenny, and myself.

Justice -- please take a close look at this. Although I do not think it's inconsistent with your position as outlined by Ken, I want to make sure you're okay with this.

OMB -- If you could put this in "quick clearance" that would be quite helpful. As noted above, it's already been seen and edited by many folks.

Sarah -- You wanted me to remind you to tell Gene that we were sending this up.

Everyone -- we still haven't decided who would sign.

Thanks, Joel

Message Copied

To: \_\_\_\_\_

sarah rosen wartell/opd/eop@eop

sonya matthews/opd/eop@eop

ronald e. jones/omb/eop@eop

jennifer m. luray/who/eop@eop

nicole r. rabner/who/eop@eop

cynthia a. rice/opd/eop@eop

broderick johnson/who/eop@eop



Dear Senator Schumer,

The Administration is deeply concerned by the incidents of violence, vandalism, and harassment committed against family planning clinics. Some of these acts have resulted in the deaths and maiming of innocent people. The Administration believes that these unlawful activities must not be tolerated, and that when they are committed, those found liable should be held accountable under the law.

The Administration has a strong record of supporting efforts to end clinic violence. The Freedom of Access to Clinic Entrances (FACE) Act of which you were the principal House sponsor, and which the President signed into law, provides federal protection against unlawful and violent actions while it protects the right to engage in peaceful picketing and protest unaccompanied by force or physical obstruction. Violators of FACE are subject to criminal penalties of imprisonment, a fine or both. In addition, the court may also assess civil penalties for a particularly egregious offense or against a repeat offender. State clinic access laws and state and federal anti-racketeering laws are additional tools used to prosecute clinic violence. Yet, if offenders are able to escape the damages assessed under these laws, then they will gradually lose their effectiveness.

Unfortunately, some defendants found liable for clinic violence are abusing the bankruptcy system in an effort to shield themselves from civil monetary penalties assessed under these laws. More specifically, these defendants are filing for Chapter 7 to discharge their obligations to the victims of their clinic violence and to escape responsibility for their actions. In order to stem the tide of clinic-related violence by ensuring that penalties for these acts are strictly enforced, we support your amendment that would make court-ordered fines and debts resulting from clinic violence nondischargeable.

The Administration's general position has been to oppose the expansion of nondischargeable debt unless there is an overriding public policy objective to be protected and no other way to achieve that objective. Consistent with this position, we view your amendment as a necessary tool in our current efforts to end clinic violence.

Certainly, one could argue that damages awarded for all intentional torts should be nondischargeable. Indeed, this is largely the case under the "willful and malicious injury" exception contained in Section 536(a)(6) of the Bankruptcy Code. Some damages resulting from clinic-related violence, however, are not protected under this exception. This was made clear in the Supreme Court's recent decision in Geiger v. Kawaauhau, 523 U.S. 57 (1998). In Geiger the Court held that the word "willful" "modifies the word 'injury' indicating that nondischargeability takes a deliberate or intentional injury, not merely a deliberate or intentional act that leads to injury . . ." Although some clinic-related violence is committed with the direct intention to inflict injury, some such violence indirectly results in injury. Take for example a family planning clinic which is bombed at night. The perpetrator may not know that some of the clinic's employees are working late and still in the building. The bomb, nonetheless, still injures these employees. Should damages awarded to victims such as these be any less protected simply because the bomber did not *intentionally* intend to injure them with his or her bomb?

In addition, there is another compelling reason to create a specific nondischargeability carve-out for clinic-related violence damages. There are reports of those who have been found liable for such acts blatantly – even enthusiastically – announcing how they are going to escape responsibility for their actions by filing for Chapter 7. Indeed, such abuse of the bankruptcy system appears to be part of a concerted plan on the part of these individuals to perpetuate their acts of violence and intimidation.

Parties on both sides of the issue of abortion agree that violence against clinics should not be tolerated. This is why we have laws in place designed to deter such activity. We must not permit those who have committed odious acts of violence to escape responsibility for their actions. Your amendment goes a long way toward achieving this goal.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 16:05:45.00

SUBJECT: Provider Taxes

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

TEXT:

Gov Carnahan will be in DC on May 24 and wants to see both HHS and WH officials on the provider tax issue. I think he would be satisfied with an HHS mtg only if it was senior (Shalala or Thurm ).

I think we can't say no to this....but I also don't sense that we know specifically what we will say to him.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 16:25:36.00

SUBJECT: Education Meeting

TO: Mike\_Cohen@ed.gov ( Mike\_Cohen@ed.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

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

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

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

CC: Iratha H. Waters ( CN=Iratha H. Waters/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

CC: Emma\_Harrell@ed.gov ( Emma\_Harrell@ed.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TEXT:

Bruce will be having an Education Meeting on Monday, May 17, at 9:00 a.m.  
in his office.

Invited:

Bruce Reed  
Barbara Chow  
Elena Kagan  
Barbara Chow  
Michael Cohen  
Wade Henderson  
Nancy Zirkin  
Bill Taylor  
Ceclia Munoz  
Charles Kamasaki  
Janelle Byrd

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 18:11:42.00

SUBJECT: Ideas about supplemental signing statement

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

READ:UNKNOWN

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

READ:UNKNOWN

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:

Bruce you raised yesterday the issue of what we would say about tobacco if we fail to remove Hutchison provision from the final bill. It seems to me that the President could either:

- 1) voice his continued opposition to this provision and pledge to keep working for federal legislation that ensures every state funds a program to prevent youth smoking; or
- 2) focus attention on the states, urging them to use their new flexibility to ensure a new generation does not take up smoking, perhaps vowing to seek legislation in the future if states fail to act.

We may also want to take the opportunity to have him urge Congress to appropriate \$20 million for a federal tobacco lawsuit. DOJ wants to come talk to us about developing a plan to make this happen.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 20:11:19.00

SUBJECT: EPICC memo

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

For your comment -- please call with questions.

cj

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

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D28]ARMS21350674U.136 to ASCII,

The following is a HEX DUMP:

FF575043A8220000010A000100000000FBFF050032007801000006000800000042000000070028  
0000004A00000000F00AC00000007200000000C005A0000001E01000018007C0078000000436F7572

May 11, 1999

MEMORANDUM TO THE PRESIDENT

FROM: ?

SUBJECT: Impending Introduction of Contraceptive Coverage Legislation

Within the next two weeks, the Equity in Prescription Insurance and Contraceptive Coverage Act (EPICC) is expected to be introduced. The legislation would require health plans to cover prescription contraceptive coverage and is generally consistent with the measure you signed into law last year extending this coverage to all plans participating in the Federal Employees Health Benefits Plan (FEHBP). This memorandum provides background information on this issue and seeks guidance from you as to whether you want to explicitly endorse the bill when it is introduced.

**BACKGROUND**

*Current Coverage Status.* While well over 80 percent of private insurance plans cover prescription drugs in general, only about one-third cover the costs of oral contraceptives (the most commonly used birth control method). HMOs provide slightly better oral contraceptive coverage but only 39 percent reportedly cover all five leading methods. According to the Kaiser Family Foundation, three out of every four women say that cost is an important factor when choosing between a birth control method that is covered and one that is not. Moreover, women of childbearing age spend 68 percent more in out-of-pocket health care costs than men do, although there is no specific breakout as to what percentage is for contraception.

*EPICC Legislation.* EPICC was first introduced in the last Congress by Senators Reid and Snowe and Representatives Lowey and Greenwood. When it became clear that this legislation could not be passed last year, EPICC's sponsors focused their attention on working on encouraging the Congress to extend these protections to FEHBP plans. After a lengthy fight over "conscience clause" language, Congresswoman Lowey -- with the help of the Administration -- secured passage of the FEHBP provision in the Omnibus Appropriations measure you signed into law last Fall. Leading women's groups and pro-choice community hailed this as a major victory.

Choice groups and the same group of supportive Members are now turning their attention to winning contraceptive coverage for those in all private plans. The new legislation requires insurance plans, which provide a prescription drug benefit, to cover all FDA-approved prescription contraceptive methods. Similarly, health plans which cover outpatient medical services would also be required to provide outpatient contraceptive services (such as exams and fittings).

The pro-choice community believes that the EPICC bill represents a legislative vehicle that provides them with an all too rare opportunity to proactively promote a positive agenda. Better contraceptive coverage means fewer unintended pregnancies, which means fewer abortions. For this reason, EPICC is now a top legislative priority for many of the leading women's organizations.

In addition to Federal legislation, over 30 bills have been introduced in 19 states in the last two years, with Maryland recently becoming the first state to enact a contraceptive coverage law.

***Mandates and Potential Impact on Cost/Coverage.*** There clearly are strong political and policy reasons to endorse EPICC. However, we generally have avoided endorsing bills that legislate insurance coverage requirements -- particularly when they are initially introduced. We have taken this position for two reasons: (1) To avoid the criticism by the business and some within the policy community that such "rifle shot" requirements increase premiums and, in turn, potentially contribute to the increasing problem of the uninsured and (2) To avoid increasing the pressure on you and the rest of the Administration to support other insurance requirements.

As you know, you are already supporting the Patients' Bill of Rights legislation (which, although is mostly made up of process and not coverage requirements, is projected by CBO to increase premiums by about 4 percent). In addition, you have been asked to support legislation to provide for mental health parity, chemical and substance abuse parity, and to endorse a 1 percent premium assessment on private plans to help finance the cost of training physicians in teaching hospitals and academic health centers. Although the EPICC bill is projected to add only 1 percent to average private sector premiums, the accumulation of these policy initiatives could make us vulnerable to criticisms that we are insensitive to the insurance affordability issue.

***Conscience Clause Issue.*** One notable shortcoming of the current EPICC bill is that it does not include a "conscience clause" for those plans that have religious objections to providing contraceptive coverage. Although the bill's sponsors and many within the pro choice community recognize that this issue will have to be addressed before any bill reaches your desk, they oppose including any "conscience clause" language at the time of introduction. They are taking this position for two main reasons. First, they rightly point out that access to coverage of FDA approved contraceptives is a substantively different issue than coverage of abortions. Second, they are uncomfortable with almost any conscience clause legislation because they believe it could leave too many women without access to contraceptives and they do not want to hastily draft a position that -- before any negotiation takes place -- weakens their hand politically and substantively.

Although we understand the advocates' views on the conscience clause issue, we disagree with their assumptions and conclusions. We believe it is important to signal an explicit commitment up front that such a provision will be necessary and is advisable. To do otherwise, weakens the advocates' hand because it unnecessarily places them on the defensive on an issue they will lose under any credible scenario. It makes the bill supporters vulnerable to the "double-standard"

charge; they are willing to support conscience clause language when it applies to the Congress and federal health plans, but unwilling to do so when it applies to health plans in the private sector. We question this strategy and believe it will take away the possibility of a "clean" win on this otherwise fairly appealing issue. Notwithstanding our views on this matter, the pro-choice community and Senator Snow have rejected our advice.

## OPTIONS

The following represents what we believe are the most viable options for your consideration:

**(1) Issue statement of support for the new legislation, but do it in a manner that highlights – in a quiet and subtle manner – our support for a conscience clause.** Under this scenario, you would release a statement at the time of introduction that points out you supported "similar" legislation last year and hope that the Congress can come together again on this high priority issue. Such a statement would imply your support for a conscience clause (since last year's bill had one), but would not offend the pro-choice community at the time of introduction.

**(2) Not endorse this legislation, but work behind the scenes to get legislation passed with an appropriate conscience clause.** Under this approach, you would take no formal position at the time of introduction, but advise the pro-choice community that we will provide technical and strategic support to pass this bill on Capitol Hill. Such an approach will allow you to avoid criticism of being insensitive to insurance mandate cost concerns (before it becomes clear the bill has a chance of moving) and also allow us to develop a workable conscience clause compromise with the Congress and the groups.

*Agency and White House Positions on These Options.* DPC and the Women's Office supports option one. Although strongly believing that the pro-choice community is making a significant strategic error by not including a conscience clause provision in the bill at the time of introduction, these offices believe it is not worth losing out an opportunity to positively respond to the women's community request for your support on their number one policy priority. The Treasury Department believes option two is a much preferable alternative because it does not get us on the record on another insurance mandate until and unless it is necessary and advisable to do so. HHS believes the decision on whether to choose option one or two depends on whether you believe you are going to endorse other insurance coverage requirement bills in the near future (like mental health parity); if you are, they would advise against endorsing EPICC because the cumulative impact of doing so will undermine our credibility on the cost/coverage issue.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:13-MAY-1999 21:03:00.00

SUBJECT: ratings on concerts -- a thought

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:

I'm not advocating, I just came upon this:

"Would Ratings Work?: The head of the organization representing the nation's

leading concert promoters said Monday that proposed mandatory ratings systems

for music performances--akin to movie ratings--would be "unworkable" and "unenforceable." "I'm not opposed to anything that would help people decide to

go to concerts if it's something that reassures parents and it's workable," says

Cynthia Wallace, director of the North American Concert Promoters Assn. "I just

can't imagine how it would be enforced. . . . Suppose controversial singer Marilyn Manson says, 'Yeah, I'll do a PG show,' and it turns out to be R, what

are the sanctions?" Ideas for various concert rating systems are being raised by

several state legislators around the nation. Under fire from parents groups and

legislators in the late '80s, the music industry voluntarily adopted a program

affixing warning stickers to recordings with explicit lyrics, though no laws

were enacted restricting sales of such material." [Los Angeles Times, 12/2/97]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: MAWALDMAN@aol.com@INET@LNGTWY ( MAWALDMAN@aol.com@INET@LNGTWY [ UNKNOWN ] )

CREATION DATE/TIME:14-MAY-1999 00:04:41.00

SUBJECT: POSSIBLE DEPARTURE STATEMENT ON GUNS

TO: Loretta M. Ucelli@eop ( Loretta M. Ucelli@eop [ WHO ] )  
READ:UNKNOWN

TO: Lawrence J. Stein@eop ( Lawrence J. Stein@eop [ WHO ] )  
READ:UNKNOWN

TO: Dawn L. Smalls@eop ( Dawn L. Smalls@eop [ WHO ] )  
READ:UNKNOWN

TO: Steve Ricchetti@eop ( Steve Ricchetti@eop [ WHO ] )  
READ:UNKNOWN

TO: Joseph P. Lockhart@eop ( Joseph P. Lockhart@eop [ WHO ] )  
READ:UNKNOWN

TO: Elena Kagan@eop ( Elena Kagan@eop [ OPD ] )  
READ:UNKNOWN

TO: Maria Echaveste@eop ( Maria Echaveste@eop [ WHO ] )  
READ:UNKNOWN

TO: Michael Waldman@eop ( Michael Waldman@eop [ WHO ] )  
READ:UNKNOWN

TO: Jordan Tamagni@eop ( Jordan Tamagni@eop [ WHO ] )  
READ:UNKNOWN

TO: Douglas B. Sosnik@eop ( Douglas B. Sosnik@eop [ WHO ] )  
READ:UNKNOWN

TO: Jeffrey A. Shesol@eop ( Jeffrey A. Shesol@eop [ WHO ] )  
READ:UNKNOWN

TO: Bruce N. Reed@EOP ( Bruce N. Reed@EOP [ OPD ] )  
READ:UNKNOWN

TO: Sara M. Latham@eop ( Sara M. Latham@eop [ WHO ] )  
READ:UNKNOWN

TO: Joshua S. Gottheimer@eop ( Joshua S. Gottheimer@eop [ WHO ] )  
READ:UNKNOWN

TO: Jose Cerda III@eop ( Jose Cerda III@eop [ OPD ] )  
READ:UNKNOWN

TEXT:

Draft 5/13/99 11:15am

Waldman/Shesol/Reed/Kagan

PRESIDENT WILLIAM J. CLINTON  
REMARKS ON SENATE GUN LEGISLATION  
THE WHITE HOUSE

May 14, 1999

It is now clear that the tragedy in Littleton has helped create a broad, common sense consensus that we must act to keep guns out of the hands of criminals and away from our children. The question is whether the Congress will write that national vision into law or seek to block it. Thus far, the answer given by the Senate is not promising.

I am pleased that on Wednesday, a bipartisan majority in the Senate backed two important measures I introduced [two] weeks ago. First, they agreed to ban the import of high capacity ammunition clips that are used to evade the 1994 ban on assault weapons. Second, they agreed to ban juvenile possession of semi-automatic assault rifles and large capacity magazines -- weapons designed only for mayhem. There is no good reason for a child to own an AK-47. And there is no good reason for anyone to use a 15 round ammo clip.

I applaud the Senate for taking these two steps. However, on Wednesday, a narrow Republican majority squandered an important opportunity to close the gun-show loophole through which tens of thousands of guns are sold each year without background checks. Yesterday, I called on the Senate to reconsider this vote. It makes absolutely no sense to let criminals continue to use legitimate gun shows as a convenience store for their weapons.

Today, the Senate will vote again on a measure purporting to address this issue. But the Senate Republican is riddled with high caliber loopholes. It won't stop criminals from buying guns at gun shows. And at the same time, it will let them buy guns at their local pawn shop. That's worse than current law. I simply cannot believe that the Senate is going to make the same mistake twice. So, once again, I call on the Senate to reject this phony proposal and to pass real legislation that prevents criminals from buying guns at gun shows.

This should be a moment for national unity. I was very pleased today to receive a letter from the major gun manufacturers supporting our efforts to pass a real, enforceable, mandatory background checks at gun shows. They recognize that law abiding citizens don't need a gun show loophole; only criminals do.

For six years, America has made strong and steady progress in the fight against crime. We have done so by elevating results over ideology. Today, we have a chance to put aside the partisanship, political divisions, and raw special interest power that has dominated the debate on guns for

so  
long. For the sake of our children, I hope the Senate changes its mind  
and  
takes strong action to keep guns out of the wrong hands.===== ATTACHM  
ATT CREATION TIME/DATE: 0 00:00:00.00

## TEXT:

## RFC-822-headers:

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
id <01JB5ZSM3TCG004RQY@PMDF.EOP.GOV>; Thu, 13 May 1999 23:17:49 EST  
Received: from storm.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)  
with ESMTTP id <01JB5ZSJ8XN4004LFD@PMDF.EOP.GOV>; Thu,  
13 May 1999 23:17:45 -0500 (EST)  
Received: from imo17.mx.aol.com ([198.81.17.7])  
by EOP.GOV (PMDF V5.2-31 #34437) with ESMTTP id <01JB5ZR5N700005ZK@EOP.GOV>;  
Thu, 13 May 1999 23:17:10 -0500 (EST)  
Received: from MAWALDMAN@aol.com (8054) by imo17.mx.aol.com (IMOV20)  
id sKDYa13995; Thu, 13 May 1999 23:16:20 -0400 (EDT)  
X-Mailer: AOL 4.0 for Windows 95 sub 13  
===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 09:09:21.00

SUBJECT: LRM CJB70 - - EDUCATION Fact Sheet on EDUCATION Draft Bill on Elementary a

TO: David J. Rivait ( CN=David J. Rivait/OU=ONDCP/O=EOP [ ONDCP ] )

READ:UNKNOWN

TO: Lisa J. Bruce ( CN=Lisa J. Bruce/OU=ONDCP/O=EOP [ ONDCP ] )

READ:UNKNOWN

TO: tom.herlihy@ost.dot.gov@inet ( tom.herlihy@ost.dot.gov@inet [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Barbara A. Johnson ( CN=Barbara A. Johnson/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

TO: Leslie S. Mustain ( CN=Leslie S. Mustain/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: ocl ( ocl @ ios.doi.gov @ inet [ UNKNOWN ] )

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TO: Howard Dendurent ( CN=Howard Dendurent/OU=OMB/O=EOP@EOP [ OMB ] )

READ:UNKNOWN

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

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

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

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

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

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

TO: Wei-Min C. Wang ( CN=Wei-Min C. Wang/OU=OMB/O=EOP@EOP [ OMB ] )  
READ:UNKNOWN

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

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

TO: lrm@os.dhhs.gov ( lrm@os.dhhs.gov @ inet [ UNKNOWN ] )  
READ:UNKNOWN

TO: dodlrs ( dodlrs @ osdgc.osd.mil @ inet [ UNKNOWN ] )  
READ:UNKNOWN

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

TEXT:

Please provide comments on the attached Fact Sheet by 2:00 p.m.  
Friday, May 14th. Since this bill will be transmitted shortly, this  
deadline is firm.

This material will also be placed on the following website shortly:

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

Use the following identifying information:

username: LRM

password: text

- ESEA Fact Sheet.doc

----- Forwarded by Constance J. Bowers/OMB/EOP on  
05/13/99 10:22 PM -----

LRM ID: CJB70

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

Thursday, May 13, 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 Fact Sheet on EDUCATION Draft Bill on  
Elementary and Secondary Education Act Reauthorization

DEADLINE: 2:00 p.m. Friday, May 14, 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: This draft Fact Sheet will accompany the transmittal of the ESEA draft bill. Since the bill will be transmitted shortly, this deadline is firm. This material will be placed on the following web site shortly.

<http://tabula.ost.dot.gov/ed>  
Use the following identifying information:  
username: LRM  
password: text

## DISTRIBUTION LIST

## AGENCIES:

61-JUSTICE - Jon P. Jennings - (202) 514-2141  
59-INTERIOR - Jane Lyder - (202) 208-4371  
29-DEFENSE - Samuel T. Brick Jr. - (703) 697-1305  
89-Office of National Drug Control Policy - John Carnevale - (202) 395-6736  
52-HEALTH & HUMAN SERVICES - Sondra S. Wallace - (202) 690-7760

## EOP:

Barbara Chow  
Barry White  
Wayne Upshaw  
Leslie S. Mustain  
Wei-Min C. Wang  
Bruce N. Reed  
Elena Kagan  
Jonathan H. Schnur  
Tanya E. Martin  
Bethany Little  
Neera Tanden  
Broderick Johnson  
Jeffrey L. Farrow  
Robert G. Damus  
Rosalyn J. Rettman  
Daniel J. Chenok  
Daniel I. Werfel  
Pamula L. Simms  
Howard Dendurent  
Janet R. Forsgren  
James J. Jukes



## *Educational Excellence for All Children Act of 1999*

### FACT SHEET

The President today sent to the Congress the “Educational Excellence for All Children Act of 1999,” his proposal to reauthorize the Elementary and Secondary Education Act of 1965 (ESEA). This legislation reaffirms the critical role of the Federal Government in working with schools, school districts, and States to promote educational excellence for all children. Every child, every parent, every grandparent, and every taxpayer deserves high quality public schools in their communities.

More specifically, the proposal would build on the 1994 ESEA reauthorization, which established as a core principle the idea that disadvantaged children should achieve to the same challenging academic standards as their more fortunate peers, by helping States, communities, school districts, and teachers get high standards into the classroom.

### Background

In 1994, Congress and the Clinton Administration began the transformation of the Federal role in education by passing the Improving America’s Schools Act, which reauthorized the ESEA, and the Goals 2000: Educate America Act, which supported State and local school reform efforts based on challenging academic standards and assessments linked to those standards. Prior to 1994, our education system had for too long condoned low expectations and low standards for poor children, and Federal programs often reflected those expectations. The 1994 laws established the clear expectation that all children—including disadvantaged and minority children—can and should reach high standards.

The two laws were built on the principle that students and schools rise to the expectations and standards we set for them. Therefore, Federal resources were focused on helping States to develop and implement challenging State standards for all children and to use those standards to improve learning through a coherent and aligned system of curricula and assessments.

The 1994 laws complemented and accelerated reforms already underway in many States and school districts, while providing a catalyst for change in States that had not yet begun setting high academic standards. In fact, in a recent study by the General Accounting Office, many States reported that Goals 2000 has been a significant factor in promoting their education reform efforts. Similarly, according to the National Assessment of Title I, about half of poor school districts across the Nation report that Title I is “driving standards-based reform in the district as a whole.” With 48 States, Puerto Rico, and the District of Columbia having completed the development of State content standards for all children, it is clear that higher standards are taking hold nationwide.

More importantly, there is strong evidence that where States have implemented standards-based reform over a period of time—together with accountability mechanisms linked to those standards—students have benefited. For example, North Carolina and Texas made greater gains in math and reading on the National Assessment of Educational Progress (NAEP) than any other

State between 1992 and 1996. Texas also showed significant progress in closing the achievement gap between minority and white students. A recent study by RAND researchers concluded that the most plausible explanation for these gains is the effort by both States to align their systems of standards, curriculum, and assessments, and to hold schools accountable for the improvement of all students.

In developing its 1999 ESEA reauthorization proposal, the Administration drew on the experience of implementing the 1994 Act, efforts to measure program performance under the Government Performance and Results Act, and a review of Congressionally mandated evaluations of Title I and other programs. These efforts also were informed and enriched by conversations with hundreds of teachers, principals, parents, community activists, and State and local officials nationwide. Four themes emerged again and again during this process, and these same themes are found throughout the Educational Excellence for All Children Act of 1999: (1) a firm commitment to high standards in every classroom, (2) improving teacher and principal quality to ensure quality instruction for all children, (3) strengthening accountability for results coupled with flexibility, and, (4) ensuring safe, healthy, disciplined, and drug-free school environments where all children feel connected, motivated, and challenged to learn and where parents are welcomed and involved.

### High Standards in Every Classroom

The next step in education improvement is to take the high standards set at the Statehouse and move them to schools and classrooms. The Educational Excellence for All Children Act of 1999 renews the Federal commitment to high standards for all children and promotes this next stage of standards-based reform by helping States, districts, schools, and teachers use challenging State standards to guide classroom instruction and student assessment. The bill also supports high standards by helping children to read well and by providing extra resources to help all students succeed. The proposal would:

- Raise student performance by increasing academic standards. The proposal would support implementation of challenging standards and aligned assessments in every State. Title I of the ESEA would continue to focus on high expectations for all children, retaining the current statutory requirement that States establish content standards, student performance standards, and assessments aligned with the standards by the 2000-01 school year. Title II includes a specific authorization to help States and school districts align instruction, curriculum, assessments, and professional development to challenging academic standards.
- Implement continuous improvement and accountability based on challenging standards. States will hold all school districts accountable, and school districts will hold schools accountable, for continuous and substantial gains in overall student performance and in the performance of the lowest-performing students.
- Provide teachers with up-to-date training and support through a new Teaching to High Standards initiative. States have made great strides in developing standards, but only 36 percent of teachers report that they feel very well prepared to teach to high standards. The

Teaching to High Standards initiative would help schools and school districts give teachers the tools and training they need to help students reach high standards.

- Put useful technology into schools and classrooms to help teachers teach to high standards. The Technology for Education initiative would help teachers, particularly in high-poverty districts, use technology to better teach students to challenging State standards, for instance by using distance learning to get challenging subject matter into all classrooms.
- Strengthen the teaching of reading and reduce class size. The bill would continue the Class-Size Reduction initiative, which seeks to reduce class size in the first through third grades to a nationwide average of 18 students, to ensure that all students receive the individual attention they need to read well and independently by the end of the third grade. It would continue the Reading Excellence Act, which focuses on professional development, extended learning time, and family literacy. Improvements in the Even Start family literacy program would increase the intensity and quality of family literacy services, while a new initiative in Title II would provide professional development for early childhood educators.
- Emphasize math and science education by earmarking the first \$300 million of the Teaching to High Standards grants under Title II for professional development in those subjects. In particular, these funds would help States and school districts take full advantage of new research and curricular materials aimed at improving the teaching and learning of mathematics. The bill also would reauthorize the Eisenhower National Clearinghouse for Mathematics and Science Education and the Eisenhower Regional Mathematics and Science Education Consortia.
- Improve foreign language instruction by setting a national goal that 25 percent of all public elementary schools offer high-quality, standards-based foreign language programs by the year 2005, rising to 50 percent by 2010. The bill would help States and districts meet this goal by supporting the development of foreign language standards and assessments, expanding the pool of elementary school foreign language teachers through improved recruitment and professional development efforts, and encouraging the use of educational technology in foreign language instruction.
- Focus on promoting equity, excellence, and public school choice options for all students. Recognizing that no one school or program can meet the unique needs of every student, public school choice provides students with the flexibility to choose among public schools and programs that differ with respect to educational settings, pedagogy, and academic emphasis. Title V will support programs that can enhance options for students and parents, including the Magnet Schools Program, the Public Charter Schools Program, and a new authority that will fund innovative options for public school choice.

### Strengthen Teacher and Principal Quality

Qualified teachers are critical to improving student achievement, yet too many teachers are not provided with on-going high-quality professional development to help them improve and build

on their teaching skills. In addition, many teachers leave the profession in their first three years, and far too many teachers are teaching in a field in which they were not trained. In Title I schools, an increasing number of unqualified teacher aides are providing direct instruction without supervision by a certified teacher. To address these problems and help ensure that every child in America has a talented and dedicated teacher who is prepared to help all children reach high standards, the President's bill would:

- Help teachers teach to high standards. The Title II Teaching to High Standards initiative would support State and local efforts to: (1) help teachers and principals align curricula and assessments with challenging State and local content standards; (2) provide teachers with sustained and intensive high-quality professional development in core academic content areas; (3) support new teachers during their first three years in the classroom; and, (4) help ensure that all teachers are proficient in content knowledge and teaching skills. This new initiative takes the place of and incorporates the most successful elements of three current State grant programs: Goals 2000, Eisenhower Professional Development, and Title VI Innovative Education Program Strategies.
- Expand recruitment and retention efforts to help meet the need for 2.2 million new teachers over the next decade. The Teaching to High Standards initiative would support State and local efforts to recruit and retain high-quality teachers in high-need areas. These efforts would include, for example, the creation of a national job bank and encouraging portability of licensure and other teaching credentials. The Teaching to High Standards initiative also would include a priority for school districts that support teachers in their first three years of teaching, a period when many good teachers leave the classroom. The Transition to Teaching initiative would expand the existing Troops to Teachers program to help non-military (as well as military) mid-career professionals become teachers, particularly in high-poverty school districts and high-need subject areas.
- Require certification for new teachers in Title I schools. Our proposal would require all new teachers in programs supported with Title I funds to be fully certified in the subject they teach. Two years after enactment of the bill, paraprofessionals with less than two years of college would be limited to non-instructional duties, while those with two or more years of college could provide instructional support and tutoring only under the supervision of a certified teacher. A new set-aside for professional development in Title I would help create a career-long professional learning environment for teachers in Title I schools.
- Strengthen the State teacher certification process. States would be required to ensure that, within four years, at least 95 percent of their teachers are either (1) fully certified, (2) working toward full certification through an alternative route, or (3) fully certified in another State and working toward meeting any State-specific requirements. States will also be required to ensure that at least 95 percent of secondary school teachers have academic training or demonstrated competence in the subject area in which they teach.
- Help future teachers use advanced technology to improve classroom instruction. The Technology Literacy Challenge Fund would support sustained and intensive high quality

professional development in school districts to increase teacher capacity to create improved learning environments through the integration of technology into instruction. The Preparing Tomorrow's Teachers to Use Technology initiative would support consortia of public and private entities to train new teachers to use technology to prepare students to achieve to challenging State and local standards.

- Train early childhood educators to prepare disadvantaged students for school. This Title II proposal would provide grants to partnerships of professional development providers, community-based early childhood programs, and school districts to provide high-quality professional development to early childhood providers. The emphasis would be on research-based approaches to professional development in language acquisition, literacy, and reading development.
- Train classroom teachers to teach students with limited English proficiency (LEP). Because LEP students are found in more and more classrooms, the reauthorized Title VII Bilingual Education program would support teacher education programs that develop the ability of regular classroom teachers to teach LEP students.

### Strengthen Accountability for Student Performance

The 1994 laws provided States and districts with increased flexibility to coordinate, modify, and combine program funding and activities in exchange for greater accountability for improved educational achievement. States, districts, and schools have begun to take advantage of this increased flexibility, but too often without the necessary implementation of effective accountability mechanisms. Early research suggests, however, that it is precisely those States with the most comprehensive and effective accountability systems that are making the most progress in increasing expectations and standards for students and schools and improving student achievement.

The President's reauthorization proposal would retain the ESEA flexibility provisions included in the 1994 law, including the expansion of schoolwide programs, consolidation of administrative funds, and waiver procedures for regulatory and statutory provisions that stand in the way of innovative reform efforts. The bill also would retain and update the provisions of the Education Flexibility Act of 1999, which expanded eligibility for ED-Flex authority to all States.

To help ensure that this enhanced flexibility leads to improved student achievement, the President is proposing several new accountability measures:

- Strengthen accountability for districts and schools. Our proposal would encourage States to develop one rigorous accountability system for all schools, including Title I schools, that requires them to make annual, substantial gains in student performance until every student is mastering challenging standards. States will be provided with flexibility by being able to use either a model outlined in the statute or an alternative that is at least as rigorous and effective. States without a single statewide accountability system would be required to develop one for its Title I schools.

- Increase accountability to parents and the public through school report cards. States and school districts receiving ESEA funds would be required to produce and distribute annual report cards for each school, school district, and State. The report cards would include information on student achievement, teacher qualifications, class size, school safety, attendance, and graduation rates. Where appropriate, student achievement data would be broken out by demographic groups to identify any gaps between disadvantaged students and their peers.
- End the traditional practices of social promotion and retention, after a four-year transition period during which States would put in place educational practices targeting students who need additional help to meet State promotion standards. Such practices include early identification and intervention strategies, smaller classes with well-prepared teachers, high-quality professional development, greater family involvement, and extended learning time. Following the transition period, States and districts would require students to meet academic performance standards before being promoted at key transition points (e.g., fourth and eighth grade) or graduating from high school. State policies would use multiple measures, including an assessment valid for these purposes, to determine if a student has met the standards.
- Turn around low-performing schools. School districts would be required to identify publicly the lowest-performing schools that have not improved over two years and to implement interventions and provide technical assistance in these schools. Initial interventions could include implementing extended learning opportunities, proven school reform models, and extensive teacher training. If there is no satisfactory improvement in student performance within three years, districts would be required to take corrective actions, such as reconstituting the school by making wholesale staff changes or closing the school down entirely and reopening it with new staff or as a charter school. States would be required to reserve 2.5 percent of their Title I LEA Grant funds (increasing to 3.5 percent in fiscal year 2003) to support interventions in failing schools, and would provide 70 percent of these funds to school districts to help them turn around low-performing schools.

### Support Safe, Healthy, Disciplined, and Drug-Free Learning Environments

A critical prerequisite for achieving quality and excellence in education is a safe, healthy, disciplined, and drug-free learning environment that provides ample opportunities for each student to make connections with caring adults that support learning and personal development. Notwithstanding the recent tragedy at Columbine High School in Littleton, survey data show that schools continue to be safe places in America's communities. However, similar survey data show that drug and alcohol use remain disturbingly high in middle and high school, discipline appears to be a growing problem, and more and more children are leading lifestyles involving little or no physical exercise.

Parents play a critical role in creating and maintaining a healthy learning environment, and the Educational Excellence for all Children Act of 1999 would retain and strengthen the emphasis on parent involvement first established by the 1994 Act.

The following provisions would support State and local efforts to create safe, healthy, disciplined, and drug-free learning environments in all of our schools:

- Help support and expand the connections between adults and students that are necessary for effective learning and healthy personal development through a Secondary School Reform initiative. This new initiative would provide resources to help transform 5,000 high schools into places where students receive individual attention, are motivated to learn, are provided with challenging courses, and are encouraged to develop and pursue long-term higher education and career goals. Participating schools would serve as models to guide reform in all secondary schools.
- Require every school district and school to have a sound discipline policy. Our proposal will require States to hold school districts and schools accountable for having discipline policies that focus on prevention, are consistent and fair, and are developed with the participation of the school community.
- Emphasize parent involvement policies at the school and district levels and continue implementation of parent-school compacts.
- Improve the Parent Information and Resource Centers by focusing on high-poverty communities, encouraging the use of research-based models for increasing parent involvement, and emphasizing early literacy development.
- Expanding access to information through technology by supporting community technology centers that make online education and training resources available to parents and other community members in high-poverty areas.
- Strengthen the Safe and Drug-Free Schools and Communities Act by concentrating funds on districts which have significant need for drug- and violence-prevention and which are developing and implementing research-based prevention programs of proven effectiveness.
- Create a new School Emergency Response to Violence program (Project SERV) that would provide rapid assistance to school districts that have experienced violence or other trauma that disrupts the learning environment.
- Modify the Gun-Free Schools Act to require an assessment of any student who brings a gun to school to determine if the student poses an imminent threat of harm and, in the case of students who are suspended or expelled from school, provide for appropriate supervision, counseling, and educational services.
- Promote physical fitness and lifelong healthy habits through demonstration projects. Exemplary physical education programs can promote life-long healthy habits, provide

opportunities for students to connect to school, and become an important component of after-school programs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 10:06:32.00

SUBJECT:

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

READ:UNKNOWN .

TEXT:

i'm on my way to ucelli's ofc. see you there. --jeff

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 10:30:48.00

SUBJECT: INS Restructuring Briefing

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

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

READ:UNKNOWN

TEXT:

Doris Meissiner would like to brief senior White House staff and Labor and State Dept. staff on the INS restructuring proposal next Friday, 5/21 preferably at 1:30 pm but is open to other times on that date. The contact person is Meissiner's office is Cathy St. Denis 514-8195.

Other invitees I would recommend are the following or their designate:

- Janet Murguia
- Maria Echavetse
- Michael Deich
- Barbara Chow
- Eric Schwartz
- Micky Ibarra
- Mary Beth Cahill
- Representative from Dept. of Labor and State - I am not sure who but can find out.

Please advise. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 10:48:10.00

SUBJECT: are we likely... .

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

to comment specifically either way on what happens to this Schumer bill on  
Internet sales?

And any new thoughts on the Hatch vote, which just happened?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 12:04:07.00

SUBJECT: AmeriCorps Call

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

TEXT:

Our bi-weekly AmeriCorps Conference Call will be held this coming Monday, May 17th at 4:00pm. Please call 757-2100 code 4129.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 12:33:54.00

SUBJECT: draft radio address 5/14 12:30pm -- please comment to Jeff Shesol ASAP 6-2

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Draft 05/14/99 12:30am

Jeff Shesol

PRESIDENT WILLIAM J. CLINTON  
RADIO ADDRESS ON VIOLENCE AND  
THE ENTERTAINMENT INDUSTRY  
SEATTLE, WASHINGTON  
May 14, 1999

Good morning. In the past few weeks, our nation has been united in grief with the people of Littleton. Today, I want to talk to you about the ways we must unite in action to keep our children safe.

Since that terrible day, people across America have searched their souls and searched for solutions to prevent this kind of tragedy from happening again. And last week, at our White House strategy session on children and violence, representatives of every sector of society agreed on one fundamental fact: making progress requires taking responsibility.

That responsibility begins at home. Parents have a duty to guide children as they grow, staying engaged, staying involved in their lives. The most important influence on a child is a parent.

Here in Washington, we have a responsibility to keep guns out of the hands of criminals and children. There is a broad national consensus on that point -- everywhere, it seems, except the U.S. Senate. Last week, the Senate twice passed a phony proposal instead of a real law that would close the deadly gun show loophole, through which tens of thousands of guns are sold each year without background checks. Even worse, the Senate bill is riddled with new loopholes -- permitting convicted felons to get guns at pawn shops, no questions asked; and making it harder, not easier, for law enforcement to trace guns used in crimes.

If the Senate says it wants to fix the problem, it should fix the problem.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 12:56:05.00

SUBJECT: Passing along Leiberman office request

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

FYI. Leiberman's press guy called to ask that the Senator get some recognition for the work he's done on entertainment and violence.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 14:18:20.00

SUBJECT: new operative paragraph

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

READ:UNKNOWN

TEXT:

Those who say they can do nothing about this are wrong. By changing the way they do business. . . by making programs, CDs, and video games as if their own children were watching. . . members of the entertainment community can make a big difference. Today, I am issuing a challenge to the entire entertainment industry -- to stop showing guns in any ads and previews children might see. Second, I challenge theater owners across America to enforce more strictly the age requirements on the movies they show. No theater owner should turn the other way as a child walks unchaperoned into an R-rated movie. And third, I challenge the movie industry to re-evaluate its ratings system -- specifically, the PG-13 rating, to determine whether it is allowing gratuitous violence in movies viewed by children. Our administration is fighting to do everything we can to protect our children. The entertainment industry should do the same.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 14:22:52.00

SUBJECT: operative paragraph redux

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Those who say they can do nothing about this are wrong. By changing the way they do business. . . by making programs, CDs, and video games as if their own children were watching. . . members of the entertainment community can make a big difference. Today, I am issuing a challenge to the entire entertainment industry -- to stop showing guns in any ads and previews children might see. Second, I challenge theater owners across America to enforce more strictly the age requirements on the movies they show. Theater owners should check IDs, not turn the other way as a child walks unchaperoned into an R-rated movie. And third, I challenge the movie industry to re-evaluate its ratings system -- specifically, the PG-13 rating, to determine whether it is allowing gratuitous violence in movies viewed by children. Our administration is fighting to do everything we can to protect our children. The entertainment industry should do the same.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 14:57:50.00

SUBJECT: final draft -- radio address

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

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

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

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

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

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

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

TEXT:

Final 05/14/99 2:30pm

Jeff Shesol

PRESIDENT WILLIAM J. CLINTON  
RADIO ADDRESS ON VIOLENCE AND  
THE ENTERTAINMENT INDUSTRY  
SEATTLE, WASHINGTON  
May 15, 1999

Good morning. In the past few weeks, ever since that terrible day in Littleton, people across America have searched their souls and searched for solutions to prevent this kind of tragedy from happening again. Last Monday, at our White House strategy session on children and violence, representatives of every sector of society agreed on one fundamental fact: making progress requires taking responsibility.

That responsibility begins at home. Parents have a duty to guide children as they grow, staying engaged, staying involved in their lives. The most important influence on a child is a parent.

Here in Washington, we have a responsibility to keep guns out of the hands of criminals and children. There is a broad national consensus on that point -- everywhere, it seems, except the U.S. Senate. Last week, the Senate twice passed a phony proposal instead of a real law that would

close the deadly gun-show loophole, through which tens of thousands of guns are sold each year without background checks. Even worse, the Senate bill is riddled with new loopholes -- permitting convicted felons to get guns at pawn shops, no questions asked; and making it harder, not easier, for law enforcement to trace guns used in crimes.

If the Senate says it wants to fix the problem, it should fix the problem. It should not make the problem worse. The American people deserve -- and have demanded -- better. They know that law-abiding citizens don't need loopholes in our gun laws. Only criminals do. I strongly hope that in the coming weeks, the Senate will step up to its responsibility and do the right thing by our children.

I have always said that the entertainment industry must also do its part. In 1993, shortly after I became President, I traveled to Hollywood and spoke to members of the community about their responsibility. I said: "You have the capacity to do good -- to help change the way we behave, the way we think of ourselves. . . . Examine what together you might do to help us rebuild the frayed bonds of community, to give children nonviolent ways to resolve their frustrations."8

Today, the entertainment industry is helping parents limit children's exposure to violence -- working with the administration on a voluntary ratings system for television and parental screening for the Internet. But there is still too much violence on our nation's screens, large and small. There are too many creators and purveyors of violence who say there is nothing they can do about it. And there are too many vulnerable children who are steeped in this culture of violence -- becoming desensitized to it and, as studies show, more capable of committing it themselves. By age 18, the typical American will see 40,000 dramatized murders. All in the name of entertainment.

Those who say they can do nothing about this are wrong. By changing the way they do business. . . . by making movies, music, TV programs and video games as if their own children were watching. . . . members of the entertainment industry can make a big difference. And today, I want to issue three specific challenges to the entertainment industry. First, the whole industry should stop showing guns in any ads or previews children might see. Second, I challenge theater owners across America to enforce more strictly the age requirements on the movies they show. Theater owners should check IDs, not turn the other way as a child walks unchaperoned into an R-rated movie. And third, I challenge the movie industry to re-evaluate its entire ratings system -- especially the PG-13 rating, to determine whether it is allowing gratuitous violence in movies viewed by children. Our administration is fighting to do all we can to protect our children. The entertainment industry should do everything in its power, too.

Across America, people are coming together and saying, yes, we can change this culture of violence. I believe that we can -- and that we will -- build in its place a culture of values which we will be proud to pass on to future generations. Thank you.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 15:38:14.00

SUBJECT: California making progress to statewide child support system

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

TEXT:

----- Forwarded by Cynthia A. Rice/OPD/EOP on 05/14/99  
03:39 PM -----

Andrea Kane

05/14/99 03:22:20 PM

Record Type: Record

To: J. Eric Gould/OPD/EOP, Cynthia A. Rice/OPD/EOP, Eugenia  
Chough/OPD/EOP, Michele Ahern/OMB/EOP

cc:

Subject: CA child support

In case you haven't seen this yet (it's in today's HHS clips)

Copyright 1999 Times Mirror Company  
Los Angeles Times May 14, 1999, Friday

SENATE MOVES TO END D.A.S' ROLE IN CHILD SUPPORT BYLINE: GREG KRIKORIAN  
and NICHOLAS RICCARDI, TIMES STAFF WRITERS

In a stunning bipartisan rebuke, the state Senate on Thursday overwhelmingly approved a bill to strip California's district attorneys of their responsibility for collecting child support.

The bill by President Pro Tem John Burton and Sen. Adam Schiff (D-Burbank) to create a new statewide network of child support offices passed 29 to 1 after an emotional speech on the Senate floor in which Burton accused district attorneys of scuttling past reforms.

Calling the current system "a disgrace," Burton argued that if lawmakers treated district attorneys as if they were "a county coroner, tax collector or a county dogcatcher, we would take their responsibilities away from them in a heartbeat."

"As crazy as it sounds," Burton said later, "right now district attorneys are getting extra money for not accomplishing what they're supposed to in collecting child support."

Though it may have the toughest laws in the nation, California is

considered to have one of the worst child support systems, with as much as \$ 8 billion owed to single-parent families. And with 3 million children, most of them on welfare, relying on the program, it affects more children than any state program but public schools.

Critics say a key problem is that district attorneys collect child support at the county level, creating a fragmented network in which it can take months to get money from a debtor parent in one county to a family in another.

But prosecutors, who argue that collections are steadily improving and that they should keep the mammoth program--and the millions of dollars in federal grants that come with it--vowed to fight on to retain jurisdiction.

"It is important to bear in mind that the process is not over," said Larry Brown, executive director of the California District Attorneys Assn.

A spokesman for Los Angeles County Dist. Atty. Gil Garcetti, whose office runs the state's largest and, by most standards, worst child support program, said Garcetti believes prosecutors "can do this job better than anyone else."

Jim Provenza, a lobbyist for the district attorney, added, "But if the state wants to set up a separate county agency, Garcetti will not stand in the way."

As a parallel Assembly bill steamed toward a floor vote, the district attorneys association this week took what it acknowledged was an unprecedented step and hired former Assemblyman Phil Isenberg as lobbyist. Isenberg, who will be paid \$ 8,000 a month plus expenses, is close to Gov. Gray Davis, who has not taken a formal position on the child support bills.

Davis' office did not return a call for comment Thursday, but Democratic leaders say they believe the governor recognizes the problems in the system. Yet some advocates remain wary of the district attorneys' political clout.

"The real work is just beginning," said Leora Gershenzon of the National Center for Youth Law. "The closer we get, the harder the fight is going to be."

But Schiff, the coauthor of the Senate bill, said he believes momentum is on the side of reform.

"I don't underestimate the influence the D.A.s have with the Legislature, but by the same token, I don't underestimate the profound dissatisfaction of the public," Schiff said. "I frankly think those voices are a whole lot louder than the district attorneys, and those are the voices I am listening to and the ones, I believe, the governor will listen to."

Added Nora O'Brien of the Assn. of Children for the Enforcement of Support: "There's more families owed support than there are D.A.s."

#### Low Rate of Collections

The influential California District Attorneys Assn. for years has killed efforts to remove child support from prosecutors' offices. But

after a Times report last year showed how Los Angeles' program was both the state's largest and its worst, failing to collect money nine times out of 10 and annually billing thousands of men erroneously, legislators pledged wide reform.

Those efforts have leapt onto the fast track in Sacramento, as lawmakers have tried to outmaneuver district attorneys and restructure the program to lay the foundation for the state's third stab at building a statewide child support computer.

Two previous efforts to build the federally mandated system failed, with some critics blaming prosecutors for refusing to unify behind a single design. Federal penalties that began accruing this year could reach \$ 4.7 billion, and legislators argue that building a unified computer first requires an overhaul of the state's fragmented child support network.

Burton has been pushing hard for his bill, killing an alternative proposal to keep the program with district attorneys and moving his proposal to the floor Thursday morning with surprising speed.

An Assembly bill by Assemblywoman Sheila Kuehl (D-Santa Monica) that would also strip child support from prosecutors cleared its final committee Wednesday and backers are optimistic that it will pass the lower house next week.

"The bad news for the district attorneys of California is that there is absolutely no support for them keeping the program, except from themselves," Kuehl said.

She added that she believed prosecutors are trying to make an unworkable system work. "It's not just a critique of Gil" Garcetti, she said.

Assembly Speaker Antonio Villaraigosa (D-Los Angeles), who is supporting Kuehl's bill, said Thursday that he believes the differences between the Assembly and Senate bills can be ironed out.

Both bills call for the creation of a state department to oversee child support, and for offices to be established in each county, though it has not been finalized whether those offices would be run by the state or the counties. District attorneys would still prosecute debtor parents who fail to pay support--now a last-ditch collection strategy.

A blizzard of other child support measures, which would do everything from creating a way to appeal a child support billing to making it easier for erroneously billed parents to clear their cases, are also moving through the Legislature. But the restructuring bills have generated the most attention.

On the Senate floor, Burton called the district attorneys' performance in collecting child support "embarrassing and a disgrace," claiming that "they get money for not accomplishing anything."

He was joined by a parade of lawmakers from both parties who heaped criticism on the state's child support program. Although prosecutors have been lobbying aggressively to kill the bill, no speaker defended their performance.

Some even specified their complaints. "Los Angeles County is the biggest disaster," state Sen. Cathie Wright (R-Simi Valley) said.

Ten senators either abstained or skipped the vote, and the only "no" vote was cast by Sen. William Morrow (R-Oceanside), who said he feared the bill could worsen the child support problem by creating a new bureaucracy.

Soon after becoming one of eight Republicans to vote for the bill, GOP floor leader Sen. Ross Johnson (R-Irvine) said that child support is a bipartisan issue.

"I support the district attorneys in a great many areas, but I think there's a sense of frustration," Johnson said. "It's not a Democratic or Republican issue."

Times staff writer Carl Ingram in Sacramento contributed to this story.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 16:07:19.00

SUBJECT: Black Press and Social Promotion

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

CC: Beverly J. Barnes ( CN=Beverly J. Barnes/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:

I talked to Beverly Barnes regarding outreach to black commentators (e.g. Clarence Page, William Raspberry) so that we can give them our side of the social promotion story and try to generate pro-Administration commentaries ASAP. Beverly suggested the possibility of gathering some of them for an informal briefing next Tues or Wed. She also suggested a regional group of reporters as perhaps the most reachable group. She will get in touch with me on Monday morning with a suggested plan and target list. Thanks Beverly.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:00:52.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

There have been numerous studies and surveys showing parents<sup>1</sup>, desires for a content-based ratings system. Such a system would give parents the opportunity to know whether or not to view a movie or television program according to their own values and their own assessment of their kids needs. In fact, a 1996 National PTA survey showed that 80% of parents prefer a ratings system that identifies program content rather than the age group it is intended for. Eighty percent of the parents surveyed also want separate ratings for sex, violence, and language content, not a single summary rating for a show or movie.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:06:21.00

SUBJECT: Complete Weekly Report 5/14

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:

WPC-

2B8JZ|xTimes New Roman (TT)Arial (TT)Times New Roman (TT)XC\ P6QJ2PQ"C\  
6Q2<KLphoenix XP\ P6Q May 15, 1999  
EOPEOP25llwheading 2heading 2C9 XX2PQ XP\ P6Q Default Paragraph FoDe  
fault Paragraph Font

footnote referencefootnote reference

Document MapDocument Map8. XX2PQ XP\ P6Q 2g%lStyle0Style08. XX2PQ XP\ P6Q  
ody Text 2Body Text 2\$

footerX` hp x (# (# (# X` hp x (#page numberpage number

\_!2x` xdd footerX` hp x (# (# page number"page number"X` hp x (# (#

footer (# ` hp x (#\_

Style0 XX2PQ XP\ P6Q

Style0

Style0 XX2PQ XP\ P6Q May 14, 1999

Style0

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed

X` hp x (#` hp x (# Elena Kagan

` hp x (#` hp x (#

SUBJECT: DPC Weekly Report

Crime Juvenile Crime/Guns: As part of its consideration of juvenile crime  
legislation, the Senate voted on a number gunrelated amendments:

hp x (#` hp x (#(1) Gun shows: The Senate narrowly passed two amendm  
ling with gun shows this week. After voting to table the Lautenberg amendm  
to require background checks at all gun shows (5147), the Senate passed a Craig  
amendment establishing a system of voluntary background checks for unlicensed  
sellers at gun shows. After considerable criticism, Republicans tried to stren  
gthen their gun shows amendment the next day by making background checks mandat  
ory for some gun sales at gun shows. However, the Republicans' revised amendme  
nt would remains problematic. Here is why:

hp x (#` hp x (#(a) It continue to exempt some gun sellers or a new  
"special licensees" created by the amendment from mandatory background checks

(b) It would roll back current law to exempt pawnshops from conducting backgrou  
nd checks on redeemed firearms. It is worth noting that person who redeem fire

arms at pawnshops are more than 3 times as likely to be a prohibited purchaser under law.

(c) It would undermine federal law enforcement by not requiring a new class of persons allowed to conduct background checks or "special registrants" to assist law enforcement in tracing firearms, and by not allowing federal law enforcement to require gun show sellers to certify that they are in compliance with state and local gun laws.

(d) It would weaken the Brady Law by requiring background checks at gun shows to take place within a 24-hour period (not a business day). Under the Brady Law, the FBI has up to 3 business days if necessary to clarify arrest records, and it requires additional time in about 20 to 30 percent of the background checks. Thus, a background check conducted Saturday morning at a gun show would have to be completed by Sunday morning, even though the state court officer where many criminal records are kept would be closed.

hp x (#` hp x (#Despite these problems, the Republican gun shows fix y a 4847 vote (with 4 Democrats not voting). This amendment also included \$50 million for enhanced federal firearms prosecutions, increased penalties for criminals who use firearms, a watered down version of juvenile Brady, and an expansion of the Youth Crime Gun Interdiction Initiative.

(2) Assault weapons: The Senate passed versions of two proposals included in the Administration's gun legislation. The Senate passed an Ashcroft amendment to bar juvenile possession of assault rifles and large capacity ammunition clips. Unlike the Administration's proposal, however, the Ashcroft ban contains numerous exemptions that track those for handguns in the Youth Handgun Safety Act (e.g., hunting, ranching, etc.), and it only bans possession through age 18. The Administration's bill would have banned assault weapons and clips in every instance and for all persons under the age of 21. The Senate also passed the Feinstein amendment to bar the importation of all large capacity ammunition magazines.

(3) Internet sales: The Senate voted down a Schumer amendment to require background checks for firearms sold on the Internet.

Body Text 2` hp x (#` hp x (#Although the Senate is expected to resume consideration of the juvenile crime bill and other gun amendments next week, the bill may be taken off the floor if Republicans and Democrats do not reach any agreement on how to limit the number of outstanding amendments.

"Body Text 2"

Crime 1998 FBI Crime Data: On Sunday, the FBI will release the preliminary 1998 Uniform Crime Report, which shows that overall crime fell by 7 percent from 1997. Between 1997 and 1998, both violent and property crime decreased by 7 percent. Violent crime: murder dropped by 8 percent, rape and assault fell by 5 percent each, and robbery fell by 11 percent. Property crime: larcenytheft fell 6 percent, burglary and arson down 7 percent each, and motor vehicle theft declined by 10 percent. Crime decreased in all regions, with the West reporting the largest drops in violent crime (9 percent) and the Midwest reporting the smallest decreases (4 percent). Serious crime fell in cities of all sizes, with large cities (populations from 250,000 to 999,999) and suburban cities (50,000 to 99,999) reporting the largest decreases (8 percent each) and smaller cities with populations of less than 10,000 reporting the smallest decreases (4 percent).

□□

Style0 XX2PQ □□ XP\ P6Q □Tobacco Recoupment:□ As you know, we faced a difficult battle on tobacco recoupment during the conference on the supplemental spending bill. Regardless of our clear opposition to this proposal negotiators accepted a provision in the Senate bill to let states keep all tobacco settlement

funds without any commitment to spend funds to reduce youth smoking. Despite our requests, none of our allies offered a simple alternative along the lines of a proposal we were discussing with Democratic governors ensuring each state has a basic antiyouth smoking program by requiring each state to spend funds equal to a certain percent of their yearly settlement payments on such programs. Senator Specter offered an all or nothing motion to drop the Senate provision altogether, which failed. Later, Representative Obey offered a complicated amendment requiring that 40 percent of the settlement be spent on health care and tobacco prevention, which also failed. We do, however, believe that the major public health groups know how hard we fought to get this provision out. If we are unsuccessful in removing this provision from the final bill, we believe that in any bill signing statement you may want to either 1) voice your continued opposition to this provision and pledge to keep working for federal legislation that ensures every state funds a program to prevent youth smoking; or 2) focus attention on the states, urging them to use their new flexibility to ensure a new generation does not take up smoking, perhaps vowing to seek legislation in the future if states fail to act. XP\ P6Q We may also want to take the opportunity to urge Congress to appropriate \$20 million in your FY 2000 budget for a federal tobacco lawsuit. XP\ P6Q

Style0000Tobacco International: Secretary Shalala is participating in a meeting of the World Health Assembly in Geneva next week, pledging U.S. support for the World Health Organizations plans to develop a framework convention on tobacco control. This convention would establish a multilateral framework to reduce tobacco use worldwide. The framework is expected to take several years to develop and ratify and may be followed by negotiated protocols which would address specific obligations. The State Department has authorized HHS to lead the negotiating team for the framework convention which would include representatives from the State Department and other interested agencies. We will operate an interagency process to coordinate these efforts. You may recall that during last years consideration of the McCain legislation, some members of Congress wanted to include provisions which would have imposed U.S. laws overseas, which the State Department and USTR strongly opposed and which was removed from the bill at our urging.

XP\ P6Q Health Care Fraud and Abuse Update in Florida: On Monday, Senator Graham and Florida State Attorney General Bob Butterworth will join representatives of HHS and DOJ to announce \$2 million for a new multiagency enforcement facility in the state of Florida. The facility will be used to house multidisciplinary case teams to jointly review the reams of records necessary to identify and root out fraud, waste, and abuse in the Medicare program. Notably, for the first time ever, the actuaries have reported a decrease in Medicare spending as a result of our aggressive fraud and abuse prevention activities. Not only have enforcement activities achieved awards and settlements for the program, but our practices are apparently affecting provider behavior in the long run. Since 1993, the Administrations multidisciplinary efforts have saved taxpayers more than \$38 billion, with health care fraud convictions increasing by more than 240 percent, and clearly demonstrates that collaboration between law enforcement officials and health care providers is essential to effective fraud fighting efforts.

Health Care Innovative Nutrition/Lifestyles Demonstration Approved: We have informed Dean Ornish that the Health Care Financing Administration, pending final and expected OMB clearance, will be setting up a Medicare demonstration for his nutrition/lifestyle program. It will be designed exclusively for beneficiaries who have heart disease, which government researchers and the advocates of this program believe would best measure the cost effectiveness of this program. The only remaining issue is determining appropriate reimbursement rates for the program. However, this is not expected to be a major hurdle and the demo should be up and running by late summer.

Health Care Closing Loopholes in the KennedyKassenbaum Health Insurance Portability and Accountability Act (HIPAA): We continue to receive reports that individuals moving from the group to the individual insurance market who are eligible for the HIPAA protections are subject to significant increases in premiums sometimes up to 400 percent of the standard rate. Although this is currently permissible under the statute, it clearly causes significant access problems and certainly undermines the spirit of the law. In order to address this issue, we have been working with HHS, DOL, and Treasury to develop a legislative proposal to limit the premium rates charged to HIPAA eligibles to 150 percent of the standard rate of insurance. Although the insurance industry would no doubt oppose this measure, charging that it will lead to significant premium increases, our actuaries estimate that the increase in premiums will be no more than three to five percent. This legislation would also include provisions to ensure that workers losing their insurance are informed of their rights under HIPAA in enough time to insure that they have the opportunity to enroll in insurance before they lose their eligibility for the HIPAA protections. We are also contemplating administrative actions designed to improve consumers understanding of their rights under HIPAA and how best to access insurance. We have been informed that GAO is likely to be releasing a report on HIPAA implementation and enforcement issues in early June, which validates the need for additional efforts to educate beneficiaries about their rights under HIPAA. If you are interested in pursuing these options, which are expected to have strong consumer support, fill a clear hole in the HIPAA legislation, and receive widespread attention, we may want to contemplate holding an event on this legislation in early June.

Health Care Market Oriented Approaches to Medicare are being Rejected by Insurers and Providers: In 1997, the Administration successfully secured demonstration authority to test market oriented approaches to purchase health care in the Medicare program. Specifically, we were given the authority to engage in competitive bidding for managed care, durable medical equipment, and other limited services provided by the program. Having received this authority, we worked with HHS to set up demonstrations in Florida, Arizona, and Kansas. Ironically, the same industry representatives and members of Congress who frequently critique the program as being inefficient strongly oppose this demonstration authority. In every case, providers have balked and done everything possible to stop these demonstrations, either by lobbying Congress to urge HCFA to delay or withdraw their plans, or through appealing to the courts to block our efforts. Health policy analysts have largely validated our efforts. On Friday, the Wall Street Journal quoted Ira Loss, a leading equities researcher, as saying that Medicare providers are interested in the free market only if it means that the government is getting away from bothering them. But when it comes to the government actually forcing them to compete for business, they are unhappy about it. This development points to the challenge we will have to enacting more nationally oriented competitive purchasing mechanisms as we unveil our Medicare reform proposal.

XP\ P6Q

XP\ P6Q Children and Families Foster Care: On Thursday, Representatives Nancy Johnson (RCT) and Ben Cardin (DMD) introduced legislation to provide enhanced support to the approximately 20,000 young people who age out of the foster care system each year. Like your budget request, the Foster Care Independence Act of 1999 includes significant new investments to provide these young people with access to the health care, skills, and education they need to prepare for life on their own. You issued a statement lauding the bill as an important step forward. Rep. Tom Delay (RTX), a foster parent, has pledged to ensure speedy passage of the legislation, which is expected to clear the House Ways and Means Committee by the end of May. Senators Chafee and Rockefeller are expected to champion this issue in the Senate, and we remain optimistic that we will achieve bipartisan legislation for you to sign this year. XP\ P6Q

□ Immigration □ New Regulations: □ Over the next few weeks, the Department of Justice (DOJ) is expected to promulgate three regulations concerning immigration issues. The Nicaraguan Adjustment and Central American Relief Act of 1997 (NACARA) provided Nicaraguan and Cubans with a right to become lawful permanent residence but did not provide similar benefits to Haitians and other Central Americans including Salvadorans and Guatemalans. In response to this inequity and at the strong urging of the Administration, Congress enacted the Haitian Refugee Immigration Fairness Act of 1998 (HRIFA) to allow certain nationals of Haiti to become lawful permanent residents. On May 11, DOJ issued an interim rule to establish procedures to implement HRIFA. On May 20, DOJ plans to issue the final rule implementing NACARA. This final rule sought to address the inequities created by NACARA for Salvadorans and Guatemalans but DOJ was legally unable to address fully the inequities in this regulation. Consistent with your statements during your recent trip to Central America, we are preparing legislation that would address these inequities. Lastly, DOJ plans to issue a proposed rule to clarify that immigrants who receive Medicaid, Children Health Insurance Program (CHIP), and a variety of other benefits will not face immigration penalties. The Vice President is interested in announcing this proposed regulation later this month.

Style0 XX2PQ □□ XP\ P6Q □ Welfare Transportation Grants: □ Last week the Vice President released the first round of grants funded under your Access to Jobs initiative which was enacted as part of last year's transportation bill. A total of \$71 million will go to 179 urban, suburban and rural communities in 42 states to help welfare recipients and other low-income workers get to where the jobs are. The Indianapolis Public Transit agency received a \$500,000 grant on behalf of a consortium of transportation providers including the organization that employed Elaine Kinslow, the welfare to work success story you praised in last year's State of the Union.

□ Welfare Linking Welfare to Work and Census □ 2000: □ On Friday, the Department of Labor announced the availability of \$20 million in Welfare to Work funds for a competitive project to employ welfare recipients as Census 2000 enumerators and to connect these individuals with permanent jobs once the Census work ends. This collaborative effort between Labor and Commerce builds on the Census Bureau's success in hiring over 4,700 welfare recipients. This initiative will provide approximately 10,000 welfare recipients with well-paying, flexible temporary employment near their homes, while helping to improve the Census count in low-income neighborhoods. We plan to explore announcement opportunities when a grantee is selected this summer.

□ Welfare Guide for Using TANF Funds: □ HHS has released a helpful guide Helping Families Achieve Self-Sufficiency: A Guide on Funding Services for Children and Families Through the TANF Program to illustrate how states may use TANF funds to support working families and address the needs of families with the greatest challenges. We believe that the flexibility provided in the TANF rule you announced on April 10th and the additional examples in this guidance will inspire states and communities to use TANF funds in creative and constructive ways to promote work and responsibility.

Style0 □□

□ Community Empowerment Low Income Housing Tax Credit (LIHTC): □ 279 Members of House of Representatives have now signed on as cosponsors of H.R. 175, the bill to expand the LIHTC. This legislation, which mirrors your proposal, has achieved wide bipartisan support. The companion bill in the Senate, introduced by Senators Mack and Graham, has 45 cosponsors. We expect both bills will have stronger bipartisan support, in terms of cosponsors, than any other tax issue. The Senate and House are expected to take up tax legislation in July. We are working to insure that this bill is included in any final package, including the possibility of getting the proposal included in the Chairmans mark in the Senate. The biggest roadblock remains Chairman Archer of the House Ways and Means Co

mmittee, who tried to sunset the LIHTC in 1995 and last year kept the LIHTC out of the Ways and Means tax bill. However, his opposition may not be as great as in past years.===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:07:07.00

SUBJECT: ED Revised Transmittal Message on ESEA

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:

Attached is the draft transmittal letter for ESEA. I wanted to check in with you and see whether you are comfortable with highlighting the fact that we are phasing in equal treatment for Puerto Rico in the ESEA funding formulas. (ED does not want this in the letter, but Jeff Farrow (IGA) is pushing hard to include the language below).

"My proposal for reauthorizing Title I, for example, would require States to hold districts and schools accountable for student performance against State standards, including helping the lowest-performing students continually improve. The bill also would continue to target Federal elementary and secondary education resources on those students furthest from meeting State and local standards, with a particular emphasis on narrowing the gap in achievement between disadvantaged students and their more fortunate peers. In this regard, my proposal would also phase-in equal treatment of Puerto Rico in ESEA funding formulas, so that poor children in Puerto Rico are treated the same as those in the rest of the country for the purpose of formula allocations."

I am also giving OMB some comments on other portions of the letter e.g., the section on the need for safe, disciplined and drug-free schools focuses on the new high school reform initiative -- before a much shorter description of how we are strengthening the Safe and Drug-Free Schools program.

OMB needs comments back tonight.

----- Forwarded by Tanya E. Martin/OPD/EOP on 05/14/99  
04:51 PM -----

Constance J. Bowers

05/14/99 09:42:54 AM  
Record Type: Record

To: See the distribution list at the bottom of this message  
cc: jack\_kristy @ ed.gov @ inet, Bill\_Cordes @ ed.gov  
Subject: ED Revised Transmittal Message on ESEA

To follow is a revised version of the transmittal message. It has been shortened to conform to the general guidelines for such a document. Please provide any final comments on this document by 2:00 p.m., today, Friday, May 14th. Thanks.

Message Sent

To:

- 
- Leslie S. Mustain/OMB/EOP
  - Wei-Min C. Wang/OMB/EOP
  - Wayne Upshaw/OMB/EOP
  - Barry White/OMB/EOP
  - Barbara Chow/OMB/EOP
  - Jonathan H. Schnur/OPD/EOP
  - Tanya E. Martin/OPD/EOP
  - Bethany Little
  - Broderick Johnson/WHO/EOP
  - Jeffrey L. Farrow/WHO/EOP
  - velma.taylor @ usdoj.gov@inet
  - OPBRE E-Mail - EDITORS
  - James J. Jukes/OMB/EOP
  - Janet R. Forsgren/OMB/EOP
  - tom.herlihy @ ost.dot.gov@inet

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

TEXT:

Unable to convert ARMS\_EXT:[ATTACH.D29]ARMS27035584I.136 to ASCII,  
The following is a HEX DUMP:

FF57504309120000010A0201000000020500000069400000000200002C2B2DAB8FA219DE37CA01  
DE14D34A25E4716F8A471699EF7E19BF1A440E5C402C2B2DAB8877B5B0CF8FADCBFEAEE5690298

TO THE CONGRESS OF THE UNITED STATES:

I am pleased to transmit today for your immediate consideration the "Educational Excellence for All Children Act of 1999," the Administration's proposal for reauthorization of the Elementary and Secondary Education Act of 1965 (ESEA) and other elementary and secondary education programs.

My proposal builds on the positive trends achieved under current law. The Improving America's Schools Act of 1994, which reauthorized the ESEA five years ago, and the Goals 2000: Educate America Act gave States and school districts a framework for integrating Federal resources in support of State and local reforms based on high academic standards. In response, 48 States, the District of Columbia, and Puerto Rico have adopted State-level standards. Recent results of the National Assessment of Educational Progress (NAEP) show improved performance for the economically disadvantaged and other at-risk students who are the primary focus of ESEA programs. NAEP reading scores for nine-year olds in high-poverty schools have improved significantly since 1992, while mathematics achievement has also increased nationally. Students in high-poverty schools and the lowest-performing students—the specific target populations for the ESEA Title I program—have registered gains in both reading and math achievement.

I am encouraged by these positive trends, but educational results for many children remain far below what they should be. My proposal to reauthorize the ESEA is based on four crosscutting themes reflecting both lessons from research and the experience of implementing the 1994 Act.

First, we would continue to focus on high academic standards for all children. The underlying purpose of every program within the ESEA is to help all children reach challenging State and local academic standards. States have largely completed the first stage of standards-based reform by developing content standards for all children. My bill would support the next stage of reform by helping States, districts, schools, and teachers use these standards to guide classroom instruction and assessment.

My proposal for reauthorizing Title I, for example, would require States to hold districts and schools accountable for student performance against State standards, including helping the lowest-performing students continually improve. The bill also would continue to target Federal elementary and secondary education resources on those students furthest from meeting State and local standards, with a particular emphasis on narrowing the gap in achievement between disadvantaged students and their more fortunate peers. *In this regard, my proposal would also phase-in equal treatment of Puerto Rico in ESEA funding formulas, so that poor children in Puerto Rico are treated the same as those in the rest of the country for the purpose of formula allocations.*

Second, my proposal responds to research showing that while qualified teachers are critical to improving student achievement, far too many teachers are not prepared to teach to high

standards. Teacher quality is a particular problem in high-poverty schools, where it is often exacerbated by the use of paraprofessionals in instructional roles.

My bill addresses teacher quality by holding States accountable for stronger enforcement of their own certification and licensure requirements, while at the same time providing substantial support for State and local professional development efforts. The Teaching to High Standards initiative in Title II would help move challenging educational standards into every classroom by providing teachers with sustained and intensive high-quality professional development in core academic subjects, supporting new teachers during their first three years in the classroom, and ensuring that all teachers are proficient in relevant content knowledge and teaching skills.

The Technology for Education initiative under Title III would expand the availability of educational technology as a tool to help teachers implement high standards in the classroom, particularly in high-poverty schools. The bill also would extend, over the next seven years, the Class-Size Reduction initiative, which aims to reduce class sizes in the early grades by helping districts to hire and train 100,000 teachers. And the Title VII Bilingual Education proposal would help ensure that all teachers are well trained to teach limited English proficient students, who are found in more and more classrooms with each passing year.

Third, my bill would increase support for safe, healthy, disciplined, and drug-free learning environments for all students. The recent tragedy at Columbine High School in Littleton, Colorado, reminds us that we must be ever vigilant against the risks of violence and other dangerous behaviors in our schools. Our reauthorization bill includes several measures to help mitigate these risks.

My High School Reform initiative would support innovative reforms to improve student achievement in high schools, such as expanding the connections between adults and students that are necessary for effective learning and healthy personal development. Particularly in our large high schools, students too often feel nameless and faceless due to a lack of regular contact with a caring adult in the school. This new initiative would provide resources to help transform 5,000 high schools into places where students receive individual attention, are motivated to learn, are provided with challenging courses, and are encouraged to develop and pursue long-term educational and career goals.

We would strengthen the Safe and Drug-Free Schools and Communities Act by concentrating funds on districts with the greatest need for drug- and violence-prevention programs, and by emphasizing the use of research-based programs of proven effectiveness. A new School Emergency Response to Violence program would provide rapid assistance to school districts that have experienced violence or other trauma that disrupts the learning environment.

Fourth, in response to clear evidence that standards-based reforms work best when States have strong accountability systems in place, my proposal would encourage each State to establish a single, rigorous accountability system for all schools. The bill also would require States to end social promotion and traditional retention practices, to phase out the use of teachers with emergency certificates and the practice of assigning teachers “out-of-field,” and to implement sound discipline policies in every school. Finally, the bill would give parents an important new accountability tool by requiring State, district, and school-level report cards that will help them evaluate the quality of the schools their children attend.

The Educational Excellence for All Children Act of 1999 provides a solid foundation—based on high standards for all students, high-quality professional development for teachers, safe and disciplined learning environments, and accountability to parents and taxpayers—for raising student achievement and narrowing the achievement gap between disadvantaged students and their more advantaged peers. More importantly, it will help prepare all of our children, and thus the Nation, for the challenges of the 21<sup>st</sup> century. I urge the Congress to take prompt and favorable action on this proposal.

WILLIAM J. CLINTON

THE WHITE HOUSE  
May 19, 1999

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:07:12.00

SUBJECT: Disney

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

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

TEXT:

MAY 14, 16:01 EDT

Disney Pulls Video Games From Park

ANAHEIM, Calif. (AP) □\* Disneyland is pulling the plug on 30 violent video arcade games in the amusement park and two Disney-owned hotels in response to the school massacre in Colorado.

All of the games were to be unplugged by Friday and then removed by a vendor, the park said. Disneyland did not provide a list of titles.

The new policy distinguishes between games in which humans are targets and those that are simple accuracy contests.

``We just don't think there's any place for violent video games at Disneyland,'' park spokesman Ray Gomez said. ``This has probably been under consideration for a while, but the events in April brought it to the forefront of our thinking.''

On April 20, two teen-agers at Columbine High in Littleton, Colo., shot and killed 12 fellow students and a teacher before committing suicide.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:49:40.00

SUBJECT: RLPA

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

READ:UNKNOWN

TEXT:

Were you able to set up a meeting with members of the religious coalition?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:14-MAY-1999 17:55:26.00

SUBJECT: clarification

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

READ:UNKNOWN

TEXT:

I think you know this, but to clarify -- The PTA study was about ratings in general, not just movies. They were asking about tv as well in regards to the content issue, so I don't want to cast the survey as totally about movies. We could just be vague on this point.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

CREATOR: Janet Murguia ( CN=Janet Murguia/OU=WHO/O=EOP [ WHO ] )

CREATION DATE/TIME:14-MAY-1999 19:04:29.00

SUBJECT: Border Patrol/Rep. Reyes

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

READ:UNKNOWN

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

READ:UNKNOWN

CC: Martha Foley ( CN=Martha Foley/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

CC: Mickey Ibarra ( CN=Mickey Ibarra/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

CC: Charles M. Brain ( CN=Charles M. Brain/OU=WHO/O=EOP@EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

Erica R. Morris ( CN=Erica R. Morris/OU=WHO/O=EOP [ WHO ] )

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Congressman Reyes would like to meet with you next week to discuss the Border Patrol funding issue. As you may know, he and 59 other bipartisan Members and Senators signed a letter to the President this week expressing deep disappointment at the lack of compliance with the congressional mandate to increase the Border Patrol by 1,000 agents per year. He's already met with INS and Justice and now wants to meet with the relevant folks at the White House, he specifically mentioned OMB. What do you recommend? Please advise. (I will fax you a copy of the letter in case you haven't seen it).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:15-MAY-1999 13:46:36.00

SUBJECT: AP Story

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

READ:UNKNOWN

TEXT:

Only wish they did this after the radio address...

----- Forwarded by Neera Tanden/WHO/EOP on 05/15/99 01:45  
PM -----

Ruby Shamir

05/14/99 06:38:33 PM

Record Type: Record

To: Neera Tanden/WHO/EOP@EOP

cc:

Subject: AP Story

Disney Pulls Video Games From Park

ANAHEIM, Calif. (AP) -- Disneyland is pulling  
the plug on 30  
and two  
massacre in  
violent video arcade games in the amusement park  
Disney-owned hotels in response to the school  
Colorado.

All of the games were to be unplugged by Friday  
and then  
removed by a vendor, the park said. Disneyland  
did not  
provide a list of titles.

The new policy distinguishes between games in  
which humans  
are targets and those that are simple accuracy  
contests.

``We just don't think there's any place for  
violent video games  
at Disneyland,'' park spokesman Ray Gomez said.  
``This has  
probably been under consideration for a while,  
but the events in

thinking.''  
April brought it to the forefront of our

Littleton,  
teacher before  
On April 20, two teen-agers at Columbine High in  
Colo., shot and killed 12 fellow students and a  
committing suicide.

□#AP-NY-05-14-99 1601EDT