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THE WHITE HOUSE
WASHINGTON

January 23, 1998

THE PRESIDENT HAS SEEN
1-26-98

MEMORANDUM FOR THE PRESIDENT

FROM: Bruce Reed
Elena Kagan

SUBJECT: DPC Weekly Report

1. Crime -- Community Prosecutors Initiative: You are currently scheduled to launch a new community prosecutors initiative at the National Conference of Mayors event on Friday. Your FY 1999 budget request contains \$50 million for a new federal grant program to build on the success of community policing by helping prosecutors' offices join with police departments to make use of community-based crime strategies. Similar to the COPS Program, the new program will use direct grants, awarded on a competitive basis, to increase the number of local prosecutors interacting directly with members of the community ("community prosecutors" or "neighborhood DAs") and to encourage prosecutors to focus on identifying and resolving their community's most critical crime and quality-of-life problems. Some of the cities that already have started to embrace community prosecution include: Portland, Boston, Denver, Chicago, New York, Indianapolis, Kansas City, Milwaukee, Austin, and Washington, D.C.

2. Crime -- Federal Law Enforcement Officers: The Justice Department will release a report on Sunday showing that as of June 1996, the Federal government employed about 74,500 full-time law enforcement officers authorized to make arrests and carry a gun -- a 6 percent increase over the number of officers employed in 1993. The agencies that experienced the largest percentage increases in officers since 1993 include: the Immigration and Naturalization Service (31 percent); Marshals Service (23 percent); Federal Bureau of Prisons (13 percent); and Fish and Wildlife Service (40 percent). In 1996, 14 percent of federal officers were women; 72 percent were white; 13 percent were Hispanic; 12 percent were black; 2 percent were Asian or Pacific Islander; and 1 percent were American Natives.

3. Immigration -- INS Structural Reform: We have nearly completed our review of the Commission on Immigration Reform's proposal to restructure the nation's immigration system. As you recall, the Commission criticized the INS for melding enforcement and service functions and proposed reallocating the INS's responsibilities to the Departments of Justice, State, and Labor. The review team -- DPC, OMB, Counsel's Office, OLA, OVP, and OPL -- generally agree with the Commission's criticism, but disagree with its prescription (as do all the relevant agencies and the major immigrant advocacy groups). The review showed that a greater separation of service from enforcement activities would improve our immigration system, but that this separation should be accomplished by reorganizing the INS, rather than by dispersing its functions throughout the federal government. OMB has drafted an organizational chart that

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would restructure the INS in very fundamental ways, and the INS has contracted with a private consulting firm to provide guidance on how to implement this proposed structure. In the next few weeks, we will meet with key Members of Congress to discuss our tentative conclusions. We have reason to believe that at least some Republicans will approach these discussions in good faith, in a genuine effort to devise a "good government" proposal, rather than to score political points. When we conclude these legislative discussions, we will give you a final recommendation.

4. Education -- NAGB and National Tests: The National Assessment Governing Board (NAGB) met this week to consider changes to the contract awarded last year by the Department of Education to develop national tests in 4th grade reading and 8th grade math. The good news from the meeting is that NAGB is going forward enthusiastically with the process of developing and implementing the test; indeed, a spokesman for Rep. Goodling expressed "concern about statements from NAGB indicating that national testing is a matter of when, not if." The bad news is that NAGB decided to delay initial administration of the tests for one year, until 2001. Some members of NAGB took this action solely for technical reasons, involving the perceived need to hold the first pilot test, the first field test, and the first full-scale administration of the test at the same time of the year (in March). Other members thought that by asserting their independence in this way, they would bolster the long-term prospects for the tests in Congress. A number of our supporters on the Board, including Roy Romer and Norma Paulus (the Oregon state superintendent), attempted to defer consideration of this issue, but could not do so in light of the many testing experts and educators (including Diane Ravitch) who supported the delay.

5. Education -- Goodling and National Tests: Rep. Goodling has scheduled a mark-up on the day after the State of the Union for a bill to prohibit any development or implementation of national reading or math tests after FY 1998 without specific statutory authorization. Secretary Riley has sent a letter to Goodling reminding him of our implicit agreement last fall to postpone further Congressional action on the national tests until the National Academy of Sciences completes several studies this spring. We are also working hard to ensure that members of the Black and Hispanic Caucuses do not support Goodling's effort. We appear to have succeeded in convincing civil rights groups (led by Wade Henderson of the Leadership Conference) to decline to support Goodling's bill. In addition, Secretary Riley and Director Raines will brief members of the Caucuses on Monday on the substantial investment your budget makes (through initiatives on school construction, Education Opportunity Zones, Hispanic education, etc.) in expanding learning opportunities for low-income and minority students.

6. Education -- Republican Senate Education Package: Senate Republicans unveiled a "new" education package on Tuesday, which contains many of the proposals they pursued last year. The package includes: Coverdell's tax-free savings accounts for education; a block grant proposal; a small (\$75 million) voucher demonstration program; a reading initiative similar to the one Goodling pressed last year, with an emphasis on teacher training and assistance to parents,

but no provision for tutoring; an initiative on student and teacher safety; charter school expansion (similar to the House bill you endorsed last year); and authorization for expanded funding of special education.

7. Health -- Children's Coverage: HHS sent a letter yesterday to all state health officials outlining new steps to enroll the millions of children who are currently eligible for, but not enrolled in Medicaid. The letter includes a description of our tobacco-funded budget provisions, as well as a set of new administrative measures that will support states' outreach activities. Members of Congress, Governors, children's advocates, and health providers have responded very positively to this package. The initiative is timely because upcoming reports are likely to indicate that some families are failing to continue their children's Medicaid coverage when they go off welfare, although they are fully entitled to do so. Your new policies will help to ensure continued Medicaid coverage for these children, as well as for the millions of others eligible for but not enrolled in Medicaid. The First Lady may be interested in doing some events in the near future to highlight this issue and the actions we have taken to address it.

8. Health -- Medicare Cancer Clinical Trials: One of the few health care budget policies that we have not yet announced is the Medicare cancer clinical trials proposal. We have worked hard -- and we think successfully -- to design a policy that will gain the support of the cancer advocacy community, but will not impose new burdens on the Medicare Trust Fund. The Vice President is currently scheduled to roll out this initiative in an event with cancer advocates on Thursday.

9. Health -- Medicare Buy-In: Sen. Moynihan asked Sen. Daschle last week whether he could be a primary sponsor of our Medicare buy-in legislation. As you can imagine, support from Moynihan will be very helpful in showing that our proposal is fiscally responsible. *The New York Times* ran an unfortunate article on Tuesday stating that the American Academy of Actuaries has doubts about the proposal's self-financing mechanism. In a meeting with Chris Jennings last week, however, representatives of the Academy distanced themselves from the article. They indicated that although the Academy would not endorse the policy, it would consider making a public statement that the self-financing scheme is viable.

10. Health -- Medicare HMOs: You recently asked us about reports that Medicare HMOs are dropping benefits because of changes in Medicare reimbursement policies. We of course want Medicare HMOs to offer the strongest possible benefit packages, so as to encourage beneficiaries to participate in these plans. We accordingly have asked HHS to review the extent to which HMOs are dropping benefits and the reasons why they are doing so. It is important to note, however, that many policy experts believe that average payments to HMOs are still too high given that they attract relatively healthy individuals; these experts think that HMOs could retain all their benefits under the new reimbursement policies and still make a good profit from Medicare patients. We will know better whether any action is warranted when we have obtained the results of HHS's study.

11. Women's Issues -- Family Planning: Your FY 1999 budget will include a \$15 million increase in Title X funding for family planning services. The First Lady and Vice President held a meeting with leaders of women's and teenage pregnancy groups last week to announce this budget proposal. The audience responded very positively to the announcement.