

Withdrawal/Redaction Sheet

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
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001. letter	Eric J. Hearst and James G. Gittens to Carol H. Rasco re: The American Minority Empowerment Program (partial) (1 page)	06/20/1995	P6/b(6)
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COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Gaynor McCown (Subject Files)
OA/Box Number: 7385

FOLDER TITLE:

Student Groups [2]

2011-0255-S

rc231

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]

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.

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b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Meeting on Student Groups Agenda June 21, 1995

1. Discuss submissions on
What the Administration is already doing to reach students and youth?
How are organizations reaching students and young people?
What are events or policies the Administration could use to reach youth?

2. Report on ongoing activities from Communications
Media Affairs

3. Additional Information

4. Set Agenda and Assign Responsibility for:

Paper
Meetings
Events

Washington Student
Groups

Follow-up with (DNC) college network

- College
- Graduate / Professional students
- Non-college students

- Student loans
- Direct lending

Based
Follow-up

- Accomplishment books for children and families

- College students / youth
- Blue collar group of young Demo

- Associations that we deal with

- Interns - Done -

- PL Jeff Shulman
- DNC

Inte
- Student Body Presidents
- DNC Youth Outreach Grants

- Summer Job Programs
What he see
- Wh.
- Information

June 21, 1995

MEMORANDUM

FROM: DORIS MATSUI
JEFF SHULMAN
ANN EDER

RE: OPL STUDENT/EDUCATION INVOLVEMENT OUTREACH

Over the past two years, the Office of Public Liaison has spent a significant amount of time developing relationship with a variety of youth and education organizations. As OPL, and the entire White House, moves forward in expanding outreach efforts we have put together a description of our current and planned efforts.

I. CURRENT OUTREACH EFFORTS

A. COMMUNICATION

1. Fax network to over 400 education and youth organizations both at the national and state level. Weekly communication sent to these groups include talking points and legislative updates generated by the Office of Media Affairs and the DPC. Information regarding upcoming events is also included when appropriate.

We have found that this is a quick and very effective way to communicate with our constituencies.

2. As a very effective way to reach college students, we have utilized the internet not only to disseminate information, but to initiate rapid response on pressing legislative matters. An example would be this morning's Foster nomination debate. In addition, OPL monitors several education and student internet networks as a way to gauge the communities opinions.

With each fax/internet communication, we advocate that the contact person share the material with their colleagues via their own fax network/internet.

Recommendations for FAX and INTERNET materials:
Material generated from the DPC and media affairs for these purposes should be kept brief and lively. Longer materials tend to draw little or negative response.

In addition, longer faxes causes financial burdens and ties up needed fax machines with smaller groups with limited budgets for office supplies. We have found this to be the case especially in student and state based

organizations. On the same issue, this means of distributing information save us valuable time and money.

All documents produced need to be put on a computer disk. One disk for OPL can be utilized by all sixteen members of the staff.

3. If longer more detailed documents are required (such as graphs and extensive state-by-state or number breakdowns) mass mailings serve to supplement our fax and internet network. Between the cost and time expended to produce a mailing, we have found that the above means of communication are more effective.
4. We have developed a working strategy with the Department of Education and other federal agencies to share information and distribution methods.

B. LEGISLATIVE INITIATIVES

The Office of Public Liaison works to keep all of our constituencies abreast of the President's legislative calendar. Over the past few months, we have worked with education and student groups in generating opposition to the proposed cuts in the rescission bill of the proposed cuts in the FY96 budget. College students in particular, are outraged by the cuts to student aid and OPL has been providing as much information as is available to help them organize their lobbying efforts.

On many occasions, OPL hosts education and student organizations to informational briefings at the White House. This has been a very effective tool, especially with students, as it gives those attending a feeling of partnership with the Administration.

Recommendation:

It has been increasingly difficult to secure high-level speakers to address student groups. A possible solution would be to create a group of officials that would be willing to address young adults.

C. AMPLIFICATION/EVENTS

1. The Office of Public Liaison has been focusing much of our time on amplification efforts of Presidential events. Talking points and/or full transcripts of speeches are distributed to our constituencies. For example, the Safe and Drug Free School/Veto remarks were mailed with a copy of Clinton Administrations Accomplishments for Children and Families to over 400

education and children's group.

Conference calls and one-on-one calling to key organizations have also proved very valuable. We are able to secure letters of support, op-eds, letters to the editor and media contacts.

2. Administration presence at constituency events is critical to letting the community know that the President is dedicated to their issues. We have worked with countless organizations in scheduling principal, cabinet and sub-cabinet participation. When an administration official cannot be present, we have been successful in securing a letter, video or satellite feed for the group.

OPL maintains a calendar of constituency conventions. Recent administration involvement includes: Technology Student Association, National Honor Society, College Democrats of America, Respecteen National Youth Forum, National Student Nurses Association and the United States Student Association Legislative Conference.

II. DEVELOPING STRATEGY EFFORTS

- A. Continue to work with groups in their grassroots organizing to oppose education cuts in the FY96 budget.
- B. Student Body Presidents Event--Similar to the format of College Media Day. This is scheduled for the early fall.
- C. While continuing our efforts with State Universities, Community Colleges and research/Ivy League Universities and HBCUs, we are also planning to expand our efforts to include smaller private colleges.
- D. We are constantly expanding our database, faxability and internet networks. A particular priority is to increase our contacts at the grassroots level in the key states.



United States Department of State

Washington, D.C. 20520

FAX COVER SHEET

OPTIONAL FORM 89 (7-90)

TE Jun 30, 1995

FAX TRANSMITTAL		# of pages
TO:	Shalia Robinson	10
Dept./Agency	HW House	From Sara Ancona
Fax #	456-7028	Phone #
MSN 7540-01 317-7368	5098-101	Fax #
GENERAL SERVICES ADMINISTRATION		

FROM: Sara Ancona
G/CS
Office of the Conference Secretariat
Room 1318, Department of State
Washington, DC 20520
Tel: 202-647-3129 FAX: 202-647-4787

SUBJECT: Intern Briefing July 18

This message, including this cover, contains 9 pages.

COMMENTS:

The MICS will be holding an Intern Briefing on July 18 at the Department of State. It will be on issues affecting Young People that relates to the UN Fourth World Conference on Women. Enclosed is background information on the Conference. It will be held from 2-4:30pm on Tues July 18. I will be faxing you an invitation closer to the date. The invitation will be self-explanatory. If you have any questions please feel free to call me.

Shalia - ~~too~~ In terms of commitments
from the Conference we are trying to research
what Agencies have Youth related activities.
If you have any info, could you please
pass it along.

— Thanks,
Sam

MEMORANDUM

TO: Jeremy Ben-Ami
Julia Moffet
Dave Anderson
Laurie McHugh

FROM: Shaila Ruparel
Marcea Hosay

RE: Student Outreach Action Plan

cc: Gaynor McCown

On Thursday, June 22 we met to discuss an outreach plan to student groups and other organizations serving youth. Based on that meeting, we have attempted to develop an action plan and timetable for moving forward. We would appreciate any suggestions or comments you may have. Please call Marcea Hosay @ 6-2846 or Shaila Ruparel @ 6-2334.

ACTION:

- **Schedule meetings among senior administration officials and representatives of Washington-based student organizations and national student groups.**

OBJECTIVE:

- To provide an opportunity for these groups to be briefed on Administration activity.

ACTION:

- **Convene a meeting with all summer interns here at the White House.**

OBJECTIVE:

- To encourage college and graduate students who have internships with the Administration to remain involved once they return to school in the Fall.

ACTION:

- **Compile a book of Administration activity related to young people.**

OBJECTIVE:

- To provide some in depth information about the Administration's activity related to young people. The book would cover student issues (e.g., student loans), concerns of young adults who are not immediately college bound (e.g., school-to-work), and general policy issues that affect or interest young people.

ACTION:

- **Compile a data base of student groups.**

OBJECTIVE:

- A resource that will provide a way for the Administration to communicate quickly and efficiently with a diverse group of young adults.

Timetable:

- | | |
|-------------|--|
| June 30 | All working group members will submit suggestions of local and national student group organizations with whom the Administration could actively engage. |
| June 30 | Working group members will provide information regarding summer interns. |
| July 7 | White House staff meets to identify student groups for meetings, determine format of meetings (round table discussion, briefing on a particular topic) and determine what office will be the official liaison with student groups. |
| July/August | Meetings among senior administration officials and representatives of Washington-based student organizations and national student groups. |
| August 11 | Back to school meeting with interns here at the White House. |

THE SOUTHERN ILLINOISAN (CARBONDALE), July 14, 1995
(Best Copy Available)

P-2B

Simon's loan program looks successful here

Ups and downs



IT LOOKS like the new direct student loan at Southern Illinois University at Carbondale is on the way to becoming a big success. Pam Britton, director of the financial aid office at SIUC, says she "couldn't be more pleased" with how the program is performing in its early stages.

The idea behind the program is to allow students to receive their loans directly from the government instead of using banks and private lenders as intermediaries.

Despite warnings by some bankers that the government could never process loans as efficiently as they do, SIUC's experience so far tells another story. SIUC officials are now dealing with one agency, the Department of Education, instead of an estimated 1,500 lending institutions and 50 guarantee agencies. As a result, more than 9,000 students are expected to receive their money before the fall semester starts, freeing them of the aggravation of bills after classes begin. So far, SIUC's financial aid office has processed 2,000 more loan packages than at a comparable point in previous years.

Sen. Paul Simon, D-Makanda, deserves credit for authoring the legislation behind the program. We hope he succeeds in his fight against a Republican proposal to cut student financial aid by \$10 billion over the next seven years.

THE NEW YORK TIMES, SUNDAY, AUGUST 20, 1995

P-1

G.O.P. Revises A Budget Rule To Help Banks Cuts Their Competition For Loans to Students

By ADAM CLYMER

WASHINGTON, Aug. 19 — After complaints from banks that have seen their share of student loans drop sharply, Republicans have changed the accounting rules to make it easier for Congress to kill off the banks' competition — a Federal program that makes direct loans from the Treasury.

The Republican-led House of Representatives has also voted to reduce the amount the Department of Education can spend supervising the system of Federal guarantees for banks that make student loans — a program has frequently had management problems. The Senate has yet to act on the House proposal.

Under current law, the direct-loan program is expected to provide \$13.8 billion in student loans in the year beginning Oct. 1, while federally guaranteed bank loans will provide \$15.3 billion. In 1993, the year before the direct program was created with strong support from President Clinton, bank loans made up all \$19.2 billion in Federal student loans.

The direct loans have proved popular with students because the money comes through faster, and with university administrators, who have found them to be simpler to administer. Banks, however, have long treasured the guaranteed loan program, which offers profits without much less risk than they have on other loans.

A big boost for the direct loan program, enacted in the 1993 budget reconciliation bill, was an accounting rule that required the Congressional Budget Office and the Office of Management and Budget to exclude Federal administrative expenses when calculating the effects of loan programs on the Federal budget.

Both sides agree this gave direct loans an unfair advantage in any budget-making comparison, since more Federal money is spent on administering the direct-loan program than on the guarantee program.

Seizing on that, Republican opponents of the direct-loan program put a very unusual directive into this year's budget resolution. It ordered the Congressional Budget Office to

include administrative expenses of the direct-loan program, which are estimated at \$141 million for next year, in its budget calculations — but not the Government's outlays to administer the guaranteed loan program, which are estimated at \$270 million next year.

When the Budget Office followed orders last month the Republicans hailed the figures as a reason for "scrapping the direct-lending program," in the words of Representative Howard P. McKeon, the California Republican who heads the subcommittee dealing with higher education.

But the Clinton Administration, Senate Democrats and many supporters of direct loans cry foul.

Senator Edward M. Kennedy, Democrat of Massachusetts, accused Republicans of "cooking the books." Marshall Smith, Under Secretary of Education, accused them of "a venal assault on student aid" and "putting bankers first."

Mr. Kennedy and White House officials said if the administrative costs of both programs were counted, the direct loans in total would again prove to be cheaper for the government.

Even one supporter of the changes, John E. Dean, a consultant to the Consumer Bankers Association, agreed that \$160 million in Federal payments to assist the 40 agencies around the country that administer the guaranteed loan program meet their administrative costs should be included, although he argued that the other \$110 million in supervisory costs should not be counted because much of it was unnecessary. These agencies have often been criticized in the past, and in 1990, one of the largest, the Higher Education Assistance Foundation, went broke while carrying \$9 billion in loans.

And a conservative Republican economist now serving on the Federal Reserve Board has sought to halt the changes for the loan program. The Fed governor, Lawrence Lindsey, criticized the step as "making the change the industry proposes without looking at other changes."

In a letter to Senator Spencer Abraham, a Michigan Republican, Mr. Lindsey wrote that "As long as it is necessary to provide a profit to induce lenders to guarantee student loans, direct lending will be cheaper." Mr. Lindsey is in charge of consumer finance at the Fed, and in an interview on Wednesday, he said bankers had "selected the change that makes them look good."

He also said the argument that university officials make about the direct system as simpler for them was "a compelling argument for the advantage of direct loans to the economy."

In Seattle, for example, Eric Godfrey, assistant vice president of the University of Washington and director of financial aid, said the universi-

More...

G.O.P. Revises a Budget Rule to Help Banks

Continued . . .

ly was very pleased with the direct-loan program. "We would characterize our first year in the program as being very close to an unqualified success," he said.

The debate over the systems does not involve interest rates, which are set by the Federal Government for both programs.

But Mr. Godfrey said the direct-loan program was simple for students to understand and much easier for the university to deal with than the 700 banks and 40 or so state guarantee agencies it used to work with. Students had \$13 million in their hands in the first week of school last year, compared with \$3 million in the first week of the 1993-1994 school year, when the university last used the guarantee program.

Just as Mr. McKeon would like to see the direct program abolished, the Clinton Administration urged Congress to move quickly to eliminate the guarantee program entirely, saying the direct program was cheaper and better.

But others argue students are best served by the competition. That has been, for example, a strongly held view of Senator Nancy Landon Kassebaum, the Kansas Republican who heads the Senate Committee on Labor and Human Resources. Even one guarantee agency official, Sheryl Hagemer, vice president of the American Student Loan Association, said, "We welcome the competition," and said universities that wanted the direct loan program should be allowed to join it, but not required to, as they could be under existing law.

Terry Hartle, vice president for government relations of the American Council on Education, said eliminating either program would be worse for students because competition had forced the banks to do a better job of providing services, and continuing the guarantee program would keep the direct program on its toes. He also said the House Appropriations Committee's proposal to eliminate most of the \$110 million spent on supervision of guarantee agencies was "a very risky thing to do."

One past director of the Congress-

sional budget Office, Robert Reischauer, said the sort of instruction the Republicans had issued to the Budget Office about accounting for administrative costs was very unusual. He found it comparable to a Congressional habit of preferring the lower estimates of politically popular loans to Israel from the White House over the more expensive estimates of the less-political Congressional Budget Office. But Mr. Reischauer said the change made sense, even though it should have gone further and included the costs on guaranteed loans. "If you are going to do it, do it right," he said.

Mr. Reischauer, who left the job at the beginning of this year, was preceded by Rudolph Penner, who has recently worked as consultant to the student-loan industry. He agreed Friday that it was very unusual for the Budget Office to be ordered how to make its calculations on a program. But in this case, he said, "It has put the whole thing on a better basis." He also said it was very difficult to decide just which administrative costs should be included in estimates for the guarantee program.

One argument House Republicans make for killing the direct program is that doing so would enable them to make less severe cuts in other student loan programs, like interest subsidies.

Another clear Republican motive is to attack a popular program created by President Clinton. A July 27 "Dear Colleague" letter from Mr. McKeon and Representative Bill Goodling of Pennsylvania, chairman of the House Committee on Economic and Educational Opportunities, began by denouncing "the President's fundamental belief that the Federal Government can run the student loan program better than the private sector."

And they complained of the Department of Education's use of its funds to advertise direct loans as "President Clinton's New Direct Student Loan Program." That proved, they said, that "The President has chosen to make the program an important component of his re-election campaign."

THE WHITE HOUSE
OFFICE OF DOMESTIC POLICY

CAROL H. RASCO
Assistant to the President for Domestic Policy

To: _____

Draft response for POTUS
and forward to CHR by: _____

Draft response for CHR by: _____

Please reply directly to the writer
(copy to CHR) by: _____

Please advise by: _____

Let's discuss: _____

For your information: _____

Reply using form code: _____

File: _____

Send copy to (original to CHR): _____

Schedule ? : ☐ Accept ☐ Pending ☐ Regret

Designee to attend: _____

Remarks: _____

For Shulman:
Pls. add to student
list if appropriate.

Withdrawal/Redaction Marker

Clinton Library

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The American Minority Empowerment Program

June 20, 1995

JUL 5 1995

Ms. Carol H. Rasco
Assistant to the President for Domestic Policy
The White House
Washington, DC 20500-0001

Dear Ms. Rasco:

We, a group of students at Howard University, have embarked on a legislative project to aid minority youth. This project, we hope, will have a positive impact on inner city youth and will bring an end to the daily tragedies that impact not only their lives, but the lives of people who move through the city. We also hope that this project will draw upon the diverse strengths of today's youth and continue to build a better country.

This project, called the American Minority Empowerment Program, is designed to serve as an instrument of social and political change. It involves the sponsorship of annual legislative conferences and seminars that focus on issues prevalent in the lives of minority youth -- education, crime prevention, health, and economics, for example, due in part to the continuing decay of our cities throughout the country.

We have enclosed an abstract outlining the reasons why we have been moved to sponsor such events. Our first conference was held between African American and Latino American youth from the Washington, DC area on March 23, 1995 at the National Education Association headquarters building.

Also enclosed with this letter are the student resolutions and general conference materials. The student suggestions cover areas from high school graduation requirements to welfare reform and demonstrate the concern that they have for their future. We ask that you review and seriously consider the resolutions that these students have developed.

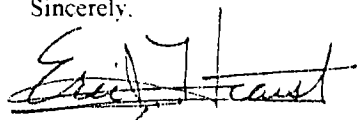
We would be delighted to talk with you or your representative(s), to further outline our program and discuss how these resolutions can be effectively implemented. Please direct all correspondence to Eric J. Hearst at [REDACTED] or James G. Gittens at [REDACTED]. Written responses can be sent to the following address:

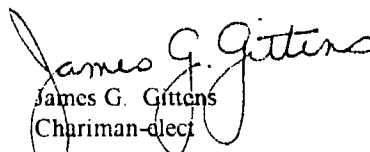
[001]

American Minority Empowerment Program
c/o Eric J. Hearst
4 Ramsdell Terrace
Gaithersburg, Maryland 20878

We thank you very much for your consideration and support of our request.

Sincerely,


Eric J. Hearst
Founder and Chairman


James G. Gittens
Chairman-elect

ABSTRACT

The American Minority Empowerment Program

Eric J. Hearst and Trace Rutherford, two Howard University students, have embarked on a legislative project to aid minority youth. The project called the American Minority Empowerment Program (AMEP), is designed to serve as an instrument of social and political change. The plan involves the sponsorship of legislative conferences and seminars that focus on issues prevalent in the lives of minority youth -- health, education, economics, and crime prevention, for example.

At the outset, each conference is geared towards individual minority groups -- African American, Latino American, Asian American, and Native American, for example. Following the individual conferences, joint conferences are sponsored to bring together all of the minority youth. In this setting, the youth openly discuss diversity and the value of cultural differences.

Most importantly, the AMEP provides minority youth an opportunity to plan and write proposed resolutions that counter the many problems they face and to present these resolutions to lawmakers on the local, state, and federal levels for legislation to be based.

The project then serves the purpose of bringing minority youth to the realization that we all must work together to improve our living conditions. And, with pride and determination, we can make positive changes within our society and continue to build a better country.

American Minority Empowerment Program

Legislative Conference Design

Before delegates participate in the legislative session, they first meet with professionals in each problem area. This is done so that the students can develop an understanding of how to address each problem.

Delegates to the legislative conference:

1. Participate in planning sessions that seek solutions to problems that confront minority youth (i.e. health, crime prevention, education, and economics).
2. Send the proposed resolutions to lawmakers on the local, state, and federal levels of government.

The legislative process includes two parts:

1. Delegates work in small groups of students to compile information and select a representative(s) to present the resolutions.
2. The resolutions are then collected, reviewed, and edited before being sent to government officials on the local, state, and federal levels.

Copyright 1993 by Eric Hearst and Trace Rutherford



The American Minority Empowerment Program

YOUTH LEGISLATIVE CONFERENCE

March 23, 1995

Schedule of Events

- 08:00-09:00 Registration
National Education Association
B-3 Level, Foyer Area
- 09:00-10:00 General Session--Auditorium A
Program Outline
Welcome --- Eric J. Hearst
Chairperson, American Minority Empowerment Program
- Greetings --- Julius Coles, Director
Howard University Center for International Affairs
- Purpose --- Trace Rutherford
Vice Chairperson, American Minority Empowerment Program
- Logistics --- Daniel Jones
Associate, American Minority Empowerment Program
- Get Acquainted Activity --- Gene Grooms, Training and Organization
Development, National Education Association
- 10:00-12:15 Legislative Session I: Breakout Sessions
- | | |
|-----------------------|--|
| A. Crime (Purple) | Auditorium A |
| Moderator: | Roberto Ramos |
| B. Health (Blue) | Auditorium B |
| Moderator: | Urcel Fields |
| C. Education (Orange) | Conference Room A |
| Moderator: | Karen Hansen, National
Council of La Raza |
| D. Economics (Green) | Conference Room B |
| Moderator: | Eric Rodriguez, National
Council of La Raza |
- 12:15 -01:15 Lunch: Auditorium B
- (Over)

Page 2. Schedule of Events

01:15 -02:30 Legislative Session II: Breakout Session Auditorium A **(Only)**

02:30 -03:30 Legislative Session III: **Group Representatives Only**
Conference Room B
Rap Session: *(Other students will participate in a discussion on the following subjects as they relate to the conference):*
Immigration
Affirmative Action
Location: Auditorium A

03:30 -04:30 General Session: "Las Razas"--Discussion of Afro Latino Culture
Moderators: Michael Franklin and Jameelah Muhammed, Organization of Africans in the Americas
Location News Conference Room

04:30 -06:00 Closing Session: Dinner
Presentation of Student Resolutions
Location: Auditorium B

~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~ ~

Conference Sponsors: The Howard University Center for International Affairs
The National Education Association--Student Program

Special Thanks: The Howard University Research and Training Center
The National Council of La Raza

Howard University Student Sponsors: The Gentlemen of Drew Social Club



The American Minority Empowerment Program

STUDENT RESOLUTIONS

Topic Area: Health

Resolutions

1. Create a course, as part of high school graduation requirements, about sex education as an issue of wellness. The curriculum would be designed to inform students about the transmission of HIV/AIDS, effective measures to discourage teenage pregnancy, and intense lectures with visual aids about sexually transmitted diseases (Std) to encourage abstinence. Mini clinics, regulated by a school official (i.e. school nurse), should be established where students can get contraceptives with parental permission.
2. Members of the US Congress, state legislators, and local city officials should hold town meetings with young people in their respective jurisdictions. This would provide young people with a direct opportunity to voice their concerns about health issues that directly affect them.
3. The government should have more community centers and services that would provide comprehensive services to young people with HIV/AIDS. Services should include counseling, health education, and sessions on how to deal with death for family members and friends.
4. Develop a continuing education program by which youth can alert congresspersons and their staff members about the possible effects of pending legislation (i.e. welfare, school lunch, health care, etc.) from their point of view.
5. Provide more opportunities for first - person testimonials from teenage unwed mothers, HIV/AIDS, and STD victims to relate their experiences to young people.

Date: March 23, 1995

American Minority Empowerment Program

STUDENT RESOLUTIONS

Topic Area: Crime

Resolutions

1. Crime prevention programs should be accessible to all area residents regardless of their status (i.e. age, citizenship, marital, economic, and race or health).
2. Government funds and resources should be given to private as well as public service organizations, to advertise their existence.
3. Programs that focus on keeping young people off the streets as well as providing alternative education (i.e. tutorial services, mentorships, etc.) should be retained, funded and expanded. One program which accomplished this goal was the Summer Enrichment Program at Bell Multicultural High School. Unfortunately, it was one of the programs cut.
4. Area school district boards, administration, teacher unions, and parental groups should call for training and sensitivity sessions on how to relate to various types of students and their ethnic and cultural backgrounds. All the above groups could benefit and be encouraged (i.e. incentives such as graduate study credit) to become involved in community programs that prevent violent behavior.
5. (Note: Though the following recommendation is for all parents, the students are especially sensitive to the distress which single working parents or people on public assistance bring home with them). Employed parents in general should be allowed to attend classes to [1.] increase communication with and [2.] learn how to prevent their children from becoming "students at risk." These classes should be offered by the Board of Education free of charge with possible incentives.

Date March 23, 1995

American Minority Empowerment Program

STUDENT RESOLUTIONS

Topic Area(s): Education and Economics

Resolutions

1. Post secondary institutions, receiving either federal or state funding, should be required to develop community outreach and enrichment programs for high school, middle, and elementary schools in their area.
2. Create awards programs for the school in each city and state that has the greatest increase in parent involvement.
3. Give welfare recipients the option of furthering their education in addition to or rather than working. Participants in this program would have to maintain a grade point average of 2.5 or go to work full time.
4. Give corporations and local businesses tax deductions if they hire students for summer jobs or welfare recipients for more than two years.

Date: March 23, 1995

American Minority Empowerment Program

HOUSE REPUBLICAN RESCISSIONS

I. REPUBLICAN RESCISSIONS REFLECT A STRATEGY TO CUT INVESTMENTS FOR THE MIDDLE CLASS AND POOR CHILDREN TO FUND LUCRATIVE TAX CUTS FOR THOSE MAKING OVER \$200,000.

REPUBLICAN SAVINGS ARE GOING TO PAY FOR UNJUSTIFIED TAX CUTS FOR THE WEALTHY.

- The Republican "Contract with America" includes a \$700 billion tax cut over 10 years --with half the benefits going to families making over \$100,000.
- A capital gains tax break that will cost \$183 billion over 10 years--with nearly half the benefits going to families making over \$200,000. The cost of one year of the capital gains cut would be larger than all rescissions approved through Friday, February 24.
- A boondoggle "neutral cost recovery" tax break that the Wall Street Journal says "is a very sweet deal for the nation's capital intensive companies... [and] could allow some big and profitable companies to escape taxes altogether." (12/5/95) Cost: \$120 billion over 10 years.

THE REPUBLICAN BUDGET MAKES DRAMATIC CUTS IN PROGRAMS FOR CHILDREN SIMPLY TO PAY FOR THE PORTION OF THE TAX CUTS GOING TO HOUSEHOLDS MAKING OVER \$200,000.

Indeed, the following cuts all go to paying for only a portion of the capital gains tax cut going to households making over \$200,000.

- 15,000 young people will be denied opportunities to engage in national service; (\$210 million, or 2% of the one-year average price of neutral-cost recovery)
- 100,000 women, infants, and children will be denied proper nutrition by WIC cuts;
- 615,000 disadvantaged youths will be denied summer jobs this summer because of the elimination of funding for the summer jobs programs. (\$1.7 billion)
- 4,000 school will be denied funds for higher standards and better teaching through cuts in GOALS 2000 (\$164 million)
- 34,000 youth in 17 communities around the country will lose training opportunities through elimination of Youth Fair Chance.
- 94% of all school districts will lose funding for keeping drugs out of their schools through elimination of funding for the Safe and Drug Free Schools and Communities Program.

All of the above cuts would pay for only a portion of the average capital gains tax cut that goes to households making over \$200,000.

II. POLITICS AS USUAL OVER POLITICAL REFORM: THE REPUBLICANS TALK ABOUT CHANGE, BUT IT'S JUST MORE PORK AND POLITICS AS USUAL -- WHILE THE MIDDLE CLASS AND POOR GET CUT.

600,000 Summer Jobs vs. \$600,000 Increase for the Speaker's Office: Behind the rhetoric about revolution, you'll find the same, old porkbarrel politics. While the Republican leadership is calling for eliminating over 600,000 summer jobs for young people, Newt Gingrich is giving his own office \$600,000 more for its own needs.

Paying for a Pork Visitor Center for a Republican Official Is More Important than Weatherizing Homes for Low-Income Families: As the New York Times stated: "One trade-off speaks volumes about Republicans priorities; they decided it was more important to pay for a visitor's center in Oregon, the home state of a GOP Committee member, than to help weatherize homes of low income families." (2/24/95)

III. EXTREME CUTS VS BOLD, SENSIBLE REFORM: PRESIDENT CLINTON IS CREATING A LEANER, SMARTER GOVERNMENT THAT HELPS MIDDLE CLASS AMERICANS HELP THEMSELVES. THE REPUBLICANS ARE TAKING AN EXTREME "CUT-AND-GUT" APPROACH THAT HURTS WORKING FAMILIES.

Through the National Performance Review, President Clinton has already cut more than 100,000 federal jobs and saved \$63 billion and is making bold, but sensible reforms that make government work better for working families. By contrast, the Republicans have an extreme ideological agenda, and they are cutting programs whether they work or not.

Example: The Administration is making a bold, sensible reform of the Agriculture Department while Republicans are calling for slashing successful nutrition programs for children. The Administration has closed 1,100 unneeded agriculture field offices while expanding WIC. That makes sense. GAO says WIC saves \$3.50 for every \$1 spent while improving birthweights and reducing infant mortality and child anemia. Republicans are drastically slashing this and other successful programs. Indeed, in addition to their rescission package they are also calling for cuts in WIC and school lunches totaling \$860 million in 1996 and \$7 billion over five years.

Example: The Administration has called for dramatic reform of the Department of Housing and Urban Development -- consolidating 60 programs and eliminating 4,400 positions, while Republican rescissions threaten housing for the neediest. Republicans are simply calling for slashing housing assistance for 63,000 families, most with poor children, including 12,000 homeless families, 2,000 disabled individuals and 3,000 people with HIV-AIDS who are homeless or in danger of becoming so. (\$2.7 billion)

Example: This President signed the inter-state banking legislation -- an historic reform, while the House Republicans are calling for eliminating funding for Community Development Banks: After 20 years of effort, this Administration passed the Interstate Banking Efficiency Act -- a major deregulatory accomplishment. The House Republicans would deny hundreds -- even thousands -- of community banks funding by eliminating funding for the Community Development Bank and Financial Institution bill.

Talking Points on
Republican Rescission Proposals:
"A War on Children and the Poor"

Message: The House Republicans' proposed rescissions would severely hurt the most vulnerable of Americans -- children and the poor -- in order to help pay for huge tax cuts for the wealthiest Americans.

The proposals are mean-spirited and short-sighted. They are part of a larger Republican effort that represents "a war on children and the poor." The effort includes the recent decision to terminate the school lunch program and, as part of welfare reform legislation, to slash child care assistance and child welfare services.

The proposed rescissions would eliminate summer jobs for over 600,000 youth; cut 15,000 slots for national service programs in America's communities; cut the WIC nutrition program for up to 100,000 women, infants, and children; deprive 100,000 disadvantaged children of special services; eliminate housing assistance to nearly 90,000 low-income households or homeless families; cut funds to train teachers in 4,000 school districts; and eliminate a program that supports drug-prevention efforts in 94 percent of school districts.

The cuts are targeted squarely on children and the poor. Of the \$17.1 billion in rescissions that House Appropriations subcommittees approved last week, 63 percent come from programs for low-income Americans, according to the Center on Budget and Policy Priorities.

While they are mean-spirited, the cuts also are penny-wise and pound-foolish. As the Committee for Economic Development, a respected business group, has written, programs such as WIC save several dollars in reduced social costs for every \$1 invested in the program.

These actions are only the first steps in House Republican efforts to target their spending cuts on the most vulnerable members of society. Their "reverse Robin Hood" strategy would take from the poor, especially poor children, in order to give to the most well-off.

The impacts of the cuts in the rescission package include -- the following:

Children and Youth

- Eliminate funding for the Summer Youth Employment program in each of the Summers of 1995 and 1996, wiping out job opportunities for 1.2 million disadvantaged youth over the two summers.
- Cut 15,000 (out of 33,000) AmeriCorps members, cutting job opportunities for youth and such National Service activities as:
 - providing thousands of low-income and migrant children with immunizations;
 - working with children in environmental clean-up activities; and
 - working in inner-city recreation areas to combat drug traffic and violence.
- Reduce the WIC nutrition program's projected caseload of women, infants, and children by up to 100,000 by the end of FY95.

Education

- Cut the Goals 2000 program, thus depriving 4,000 schools in 46 states of seed money to train teachers and upgrade their academic standards.
- Deprive 100,000 educationally disadvantaged children of special services, under the Title I program.
- Eliminate the Safe and Drug-Free Schools and Communities program, which supports drug-prevention programs in 94 percent of all school districts as well as anti-violence efforts.

Housing and the Homeless

- Eliminate subsidized housing assistance to 63,000 needy low-income households.
- Prevent 24,000 homeless families from moving to transitional or permanent housing.
- Eliminate the up-front funds needed to tear down the nation's worst public housing projects.

House
REPUBLICAN
Conference

Legislative Digest

September 27, 1994

Dick Arney
Chairman
26th District, Texas

Contract With America

10 bills to be considered during the first 100 days of a Republican-led 104th Congress

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The Fiscal Responsibility Act

H.R. ____

Highlights:

H.R. ____ contains two budgetary reforms: a constitutional balanced budget amendment and a permanent line-item veto.

Supporters of a balanced budget amendment argue that Congress has shown itself both unwilling and incapable of balancing the federal budget. A constitutional amendment is necessary to force lawmakers to do what, on their own, they cannot: get a handle on out-of-control spending. Opponents of the idea argue it will transfer budget decision-making to the courts, will result in massive cuts in Social Security and usurp Congress' constitutional authority to control government purse strings.

Proponents of the line-item veto maintain that given our current deficit situation, the president should have the authority to single out unnecessary and wasteful spending provisions in bills passed by Congress. Many critics assert, however, that the line-item veto will give too much power to the executive branch to control federal spending — a responsibility clearly given to the legislative branch in the U.S. Constitution.

Background:

The Impetus

Perpetual annual deficits, compounded by the fact that the federal government has not ended a fiscal year in surplus since 1969, has led many economists, former presidents, Members of Congress and the public-at-large to call for more stringent and binding budget mechanisms — mechanisms that Congress will not be able to routinely waive or ignore. Many Americans have become disillusioned with a Congress that has consistently found ways to circumvent the few budgetary restraints it has set for itself:

- In 1985, Congress passed the Balanced Budget and Emergency Deficit Control Act (P.L. 99-177; popularly known as Gramm-Rudman-Hollings) to establish steadily-declining deficit targets, supposedly bringing a balanced budget in FY 1991. In September 1987, faced with a projected budget deficit of \$183 billion for FY 1988 (far exceeding the \$108 billion target), Congress revised the law (P.L. 100-119) and adopted higher deficit levels supposedly bringing a balanced budget in FY 1993. In 1990, and again in 1993, Congress revised and extended these targets — postponing a balanced budget indefinitely.
- Congressional budget rules allow the House to automatically raise the ceiling on the federal debt without a separate vote — protecting members from the difficult decision of increasing the federal debt.

These and other actions demonstrate to many that Congress has neither the will nor the desire to cut wasteful government spending and enact a balanced budget.

to illegitimate children live at home in order to receive aid — unless the mother marries the biological father or marries individual who legally adopts the child. Mothers already receiving AFDC will not receive an increase in benefits if additional children are born out of wedlock.

Finally, the bill requires mothers to establish paternity as a condition for receiving AFDC. Exceptions are provided for cases of rape and incest and if the state determines that efforts to establish paternity would result in physical danger to the mother. The bill requires states to establish paternity in 90 percent of their cases. Also, states are encouraged to develop procedures in public hospitals and clinics to determine paternity and establish legal procedures that help pinpoint paternity in a reasonable time period.

Requiring Work

States are allowed to establish their own work training and education programs to help recipients move from the welfare program to paid employment as soon as possible. The training programs require recipients to work for an average of 35 hours a week or 30 hours per week plus five hours engaged in job search activities. One parent in a two-parent family is required to work 32 hours a week plus eight hours of job searching. States may not provide the work programs for more than two years to any individual or family which receives welfare benefits. States have the option of ending AFDC to families that have been on the welfare rolls for two years, if at least one year was spent in a work program. All states must terminate AFDC payments to families who have received a total of five years of welfare benefits — regardless of whether or not the AFDC recipient has participated in a jobs program.

As long as states meet the participation requirements, the federal government will not advise other parts of the program. States will design their own work programs and determine who will be required to participate in them. Part of the participation requirement is requiring a certain number of recipients to participate in the job program. Starting in 1996, 100,000 AFDC recipients will be required to work; in 1997, 200,000 recipients will be required; in 1998, 400,000 will be required; in 1999, 600,000 recipients will be required; in 2000, 900,000 will be required; and by 2001, 1.5 million recipients will be required to work.

Identified non-parents, usually men, who receive food stamp benefits are required to work — eight hours per week for those benefits.

Capping the Growth of Welfare Spending

H.R. ___ caps the spending growth of AFDC, SSI and numerous public housing programs, and the mandatory work program established under the bill. The cap equals the amount spent the preceding year for these programs with an adjustment for inflation plus growth in poverty population. The entitlement status of these programs is ended.

The bill also consolidates a number of nutrition programs into a block grant to states, funded in the first year at 95 percent of the aggregate amount of the individual programs. Programs consolidated into the block grant include food stamps, the supplemental feeding program for women, infants, and children (WIC), and the school lunch and breakfast programs, among others. Under the block grant, states will distribute food assistance to economically disadvantaged individuals more freely.

To further reduce welfare spending, welfare assistance (AFDC, SSI, food stamps, housing and host of other public assistance) is denied to non-citizens, except refugees over 75 years of age, those lawfully admitted to the U.S., or those who have resided in the U.S. for at least five years. Emergency medical assistance will continue to be provided to non-citizens.

State Flexibility

The bill allows states to create their own work programs and determine who participates in them. States can also opt out of the AFDC program and convert their AFDC payments into a fixed annual block grant and have the option to provide new residents AFDC benefits comparable to the level provided in the state in which they previously resided. To help combat illiteracy, states may reduce AFDC payments by up to \$75 per month to mothers under the age of 21 who have not completed high school or earned their high school "equivalency". Payments may also be reduced if a dependent child does not maintain minimum school attendance.

Other Provisions

State adoption agencies are encouraged to decrease the amount of time a child must wait to be adopted (today, the average child waits approximately 2.8 years). Specifically, the bill prohibits states from discriminating on the basis of race, color or national origin when placing children for adoption.

Also, AFDC beneficiaries who the state identifies as addicted to drugs or alcohol must enroll in an addiction treatment program and participate in random drug testing in order to continue receiving welfare benefits.

Estimated Savings

The bill is estimated to result in net savings of approximately \$40 billion over five years. The denial of welfare to non-citizens saves about \$22 billion, the cap on welfare spending saves about \$18 billion, the nutrition block grant saves about \$11 billion, and the requirement for paternity establishment saves about \$2 billion. The costs included in the bill are \$9.9 billion for the work program and approximately \$2 billion for miscellaneous state options.

Katie Podlesak, 226-7860

The Personal Responsibility Act-Welfare Reform

H.R. ____

Highlights:

The Personal Responsibility Act overhauls the American welfare system to reduce government dependency, attack illegitimacy, require welfare recipients to enter work programs and cap total welfare spending. The bill's main thrust is to give states greater control over the benefits programs, work programs, and Aid to Families with Dependent Children (AFDC) payments and requirements.

Under the bill, the structure for AFDC payments will drastically change. Mothers under the age of 18 may no longer receive AFDC payments for children born out of wedlock and mothers who are ages 18, 19 and 20 can be prohibited by the states from receiving AFDC payments and housing benefits. Mothers must also establish paternity to as a condition for receiving AFDC payments, except in cases of rape and incest. Also, in order to reduce the amount of time families are on welfare, states must begin moving welfare recipients into work programs if they have received welfare for two years. States are given the option to drop families from receiving AFDC benefits after they have received welfare for two years if at least one year has been spent in a work program. To further limit the length of time on AFDC, states must drop families from the program after they have received a total of five years of AFDC benefits.

H.R. ____ allows states to design their own work programs and determine who will be required to participate. Welfare recipients must work an average of 35 hours a week or enroll in work training programs. By the year 2001, 1.5 million AFDC recipients will be required to work.

The bill caps the spending growth of several major welfare programs (AFDC, Supplemental Security Income (SSI) and public housing) and consolidates 10 nutrition programs, including food stamps, WIC and the school lunch program, into one discretionary block grant to states.

Finally, the bill grants greater flexibility to states allowing them to design their own work programs and determine who participates in them and can choose to opt out of the current AFDC program by converting their share of AFDC payments into fixed annual block grants.

Background:

In the mid-1960s President Lyndon Johnson launched a war on poverty with the hope of creating a "Great Society." The federal government was mobilized to fight poverty by creating a slew of new federal programs and expanding existing ones, such as AFDC. Established in 1935 under the Social Security Act, AFDC was created to help widows care for their children. It now serves divorced, deserted and never-married individuals and their children. AFDC continues to be the major cash welfare program for families. Federal funds pay at least 50 percent of each state's benefits and administrative costs. In June 1994, enrollment reached 5,028,000 families, just below the record of 5,083,000 set in March 1994. Individual recipients numbered 14.2 million and unemployed two-parent families totaled 362,000. Also, food stamp enrollment in June 1994 was 27.4 million persons—a record high. Although almost half of the mothers who enter AFDC can be expected to leave within

two years, most return. Long-term users often are young, never-married, and high school dropouts; and most AFDC families begin with a birth to a teenager.

In the past few years, the federal government and state governments have tried to change and improve the welfare system. The Clinton Administration campaigned to "end welfare as we know it," though, to date, Congress has not held a vote on its proposal. The administration proposal limits AFDC benefits to two years, during which employment services would be provided to recipients. Nearly 20 welfare reform bills have been introduced in the 103d Congress, including three major proposals offered by Republican members:

- **The GOP Leadership Welfare Reform Bill (H.R. 3500)** - After two years on AFDC (or less at a state's option), welfare recipients must work 35 hours per week in a private or public sector job. It also requires mothers to establish paternity before receiving AFDC benefits, denies AFDC benefits to parents under age 18, and denies increased AFDC benefits for having additional children while on welfare — unless a state enact laws to exempt itself from any of these requirements.
- **The Real Welfare Reform Act (H.R. 4566)** - This measure prohibits AFDC, food stamps, and public housing to unmarried mothers under age 21 (the age limit is raised to 25 in 1998); requires that paternity be established as a condition for receiving AFDC, food stamps and public housing; provides a \$1,000 pro-marriage tax credit, requires 50 percent of AFDC recipients to work by 1996; requires single able-bodied food stamp recipients to work for benefits; and freezes the rate of growth in several welfare programs at 3.5 percent per year.
- **The Welfare and Teenage Pregnancy Reduction Act (H.R. 1293)** - This measure freezes AFDC at current funding levels and returns the program to the states in the form of block grants, giving states maximum discretion to design their own welfare-to-work programs. The bill also prohibits AFDC benefits to parents under age 18 and requires that paternity be established in order to receive AFDC benefits.

Provisions:

Reducing Illegitimacy

The bill is designed to diminish the number of teenage pregnancies and illegitimate births. It prohibits AFDC payments and housing benefits to mothers under age 18 who give birth to out-of-wedlock children. The state has the option of extending this prohibition to mothers ages 18, 19, and 20. The savings generated from this provision to deny AFDC to minor mothers (and to mothers age 18 to 20 if the state elects that option) is returned to the states in the form of block grants to provide services — but not cash payments — to help these young mothers with illegitimate children. The state will use the funds for programs to reduce out-of-wedlock pregnancies, to promote adoption, to establish and operate orphanages, to establish and operate residential group homes for unwed mothers, or for any purpose the state deems appropriate. None of the funds may be used for abortion services or abortion counseling.

The bill also includes a number of other provisions to reduce illegitimacy. While AFDC is prohibited to mothers ages 17 and younger who have children out of wedlock, mothers age 18 who give birth

Taking Back Our Streets Act

H.R. ____

Highlights:

H.R. ____ embodies the Republican approach to fighting crime: making punishments severe enough to deter criminals from committing crimes, making sure that the criminal justice system is fair and impartial for all, and making sure that local law enforcement officials (who are on the streets every day), and not Washington bureaucrats direct the distribution of federal law enforcement funds.

The bill sets mandatory sentences for crimes involving the use of firearms, authorizes \$10.5 billion for state prison construction grants, establishes truth-in-sentencing guidelines, reforms the *habeas corpus* appeals process, allows police officers who in good faith seized incriminating evidence in violation of the "exclusionary rule" to use the evidence in court, requires that convicted criminals make restitution to their victims, and authorizes \$10 billion for local law enforcement spending. Finally, in addressing one of the most pressing problems in our country today, the bill streamlines the current alien deportation system, while still allowing convicted aliens the right to judicial review and appeal.

Bill sponsors argue that this legislation strikes at the heart of our violent crime problem by deterring criminals from committing crimes in the first place, and making sure that if they do commit a crime, they serve the sentence they are given and are not able to abuse the appeals process. Supporters contend that this bill fixes a number of problems created by the recently-enacted omnibus crime bill, as well as serious problems left unaddressed by that legislation. Critics maintain that the measure concentrates too much on punishment and not enough on prevention; the way to stop crime, they argue, is not to keep filling our jails, but to keep at-risk youth from going there in the first place.

Background:

Crime in America: Putting the Debate in Context

Statistics paint a grim picture, illustrating clearly that the U.S. has failed to get a handle on its growing crime problem. One expert has estimated that a 20 year old black male has a greater chance of being murdered on the streets than a soldier in World War II stood of dying in combat. According to the FBI, the rate of violent crime in the U.S. is worse than in any other western-developed country, with a murder occurring every 21 minutes, a rape every five minutes, a robbery every 46 seconds and an aggravated assault every 29 seconds. Violent crime or property crime victimizes one in four U.S. households. Every year, nearly five million people are victims of violent crime such as murder, rape, robbery or assault, and 19 million Americans are victims of property crimes such as arson or burglary. Juvenile crime has increased by 60 percent between 1981 and 1990 (compared to an increase of five percent among adults) and the number of inmates convicted of drug offenses rose 14 percent from 1983 to 1989. On all fronts, the problem has reached epidemic proportions.

This crime crisis is particularly severe among minorities and the poor. The U.S. homicide rate for black males between the ages of 15 and 24 is 283 times that of male homicide rates in 17 other nations. And homicide is now the leading cause of death for blacks aged 15 to 34. Poor households are victimized more often than upper income households. In 1992, households with incomes of less than \$7,500

experienced crime at a rate of 136.7 per 1,000 compared to the rate of 83.3 per 1,000 for households with incomes between \$30,000 and \$49,000.

While the problem is severe, statistics illustrate that a small percentage of criminals commit the vast majority of violent crimes. Just seven percent of criminals commit two-thirds of all violent crime, including three fourths of rapes and robberies, and virtually all murders. A 1991 study done by the Bureau of Alcohol, Tobacco and Firearms indicated that 471 armed criminals had a total of 3,088 felony convictions — an average of 6.55 felonies each. To make matters worse, many of these criminals either are never caught, or, if found guilty, do not serve their entire prison sentence. Every year, over 60,000 criminals convicted of a violent crime never go to prison — for every 100 crimes reported only three criminals go to prison. The Bureau of Justice Statistics has found that only 45.4 percent of court-ordered confinement is served on average, and 51 percent of violent offenders sent to prison are released in two years or less. These numbers are even more telling in light of the fact that at least 30 percent of the murders in this country are committed by people on probation, parole or bail. Faced with prison overcrowding, 17 states have begun emergency release programs. Overall, the risk of punishment has declined in the past 40 years while the annual number of serious crimes committed has skyrocketed.

All this has led to public calls for "truth-in-sentencing" laws (requiring criminals to serve a significant percentage of their sentences without a chance of parole) and "three strikes, you're out" laws (requiring life in prison for recidivists convicted of their third violent felony). Opponents of strict sentencing laws like these argue that "locking people up" does not address the problem of why crimes are committed in the first place. Evidence suggests, however, that there is a strong correlation between increased incarceration and decreased crime rates: from 1990-1991, states with the greatest increases in criminal incarceration rates experienced, on average, a 12.7 percent decrease in crime, while the 10 states with the weakest incarceration rates experienced an average 6.9 percent increase in crime.

Recent Legislation

Just a few weeks ago, President Clinton signed P.L. 103-322, the Omnibus Crime Control Act of 1994 after nearly one year of congressional hearings, mark-ups, floor votes, conference wranglings, a delayed recess, and weekend votes. Many members spoke out against the legislation, arguing that it did little to address the fundamental crime problem in our country. Relying on expensive "Great Society-esque" programs, the bill attempted to do what all other big government social programs have failed to do: make individuals responsible for their actions and instill a sense of right and wrong in those with a propensity to commit a crime. Criticism focused not only on what the bill contained, but what it lacked. Republicans argued that it should have included reform of the *habeas corpus* process (the process by which inmates challenge the constitutionality of their sentences), a good faith exemption for the exclusionary rule, tough language against sexual predators, more money for state prison construction, and stronger requirements that states enact truth-in-sentencing laws to be eligible for grant assistance.

After a crazy weekend session at the end of August, the conference agreement was finally approved by the House 235-195 (Roll Call #416). When all was said and done, the compromise authorized a total of \$30 billion over six years, including \$5.4 billion for prevention programs, \$7.9 billion for new prison construction and \$8.8 billion for new police officers. It also included the so-called "three strikes, you're out" provision, applied the death penalty to over 50 new crimes, increased penalties

for repeat federal sex offenders, and banned at least 150 semiautomatic weapons. The final version did not include the controversial Racial Justice Act (which allows defendants to introduce in their defense statistical evidence that blacks receive death sentences more often than whites) or any reform of the *habeas corpus* process.

In addition to passing the first omnibus crime bill in four years, the 103rd Congress also passed the Brady Bill, which established a five-day waiting period for the purchase of a handgun. The House approved that measure (H.R. 1025) on November 10, 1993 by a vote of 238-189. President Clinton signed it into law on November 30, 1993 as *P.L. 103-159*. Other smaller crime-related bills passed during this Congress include the National Child Protection Act of 1993 (*P.L. 103-209*) which established criminal background checks for child care providers, and the International Parental Kidnapping Crime Act (*P.L. 103-173*) which made it a federal crime for a parent to kidnap a child under the age of 16 years from his custodial parent and remove him from the United States.

Provisions:

Death Penalty Provisions (Title I)

General Habeas Corpus Reform. The bill makes a number of revisions to federal and state *habeas corpus* processes (the process by which prisoners who have exhausted all direct appeals challenge the constitutionality of their sentences). Specifically, it places a one-year limitation on the filing of general federal *habeas corpus* appeals after all state remedies have been exhausted. State capital cases must be filed in a federal court within six months, and state capital prisoners who file a second or successive federal *habeas* appeal must receive a certificate of probable cause stating that their case has merit. Non-capital federal prisoners must file within two years. The bill also forces federal courts to consider federal *habeas* petitions within a certain time frame.

In addition to placing a time limit on when appeals may be made, H.R. ____ limits prisoners to one appeal unless the defendant can show by "clear and convincing evidence, that but for constitutional error, no reasonable fact finder would have found [him] guilty of the underlying offense or eligible for the death penalty."

Under current law, there are virtually no limits or restrictions on when prisoners can file *habeas corpus* appeals. For example, under current law, defendants can appeal anytime there is a change in the law or a new Supreme Court ruling. Bill sponsors argue that delays of up to 14 years are not uncommon, making abuse of the *habeas corpus* system the most significant factor in states' inability to implement credible death penalties. They also contend that current law favors the convicted criminal. For example, the recently-enacted crime legislation included a requirement that at least two lawyers be appointed to represent the defendant at every stage of the process.

Latin for "you have the body," a *habeas corpus* writ is used to determine whether a person is lawfully imprisoned. Originally designed as a remedy for imprisonment without trial, it is now a tool of federal and state defendants who have been convicted and exhausted all direct appeals (prisoners currently have three successive procedures to challenge a conviction or sentence: appeal, state *habeas corpus* and federal *habeas corpus*). Critics of the current *habeas corpus* process argue that (1) most petitions are totally lacking in merit, (2) thousands upon thousands of frivolous petitions clog the federal district

court dockets each year, and (3) it allows prisoners on death row to almost indefinitely delay their punishment.

Authorization of Funds for States to Prosecute Capital Cases. Congress already provides funds for death penalty resource centers to litigate federal *habeas corpus* petitions for death row inmates. H.R. ____ authorizes equal funding for states to prosecute these cases. Bill sponsors argue that equal funds should be provided to both the defense and the prosecution in these cases.

Reform of Death Penalty Procedures. The bill mandates that juries be instructed to recommend a death sentence if aggravating factors (circumstances of the crime that increase the level of guilt) outweigh "mitigating factors" (circumstances that reduce the degree of moral culpability). Juries must also be instructed to avoid any "influence of sympathy, sentiment, passion, prejudice or other arbitrary factors" in their decisions.

Under the recent omnibus crime control act, the Justice Department is required to notify the court and the defendant that it intends to seek the death penalty, and it must indicate the "aggravating" factors it intends to prove as the basis for imposition of a capital sentence. The law specifically states that a jury is never required to impose a death sentence (even if it finds that aggravating factors outweigh mitigating factors), and that death penalties can never be imposed on individuals who are mentally retarded, incompetent or under 18 years of age at the time of their crime. Critics of current law argue that it (1) establishes an elaborate system of aggravating and mitigating factors, but then allows juries to ignore the evidence and make an arbitrary sentencing recommendation; (2) gives too much discretion to a judge and jury; (3) weakens current law; and (4) greatly complicates the use of any new federal death penalty.

Mandatory Minimum Sentencing for Drug Crimes (Title II)

The Comprehensive Crime Control Act of 1984 (P.L. 98-473) created the U.S. Sentencing Commission to develop and monitor sentencing guidelines to be used by federal judges when sentencing criminal defendants. Despite the commission's suggestions that mandatory minimum sentences tend to warp the guidelines system, Congress has enacted about 100 mandatory minimum sentences for a variety of federal crimes. Many federal judges have complained that these restrictions are foolish, wasteful and cruel (sometimes requiring them to impose a sentence without regard to the nature of the offense or the character and background of the offender), and that they have no deterrent effect on crime.

Supporters of mandatory sentences counter that they complement the sentencing guidelines, prevent disparity in sentencing, and ensure certainty of punishment. Mandatory minimums send a strong and unmistakable message to criminals that they will serve a set minimum sentence if they commit certain violent crimes. Mandatory minimums are also used by prosecutors to extract confessions from low-level offenders in exchange for reduced sentences. The information is then used to build cases against criminal crime bosses. Although judges object to mandatory minimums because they take away their sentencing discretion, prosecutors see them as important law enforcement tools.

H.R. ____ establishes a mandatory minimum sentence of 10 years for state or federal drug or violent crimes that involve possession of a gun. Penalties increase to 20 years for a second conviction and life in prison for a third. For those who discharge a firearm with intent to injure another person, the

first offense is punishable by a minimum of 20 years in prison, second offenses are punishable by a minimum of 30 years, and third violations get life in prison.

Finally, possession or use of a machine gun or other destructive device during the commission of these crimes is punishable for no less than 30 years. Second-time offenses are punishable by life in prison.

Mandatory Victim Restitution (Title III)

H.R. ___ mandates that criminals pay full restitution to their victims for damages caused as a result of the crime. (Current law allows the court to order that such restitution be made but it does not require it.) In addition, the bill allows (but does not require) the court to order restitution of *any* person who, as shown by a preponderance of the evidence, was harmed physically, emotionally or financially by the unlawful conduct of the defendant.

Court Responsibility. Under the bill, restitution is to reimburse the victim for necessary child care, transportation and other expenses incurred while participating in the investigation or court proceedings. The court is to determine the amount of restitution based on the victim's situation and not on the economic resources of the offender or the fact that the victim is entitled to insurance or other compensation. The court is also to set the payment schedule (e.g., a single, lump-sum payment or a partial payment at specified intervals) and method of payment (e.g., cash, return of property, or replacement of property).

Limitations on Restitution Awards. Court-ordered compensation is not to affect the victim's eligibility to receive insurance awards or other compensation until such time that the court-ordered compensation fully compensates the victim for his losses. In addition, the bill stipulates that if the claimant seeks additional awards in a civil case, any new award is to be reduced by the amount of the criminal court restitution order (bill supporters argue that claimants may seek additional awards but should not be able to receive a second, full compensation).

Defendant Compliance. Compliance with the schedule of payment and other terms of the restitution order is a condition for probation, parole or any other form of release. If the defendant fails to comply with the restitution order, the court may revoke probation or parole, modify the conditions of probation or parole, hold the defendant in contempt of court, enter a restraining order or injunction against the defendant, order the sale of the defendant's property, or take any other action necessary to insure compliance with the restitution order. The victim or offender may, at any time, petition the court to modify a restitution order if the offender's economic circumstances change.

Law Enforcement Block Grants (Title IV)

H.R. ___ authorizes a total of \$10 million over five years (\$2 million in each of FY 1996-2000) for local governments to fund law enforcement programs. These block grants replace the police, prevention and drug courts titles of the recently-enacted crime bill. Under the bill, money may be used to (1) hire, train or employ law enforcement officers; (2) pay overtime to police officers; (3) purchase equipment and technology directly related to basic law enforcement purposes; (4) enhance school security measures (e.g., police patrols around school grounds, metal detectors, fences, closed circuit cameras, gun hotlines, etc.); (5) establish citizen neighborhood watch programs; and/or (6) fund programs that advance moral standards and the values of citizenship and involve local law enforcement officials.

To qualify for these grants, a unit of local government must show that it will (1) establish a trust fund in which block grant money is to be deposited; (2) use the money within two years; (3) spend the money in accordance with the guidelines in this section; (4) use approved accounting, audit and fiscal procedures; (5) make any requested records available to the Bureau of Justice Assistance and the comptroller of the U.S. for review; and (6) submit the required progress reports. Each state that applies is to automatically receive 0.25 percent of the funds as well as additional funds based on its number of reported violent crimes in 1993 compared to the rest of the country. States are to distribute the funds among local units of government based on their population and the number of reported violent crimes in 1993 compared to the rest of the local governmental units in the state.

If a unit of local government does not spend all of its grant money within two years of receipt, it must repay the unused portion to the Bureau of Justice Assistance within three months. The bill also stipulates that (1) this grant money is intended to supplement, not supplant, state funds; (2) grantees may not use more than 2.5 percent of their grant for administrative costs; and (3) grantees must hold one public hearing on the proposed use of their grant. The bill also sets out procedures to be used if a local government violates any portion of this title.

As noted above, H.R. ____ repeals sections of the recently-enacted crime control act that provide specific funds for drug courts, recreational programs, community justice programs and other social prevention spending. Bill sponsors argue that providing money directly to local law enforcers and letting them decide how to spend the funds (as the Taking Back Our Streets Act does) is preferable to the current law approach of authorizing specific amounts of money for programs approved by Washington bureaucrats.

Grants for Prison Construction Based on Truth-in-Sentencing (Title V)

H.R. ____ authorizes \$10.5 billion over six years (\$232 million in FY 1995, \$997.5 million in FY 1996, \$1.3 billion in FY 1997, \$2.5 billion in FY 1998, \$2.7 billion in FY 1999 and \$2.8 billion in FY 2000) for the Attorney General to make grants to states so they can build, expand and operate prisons for serious violent felons. This title replaces the prison section in the recently-enacted crime bill. H.R. ____ also authorizes the AG to make grants for states to move non-violent offenders and criminal aliens to other correctional facilities (including old military bases) to make room for violent criminals at existing prisons. Grants are to be awarded based on two formulas: a percentage that applies to all states (.40 percent) and a percentage based on population.

Fifty percent of the funds authorized under this section are designated as "general grants." To receive these funds, states must show that since 1993 (1) an increased percentage of convicted violent offenders have been sentenced to prison, (2) the state has increased the average prison time actually served in prison, and (3) the state has increased the percentage of sentences to be actually served. The other 50 percent is reserved for truth-in-sentencing incentive grants. To be eligible for these funds, states must show that they require serious violent felons to serve at least 85 percent of the sentence imposed, and require sentencing or releasing authorities to allow the defendant's victim (or the victim's family) to testify on the issue of sentencing and any post-conviction release.

The bill includes an exception for prisoners over the age of 70 years after a public hearing in which representatives of the public and the prisoner's victims have an opportunity to testify on the issue of release. It also stipulates that (1) grant money is to supplement, not supplant, state funds; (2) no more

than three percent of the grant is to be used by states for administrative costs; (3) the federal share of a grant is not to exceed 75 percent of the total cost of a state proposal; and (4) any funds not spent in one year will carry over and remain available until spent.

Reform of the Exclusionary Rule (Title VI)

The Supreme Court enforces the Constitution's Fourth Amendment (which protects Americans against unreasonable searches and seizures) through the so-called exclusionary rule. The rule holds that any evidence discovered as a result of improper police action cannot be introduced in a federal or state criminal trial — i.e. "the criminal is to go free because the constable has blundered." Critics of the rule's rigidity argue that it suppresses evidence of unquestionable reliability and leads to the acquittal of many who are obviously guilty. In 1984, the Supreme Court modified the exclusionary rule to permit the introduction of evidence that was obtained in good faith reliance on a search warrant that was later found to be invalid. However, many have called for a "good faith exemption" in cases where the police officer, acting in good faith, conducted a search or seizure without a warrant.

H.R. ___ amends current law to allow introduction of evidence obtained during a search or seizure that was conducted with the objectively reasonable belief that it was in accordance with the fourth amendment, regardless of whether a search warrant had been granted.

Prisoner Lawsuits (Title VII)

H.R. ___ directs federal courts to dismiss any frivolous or malicious action brought by an adult convicted of a crime and confined in any jail, prison or other correctional facility. The bill also requires that prisoners filing a suit include a statement of all assets in their possession so the court can require a full or partial payment of filing fees based on the prisoner's ability to pay.

Bill sponsors argue that states are forced to spend millions of dollars defending prisoner lawsuits to improve prison conditions — many of which are frivolous. Critics of the proposal argue that it will restrict prisoners' rights to seek legitimate redress of grievances.

Deportation of Criminal Aliens (Title VIII)

This title of the bill provides for the prompt deportation of any alien without a green card who has been convicted of an aggravated felony and who is deportable. According to bill sponsors, it addresses the current problem of releasing these felons into the general population prior to finalization of deportation proceedings, since few of those released ever show up for their deportation hearings.

Definition of an Aggravated Felony. For purposes of alien felon deportation, the bill expands the definition of an aggravated felony to include any state or federal offense involving (1) firearms violations; (2) failure to appear in court for a felony carrying a sentence of two or more years; (3) demanding or receiving ransom money; (4) a RICO violation; (5) owning, controlling, managing or supervising a prostitution business; (6) treason; (7) tax evasion exceeding \$200,000; and (8) certain immigration-related offenses including alien smuggling and sale of fraudulent documents. Sponsors of the bill argue that these crimes are serious enough to put a convicted alien on the fast track for deportation.

The current law definition of an aggravated felony includes murder, drug trafficking, trafficking in firearms or explosives, money laundering, terrorism, and any crime of violence carrying a prison sentence of at least five years.

Criminal Alien Deportation Proceedings. The bill allows the Attorney General to issue a final order of deportation against any alien determined to be deportable for conviction of an aggravated felony (without requiring a deportation hearing). An alien is defined as anyone who (1) was not lawfully admitted for permanent residence in the U.S. at the time that proceedings for the commission of an aggravated crime began or (2) had permanent resident status on a conditional basis at the time that proceedings for the commission of an aggravated crime began. An alien against whom a deportation order is issued may appeal for judicial review in federal court; however, the court action is limited to challenging only the defendant's identification (whether the person is who the Immigration and Naturalization Service [INS] says he is and whether he committed the aggravated felony).

Judicial Deportations. When an alien whose conviction causes him to be deemed deportable is sentenced, a federal court may issue a judicial order of deportation if the U.S. attorney requested one prior to sentencing and the INS commissioner is in agreement. A judicial order of deportation or a denial of such order may be appealed by either party to the circuit court of appeals. A court action, however, is limited to challenging only the defendant's identification (whether the person is who the Immigration and Naturalization Service [INS] says he is and whether he committed the aggravated felony).

If a judicial order is denied, the Attorney General may still pursue a deportation order through administrative channels.

Defenses Based on Permanent Residence. Under current law, when an alien is in deportation proceedings, he can use certain defenses to get out. One such defense is showing that he has been a permanent resident of the United States for the past seven years. H.R. ___ does not change the underlying defense, but changes the time frame in which INS can begin deportation proceedings against an alien convicted of an aggravated offense. Under current law, deportation proceedings are to begin after the alien has served five years. H.R. ___ allows INS to begin deportation proceedings when an alien is sentenced to a term of at least five years. Bill sponsors argue that this standard is more relevant for judging the seriousness of a crime since dangerous criminals may be released prematurely due to prison overcrowding, or other reasons not related to the seriousness of the crime.

Defenses Based on Withholding of Deportation. Aliens may also reverse deportation proceedings by showing that they will suffer physical harm if returned to their native country. As defined by international law, "withholding of deportation" is a higher standard of protection than asylum: if an alien can prove such a situation exists, he must be retained in the U.S. unless he poses a danger to the public. H.R. ___ clarifies current law to stipulate that aggravated felons pose a serious danger to the public and are not allowed to request or be granted this protection.

Enhanced Penalties for Failing to Deport or Reentering. Under current law, aliens who are deportable for criminal offenses, for document fraud or because they are a security risk to the U.S. face up to 10 years in prison for failure to depart. Bill sponsors argue that there are no penalties for aliens who are deportable for other reasons but refuse to leave. H.R. ___ retains the current law penalty and establishes a penalty of up to four years in prison for all other deportable aliens who refuse to leave. The bill also establishes civil penalties for those who refuse to leave.

Under current law, an alien who is convicted of a felony (other than an aggravated offense), is deported and then reenters the country is subject to five years in prison and a criminal fine. H.R. ___ extends such penalties to aliens convicted of three or more misdemeanors and increases the maximum sentence to 10 years. Deported aggravated felons who re-enter the U.S. are currently subject to criminal fines and up to 15 years in prison. H.R. ___ increases the maximum prison sentence to 20 years.

Finally, under the bill, a deported alien who re-enters the U.S. cannot challenge his original deportation unless he can show that (1) all available administrative remedies were exhausted, (2) an opportunity for judicial review was denied, and (3) the deportation order was fundamentally unfair.

Criminal Alien Tracking Center. The bill directs the INS commissioner and the director of the FBI, with the heads of other agencies, to operate a criminal tracking center. The measure authorizes \$14 million over four years (\$5 million in FY 1994 and \$2 million in each of FY 1995-98) for the center, which is to assist federal, state and local law enforcement agencies identify and locate aliens who may be subject to deportation due to conviction of an aggravated felony.

Other Information:

For a summary of the conference report for H.R. 3355 — the Omnibus Crime Control Act of 1994 — see *Legislative Digest* Vol. XXIII, #23, July 29, 1994. For last minute changes made prior to final passage of the agreement see *Legislative Digest FloorPrep*, August 21, 1994.

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Stacey Shrader, 226-7863

What can we do?

- Dental School / medical School is in Edwardsville
- University of Missouri
- St. Louis University (8,000 undergrad)
- Washington University
- Champagne / Urbana
- Memphis / Kentucky

Wayne
Sherman

→ President of Carbondale recommends an outdoor setting

→ Campus

BARRON

410-0305

- What is it going to look like?
- What coalitions need to be built?
- What role will student body president play?
- What role are the colleges going to play?
- What role will the grad/prof.
- Will this be a political or policy speech?
- What is focus of the message will be?
- Who will be where?
- First Lady

University Presidents

George Stephanopoulos - Cabinet members at their campuses

- Stony Brook - NY

- Ohio University
- University of Colorado - Boulder
- Georgia State
- Arizona State
- Coordinator to Susan Blum

PHOTOCOPY
PRESERVATION

STUDENT. AID. EVENTS. BA. RESEARCH

— Ali Carter - September 12 Rally
Students from D.C. area

FLOTUS * NEED SPEAKERS *
CARVILLE (BOULDER)

MAURICE END OF SEPTEMBER — USSA BOARD WILL BE HERE

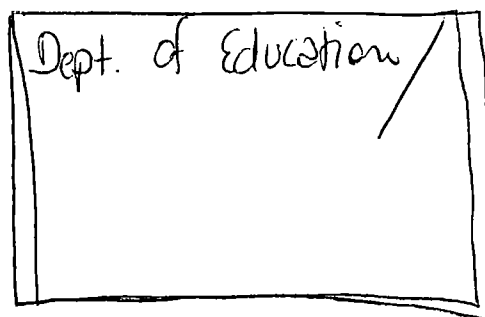
Shalala - Wisconsin

PENA - COLORADO

Historically Black College or University Spellman / Morehouse
(Atlanta Area)
Goodie Pearson
— Andrew Young
— Jimmy Carter

~~the~~ Region

— letters of Support from the President



Or

What can the White House
do that will best help your
efforts?

- Introduction

- WHAT IS GOING ON?

- WHAT IS GOING ON W/ ASSOCIATIONS

- COLLEGES / UNIVERSITIES

- NEXT STEPS - - - SOME OF THE THINGS THE ADMINISTRATION IS DOING

- Because it is the summer -

- K-5 student / youth organizations

- Internet - massive lists

- SHORTER LIST

COORDINATION

- Expand this information pool -

- 1,000 students

- one person

- all background talking points

Department of Education sends things out
more generally

- 20,000

- learn and serve

- middle of August - - - send editorials

- Ricki Seidman - - Rock the Vote

- Chairman Fowler is working on bringing young people back into
the fold.