

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	WAVES Request for Steward [partial] (1 page)	3/1/1999	P6/b(6)
002. email	Cerda to Leanne Shimabukuro [partial] (1 page)	3/2/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System
OPD (Creator: Cerda)
OA/Box Number: 250000

FOLDER TITLE:

[2/19/1999 - 3/4/1999]

2012-0192-F

wr1056

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

Freedom of Information Act - [5 U.S.C. 552(b)]

P1 National Security Classified Information [(a)(1) of the PRA]
P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
P3 Release would violate a Federal statute [(a)(3) of the PRA]
P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

b(1) National security classified information [(b)(1) of the FOIA]
b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-FEB-1999 08:39:28.00

SUBJECT: NEXT MEXICO CERTIFICATION CORE GROUP MEETING

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

TEXT:

add to schedule...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/19/99

08:40 AM -----

Donna Dejban
02/18/99 07:55:32 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: See the distribution list at the bottom of this message
Subject: NEXT MEXICO CERTIFICATION CORE GROUP MEETING

Maria Echaveste and General Kerrick will hold the next Mexico Certification Core Group Meeting on Tuesday, February 23, 4:00-5:30pm in the Roosevelt Room. Please confirm your participation by e-mail or extension 6-9471. Thank you.

Message Sent

To:

Maria Echaveste/WHO/EOP
Mickey Ibarra/WHO/EOP
Lawrence J. Stein/WHO/EOP
Kris M Balderston/WHO/EOP
Cheryl M. Carter/WHO/EOP
Lynn G. Cutler/WHO/EOP
Fred DuVal/WHO/EOP
Janet Murguia/WHO/EOP
Jose Cerda III/OPD/EOP
Maritza Rivera/WHO/EOP
Thomas Umberg/ONDCP/EOP
L B. Hittle/ONDCP/EOP
Michele A. Manatt/ONDCP/EOP

Message Copied

To:

Mindy E. Myers/WHO/EOP

David S. Beaubaire/WHO/EOP
Jeanette A. Lewis/ONDCP/EOP
Leslie Bernstein/WHO/EOP
Marjorie Tarmey/WHO/EOP
Laura S. Marcus/WHO/EOP
LEAVY_D @ A1@CD@VAXGTWY@EOP
Matt Gobush/NSC/EOP
Miles M. Lackey/NSC/EOP
Fulton Armstrong/NSC/EOP
Frederick M. Rosa/NSC/EOP
Laurel E. Miller/NSC/EOP
Natalie S. Wozniak/NSC/EOP
Christina L. Burrell/NSC/EOP
Elaine Kirksey/ONDCP/EOP
Beverly J. Roundtree/NSC/EOP
Jon P. Jennings/WHO/EOP
Maria E. Soto/WHO/EOP
Mona G. Mohib/WHO/EOP
Jessica L. Gibson/WHO/EOP
Patrice L. Stanley/WHO/EOP
Earlene C. Lee/ONDCP/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-FEB-1999 10:10:28.00

SUBJECT: Re: pens/ltr. for Bob Scully/NAPO

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

READ:UNKNOWN

TEXT:

Tracy:

The letter looks fine. It should be "Dear Bob," not Robert.

Many thanks,
Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:19-FEB-1999 16:00:17.00

SUBJECT: Gun Tracing

TO: Mark D. Neschis (CN=Mark D. Neschis/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Mark:

Here's a summar of the report's findings that I did for our weekly report...not too messagy. I have 5 or 6 pages, with pictures of guns, charts, etc., that may be more helpful...as well as the full report. Give me a ring or stop by...jose

Crime -- Gun Tracing: On Sunday, the Treasury Department will release its second report on the Youth Crime Gun Interdiction Initiative (YCGII) now underway in 27 cities, as well as announce the inclusion of 10 more cities. Through YCGII, ATF is working with other federal, state, and local law enforcement agencies to systematically gather and analyze evidence from recovered crime guns to investigate and make cases against illegal gun traffickers. The new report contains data on crime guns from each participating YCGII cities and includes the key findings:

Confirms that kids and guns is a serious problem in all 27 cities. Crime guns recovered from juveniles account for 11.3 percent of the crime guns submitted to ATF and were recovered more frequently from 16 and 17 year-olds than persons over age 26. Crime guns recovered from youth ages 18 to 24 years-old constituted about a third (32.4 percent) of all trace requests -- the most of any age grouping in the adult and juvenile categories;

Handguns prevalent amongst youth and across all age groups. About 8 out of 10 crime guns traced were handguns, with most crime guns concentrated among relatively few makes and calibers -- particularly amongst juveniles and youth;

Many crime guns used by kids moved rapidly from legal sale to illegal market. Between 25 to 36 percent of firearms recovered from juveniles, and 32 to 49 percent of guns recovered from youths were guns bought legally less than three years before recovery. This indicates that a significant portion of legally purchased guns are quickly diverted to kids and youths through illegal trafficking.

ATF doubled the number of trace requests handled from YCGII cities. The number of YCGII trace requests handled by ATF doubled from the previous report, from 37,000 to over 75,000 traces.

Treasury is in the process of adding new ATF agents in the participating 27 cities, and your FY 2000 budget includes additional funds to do the same in the new 10 cities being selected by ATF. These include: New Orleans, LA; Oakland, CA; San Francisco, CA; Dallas, TX; Tampa, FL; Charlotte-Mecklenberg, NC; Louisville, KY; Portland, OR; Omaha, NE; and Denver, CO. On a related note, you should know that some of the cities filing lawsuits against gun manufacturers and dealers have depended on ATF's crime gun tracing data as evidence of illegal gun trafficking in their communities.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-FEB-1999 17:11:52.00

SUBJECT: Re: IUPA Scheduling Proposal

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

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

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

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

TEXT:
Karin:

I think we should go ahead and submit this...and see if we can't find some way to make this into a crime bill mini-event by then.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:21-FEB-1999 17:14:35.00

SUBJECT: Re: Robyn

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

TEXT:
Mickey:

Let me know how I can reach her tomorrow, and I'll try and get together with her. In the alternative, I could try and catch up w/her after her meeting w/Melanne.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 20:43:07.00

SUBJECT: INS/Criminal Aliens

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

READ:UNKNOWN

TEXT:

Can you make sure we see INS' testimony for their hearing this week?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 17:19:47.00

SUBJECT: Re: bio

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

READ:UNKNOWN

TEXT:

Who's coming to the meeting...it's not just Dan and Gene?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 11:05:16.00

SUBJECT: Re: law enf. funding

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

READ:UNKNOWN

TEXT:

ins couple of minutes still...but almost done...jc3

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-22

Subject: McDade Amendment

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 10:15:02.00

SUBJECT: Re: one more thing

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Laura:

We're going to focus on drunk driving, law enforcement cuts, and maybe INS (I'm reading times now). Police brutality is the same, and gun tracing has already been widely reported and substantial info has been put out by Treasury...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 08:59:30.00

SUBJECT: Monday Team Leaders Meeting

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

TEXT:

Please adjust my schedule...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/22/99

09:00 AM -----

Cathy R. Mays

02/19/99 01:06:32 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Laura Emmett/WHO/EOP, Essence P. Washington/OPD/EOP, Teresa M. Jones/OPD/EOP
Subject: Monday Team Leaders Meeting

There will be no Team Leaders Meeting on Monday, February 22. Team Leaders will meet on Tuesday, February 23, at 9:15 a.m.

Message Sent

To:

Elena Kagan/OPD/EOP

Christopher C. Jennings/OPD/EOP

Paul J. Weinstein Jr./OPD/EOP

Cynthia A. Rice/OPD/EOP

Jose Cerda III/OPD/EOP

Thomas L. Freedman/OPD/EOP

Nicole R. Rabner/WHO/EOP

Karin Kullman/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 10:00:07.00

SUBJECT: guidance on ny drunk drivers

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

TEXT:

Remember we have to get back to Laura by 10:30am on this...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/22/99

10:01 AM -----

Laura Emmett

02/22/99 09:52:16 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: guidance on ny drunk drivers

are you guys working on this?

----- Forwarded by Laura Emmett/WHO/EOP on 02/22/99 09:52

AM -----

Nanda Chitre

02/22/99 08:45:41 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

cc: Laura Emmett/WHO/EOP, Elizabeth R. Newman/WHO/EOP

Subject: guidance on ny drunk drivers

Do we have a view on the new NY law on seizing cars of drunk driving suspects?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 17:20:37.00

SUBJECT: Re: McDade Amendment

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

READ:UNKNOWN

TEXT:

No. It's today at 5:30pm. You're welcome to attend.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 10:45:45.00

SUBJECT: law enf. funding

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D75]MAIL43471065G.036 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

**Law Enforcement Funding
Question/Answer
February 22, 1999**

Q: There's an op-ed in today's Washington Times accusing the Administration of making big cuts to the law enforcement budget. What is your response to this?

A: Although we did have to make some hard choices about how to fund our crime priorities this year -- such as choosing to hiring more local police and prosecutors, as opposed to continuing to build more state prisons -- the criticisms of Senator Hatch and Representative McCollum ring hollow for a couple of reasons.

First, the Justice Department's proposed crime budget is \$21 billion: \$300 million more than last year and about double what it was before the President took office. There can be no question that this Administration has provided unprecedented support for law enforcement at all levels -- state, local and federal.

Second, Senator Hatch and Representative McCollum voted against the 1994 Crime Act that created many of the programs they accuse us of cutting. It is through the 1994 Crime Act -- which was supported by every major law enforcement organization in the country -- that we have been able to direct billions of dollars each year to states and localities for more police, tougher punishment and better prevention. We can only hope that today's editorial means that Senator Hatch and Representative McCollum will support the President's effort this Congress to renew the 1994 Crime Act.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 19:00:06.00

SUBJECT: Racial Profiling

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

TEXT:

Please add to my schedule...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/22/99

07:00 PM -----

Marjorie Tarmey
02/22/99 06:53:58 PM

Record Type: Record

To: See the distribution list at the bottom of this message
cc: Cathy R. Mays/OPD/EOP, Laura Emmett/WHO/EOP
Subject: Racial Profiling

Maria has scheduled a mtg for Monday, March 1 at 12:30 re Racial Profiling. The following people will attend: Bill Lann Lee, Eric Holder and Chris Edley.

Message Sent

To: _____
Bruce N. Reed/OPD/EOP
Elena Kagan/OPD/EOP
Jose Cerda III/OPD/EOP
Leanne A. Shimabukuro/OPD/EOP
Robert B. Johnson/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 17:25:23.00

SUBJECT: bio

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D77]MAIL46963765S.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

JOSE CERDA III

Jose Cerda III is a Special Assistant to the President for Domestic Policy. In the White House, he works to develop, implement and coordinate a broad spectrum of crime and urban issues for the Domestic Policy Council (DPC).

Mr. Cerda has worked in the White House on two separate occasions. From 1993 to 1995 he served as the DPC's Senior Policy Analyst for crime issues, and he re-joined the DPC in 1997 to oversee its Crime, Drugs and Communities policy team. Mr. Cerda also worked on the domestic policy staff of the 1992 Clinton-Gore campaign and of the 1992 Presidential Transition. Mr. Cerda's specific areas of emphasis include community policing, firearms policy and other public safety issues.

From 1989 to 1992 Mr. Cerda served as a Legislative Assistant for former Representative George E. Sangmeister (D-IL). And, in between his two appointments at the White House, he was the Director for the City of Chicago's Empowerment Zone. In this capacity, he worked with state and local government representatives, community residents and businesses to help revitalize some of Chicago's most neglected neighborhoods.

Mr. Cerda, 33, is a graduate of Harvard University.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:22-FEB-1999 09:28:47.00

SUBJECT: guidance on ny drunk drivers

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

TEXT:

Do you know if we've said anything on this. If we haven't, 'm inclined to think we don't want to say anything either way...maybe just some general statement about how we support a variety of states' and localities' efforts to crack down on drunk driving...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/22/99
09:27 AM -----

Nanda Chitre

02/22/99 08:45:41 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

cc: Laura Emmett/WHO/EOP, Elizabeth R. Newman/WHO/EOP

Subject: guidance on ny drunk drivers

Do we have a view on the new NY law on seizing cars of drunk driving suspects?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 21:01:15.00

SUBJECT: Law Enforcement Funding Q&A

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

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

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

TEXT:
Michael:

Here was our quickie response to yesterday's article. We'll develop something more substantive for the future.

jc3
----- Forwarded by Jose Cerda III/OPD/EOP on 02/23/99
09:01 PM -----

Laura Emmett
02/22/99 11:56:51 AM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP
Subject: Law Enforcement Funding Q&A

Message Sent

To: _____
Barry J. Toiv/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Amy Weiss/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Nanda Chitre/WHO/EOP
Elizabeth R. Newman/WHO/EOP
Beverly J. Barnes/WHO/EOP
Ruby Shamir/WHO/EOP
Linda Ricci/OMB/EOP

Lawrence J. Haas/OVP @ OVP
Joseph C. Fanaroff/WHO/EOP
Kevin S. Moran/WHO/EOP
Dag Vega/WHO/EOP
Julia M. Payne/WHO/EOP
Jason H. Schechter/WHO/EOP
Sarah E. Gegenheimer/WHO/EOP
Julie B. Goldberg/WHO/EOP
Melissa G. Green/OPD/EOP
Roger V. Salazar/WHO/EOP
Jake Siewert/OPD/EOP
Chandler G. Spaulding/WHO/EOP
Heather M. Riley/WHO/EOP
Megan C. Moloney/WHO/EOP
Julianne B. Corbett/WHO/EOP
Victoria L. Valentine/WHO/EOP

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D30]MAIL486174858.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

Law Enforcement Funding Q&A's
February 22, 1999

Q: There's an op-ed in today's Washington Times accusing the Administration of making big cuts to the law enforcement budget. What is your response to this?

A: Although we did have to make some hard choices about how to fund our crime priorities this year -- such as choosing to hiring more local police and prosecutors, as opposed to continuing to build more state prisons -- the criticisms of Senator Hatch and Representative McCollum ring hollow for a couple of reasons.

First, the Justice Department's proposed crime budget is \$21 billion: \$300 million more than last year and about double what it was before the President took office. There can be no question that this Administration has provided unprecedented support for law enforcement at all levels -- state, local and federal.

Second, Senator Hatch and Representative McCollum voted against the 1994 Crime Act that created many of the programs they accuse us of cutting. It is through the 1994 Crime Act -- which was supported by every major law enforcement organization in the country -- that we have been able to direct billions of dollars each year to states and localities for more police, tougher punishment and better prevention. We can only hope that today's editorial means that Senator Hatch and Representative McCollum will support the President's effort this Congress to renew the 1994 Crime Act.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 21:23:10.00

SUBJECT: More Guns and Ammo...

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

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

TEXT:

KK:

Per this morning's meeting, Leanne put together the following description for a gun radio address next weekend...let us know if you need more on this.

Strengthening Firearms Enforcement. In his March 5 radio address, the President could: (1) issue a directive to the Attorney General to encourage federal prosecutors to adopt innovative strategies to crack down on federal firearms law violations; (2) release a Justice Department report containing promising local strategies to combat gun violence; and (3) highlight the nearly \$30 million in the FY 2000 budget dedicated to enhancing firearms enforcement.

Directive. The President could sign a directive to the Attorney General to work with the U.S Attorneys to implement aggressive, new prosecutorial initiatives to reduce gun violence such as the successful Project Exile in Richmond, VA.

DOJ Report. The report, Promising Strategies to Reduce Gun Violence, identifies existing promising efforts across the country to reduce gun violence including: strategies to interrupt sources of illegal guns such as gun tracing, and firearms licensee compliance programs; strategies to respond to illegal gun use such as focused prosecution strategies and court-related programs, and education and prevention initiatives.

FY 2000 Budget. The President's budget provides \$28.8 million for enhanced firearms enforcement, including \$5 million for U.S. Attorneys to increase firearms prosecutions based on focused Federal-local law enforcement efforts, and \$23.8 million to add over 120 ATF agents to help investigate additional firearms cases for prosecution. We could also, as part of our directive or announcement, propose targeting funds from the President's proposed police and prosecutors initiatives, perhaps as much as \$50 million more.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 15:43:44.00

SUBJECT: proposed police brutality meeting for Friday 2/26

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

TEXT:

Add Chuck to list and forward to laura for comment by EK...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/23/99

03:44 PM -----

Leanne A. Shimabukuro
02/23/99 03:23:15 PM
Record Type: Record

To: Jose Cerda III/OPD/EOP
cc:
Subject: proposed police brutality meeting for Friday 2/26

This is horribly long, and I haven't been able to reach DB about his suggestions... It appears that the issue is heating up -- Hugh Price and Al Sharpton are planning a press conference on police brutality at the Press Club on Thursday.

DPC meeting on police brutality for Friday, 2/26

Proposed invitees:

Bruce Reed - DPC
Elena Kagan - DPC
Jose' Cerda -DPC
Leanne Shimabukuro -DPC
Irene Bueno - DPC
Maria Echaveste - CoS
Chris Edley
Ben Johnson - PIR
Eddie Correia - WH Counsel
Bill Lann Lee - AAG Civil Rts
Bill Yeomans - Civil Rts
Julie Fernandes -DOJ/Civil Rts
Eric Holder - DAG
Brian Jackson - DOJ/DAG
Nick Gess - DOJ/DAG
Ann Harkins - DOJ/AG
Dennis Burke - DOJ/OLA
Mary Jo White - DOJ/US Atty** [While some concerns may be raised about

inviting her, some at DOJ believe she is in a position to assure others that significant action is being taken on NY case.]

Chuck Ruff should also be notified as an FYI since he has expressed interest.

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-23

Subject: Despite lack of fundamental fairness, its still the best..

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 21:27:40.00

SUBJECT: Law Enforcement Talking Points

TO: David C. Leavy (CN=David C. Leavy/OU=NSC/O=EOP @ EOP [NSC])

READ:UNKNOWN

TEXT:

David:

Are you folks pulling together some Mexico cert/decert talking points geared toward law enforcement groups, state and locals in particular. I'm not sure they necessarily need anything too different from what you're preparing generally, but it's worth considering.

Let me know. I'd like to make them available to the various groups when appropriate, and would like to use them to talk to some individual Chiefs in CA and TX.

Jose'

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-23

Subject: Brady/NICS -- possible morning update, though not currently a press issue

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 21:38:20.00

SUBJECT: Re: Crime Strategy Meeting

TO: Charles A. Blanchard (CN=Charles A. Blanchard/OU=ONDCP/O=EOP @ EOP [ONDCP])
READ:UNKNOWN

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

TEXT:
Chuck:

I'm fine w/either. Let's discuss at crime meeting tomorrow morning.

Jose'

Charles A. Blanchard
02/22/99 01:46:12 PM
Record Type: Record

To: Cathy R. Mays/OPD/EOP, Jose Cerda III/OPD/EOP
cc:
Subject: Re: Crime Strategy Meeting

I will be in Miami on Thursday, and will be unable to attend the meeting.
Jose: I can see if either Tom Umberg (PAS; Deputy director for Supply Reduction) or Don Vereen is available if you would like ONDCP participation.

Chuck

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:23-FEB-1999 21:15:39.00

SUBJECT: Re: National Association of Counties Meeting

TO: Mona G. Mohib (CN=Mona G. Mohib/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

Mona:

Barring any major crisis, I'm planning to attend NACO's criminal justice block grant meeting. Do you know, per chance, if any of this will be open to press...or are these closed, candid discussions?

jc3

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-23

Subject: Re-worked list

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 09:32:38.00

SUBJECT: Re: radio address

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

READ:UNKNOWN

TEXT:

KK:

Yeah, I guess that's right we did split the earlier event into two...but we no longer have 10 new cities to announce...they were part of Sunday's announcement, too. jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 08:59:06.00

SUBJECT: Re: scheduling proposal

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

READ:UNKNOWN

TEXT:

This looks fine, but we should include Rubin as part of the directive, and we should invite Rubin or at least Under Secretary Jim Johnson to the radio address. Also, if we want a bit of juicier announcement, we may be able to target/dedicate as much as another \$50 million in police and prosecutor funds for this purpose...but that's not definate yet.

jc3

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-24

Subject: Draft Price Letter

Creator: Jose Cerda III

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-24

Subject: Added line per Phil

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 17:14:04.00

SUBJECT: MONDAY, MARCH 1, MEXICO CERTIFICATION CORE GROUP MEETING

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

READ:UNKNOWN

TEXT:

for my schedule...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/24/99

05:15 PM -----

Donna Dejban

02/24/99 04:07:50 PM

Record Type: Record

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

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

Subject: MONDAY, MARCH 1, MEXICO CERTIFICATION CORE GROUP MEETING

Maria Echaveste and General Kerrick will hold the next Mexico Certification Core Group Meeting on Monday, March 1, 1:30-2:30 p. m. in the Roosevelt Room. Please confirm your participation by e-mail or extension 6-9471. Thank you.

Message Sent

To: _____
Maria Echaveste/WHO/EOP
Mickey Ibarra/WHO/EOP
Lawrence J. Stein/WHO/EOP
Kris M Balderston/WHO/EOP
Cheryl M. Carter/WHO/EOP
Lynn G. Cutler/WHO/EOP
Fred DuVal/WHO/EOP
Janet Murguia/WHO/EOP
Jose Cerda III/OPD/EOP
Maritza Rivera/WHO/EOP
Thomas Umberg/ONDCP/EOP
L B. Hittle/ONDCP/EOP
Michele A. Manatt/ONDCP/EOP
Janet L. Crist/ONDCP/EOP
Jon P. Jennings/WHO/EOP
Caroline R. Fredrickson/WHO/EOP

Message Copied

To:

Mindy E. Myers/WHO/EOP
David S. Beaubaire/WHO/EOP
Jeanette A. Lewis/ONDCP/EOP
Marjorie Tarmey/WHO/EOP
Laura S. Marcus/WHO/EOP
LEAVY_D @ A1@CD@VAXGTWY@EOP
Matt Gobush/NSC/EOP
Miles M. Lackey/NSC/EOP
Fulton Armstrong/NSC/EOP
Frederick M. Rosa/NSC/EOP
Laurel E. Miller/NSC/EOP
Natalie S. Wozniak/NSC/EOP
Christina L. Burrell/NSC/EOP
Elaine Kirksey/ONDCP/EOP
Beverly J. Roundtree/NSC/EOP
Jon P. Jennings/WHO/EOP
Maria E. Soto/WHO/EOP
Mona G. Mohib/WHO/EOP
Jessica L. Gibson/WHO/EOP
Patrice L. Stanley/WHO/EOP
Earlene C. Lee/ONDCP/EOP
June G. Turner/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 09:48:25.00

SUBJECT: Re: Despite lack of "fundamental fairness", its still the best...

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

TEXT:

Actually, the NYT open with, "Despite having only a minimal knowledge of the legal system, nearly half (47%) of the public thinks it treats minorities and poor unfarily..."

The story later says that most people beleive "the justice system needs a complete overhaul" and that "we would be better off with fewer lawyers," but that 8 out of 10 persons still say that "in spite of its problems, the American justice system is the best in the world." Go figure...this could mean many things.

I don't see any racial breakouts though...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 08:54:05.00

SUBJECT: POLICE BRUTALITY MTG

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

READ:UNKNOWN

TEXT:

fyi...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/24/99

08:55 AM -----

Thurgood Marshall Jr

02/24/99 08:35:33 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc: Jon P. Jennings/WHO/EOP

Subject: POLICE BRUTALITY MTG

Jose -- Can you keep us posted on time and location for today's meeting? Jon and/or I need to be included. Thanks.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 14:59:13.00

SUBJECT: Hate Crimes Meeting

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Add to my schedule...for now...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/24/99

03:00 PM -----

Richard Socarides 02/24/99 02:46:31 PM

Record Type: Record

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

cc:

Subject: Hate Crimes Meeting

----- Forwarded by Richard Socarides/WHO/EOP on 02/24/99

02:46 PM -----

Edward W. Correia

02/24/99 02:42:38 PM

Record Type: Record

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

cc:

Subject: Hate Crimes Meeting

There will be a meeting of the hate crimes working group on Friday, 2/26, at 2:00 in 100 OEOB. Hill staff, outside groups, and DOJ will attend.

Message Sent

To: _____
Richard Socarides/WHO/EOP
Caroline R. Fredrickson/WHO/EOP

Broderick Johnson/WHO/EOP
Thomas L. Freedman/OPD/EOP
Mary L. Smith/OPD/EOP
Robin Leeds/WHO/EOP
Peter Rundlet/WHO/EOP

Message Sent

To:

Karen Tramontano/WHO/EOP
Thomas D. Janenda/WHO/EOP
Barry J. Toiv/WHO/EOP
Tracey E. Thornton/WHO/EOP
Mark Childress/WHO/EOP
Virginia Apuzzo/WHO/EOP
Sara M. Latham/WHO/EOP
Marsha Scott/WHO/EOP
Kay Casstevens/OVP @ OVP
Rajiv Y. Mody/WHO/EOP
Maureen T. Shea/WHO/EOP
Minyon Moore/WHO/EOP
Robert B. Johnson/WHO/EOP
Maria Echaveste/WHO/EOP
Marjorie Tarmey/WHO/EOP
Peter Rundlet/WHO/EOP
Charles W. Burson/OVP @ OVP
Edward W. Correia/WHO/EOP
Thomas L. Freedman/OPD/EOP
Caroline R. Fredrickson/WHO/EOP
Mary L. Smith/OPD/EOP
Broderick Johnson/WHO/EOP
Angela_Williams @ Judiciary.Senate.Gov
Carole_Grunberg @ Wyden.Senate.Gov
Sean P. Maloney/WHO/EOP
william.r.yeomans @ usdoj.gov
james.e.castello @ usdoj.gov
tom.perez @ usdoj.gov
Jose Cerda III/OPD/EOP
Jennifer M. Luray/WHO/EOP
Karen.L.Stevens @ usdoj.gov
Cheryl M. Carter/WHO/EOP
Jonathan M. Young/WHO/EOP
Kelley L. O'Dell/WHO/EOP
Barbara D. Woolley/WHO/EOP
Richard Socarides/WHO/EOP
Deborah B. Mohile/WHO/EOP
Sondra L. Seba/WHO/EOP
Christine A. Stanek/WHO/EOP
Robin Leeds/WHO/EOP
Ilia V. Velez/WHO/EOP

Jena V. Roscoe/WHO/EOP
Maureen T. Shea/WHO/EOP
Victoria A. Lynch/WHO/EOP
Maritza Rivera/WHO/EOP
Tania I. Lopez/WHO/EOP
allen.kent @ mail.va.gov @ inet
Jackson T. Dunn/WHO/EOP
Jennifer M. Luray/WHO/EOP
Mary E. Cahill/WHO/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 08:55:25.00

SUBJECT: Re: More Guns and Ammo...

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

We have some flexibility, though we should do it in March...before we introduce the crime bill.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:24-FEB-1999 12:48:33.00

SUBJECT: RE: Law Enforcement Talking Points

TO: LEAVY_D (LEAVY_D @ A1 @ CD @ LNGTWY [UNKNOWN]) (NSC)
READ:UNKNOWN

TEXT:

Can you send me a copy of the general package, and I'll just work from there.

Jose'

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-02-25

Subject: Note for morning meeting

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1999 12:33:32.00

SUBJECT:

TO: Jade L Riley (CN=Jade L Riley/OU=WHO/O=EOP @ EOP [WHO])

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D8]MAIL474000160.036 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

JOSE CERDA III

Jose Cerda III is a Special Assistant to the President for Domestic Policy. In the White House, he works to develop, implement and coordinate a broad spectrum of crime and urban issues for the Domestic Policy Council (DPC).

Mr. Cerda has worked in the White House on two separate occasions. From 1993 to 1995 he served as the DPC's Senior Policy Analyst for crime issues, and he re-joined the DPC in 1997 to oversee its Crime, Drugs and Communities policy team. Mr. Cerda also worked on the domestic policy staff of the 1992 Clinton-Gore campaign and of the 1992 Presidential Transition. Mr. Cerda's specific areas of emphasis include community policing, firearms policy and other public safety issues.

From 1989 to 1992 Mr. Cerda served as a Legislative Assistant for former Representative George E. Sangmeister (D-IL). And, in between his two appointments at the White House, he was the Director for the City of Chicago's Empowerment Zone. In this capacity, he worked with state and local government representatives, community residents and businesses to help revitalize some of Chicago's most neglected neighborhoods.

Mr. Cerda, 33, is a graduate of Harvard University.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1999 17:21:20.00

SUBJECT: stuff

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

READ:UNKNOWN

TEXT:

ls:

the police brutality press conference is on c-span. you're friend karen is speaking now.

do you have today's briefing on e-mail? if so, please forward.

can you ask doj for a transcript of todays' briefing.

thanks...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1999 10:17:19.00

SUBJECT: mtg

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

READ:UNKNOWN

TEXT:

Can you touch base w/Cathy, see who's confirmed for today at 11am, and make sure everybody's cleared in for today...sometime Medina, for instance, gets dropped from the list.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:25-FEB-1999 10:15:35.00

SUBJECT: Re: Draft Justice Dept. legislation on 18 USC 175

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

That's fine by me.

Ronald E. Jones

02/25/99 08:58:52 AM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

cc:

Subject: Draft Justice Dept. legislation on 18 USC 175

Any objection to passing along this section to Epstein (it's section 6131, the first in the terrorism title) with the instructions he should not share it with anyone?

----- Forwarded by Ronald E. Jones/OMB/EOP on 02/25/99
08:55 AM -----

From: Gerald L. Epstein on 02/24/99 06:25:09 PM

Record Type: Record

To: Ronald E. Jones/OMB/EOP@EOP

cc:

Subject: Draft Justice Dept. legislation on 18 USC 175

I understand that the Justice Department is drafting legislation to amend title 18, section 175 of the U.S. Code, governing possession and shipment of dangerous biological agents, and that Justice intends to send this to Congress as part of the Omnibus Crime Bill. I am very interested in the biological agent provisions - has this legislation gone to OMB for Administration clearance yet? If so, I would like to see and comment on it, and more importantly to make sure that all the relevant parts of HHS have the chance to do so as well. If it hasn't yet come to you, can you

let me know when it does? And do you know when it is expected? Thanks.

Jerry Epstein

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 10:43:40.00

SUBJECT: mtg.

TO: Edward H. Jurith (CN=Edward H. Jurith/OU=ONDCP/O=EOP @ EOP [ONDCP])

READ:UNKNOWN

TEXT:

Ed:

Getting a bit jammed here this morning on some things...Can we substitute coffee at about 3pm for lunch?

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 10:06:08.00

SUBJECT: gun q/a

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

I took some license on this one and may have gotten to close or crossed
the line on what we can say w/respect to lawsuits...what do you guys
think? jc3

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D52]MAIL444520267.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

NRA Legislation to Block Lawsuits
February 26, 1999

Q: What is your response to the NRA's effort to pass legislation in at least 10 states to block some of the lawsuits cities have filed against the gun manufacturers? And is there anything the Administration can or will do block the NRA's efforts at the federal level?

A: Frankly, this shows that the gun lobby is in denial. It represents a desperate attempt to avoid the difficult issues raised in many of the lawsuits recently filed by cities -- and its an attempt to recover from the devastating loss they suffered in New York last week (Hamilton v. Accu-Tek).

[We will certainly review the laws being proposed in these states and consider whether or not we are in a position to do anything about them the federal level. Ultimately any action we take will depend on a recommendation from the Justice and Treasury Departments, which have been closely monitoring the all of the pending lawsuits and the issues surround them.]

But no matter what the gun lobby does, the serious issues and allegations raised in the pending lawsuits won't simply go away by passing a few state laws. The lawsuits help confirm that many of the President's proposal to crackdown on gun trafficking, to provide for background checks at gun shows, and to promote gun safety are right on point -- and should be addressed as a matter of federal policy.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 11:17:38.00

SUBJECT: Re: FOP Memorial Day Event

TO: Audrey Choi (CN=Audrey Choi/O=OVP @ OVP [UNKNOWN])

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Audrey:

President may not be able to do the FOP memorial. If he can't, seems to me we should make sure the VP is available. I would think you wouldn't want to pass up this opportunity. Anything you can do to reinforce w/your scheduling folks...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/26/99
11:17 AM -----

From: Lisa A. Berg @ OVP on 02/26/99 11:14:55 AM

Record Type: Record

To: Karin Kullman/OPD/EOP

cc: Wendy Hartman/OVP @ OVP, Charles J. Payson/Who/Eop, Jose Cerda Iii/Opd/Eop, Leanne A. Shimabukuro/Opd/Eop

Subject: Re: FOP Memorial Day Event

please send the paper up to me - thanks

Karin Kullman @ EOP

02/26/99 11:10 AM

To: Lisa A. Berg/OVP, Wendy Hartman/OVP, Charles J. Payson/WHO/EOP @ EOP

cc: Jose Cerda III/OPD/EOP @ EOP, Leanne A. Shimabukuro/OPD/EOP @ EOP

Subject: Re: FOP Memorial Day Event

In terms of this particular event, there are no days other than May 15th. They have this event on May 15th EVERY YEAR. It is at the memorial and involves a speaking program and wreath laying.

I can send you our information if you would like to see it.

It is the feeling of DPC that this event is VERY IMPORTANT.

----- Forwarded by Karin Kullman/OPD/EOP on 02/26/99
10:07 AM -----

From: Lisa A. Berg @ OVP on 02/26/99 11:03:42 AM
Record Type: Record

To: Charles J. Payson/WHO/EOP
cc: Wendy Hartman/OVP @ OVP, Karin Kullman/Opd/Eop
Subject: Re: FOP Memorial Day Event

we would possibly consider something on the 14th - Karen what are the options? VP is not available on the 15th right now.

Charles J. Payson @ EOP
02/26/99 11:00 AM
To: Lisa A. Berg/OVP, Wendy Hartman/OVP
cc: Karin Kullman/OPD/EOP @ EOP
Subject: FOP Memorial Day Event

We are going to be in California on Saturday, May 15 and will be unable to do an FOP Memorial Day Event. DPC has submitted a scheduling proposal-- can the VP do this event?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 10:14:39.00

SUBJECT: more q/a

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D28]MAIL450440261.036 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

Police Misconduct and Abuse Q&A
February 26, 1999

Q: The Diallo case in New York has raised the issue of police abuse and misconduct across the country. Yesterday, a number of civil rights groups including the Urban League held a press conference on the issue. What do you intend to do about this matter?

A: With respect to the Diallo case in particular, as the Attorney General said yesterday, the Department of Justice's Civil Rights Division, the local U.S. Attorney's Office, and the FBI are working with the local prosecutor and local authorities to ensure that every possible step is taken in this case.

As to the larger issue of police brutality, the criminal justice system must be fair and have the support of all law-abiding Americans. Earlier this week, the President sent a letter to Hugh Price from the Urban League responding to his concerns about this issue and asking the Attorney General to consider Mr. Price's recommendations as she continues to work with state and local law enforcement agencies on these matters.

This Administration is committed to vigorous enforcement of our civil rights laws, including against police officers who would betray the public's trust through lawlessness or brutality. Our record shows that. Since 1993, the Justice Department has criminally prosecuted over 300 officers, resulting in more than 200 convictions. And our budget for next year includes a 15 percent increase for civil rights enforcement across the board, and an even more substantial increase for the Civil Rights Division of the Justice Department, which has responsibility for much of the work involving police misconduct.

But tough enforcement of the law is not enough. We must also work proactively to ensure that the criminal justice system serves the public safety needs of all Americans. The Justice Department is actively working with law enforcement organizations across the country to develop training programs to address issues of misconduct and abuse. And our community policing initiative has been instrumental in strengthening the bond between community residents and their local police, as well as reducing the victimization of minorities. Building this kind of trust is essential if we are to move forward to make our criminal justice system more responsive and fairer for all of our citizens.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 18:22:46.00

SUBJECT: Re: crime bill scheduling proposal

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

looks fine to me...you may want to add Mayors to the list of participants...also, you may want to include that the President proposed a 21st Century Crime Bill in his SOTU...and, on timing, maybe we also want to mention the wisdom of introducing the bill at the start of the congressional recess...this allows us to get out in front of the issue while Congress is away and we have a clear shot at the news...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 18:57:14.00

SUBJECT: Healthcare/Nursing Home Fraud

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Sarah:

When was it again that the VP was thinking about doing this? I want to incorporate it into my proposed plan for a crime bill roll-out.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME:26-FEB-1999 15:20:26.00

SUBJECT: Edits to Race/Crime Chapter

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

READ:UNKNOWN

TEXT:

Here are the crime chapter comments...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 02/26/99

03:21 PM -----

Jose Cerda III

02/04/99 10:01:01 PM

Record Type: Record

To: Clara J. Shin/WHO/EOP

cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP, Laura Emmett/WHO/EOP

Subject: Edits to Race/Crime Chapter

Clara:

Forgive the tardiness, but here are my comments on the initial draft of the race/crime chapter circulated last week, with concurrence and input from my two maximum leaders. Since the comments are extensive, a bit repetitive, and not limited to line edits, I have tried to summarize the major points up front.

Also, let me begin by saying that we appreciate the efforts of Chris and Scott to address our concerns and incorporate many of our ideas. For instance, the initial emphasis on the problem of minority victimization, the recognition that community policing must be at the center of our efforts, and the specific inclusion of language supportive of the law enforcement community are very important to us, and have all been prominently featured in the current draft. That said, however, we continue to have some concerns -- some major, some more a matter of nuance -- that we are hopeful can be worked out in our upcoming meeting. Again, thanks for your patience, and I hope these comments are taken in the candid spirit that they are offered.

Jose'

1. Contradiction on whether the system is fair or unfair. Most importantly, the draft suffers from a series of contradictions about

whether we believe the justice system is fundamentally fair or unfair to minorities. We believe that the facts show that, if you control for criminal offending, the system is essentially fair, but that it doesn't do enough to protect minorities in high-crime neighborhoods. There are several things we need to do to convey this. First, the opening of the crime chapter should include a key set of facts that makes clear the rates of minority victimization and offending. Without such facts, it is almost impossible to engage in a broader discussion of race and crime -- and it is difficult to distinguish whether issues should be dealt with as matters of policy or perception. Second, given these facts, the draft should characterize America's race/crime problem as both a lack of opportunity and responsibility...too little opportunity for minority youth to avoid crime, stay out of jail, and get ahead...and too little responsibility in the form of high crime, public disorder, and broken communities. Beginning the race/crime discussion as such, we can begin to understand why minority communities mistrust a justice system that -- while not fundamentally unfair or intentionally discriminatory -- doesn't meet their public safety needs, despite incarcerating so many persons. And we begin to lay the groundwork for solutions that address these issues (i.e., more opportunity for youth, improved public safety) and build trust (i.e., engaging the community).

2. More focus on the need to build stronger communities. The draft should focus more on the importance of building strong communities. That means more than simply picking up garbage, rehabbing housing, and targeting resources. Although these things matter, they are not the biggest predictors of violent crime. Falling crime rates in some of our worst neighborhoods have proved this. So, too, has the Earls/Sampson study on Chicago neighborhoods, which found that communities with a strong sense of shared values and people willing to reinforce those values -- whether black or white, rich or poor, uptown or downtown, etc. -- had 40 percent less violent crime. This is a powerful study that should be more prominently and positively featured in the draft. It shows that community members who act responsibly and in the interest of their neighbors have a huge impact on crime and violence. It shows that even the best law enforcement is no substitute for strong communities. And, as is the case with the Boston Gun Project, it shows that one entire communities -- police, prosecutors, parents, and priests -- organize to reinforce certain behaviors, they can literally bring murder and gun violence to a standstill.

3. Concept of community justice not clear. I don't think the discussion of community justice makes clear exactly what policies the Administration is calling for. We are probably better served by discussing how community policing has revolutionized policing and public safety in America, and how its two component parts -- solving crime problems and engaging the community -- can help revolutionize our entire criminal justice system. More importantly, these two concepts -- more than the term "community justice" -- capture what it will take to address the paradox of America's race/crime problem: that, with respect to the criminal justice system, minorities are both fundamentally underserved and overrepresented.

4. Wrong tone for discussion of "hot button" issues. While I recognize the desire to touch on the difficult issues of racial profiling and police

brutality. I think the draft's language will be viewed by our friends in law enforcement as inflammatory. Not only are the vast majority of law enforcement officers decent, hard-working public servants who put their lives on the line every day, but -- as a result of community policing -- they have become the harbingers of change in the criminal justice system. In many cities, police-led efforts to work w/the community have made the justice system more responsive, resulted in new prevention programs, and increased the flow of information to the public. Condemning them and their practices with a broad brushstroke strays from the known facts, and doesn't contribute to our goal of building trust. Equally important, I don't believe our own federal law enforcement bureaus -- who I'm sure don't think they engage in racial profiling -- are prepared to live under the executive order on racial profiling proposed in the draft. In many ways, dealing with this issue at the federal level (i.e., INS and Customs enforcement at the nation's borders) is even more difficult than locally (traffic stops and drug enforcement).

Also, with respect to the section on racial disparities in the rates of incarceration, I think this entire discussion is inconsistent with point #1. It ignores the disparities in criminal offending and suggests we excuse away behavior. We simply shouldn't.

5. More emphasis on President's record and its impact on minorities. Finally, the draft should include discussion and examples of falling crime rates in minority communities. It should mention the dramatic drop in youth gun homicides, mostly among minority youth, and it should include anecdotes with specific and well-known minority neighborhoods (e.g., Washington Heights in New York City, where the number of murders has dropped from a peak of 100+ per year to about 10 now). Also, we should take credit for major policy shifts that have benefited minorities -- such as taking on the gun lobby at a time when more teenagers were being killed by guns than by any natural cause; and transforming the nature of policing across the nation. Finally, the President's leadership in appointing an unprecedented number of high-caliber, minority law enforcement professionals (Holder, Noble, Johnson, Gonzales, etc.) is worth highlighting, too.

Here are some additional, specific comments:

1. Page 1, paragraph 4, 3rd sentence: Replace with, "Since 1993, the violent crime rate has dropped by more than 20 percent nationwide, including a 28 percent drop in the homicide rate, which is at its lowest level in 30 years." (1997 National Crime Victimization Survey, Bureau of Justice Statistics).
2. Page 2, paragraph 2, between 3rd and 4th sentence: We should think about adding a sentence along the lines of, "Although African Americans represent 12 percent (?) of the overall population, they have represented approximately half of all murder victims for the past 30 years." (BJS crime stats...Scott should have this chart)
3. Page 2, paragraph 3. This is an important point that needs to be

clearer and perhaps expanded. We need to make clear from the outset what we know -- what the facts are -- about rates of victimization and offending by race. I recall that Chris Stone's paper to the Advisory Board has a good discussion on this topic; perhaps it should be incorporated. And the recent BJS homicide study (12/98) including factoids showing that African Americans were 7 times more likely than whites to be murdered, as well as 8 times more likely than whites to commit murder. Perhaps we should come to agreement on the 5-10 most important facts here and break them out as bullets. And perhaps we should also include the findings from the GAO and DOJ studies, mentioned at the end of page 26, showing that -- if we control for the type of criminal offense committed -- rates of arrest, prosecution and conviction do not differ significantly by race. Again, the point being that we should make the facts of minority rates of victimization and offending very clear up front

4. Page 3, paragraph 1, last line: I believe this number is included in the DOJ/Interior report on crime in Indian Country, and that it might be that violent crime is up by more than 80%. (Scott should have this in his copy of the final report on crime in Indian Country.)

5. Page 3, last paragraph, last 2 sentences: I'm not sure this is right...or what we want to emphasize here. Don't we want to emphasize the cutting edge findings from the Earls/Sampson Chicago Study that a strong, shared sense of community (collective efficacy) is a better predictor of violent crime than the usual demographic data -- by 40 percent, in fact.

6. Page 5, final paragraph and sentence: A couple of comments on this sentence...(1) if the GAO study shows that, if we control for criminal offending, the rates of arrest, prosecution and conviction don't differ greatly by race, than what are the assumed "racial disparities" that are even greater in the juvenile system...or do disparities only really exist in the juvenile system? If we're trying to make a point about the juvenile system, let's cite the facts and make it. If not, let's drop the inconsistent rhetoric....We can't say throughout this chapter that the system is both fairer than people think...yet unfair...and (2) with respect to the following sentence, the sad truth is that we've already lost a generation of minority youth -- victims and offenders -- to the mix of crack/gangs/guns (discussed on pages 10 and 11), and this sad chapter accounts for many of the difficult issues surrounding crime and race. Perhaps this is a story that should be told more explicitly here.

7. Page 6, first full paragraph, drop everything after the 4th sentence: Again, either we believe the system is fundamentally fair or unfair, but it can't be both. I would argue that we want to say the system is fundamentally fair, but that it can be improved...that the relationship between law enforcement and some minority communities is not as strong as it could or should be...and that law enforcement and the community both lose when this is the case. Consistent with this point, I wouldn't generalize that unfair policies, racial biases and police brutality undermine the criminal justice system. Instead, I would point out that in some communities racial tensions, past riots, incidents of police brutality, police shootings, etc., have led to historically strained relationship between police department and some minority communities, and

that these strained relationships can and must be overcome. Perhaps a specific example of a community that overcame racial unrest/tension would help make the point.

8. Page 6, 2nd and 3rd full paragraph: Do we really want to introduce/coin the term "community justice" here? I'm not sure the term "community justice," without further explanation, is clear. Instead, I would suggest that, in the last sentence of the 2nd paragraph, we replace "community justice" with "community policing," and then drop the opening sentence of the third paragraph. Later in the workplan we can talk about applying what we've learned from community policing to other components of the criminal justice system -- neighborhood DAs, community corrections, special youth/gun/drug courts, etc.

9. Starting w/the last line on page 6 and over to page 7: I'd replace this w/a paragraph along the lines of:

"Before I ran for President, I traveled across the country and visited different cities where local officials were leading the way in solving some of the nation's most difficult domestic problems. One of the places I visited was Charleston, SC, where Police Chief Reuben Greenberg was at the forefront of the community policing movement. Through community policing, Chief Greenburg was both driving down the crime rate in public housing and strengthening the relationship between local police and community residents...(add more specifics here on what Charleston has done...and we can add more here on Charleston overcoming a difficult history of police mistrust)."

I would then add a paragraph on our policing initiative...something like:

"That is why when I became President one of my top priorities was to help our cities hire more police and expand the community policing philosophy. I was proud to work with an unprecedented coalition of law enforcement, teachers, clergy, local officials and other community leaders to pass our initiative to put 100,000 more community police on the street. Today, we have nearly reached our goal of funding 100,000 more police officers and helped expand community policing to thousands of police departments across the country. Our efforts are making a difference. Crime and the fear of crime have dropped to their lowest level in a quarter century..."

10. Page 7, 2nd paragraph, last sentence: Strike everything after "community policing," and replace with -- "applying the lessons learned from community policing to other areas of the criminal justice system, such as local prosecutors' offices, our courts, local jails, etc."

11. Page 7, "Community Justice" subheading and subsequent paragraph: Replace "Community Justice 'Hot Spots'" w/ "Targeting Crime 'Hot Spots.'"

12. Pages 7 and 8, bullets describing "Hot Spots" initiative: I would expand the first bullet on our 21st Century Policing Initiative to include more details on this initiative, and add bullets with other programs that would be specifically targeted. I would drop the 2 bullets on comprehensive community plans; they are meaningless in terms of message and substance...perhaps something like this:

* The federal government will target funds from its 21st Century Policing Initiative to help communities with high-crime neighborhoods to hire and redeploy up to 50,000 additional police officers, acquire the latest crime-fighting technologies, and engage their entire community in the fight against crime.

* The federal government will target key prevention programs, including afterschool programs and programs for at-risk youth...

* What else? (i.e., gun enforcement...drug testing...?)

13. Page 8, 1st full paragraph: Rewrite this paragraph to be focused on how targeting resources will allow high-crime, minority neighborhoods to develop comprehensive anti-crime strategies, and to engage their entire community -- schools, prosecutors, clergy, etc.

14. Page 8, penultimate paragraph: Drop entirely.

15. Page 12, first paragraph: We should quote David Kennedy's article from the NIJ journal; it's very powerful and persuasive.

16. Page 12, 2nd paragraph, 3rd and 4th sentences: I don't think this rhetoric on the drug war works; we should drop it here and elsewhere. The truth is that much of the perceived unfairness and/or disparate impact in the drug war is tied to government's response to the crack cocaine epidemic. If we wanted to be brutally honest we'd point out that the crack epidemic did in fact cost us a generation of minority youth -- both as victims and perpetrators -- and that well meaning legislators/government officials of all races supported the current crack and drug policies. The more important point to make, I believe, is that drugs and related crime have devastated minority communities, and that we can never let what happened with crack happen again. Instead, we must support a balanced drug strategy that supports tough enforcement, more treatment, better prevention...etc.

17. Page 14, bullet at top of page: Change to "Building stronger communities."

18. Page 17, 1st paragraph...question: What do these numbers mean? How do they comport w/our earlier findings by GAO and DOJ that, if we control for criminal offending, there are no substantial differences between the races?

19. Page 19, bullet/subheading: Replace with, "Reinforce right from wrong by promoting appropriate punishments when kids first get into trouble."

20. Page 19, bottom paragraph, 4th sentence: After "including alcohol," add, "or to get money to buy drugs."

21. Page 20, 1st paragraph, 2nd sentence: We shouldn't use this reference to only 12 percent of prisoners receiving treatment; Justice has disclaimed it and believes its inaccurate. I think the more important

point to make here is that numerous studies show -- convincingly so -- that most persons on probation, parole or in prison have a drug history/habit, but that we don't do everything we can...we don't use the full power of the justice system...to reduce their drug use and criminality. Also, this section provides an opportunity to laud the President's record on promoting drug testing/treatment, drug courts, etc.

22. Page 20, 2nd and 3rd paragraphs: I'd drop these entirely; I'm not sure they add anything.

23. Page 21, first full paragraph: I can't believe we want to get into a discussion of OJ and jury nullification. What would we say?

24. Page 22, 2nd paragraph, penultimate sentence...through the end of the chapter: I think these four sections on racial profiling, police brutality, incarceration, and diversity in law enforcement are fundamentally problematic for a variety of reasons. First and foremost, in one fell swoop, we say that these are difficult issues that need to be addressed, but we haven't made a convincing case for them. Again, either we need to make the case that the system is fundamentally fair or unfair, and go from there. If the justice system is fundamentally fair, as I believe we should be saying, then we should say these are isolated problems that are important because of their disproportionate impact on perceptions and attitudes of the system's overall fairness -- not because they're implicitly widespread.

More specifically, I have the following concerns w/each of the sections...

Racial profiling: As I understand it, we are not in a position to propose the executive order recommended in the chapter. DOJ has, for some time, been reviewing their own policies, but they have concerns, especially with respect to INS (I believe, for instance, that some courts have held that the use of ethnicity is sometimes okay for law enforcement purposes). Secondly, Treasury -- especially with respect to the Customs Service -- is sure to have concerns as well. With respect to data collection, I'm not sure if there's any point in supporting the Conyer's bill. It was killed by the police groups last year and will easily be killed again this year. Thus, if we really want to do something on improved data collection, let's just direct the AG to work with law enforcement to do it now; we don't really need a legislative language.

Police Brutality: I would reverse the emphasis of the current section by leading with the fact that there are very few cases of police brutality (less than 1 percent of police encounters), and laud the Administration's record on bringing federal civil rights and pattern or practice suits when necessary. Then I would go into the fact that we must have zero tolerance for police brutality...that it undermines the work of most honest, hardworking officers...poisons the trust between them and the people they're sworn to protect...etc.

Disparities in Sentencing/Incarceration: I would reverse the emphasis in this section, too. I would open with the GAO and DOJ studies showing that, if we control for criminal offending, rates of arrest, prosecution and conviction do not differ greatly by race. Perhaps we could also

include Eric Holder's report from several years ago that comes to the same conclusion for federal crack and gun sentencing. I would then talk about how, over the long term, we can't be satisfied with a system that incarcerates so many Americans, especially so many minorities...that destroys so many families...disenfranchises whole communities...makes so many people unemployable. We can't simply be satisfied with high rates of incarceration; we must actually work to reduce criminality and recidivism. One way to do this is by using the power of the criminal justice system to get offenders to kick their drug habits. We can do this by making an unprecedented commitment to drug test, treat, and appropriately punish the millions of probationers, parolees and prisoners with drug habits....etc.

Finally, I'm not sure what if anything I would include on the disproportionate minority confinement of juveniles or the death penalty. The draft seems to indicate we'll have more to say on these topics.

Diversity in Law Enforcement: Two quick points...we really should be able to tell a more positive story here. I'm sure our policing initiative has done much more to promote diverse police forces than we're acknowledging. Also, the President has a strong record of appoint minority law enforcement professionals; perhaps they're worth mentioning (Ron Noble, Jim Johnson, Eric Holder, Eduardo Gonzales...?).

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-MAR-1999 13:57:33.00

SUBJECT: random requests

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

READ:UNKNOWN

TEXT:

I've got to run for a bit..can you do me a favor and: (1) call Ricky; (2) depending on what Rikci says, call Harri and check on assaults; and (3) call Beth Weaver about proposed directive/radio address....jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-MAR-1999 19:02:28.00

SUBJECT: Re: OJP reorg meeting

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

TEXT:

Let's talk about this for a minute first. Also, did anything come up in
Joe's briefing on our regular list of issues...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-MAR-1999 13:55:17.00

SUBJECT: Re: Cuba Libre

TO: stewart (stewart @ ogp.noaa.gov @ INET @ LNGTWY [WHO])
READ:UNKNOWN

TEXT:

Dearest Macol:

Lunch tomorrow looks good...about 1-1:30pm?...White House Mess?...Taberna del Alabardero?(a bit excessive for a Tuesday lunch, but hey!)...tasty selection of soups and sandwiches, smoothies and such at the Bread Line (just down the street from me)...or anything else that suits your fancy.

Let me know...

All smiles...

Jose(lito)

Almost forgot: I'm always up for anything in the name of a free Cuba!

Fidel: Volveremos!...Los "Gusanos"

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. email	WAVES Request for Steward [partial] (1 page)	3/1/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System
OPD (Creator: Cerda)
OA/Box Number: 250000

FOLDER TITLE:

[2/19/1999 - 3/4/1999]

2012-0192-F
wr1056

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 1-MAR-1999 19:00:05.00

[001]

SUBJECT: Official USSS WAVES Request - Records Management Document

TO: Records Management (Records Management @ EOP [UNKNOWN])

READ:UNKNOWN

TEXT:

Requestor: Cerda, Jose

Requestor Phone: 4565568

Requestor Pass Type: WHS

Appointment With: Cerda, Jose

Appointment Room: 224

Appointment Date: 3/2/99

Appointment Building: Old Executive Office Building

UNumber:

Comments:

Visitors

Time	Last Name	First Name	DOB
	Cit COA SSN		
01:00:00 PM	STEWARD	MACOL	

(b)(6)

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 11:27:46.00

SUBJECT: nightline

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

READ:UNKNOWN

TEXT:

LS:

Can you get the transcript for 2-26, that's the one on the Diallo case. jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 21:58:23.00

SUBJECT: Quickie descriptions of new/proposed crime bill provisions

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

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

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

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

TEXT:
Tom:

As requested by you/Bruce earlier today, below please find brief, if not perfect, descriptions of the new white collar crime and chem-bio provisions in our crime bill. We have some other things that may not end up in the bill, so I haven't incorporated them here. Also, we have a huge money laundering package that I can't even begin to characterize in any simple/short way, though you may want to consider including a sentence on releasing a national strategy to crack down on money laundering.

Health Care Fraud. The President's new crime bill proposes cracking down on health care fraud by:

- (1) Increasing from 5 to 10 years the maximum penalty for obstructing a health care fraud investigation or providing false statements in relation to health care matters;
- (2) Cracking down on illegal kickback schemes in the health care industry by extending the current penalties that apply to federally funded health plans to all private health insurance providers; and
- (3) Strengthening the ability of federal prosecutors to investigate and bring civil health care fraud cases.

Telemarketing Fraud. The President's new crime bill strengthens our efforts against telemarketing fraud by authorizing federal law enforcement authorities to block or terminate telephone service to anyone engaged in telemarketing fraud (just as they currently can with persons engaged in illegal gambling).

Environmental Crimes. The President's new crime bill includes tough new provisions to crack down on environmental crimes, including:

- (1) Authorizing federal courts to order convicted criminals to reimburse states and localities for the costs of prosecuting environmental crimes (this should help foster joint federal, state, and local prosecutions of these crimes).
- (2) Enhancing penalties for environmental crimes that result in serious bodily injury or death to any person -- including police, firefighters, paramedics, and other public safety and health personnel who are often the first on the scene of an environmental crime;
- (3) Extending the statute of limitations up to 3 more years (to a total of 8 years) for environmental criminals who act to conceal their crimes;
- (4) Punishing attempted environmental crimes the same as those crimes actually committed (This allows law enforcement authorities to intervene before lives are lost or damage is done to the environment);
- (5) Guaranteeing that victims of environmental crimes -- including, in some instances, whole communities -- are eligible for restitution.

Expansion of Biological Weapons Statute. The President's new crime bill expands and updates our laws against biological weapons, including by:

- (1) Establishing a 10-year penalty for any person that knowingly possesses a biological weapon (agent, toxin, or delivery system), and making the use of a biological weapon that results in death an offense punishable by death;
- (2) Making it a crime to falsely report that someone possesses a biological weapon; and
- (3) Requiring that the possession of certain biological agents and toxins be reported to HHS within a specified time period, and establishing civil and criminal penalties for failing to report. to HHS or to comply with regulations is issues on the transfer and possession of these agents.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 09:27:36.00

SUBJECT: Re: assaults q&a

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

TEXT:

Of course they'll be looking for it...they specifically asked for
it...whether or not it will actually come up is another questions...go
ahead and send to Laura as is.

Also, I didn't see that it was picked up anywhere did you? Check the USA
today and others in the clips...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 20:06:28.00

SUBJECT: Re: one more time

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

fine...but let's say in your purpose to announce the fulfillment of
POTUS's pledge to fund (not put) 100,000 more police on the street...small
detail...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 17:15:32.00

SUBJECT: Re: Check the Date: 5/3, 5/13, 6/8, 6/29

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

TEXT:
5/13 falls on National Police Week. If we're not doing the FOP Memorial,
we will need to save a day this week for our 100,000th cop event.

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 18:35:51.00

SUBJECT: long-term write-up

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

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

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D63]MAIL407428569.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

CRIME

A. **21st Century Crime Bill:** The President's omnibus crime proposal will: add up to an additional 50,000 police on the street; give crime-fighting technologies to state and local law enforcement; provide more drug testing and treatment for offenders under criminal justice supervision; close the loophole on gun shows and extend the Brady waiting period; authorize new measures to combat international, juvenile, and white collar crime; and reauthorize popular anti-crime programs created in the 1994 Crime Act.

1. **Legislative Status:** We are preparing to introduce the President's omnibus crime legislation by the end of March or early April. Although we do not necessarily expect the crime bill to move right away, our first challenge will be to ensure that key crime bill programs -- especially the President's 21st Century Policing Initiative -- are not zeroed out during this year's appropriations process.

a. **March:** Commerce-Justice State appropriations hearings scheduled for March 9th, 11th and 17th. Also, the Senate Judiciary Committee hearing plans on holding a budget oversight hearing to discuss the our FY 2000 crime budget.

b. **April:** The President's proposed legislation should be transmitted to Congress no later than the first week of April.

c. **June-July:** Appropriations bills expected to be marked up by the full appropriations committees and sent to House and Senate floor for consideration.

2. **Presidential Actions**

a. **March:** Each week of this month we intend to unveil -- through either events or press leaks -- one or two of the key initiatives to be included in the President's crime bill. During the last week of March, or first week of April at the latest, we propose that the President address a policy academy class and officially launch the Administration's legislative effort to pass a new crime bill.

b. **April:** Possible Presidential events during congressional recess to amplify the crime bill message and highlight initiatives, such as chemical bioterrorism, money laundering, or new firearms proposals. Also, National Crime Victims week (April 12-16) presents an opportunity for another Presidential crime event.

c. **May:** During National Police Week (May 10-15), we propose that the President hold an event to commemorate funding of the 100,000th police officer under his COPS initiative. This represents one of the

Administration's most important policy milestones -- akin to reaching a budget deficit of zero. Additionally, thousands of police officers will already be in town that week to attend the Fraternal Order of Police's Peace Officers Memorial (5/15).

- d. **June - August:** Possible events/meetings with Mayors, law enforcement organizations, and other such groups that are holding annual conferences throughout the summer to help build support for the crime bill and continued funding for COPS.

3. Relationship to Republican agenda and priorities

- a. **Juvenile crime:** Senate Republicans have re-introduced their juvenile crime legislation from last session, and have signaled that they are prepared to take it directly to the floor this spring. If they do, we should be prepared to propose the provisions in our crime bill as an alternative. With more money for police and prosecutors, tough gun provisions, and increased drug testing and treatment, our bill offers a broader and more popular alternative that should help unify Congressional Democrats -- many of whom did not support our juvenile crime bill.
- b. **Drugs:** Senate Republicans have also proposed the Drug-Free Century Act, which generally increases spending for drug interdiction and enhances penalties for certain drug offenses. As with the Republicans' juvenile crime legislation, we believe that our omnibus crime bill offers a more comprehensive alternative that should be considered if the Senate Republicans bring the Drug-Free Century Act to the Senate floor.

- B. **Firearms Enforcement:** The President's budget contains \$28.8 million in new funds for additional ATF agents and federal prosecutors to enforce our firearms laws. These funds are closely linked to the President's proposal to close the gun show loophole, as well as to a proposed directive on enhanced gun enforcement that we expect the President to sign soon.

- 1. **Legislative Status:** Appropriations hearings on the Treasury enforcement budget began in late February. Commerce-Justice appropriations hearings to fund additional federal prosecutor funding will be held in March. Consideration by the full appropriations committees and the full House and Senate will likely take place between June and July. Related legislation requiring all firearms sales at gun shows to include a background check will be included as part of the President's crime bill to be introduced in late March.
- 2. **Presidential Actions:** We have proposed that in his March 6th radio address, the President issue a directive to the Attorney General and Treasury Secretary to develop a strategy to strengthen federal firearms enforcement and prosecutions.

Once the strategy is finalized, the President could release the strategy and again push to secure funding for this initiative.

3. **Relationship to Republican Agenda and Priorities:** The firearms enforcement initiative will help us defend against the NRA's criticisms that U.S. Attorneys are not prosecuting enough firearms cases, and will provide us with an alternative to Republican/NRA amendments in the Commerce-Justice-State appropriations bill to simply mandate more federal firearms prosecutions. Unlike other firearms initiatives, this proposal should receive some measure of bipartisan support.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
002. email	Cerda to Leanne Shimabukuro [partial] (1 page)	3/2/1999	P6/b(6)

COLLECTION:

Clinton Presidential Records
Automated Records Management System
OPD (Creator: Cerda)
OA/Box Number: 250000

FOLDER TITLE:

[2/19/1999 - 3/4/1999]

2012-0192-F
wr1056

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 20:20:41.00

SUBJECT: Info for People Attending the OJP Reorganization Meeting at 11:

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

TEXT:

FYI...we're in Chuck Ruff's office, too. jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 03/02/99

08:21 PM -----

Ricki.L.Seidman @ intmail.usdoj.gov

03/02/99 08:15:00 PM

Record Type: Record

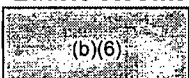
To: Jose Cerda III, Leanne A. Shimabukuro

cc:

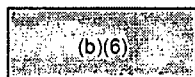
Subject: Info for People Attending the OJP Reorganization Meeting at 11:

Please make sure the following folks have access to Chuck Ruff's office:

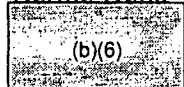
Laurie Robinson



Noel Brennan



Bernie Delia



I will already be wandering around the building. Thanks very much.

Jose, please forward this to Leanne b/c I'm not sure I have the correct email address for her. Thanks again.....

Ricki

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

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

TEXT:

RFC-822-headers:

[c02]

Received: from conversion.pmdf.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
id <01J8D81G59M8002D7D@PMDF.EOP.GOV>; Tue, 2 Mar 1999 20:16:54 EST
Received: from storm.eop.gov by PMDF.EOP.GOV (PMDF V5.1-9 #29131)
with ESMTP id <01J8D8IDP4E8002F3D@PMDF.EOP.GOV>; Tue,
02 Mar 1999 20:16:52 -0500 (EST)
Received: from wdcsun1.usdoj.gov ([149.101.1.100])
by EOP.GOV (PMDF V5.2-29 #34437) with ESMTP id <01J8D8HPLF24001V8V@EOP.GOV>;
Tue, 02 Mar 1999 20:16:18 -0500 (EST)
Received: (from daemon@localhost) by wdcsun1.usdoj.gov (8.9.1a/8.9.1)
id UAA19064; Tue, 02 Mar 1999 20:16:52 -0500 (EST)
Received: from intmail.usdoj.gov(10.222.3.6) by wdcsun1 via smap (V1.3)
id sma019033; Tue Mar 2 20:16:20 1999
Received: (from x400@localhost) by wt1.usdoj.gov (8.7.1/8.7.1)
id UAA23452; Tue, 02 Mar 1999 20:15:43 -0500 (EST)
Received: by TELEMAIL; Tue, 02 Mar 1999 21:15:33 -0400
X-Mailer: Worldtalk (NetJunction 4.6-p2)/STREAM
X-Authentication-warning: wt1.usdoj.gov: x400 set sender to
Ricki.L.Seidman@intmail.usdoj.gov using -f
===== END ATTACHMENT 1 =====

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 20:31:47.00

SUBJECT: Gun Lawsuits Q&A

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

READ:UNKNOWN

TEXT:

Also, we should send in something on DNA, though I don't think the language changes any.

----- Forwarded by Jose Cerda III/OPD/EOP on 03/02/99

08:32 PM -----

Laura Emmett

02/26/99 10:48:45 AM

Record Type: Record

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

cc: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

Subject: Gun Lawsuits Q&A

Message Sent

To: _____
Barry J. Toiv/WHO/EOP
Joseph P. Lockhart/WHO/EOP
Amy Weiss/WHO/EOP
Jennifer M. Palmieri/WHO/EOP
Nanda Chitre/WHO/EOP
Elizabeth R. Newman/WHO/EOP
Beverly J. Barnes/WHO/EOP
Ruby Shamir/WHO/EOP
Linda Ricci/OMB/EOP
Lawrence J. Haas/OVP @ OVP
Joseph C. Fanaroff/WHO/EOP
Kevin S. Moran/WHO/EOP
Dag Vega/WHO/EOP
Julia M. Payne/WHO/EOP
Jason H. Schechter/WHO/EOP
Sarah E. Gegenheimer/WHO/EOP
Julie B. Goldberg/WHO/EOP
Melissa G. Green/OPD/EOP
Roger V. Salazar/WHO/EOP

Chandler G. Spaulding/WHO/EOP
Heather M. Riley/WHO/EOP
Megan C. Moloney/WHO/EOP
Julianne B. Corbett/WHO/EOP
Victoria L. Valentine/WHO/EOP
Richard L. Siewert/WHO/EOP
Karin Kullman/OPD/EOP
Mark D. Neschis/WHO/EOP

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D94]MAIL48670066N.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

**NRA Legislation to Block Lawsuits
February 26, 1999**

Q: What is your response to the NRA's effort to pass legislation in at least 10 states to block some of the lawsuits that cities have filed against the gun manufacturers? And is there anything the Administration can or will do to block the NRA's efforts at the federal level?

A: This seems to us a desperate attempt by the gun lobby to avoid serious issues about gun trafficking and gun safety raised by these suits. We are watching these suits closely, and will do all we can to resist efforts that would prevent the cities from presenting their evidence. At the same time, of course, we will continue to press forward on our efforts to stop gun trafficking, provide for background checks at gun shows, and promote gun safety. We will not -- and we hope individual states will not -- back down to the gun lobby on these issues.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 2-MAR-1999 18:16:27.00

SUBJECT:

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

READ:UNKNOWN

TEXT:

Can you drop off a copy of Ricki's OJP doc to Laura (for Bob) and to Ed Hughes (for Chuck).

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-03-02

Subject: For next week

Creator: Jose Cerda III

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-03-02

Subject: Random Items for tomorrow morning

Creator: Jose Cerda III

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-03-03

Subject: OMB Clearance of President's Crime Bill

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1999 09:28:00.00

SUBJECT: Re: Radio Address

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

BR:

Please confirm if you can by 10am; I have the crime hacks in at 10am, and I'd like to be able to confirm this one way or the other...jc3

Karin Kullman

03/03/99 09:23:32 AM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP

cc: Jose Cerda III/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP, Jonathan H. Schnur/OPD/EOP, Tanya E. Martin/OPD/EOP

Subject: Radio Address

Bruce and Elena --

Is it your understanding also that the radio address will be about class size?

----- Forwarded by Karin Kullman/OPD/EOP on 03/03/99
08:27 AM -----

Ruby Shamir

03/03/99 09:03:53 AM

Record Type: Record

To: Mary Morrison/WHO/EOP, Megan C. Moloney/WHO/EOP, Karin Kullman/OPD/EOP, Joshua S. Gottheimer/WHO/EOP

cc:

bcc:

Subject: Radio Address

Ann does not see the need for a meeting or special guests. As of now, the Radio Address will likely be small class size [vote on Patty Murray's bill next week?]. But Josh - whoever is writing it should feel free to talk to Ann about message.

Thanks.

Mary Morrison

03/03/99 08:55:03 AM

Record Type: Record

To: Ruby Shamir/WHO/EOP

cc:

Subject: goodmorning

Goodmorning... are you all going to have a radio address meeting today?

Have you all decided on a topic yet?

merci

mm

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 3-MAR-1999 10:09:54.00

SUBJECT: gun q/a

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

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

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D95]MAIL45000266T.036 to ASCII,

The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

**Gun Safety
Question and Answer
March 3, 1999**

Q: Yesterday, Senator Torricelli and Congressman Kennedy introduced firearms safety legislation that would give the Treasury Department new authority to regulate the design, manufacture, and distribution of guns. Are you planning to support their legislation?

A: We will review the legislation introduced yesterday, but -- in general -- this Administration has strongly supported giving the Treasury Department the legal authority, investigative tools and funding it needs to reduce gun crime and violence. This includes tough new laws to crack down on illegal gun dealers, more resources to trace firearms used in crimes, and strictly regulating the importation of non-sporting weapons. So, we will seriously consider any proposal to strengthen the Treasury Department's hand in these efforts. [We have also strongly supported measures which would improve the safety of firearms -- such as by requiring federal gun dealers to sell child safety locks with every firearm, and by funding more research to help develop a "child-proof" gun.]

Efforts to improve firearms safety are an important part of our overall strategy to make sure that guns don't fall into the hands of juveniles, criminals, and other unauthorized users. Combined with the Brady Law and the assault weapons ban, these efforts will help to reduce gun crime and violence. Just yesterday, the Justice Department released a report showing that the assault weapons ban helped reduce the gun murder rate and the criminal use of these deadly weapons. This shows our efforts to take on gun violence are working.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 13:52:36.00

SUBJECT: OMB Clearance of President's Crime Bill

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

READ:UNKNOWN

TEXT:

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99
01:53 PM -----

Jose Cerda III
03/03/99 04:03:37 PM
Record Type: Record

To: Michael Deich/OMB/EOP, Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP
cc: See the distribution list at the bottom of this message
Subject: OMB Clearance of President's Crime Bill

Bruce, Elena, Michael, et.al.:

Below are my recommendations on how to approach clearing the provisions of the President's proposed crime bill by 3/31 -- our target date for a Presidential event. Apologies in advance to OMB for all the work that this will entail, but we here at DPC -- as I'm sure you know -- are committed to work with you every step of the way to get this done.

1. Immediately circulate old/amended proposals. We should immediately circulate those proposals that have either already been cleared, or that have been revised slightly since last year. I would suggest a due date of Friday, 3/19. These proposals include:

- Title IV, Subtitles C (drugs), D (Brady/gun shows) and E (money laundering);
- All of Title V (juvenile crime); and
- Title VI (international crime), except for Subtitle H (chem-bio).

2. Circulate new/additional proposals on Monday (3/8). Before we circulate some of the newer -- and possibly newsworthy -- proposals, I would like to have a few days to run them by senior White House staff before they are broadly circulated. These include:

- All of Title III (VAWA, health care/telemarketing/pension fraud, environmental crimes);
- Title VI, Subtitle H (chem-bio);
- All of Title VII (miscellaneous federal law enforcement, including

McDade repeal); and

- All of Title VIII (mysterious, unscrutinized "criminal law improvements").

If WH folks are fine with these proposals, we should circulate by COB Monday and, I suggest, ask for comments by 3/19. If not, we may need to amend these provisions before circulating, or perhaps drop them entirely.

3. Expedited/limited review of Presidential Priorities. The provisions of the bill authorizing the President's COPS, drug testing, and gun proposals need to be run by the law enforcement groups, mayors, and key Hill staff before they're finalized. Not only will we need more time to do this, but we also will not want to circulate these proposals too broadly or for too long a period. I would suggest that DPC -- working closely w/OMB, DOJ and Treasury -- have until 3/19 to finalize these proposals. This would allow OMB the entire week of 3/22 to conduct an expedited, though more limited, clearance process. The provisions eligible for this expedited review would include:

- All of Title I and II (actually we will propose combining these into one title);
- Title IV, Subtitle A (zero tolerance drug supervision); and
- Title IV, Subtitles F, G, H, I and J (miscellaneous gun provisions).

4. Expedite review of miscellaneous provisions during the week of 3/22. Before introducing the crime bill, we want to make sure we have fully considered incorporating any and all provisions that are important to us, key Members of Congress, and important constituency groups. As a result, we are putting together a table of potential crime bill provisions that merit one last look before the President's bill is finalized; we should have a first draft next week. Although I don't expect us to consider any particularly controversial issues in this context, we should allow some time for a final vet of any last-minute add-ons we may want to consider. I would propose that, as with the President's key priorities, any such proposals be considered the week of 3/22 on an expedited basis.

Comments, thoughts...

Message Copied

To: _____
David J. Haun/OMB/EOP
Kenneth L. Schwartz/OMB/EOP
Ronald E. Jones/OMB/EOP
James Boden/OMB/EOP
Leanne A. Shimabukuro/OPD/EOP
Mary L. Smith/OPD/EOP

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 20:50:24.00

SUBJECT: Re: OMB Clearance of President's Crime Bill

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

TEXT:
Michael:

Couple of points about Ron's cautions:

1. Until we get an event on the schedule -- and assuming the Senate R's don't bring up their juvenile crime bill (they've held it at the desk for possible consideration) -- we may have a bit more time than my proposed schedule allows. For instance, I could see March 31st slipping to the 2nd week in April. Nonetheless, I think we should start the process, push for clearance and see how close we are in two weeks. If we don't, we are only guaranteed that it will take even longer.
2. Most of the bill can be circulated ASAP, or as soon as DOJ comes up with a re-worked section-by-section. Also, most of the bill -- and certainly most of the complicated provisions have already cleared OMB (juvenile crime, money laundering, international crime, health care fraud, most of VAWA, and half the miscellaneous/technical amendments). As for the potentially newsworthy initiatives I wanted to hold until I heard back from key WH staff, I'm willing to circulate these, so long as I've had a chance to give impacted folks a heads up.
3. With respect to Presidential priorities, I'd like to think that myself, a few key DOJ folks, and your very own David and Jim, can oversee the negotiations and expedited clearance of the COPS and Drug Testing grants. This stuff isn't rocket science, and doesn't not require wide circulation among the agencies. Equally important, I've committed to work the COPS language w/police groups, congressional democrats, and the mayors -- and am now being asked by senior WH staff to include language address sensitive police/race issues. Whatever we end up with, I don't expect to send the language I will have had to work w/so many people into the bowels of every department.
4. Finally, the miscellaneous congressional add-ons remain the big unknown. I can only commit to you here that we will only push for what's doable or for what absolutely needs to be considered -- and not make this Christmas tree decorating time. For DPC's part, our primary concern is keeping the door open for additional gun amendments the President may want to include (one gun a month, child access prevention legislation, etc.).

Let's catch up on this before COB tomorrow...thanks,

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 18:04:25.00

SUBJECT: Re: Tonight

TO: stewart (stewart @ ogp.noaa.gov @ INET @ LNGTWY [WHO])

READ:UNKNOWN

TEXT:

Macol:

Boy do I appreciate the invite, but I'm not so sure when/if I can get out of here tonight.

I'd like to keep the door open in case I can escape and perhaps surprise you, but it's probably not too likely? Just in case, I am entitled to a rain check? And if I'm not, what do I have to make it up and get back in your good grace?

Jose'

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 18:04:36.00

SUBJECT: MONDAY, MARCH 8, 10:00 AM, MEXICO CERTIFICATION CORE GROUP MEETING,
SITUATION ROOM

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

TEXT:

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99

06:05 PM -----

Donna Dejban
03/04/99 05:57:14 PM
Record Type: Record

To: See the distribution list at the bottom of this message
cc: See the distribution list at the bottom of this message
Subject: MONDAY, MARCH 8, 10:00 AM, MEXICO CERTIFICATION CORE GROUP
MEETING, SITUATION ROOM

General Kerrick will hold the next Mexico Certification Core Group
Meeting on Monday, March 8, 10:00 a.m. in the Situation Room. Please
confirm your participation by e-mail or extension 6-9471. Thank you.

Message Sent

To:

Mickey Ibarra/WHO/EOP
Lawrence J. Stein/WHO/EOP
Kris M Balderston/WHO/EOP
Cheryl M. Carter/WHO/EOP
Lynn G. Cutler/WHO/EOP
Fred DuVal/WHO/EOP
Janet Murguia/WHO/EOP
Jose Cerda III/OPD/EOP
Maritza Rivera/WHO/EOP
Thomas Umberg/ONDCP/EOP
L B. Hittle/ONDCP/EOP
Michele A. Manatt/ONDCP/EOP
Janet L. Crist/ONDCP/EOP
Jon P. Jennings/WHO/EOP
Caroline R. Fredrickson/WHO/EOP

Message Copied

To:

Mindy E. Myers/WHO/EOP
David S. Beaubaire/WHO/EOP
Jeanette A. Lewis/ONDCP/EOP
Marjorie Tarmey/WHO/EOP
Laura S. Marcus/WHO/EOP
LEAVY_D @ A1@CD@VAXGTWY@EOP
Matt Gobush/NSC/EOP
Miles M. Lackey/NSC/EOP
Fulton Armstrong/NSC/EOP
Frederick M. Rosa/NSC/EOP
Laurel E. Miller/NSC/EOP
Natalie S. Wozniak/NSC/EOP
Christina L. Burrell/NSC/EOP
Elaine Kirksey/ONDCP/EOP
Beverly J. Roundtree/NSC/EOP
Jon P. Jennings/WHO/EOP
Maria E. Soto/WHO/EOP
Mona G. Mohib/WHO/EOP
Jessica L. Gibson/WHO/EOP
Patrice L. Stanley/WHO/EOP
Earlene C. Lee/ONDCP/EOP
June G. Turner/WHO/EOP

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-03-04

Subject: Follow-up from today's meeting

Creator: Jose Cerda III

**Clinton Presidential Records
Automated Records Management System
[EMAIL] and Tape Restoration Project [Email]**

This is not a presidential record. This is used as an administrative marker by the William J. Clinton Presidential Library Staff.

This marker identifies a responsive email, already made available within another collection.

Collection: Elena Kagan Systematic Project

Bucket: OPD

Creation Date: 1999-03-04

Subject: Police Ideas

Creator: Jose Cerda III

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 17:55:10.00

SUBJECT: Re: Follow-up from today's meeting

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

READ:UNKNOWN

TEXT:

Laura:

I assume Elena will want to edit this some. Can you make sure she sees the draft.

jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99
05:55 PM -----

Bruce N. Reed

03/04/99 05:45:23 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc: Elena Kagan/OPD/EOP, Irene Bueno/OPD/EOP, Leanne A.
Shimabukuro/OPD/EOP, Laura Emmett/WHO/EOP

Subject: Re: Follow-up from today's meeting

those are great, including the q&a. Can you work with Chuck's office to get signoff on that memo?

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 18:52:09.00

SUBJECT: Follow-up from today's meeting

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

TEXT:

two of two...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99

06:53 PM -----

Jose Cerda III

03/04/99 04:44:47 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Irene Bueno/OPD/EOP
cc: Leanne A. Shimabukuro/OPD/EOP, Laura Emmett/WHO/EOP
Subject: Follow-up from today's meeting

BR/EK:

Attached please find: (1) a draft one-page memo on our radio address proposal; (2) a slightly re-worked version of our policy recs; and (3) the latest police brutality q/a.

BR: You asked me to update the question, but it seems our latest version already incorporates much of what we want to say. Does this work? Or do you want me to re-do w/more specifics on our potential policy recs?

jc3

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D52]MAIL45722086M.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 1 =====

===== ATTACHMENT 2 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D52]MAIL46722086N.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 2 =====

===== ATTACHMENT 3 =====

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

TEXT:

Unable to convert ARMS_EXT:[ATTACH.D52]MAIL47722086O.036 to ASCII,
The following is a HEX DUMP:

===== END ATTACHMENT 3 =====

March 4, 1999

MEMORANDUM FOR THE PRESIDENT

FROM Bruce Reed

Chuck Ruff

RE: Police Brutality

We wanted to update you on our discussions regarding Hugh Price's letter to you on the issue of police brutality. Chuck has personally followed up with Mr. Price, who believes -- along with many of the other civil rights advocates -- that you need to speak to this issue as soon as possible. Key White House and Justice Department staff share this sense of urgency, and we also generally agree that it is important for you to focus on the constructive steps the Administration has and will take to root out police brutality and strengthen the bond between police officers and the communities they serve. Accordingly, we recommend the following:

- (1) Use your next radio address to bring together a group of civil rights advocates, mayors, police chiefs, and rank-and-file law enforcement organizations;
- (2) Challenge these leaders to work with you to make sure that the criminal justice system serves the needs of all Americans, and to make the system both fairer and more effective;
- (3) Discuss new provisions to be included in your 21st Century Crime Bill that will help accomplish this -- such as more and better police training, early warning systems to detect problem police, better educated police forces, improved efforts to recruit minorities, and a long-term commitment to strengthen community policing efforts across the country; and
- (4) Direct the Attorney General to hold a series of meetings with all of these interested groups, and to recommend further action steps that the Administration can take.

Also, attached please find a brief description of some of the initial proposals you may want to consider supporting in such a radio address. Although these require further development -- and we have not yet consulted with any of the impacted groups -- we thought you might be interested in our initial recommendations.

Police Abuse and Misconduct Policy Announcements

1. Increase funding for police integrity and ethics training. Currently, the federal government invests only a limited amount of funds to promote police integrity and to keep officers from turning to misconduct or abuse. With community policing helping to decentralize the management of police, this training becomes increasingly important. However, of the approximately 25 regional training centers funded by the Justice Department's COPS Office, only 2 specialize in this important area. By increasing the percentage of funds in the COPS program that can be used for training, we can make police integrity and ethics the priority it should be in all 25 of the federally-funded regional training centers.

2. Develop early warning systems to detect abuse and misconduct. Studies show that many of the police officers who engage in serious misconduct and abuse tend to be the source of a disproportionate number of complaints. Local police departments can and should do more to implement early warning systems that allow them to identify and discipline problem police officers sooner. Funds could be authorized to help police departments put such early warning systems into place.

3. Develop a national system to track serious misconduct and abuse. The federal government could establish a national database that tracks police officers who are found guilty of serious misconduct or abuse. State, local and federal law enforcement agencies would then be required to consult this database when screening prospective recruits. Such a database would help ensure that rogue cops who are disciplined or let go in one jurisdiction are not simply re-employed by another law enforcement agency.

4. Enhance police recruitment of minorities. Former New York Police Commissioner William Bratton has recommended that police department diversify and improve their workforce by aggressively recruiting and educating minority candidates. He has proposed offering 12-to-14 year-olds summer jobs and training, establishing public safety high schools, and continuing to pay for the education of police cadets in the City College system. The Police Corps and/or COPS program could easily be amended to support such long-term minority recruitment efforts.

5. Raise police force education levels. A fundamental reform in policing that is supported by both police management and labor is an overall increase in the education level of America's police. Our budget this year already includes \$20 million for such scholarships.

6. Establish citizen police academies. In some cities, police departments offer a version of their police academy training to citizens and community advocates. The goal of this training is two-fold: (1) for police department to better understand the concerns of its citizens; and (2) for citizens to better understand how police make important decisions, such as when and how to use force, when to stop a motorist, etc. Support for such academies could be specifically authorized by the COPS program.

7. Promote tough enforcement of our laws. Tough enforcement of our civil rights laws must be a central element of any plan against police misconduct and abuse. Our budget includes an increase of more than \$1 million dollars (and 10 new attorneys) just for this purpose.

8. Complete the transition to community policing. Over the long term, the most important thing we can do to affirmatively strengthen the bond between police and the people they serve is to renew the COPS program, which has helped to sow the seeds of change in thousands of law enforcement agencies throughout the country. If COPS is not renewed this year, or if it is replaced with a block grant, the federal government will lose the leverage it has gained over the past 5 years in helping to promote changes in law enforcement at the local level.

Police Misconduct and Abuse Q&A
March 2, 1999

Q: The Diallo case in New York has raised the issue of police abuse and misconduct across the country. Last week, a number of civil rights groups including the Urban League held a press conference on the issue. What do you intend to do about this matter?

A: With respect to the Diallo case in particular, as the Attorney General said last week, the Department of Justice's Civil Rights Division, the local U.S. Attorney's Office, and the FBI are working with the local prosecutor and local authorities to ensure that every possible step is taken in this case.

As to the larger issue of police brutality, the criminal justice system must be fair and have the support of all law-abiding Americans. I've asked the Attorney General to consider the thoughtful recommendations submitted by Mr. Price as she continues to work with state and local law enforcement agencies on these matters.

My Administration is committed to vigorous enforcement of our civil rights laws against those police officers who would betray the public's trust through lawlessness or brutality.

Our record shows that. Since 1993, the Justice Department has criminally prosecuted over 300 officers, resulting in more than 200 convictions. And our budget for next year includes a 15 percent increase for civil rights enforcement across the board, and an even more substantial increase for the Civil Rights Division of the Justice Department, which has responsibility for much of the work involving police misconduct.

We must also work proactively to ensure that the criminal justice system serves the public safety needs of all Americans. The Justice Department is actively working with law enforcement organizations across the country to develop training programs to address issues of misconduct and abuse. And our community policing initiative has been instrumental in strengthening the bond between community residents and their local police, as well as reducing the victimization of minorities. Building this kind of trust is essential if we are to move forward to make our criminal justice system more responsive and fairer for all of our citizens.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 18:36:43.00

SUBJECT: Me equivocate....never!

TO: stewart (stewart @ ogp.noaa.gov @ INET @ LNGTWY [WHO])

READ:UNKNOWN

TEXT:

Macol:

You're right. You're always right.

I'll see you "later."

jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 14:36:53.00

SUBJECT: Re:

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

READ:UNKNOWN

TEXT:

I think we can wait a week...jc3

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 17:54:05.00

SUBJECT: weekly

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

READ:UNKNOWN

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

READ:UNKNOWN

TEXT:

Crime -- Directive on Firearms Enforcement: We are preparing a directive for to sign that will ask Secretary Rubin and Attorney General Reno to work with the U.S. Attorneys and ATF Special Agents in Charge to develop a national strategy to strengthen the enforcement and prosecution of federal firearms laws. As you know, the NRA has repeatedly called for the widespread replication of Project Exile in Richmond, VA, where the U.S. Attorney generally prosecutes all firearms offenses in federal court. Your proposed directive will be broader in scope. It will call for: the timely prosecution of gun criminals at the federal and state level; increased efforts to trace crime guns, identify illegal gun markets, and determine gun "hot spots"; coordinated law enforcement efforts to ensure that gun dealers comply with all applicable city, state and federal laws; and more. This directive could be released in conjunction with a new Justice Department report, Promising Strategies to Reduce Gun Violence, which details more than 50 examples of local strategies and partnerships that are reducing gun violence across the country. These include: comprehensive violence reduction programs that focus on guns; gun deterring illegal gun possession through consent searches and the aggressive seizure of firearms; targeted enforcement in gun "hot spots"; increased surveillance of probationers; school-based prevention programs; focused and vertical prosecution strategies; and special youth gun courts.

Crime -- Upcoming Announcements/Hearings: Next Thursday, Deputy Attorney General Holder plans to use his morning press availability to highlight the community prosecutors portion of your proposed 21st Century crime bill. As you know, your FY 2000 budget and proposed crime bill will include \$1 billion over the next 5 years to hire and train community prosecutors. As the former U.S. Attorney for DC, Holder helped to launch one of the first successful community prosecution programs, and he is personally committed to building public and congressional support for this initiative. On a related note, in testimony before the House Committee on Government Reform this past Wednesday, Mayor Guiliani of New York expressed support for community prosecution programs.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 18:51:38.00

SUBJECT: Quickie descriptions of new/proposed crime bill provisions

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

READ:UNKNOWN

TEXT:

one of two...jc3

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99

06:52 PM -----

Jose Cerda III

03/02/99 09:57:37 PM

Record Type: Record

To: Thomas L. Freedman/OPD/EOP

cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Leanne A. Shimabukuro/OPD/EOP

Subject: Quickie descriptions of new/proposed crime bill provisions

Tom:

As requested by you/Bruce earlier today, below please find brief, if not perfect, descriptions of the new white collar crime and chem-bio provisions in our crime bill. We have some other things that may not end up in the bill, so I haven't incorporated them here. Also, we have a huge money laundering package that I can't even begin to characterize in any simple/short way, though you may want to consider including a sentence on releasing a national strategy to crack down on money laundering.

Health Care Fraud. The President's new crime bill proposes cracking down on health care fraud by:

- (1) Increasing from 5 to 10 years the maximum penalty for obstructing a health care fraud investigation or providing false statements in relation to health care matters;
- (2) Cracking down on illegal kickback schemes in the health care industry by extending the current penalties that apply to federally funded health plans to all private health insurance providers; and
- (3) Strengthening the ability of federal prosecutors to investigate and bring civil health care fraud cases.

Telemarketing Fraud. The President's new crime bill strengthens our efforts against telemarketing fraud by authorizing federal law enforcement authorities to block or terminate telephone service to anyone engaged in telemarketing fraud (just as they currently can with persons engaged in illegal gambling).

Environmental Crimes. The President's new crime bill includes tough new provisions to crack down on environmental crimes, including:

- (1) Authorizing federal courts to order convicted criminals to reimburse states and localities for the costs of prosecuting environmental crimes (this should help foster joint federal, state, and local prosecutions of these crimes).
- (2) Enhancing penalties for environmental crimes that result in serious bodily injury or death to any person -- including police, firefighters, paramedics, and other public safety and health personnel who are often the first on the scene of an environmental crime;
- (3) Extending the statute of limitations up to 3 more years (to a total of 8 years) for environmental criminals who act to conceal their crimes;
- (4) Punishing attempted environmental crimes the same as those crimes actually committed (This allows law enforcement authorities to intervene before lives are lost or damage is done to the environment);
- (5) Guaranteeing that victims of environmental crimes -- including, in some instances, whole communities -- are eligible for restitution.

Expansion of Biological Weapons Statute. The President's new crime bill expands and updates our laws against biological weapons, including by:

- (1) Establishing a 10-year penalty for any person that knowingly possesses a biological weapon (agent, toxin, or delivery system), and making the use of a biological weapon that results in death an offense punishable by death;
- (2) Making it a crime to falsely report that someone possesses a biological weapon; and
- (3) Requiring that the possession of certain biological agents and toxins be reported to HHS within a specified time period, and establishing civil and criminal penalties for failing to report to HHS or to comply with regulations issued on the transfer and possession of these agents.

RECORD TYPE: PRESIDENTIAL (NOTES MAIL)

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

CREATION DATE/TIME: 4-MAR-1999 13:56:04.00

SUBJECT: Quickie descriptions of new/proposed crime bill provisions

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

TEXT:

----- Forwarded by Jose Cerda III/OPD/EOP on 03/04/99
01:57 PM -----

Jose Cerda III
03/02/99 09:57:37 PM
Record Type: Record

To: Thomas L. Freedman/OPD/EOP
cc: Bruce N. Reed/OPD/EOP, Elena Kagan/OPD/EOP, Leanne A.
Shimabukuro/OPD/EOP
Subject: Quickie descriptions of new/proposed crime bill provisions

Tom:

As requested by you/Bruce earlier today, below please find brief, if not perfect, descriptions of the new white collar crime and chem-bio provisions in our crime bill. We have some other things that may not end up in the bill, so I haven't incorporated them here. Also, we have a huge money laundering package that I can't even begin to characterize in any simple/short way, though you may want to consider including a sentence on releasing a national strategy to crack down on money laundering.

Health Care Fraud. The President's new crime bill proposes cracking down on health care fraud by:

- (1) Increasing from 5 to 10 years the maximum penalty for obstructing a health care fraud investigation or providing false statements in relation to health care matters;
- (2) Cracking down on illegal kickback schemes in the health care industry by extending the current penalties that apply to federally funded health plans to all private health insurance providers; and
- (3) Strengthening the ability of federal prosecutors to investigate and bring civil health care fraud cases.

Telemarketing Fraud. The President's new crime bill strengthens our efforts against telemarketing fraud by authorizing federal law enforcement authorities to block or terminate telephone service to anyone engaged in telemarketing fraud (just as they currently can with persons engaged in illegal gambling).

Environmental Crimes. The President's new crime bill includes tough new provisions to crack down on environmental crimes, including:

- (1) Authorizing federal courts to order convicted criminals to reimburse states and localities for the costs of prosecuting environmental crimes (this should help foster joint federal, state, and local prosecutions of these crimes).
- (2) Enhancing penalties for environmental crimes that result in serious bodily injury or death to any person -- including police, firefighters, paramedics, and other public safety and health personnel who are often the first on the scene of an environmental crime;
- (3) Extending the statute of limitations up to 3 more years (to a total of 8 years) for environmental criminals who act to conceal their crimes;
- (4) Punishing attempted environmental crimes the same as those crimes actually committed (This allows law enforcement authorities to intervene before lives are lost or damage is done to the environment);
- (5) Guaranteeing that victims of environmental crimes -- including, in some instances, whole communities -- are eligible for restitution.

Expansion of Biological Weapons Statute. The President's new crime bill expands and updates our laws against biological weapons, including by:

- (1) Establishing a 10-year penalty for any person that knowingly possesses a biological weapon (agent, toxin, or delivery system), and making the use of a biological weapon that results in death an offense punishable by death;
- (2) Making it a crime to falsely report that someone possesses a biological weapon; and
- (3) Requiring that the possession of certain biological agents and toxins be reported to HHS within a specified time period, and establishing civil and criminal penalties for failing to report. to HHS or to comply with regulations is issues on the transfer and possession of these agents.