

THE WHITE HOUSE

WASHINGTON

March 25, 1996

MEMORANDUM FOR EVELYN LIEBERMAN

FROM: CAROL H. RASCO *CHR*

SUBJECT: POLICY BRIEFINGS

Attached is a draft memo from February I had planned to discuss with you when we were scheduling to meet again. Since we have not had the opportunity to meet I wanted to get this before you.

We are not asking that the White House shut down for such briefings but would hope to have the endorsement and backing of the Chief of Staff's office, i.e., no other major meetings during the briefing time period set up should we proceed with this project.

I would be interested in your view as to whether we should proceed with such briefings, suggestions you have as to how they are set up, what office should send out the announcement, etc.

Thank you.

February 23, 1996

DRAFT

MEMORANDUM TO THE CHIEF OF STAFF

FROM: Carol Rasco

SUBJECT: Proposed Policy Briefings for White House Staff

I am proposing that the Domestic Policy Council staff host a series of policy briefings for White House staff. The briefings would benefit staff who discuss our programs and positions with the public (e.g. Communications and Public Liaison staff), as well as those involved in shaping policy. The briefings would be informational in nature only. I envision one-hour meetings at the end of the work day, co-hosted by other White House offices or departments and agencies where appropriate.

The briefings would have two important benefits. First, informational briefings would help unify our message and improve communication of Administration accomplishments. For example, a briefing on immigration would ensure all White House offices are aware of and promote the Administration's substantial and varied immigration achievements, and would better prepare staff to answer questions generated by ongoing legislative activity. Second, well-timed briefings would facilitate dialogue among White House staff on Administration policies. For example, Marcia Hale and I recently hosted a National Governors' Association (NGA) briefing on the NGA's medicaid and welfare reform proposals. The NGA briefing quickly diffused misunderstandings about the proposal, facilitating internal policy discussions.

To be successful, these policy briefings must be timely and targeted to the right audience. Both junior and senior staff could benefit. Before each meeting my staff would work with other White House offices to identify the appropriate participants.

I propose to hold briefings on the issues listed below over the next several months. I look forward to your comments on suggestions on this proposal. If you approve of the idea, I'd like to send a joint memo announcing the briefings from the DPC and your office.

PROPOSED ISSUE BRIEFINGS

March: Immigration
Kennedy-Kassebaum insurance reform bill
Crime and Drugs

April-May:	Medicaid	Education
	Welfare/Medicaid Waivers	Political Reform
	Abortion	Teen Pregnancy

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E.*

THE WHITE HOUSE
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FAX COVER SHEET

OFFICE OF THE ASSISTANT TO THE PRESIDENT FOR DOMESTIC POLICY
SECOND FLOOR, WEST WING
THE WHITE HOUSE
WASHINGTON, DC 20500
(202)456-5565 PHONE
(202)456-2878 FAX

TO: Jeremy Ben-Ami / Elizabeth Dye

FAX #: 67028

FROM: CAROL H. RASCO

NUMBER OF PAGES (including cover sheet): 2

COMMENTS: please see CHR's e-mail regarding this

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E.

THE WHITE HOUSE
WASHINGTON

ACTION

MEMORANDUM FOR THE PRESIDENT

FROM:

ANTHONY LAKE *mlr*
CAROL H. RASCO *CR*

SUBJECT:

Reply to Chairperson of "Catch the Spirit:
Citizenship in 1996"

Purpose

To respond to a letter from Victoria Curtin.

Background

Victoria Curtin, Chairperson of "Catch the Spirit: Citizenship in 1996," wrote to tell you about 125 Irish nationals who were to become U.S. citizens on St. Patrick's Day and to describe the support for your policy toward Ireland among the Irish immigrant community.

RECOMMENDATION

That you sign the draft reply at Tab A.

Attachment

Tab A Draft Reply to Victoria Curtin

Tab B Incoming Correspondence

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

May 2, 1996

MEMORANDUM TO ANDREW CUOMO
JACQUIE LAWING

FROM: Jeremy Ben-Ami
Molly Brostrom

SUBJECT: Thank You

We just wanted to drop you a quick note of thanks for the terrific work HUD and CPD in particular have done over the past year to build good relations with the veterans community.

About a year and a half ago, we started the Interagency Veterans Policy Group to provide the veterans organizations with a vehicle for dialogue about government-wide issues affecting veterans. One of the primary concerns raised by the groups at that time was their feeling that HUD did not acknowledge the special needs of homeless veterans. We brought that concern to your attention, and you acted on it swiftly and effectively.

At our most recent meeting at the White House with the veterans service organizations, HUD was repeatedly thanked for the steps it has taken, and this progress was cited as one of the prime achievements of the White House effort to listen to and act on the needs of veterans.

We both wanted you to know that we are very grateful to the two of you for making this happen. It reflects well not only on you and HUD, but on the President as well.

cc: Carol Rasco
Secretary Henry Cisneros

I want to add my thanks, too!
Terrific feedback!
CHR

MA - 3 1996

THE WHITE HOUSE

WASHINGTON

April 11, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: Carol H. Rasco 

SUBJECT: Expelling Students with Disabilities

You asked about the attached item from Cabinet Affairs' weekly report. Virginia is suing the Department of Education over its position that states may not expel children with disabilities without offering them alternative instruction outside of the classroom. You asked whether this is a double standard, and whether it is bad policy.

Special education is governed by the Individuals with Disabilities Education Act (IDEA), a 20-year-old civil rights law. Legally, there appears to be a strong consensus that the IDEA requires that children with disabilities be educated and therefore prohibits "cessation of services." Since there is no such Federal protection for students without disabilities, there is in a sense a double standard in those states that allow cessation for non-disabled students (roughly 30 states).

Disability advocates argue that history justifies this distinction, since schools have used discipline as an excuse to remove disabled students from class, and that proposals to treat disabled students "equally" are flawed because some disabilities manifest themselves as behavioral problems. School boards, principals, and the teachers' unions feel that the double standard encourages irresponsible behavior and endangers non-disabled children. (Unfortunately, there are few statistics about how prevalent such discipline problems are.)

This question is now being debated from a policy perspective on the Hill, since IDEA is up for reauthorization. Discipline is the most controversial issue. The pressure for change centers less on cessation of services than it does on the question of when a school can act unilaterally to remove a student from the classroom on a temporary basis. In fact, a coalition of school boards, principals, administrators, the NEA, and the AFT split last year over the school boards' insistence that they push for cessation of services. The other groups did not want to take on that issue, choosing instead to focus on the latter issue.

The Department of Education opposes cessation of services. Its IDEA reauthorization proposal would allow schools to act unilaterally to remove from the classroom students who bring weapons to school (current law allows this for guns only). It would also allow a hearing officer to remove a child who exhibits "dangerous" behavior.

The key leaders on this issue in both the Senate and the House are sympathetic to the disability community's perspective, and are attempting to proceed in a bipartisan way. They are trying to satisfy individual members who might be inclined to offer more extreme amendments so that this does not blow up into a very public issue.

The Senate Labor and Human Resources Committee has passed a bill that would allow schools to cease services for students who bring drugs or weapons to school. It would also allow a hearing officer to remove a student from the classroom for "disruptive" behavior, a lesser standard than "dangerous".

Senators Frist and Harkin, the key Senate leaders on this issue, did not want to go as far as they did. However, they reached a compromise with the school boards, principals, unions, and disability advocates, with none of the groups enthusiastic about it. The Department of Education has concerns about defining terms like "disruptive". The House is likely to adopt the Senate position on cessation, but may take a stand closer to that of disability advocates and the Department on other issues.

This is a thorny issue that raises the question of whether twenty years of inclusion of children with disabilities has brought us to the point where students with and without disabilities can be disciplined "equally". Moderate change appears inevitable here, but there does not appear to be widespread political support for the state of Virginia's policy, which goes beyond the Senate plan to cease services only for students who bring drugs or weapons to school.

It is interesting to note that the Department of Education tells us privately they oppose cessation of services for any student, even the non-disabled, but the only area where they have influence is in special education.

THE PRESIDENT HAS SEEN

4.1.86

- **Intellectual Property Rights (IPR) and Government Procurement:** Ambassador Kantor will continue to prepare for announcements in April regarding foreign country practices with respect to adequate and effective IPR protection and fair and competitive government procurement practices.

DEPARTMENT OF JUSTICE

Wen/Crew
 1984-85
 a simple
 fraud?
 Is it bad policy?

- **Virginia Challenge To Education Regulations:** On April 4th, The Fourth Circuit will hear oral arguments in Commonwealth of Va. v. Riley. The Individuals with Disabilities Education Act (IDEA) requires state educational agencies to submit plans ensuring that all eligible children with disabilities receive a free appropriate public education. The Department of Education interprets that mandate as requiring continued special education services for students with disabilities who have been expelled or suspended from school on a long-term basis for conduct unrelated to their disabilities. Virginia's regulations do not require the provision of such services to expelled or suspended students, and therefore do not meet IDEA requirements.
- **Court Grants Certiorari In Abortion Clinic Matter:** On March 18, the Supreme Court granted certiorari in Schenck v. Pro-Choice Network. The Second Circuit, sitting en banc, affirmed a preliminary injunction preventing the defendants from engaging in certain obstructive conduct in the vicinity of abortion clinics in the Western District of New York.
- **Favorable Judgment Entered In Military Homosexual Discharge Suit:** On March 14, the court granted summary judgment in favor of the Air Force and the DoD in Jackson v. Widnall. The court rejected the claims of a former Air Force officer that he was unlawfully discharged on the basis that he had engaged in homosexual acts. The discharge, under the military's "old policy" governing homosexual service members, was upheld against equal protection and Administrative Procedure Act challenges.
- **Complaint Filed Against Georgia To Prevent Implementation Of Redistricting Plan:** On March 21, the United States filed a section 5 enforcement action, and request for preliminary relief, against the State of Georgia and several state officials. United States v. State of Georgia. The complaint and application for a TRO and preliminary injunction seek to enjoin the state and its officials from implementing new redistricting plans for the state House and Senate, unless and until preclearance is obtained.
- **Court Approves Love Canal Settlement:** On March 19, the District Court in U.S. v. Occidental Chemical Corp., entered a cost recovery consent decree. Pursuant to the decree, Occidental will pay the U.S. \$129 million, plus interest, for the costs incurred in the cleanup of Love Canal.

THE WHITE HOUSE

WASHINGTON

April 23, 1996

MEMORANDUM FOR THE PRESIDENT

FROM: CAROL H. RASCO *CHR*

SUBJECT: CHARTER SCHOOLS

The National Education Association recently announced its intention to create five charter schools. This memo provides background on that announcement and additional information on the teacher unions' views of charter schools.

OVERVIEW OF NEA INITIATIVE

On Tuesday, April 16, the National Education Association announced that it will provide \$1.5 million to finance five charter schools around the country. The NEA's objective is to examine the efficacy of the charter school model -- upholding the basic principles of education while giving practitioners and school employees the autonomy and freedom to take risks with innovation -- for public school reform.

The charter schools initiative is part of the NEA's ongoing efforts to rethink and reinvent public education. The money pledged for this project will finance technical assistance for administration, budgeting, staff training and community relations. The NEA will also provide funds for documentation and assessment to be conducted by an independent team from the University of California.

CONCERNS

Both the NEA and the AFT have cautiously supported charter schools at the national level but they have also expressed concerns about how charter schools might be defined and implemented. Albert Shanker, while writing that charter schools -- done right -- have a lot of promise, has also voiced concerns regarding financial accountability and "union busting." He has emphasized that they are not a "silver bullet" and in some cases are not the appropriate step to take. Shanker has warned against charter schools becoming another gimmick that distracts educators and the public from a focus on standards and student learning.

The three concerns most often expressed by the NEA and the AFT are: (1) implications for collective bargaining; (2) selection of charter schools by entities other than local school districts; and (3) management of public schools by for-profit firms.

Ensuring that charter schools do not preclude collective bargaining is perhaps the most contentious issue for the NEA and AFT. Some proponents of charter schools see them as a way to promote public school reforms that may be blocked or slowed by state or local rules and regulations, including those governing collective bargaining. The NEA and AFT have both made it clear that they will not support charters which do not ensure coverage of charter school employees by existing collective bargaining contracts.

The NEA and AFT are also strongly opposed to state laws that allow charter schools to operate completely independent of any school district based on the argument that it would have the effect of reducing local accountability for public schooling. Similarly, they believe that a movement toward management of public schools by for-profit firms could harm students and threaten the integrity of public schools.

ADMINISTRATION RESPONSE

To address concerns raised by the unions, the Department of Education is working closely with the AFT and the NEA and keeping them informed about any Administration initiative. For example, Secretary Riley called both Albert Shanker and Keith Geiger personally in advance of the State of the Union address to let them know that you were going to challenge states to enact charter laws.

While we have not taken an explicit position on the issues outlined, Secretary Riley strongly believes, as does Albert Shanker and Keith Geiger, that consistently defining charter schools as public schools is an essential component of our support for this effort. The NEA effort to develop charter schools is an important sign that they are thinking about ways to make this concept work. We will continue to communicate with the unions as our charter schools initiative grows.

THE WHITE HOUSE

WASHINGTON

May 17, 1996

MEMORANDUM TO THE PRESIDENT

FROM: Carol H. Rasco *CHR*

SUBJECT: New Special Assistant to the President for Education

I am pleased to share with you that Mike Cohen has agreed to accept a position on the DPC staff. He will join us full-time as a detailed employee from the Department of Education on June 10. Secretary Riley is very supportive and has been most cooperative.

Bruce, Jeremy and I are very much looking forward to having Mike on board!

cc: The First Lady