

*file: Drug*

THE WHITE HOUSE  
WASHINGTON

October 21, 1994

MEMORANDUM TO BILLY WEBSTER

FROM: Carol H. Rasco *CHR*  
SUBJECT: Partnership for a Drug Free America

I would appreciate your help resolving a matter that has been dragging on for some months. James Burke, Chairman of the Partnership for a Drug-Free America, has had numerous meetings with everyone from the President on down to request an event with the Partnership at the White House. Besides the President, he has met with the Leon Panetta, David Gergen and myself, and has worked through Marcia Hale and Ricki Seidman. At every level, he has been given a clear signal of our interest, but has been unable to pin down a date.

Attached please find recent correspondence regarding the Partnership's requests and the proposed event. This reception and presentation would be held for key leaders from the national and local media in order to highlight significant progress and to thank the media for their continued coverage and support. The enclosed material explains that the Partnership plans to report promising results from projects in Miami and New York City demonstrating the importance of media coverage and illustrating some very positive, encouraging and newsworthy results. You should also be aware that the organization is greatly disappointed that the President will not be speaking at the Community Anti-Drug Coalition (CADCA) event on the 29th, to which they feel administration officials had committed.

I understand how busy the schedule is between now and the end of the year. If we cannot do something till next year, we should tell Mr. Burke directly. I also understand that we cannot pin down a date for next year at this time. However, I am reluctant to continue putting them off with indefinite promises, given the visibility of the group and issue, and the level of interest expressed at the White House so far.

Please let me know how you wish to proceed with this request. If you decide that we should commit to the Partnership, my office will be happy to forward a formal scheduling request. Thanks in advance for your help.

## Community Anti-Drug Coalitions of America

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Secretary/Treasurer  
CADCA Youth Advisory Committee

October 14, 1994

Mr. Leon E. Panetta  
Chief of Staff  
The White House  
1600 Pennsylvania Avenue, NW  
Washington, D.C. 20500

Dear Mr. Panetta:

Recently, we received a letter from Ricki Seidman informing us that the President's schedule will not permit him to address our National Leadership Forum V scheduled for Oct 27-29. This came to us after being informed by Dr. Lee Brown and others within ONDCP and HHS that this event was on the President's schedule.

I cannot tell you how disappointed our 2,000 coalition members will be when they learn that the President will not be in attendance. While we are told that President Clinton will be out of town campaigning on those days, I wonder if we could explore the possibility of him addressing our meeting on Saturday, October 29. Our conference is currently scheduled to adjourn at 2:00 p.m. on the 29th.

Mr. Panetta, I cannot emphasize enough what the President's absence will mean to our communities. I have personally supported this President in a variety of ways, but I am finding it increasingly difficult to explain his absence before our community organizations working to reduce substance abuse. While I recognize the President's commitment to support and advocate for policies and programs that are important to the success of our communities, his visibility on this issue is critical to their future work.

I certainly appreciate the fact that the President's schedule requires him to be campaigning for candidates that support his agenda. However, the participants at the Forum are the very individuals who are working daily to advocate and implement his agenda at the local level. In that sense, the Forum is profoundly political.

Our members believe that substance abuse is pervasive in the very issues that are of importance to the President's agenda, including health care reform, welfare reform and crime. President Clinton's presence at the Leadership Forum would give us a platform for not only supporting his long term agenda but actually advocating for it. To be sure, we are committed to working for programs and policies that best reflect our member's concerns. To accomplish this goal, CADCA will continue to

seek ways to partner with this Administration as we did in mobilizing our communities to lobby for the Crime Bill.

I hope that you will be able to assist us by revisiting this decision and working with us to find options in the President's schedule so that he might be able to address our membership.

Thank you for any assistance you can provide.

Sincerely,



James E. Copple  
National Director

cc. Dr. Lee Brown, Director, ONDCP  
Carol Rasco, Assistant to the President, Domestic Policy Council  
Peter Edelman, Counselor to the Secretary, HHS  
Marni Vliet, Chair, CADCA  
Alvah Chapman, Founding Chairman, CADCA  
Jim Burke, Chairman, Partnership for a Drug-Free America



## PARTNERSHIP FOR A DRUG-FREE AMERICA

JAMES E. BURKE  
Chairman

September 30, 1994

Mr. Leon E. Panetta  
White House Chief of Staff  
The White House  
1600 Pennsylvania Avenue, N.W.  
First Floor, West Wing  
Washington, D.C. 20500

Dear Leon:

In reference to my letter of September 14th, it has come to my attention that the Partnership's event with the media cannot be held until after the election which is unfortunate, but I am pleased to learn that the President has been tentatively scheduled to speak at CADCA (Community Anti-Drug Coalitions of America) on Friday, October 28th. This group is terribly important in re-establishing progress against the drug problem.

In looking forward to possible dates for the media event, I would suggest the following in order of priority:

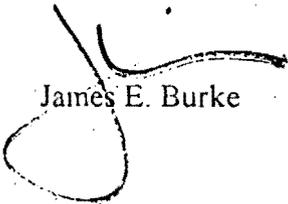
Thursday, November 17th  
Wednesday, November 16th  
Tuesday, November 15th

Quite frankly we have been attempting to schedule this event since February 1st when the President indicated to me that he agreed with our recommendation to meet with the top media people on this important issue. Again, I want to suggest that we ideally need six weeks advance notice to maximize attendance by the media. If it cannot be scheduled on any of these dates it will be impossible to have the event in this calendar year because of the upcoming holidays.

I would also like to take this opportunity to again remind everyone of the importance of the Miami Story (attached) which the President may wish to refer to if he speaks to CADCA and/or has another opportunity to discuss the drug problem.

In addition to copying Carol Rasco and Lee Brown, I am taking the liberty of copying William Webster as it is my understanding that he will be the incoming scheduler at the White House.

Sincerely,

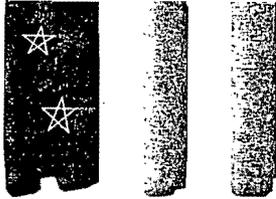


James E. Burke

JEB:dmp  
Attachments/Enclosure

cc: L. Brown  
C. Rasco  
W. Webster

P.S. I know how busy you are but you might find the enclosed 2 minute and 48 second tape by Peter Jennings instructive. It is going to be sent out to thousands of schools and community organizations like those that belong to CADCA with an up-to-date reel of our Public Service Announcements.



## PARTNERSHIP FOR A DRUG-FREE AMERICA

September 7, 1994

JAMES E. BURKE  
Chairman

Mr. Leon E. Panetta  
White House Chief of Staff  
The White House  
1600 Pennsylvania Ave., N.W.  
First Floor, West Wing  
Washington, D.C. 20800

Dear Mr. Panetta:

I have been urging the President to take national leadership of the illicit drug issue, and I have been asking that he do this in several ways. In the interest of making this request more realistic, given the President's schedule, and recognizing the additional rigors of a mid-term election year, I am now narrowing the focus of my request down to the two most important of the events I have been talking about: a Partnership event at the White House to thank the media, and the National Leadership Forum V of the Community Anti-Drug Coalitions of America (CADCA).

1. Partnership Media Event at the White House

This would be a reception and presentation, held at the White House, for key leaders from the national and local media and the top influencers from the entertainment industry. These leaders would be shown the significant progress that has been made and how their support has had a direct and powerful impact on this progress. The highlight of the event would be the President recognizing this contribution and personally thanking these leaders for their involvement. Based on our experience, meeting the President is extremely effective in motivating the media to continue their crucial support of this campaign. This is enhanced by the President's public recognition of the media as one of the nation's most influential drug prevention voices.

We are convinced that the crisis will be resolved at the local level, community by community. Thus, we have become a major participant in the local coalition movement. We will illustrate the benefits of the local tie-in showing how those markets with active coalitions and significant media support are making better progress than those markets which are relatively inactive on the issue. We have a dramatic illustration of this with the story of the Miami Coalition and the strides that have been made there. We will supplement this story with the very recent and startlingly positive results we have achieved with inner city youth in New York City. (See Exhibits I and II).

Both of these stories, coupled with the national progress, are very positive and very newsworthy. Tremendous impact would be added by the President recognizing these results.

2. National Leadership Forum V (October 27-29, 1994)

This Leadership Forum, organized and hosted by CADCA, is the single most important gathering of community coalition leaders in the nation. Currently, there are over 2,500 coalitions which represent the backbone of our prevention efforts and they are a powerful force for finding solutions to a multiplicity of the country's social problems that this Administration understands must be solved by "community" at the local level.

Importantly, this national assemblage represents a highly visible public forum for the President to demonstrate his personal resolve and commitment to tackling the drug issue, head-on, with all the vigor and resources his office can uniquely bring to it.

The President can be quite specific in his remarks in recognizing how much progress can be achieved when the coalitions apply their significant resources against this enormous social problem. He can cite the very heartening and definitive progress made in Miami and can applaud the coalitions' tireless commitment to this effort.

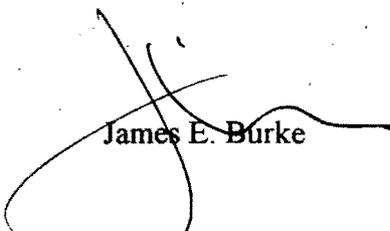
3. Timing

The ideal timing for these two events is to have the PDFFA media event precede the CADCA event by a week or two. Given the established date for the CADCA event (October 28 is the date the President has been invited to speak), this would mean the event at the White House should be held either the week of October 10 or the week of October 17. This is a good time of year to maximize the attendance by the media, assuming we can get sufficient lead time (4-6 weeks) to invite them. Delaying beyond this puts us in the busiest time of year for the television industry -- ratings sweeps month following the new season debut.

CONCLUSION

These two initiatives involve two of the most powerful and effective forces in dealing with the drug issue. They provide the President with a combined, **bipartisan** private/public sector forum to categorically assert his personal leadership and commitment to dealing with this nation's most serious problems by supporting the reduction in use of illegal drugs. And, while the illicit drug problem is too important to politicize, there are very real popular benefits to be derived from visibility and leadership on the issue. Finally, Presidential involvement will pay significant and badly needed dividends to the prevention movement.

Sincerely,

  
James E. Burke

Note: A draft of this recommendation has previously been sent to Dr. Lee Brown, Lloyd Cutler and Jody Greenstone.

file

CAROL RASCO

(FY)

THE WHITE HOUSE  
WASHINGTON

November 29, 1994

MEMORANDUM TO MAGGIE WILLIAMS  
LISA CAPUTO  
OFFICE OF THE FIRST LADY

FROM: Jeremy Ben-Ami *JB*  
Chief of Staff  
Domestic Policy Council

SUBJECT: Domestic Issues Briefing for the First Lady

Carol Rasco asked DPC staff to compile information on the following domestic issues to prepare the First Lady for her panel on Tuesday:

- o Welfare reform
- o Immigration
- o School Prayer
- o Crime
- o Education

The attached information includes, for each issue, general media guidance, specific questions and answers, and additional background briefing material. You will note that on education, little specific information is provided. Bill Galston felt that there were likely to be few "hot" issues in this area, however, he is ready to provide any additional information that you should require this afternoon on any aspect of the Administration's education agenda.

You should note that while these materials draw on Presidential statements and "q and a's" prepared for other purposes, they have not been reviewed by the Press Office in this format.

I hope this material is helpful. In Carol's absence, please feel free to contact me at 6-5584 should you have any questions or need any further information.

# WELFARE REFORM

## Background

Recent questions from the media on welfare reform have focused on the Personal Responsibility Act, the welfare reform bill introduced as part of the House Republicans' Contract with America. The most controversial aspect of the plan has been its proposal to eliminate assistance to unmarried mothers under 18 (21 at state option) and to use the funds to establish, among other things, orphanages. This idea was originally suggested by Charles Murray. Another recent line of inquiry has been whether the Administration supports Nancy Kassebaum's proposed Medicaid/AFDC swap.

## Likely Questions

Likely questions include:

- o What is your reaction to the Republican proposal to end assistance to young unmarried mothers and to use the funds to establish orphanages?
- o Do you believe that the Administration will be able to find a bipartisan consensus on welfare reform, given the conservative nature of the proposal in the Contract with America?
- o Is the Administration planning changes to its welfare reform plan to make passage in the next Congress more likely?

## General Media Guidance

To date, Administration officials have avoided commenting directly on the Personal Responsibility Act, except to echo the President's comments on the possibility of working with the Republicans in a bipartisan way. Instead, we have used inquiries on the subject to stress the basic principles of the Administration's plan: work, responsibility, and reaching the next generation. We are not responding directly to any particular new proposals including Senator Kassebaum's, choosing instead to emphasize our hope that a bipartisan solution can be reached built on shared American values such as work and responsibility.

## Attachments

- o Presidential response at November 9 press conference on health and welfare reform
- o General talking points on the Work and Responsibility Act, the Administration bill introduced in June 1994.
- o Five-page summary of the Work and Responsibility Act.
- o Memorandum from HHS analyzing the Personal Responsibility Act.

Presidential News Conference  
November 9, 1994  
Response on Welfare Reform

Q Mr. President, you talked a moment ago about the role of government. And government's intervention seems to be what a lot of the voters ruled out, voted against. Are you willing to scale back your expectations in areas like health care and welfare reform, or are you going to go in with plans that look like the ones you had this past year and wait for them to compromise, or will you go to them with something less than you had asked before?

THE PRESIDENT: Well, first of all, let me say, if you look at the welfare reform issue -- let's take that first. I sent them a bill last March that is quite similar to one that several Republicans themselves have proposed. I don't think anybody would characterize it as a government intervention bill. It's a bill designed to move people from welfare to work after a certain set time to have tougher child support enforcement, to provide education and training and support for people who go into the workplace so they can know their children are all right.

I think there is over 80 percent support in this country among Americans of both parties, among people of all races and backgrounds for doing something like this. So I think we will get an agreement.

On the health care issue, I will concede that by the time the folks who were characterizing our program had finished with it, and one of your publications said that they thought about \$300 million had been spent in lobbying against the health care reform, it looked like a government program designed to solve the problem by restricting the choices of the American people in injecting the government more into health care. That is not what I want to do, and I will concede this: I have got to find a way to reassure the American people that if they like what they've got, they can keep it.

But let me say, I remain committed to solving the health care problem. Last year another million Americans, almost all of them in working families, lost their health insurance. We have more and more people -- I talk to them all the time when I go out in the country -- small businesspeople and others who have health insurance that is so limited because their co-pays and deductibles are so high that all they've really got insurance against is losing their home if they get sick. So I remain committed to finding a way to keep Americans from losing their health insurance if they change jobs or someone in their family gets sick to controlling the cost increases in health care by market mechanisms, to providing ways for people in small businesses and self-employed people to buy health insurance at the same rates that those of us in government or big employers, working for big employers, can do it.

This is still a problem. And let me say, as the Republicans leaders know -- they've been here working on this budget -- we reduced both defense and domestic spending this year for the first time in 25 years. The only thing that went up this year was the cost of Medicare and Medicaid. So this problem will not go away, and I expect to work with the Congress to address it.

**Welfare Reform Working Group  
Talking Points: OVERALL PLAN  
July 5, 1994**

**"It's time to honor and reward people who work hard and play by the rules. That means ending welfare as we know it--not by punishing the poor or preaching to them, but by empowering Americans to take care of their children and improve their lives. No one who works full-time and has children at home should be poor anymore. No one who can work should be able to stay on welfare forever. We can provide opportunity, demand responsibility, and end welfare as we know it."**

**President Clinton, Putting People First, p. 164.**

**Welfare reform is based on two simple principles: work and responsibility.**

Unfortunately, the current welfare system undermines these values by making welfare more attractive than work, and allowing parents to avoid responsibility for supporting their children. The President's plan would restore the basic values of work and responsibility, provide opportunity, and promote the family.

**Under the President's plan, welfare will be about a paycheck, not a welfare check. To reinforce and reward work, our approach is based on a simple compact. Each recipient will immediately design a personal employability plan designed to move her into the workforce as quickly as possible. Support, job training, and child care will be provided to help people move from dependence to independence. But the first time limits ever imposed on welfare will ensure that anyone who can work, must work--in the private sector if possible, in a subsidized job if necessary.**

**From the very first day, welfare will be a transitional system leading to work. With child care and job search assistance, many people will move into the workforce well before the two-year time limit. And from the very first day, teenage mothers will be required to live with their parents, stay in school, and attend job training or parenting classes. Everyone will be moving toward work.**

**Our approach also correctly focuses on ending welfare for the next generation--teenagers who have the most to gain and the most at risk. By initially focusing our resources on younger recipients, we will send a strong signal to teenagers that welfare as we know it has ended. They must get the message that staying in school, postponing pregnancy, preparing to work, and supporting their children are the right things to do. Welfare reform will include new measures to prevent teen pregnancy, and real incentives to ensure responsibility.**

**To support work and responsibility, work must pay. Already, 70 percent of welfare recipients leave the welfare rolls within two years--but most eventually return. That's why we must use the Earned Income Tax Credit, guaranteed health care at work, and child care to make any job more attractive than welfare. The EITC alone will effectively make a minimum wage job pay \$8.00 an hour, helping to lift millions of people who work out of poverty. The combination of work opportunities, the EITC, health care, child care, and improved child support will make the lives of millions of women and children demonstrably better.**

**To reinforce personal responsibility, the plan will take bold new steps to require full payment of child support. It sets up a new system of paternity establishment to enforce the responsibility of both parents from the moment the child is born. It involves the IRS in tracking delinquent parents from the moment they start a new job to the point that child support is delivered to the family. And it sets up a computer system to be sure that parents don't avoid their responsibilities by crossing state lines.**

**Welfare reform will mean real consequences for people who don't play by the rules. The new system will require mutual responsibility. We will provide recipients with services and work opportunities, but those who refuse to follow the rules will face tough, new sanctions. And attempts to cheat the system will be promptly detected and swiftly punished.**

**Responsibility and accountability must also extend to the welfare office itself. Unfortunately, the current system focuses too often on simply sending out welfare checks. We must change the culture of the welfare office to become a place that is fundamentally about moving people into the workforce. To do that, we must reward performance, not process. That means reducing paperwork and focusing on results.**

**Our approach builds on the successful philosophy of the Family Support Act, championed by then-Governor Clinton and Senator Daniel Patrick Moynihan in 1988. As welfare reform is phased in, a larger percentage of the caseload will be covered by the new rules; and states that want to move even faster will be able to use federal matching funds to do so. And more federal funds will provide increased job-training and development opportunities to older recipients under current guidelines.**

## WELFARE REFORM: WORK

*Under the President's reform plan, welfare will be about a paycheck, not a welfare check. To reinforce and reward work, our approach is based on a simple compact. Each recipient will be required to develop a personal employability plan designed to move her into the workforce as quickly as possible. Support, job training, and child care will be provided to help people move from dependence to independence. But time limits will ensure that anyone who can work, must work--in the private sector if possible, in a temporary subsidized job if necessary. Reform will make welfare a transitional system leading to work.*

*The combination of work opportunities, the Earned Income Tax Credit, health care reform, child care, and improved child support will make the lives of millions of women and children demonstrably better.*

### **Making Welfare a Transition to Work: Building on the JOBS Program**

Created by the Family Support Act of 1988 and championed by then-Governor Clinton, the JOBS program offers education, training, and job placement services--but to few families. Our proposal would expand and improve the current program to include:

- **A personal employability plan.** From the very first day, the new system will focus on making young mothers self-sufficient. Working with a caseworker, each woman will develop an employability plan identifying the education, training, and job placement services needed to move into the workforce. Because 70 percent of welfare recipients already leave the rolls within 24 months, and many applicants are job-ready, most plans will aim for employment well within two years.

- **A two-year time limit.** Time limits will restrict most AFDC recipients to a lifetime maximum of 24 months of cash assistance.

- **Job search first.** Participants who are job-ready will immediately be oriented to the workplace. Anyone offered a job will be required to take it.

- **Integration with mainstream education and training programs.** JOBS will be linked with job training programs offered under the Jobs Training Partnership Act, the new School-to-Work initiative, Pell Grants, and other mainstream programs.

- **Tough sanctions.** Parents who refuse to stay in school, look for work, or attend job training programs will be sanctioned, generally by losing their share of the AFDC grant.

- **Limited exemptions and deferrals.** Our plan will reduce existing exemptions and ensure that from day one, even those who can't work must meet certain expectations. Mothers with disabilities and those caring for disabled children will initially be exempt from the two-year time limit, but will be required to develop employability plans that lead to work. Another exemption allowed under current JOBS rules will be significantly narrowed: mothers of infants will receive only short-term deferrals (12 months for the first child, three months for the second). At state discretion, a very limited number of young mothers completing education programs may receive appropriate extensions.

- **Let states reward work.** Currently, AFDC recipients who work lose benefits dollar-for-dollar, and are penalized for saving money. Our proposal allows states to reinforce work by setting higher earned income and child support disregards. We also help fund demonstration projects to support saving and self-employment.

- **Additional federal funding.** To ease state fiscal constraints and ensure that JOBS really works, our proposal raises the federal match rate and provides additional funding. The federal JOBS match will increase further in states with high unemployment.

### **The WORK Program: Work Not Welfare After Two Years**

The WORK program will enable those without jobs after two years to support their families through subsidized employment. The WORK program emphasizes:

- **Work, not "workfare."** Unlike traditional "workfare," recipients will only be paid for hours worked. Most jobs would pay the minimum wage for between 15 and 35 hours of work per week.
- **Flexible, community-based initiatives.** State governments can design programs appropriate to the local labor market: temporarily placing recipients in subsidized private sector jobs, in public sector positions, or with community organizations.
- **A Transitional Program.** To move people into unsubsidized private sector jobs as quickly as possible, participants will be required to go through extensive job search before entering the WORK program, and after each WORK assignment. No WORK assignment will last more than 12 months. Participants in subsidized jobs will not receive the EITC. Anyone who turns down a private sector job will be removed from the rolls, as will people who repeatedly refuse to make good faith efforts to obtain available jobs.

### **Supporting Working Families: The EITC, Health Reform, Child Care**

To reinforce this central message about the value of work, bold new incentives will make work pay and encourage AFDC recipients to leave welfare.

- **The Earned Income Tax Credit (EITC).** The expanded EITC will lift millions of workers out of poverty. Already enacted by Congress, the EITC will effectively make any minimum wage job pay \$6.00 an hour for a typical family with two children. States will be able to work with the Treasury Department to issue the EITC on a monthly basis.
- **Health care reform.** Universal health care will allow people to leave welfare without worrying about coverage for their families.
- **Child care.** To further encourage young mothers to work, our plan will guarantee child care during education, training, and work programs, and for one year after participants leave welfare for private sector employment. Increased funding for other federal child care programs will bolster more working families just above the poverty line and help them stay off welfare in the first place. Our plan also improves child care quality and ensures parental choice.

## WELFARE REFORM: RESPONSIBILITY

*Our current welfare system often seems at odds with core American values, especially responsibility. Overlapping and uncoordinated programs seem almost to invite waste and abuse. Non-custodial parents frequently provide little or no economic or social support to their children. And the culture of welfare offices often seems to reinforce dependence rather than independence. The President's welfare plan reinforces American values, while recognizing the government's role in helping those who are willing to help themselves.*

*Our proposal includes several provisions aimed at creating a new culture of mutual responsibility. We will provide recipients with services and work opportunities, but implement tough, new requirements in return. These include provisions to promote parental responsibility, ensuring that both parents contribute to their children's well-being. The plan also includes incentives directly tied to the performance of the welfare office; extensive efforts to detect and prevent welfare fraud; sanctions to prevent gaming of the welfare system; and a broad array of incentives that the states can use to encourage responsible behavior.*

### Parental Responsibility

The Administration's plan recognizes that both parents must support their children, and establishes the toughest child support enforcement program ever proposed. In 1990, absent fathers paid only \$14 billion in child support. But if child support orders reflecting current ability to pay were established and enforced, single mothers and their children would have received \$48 billion: money for school, clothing, food, utilities, and child care. As part of a plan to reduce *and* prevent welfare dependency, our plan provides for:

- **Universal paternity establishment.** Hospitals will be required to establish paternity at birth, and each applicant will be required to name and help find her child's father before receiving benefits.
- **Regular awards updating.** Child support payments will increase as fathers' incomes rise.
- **New penalties for those who refuse to pay.** Wage-withholding and suspension of professional, occupational, and drivers' licenses will enforce compliance.
- **A national child support clearinghouse.** Three registries--containing child support awards, new hires, and locating information--will catch parents who try to evade their responsibilities by fleeing across state lines. Centralized state registries will track support payments automatically.
- **State initiatives and demonstration programs.** States will be able to make young parents who fail to meet their obligations work off the child support they owe. Demonstration grants for parenting and access programs--providing mediation, counseling, education, and visitation enforcement--will foster non-custodial parents' ongoing involvement in their children's lives. And child support assurance demonstrations will let interested states give families a measure of economic security even if child support is not collected immediately.
- **State options to encourage responsibility.** States can choose to lift the special eligibility requirements for two-parent families in order to encourage parents to stay together. States will also be allowed to limit additional benefits for children conceived by women on welfare.

## **Accountability for Taxpayers**

To eliminate fraud and ensure that every dollar is used productively, welfare reform will coordinate programs, automate files, and monitor recipients. New fraud control measures include:

- **State tracking systems to help reduce fraud.** States will be required to verify the income, identity, alien status, and Social Security numbers of new applicants and assign national identification numbers.
- **A national public assistance clearinghouse.** Using identification numbers, the clearinghouse will follow people whenever and wherever they use welfare, monitoring compliance with time limits and work. A national "new hire" registry will monitor earnings to check AFDC and EITC eligibility, and identify non-custodial parents who switch jobs or cross state lines to avoid paying child support.
- **Tough sanctions.** Anyone who refuses to follow the rules will face tough new sanctions, and anyone who turns down a job offer will be dropped from the rolls. Cheating the system will be promptly detected and swiftly punished.

## **Performance, Not Process**

The Administration's plan demands greater responsibility of the welfare office itself. Unfortunately, the current system too often focuses on simply sending out welfare checks. Instead, the welfare office must become a place that is fundamentally about helping people earn paychecks as quickly as possible. Our plan offers several provisions to help agencies reduce paperwork and focus on results:

- **Program coordination and simplification.** Conforming AFDC and Food Stamp regulations and simplifying both programs' administrative requirements will reduce paperwork.
- **Electronic Benefits Transfer (EBT).** Under a separate plan developed by Vice President Gore, states will be encouraged to move away from welfare checks and food stamp coupons toward Electronic Benefits Transfer, which provides benefits through a tamper-proof ATM card. EBT systems will reduce welfare and food stamp fraud, and lead to substantial savings in administrative costs.
- **Improved incentives.** Funding incentives and penalties will be directly linked to the performance of states and caseworkers in service provision, job placement, and child support collection.

## WELFARE REFORM: REACHING THE NEXT GENERATION

*Preventing teen pregnancy and out-of-wedlock births is a critical part of welfare reform. Each year, 200,000 teenagers aged 17 and younger have children. Their children are more likely to have serious health problems--and they are much more likely to be poor. Almost 80 percent of the children born to unmarried teenage parents who dropped out of high school now live in poverty. By contrast, only eight percent of the children born to married high school graduates aged 20 or older are poor. Welfare reform will send a clear and unambiguous message to adolescents: you should not become a parent until you are able to provide for and nurture your child. Every young person will know that welfare has changed forever.*

### Preventing Teen Pregnancy

To prevent welfare dependency in the first place, teenagers must get the message that staying in school, postponing pregnancy, and preparing to work are the right things to do. Our prevention approach includes:

- **A national campaign against teen pregnancy.** Emphasizing the importance of delayed sexual activity and responsible parenting, the campaign will bring together local schools, communities, families, and churches.
- **A national clearinghouse on teen pregnancy prevention.** The clearinghouse will provide communities and schools with curricula, models, materials, training, and technical assistance relating to teen pregnancy prevention programs.
- **Mobilization grants and comprehensive demonstrations.** Roughly 1000 middle and high schools in disadvantaged areas will receive grants to develop innovative, ongoing teen pregnancy prevention programs targeted to young men and women. Broader initiatives will seek to change the circumstances in which young people live and the ways that they see themselves, addressing health, education, safety, and economic opportunity.

### Phasing in Young People First

Initial resources are targeted to women born after December 31, 1971. Phasing in the new system will direct limited resources to young, single mothers with the most at risk; send a strong message to teenagers that welfare as we know it has ended; most effectively change the culture of the welfare office to focus on work; and allow states to develop effective service capacity.

### A Clear Message for Teen Parents

Today, minor parents receiving welfare can form independent households; often drop out of high school; and in many respects, are treated as if they were adults. Our plan changes the incentives of welfare to show teenagers that having children is an immense responsibility rather than an easy route to independence.

- **Supports and sanctions.** The two-year limit will not begin until teens reach age 18, but from the very first day, teen parents receiving benefits will be required to stay in school and move toward work. Unmarried minor mothers will be required to identify their child's father and live at home or with a responsible adult, while teen fathers will be held responsible for child support and may be required to work off what they owe. At the same time, caseworkers will offer encouragement and support; assist with living situations; and help teens access services such as parenting classes and child care. Selected older welfare mothers will serve as mentors to at-risk school-age parents. States will also be allowed to use monetary incentives to keep teen parents in school.

## Brief Description and Analysis of the Personal Responsibility Act

The Personal Responsibility Act (or PRA) is the welfare reform bill contained as part of the Republicans' Contract With America. The memo briefly describes its key provisions and gives a preliminary analysis.

It is important to understand that there are major differences between the original House Republican welfare reform plan introduced last year (HR 3500) and the Personal Responsibility Act. Like the Administration's Work and Responsibility Act, HR 3500 built on the Family Support Act of 1988 and required participants to engage in training and placement services for up to two years. It then required them to work if they had not found private sector employment.

In contrast, while the PRA does require work for a portion of the caseload, it does not require people to participate in the education or training services necessary to prepare them for work. Indeed, it removes the requirements and structure of the JOBS program which was the key element of the Family Support Act. The PRA also does not create a "two years and you work" framework or contain any child support enforcement provisions, although there are a limited set of child support enforcement proposals in other parts of the contract. Instead, its focus is simply reducing the welfare caseload, in large part by dramatically limiting eligibility for children born to unmarried mothers and an unconditional cutoff of assistance (including any sort of work opportunity) after five years.

### Section-by-Section Analysis

The Personal Responsibility Act contains the major welfare reform provisions of the Contract With America. It has seven titles as listed below and runs 53 pages:

**I. Reducing Illegitimacy** (16 pages)--This section denies cash aid to all children born to unmarried teenagers under age 18. The child is barred from aid for the entire 18 years of childhood unless the mother marries the father or another man who legally adopts the child. There are no exceptions, even for rape or incest. States have the additional option of permanently denying both cash and housing aid to children born to unmarried mothers who are between the ages of 18 and 20. The federal money saved by this provision is to be returned to the states for use in pregnancy prevention programs, orphanages, or similar programs, but cannot be used for direct support of the children or families. A family cap is required in every state.

The bill also denies cash benefits to children born to mothers of any age for whom paternity has not been established. In other words, even if the mother had cooperated fully in providing information needed to help locate the father, the child would still remain ineligible for cash aid. (The mother could continue to receive her portion of the grant.) Both the mother and child would remain eligible for Medicaid. Just over 50% of children on AFDC are born out-of-wedlock, and in roughly two thirds of these cases, paternity has not been

established. The provision seems to be effective immediately. If so this provision alone appears to render roughly one-third (3 million children) of all children currently on AFDC ineligible for aid.

**II. Requiring Work (8 pages)**--This section requires that a certain percentage of the caseload be required to work at least 35 hours per week (or 30 hours plus 5 hours of job search) rising from 2% initially to 50% after the year 2002. This applies to all persons regardless of the size of the grant they receive or the current state-by-state variation in AFDC benefits. For example, under PRA, some families in Mississippi would be required to work 140 hours for a \$120 monthly grant, plus whatever nutrition assistance was available. The legislation appears unclear as to whether states are required to provide child care either during work or program participation.

All other federal requirements for participation in education and training activities are eliminated, effectively making the JOBS program, which was the core of the Family Support Act of 1988, optional, although states are allowed to impose rules of their own. After 24 months of aid (including at least 12 months of being required to work), states may permanently terminate eligibility. After an absolute maximum of 60 months, states must unconditionally and permanently terminate eligibility. No exceptions are allowed, even for persons suffering from illness or disability, advanced age or responsibility for a disabled child. Families would be cut off after 2 to 5 years even if they are were willing to work for their benefit.

**III. Capping the Aggregate Growth of Welfare Spending (3 pages)**--This section caps the aggregate growth of AFDC, SSI, housing assistance and JOBS. It also reclassifies AFDC and SSI as discretionary rather than entitlement programs; thus benefits would not be guaranteed. The cap is set at current expenditures, plus inflation and the growth in the poverty rate. However, because the expenditures would be discretionary, money would have to be separately appropriated each year. The bill does not specify what happens to persons who are qualified for one of these programs when the cap has been exceeded: there could be an across-the-board benefit cut, or new applicants could be placed on a waiting list. Because these provisions apply to both AFDC and SSI, large numbers of disabled and elderly Americans, as well as young parents, would be affected.

**IV. Restricting Welfare for Aliens (5 pages)**--This provision eliminates the eligibility of most *legal* immigrants for 60 Federal programs including AFDC, SSI, non-emergency Medicaid, foster care, nutrition programs and housing assistance. The provision is retroactive in the sense that current beneficiaries under age 75 would have their current benefits taken away after a one-year grace period. Some exemptions are included, for refugees, for example. We estimate that approximately 1.5 million legal residents would be affected.

**V. Consolidating Food Assistance Programs (15 pages)**--This repeals essentially all food and nutrition programs, including Food Stamps, WIC, school lunch and other programs, replacing them with a \$35.6 billion discretionary appropriation paid out as a block grant with a very limited set of "strings." (It must be spent on "nutrition assistance" for persons who are economically disadvantaged, at least 20 percent must go for school lunch, breakfast, milk, or

similar programs, etc.) It also requires that many recipients of state food aid work. Our preliminary estimate is that this \$35.6 billion figure is 12% less than the aggregate \$40.4 billion projected to be spent on such programs in FY 1996. The distribution formula would also significantly redistribute the current flow of nutrition funds to states, with low AFDC benefit states hit the hardest.

**VI. Expanding Statutory Flexibility of States (5 pages)**--This allows states to convert AFDC into a federal block grant equal to 103% of the 1994 federal expenditures. The only requirement is that the money be used to fund a system of cash payments to needy families with dependent children. No state maintenance of effort is required. It contains numerous other smaller provisions such as an allowance to pay interstate migrants at the old state's benefit level, an allowance to require school attendance of all children, "married couple transition benefits," and microenterprise changes.

**VII. Drug Testing for Welfare Recipients (1 page)**--This requires all persons determined by the state to be addicted to drugs or alcohol to participate in treatment (if available) and be periodically tested for drugs.

#### **Overall Effects**

Results are still preliminary, but initial work suggests the following:

- o Burdens on states would increase dramatically. States could lose at least \$5 billion a year in federal matching funds for AFDC, although states do retain the option of taking a block grant for their current AFDC allotment. In addition, states would be asked to design their own nutrition programs to replace food stamps, WIC, and other existing programs for \$5 billion per year less than is currently provided by the federal government. Close to \$5 billion per year now going to support legal immigrants on SSI, AFDC, and food stamps would be lost. Demands on state child welfare systems are also likely to increase.
- o A major effect of the bill would be to reduce the number of children receiving aid by making them ineligible for benefits. Because of the paternity establishment, teen parent, and unconditional 60 month cutoff provisions of the PRA, millions of children would be dropped from AFDC, whether or not their parents were able or willing to work. While further analysis is needed to determine the effects of the bill over time, nearly a third of children on AFDC appear to be ineligible immediately, and ultimately at least 60% of children would be cut off. Thus 5-6 million children would eventually be affected.

# IMMIGRATION

## Background

Immigration has become one of the most prominent items on the domestic agenda, and journalists are particularly interested in it as a flashpoint for voter anger and potential division between the parties. Issues that are high priority this week include: continued interest in Proposition 187, the status of El Salvadoran refugees, and the status of Cubans and Haitian children at Guantanamo. In addition, efforts have begun to nationalize Proposition 187 and the Commission on Immigration Reform (the "Jordan Commission") received a lot of attention for its recommendation to begin a national computer registry for work authorization.

## Likely Questions

Likely questions include:

- o General inquiries into administration policy toward illegal immigration.
- o What is your reaction to the passage of Proposition 187?
- o What is the Administration doing about Cuban and Haitian children and others with humanitarian claims at Guantanamo and Panama?
- o Is it true that the Salvadorans' immigration status to remain in this country will not be extended at the end of the year?

## General Media Guidance

We try as much as possible to emphasize the positive immigration initiatives undertaken by this Administration. We tend to be put on the defensive on immigration issues and have not gotten credit for the good start that we have made in fighting illegal immigration.

## Attachments

- o Fact Sheet: Progress Implementing Immigration Initiatives
- o Foreword to Accepting the Immigration Challenge -- The President's Report to Congress on Immigration
- o Summary: Accepting the Immigration Challenge -- The President's Report to Congress on Immigration
- o Remarks by INS Commissioner Doris Meissner
- o Statement of Attorney General Reno on the President's Report on Immigration
- o Background Q&A re: Proposition 187

## **Q & As RE: IMMIGRATION**

### **CLINTON INITIATIVES**

**Q:** What is the Administration doing about illegal immigration?

**A:** This Administration has done more than any past Administration. This includes:

#### **1. Strengthening Border Controls**

– We have increased enforcement at the borders. By next fall we will add 1,000 new trained Border Patrol agents.

– We launched 3 successful operations to secure the three most difficult parts of the Southwest border based upon a new deterrence strategy.

Operation Hold-the-Line -- El Paso  
Operation Gatekeeper -- San Diego  
Operation SafeGuard -- Arizona

– We have employed new resources, advanced technology such as night scopes and improved radios, strategically placed fencing, all-terrain vehicles and helicopters.

2. This Administration is the first in history to reimburse States for a share of the costs of incarcerating illegal aliens. We have focused our limited budgetary resources on investments to deter illegal immigration, but if possible, we want to help States more with the costs of illegal aliens.

3. We have significantly improved the process for the quick deportation of criminal aliens immediately after they have served their sentences.

4. We are finalizing asylum reform to prevent fraud and abuse of the asylum system while preserving the humanitarian tradition of this nation toward those legitimately seeking safety from persecution.

5. We are strengthening worksite enforcement to reduce the lure of jobs to illegal immigrants.

There is more to be done and this Administration is committed to taking the steps necessary to successfully deter illegal immigration.

## **PROPOSITION 187**

**Q:** What is your view on Proposition 187?

- A:**
- Begin by acknowledging that its enactment has been enjoined in the courts, which will ultimately have to determine its constitutionality. Also can acknowledge that the federal government must do more to fulfill its responsibility with regard to illegal immigration.
  - The President cited at least five concerns in expressing his opposition to the Proposition:
    1. It is unconstitutional.
    2. It poses dangers to public health (denying immunizations for example).
    3. It runs the risk of increasing crime (putting children out of schools and out onto the streets).
    4. It creates Big Brother -- by turning school administrators, teachers, doctors and nurses into immigration police.
    5. It does nothing to deter illegal immigration.
  - Additionally, you may want to cite your concern about how it will affect children who are here through no fault of their own -- children who will be denied necessary health care such as immunizations or who are tossed out of school and into the streets.

## **CUBA/HAITI**

**Q:** What is the Administration doing about Cuban and Haitian children and others with humanitarian claims at Guantanamo and Panama?

**A:** An initial point: This Administration prevented an uncontrolled boat migration into South Florida similar to what we saw several years ago. Instead, we have established procedures for an orderly and controlled application for entry into the United States through legal immigration in the case of Cuba and removal of the government that the Haitians were fleeing.

For humanitarian reasons, we have begun bringing a small number of Cubans to the United States. They are: unaccompanied children under 17, the elderly over 70 and those with serious medical conditions.

Because the government in Haiti has been removed, we are expecting that most Haitian migrants now at Guantanamo will want to return to Haiti.

**Q:** The Court has said that the policy toward Haitian children is discriminatory? Do you agree?

**A:** We are always concerned about allegations of unfair or unequal treatment. The courts are deciding this issue and I'd prefer to await the outcome of their deliberations.

### **SALVADORANS**

**Q:** Is it true that the Salvadorans' immigration status to remain in this country will not be extended at the end of the year?

**A:** I cannot comment on that except to say that the question of the extension of the Salvadorans' status is being reviewed and the Administration's decision will be announced soon.

**BACKGROUND:** The New York Times reported this past weekend that all Salvadorans may be deported at the end of the year. This is not true. It is expected that the Administration will make an announcement at the end of the week that will end the Salvadorans' temporary protected status, but provide for a transitional period in which they can continue to work and apply for asylum in appropriate cases.

# Fact Sheet

## Progress Implementing Immigration Initiatives

For Further Information, Contact:

Julie Anbender, Department of Justice Public Affairs  
(202) 616-2777

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### Strengthened Border Patrol

*Prevention through deterrence* is the key to strengthening our borders. This strategy concentrates new resources at the most active points of illegal entry, employs new techniques and advanced technology, and provides flexibility to respond to anticipated changes in border crossing patterns. Border integrity requires controlling land crossings and reaching beyond our borders to deter alien smuggling by breaking up organized networks.

- **Operation Hold the Line** has dramatically reduced illegal migrant crossings at El Paso.
- **Operation Gatekeeper**, a strategy specific to securing the San Diego border, is underway.
- **ENFORCE automated system** has reduced by 74% the time spent on processing paperwork at four San Diego Border Patrol stations, allowing agents to spend more time on enforcement activities.
- **Enhanced customer service** is speeding up processing of legal crossings at ports-of-entry.
- **IBIS expansion and upgrades** will increase effectiveness of inspectors and electronically link all agencies involved in admitting immigrants and visitors.
- **\$236 million** appropriated in FY95 will add 700 new Border Patrol agents, 110 immigration inspectors, and state-of-the-art technology for border control.
- **\$675 million Crime Control Act authorization** supports increased border control over the next 4 years.

### Expedite Removal of Criminal Aliens

The best way to reduce the fiscal and social costs of criminal aliens is to prevent them from crossing the border and settling in communities and to remove them from the country once they are arrested, identified, and incarcerated. The Administration's comprehensive approach to the criminal alien problem includes:

- **Removing noncitizen prisoners expeditiously** through the Institutional Hearing Program, deportation of nonviolent criminal aliens by commuting sentences, and returning criminal aliens to Mexico to complete their sentences through the Mexican Transfer Treaty Program;
- **Breaking up and controlling organized crime organizations and gangs** that include noncitizens;
- **Identifying criminal aliens** who have been arrested by state and local police through the Law Enforcement Support Center and expanded information and fingerprint technology;

- **Providing fiscal relief to states** for the cost of incarcerating illegal aliens;
- **Using \$130 million** to reimburse states and **\$54 million** to remove criminal aliens appropriated for FY95;
- **Applying \$1.8 billion Crime Control Act authorization** to support reimbursement to states for costs of incarcerating criminal aliens over the next 6 years; and
- **Employing \$178 million Crime Control Act authorization** to support identification and removal of criminal aliens.

## **Asylum Reform**

In order to establish a fair and timely asylum process, comprehensive asylum reform focuses on streamlining the regulatory system and increasing staffing. Expediting the approval of meritorious claims is the primary objective of these reforms. The asylum reform proposal will:

- **Accelerate the application process** while ensuring fairness;
- **Decouple work authorization and asylum applications** until claims are approved;
- **Double the asylum corps and add immigration judges and legal staff** through **\$49 million** appropriated for FY95 to adjudicate applications and begin addressing the backlog;
- **Control abuse of asylum laws** by investigating unscrupulous immigration counselors who file fraudulent asylum applications, and expanding efforts at overseas deterrence;
- **Remove persons from the country** who are denied asylum and ordered deported; and
- **Increase resources** for the next 5 years as provided in the **\$338 million Crime Control Act** authorization.

## **Reducing the Magnet of Job Opportunities for Illegal Migrants**

Employment is the single most important and pervasive incentive for illegal immigration. Enforcement of labor standards and employer sanctions reduce that incentive and improve opportunities for all authorized workers. The Administration has undertaken the following steps to reduce the job magnet:

- **Simplifying employment verification** by reducing the number of documents required and expanding pilot verification programs using automated systems;
- **Improving the security of work authorization documents** – a joint effort between INS, employers, and the states;
- **Enforcing labor standards** which serves as a meaningful deterrent to illegal migration by denying business advantages that can be gained by exploiting unauthorized workers;
- **Tracking employer sanctions violations** through an automated case tracking system;
- **Protecting the rights of persons authorized to work** by combatting employment discrimination through enhanced efforts of the Office of Special Counsel; and
- **Supporting employer sanctions and anti-discrimination efforts** with **\$11 million** appropriated for FY95.

## Promoting Naturalization and Education

Becoming a citizen is the pathway to greater social and economic integration into America for those who qualify and choose to naturalize. Efforts to promote naturalization also invite current citizens to participate in welcoming new members and working with them to improve our communities.

- **Removing barriers** by reducing application backlogs and encouraging naturalization;
- **Streamlining the application process** through automation and standardization;
- **Establishing alliances with community organizations** to promote citizenship education;
- **Applying \$7.1 million** appropriated for FY95 to provide public information services and reduce waiting times for processing.

## Reinventing the Immigration and Naturalization Service

INS has made substantial progress over the past 18 months in reinventing its organizational structure, procedures, and its cooperative relationships with other agencies.

- **Leadership and Vision** – INS Commissioner Doris Meissner, a recognized authority on immigration matters, is implementing a comprehensive reorganization to ensure professionalism and accountability. Under her leadership, INS is striving to improve public confidence in the Federal Government's ability to admit people according to rules that are fair but firm. In unprecedented fashion, INS has also become a familiar participant at the highest levels of the Administration on broad policy issues related to immigration.
- **Infrastructure** – INS has made major investments in state-of-the-art automation improvements, including award of \$400 million in contracts for computer hardware and software to upgrade and integrate its databases. This technology will multiply the effectiveness of people on the front line who deliver benefits and enforce the immigration law.
- **Customer Service** – INS is moving forward with efforts to improve customer service through enhancement of the Service Centers, improvements to the "Ask Immigration" phone system, and reductions in unnecessary paperwork. Automation investments will significantly improve INS responsiveness on benefit applications.
- **Interagency Coordination** – INS and Customs have undertaken cooperative efforts, including special operations at the land border ports-of-entry, such as the Dedicated Commuter Lane project in California, cross-training and joint performance standards.
- **Signs of Progress** include five Vice Presidential Hammer Awards, INS achievements in the five ongoing immigration initiatives, and the work of INS on several recent international migration emergencies.

# ACCEPTING THE IMMIGRATION CHALLENGE

## The President's Report on Immigration

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### *An Excerpt:*

### Foreword

This Administration inherited a difficult problem—a legacy of more than 3.5 million illegal immigrants, uncontrolled movement across the Southwest border, and growing concern about the State and local fiscal impact of illegal immigration. For 18 months this Administration has worked hard to reverse the course of many years of failed immigration policy. As this report recounts, in this short time—through aggressive and creative new approaches—we have seen demonstrable progress.

Our policy is guided by the principle that we will keep unauthorized aliens out of the United States, welcome legal immigrants, and protect refugees from harm. Our solutions rely on working in partnership with States and communities. We also will expand our efforts to craft joint solutions to migration problems with our international partners.

Our immigration policy is ultimately a test of both our compassion and resolve. In the humanitarian tradition that characterizes the best of America's generous spirit, we welcome those who fear persecution in their homeland and those who come to our country to work hard and play by the rules. But we have and must stand firm against illegal immigration and smugglers who exploit and trade in human hopes and dreams. As I took office, I recognized that we must renew our resolve to control our borders in order to support the continued expression of this Nation's generosity.

While this report therefore focuses on issues involving illegal immigration, we must remember that for every dramatic image of smuggling or a late night rush across the border, there are millions of smaller moments of triumph and celebration when the immigration system works. Go to any airport and you will see quiet drama unfold daily as families reunite, a refugee finally finds safety, or travelers are simply welcomed home. I look forward to reporting in detail about the naturalization and service aspects of our immigration efforts in the future.

Congress has called for a final report, to be completed in 1997, on the impact of the Immigration Act of 1990. As the Commission on Immigration Reform concluded, reliable data are unavailable to support full analysis and proper evaluation of the national impact of this law. This Administration will issue an interim progress report as more reliable data becomes available.

This report was prepared with the help of several agencies within the Executive branch, most notably the Immigration and Naturalization Service (INS). While the report is primarily about the activities of the Department of Justice,

## ACCEPTING THE IMMIGRATION CHALLENGE

Foreword

Page 2

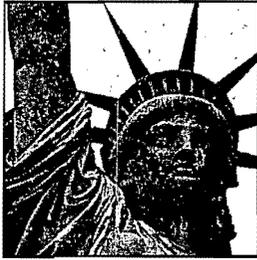
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including the INS, it also suggests the breadth of immigration activities in agencies throughout this Administration. As part of our activities to reinvent government, we have brought unprecedented interagency cooperation to our immigration effort.

This report outlines our progress in transforming guiding principles into good policy. The framework of our activities is a multi-year plan that this Administration announced in the summer of 1993 to protect our borders, remove criminal aliens, reduce work incentives for illegal immigration, stop asylum abuse, reinvent and revitalize INS, and encourage legal immigrants to become naturalized citizens. This comprehensive policy has already begun to show results.

Over 30 years ago, President John F. Kennedy in his book, *A Nation of Immigrants*, reminded us that throughout our history immigrants have made an invaluable contribution to the wealth and well-being of the Nation. As today's public debate about immigration grows increasingly heated and political, we must reject the harsh rhetoric and its underlying anti-immigrant sentiments; we must and we will work together toward positive solutions.

*William J. Clinton*



# Accepting the Immigration Challenge

## The President's Report to Congress

### Summary

The Administration's immigration goal is to stop illegal immigrants, welcome legal immigrants, and protect refugees from harm. In the summer of 1993, the Administration announced the framework for its policy, a multi-year strategy to achieve this goal by: protecting our Nation's borders, removing criminal aliens, reducing work incentives for illegal immigration, stopping asylum abuse, reinventing and revitalizing the Immigration and Naturalization Service (INS), and encouraging legal immigrants to become naturalized citizens. This report recounts the Administration's progress in reversing the course of past failures and of implementing a coherent, comprehensive immigration policy for the future.

### Accepting the Challenge

The Administration inherited serious illegal immigration problems, including 3.5 million illegal aliens residing in the country, uncontrolled movement across the Southwest border, alien smuggling, asylum abuse, and State and local concerns about fiscal impact. The Administration accepted the challenge to tackle these problems with new resources and leadership. Our multi-year Immigration Initiative includes:

- Strengthened border control,
- Stronger worksite enforcement to reduce the lure of jobs to illegal immigrants,
- Expedited deportation of criminal aliens,
- Asylum reform to prevent fraud and abuse of the asylum system,
- Development of an automated criminal alien tracking center,

- Reimbursement to States for a share of the costs of incarcerating aliens, and
- Naturalization and citizenship education.

The Administration will move more quickly and aggressively than previous Administrations to address the immigration problems that confront our Nation.

## **Strengthening the Immigration System**

There are six principles underlying the Administration's immigration strategy. They are:

- Border integrity,
- Enforcement with compassion,
- Personal and community safety,
- Intergovernmental sharing of responsibility,
- Customer service, and
- Public participation.

The Violent Crime Control and Law Enforcement Act of 1994 provides more of the tools that INS needs to do the job and to do it right. It provides significant new resources and enforcement authorities to support the Administration's immigration strategy.

## **Establishing Border Integrity**

Border integrity means establishing a capacity to manage the flow of people and goods across the Nation's frontiers. The Administration's border control strategy, based upon "prevention through deterrence," has been implemented initially through Operation Hold-the-Line in El Paso and Operation Gatekeeper in San Diego, and will soon be extended to Arizona and South Texas. The strategy involves adding Border Patrol agents, strategically placed fencing and lighting, new all terrain vehicles, and infrared scopes and other new technology. For the first time, apprehended illegal aliens will be fingerprinted before they are returned and these fingerprints will be entered into a computerized tracking system.

## **Defending Community Security, Deporting Criminal Aliens**

Illegal aliens who commit crime threaten the security of our communities and impose additional costs. The Administration has initiated successful programs to quickly identify and deport criminal aliens after they have served their sentences. For the first time, the Administration is reimbursing States affected by growing criminal alien problems with a share of incarceration costs (\$130 million appropriated in FY 1995; \$1.8 billion authorized for the next 6 years).

## **Reducing Incentives**

The Administration has moved aggressively to reduce the magnet of job opportunities for potential illegal immigrants. Although the 1986 Immigration Reform and Control Act mandated employers to verify job applicants' employment eligibility, the law has not been effectively enforced. The Administration is increasing enforcement of employer sanctions and worksite wage and hour standards. It is taking steps to ensure that the documents used for work authorization are as fraud-resistant, tamper-proof and cost-effective as possible. The INS is also reducing the number of documents it requires that can establish work authorization by proposing new regulations and legislation.

Administration pilot projects to test verification methods have been successful, and we will significantly expand them. The INS database is being improved for accuracy and reliability.

The Administration is also upgrading anti-discrimination efforts to ensure that those who are legally within our country are not unfairly denied employment and that employment standards are vigorously enforced.

## **Reinventing INS**

The INS has deeply rooted problems that have hindered its ability to fulfill its difficult mission. Following the precepts of the National Performance Review, INS recently initiated sweeping organizational reform to address these longstanding problems and reinvent the agency. New leadership has revised priorities, instituted significant reorganization, committed the agency to customer service, reinvigorated and enhanced the

staff's professionalism, upgraded infrastructure and databases, and improved interagency coordination. These reforms will transform how INS does business, permitting it to address more effectively the immigration challenges it will face in the coming years.

### **Accelerating Asylum Reform**

The humanitarian asylum system has been abused by fraudulent applicants who use the backlogged process to gain admission and employment authorization. The Administration has proposed new regulations to streamline the asylum applications process, reduce the case backlogs, double the number of adjudications staff, remove work authorization as an incentive to abuse the asylum system, and deport fraudulent applicants.

### **Sharing Responsibility**

The Federal Government seeks to create a new partnership with other levels of government, based on the theme of shared responsibility. The Administration commissioned the Urban Institute to study and report on the fiscal impact of undocumented aliens. This Administration has invested significant Federal resources to support programs that mitigate costs of immigration to the States. In just 2 years, this Administration requested \$6 billion in additional funding for States to provide services to immigrants, a 32 percent increase over the prior Administration's budget request.

### **Concluding the Year**

In the first 18 months of this Administration, progress was made toward the fundamental goals of border integrity, effectiveness and compassion in enforcement strategies, and shared responsibility for immigration's costs and benefits. In the next Congress, the Administration will propose new legislation to further deter illegal immigration, improve the system of employment verification, strengthen the enforcement of safety and labor standards, and target and improve services for legal immigrants.

# ACCEPTING THE IMMIGRATION CHALLENGE

## The President's Report on Immigration

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### Remarks By INS Commissioner Doris Meissner In Releasing the President's Report on Immigration In Los Angeles on October 18, 1994

I am very pleased to have the opportunity this morning to announce the release of the President's Report on Immigration. *Accepting the Immigration Challenge* aptly describes this Administration's comprehensive, aggressive approach to an enormously complex subject that reaches deeply into this Nation's fundamental principles of freedom, adherence to law, and respect for the individual.

The report makes clear that, in preserving our proud heritage as a Nation of immigrants, we must say no to illegal immigration, so we can continue to say yes to legal immigration.

This report responds to a requirement of the Immigration Act of 1990 which called for the Commission on Immigration Reform, chaired by Barbara Jordan, and the Administration to submit interim reports of their work to Congress at this time. The Commission's report, released two weeks ago, fully embraces and applauds the work the Administration has launched in accepting the immigration policy challenge.

Immigration has moved quickly to center stage in this Nation. Indeed, I cannot recall a time when the issues have been more numerous or the debate more contentious. We knew that the challenges would be immense when the President and this Administration took office - which is why we developed a comprehensive strategy that has brought significant positive change in less than 18 months.

This report is important because it gives a frank, thorough review of the immigration challenges facing this Nation and describes in detail the strategy and the progress we have made in the short time since taking office in 1993 as the Congress, States, and the people of this Nation have a right to expect. At the same time, the President's Report offers clear direction for future work that will advance the accomplishments we have already achieved.

Prevention through deterrence is the cornerstone of our multi-year strategy to tighten our borders. At the same time that we are curtailing methods for illegal migration into this country, we are moving to facilitate legal entry and promote naturalization for those individuals who are eligible to participate fully in the life of this Nation through citizenship.

In reviewing the Report, it is worth noting the six underlying principles to the Administration's Immigration Initiative. These principles are key to our

## ACCEPTING THE IMMIGRATION CHALLENGE

Remarks by Commissioner Doris Meissner

Page 2

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multi-year approach to addressing the complex challenges today's immigration represents:

- Border integrity,
- Enforcement with compassion,
- Personal and community safety,
- Intergovernmental sharing of responsibility,
- Customer service, and
- Public participation.

In outlining our vigorous application of these principles, the President's Report demonstrates that we are carrying through on our commitment to address problems that were inherited from years of inattention and lack of proper resources devoted to enforcement of immigration laws. We have conducted a rigorous self-assessment of where we are today, reorganized the Immigration Service, and embarked on an initiative for change that already is showing tangible results.

Progress is evident as we press forward in tightening California's southwest border with the recent Operation Gatekeeper at San Diego. Gatekeeper is an enforcement strategy that began with Operation Hold-the-Line that restored control of our border around El Paso, Texas in 1993, but that has been designed to meet the unique characteristics of the California border.

With increased support from the Congress, we have acquired substantial resources such as additional Border Patrol agents, inspectors and adjudicators, and new technology to track and apprehend violators, reduce paperwork, and speed clearance at ports-of-entry that is fully evident here along the southern border.

We are expediting removal of criminal aliens through cooperative programs with the States to facilitate the deportation of criminals as they complete their prison stays.

Ironically, it is the opportunity of this great land that is a kind of double-edged sword for immigration. For it is the magnet of job incentives that draws so many to our borders. Our task is to meet that challenge while facilitating the flow of citizens and legal migrants that help feed the economic engine of this Nation and continue to provide refuge to persons who are persecuted and oppressed. So we are simplifying employment verification, exploring new mechanisms for verifying work authorization, and monitoring employer sanctions violations with an automated case tracking system. We are making needed changes in the asylum process by tightening procedures to curtail abuses while speeding the handling of applicants with legitimate cases.

## ACCEPTING THE IMMIGRATION CHALLENGE

Remarks by Commissioner Doris Meissner

Page 3

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Not to be overlooked in the dialogue over how best to advance this Nation's approach to immigration is the importance of focused efforts on naturalization for all eligible immigrants. We are already seeing substantially large numbers of applications for naturalization over 1993 as we press an outreach program to those who would become U.S. citizens, the final step in the immigration process. Streamlining application procedures, developing pilot projects of cooperative training and education agreements with community-based organizations, and providing naturalization information directly to the public are integral to the balanced program of supporting legal immigration while preventing illegal immigration that the Administration is pursuing.

Much has been done; much work remains. The Administration is exerting thoughtful leadership, energy, and long-term commitment to addressing the public policy and human dimensions that are inherent in immigration. Together with dedicated work by immigration professionals, coordinated effort across all Government agencies concerned with immigration, and continued support of the Congress, the Administration's immigration record is remaking our entire immigration program – including the Immigration Service – to be one that measures up to what the American people deserve.

We can do no less for a Nation that was built and has prospered through the infusion of the talents and hard work of immigrants who continue to contribute immeasurably to the strength of this Nation.

10/18/94

Statement of Attorney General Janet Reno  
On the President's Report on Immigration

The President's Report on Immigration, "Accepting the Immigration Challenge," confirms that energetic and coordinated efforts to combat illegal immigration can succeed. The report outlines what has been accomplished in the last 18 months to preserve legal entry into the U.S. while taking solid steps to stop those who would abuse the system.

The report shows that much has been done to reverse years of rhetoric and neglect. Meaningful increases in border agents, in criminal deportations, and in penalties for smugglers of aliens have been achieved.

We have seen tangible results along the Southwest border thanks to Operation Hold-the-Line in El Paso, and Operation Gatekeeper in San Diego. This week we announced Operation Safeguard in Arizona. We are moving to strengthen border integrity in South Texas. In order to raise the intensity of our enforcement along the borders and at ports-of-entry, we are applying not only additional agents and inspectors, but also support personnel, equipment, and technology. We are overhauling immigration policy, reinventing and reinvigorating the Immigration Service and its enforcement resources, and working to facilitate legal entry to this country and naturalization.

The President's Report is a record of initiative and accomplishment. The public deserves to know that progress has been made and will continue.

###

**Q: What is your position on the California "SOS" immigration initiative on the ballot this November?**

Unfortunately, this Administration inherited a legacy of weak enforcement at the border which permitted thousands of undocumented immigrants to enter the country. Our first priority is to strengthen enforcement at the border, and the INS, at my direction, has been making a very aggressive effort to do that -- with some success, I might add. We have a comprehensive immigration strategy put into action over the past couple years with such initiatives as Operation Hold the Line in El Paso, Operation Gatekeeper in San Diego, asylum reform, and initiatives regarding removal of criminal aliens, among many others. I believe we should focus our limited resources on what works and not waste them on less efficient means of deterring illegal immigrants.

The California Legislative Analysts' Office has estimated that the SOS initiative places at risk about \$15 billion of Federal funds, because the State would be violating various Congressional requirements. And in the specific area of education, the Supreme Court ruled several years ago that no State can deny public education to a child based on immigration status -- even if they are here illegally. The way to lick this problem is enforcement, employment verification, and other things that we are investing in. So, as I told reporters earlier this week, I am opposed to Proposition 187 on constitutional grounds, and also for reasons of public health and safety.

## SCHOOL PRAYER

### Background

The President's remarks in Jakarta, interpreted by some as opening the door to a constitutional amendment on school prayer, sparked a vigorous discussion in the Congress, within the administration, and among the public. Administration representatives placed the President's statement in the context of his record and long-held position on this subject. The President is now focusing on possible moment-of-silence legislation rather than a constitutional amendment.

### Key Points

1. The President is opposed to any constitutional amendment that would foster coercion through publicly sanctioned, teacher or student-led prayer. He has never seen a proposed prayer amendment that passes this test. The latest Republican effort certainly doesn't.

2. The President believes (as he has for many years) that appropriately drafted moment-of-silence legislation should be able to pass constitutional muster.

3. Our longstanding constitutional tradition of church-state separation has helped preserve the astounding diversity and vitality of faith in America. We should vigilantly safeguard this tradition against all attack.

4. We must remember, however, that freedom of religion need not mean freedom from religion. There is a legitimate and important role for religion in our public and civic life.

Attachment: Gearan/Galston/Klein/Sloan memo on school prayer issues

November 16, 1994

**MEMORANDUM TO THE PRESIDENT**

**THROUGH:** Leon Panetta

**FROM:** Mark Gearan, Bill Galston, Joel Klein, and Cliff Sloan

**SUBJECT:** Suggested Action Plan on Prayer Issue

**OVERVIEW**

In the wake of your remarks about the school prayer amendment, we are receiving numerous questions from the press and from interested communities about your stand on school prayer issues. We have tried to develop a strategy based on (1) a desire to do what is best for the free exercise of religion, and (2) the need for a strategy that offers the best chance for warding off the worst case -- adoption of a Constitutional amendment legitimating coercive school prayer.

This memo outlines (1) your statement in Jakarta yesterday; (2) your public record on religious issues; and (3) a suggested strategy for addressing any questions that may arise.

**THE PRESIDENT'S JAKARTA STATEMENT**

In Jakarta, you made the following statement in response to a question about a school prayer amendment:

"Q. President Clinton, one of the other things the Republicans talked about yesterday in [their] press conference was the idea that they would propose a constitutional amendment to restore prayer to public schools. Is that something that you would support? Do you think the country needs that?"

"THE PRESIDENT: Well, what I think the country needs and what I think the schools need is a sense of citizenship, including valuing the right of people to . . . express their faith, which can be advocated without crossing the line of the separation of church and state, and without in any way undermining the fabric of our society. Indeed, the schools, perhaps today more than ever before, need to be the instrument by which we transfer important values of citizenship.

"One of the things that was in the Elementary and Secondary Education Act that I signed, that passed with strong bipartisan support, but was little noticed, was the advocacy of basically the teaching of civic values in the schools.

"Now, on the school prayer thing, I can only tell you what my personal opinion is about that. I have always supported voluntary prayer in the schools. I have always thought

that the question was, when does voluntary prayer really become coercive to people who have different religious views from those that are in the majority in any particular classroom. So that, for example, I personally did not believe that it was coercive to have a prayer at an outdoor sporting event or at a graduation event because I don't believe that is coercive to people who don't participate in it. So I think there is room for that.

"Obviously, I want to reserve judgment. I want to see the specifics. But I think this whole values debate will go forward and will intensify in the next year. And, again, I would say, this ought to be something that unites the American people, not something that divides us. This ought not to be a partisan debate. The American people do not want us to be partisan, but they do want us to proceed in a way that is consistent with their values and that communicates those values to our children.

"So let's just -- I'll be glad to discuss it with them. I want to see what the details are. I certainly wouldn't rule it out. It depends on what it says."

### REACTIONS TO THE JAKARTA STATEMENT

Many are interpreting your Jakarta statement as an abrupt change of position. In fact, as the next section demonstrates, you have repeatedly stressed your support for a moment of silence and your opposition to coercive prayers. You apparently have not previously suggested the possibility of a constitutional amendment, however, and that is leading some to think that you are now ready to consider an amendment that might lead to coercive classroom prayer.

### THE PRESIDENT'S RECORD ON RELIGIOUS ISSUES

\* **Arkansas moment-of-silence legislation:** In 1985, you signed and apparently wrote an Arkansas moment-of-silence bill in response to the Supreme Court's decision in Wallace v. Jaffree. (In that case, the Supreme Court struck down an Alabama statute providing for a moment of silence "or voluntary prayer," but strongly suggested that a simple moment-of-silence statute would be constitutional. Your 1985 Arkansas moment-of-silence statute did not contain any specific reference to "prayer.")

\* **Support for a moment of silence:** You have repeatedly supported a moment of silence:

-- at a Children's Town Meeting on March 19, 1994, you said, "I think it's okay to have moments where people pray in silence. . . . I think that it's okay for schools to permit moments where people can pray on their own if that's what they want to do."

-- at a Town Meeting in Charlotte, North Carolina on April 5, 1994, you said, "[O]ne of the most difficult decisions we've always had to face as a people is how we can have the freedom of religion without pretending that people have to be free from religion. The Congress has tried to come to grips with this in two or

three different ways, and is trying to make it clear, for example, that school facilities could be made available on an equal basis or that people could have brief periods of silent prayer where they're free to pray their own prayers."

\* **Opposition to coercion:** You have repeatedly opposed coercive, mandatory prayer:

-- at a Town Meeting in Charlotte, North Carolina on April 5, 1994, you stated, "I agree with the original Supreme Court decision. Let me tell you what the original Supreme Court decision said, and most Southern Baptists, which I am, agreed with it. The original Supreme Court decision said that the State of New York legislature could not write a prayer which then had to get delivered in every schoolroom in the State of New York every day; in other words, that the Government couldn't write a prayer which then everybody who worked for every school system was obligated to read in school every day. That's all it said. . . . I agree that the Government should not be in the business of requiring people to pray or telling them what prayers to pray."

-- at a Children's Town Meeting on March 19, 1994, you stated, "The reason the Supreme Court made the decision on prayer is that they said that no Government should order people to pray or should say exactly what prayer they should give. And I agree with that. I mean, that's the first amendment. That's what we were founded on."

-- in the Atlanta Journal and Constitution (10/21/92), you were quoted as saying, "A lot of people came to this country so they could have freedom of religious expression, and therefore you can't have a prayer in the schools if its official and if it forces other people who may or may not want to be a part of it to do it. Anybody can pray anywhere they want and any kind of prayer activities has to not coerce other people into doing it."

\* **Opposition to school prayer amendment:** You have previously expressed opposition to a school prayer amendment:

-- on April 24, 1992, the Jewish Exponent quoted you as opposing a constitutional amendment and saying, "States should have no role mandating school prayer."

-- on August 17, 1992, you were quoted as telling a Jewish Press teleconference, "I think there are ways the President can revive religious faith in a country other than trying to pass constitutional amendments on prayer and school."

-- on October 29, 1992, the Jewish Exponent reported that you and Vice-President Gore "have been vocal in their opposition to prayer in public schools."

\* **Criticism of decisions prohibiting prayer at sporting events and graduations:** You have repeatedly criticized judicial decisions prohibiting prayer at open-air school events:

-- on July 23, 1992, the Los Angeles Times reported that you had "questioned the recent Supreme Court decisions preventing prayers even at special events, such as graduations."

-- at a Town Meeting in Charlotte, North Carolina on April 5, 1994, you stated, "Now, it's been carried to such an extent now where they say, some people have said you can't have a prayer at a graduation exercise. I personally didn't agree with that. Why? Because if you're praying at a graduation exercise or a sporting event, it's a big open air thing, and no one's being coerced. I'm just telling you what my personal opinion is. I can't rewrite the Supreme Court decision."

-- at a Children's Town Meeting on March 19, 1994, you stated, "I don't think that prayer at sporting events or graduation is wrong, in my opinion."

\* Vigorous Support for Passage and Enforcement of Religious Freedom Restoration Act: You have provided strong leadership in protecting religious rights -- and the rights of religious minorities -- through RFRA.

\* Support for access to educational facilities by religious groups: You have repeatedly supported school access for religious groups.

## RECOMMENDATIONS

While we have considered several possible options, we recommend putting out a statement that will clarify your position on school prayer: "My record on school prayer is very clear and well-established. I have long supported a moment of silence in schools which could, in the discretion of each individual student, be used for voluntary prayer. I continue to strongly support such a moment of silence and intend to take appropriate actions to make this opportunity available to school children throughout this country. At the same time, I have long opposed any school prayer measure that is coercive and will not support a constitutional amendment that permits any teacher- or student-led prayer in the classroom. Our constitution is built on a sound foundation that separates church and state. The basic foundation should not be eroded."

In addition, whether or not the statement is issued, we believe that our strategy should stress the following points:

o Reminding people of your history of thought, comment and action on the free exercise of religion. These include the moment of silence statute in Arkansas, the Religious Freedom Restoration Act as President, and statements in support of access to school facilities by religious groups, a moment of silence, and prayer at open-air functions such as graduations or sporting events. You are a man of faith, and didn't come to this position as a result of the recent election.

o Pushing the moment of silence to the fore -- a vehicle that best represents your position favoring voluntary actions of faith and commitment while continuing your oft-stated opposition to coercion.

o Considering the best option for advancing the moment of silence through either (1) a federal law or (2) vigorous Administration support for state laws now under constitutional challenge. [*We distinguish -- legally and in terms of the your prior positions - between a moment of silence and teacher-led prayer, which we believe you do not and should not support.*]

o If you do not think that the statement set forth above should be issued, we need to consider the following point:

o Dealing with the "open-door" problem (i.e., the concern expressed by some interested communities that you have opened the door to a constitutional amendment). There are four options under discussion: (1) freezing the constitutional discussion pending a full meeting with you; (2) suggesting that, although you have not believed that a constitutional amendment was necessary, it is clear that there will be an important national debate on this subject and you, as President, intend to be involved in that debate; (3) linking the Constitutional discussion to your repeated support for prayer for open-air ceremonies; or (4) putting the Constitutional discussion in the context of a possible negative Supreme Court response to moment of silence statutes at the state or federal level.

Q Mr. President, there seems to be still some confusion over your position on the constitutional amendment involving prayer in public schools. And today there's some confusion resulting from Secretary Reich's comments, a proposal that he floated that \$111 billion could be cut in subsidies for big corporations as part of your new budget over five years. Your Commerce Secretary says he doesn't know anything about that. What exactly is your position on that proposal and on prayer in public schools?

PRESIDENT CLINTON: Let me answer the second question first, because I think we can dispose of it rather quickly. I have not reviewed the specifics of Secretary Reich's proposal. As I understand it, he was speaking to the Democratic Leadership Council group today and they have what they call a "cut and invest" theory which calls for a complex of further budget cuts phasing out various tax subsidies and then using that money to finance the middle class tax cut as well as further investments in education. Conceptually, it's an attractive idea. I have to have time to review the details in the context of our budget. I have made absolutely no decision about any of the specifics in Secretary Reich's proposal.

Now, with regard to the school prayer amendment, let me

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Presidential Remarks at Kuchma News Conference  
November 22, 1994  
Response on School Prayer

Now, with regard to the school prayer amendment, let me make a few general comments first of all. I want to make it absolutely clear that this is not a political issue with me; it never has been, and it never will be. Secondly, I have a very long record on this issue. I have been coming to grips with it for at least a decade.

The comments I made in Indonesia, I'm afraid -- and those of you who were there with me know we had been on a rather rigorous trip schedule for the last few weeks -- may have been overread. I made a generalized commitment after the election in the press conference that I had and also to all of our people that we would read and review, or listen to, any proposals the Republicans might have before condemning them. We ought to at least listen and we ought to look for ways to work together.

My position on the prayer issue is, I have always supported a moment of silence when I was a Governor; I supported the moment of silence legislation. I do not believe we should have a constitutional amendment to carve out and legalize teacher- or student-led prayer in the classroom. I think that is inherently coercive in a nation with the amount of religious diversity we have

Press RETURN to continue, GOLD MENU for options or EXIT to cancel

coercive in a nation with the amount of religious diversity we have in this country. I think that would be an error.

As I understand it, that is what is being proposed by the Republican Congressman from Oklahoma and I would be opposed to that. I don't believe that -- I think the very nature of the circumstances mean that, for large numbers of our children, it could not be truly voluntary, and I would oppose it.

Q Can we say that after the negotiations that Ukraine and the United States are establishing a partnership relationship? If not, is there a possibility of establishing such relations in the future? Some people in Ukraine believe that the memorandum in

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Budapest would not be signed; and, if it is signed, it would be a political declaration, rather than a binding document.

PRESIDENT KUCHMA: The business-like talks that we had today with President of the United States Bill Clinton, do they give me hope that -- the talks give me the hope and understanding that it would be exactly what we meant. I would like to add that in my opinion, from all points of view, for the United States, for Russia

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# CRIME BILL

## Background

Since the election, the media has been very eager to know what the Administration's strategy is to protect the 1994 Crime Bill. The Republican Contract specifically repeals every prevention program in the crime bill -- including the Drug Courts program -- and other Republican proposals are being discussed that would kill the President's 100,000 cops program and repeal the assault weapons ban. Moreover, the Republicans have made very clear that they intend to push for draconian habeas corpus and exclusionary rule reforms -- polarizing issues that the Administration was able to side step.

## Likely Questions

The crime bill questions that you are most likely to encounter include:

Knowing that the Republicans intend to repeal much of the President's 1994 Crime Bill, what is Administration's strategy to save it?

Will the Administration specifically fight to save the prevention programs, which the Republicans have labeled as "pork"?

Will the President veto any attempt to repeal the Assault Weapons ban?

What about issues not addressed in last year's Crime Bill? Will the Administration work with the Republican Leadership to pass new tough on crime provisions, such as habeas corpus reform, exclusionary rule changes and new mandatory minimums, etc.?

You may be asked about former Portland Police Chief Tom Potter. Potter, who was considered for the job to run the President's 100,000 cops program, withdrew his name after learning that his gay rights advocacy might be an issue to some of the Administration's critics.

Finally, during the Yelstin Summit, some in the press reported that the Administration was on the verge of allowing the Russians to import more than 7 million firearms and 7 billion rounds of ammunition as part of a pro-Russian trade initiative. This report was grossly inaccurate, and -- shortly after the Summit -- the Administration denied all pending requests to import munitions from Russia and other States from the Former Soviet Union. The entire matter is now under interagency review.

## **General Media Guidance**

As you know, the Administration is currently considering specific crime bill strategies -- summarized in the attached memo from Ron Klain -- but no decisions on strategy have been made. Few, if any, public comments have been made about the Republican crime bill revisions that have started to surface.

No matter what decisions are made in the coming weeks, it seems clear that -- as with the economy -- the Administration's stance on crime should be to "go forward, not backward." That is to say, we should welcome Republican efforts to keep crime, violence and drugs at the top of the domestic agenda. These issues remain a top concern of millions of Americans, and we should pledge to do our best to search for areas of agreement. As the President mentioned in his October speech to the nation's police chiefs, " We must never again permit crime to be divisive in a partisan political way..." However, we have also made some critical, and common sense, gains during the last year -- particularly with regards to the President's 100,000 cops proposal, the Brady Bill and the assault weapons ban. These proposal are already out there and working, and it would be a mistake to undo them now.

## **Attachments**

- . Memo by Ron Klain on Crime Bill Options
- . Four-page Summary of 1994 Crime Bill
- . Chart Comparing Republican Contract with 1994 Crime Bill
- . Q & A on Tom Potter
- . Q & A on Russian Guns

November 22, 1994

MEMORANDUM FOR THE ATTORNEY GENERAL AND CAROL RASCO

COPY TO: PAT GRIFFIN, JACK QUINN, RAHM EMANUEL, BRUCE REED,  
MARTHA FOLEY, JAMIE GORELICK, JOHN SCHMIDT

FROM: RON KLAIN *RM*

SUBJECT: CRIME BILL "REDUX"

By now, we are all aware of the Republican proposal to revisit last year's hard-won Crime Bill. The purpose of this memorandum is to respond to Carol Rasco's request that I outline some of the choices we face in dealing with this GOP initiative, and offer some ideas about how to deal with these challenges.

INTRODUCTION: THE REPUBLICAN STRATEGY

Based on my conversations with key staff people, and a review of the draft House GOP Bill, we know the basic outline of the GOP strategy on revisiting the Crime Bill:

- They intend to move fast on the Crime Bill -- it will be one of their very first items;
- As made clearer below, their major substantive goals are abolishing the 100,000 cops program; wiping out the prevention programs; and adding "tougher" provisions on habeas reform, exclusionary rule, and criminal sentencing;
- The GOP leadership does not intend to push a repeal of the Assault Weapon Ban -- but they are probably unable to prevent their "back-benchers" from launching such an effort.

Other matters, however, remain unresolved -- and pose interesting complications:

- They are divided over whether they want to produce a bill that the President will (or must) sign -- or whether they looking to taunt him into a politically-difficult veto;
- Senate Republicans do not appear to be fully signed on to the House GOP plan -- preferring, for example, provisions that are more favorable to Governors; and
- How the GOP leadership will accommodate the press for action on an assault weapons repeal -- perhaps moving it as a separate bill intended to be vetoed -- remains unsettled.

Still, they have a basic game plan that is clear: they will attempt divide our remaining forces on the Hill with a tough-on-crime bill that slashes prevention, while also quietly taking away one of our best victories, the 100,000 cops program.

To counter this, we will need a clear and strong response. It will need to emphasize that we want to build upon last year's bill -- strengthening and improving it -- without going backwards.

And above all, our strategy needs to be cognizant of the fact that there are only two possible outcomes: the President will have to sign the bill that Congress sends him, or veto it:

- If the President sign this bill, it will outrage our core constituency in the Congress -- if this is where we are headed, posturing for their benefit along the way makes little sense (and instead, we should be looking now for ways to close the gap between us and the GOP on this issue).
- If, on the other hand, the President ends up vetoing the bill, then the fight will be over why he vetoed it -- requiring that we be highly disciplined in the early stages in saying what will or will not oppose. We cannot needlessly give the GOP the opportunity to say that the President is vetoing a "tough on crime" bill for "soft on crime" reasons.

The inevitability of this choice drives where we should stand on certain issues -- for example, on defending the most hotly assaulted prevention programs.

#### THE REPUBLICAN BILL

While Senate Republicans are still working, House Republicans have already produced a draft bill. Summaries and spending charts are attached; ironically, its price tag of \$29 billion is about the same as the "bloated" 1994 Crime Bill that they deemed so vastly overfunded.

The major features of the House Republican bill are:

- (1) Elimination of the 100,000 cops program, to be replaced by a "Law Enforcement Block Grant," that localities can use to hire cops, pay overtime, buy police equipment, beef up school security, or fund citizen watch groups;
- (2) Elimination of most of the crime prevention programs, with some of the funding (about \$1 billion) moved into the "Law Enforcement Block Grant," and another chunk (\$2 billion) reallocated to prisons;

- (3) Tough habeas corpus and exclusionary rule reform, designed to sharply limit death row appeals, and broaden the use of illegally seized evidence in courts;
- (4) Federalization of all crimes committed with guns, coupled with stiff mandatory minimum sentences for those offenses;
- (5) Tougher truth in sentencing standards for states that want prison grants, along with limits on prisoner lawsuits; and
- (6) Various other provisions on victims rights and criminal alien deportation (that we generally support).

All of the above are fairly obvious and self-explanatory, except perhaps the first -- the elimination of the 100,000 cops program.

The Republicans' goal here is purely political and tactical: to take away the clearest, best "Clinton achievement" on crime, and to deprive the President of the opportunity to award communities all over this country their share of the 100,000 new police officers.

Their method is fairly clever: by moving police hiring funds into a new block grant, Republicans are selling the mayors on the idea that they will get all the cops money we would give them -- but with no requirement that it be matched, or that the funds be used to hire police.

Thus, many mayors will support the GOP package in lieu of the 1994 Crime Bill, because the burden on the mayors is lesser (no match), the funds more flexible, and the total funding roughly equal to what they actually expect to see appropriated for COPS and crime prevention. Police groups may also support the GOP, as they prefer having more money for overtime and equipment for existing cops, rather than our plan to hire new police. Many Democratic Members of Congress, will, in the absence of leadership from us, go the way of the Mayors. Moderate Republicans were pushing this idea last year; they, too, are very likely to line up behind it now.

In sum, the 100,000 cops program is substantially at risk from the Republican proposal. Our only chance to save it is a strong, public, confrontational "line in the sand" message from the President of the following sort:

"Congress passed the 100,000 cops program last year, and I signed it: that is my 'contract with the American people.' I will fight against -- I will veto -- any bill that repeals my guarantee of 100,000 new police on our streets."

To wage this fight, we will need to attack the Republicans hard for playing politics with the 100,000 cops and for passing out "pork" to mayors -- focusing our efforts on saving the COPS program, as opposed to all of the crime bill programs (i.e., crime prevention).

The natural tendency of the press corps will be to play the fight as the Republicans "tough on crime" vs. Democrats "fighting for prevention" -- they will be inclined to "miss" our stand for the police program, and describe us as fighting for prevention only. In response, to save the COPS program, our rhetoric must focus clearly on that program -- and to make it clear that we are pushing the tougher on crime position on that issue.

This will be hard. We will have few Congressional Democrats, few mayors, few police groups, on our side. But if we really care about saving this program, it will take a focused and disciplined effort to be successful.

#### REPEAL OF THE ASSAULT WEAPON BAN

One issue not included in the Republican bill is a repeal of the assault weapon ban: their leadership wants to get the focus off this issue, which divides their party as it does ours. But notwithstanding the desire of the GOP leadership to make this issue go away, we all know that a large share of their rank-and-file -- and some of their key constituencies -- are going to demand action on repealing the gun ban.

We can expect floor amendments in the House and Senate to repeal the gun ban -- and those measures will probably pass in both chambers, given their new line-ups. While some Senate Democrats may be inclined to filibuster to save the gun ban, this particular use of that device might play into Republican hands.

Given that, we are probably looking at an assault weapon repeal making it to Conference -- with the Republicans forced to choose between including it in their Crime Bill (which presumably gives the President a solid basis for vetoing the bill), or sending it as a separate bill to the President (which the NRA views as a sell-out). Rep. Gingrich favors this second course -- i.e., let the Members vote, and make the President veto it, without allowing the assault weapon issue to derail the GOP Crime Bill -- but where it will come out, is still unclear.

#### OUR STRATEGIC POSTURE

In light of all of this, it seems to me that we have four strategic options:

(1) Avoid Intensive Engagement. The President could stay above the fray, saying that he supports last year's Crime Bill but does not object to Congressional efforts to improve it -- largely, staying out of the fight. This strategy would envision the President signing the Bill that Congress passes (assuming that this Bill does not include an assault ban repeal).

- Pro
- Does not involve taking new positions -- avoids alienating Congressional Democrats because we do not affirmatively back changes in the Crime Bill;
  - "Looks presidential" -- the President stays above the fray;
  - Allows the President to sign a bipartisan, tough-on-crime bill in the end.

- Con
- If not quite a betrayal, Congressional Democrats will view this as an abandonment -- a repeat of our 1993 "hands off" approach to crime bills;
  - Means that a repeal of 100,000 cops program and all prevention programs is assured;
  - Concedes this issue and the Crime Bill to the GOP.

(2) Support "Going Forward," Contest "Going Back". A second approach would be to welcome Republican efforts to build on last year's Crime Bill, but to vigorously oppose -- even with a veto threat -- proposals that would tear down what has been accomplished. Specifically, I would propose two "lines in the sand" -- a veto threat of any bill that would: (1) eliminate the guarantee of 100,000 new cops; and (2) eliminate the assault weapon ban.

- Pro:
- Best chance for saving the 100,000 cops program;
  - Shows the President standing up for his core beliefs and his core achievements;
  - Stands behind last year's achievements;
  - If the bill passed by Congress preserves 100,000 cops and the gun ban, the President has a "win" when he signs the new Crime Bill.

- Con:
- Congressional liberals will resent selective use of Presidential power -- they will want all crime bill programs protected by veto threat;
  - May provoke bitter confrontation with Republicans -- they may call our "bluff" just to see if the President will veto a "tough on crime" bill;
  - Conservative democrats will probably resent another high-profile focus on assault weapons.

(3) Vigorous Defense of Last Year's Bill. The third strategy is a broader version of the second -- to extend the "forward only, no going back" formulation to the whole of last year's crime bill, including the prevention programs.

Pro:

- Provides a strong, full defense of "what we believe in" -- looks principled;
- Best chance of support from elite media;
- Most appealing to our base in Congress -- and to Mayors and local officials.

Con:

- This leaves us defending some unpopular programs;
- It makes it very hard for moderates -- both Democrats and Republicans -- to rally behind us;
- It is certain to provoke a bitter confrontation with Republicans in Congress.

(4) Offer New Crime Legislation Building Upon Last Year's Bill. This final possibility is consistent with the second; i.e., we could draw some "lines in the sand" about what we will oppose, while also proposing a new bill that would indicate some ideas about how to "move forward."

Pro:

- Allows us to be "for" something, and not just "against" their proposal;
- Gives us a vehicle to rally Congressional moderates and Mayors to our cause;
- Makes the ultimate product from Congress (which would probably reflect a mix of our stuff and the GOP bill) a "win" on a new bill that the President wanted, rather than a repeal of last year's bill.

Con:

- Any compromises proposed in the bill (e.g., prevention cuts) will be seen as selling out;
- Our centrist bill may lack Congressional support: it will be too conservative for Democrats, too liberal for Republicans;
- Anything we do just moves the Republicans further to the right in an effort to "outbid" us.

My personal view is that we should combine "(2)" and "(4):" the President should say that he will fight any bill that goes backwards (including a veto threat on COPS and assault weapons), while offering a constructive proposal for moving ahead.

#### OUR NEW BILL

Attached is a very, very rough outline of a possible new Crime Bill -- one that builds upon the foundation of last year's bill. Also attached are comparison charts of (a) last year's bill to (b) the GOP 1995 Bill, and to (c) our possible 1995 bill.

Among the major features of our bill would be:

- Law Enforcement: We would keep the 100,000 cops program; double the Police Corps program; add 4,000 new police for schools that want cops in the halls; and allow local governments to use crime prevention funds to pay their share of the local match for police hiring grants.
- Prisons: We would require states that want prison grants to abolish parole and have pre-trial detention for violent offenders. We would provide \$700 million to build facilities to house violent juveniles.
- Prevention: Ten crime prevention programs would be combined into one crime prevention block grant; we would simplify the after-school programs; and mandate a review of crime prevention programs for further streamlining. (Prevention funding would be cut by \$1 billion to fund the new spending proposed above).
- Habeas Reform, Exclusionary Rule: We would provide alternatives to the Republican proposals in these areas.
- Anti-Gang Efforts: In addition to the violent juvenile incarceration plan, we would also hit at gangs with new penalties and new authorities to prosecute violent kids as adults.
- Victims' Rights, Criminal Aliens: We would meet the Republican proposals in both of these areas.
- Drug Court Improvements: While preserving Drug Courts, we would allocate half of the funding for drug prosecution -- at present, all of the funding is for drug treatment.
- Terrorism, Public Corruption, Sexual Assault: Unlike the Republican bill, our bill would have provisions attacking all three of these problems.

Again, a brief outline is attached (we have a longer, 20-page outline available as well), along with comparison charts and costing figures. Note that by allowing local communities to use crime prevention funds to pay for their "COPS match," our bill may neutralize the appeal of the GOP's new block grant program to the mayors.

## COMMUNICATIONS PLAN

Assuming internal agreement on a proposed strategy, and some version of the legislation outlined above, we would begin to quietly rally Hill Democrats and moderate Republicans to our effort; next we would reach out to police groups, elected officials (mayors, governors), and prosecutors.

Once necessary consultations are moving along, we would undertake the following communications plan to "roll out" our new positions and proposals:

- Early December: At the ceremony announcing the head of the COPS program and grants for the next 4,000 police officers (under COPS AHEAD), the President would draw the "line in the sand" -- a pledge to fully fight any effort to repeal the 100,000 cops program to the assault weapon ban.
- Mid December: The President would unveil his proposed 1995 Crime Bill at a White House event. We would solicit officials from both parties to attend in support.
- Mid December: At this point, we would be ready for the President to receive the U.S. Attorney "Kids and Guns" plans, reminding the public that enforcement of the Crime Bill is underway -- and that the Bill contained many useful provisions.
- Early January: By early next year, we will be ready for the President to announce awards of 3,000 police to smaller towns under COPS FAST. (About 12,000 of the 100,000 cops will have then been awarded.) He would use this event to reiterate the "line in the sand" and his support for his new Crime Bill.
- Late January: From the White House, the Attorney General would brief on the status of Crime Bill implementation. The briefing would emphasize accomplishments to date on COPS, on enforcement of laws like "three strikes," and on the bill's other provisions.
- State of the Union: The new Crime Bill would be part of the President's proposed 1995 legislative agenda. He would call on Congress to join him in a bipartisan effort to build upon the success of the 1994 bill -- without going backwards on the achievements of that legislation.

Again, many more events and possibilities can be added. But the goal is clear: to assert ourselves strongly and affirmatively on this issue -- defending our achievements of last year while also building upon them in the year ahead.



# U.S. Department of Justice Fact Sheet

## Violent Crime Control and Law Enforcement Act of 1994

The Violent Crime Control and Law Enforcement Act of 1994 represents the bi-partisan product of six years of hard work. It is the largest crime bill in the history of the country and will provide for 100,000 new police officers, \$9.7 billion in funding for prisons and \$6.1 billion in funding for prevention programs which were designed with significant input from experienced police officers. The Act also significantly expands the government's ability to deal with problems caused by criminal aliens. The Crime Bill provides \$2.6 billion in additional funding for the FBI, DEA, INS, United States Attorneys, and other Justice Department components, as well as the Federal courts and the Treasury Department. Some of the most significant provisions of the bill are summarized below:

### Substantive Criminal Provisions

#### Assault Weapons

Bans the manufacture of 19 military-style assault weapons, assault weapons with specific combat features, "copy-cat" models, and certain high-capacity ammunition magazines of more than ten rounds.

#### Death Penalty

Expands the Federal death penalty to cover about 60 offenses, including terrorist homicides, murder of a Federal law enforcement officer, large-scale drug trafficking, drive-by-shootings resulting in death and carjackings resulting in death.

#### Domestic Abusers and Firearms

Prohibits firearms sales to and possession by persons subject to family violence restraining orders.

#### Firearms Licensing

Strengthens Federal licensing standards for firearms dealers.

#### Fraud

Creates new insurance and telemarketing fraud categories. Expands Federal jurisdiction to cases that do not involve the use of delivery services to commit a fraud. Provides special sentencing enhancements for fraud crimes committed against the elderly.

#### Gang Crimes

Provides new and stiffer penalties for violent and drug trafficking crimes committed by gang members.

#### Immigration

Provides for enhanced penalties for alien smuggling, illegal reentry after deportation and other immigration-related crimes. (See Part II).

#### Juveniles

Authorizes adult prosecution of those 13 and older charged with certain serious violent crimes. Prohibits the sale or transfer of a firearm to or possession of certain firearms by juveniles. Triples the maximum penalties for using children to distribute drugs in or near a protected zone, i.e., schools, playgrounds, video arcades and youth centers.

#### Registration of Sexually Violent Offenders

Requires states to enact statutes or regulations which require those determined to be sexually violent predators or who are convicted of sexually violent offenses to register with appropriate state law enforcement agencies for ten

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years after release from prison. Requires state prison officials to notify appropriate agencies of the release of such individuals. Requires states to criminally punish those who fail to register. States which fail to establish registration systems may have Federal grant money reduced.

### **Repeat Sex Offenders**

Doubles the maximum term of imprisonment for repeat sex offenders convicted of Federal sex crimes.

### **Three Strikes**

Mandatory life imprisonment without possibility of parole for Federal offenders with three or more convictions for serious violent felonies or drug trafficking crimes.

### **Victims of Crime**

Allows victims of Federal violent and sex crimes to speak at the sentencing of their assailants. Strengthens requirements for sex offenders and child molesters to pay restitution to their victims. Improves the Federal Crime Victims' Fund and the victim-related programs it supports.

### **Other**

Creates new crimes or enhances penalties for: drive-by-shootings, use of semi-automatic weapons, sex offenses, crimes against the elderly, interstate firearms trafficking, firearms theft and smuggling, arson, hate crimes and interstate domestic violence.

## **Immigration Initiatives**

The Crime Bill contains specialized enforcement provisions respecting immigration and criminal aliens. Those programs are highlighted here:

- \$1.2 billion for border control, criminal alien deportations, asylum reform and a criminal alien tracking center.
- \$1.8 billion to reimburse states for incarceration of illegal criminal aliens. (See State Criminal Alien Assistance Program (SCAAP) Grants in Section III).
- Enhanced penalties for failure to depart the United States after a deportation order or reentry after deportation.
- Expedited deportation for aliens who are not lawful permanent residents and who are convicted of aggravated felonies.

- Statutory authority for abused spouses and spouses with abused children to petition for permanent residency or suspension of deportation.

## **Grant Programs For 1995**

Most of these programs are authorized for six years beginning October 1, 1994. Some are formula grants, awarded to states or localities based on population, crime rate or some other combination of factors. Many are competitive grants. All grants will require an application process and are administered by the Department of Justice unless otherwise noted. As always, all funds for the years 1996-2000 are subject to appropriation by the Congress.

### **Brady Implementation**

Competitive grant program for states to upgrade criminal history records keeping so as to permit compliance with the Brady Act. \$100 million appropriated in 1995. In addition, the Brady Act authorizes \$100 million for FY 1996. \$50 million of this amount is authorized to be expended from the Violent Crime Control Act Trust Fund.

### **Byrne Grants**

Formula grant program for states for use in more than 20 law enforcement purposes, including state and local drug task force efforts. \$450 million appropriated for the formula grant program in 1995. \$550 million authorized in 1996-2000 for both formula and discretionary.

### **Community Policing**

Competitive grant program (COPS Program) to put 100,000 police officers on the streets in community policing programs. \$1.3 billion available in 1995. \$7.5 billion authorized in 1996-2000.

### **Community Schools**

Formula grant program administered by the Department of Health and Human Services for supervised after-school, weekend, and summer programs for at-risk youth. \$25.9 million available in 1995. \$567 million authorized in 1995-2000.

### **Correctional Facilities/Boot Camps**

Formula and competitive grant program for state corrections agencies to build and operate correctional facilities, including boot camps and other alternatives to incarceration, to insure that additional space will be available to put - and keep - violent offenders incarcerated. Fifty percent of money to be set aside for those states which adopt

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truth-in-sentencing laws (violent offenders must serve at least 85% of their sentence) or which meet other conditions. \$24.5 million in competitive funds available for boot camps in 1995. \$7.9 billion authorized in 1996-2000.

### **Drug Courts**

Competitive grant program to support state and local drug courts which provide supervision and specialized services to offenders with rehabilitation potential. \$29 million available in 1995. \$971 million authorized in 1996-2000.

### **Family and Community Endeavor Schools**

Competitive grants program administered by the Department of Education for localities and community organizations to help improve the overall development of at-risk youth living in poor and high-crime communities. This program is for both in-school and after-school activities. \$11 million available in 1995. \$232 million authorized in 1996-2000.

### **Hotline**

Competitive grant program administered by the Department of Health and Human Services to establish a National Domestic Violence Hotline. \$1 million authorized in 1995. \$2 million authorized in 1996-2000.

### **Prevention Council**

Provides funding for the President's Prevention Council to coordinate new and existing crime prevention programs. \$1.5 million available in 1995. \$88.5 million authorized for competitive grants in 1996-2000.

### **SCAAP Grants**

Formula grant program to reimburse states for the cost of incarcerating criminal aliens. \$130 million available in 1995. \$1.67 billion authorized in 1996-2000.

### **Violence Against Women**

Formula grant program to support police and prosecutor efforts and victims services in cases involving sexual violence or domestic abuse, and for other programs which strengthen enforcement and provide services to victims in such cases. \$26 million available in 1995. \$774 million for formula grants and over \$200 million for competitive grants authorized in 1996-2000.

## **Grant Programs For 1996-2000**

All programs available in 1995 are continued. All programs are administered by the Department of Justice unless otherwise noted. Funding for 1996-2000 is, as always, subject to appropriation by the Congress.

### **Battered Women's Shelters**

Competitive grant program administered by the Department of Health and Human Services for battered women's shelters and other domestic violence prevention activities. \$325 million authorized.

### **Capital Improvements to Prevent Crime in Public Parks**

Competitive grant program administered by the Department of Interior for states and localities for crime prevention programs in national and public parks. \$15 million authorized.

### **Community Economic Partnership**

Competitive program administered by the Department of Health and Human Services for lines of credit to community development corporations to stimulate business and employment opportunities for low-income, unemployed and underemployed individuals. \$270 million authorized.

### **Crime Prevention Block Grants**

\$377 million authorized for a new Local Crime Prevention Block Grant program to be distributed to local governments to be used as local needs dictates. Authorized programs include: anti-gang programs, sports leagues, boys and girls clubs, partnerships (triads) between the elderly and law enforcement, police partnerships for children and youth skills programs.

### **Delinquent and At-Risk-Youth**

Competitive grant program for public or private non-profit organizations to support the development and operation of projects to provide residential services to youth, aged 11 to 19, who have dropped out of school, have come into contact with the juvenile justice system or are at risk of either. \$36 million authorized.

### **DNA Analysis**

Competitive grant program for states and localities to develop or improve DNA identification capabilities. \$40 million authorized. An additional \$25 million is authorized to the FBI for DNA identification programs.

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### **Drug Treatment**

\$383 million for prison drug treatment programs, including \$270 million in formula grants for states.

### **Education and Prevention to Reduce Sexual Assaults Against Women**

Competitive grant program administered by the Department of Health and Human Services to fund rape prevention and education programs in the form of educational seminars, hotlines, training programs for professionals and the preparation of informational materials. \$205 million authorized.

### **Local Partnership Act**

Formula grant program administered by the Department of Housing and Urban Development for localities to enhance education, provide substance abuse treatment and fund job programs to prevent crimes. \$1.6 billion authorized.

### **Model Intensive Grants**

Competitive grant program for model crime prevention programs targeted at high-crime neighborhoods. Up to 15 cities will be selected. \$625 million authorized.

### **Police Corps**

Competitive funding for the Police Corps (college scholarships for students who agree to serve as police officers), and formula grants to states for scholarships to in-service law enforcement officers. \$100 million authorized for Police Corps, and \$100 million authorized for in-service law enforcement scholarships.

### **Prosecutors**

Competitive grant program for state and local courts, prosecutors and public defenders. \$150 million authorized.

### **Rural Law Enforcement**

Formula grant program for rural anti-crime and drug enforcement efforts, including task forces. \$240 million authorized.

### **Technical Automation**

Competitive grant program to support technological improvements for law enforcement agencies and other activities to improve law enforcement training and information systems. \$130 million authorized.

### **Urban Recreation For At-Risk-Youth**

Competitive grant program administered by the Department of Interior for localities to provide recreation facilities and services in areas with high crime rates and to provide such services in other areas to at-risk-youth. \$4.5 million authorized.

### **For More Information**

For further information about the Violent Crime and Law Enforcement Act of 1994, contact the:

Department of Justice  
Response Center  
1-800-421-6770

In the Washington, DC metropolitan area:  
202-307-1480

October 24, 1994  
NCJ FS000067

Crime Bill Comparisons  
Total Authorized Funding  
(Dollars in thousands)

11/22/94  
05:41 PM

Violent Crime Control and Law Enforcement Act of 1994		Taking Back Our Streets Act of 1995	
Title	Total Authorization	Title	Proposed Changes   Total Authorizations
<b>DEPARTMENT OF JUSTICE</b>			
<b>Public Safety and Policing</b>			
Community Policing: "Cops on the Beat"	\$8,800,000	Community Policing: "Cops on the Beat"	(\$8,800,000)   0
		Law Enforcement Block Grants	10,000,000   \$10,000,000
<b>Prisons</b>			
Correctional Facil./Viol. Offender Incarceration Grant	7,895,000	Correctional Facil./Viol. Offender Incarceration Grants	(7,895,000)   0
		Truth In Sentencing Grants	10,499,600   10,499,600
Certain Punishment for Young Offenders	150,000		150,000
Incarceration of Undocumented Criminal Aliens	1,800,000		1,800,000
<b>Crime Prevention</b>			
Crime Prevention Grants (misc.)	1,222,300	Crime Prevention Grants (misc.)	(1,222,300)   0
Substance Abuse Treatment in Federal Prisons	112,500		112,500
Res. Substance Abuse Treatment for State Prisoners	270,000		270,000
Treatment of Tuberculosis in Correctional Institutions	5,000		5,000
Violence Against Women	1,010,200		1,010,200
Drug Courts	1,000,000	Drug Courts	(1,000,000)   0
		Criminal Alien Tracking Center	13,000   13,000
Criminal Aliens & Immigration Enforcement	1,191,400		1,191,400
Other Law Enforcement	241,000		241,000
Federal Law Enforcement	644,000		644,000
Police Corps & Law Enforcement Off. Trng. and	200,000		200,000
State and Local Law Enforcement	1,527,700		1,527,700
Senior Citizens Against Marketing Scams	20,000		20,000
Subtotal, Department of Justice	26,089,100	Subtotal, Department of Justice	1,595,300   27,684,400
<b>OTHER DEPARTMENTS:</b>			
<b>Courts</b>			
Education & Training for Federal Judges:	700		700
Additional Appropriations	200,000		200,000
<b>Education/HHS</b>			
Family & Comm. Endeavor Schools Grant Program	810,000	Family & Comm. Endeavor Schools Grant Program	(810,000)   0
<b>HHS/HUD/Interior</b>			
Prevention Grants	2,468,000	Prevention Grants	(1,894,500)   573,500
<b>Interior/Transportation</b>			
Capital Improvement to Prevent Crime	35,000		35,000
Nat'l Commission on Crime Control & Prevention	1,000		1,000
<b>State Justice Institute</b>			
Equal Justice of Women in the Courts: Training Gra	600		600
<b>Treasury</b>			
Gang Resistance Education & Training Projects	45,000	Gang Resistance Education & Training Projects	(45,000)   0
Rural Drug Enforcement Training: FLETC	5,000		5,000
Additional Appropriations	550,000		550,000
Subtotal, Other Departments	4,115,300	Subtotal, Other Departments	(2,749,500)   1,365,800
<b>Total, Crime Bill</b>	<b>30,204,400</b>	<b>Total, Crime Bill</b>	<b>(1,154,200)   29,050,200</b>

Basic Answer

The accounts in the news stories do not reflect my understanding of what happened two weeks ago, when Mr. Potter and Mr. Schmidt spoke. At that time, while we were still reviewing Mr. Potter's qualifications and background, Mr. Schmidt raised with Mr. Potter the question of whether his activities might make him a controversial choice for the job -- and whether that controversy might impact the new COPS program. Mr. Potter, very early into this conversation, told Mr. Schmidt that he shared this concern, and that he wanted to withdraw from consideration. The decision to withdraw was Mr. Potter's.

Q. If Potter had not withdrawn, would he have been considered? Would he have been selected?

A. Had Mr. Potter not withdrawn, we would have finished our review of his background and qualifications. Since we did not finish that review, I cannot tell you if we would have ultimately selected him or someone else.

Q. Potter says that Schmidt used the word "problem" to describe Potter's views on gay rights. Is that correct?

A. The "problem" that John was raising was the question of the controversy surrounding Mr. Potter's views and practices -- not Mr. Potter's views themselves -- and whether that controversy might impact upon the implementation of this new and important program. Again, it was John's sense that Mr. Potter shared this concern, and very quickly into the conversation, withdrew from consideration.

Q. Was this material from the FBI report that raised this issue?

A. No. The FBI report had not been completed, and was not in, at the time that Mr. Potter and Mr. Schmidt spoke.

Q. Isn't it discrimination, or at least hypocrisy, for this administration to deny someone a job because they are pro-gay rights?

A. We did not deny a job to Mr. Potter, he withdrew.

Q. Are you saying that if Mr. Potter were still interested, he would still be considered at this point?

A. In the two weeks since Mr. Potter withdrew, we have progressed with the review of the remaining candidates, and are near a final announcement. And I have no reason to think that Mr. Potter wants to be re-considered for this full-time post -- in fact, he has instead expressed interest in serving on a group that advises the COPS program.

Q. But if Potter called today, and said, "I want to be considered," would you consider him?

A. Yes.

Q. You portray this as Potter's decision. But Mr. Potter says he withdrew only because he knew he was going to be rejected.

A. John Schmidt told me that day, and again this morning, that had Mr. Potter not withdrawn, we would have proceeded to complete the review of his candidacy. Again, my understanding is that, early on in his conversation with John, Mr. Potter indicated that he shared the concern that he could become a lightning rod for criticism of the COPS program, and that he no longer wished to be considered for the Director position.

Q. What changed? Potter says that early on, he had been told that his activities were not a problem. What changed between his initial interview in August, and the Schmidt-Potter conversation in October.

A. As with all the candidates for this position -- or any other -- we gathered more information on Mr. Potter as the review proceeded. Again, though, we did not reject Mr. Potter -- it was his decision to withdraw.

Q. Did the White House tell the Justice Department not to pick Potter? Did it weigh in on this?

A. The White House reviewed Mr. Potter's and several others that we submitted as potential candidates, and approved them all, including Mr. Potter.

## Russian Gun Imports

**Q:** During the Russian Summit it was reported that the State Department was considering approving applications for Russia to import millions of firearms and billions of rounds of ammunition. Did the Administration approve these applications for importation? Why or why not? Are these assault weapons that should be banned from importation?

**A:** First of all, most assault rifles have been banned from importation since 1989 -- and assault pistols have been banned since last August of 1993. And so-called "Saturday Night Specials" (cheap, small, concealable handguns) have been banned from importation since the late sixties. None of these firearms meet the Treasury Department's sporting purposes test. All other firearms are essentially eligible for importation.

The only exception to this rule is if the State Department determines that there is a valid foreign policy reason for not allowing firearms and other munitions from certain countries to be imported. However, the end of the cold war, the fall of communism and increased international trade have all made it easier to import legitimate firearms into the country, and we're very concerned about that. We don't want the US to be flooded with guns from overseas, and I know that the State and Treasury Department have been following this issue very closely. That's why the State Department recently advised Treasury against allowing the import the large number of Russian firearms that you mentioned, and has suspended further munitions from the Former Soviet Union until the policy is thoroughly reviews.

# **EDUCATION**

## **Background**

Other than school prayer, there are few education issues that are currently as "hot" on the domestic agenda as those summarized in other sections of this briefing. The attached page summarizes the legislative agenda and accomplishments of the Administration in its first two years in this area. Should further information be required, Bill Galston is available all day to provide any briefing that is required on particular education issues.

November 29, 1994

**PRESIDENT CLINTON'S LIFELONG LEARNING AGENDA:  
A STATUS REPORT**

In today's rapidly changing economy, knowledge and opportunity are tightly linked: more and more, what you earn is dependent on what you can learn throughout your life.

On February 22, 1994 in an address to the American Council on Education, President Clinton presented his vision for lifelong learning and the legislative agenda needed to turn that vision into reality for all Americans. The following is a status report on the major building blocks of that agenda.

Head Start reform and expansion	Signed into law by the President on May 18, 1994
Goals 2000: Educate America Act	Signed into law by the President on March 31, 1994
Elementary and Secondary Education Act	Signed into law by the President on October 20, 1994
School-to-Work Opportunities Act	Signed into law by the President on May 4, 1994
Direct lending/income-contingent repayment	Signed into law by the President on August 10, 1993
National and Community Service Trust Act	Signed into law by the President on September 21, 1993
Reemployment Act of 1994	Transmitted to the Congress on March 15, 1994