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Comments: HR 469

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Mr. Chairman, Ranking Member Scott and other Members of the Subcommittee, I am pleased to be here to testify today on behalf of the Department of Justice on H.R. 469, known as "Jeremy and Julia's Law", which would provide federal criminal penalties for certain acts relating to child day care providers.

Whenever our children are placed at risk or are harmed due to misrepresentations and falsehoods by day care providers regarding the nature of the services provided or their personal backgrounds, there is cause for serious concern. Incidents such as those involving Jeremy Fiedelholtz and Julia Haas are inexcusable, and require a serious response by those in government - and in particular law enforcement - to ensure that other parents and their children are not placed in similar situations. This bill is an understandable effort to help reduce - through deterrence and the incarceration of offenders - future conduct of this kind.

However, the bill also raises policy questions involving the proper role of the federal government. Heretofore, the regulation of child day care providers has been a matter reserved exclusively to state and local governments. Indeed, it appears that at least two states, New York and Florida, have passed similar legislation. Under this bill, the states would continue to have the exclusive responsibility for

establishing standards for child day care providers, and for imposing non-criminal sanctions for violations. Typically, in a regulatory scheme, sanctions can range from administrative measures such as license suspensions, to civil penalties, and ultimately to criminal sanctions. Under H.R. 469, if enacted, the federal government's role would be confined to the imposition of criminal penalties for the most serious violations, with states having concurrent jurisdiction to impose such penalties. Thus, the federal government, unlike the supervising state, would not be able to consider an entire range of sanctions but could only determine whether or not to pursue a criminal case. While this role is not unique, the Department of Justice has generally supported such a role only on the basis of a strong record demonstrating the need for a federal role. Before reaching a final position on this particular legislation, we would wish to know far more concerning such matters as the extent of the problem facing parents and law enforcement, the nature of the states' regulatory and enforcement laws that address it, and whether the potential for federal criminal sanctions would be expected to significantly improve the safety of our nation's children and the performance of the child day care provider industry.

Although the Department has not yet reached a final position on this legislation, we believe there are several drafting ambiguities in H.R. 469 that need correction. For one thing, we are concerned that the definition of the term "child day care provider" is overbroad and could be construed to cover friends and grandparents who, without remuneration, provide day care for a parent who traveled to employment in another State. This scope of coverage raises constitutional concerns under the Commerce Clause in the light of recent Supreme Court precedents. See United States v. Morrison, 120 S.Ct. 1740, 1749-50 (2000). To avoid these constitutional concerns, and otherwise to properly limit the legislation to its likely intended purview, we suggest that the bill be made to apply only to providers who are engaged in child day care as a commercial activity. In addition, we believe it would be helpful if the legislation defined the term "law enforcement officer." Compare 18 U.S.C. 115.

Further, assuming the Subcommittee believes that a misrepresentation that merely poses a danger to a child (yet where no actual injury results) merits federal criminal penalties, we observe that the bill is limited, in subsection (a), to misrepresentations that are made **before** a child is placed in day care. But a misrepresentation after placement

may also endanger a child. Limiting the scope of the legislation in this regard seems problematic. Either the proposed false statement offense in subsection (a) should be eliminated as too inchoate, or expanded to encompass false statements that endanger a child **before and after** the child has been entrusted to the provider's care.

Additionally, with respect to the offense listed in subsection (b), which requires "serious bodily injury" to a child, we suggest that a greater penalty may be appropriate where death as opposed to serious bodily injury results. Lastly, we believe that the term "serious bodily injury" should be defined by reference to 18 U.S.C. § 2119 rather than, as in the bill, to 18 U.S.C. § 1365, since the former has an appropriately wider reach that embraces certain nonviolent sexual offenses.

Mr. Chairman, that completes my remarks and I would be glad to try to answer any questions.

FAX

To: Helen Blank

662-3560

From: Ann O'Leary

Subject: HRC's Child Care Record and Background Info.

Thanks for your help. Please let me know how the hearing goes today.

Background on Jeremy and Julia's Law

Bill Background and Status

On February 2, 1999, Rep. Lazio introduced Jeremy and Julia's Law, which would amend title 18 of the U.S. Code to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce. Specifically, the law would prohibit, and set penalties for, a child day care provider in or affecting interstate or foreign commerce from: (1) knowingly making any false representation regarding the care, the provider, or an employee to a parent or guardian considering the placement of a child in the care of that provider or to a law enforcement officer, thereby placing a child's safety or health at substantial risk; and (2) recklessly causing serious bodily injury. The law is based on the tragic deaths of two small children in child care settings (Jeremy Fiedelholz in Florida and Julia Haas in Albany, NY). The bill has 14 cosponsors and has been referred to the Judiciary Committee's Subcommittee on Crime; no further action has been taken.

A number of states, including New York, have passed state versions of the law. On September 24, 1998, Gov. Pataki signed New York State's Jeremy and Julia's Law, making New York the first state in the nation to criminalize major day care violations. The New York law creates new classifications of crimes upon which such day care providers may be prosecuted. The bill makes a class A misdemeanor the act of making willful or intentional misrepresentations by child day care providers to any parent or guardian, state or local government official, police officer or peace officer regarding the facts pertaining to such provider, including but not limited to: the number of children in a facility; the area of the facility, home or center used for child care; the credentials or qualifications of any child day care provider, assistant, employee or volunteer. The bill creates a Class E felony of reckless assault of a child by a day care provider. Day care providers are guilty of such a crime when they recklessly cause serious physical injury to a child under their care.

Analysis and Response

The Justice Department has evaluated this bill and, while they are not taking a formal position, they have indicated a concern that these issues may be more effectively adjudicated on the state level. A federal bill would cover a very small number of such cases.

Recognizing the importance of safe child care, our response to the bill ought to be:

- Parents who put their children into child care should not have to worry about whether or not their child care providers are being honest with them and whether their child will be safe and healthy. We support the intentions of this bill and encourage more states to take up laws similar to New York's law. Increasing and enforcing penalties on such providers may act as a deterrent to illegal behavior.
- Mrs. Clinton has been the lead Administration advocate for child care and worked hard to develop comprehensive proposals to address quality and safety of child care (see attached talking points).

Hillary's Child Care Record

Suggested Talking Points

Overall Child Care Accomplishments

- Hillary has been the Clinton Administration's strongest most vocal advocate for improving the overall access, affordability and quality of child care in America.
- This month is the third anniversary of the first-ever White House Conference on Child Care led by Hillary Clinton. As a result of this historic conference, the President announced a major Child Care Initiative in his 1998 State of the Union Address. With Hillary's guidance and leadership, he called for doubling the number of children receiving child care subsidies, providing after-school opportunities for up to half a million children per year, improving the coordination of existing Federal after-school efforts, investing in child care, and establishing a national hotline for parents to access child care in their communities. Every one of these goals was accomplished. In addition, the President called for improving child care quality and early learning through an Early Learning Fund and called for the expansion of the Child and Dependent Care Tax Credit to reach more families. The First Lady continues to fight for these two policies, but faces a resistant Congress. [State of the Union 1998]
- After the 1998 State of the Union, Hillary worked hard to promote these new investments in child care. With Lifetime television, she kicked-off a public campaign on the importance of the child care initiative. She visited and engaged quality child care organizations from the YMCA to Zero to Three. She held panel discussions on child care with working families across the country. During this time, Mrs. Clinton's domestic policy staff worked with staff members on Capitol Hill to garner support for the Administration's Child Care initiative. They held weekly calls and frequent strategy sessions, regularly reporting to Mrs. Clinton and receiving guidance on next steps. [Public Schedules of the First Lady, 1998]
- Hillary's record on child care speaks for itself:
 - **More Affordable, Accessible, Quality Child Care:** Child care funding has more than doubled under the Clinton Administration, helping parents pay for the care of 1.5 million children and the 1996 welfare reform law increased child care funding by \$4 billion over six years to provide child care assistance to families moving from welfare to work. [FY 2001 Budget, p. 59]
 - **More Children in Head Start:** Head Start will reach a total of 880,000 children in FY 2000 and will serve one million children and their families by the year 2002. The President has expanded Head Start funding by 90 percent since 1993. [Head Start Fact Sheet; Administration of Children and Families, HHS; 1/99]
 - **After School Opportunities for School-Age Children:** 850,000 school-age children in rural and urban communities will have safe and educational after-school opportunities in 2000 because of the expanded 21st Century Community Learning Centers program – 375,000 more than last year. [Education Department]

- **More Coordinated Federal Resources:** As a result of the White House Conference on Child Care, an interagency task force was formed to improve coordination of existing Federal after-school resources so that communities could have better access to available information and funding sources. This task force created afterschool.gov to provide the resources communities needed – it has subsequently been recognized as one of the government's best websites and one of the greatest resources on after school opportunities. [afterschool.gov]

Hillary's Work to Improve Health and Safety in Child Care:

Promoted Quality Child Care. The Administration's comprehensive child care initiative addresses the struggles our nation's working parents face in finding child care they can afford, trust and rely on. To ensure high quality, safe child care centers, the First Lady proposed to create the Early Learning Fund that will provide community grants for activities that foster cognitive development, improve child care quality and promote readiness for school. Resources could be used to help child care providers get training or certification, facilitate licensing or accreditation of child care centers, and reduce child-to-staff ratios -- factors associated with positive developmental outcomes for young children. The Administration's budget includes \$3 billion over five years for this proposal [White House Child Care Initiative Fact Sheet, 1/7/00]

Promoted Healthy Child Care America Campaign: In 1995, the Clinton Administration launched the Healthy Child Care America Campaign to help teach child care centers how to create safe, healthy environments. This initiative has now providing funding in 51 states and territories. Hillary helped to promote the importance of this campaign during a major address on child care at the University of Maryland and through the White House Conference on Child Care. [HHS website on Health Child Care America Campaign, HRC U-MD address 10/3/97, White House Conference on Child Care 10/23/97]

Focused on Improving Health and Safety at the White House Conference on Child Care: At the First Lady's White House Conference on Child Care, the President transmitted a bill to Congress to facilitate effective background checks on child care providers by eliminating state law barriers to the sharing of criminal history information for purposes other than ongoing criminal investigations. This provision was included in the Crime Identification and Technology Act of 1998 and signed into law by President Clinton in October 1998. In addition, the President and First Lady recognized that background checks are only one step in ensuring the safety of our children in child care. They endorsed the American Bar Association's Center for Children and the Law's recommendation to encourage personal interviews and reference checks of child care providers. [White House Child Care Conference Fact Sheet, October 23, 1997]

Child Care Initiative Included Major Focus on Improving the Safety and Health of Child Care: Through the child care initiative, Hillary proposed a \$500 million initiative to step up the enforcement of State Health and Safety Standards. This initiative would have funded state efforts to improve licensing systems and enforce child care health and safety standards, including by increasing unannounced inspections of child care settings. The Republican Congress failed to accept the President's budget request to fund the initiative. [White House Fact Sheet on Child Care Initiative, 1/7/98]

Federal Government as Leader in Proving Safe, Healthy, Quality Child Care: The Clinton Administration is helping the federal government to lead the way in improving the child care it sponsors for its employees. With Hillary's leadership, the President issued an executive directive in March of 1998 instructing all executive agencies to: (1) reach 100 percent national accreditation of federally-sponsored child care by the year 2000 (accreditation is done by nonprofit, non-governmental professional organizations to validate safety and quality); (2) ensure proper background checks on child care workers in federally-sponsored child care; (3) explore public-private partnerships to improve child care quality and affordability; and (4) ensure that all federal workers have full information on child care benefits and options available to them. [Executive Memorandum by the President, March 10, 1998]

FIRST LADY HILLARY RODHAM CLINTON
PROMOTING ACCESSIBLE AND AFFORDABLE QUALITY CHILD CARE

First Lady Hillary Rodham Clinton has served as the Administration's most prominent voice on behalf of children and working parents. As an advocate for families for nearly 30 years -- and having been a working parent herself -- she knows the importance of affordable, quality child care to working families. Mrs. Clinton's vocal leadership has led to a more than doubling of child care funding over the past seven years, the participation of hundreds of thousands of children in enriching and safe after-school opportunities, and a better understanding by the nation's businesses that good child care makes economic sense. Senator Christopher Dodd of Connecticut, one of the Senate's greatest advocates for children, once said of Mrs. Clinton's leadership on behalf of children's programs: "I don't call the President, I don't call the Office of Management and Budget, I don't call the chief of staff, I call the First Lady."

The First Lady began her work on children's issues during her first year at Yale Law School. After reading an article in Time magazine about child advocate Marian Wright Edelman and her lobbying group, the Washington Research Project (which later evolved into the Children's Defense Fund), Mrs. Clinton contacted Edelman and secured an internship with the organization for the summer. After finishing law school, Mrs. Clinton spent an additional year at Yale studying children's development and laws that affect children at the Yale Child Development Center. Her experience in these early years would set the stage for a lifelong commitment to a wide range of children and family issues, including the importance of quality child care both to working families and for the healthy development of children.

While First Lady of Arkansas, Mrs. Clinton served as chair of the board of directors for the Children's Defense Fund and on the board of directors for the Child Care Action Campaign in New York, and worked closely with the Carnegie Council on Children. Through each of these efforts, Mrs. Clinton helped raise awareness of the need for quality child care in the country, particularly as the percentage of women in the workforce continued to climb. She also founded Arkansas Advocates for Children and Families, served as president of the Arkansas Single Parent Scholarship Fund Program, and established the Home Instruction Program for Preschool Youngsters in the state.

These professional experiences helped lay the groundwork for Mrs. Clinton's child care accomplishments as First Lady of the United States, but no lesson taught her more about the issue than being a working mother. While she was fortunate to enjoy more options for child care than many other parents, as a working mother juggling her law practice, her duties as First Lady of Arkansas and caring for a young child, her child care arrangements occasionally broke down. At those times, she relied on friends and neighbors, but was always struck by the difficulties so many women face in finding reliable, quality care for their children.

In 1989, while serving as the board chair for the Children's Defense Fund, Mrs. Clinton traveled to France as part of a study group to draw possible lessons for the American child care system.

France places a top priority on preparing children for school and life by ensuring that all children between 3-5 years old can attend free or inexpensive pre-schools and by preparing early childhood educators to help children develop critical social and cognitive skills. The trip highlighted for Mrs. Clinton the fundamental importance of affordable, high-quality child care to the health of the larger community.

After becoming First Lady of the United States, Mrs. Clinton redoubled her efforts to improve the nation's child care system for parents and their kids. She helped shape the President's first budget, which called for greater investments in pre-school with significantly more funding for Head Start. In 1994, Mrs. Clinton worked to promote the U.S. Department of Labor's "Working Women Count" survey, which revealed that working women's top concerns were integrating their work and family lives and finding and paying for decent child care. That same year, the Carnegie Council on Children released their seminal report, "Starting Points: Meeting the Needs of Our Youngest Children." Mrs. Clinton had long supported the work of the Carnegie task force that developed the report. In 1994, she joined the council to release the study's findings, which documented many of her concerns about the lack of adequate care in the United States.

Throughout 1995, Mrs. Clinton traveled the country learning about the struggles working families face in finding quality child care for their children. The experience would make her profoundly aware of the importance of child care to a successful transition from welfare to work. In numerous speeches that spring to organizations such as the Child Welfare League of America, the First Lady urged Congress to provide families moving from welfare to work with the safety net of job training, job placements, Medicaid benefits, Food Stamps, and child care. She would become one of the Administration's most effective advocates speaking publicly and behind the scenes to ensure that provisions for child care were included in the welfare reform bill that was signed into law in 1996.

During this same period, Mrs. Clinton completed work on her book, *It Takes a Village: And Other Lessons Children Teach Us*, which was published in 1996. She wrote extensively about her experiences working on behalf of children and families, current research on children's development, and examples of the types of programs that help children grow into productive and healthy adults. She has donated all proceeds from her book to hundreds of organizations that work directly to support the growth and development of children and youth.

In 1997, the First Lady began organizing the first-ever White House Conference on Child Care by continuing her research and holding numerous meetings with child care experts and advocacy groups to gather ideas. She also resumed her travels to explore how the private sector and the military were dealing with the challenges of child care, and she visited the University of Maryland and gave a major address on the issue. The White House conference, held in October of that year, incorporated many of the themes the First Lady had explored in her travels and in her many meetings with working parents. At the conference, the President and First Lady announced a series of initiatives, including: the creation of a child care working group to explore the role that businesses should play in providing child care; new outreach efforts to child care workers to help improve their education and training; a "National Crime Prevention and Privacy Compact," to help states share criminal history information about child care workers; and a manual to guide local communities in improving afterschool care.

In the 1998 State of the Union address and Administration budget, the President rolled out a major child care initiative that was crafted with significant input from the First Lady. The initiative aimed to increase investments in child care and Head Start, expand afterschool opportunities, increase child care research, give parents better tools to find quality care in their communities and identify strategies to boost the caliber of care. The First Lady worked tirelessly to promote the landmark initiative, launching public service announcements on Lifetime Television; touring some of the area's most successful child care facilities; and hosting panel discussions with working families around the country. Her staff also worked with key aides on Capitol Hill to build congressional support for the proposal. Legislation developed by the House Democratic Caucus on Child Care, unveiled that spring, incorporated many elements of the Administration initiative.

In 1999, Mrs. Clinton joined the President and the Gores on a "Family Agenda" tour where she spoke on the issues of balancing family and work, improving child care, and improving support for long-term care givers. Later that spring, Mrs. Clinton visited "Just Us Kids" child care center in the nation's capital where she announced a study by the Consumer Product Safety Commission on how to identify and correct hidden hazards that exist in child care centers. She also launched Lifetime's "Caring for Kids" child care campaign. Both of these efforts were aimed at empowering parents with vital information on child care.

Throughout 2000, the First Lady has continued to champion a broad range of improvements to child care, holding key meetings, hosting events, writing nationally syndicated columns and making speeches. She has continued to focus on the expansion of the Child and Dependent Care Tax Credit, tax breaks for businesses that offer child care, support for the Early Learning Fund and the "Early Learning Opportunities Act" a proposal to improve the quality of child care, and calling attention to the link between investments in child care and reduced crime.

Mrs. Clinton's efforts over the past 8 years have left an indelible imprint on our nation's child care system. This year, Congress is expected to approve the President's request for \$2 billion in child care subsidies to serve 2.2 million children; funding for Head Start has doubled since 1993; the Head Start after-school program has served 850,000 children and is expected to grow in the next year; and in 1999, the White House secured \$10 million in the budget for research on child care. In addition, the First Lady was instrumental in the creation of an interagency task force to better coordinate afterschool resources; the launch of afterschool.gov as an information resource on after-school funds and best practices; the establishment of a national hotline for parents on child care information; the development of more effective ways to protect our children in child care by improving background checks on child care workers.

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PROMOTING ACCESSIBLE AND AFFORDABLE QUALITY CHILD CARE

First Lady Hillary Rodham Clinton knows the importance of providing access to affordable, quality child care to working families from her 30 years of work on behalf of America's children and families and from her own experience as a working mother. The First Lady's dedication and hard-work to improve child care has meant that funding for child care has more than doubled in the past seven years, hundreds of thousands of children have been able to participate in enriching and safe after-school opportunities, and businesses better understand that child care makes good economic sense. Senator Christopher Dodd of Connecticut, one of the Senate's greatest advocates for children, summed up Hillary Rodham Clinton's support for children by saying that when he wants help to improve programs for children, "I don't call the President, I don't call the Office of Management and Budget, I don't call the chief of staff, I call the First Lady." Mrs. Clinton is the Administration's most prominent advocate for children and working parents.

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The First Lady began her work on children's issues during her first year at Yale Law School. After reading an article in Time magazine about child advocate Marian Wright Edelman and her lobbying group, the Washington Research Project (which later evolved in to the Children's Defense Fund), Mrs. Clinton contacted Edelman and secured an internship with the organization for the summer. After finishing law school, Mrs. Clinton spent an additional year at Yale studying children's development and laws that affect children at the Yale Child Development Center. Her experience in these early years would set the stage for a lifelong commitment to a wide range of children and family issues, including the importance of quality child care both to working families and for the healthy development of children.

While she was First Lady of Arkansas, Mrs. Clinton served as Chair of the Board of Directors for the Children's Defense Fund, served on the Board of Directors for the Child Care Action Campaign in New York, and worked closely with the Carnegie Council on Children. Through each of these efforts she worked to raise awareness about the growing need for quality child care in the country as the percentage of women in the workforce continued to climb. She also played a leadership role in Arkansas on behalf of children, founding Arkansas Advocates for Children and Families, serving as president of the Arkansas Single Parent Scholarship Fund Program, and bringing to Arkansas the Home Instruction Program for Preschool Youngsters.

These professional experiences in the early part of her career were critical to her later child care accomplishments as First Lady, but no lesson taught her more about child care than being a working mother. While Mrs. Clinton was fortunate to have better options than most mothers did, she still worried about the care Chelsea was receiving as a young child. She was a working mother juggling her law career, help with her husband's career and a young child and, like all families, her child care arrangements occasionally broke down. At those times, she relied on friends and neighbors, but was always struck by the difficulties so many women face in finding reliable care for their children.

In 1989, while serving as the Board Chair for the Children's Defense Fund, Mrs. Clinton traveled to France as part of a study group to learn more about the French child care system and draw possible lessons for improvement of the American child care system. The trip demonstrated to the study group the high-priority France places on preparing children for school and life by ensuring that all French children between 3-5 years old can attend free or inexpensive pre-schools and by ensuring that early childhood educators are well-prepared to help children develop critical social and cognitive skills. This trip highlighted for Mrs. Clinton the importance of improving the access, affordability and quality of the American child care system.

When Hillary became First Lady, her work as an advocate for child care intensified. In the first budget presented by President Clinton, Mrs. Clinton pushed for a greater investment in pre-school with an increase in Head Start. She also recognized that much more needed to be done to fund and improve child care for working families.

In 1994, the First Lady helped to promote the Department of Labor's "Working Women Count" survey. This survey of 250,000 working women of all backgrounds highlighted the critical concerns that working women wanted policy makers to address. At a White House event, the First Lady was joined by the Vice President to present the results. They found that working women struggled most with integrating their work and family lives and with finding and paying for decent child care. Woman after woman gave testimonial to the difficulty of finding good, affordable care for their children where the women would feel comfortable and confident that their children were safe and nurtured while they were at work.

The year of 1994 also brought the Carnegie Council on Children together to release their seminal report on the needs of young children, "Starting Points: Meeting the Needs of Our Youngest Children." Mrs. Clinton had supported Carnegie's initial work on this report when they established a task force on the needs of young children in 1991 and in 1994 she joined the Carnegie Council to release the report. The report was very clear on the issue of child care – America's working parents needed better access to quality child care.

Throughout 1995, Mrs. Clinton traveled the country learning about the struggles working families face in providing quality child care for their children. In Cedar Rapids, Iowa, she heard from a group of low-income women who were struggling to move from welfare to work and were benefiting from federally-supported, subsidized child care. They urged her to listen to them and take back the message to Washington that families needed help with child care in order to move successfully transition to independence in the workforce. This visit became one of many where Mrs. Clinton learned of the critical support that child care provides as families move from welfare into the workforce. In March of 1995, the First Lady addressed the Child Welfare League of America where she urged Congress to provide families moving from welfare to work with the safety net of job training, job placements, Medicaid benefits, Food Stamps, and child care. She clearly recognized that families needed support in order to meet success in the work force and Hillary became one of the Administration's strongest advocates speaking publicly and working behind the scenes to ensure that child care was included in the welfare reform proposal. In August of 1996, the President signed the welfare reform bill into law, which included child care guarantees for families moving from welfare to work.

In 1996, Mrs. Clinton spent time writing her book, *It Takes a Village: And Other Lessons Children Teach Us*, where she wrote extensively about her experiences working on behalf of children and families, current research about children's development, and quality programs that help children grow into responsible and resourceful adults. Each year, Mrs. Clinton donates all proceeds from her book to organizations that work directly to support the growth and development of children and youth. In 1996, she also spent time helping to re-elect her husband and raising awareness of what he had accomplished for children and what more he could do. From Denver to Pittsburgh to Kansas City, Mrs. Clinton met with families, children, and youth to hear about what they wanted done in the second-term of the Clinton Administration and, resoundingly, they said more on child care.

In 1997, Mrs. Clinton took these messages to heart and began planning for the first-ever White House Conference on Child Care. Leading up to the conference, Mrs. Clinton and her domestic policy staff extensively researched what needed to be improved in child care and hosted numerous meetings with child care experts and key constituents on what could be done to improve child care. She also traveled around the country learning about the work of different sectors in the area of child care. In Miami, Florida, she held a child care roundtable with business leaders to discuss corporate responsibility for child care. She visited the Marine base at Quantico, Virginia, where she learned about the tremendous strides the military had made to reform and improve their child care system. At the University of Maryland, she gave a major address on child care stressing the importance of quality care for the intellectual and emotional development of children, the inadequate child care system, and the changing nature of the workforce that was leading to a greater demand for child care. During the speech, she also announced that Department of Health and Human Services was awarding a half-million dollar grant to assist States in develop private-public partners for child care and she announced that the Department of Defense would be providing guidance to the private sector on improving child care based on their success.

In October, the President and First Lady hosted the White House Conference on Child Care. Mrs. Clinton's work had focused attention on three goals for the conference: (1) call national attention to the issue of child care, an issue often ignored by political leaders and policy makers; (2) begin to develop a child care initiative for the next budget; and (3) urge the public and private sector to address the significant challenge of ensuring working families have access to safe, affordable child care. At the conference, the President and Mrs. Clinton announced several steps: the President would appoint a child care working group to report to Secretary Rubin on the role that businesses should play in providing child care; the Administration would begin an outreach effort to child care workers to urge them to take advantage of existing education loans and federal benefits in order to improve their education and training; the President transmitted to Congress the "National Crime Prevention and Privacy Compact," which would enable states to share criminal history information for limited purposes, including background checks on child care workers; and, they released a "how to" manual describing how to integrate community-service and school-age after school care.

The main goal of the conference was clearly met – the nation was paying attention to the issue of child care. In the 1998 State of the Union and budget, the Administration, under the leadership of Mrs. Clinton, rolled out a major child care initiative. On January 7, the President and the First

Lady were joined by the Vice President and Mrs. Gore in the East Room of the White House to announce this initiative. The initiative includes several major pieces that would: increase the investment in the budget to double the number of children receiving child care subsidies to more than 2 million by the year 2003; provide after-school opportunities for up to half a million children per year by expanding the 21st Century Community program by \$800 million over 5 years; improve the coordination of existing Federal after-school efforts so that communities could access existing resources; invest more in research on child care; establish a national hotline so that parents could call to get information about how to find child care in their communities; increase the investment in Head Start to reach one million children by 2002; improve tax breaks for investments in child care; and improve the quality of child care by establishing an Early Learning Fund.

After the 1998 State of the Union, Mrs. Clinton worked hard to promote this initiative. With Lifetime television, she kicked-off public service announcements on the importance of the child care initiative. She visited and engaged quality child care organizations from the YMCA to Zero to Three. She held panel discussions on child care with working families in Hartford, Connecticut; Chicago; and, Milwaukee. During this time, Mrs. Clinton's domestic policy staff worked with staff members on Capitol Hill to garner support for the Administration's Child Care initiative. They held weekly calls and frequent strategy sessions, regularly reporting to Mrs. Clinton and receiving guidance on next steps.

In June 1998, the President and Mrs. Clinton hosted an event in the Rose Garden to applaud the House Democratic Caucus on Child Care, where the House Democrats unveiled their child care legislation which incorporated much of the Administration's proposals. At this event, Mrs. Clinton reflected on her travels and her work on behalf of child care, "As I have traveled around the country, I have spoken with hundreds – if not thousands – of parents. And, everywhere I go, finding safe, affordable and available child care is a concern that is universally shared."

In the Fall of 1998, Mrs. Clinton went on the road again to campaign for Democratic candidates who would work on a children's agenda if elected. In Portland, Oregon, Mrs. Clinton told a crowd at Portland State University that she hoped candidate for Congress, David Wu, would be elected to continue his work on behalf of better child care for working parents. Congressman Wu is now doing just that in the Congress. She traveled to California to support Proposition 10, California's Children and Families Act, that would add a 50 cent tax to cigarette purchases for the purpose of funding health, education, and nutrition programs to support the early development of young children. That Fall, California voters passed Proposition 10 and these funds are now providing nearly \$700 million annual to improve early childhood development.

In early 1999, Mrs. Clinton joined the President and the Gores on a "Family Agenda" tour where she spoke on the issues of balancing family and work, improving child care, and improving support for long-term care givers. This tour brought her to Buffalo, New York; Norristown, Pennsylvania; and Brooklyn, New York. Later that spring, Mrs. Clinton visited "Just Us Kids" child care center in DC where she announced a study by the Consumer Product Safety Commission on how to identify and correct hidden hazards that exist in child care centers. She also launched Lifetime's "Caring for Kids" child care campaign. Both of these efforts were aimed at empowering parents with vital information on child care.

This hard work paid off. Today, many of the goals of the child care initiative have been met and exceeded. This year, Congress is expected to approve the President's request for \$2 billion in child care subsidies to served 2.2 million children in 2001 combined with child care funds in welfare reform; funding for Head Start has nearly doubled since the start of the Administration and is well on its way to meeting the President's goal of serving one million children in 2002; the after-school program has already served 850,000 children and with the President's budget request of \$1 billion could serve over 2 million children next year; the White House led an interagency task force to better coordinate afterschool resources and created afterschool.gov as an information resource for communities on after-school funds and best practices; last year's budget included \$10 million for research on child care; the Department of Health and Human Services has established a national hotline for parents on child care information; and, the 1998 crime bill passed by Congress improved systems to conduct background checks on child care workers.

The First Lady has not stopped her work on child care, however. She continues to write columns and speak out on the effort. This year, she held a conference call with child care advocates at the beginning of the year to discuss what more we need to get done. She is still fighting for the expansion of the Child and Dependent Care Tax Credit, as well as a tax break for businesses that offer child care. Mrs. Clinton also continues to work hard with Members of Congress to promote the Early Learning Fund in order to improve the quality of child care. This year, a bipartisan group of senators – Senators Stevens, Kennedy and Jeffords – re-introduced the “Early Learning Opportunities Act” based on the Administration's proposal to improve the quality of child care. This legislation is currently pending in the Senate.

Just recently, Mrs. Clinton was joined at the White House by members of the law enforcement community, as well as Senator Dodd and Congressman Cardin to release a study entitled, “America's Child Care Crisis: A Crime Prevention Strategy.” This study, developed by Fight Crime/Invest in Kids, casts the importance of investing in child care as a crime prevention strategy. At this event, Mrs. Clinton highlighted the findings of the study and called for Congress to act on the child care budget, as well as pass the Early Learning Fund quality child care initiative and tax breaks to support child care.

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

October 23, 1997

THE WHITE HOUSE CONFERENCE ON CHILD CARE

October 23, 1997

I hope that this conference will be the beginning of a national dialogue about how best to care for all of America's children and will make a valuable contribution to our effort to improve child care in this country. -- President Clinton, July 23, 1997

Today, the President and First Lady are hosting the first-ever White House Conference on Child Care. The day-long conference will address the need that America's parents have for safe, affordable child care for their children. Millions of Americans, struggling to be both good parents and good workers, rely on child care and after-school programs to care for their children for part of each day. Exploring the roles of both the public and private sectors, the Conference is intended to begin a dialogue on three of the most pressing child care issues -- availability, affordability, and assuring safety and quality. The President will announce new steps that the Administration is taking toward achieving these goals including helping link community service with after-school programs, increasing background checks on child-care providers, and improving training and educational opportunities for child-care providers.

Clinton Administration Commitment to Strengthening Child Care. President Clinton has worked to improve and increase funding for child care. Under President Clinton's leadership, federal funding for child care has increased by nearly 70%. The 1996 welfare reform law increased child care funding by \$4 billion over 6 years to provide child care assistance to low-income working families and parents moving from welfare to work. A percentage of these funds are set aside for efforts to improve the quality of child care. To ensure that children in child care are in safe and healthy environments, the President also launched the Healthy Child Care America Initiative. And because the Department of Defense child care system has become a model of employer-sponsored child care and after-school programming, the President asked the DOD to share its expertise and lessons learned with the civilian child care community.

During President Clinton's time in office, funding for Head Start has increased by 43%. This funding will continue to expand until it reaches the President's goal of serving 1 million children by the year 2002. The President also initiated the Early Head Start Program to expand the proven benefits of Head Start to low-income families with children age three and under.

To expand the benefits of after-school care, the President has, among other things, supported and signed the Safe and Drug Free Schools and Communities Act to fund after-school programs; called for an increased number of community schools that stay open longer and provide valuable resources to families and communities; and published a guide on Keeping Schools Open as Community Learning Centers.

Clinton Administration Commitment to America's Working Families. This Conference builds on the President's record of helping America's working families. To take a few examples, the President fought for passage of the Family and Medical Leave Act to allow workers to take

unpaid leave when their families need them. And he signed into law the Health Insurance Portability and Accountability Act to extend important new protections for an estimated 25 million Americans who move from one job to another, or who have pre-existing medical conditions. And in August 1997, the President signed the Balanced Budget Act which included \$24 billion for the Children's Health Initiative -- the single largest investment in health care for children since 1965. President Clinton has also fought to expand economic opportunity for working families, including a \$500 per-child tax credit for children under age 17 -- helping 27 million families with 45 million children. The Administration also expanded the Earned Income Tax Credit to give 15 million families tax relief, and increased the minimum wage by 90 cents.

Conference Program and Participants. During the morning session, experts will discuss why child care matters both to our children's development and to the economy, and will examine the state of child care in this country. The panelists for this first session are: Ms. Ellen Galinsky, Families and Work Institute; Ms. Michelle Seligson, National Institute of Out-of-School Time; Secretary of the Treasury Robert Rubin; Secretary of HHS Donna Shalala; Governor James Hunt, North Carolina; Dr. Valora Washington, W.K. Kellogg Foundation; and Patty Siegel, California Child Care Resource and Referral Network. The afternoon session will highlight promising efforts around the country and discuss how all members of the community can meet critical child care challenges. Panelists are: Major General John G. Meyer, United States Army; Representative Jane Maroney, Delaware State Legislator; Dr. Susan Aronson, American Academy of Pediatrics; Bishop Joseph M. Sullivan, Diocese of Brooklyn; Ms. Beatriz Otero, Calvery Bi-Lingual Multicultural Learning Center; Mr. John J. Sweeney, AFL-CIO; and Mr. Doug Price, FirstBank of Colorado.

Broad Participation Across the Country. The entire conference will be broadcast by satellite to over 100 locations in over 45 states across the country, as well as to several Federal agencies. Satellite conferences will be co-hosted by regional federal agencies, local officials, and children's and other organizations.

THE PRESIDENT URGES SERVICE AS A STRATEGY IN AFTER-SCHOOL PROGRAMS

The White House Conference On Child Care
October 23, 1997

Today, at the White House Conference on Child Care, President Clinton announced steps to use community service to strengthen after-school programs.

Helping Communities Link Service and After-School Programs. To enable more communities to use community service to enrich their after-school programs, the President announced actions by the Corporation for National Service's new To Learn and Grow Initiative, a public-private partnership dedicated to expanding access to and enhancing the quality of after-school programs through service. The initiative will:

- Release a How-To Manual that shows after-school programs how they can use service to strengthen their efforts (prepared by the Corporation for National Service with the National Institute on Out-of-School Time at Wellesley College); and

Provide training and technical assistance to after-school programs that want to use national service and volunteers to help meet their needs.

Building on What Works. Today, communities use both volunteers and those engaged in full-time service commitments such as AmeriCorps to extend the reach and improve the quality of many child care and after-school programs. These individuals work alongside child care providers, educators, and community-based professionals across the country. Two-thirds of national service programs supported by the Corporation for National Service, including AmeriCorps, address the needs of children and youth, many in child care and after-school programs. The To Learn and Grow Initiative will build on this experience to show programs across the country how to use volunteers and others engaged in service to provide better care to more children.

Young people can also benefit from serving others after school hours. For example, Big Brothers/Big Sisters committed at the Presidents' Service Summit that its mentors would participate with young people in service projects. In addition, the Corporation's Learn and Serve program supports service-learning programs across the country, where young people serve and then reflect on that experience. The To Learn and Grow Initiative's manual and training activities will guide after-school programs in incorporating service into their activities.

Successful Programs Exist. Successful programs where service strengthens after-school programs today include Jumpstart AmeriCorps, where AmeriCorps members get needy children and their families ready for school; Columbia University's Community Impact program, where AmeriCorps members provide educational enrichment, mentoring, and tutoring for youth from K-3rd grade in collaboration with the YMCA; the Retired and Senior Volunteer Program in St. Paul, Minnesota, which pairs seniors and middle school students in after-school programs with 900 children in K-3rd grade; and the Sheridan Family Resources Center in Colorado, where AmeriCorps members tutor at-risk youth, run after-school and summer camp programs, and help youths and senior citizens have access to health services offered by school-based and community clinics.

PRESIDENT CLINTON SENDS NATIONAL CRIME PREVENTION
AND PRIVACY COMPACT TO CONGRESS

October 23, 1997

Today, President Clinton transmitted the National Crime Prevention and Privacy Compact to Congress. The compact will facilitate effective background checks on child care providers by eliminating state law barriers to the sharing of criminal history information for purposes other than ongoing criminal investigations. The vast majority of child care providers are caring people who have dedicated their lives to teaching and nurturing children. But one tragedy in child care is too many, and background checks are one important way to ensure that the people watching our children are fit for this responsibility.

Current Limitations on Information. Many states currently have laws prohibiting release of criminal history records for purposes other than ongoing criminal investigations -- such as in connection with background checks for employment or licensing. This means that a child care agency wishing to do a nationwide check to determine whether a potential child care worker has a criminal history will not be able to gain direct access to all states' records but instead must go to the FBI for information. FBI records, however, are not nearly as complete

as states' own records because state reporting of criminal dispositions to the FBI is wholly voluntary. In addition, FBI checks can take weeks or months to complete because of the total volume of FBI records and the FBI's nationwide criminal responsibilities.

Effect of the Compact. Under the compact, each ratifying state would agree to release its own criminal history information to other ratifying states for any purpose authorized by the receiving state's law. This means an agency wanting to do a nationwide check for a purpose authorized by state law need not rely on incomplete FBI records, but may gain access directly to other states' complete criminal records. The only role played by the FBI would be to give the requesting agency a list of the states in which the individual has a criminal record (information which the FBI would have in complete form), so that the agency can access those states' records directly. In this way, the compact will vastly increase the effectiveness and efficiency of nationwide criminal background checks.

One Step in Ensuring Safety of Child Care. A background check is only a first step in assuring that our children are cared for safely. Many people who are unsuited to be child care providers are never arrested or convicted of a crime; most child abuse cases, for example, are not prosecuted in criminal court. A recent study by the American Bar Association's Center for Children and the Law found that personal interviews and reference checks are essential tools in checking the credentials of caregivers.

PRESIDENT CLINTON ANNOUNCES
CHILD CARE PROVIDER SCHOLARSHIP FUND

October 23, 1997

Today, President Clinton announced a National Child Care Provider Scholarship Fund as well as an outreach plan to let child care providers know that they may be eligible for Pell Grants. Too many child care providers currently do not have the training our children deserve and are not rewarded with higher compensation when they do have training. The measures announced today will help improve the quality of our nation's child care by helping caregivers get training and raise their pay, and thereby supporting efforts to recruit and retain them.

New National Child Care Provider Scholarship Fund: The National Child Care Provider Scholarship Fund will provide more than \$300 million in scholarships over five years to up to 50,000 child care providers annually -- helping the more than half a million children they care for.

Up to a \$1,500 Scholarship and Higher Pay For Continued Service: The Fund will provide scholarships of up to \$1,500 to current and future child care providers who agree to remain in the field for at least one year after receiving assistance. These providers will earn increased compensation or a bonus when they complete their course work, provided by some combination of the Fund and the provider's employer.

Public-Private Partnership: The Fund will receive at least \$250 million in Federal funds over five years, with every four dollars of Federal funds matched with at least a dollar of private, local or State funds. States will have flexibility in designing their programs, and can provide scholarships for students working toward a state or national credential, certificate, or Associate, B.A. or B.S. degree. States cannot use the Fund to substitute for existing efforts. States

also cannot provide scholarships to employees or child care providers that are not licensed or registered.

Modeled on Successful Programs: The Fund is modeled on the North Carolina T.E.A.C.H. Early Childhood Project, a bipartisan program that has been shown to work. Participants in T.E.A.C.H. complete an average of 18 credit hours per year and receive an average 10% increase in their wages. They have less than a 10% turnover rate, compared to the statewide rate of 42%. The President's Child Care Provider Scholarship Fund is also modeled on the Defense Department's model of tying pay raises to increased training, which has helped to make the Department of Defense child care system one of the best in the world.

Builds On Pell Grants: While not limited to those eligible for Pell Grants, the scholarships build on Pell Grants for those eligible, by covering any costs not covered by Pell, including tuition and fees, books, supplies, transportation, and child care expenses. For example, a typical caregiver in a child care center earns \$12,000 a year. Attending a community college half time, with total costs of \$3,000, this individual would be eligible for a \$1,350 Pell Grant in 1997-98. The Fund will then provide additional monies. All applicants must first apply for Pell Grants before receiving a Child Care Provider Scholarship.

Actions To Help Child Care Workers Take Advantage of Pell Grants, the New Lifetime Learning Tax Credit and Other Financial Aid: Many child care providers are not aware of other financial aid that is available now. Today, the Secretaries of Education and Health and Human Services jointly sent a letter to child care providers in all 50 states, providing them with information on the aid already available to current and future child care providers, including Pell Grants, the new Lifetime Learning and HOPE Tax Credits, and loans.

Builds on the President's Actions to Make Higher Education Universal and Lifetime Learning the Standard: Today's initiatives build on President Clinton's historic achievements to promote opportunities for lifelong learning, including winning the largest increase in Pell Grants in more than 20 years, creating HOPE and Lifetime Learning Tax Credits, expanding College Work Study, creating the Direct Lending program that lets students repay their loans as a share of their income, and creating AmeriCorps National Service program to enable young people to earn money for college while serving their country.

Jeremy and Julia's Law

Bill Background and Status

On February 2, 1999, Rep. Lazio introduced Jeremy and Julia's Law, which would amend title 18 of the U.S. Code to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce. Specifically, the law would prohibit, and set penalties for, a child day care provider in or affecting interstate or foreign commerce from: (1) knowingly making any false representation regarding the care, the provider, or an employee to a parent or guardian considering the placement of a child in the care of that provider or to a law enforcement officer, thereby placing a child's safety or health at substantial risk; and (2) recklessly causing serious bodily injury. The law is based on the tragic deaths of two small children in child care settings (Jeremy Fiedelholz in Florida and Julia Haas in Albany, NY). The bill has 14 cosponsors and has been referred to the Judiciary Committee's Subcommittee on Crime; no further action has been taken.

A number of states, including New York, have passed state versions of the law. On September 24, 1998, Gov. Pataki signed New York State's Jeremy and Julia's Law, making New York the first state in the nation to criminalize major day care violations. The New York law creates new classifications of crimes upon which such day care providers may be prosecuted. The bill makes a class A misdemeanor the act of making willful or intentional misrepresentations by child day care providers to any parent or guardian, state or local government official, police officer or peace officer regarding the facts pertaining to such provider, including but not limited to: the number of children in a facility; the area of the facility, home or center used for child care; the credentials or qualifications of any child day care provider, assistant, employee or volunteer. The bill creates a Class E felony of reckless assault of a child by a day care provider. Day care providers are guilty of such a crime when they recklessly cause serious physical injury to a child under their care.

Analysis and Response

We have evaluated this bill with HHS and have concluded that the issues it covers are more effectively adjudicated on the state level. A federal bill would cover a very small number of such cases and furthermore, many believe that such a law would not stand up in court. Recognizing the importance of safe child care, our response to the bill ought to be:

- Parents who put their children into child care should not have to worry about whether or not their child care providers are being honest with them. We support the intentions of this bill and encourage more states to take up laws similar to New York's law. Increasing and enforcing penalties on such providers may act as a deterrent to illegal behavior.
- Mrs. Clinton has been the lead Administration advocate for child care and worked hard to develop comprehensive proposals to address quality and safety of child care:

Promoting Early Learning. The Administration's comprehensive child care initiative addresses the struggles our nation's working parents face in finding child care they can afford, trust and rely on. To ensure high quality, safe child care centers, we have proposed to create the Early Learning Fund that will provide community grants for

activities that foster cognitive development, improve child care quality and promote readiness for school. Resources could be used to help child care providers get training or certification, facilitate licensing or accreditation of child care centers, and reduce child-to-staff ratios -- factors associated with positive developmental outcomes for young children. The Administration's budget includes \$3 billion over five years for this proposal.

Facilitated Background Checks on Child Care Workers. In 1998, the President signed the National Crime Prevention and Privacy Compact, which, when ratified by the states, will facilitate effective background checks on child care providers by eliminating state law barriers to sharing criminal history information for non-criminal purposes. This legislation was transmitted to the Congress in conjunction with the 1997 White House Conference on Child Care, which was organized and chaired by Mrs. Clinton.

Improved the Quality of Federally-Sponsored Child Care. The President issued an Executive Memorandum to improve the quality of federally-sponsored child care, directing all federally-sponsored child care facilities in the executive branch to become nationally accredited and ensure proper background checks of child care workers. The President believes that the federal government should be a model employer, leading the way to improve the child care it sponsors for the families of its employees.

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Remarks by the First Lady on Child Care

THE WHITE HOUSE
Office of the Press Secretary*Dr. Susan Annunzio*
to Annunzio
(former White House)

For Immediate Release

October 3, 1997

REMARKS BY THE FIRST LADY
ON CHILD CAREThe University of Maryland
College Park, Maryland

MRS. CLINTON: Thank you very much. (Applause.) Thank you. Thank you very much. Thank you, Neil. Thank you, Professor Seefeldt. Thank you, Congressman Hoyer. Thank you, President Kirwan.

As I was sitting up here and Steny was introducing the President's family, when he introduced his wife, President Kirwan turned to me and said, you know, I met her in junior high school. (Laughter.) He said, she sat behind me and she couldn't stand me. (Laughter.) And I thought, that's exactly the kind of memories I have from junior high school -- you know, the boy you really liked at the end of the year was the one you couldn't stand at the beginning of the year.

But this junior high school romance has certainly stood the test of time. And I'm delighted to be here with your family and with the family of this great university.

I came here today for a number of reasons. Part of it, as the President suggested, is because I enjoyed my visit to be the commencement speaker so much and was very honored to receive an honorary degree, and also because I have followed with great interest the work that is being done at this university in many areas. But in particular, I have been impressed by the work that has been done in the area of human development, social and public policy. And we, of course, as you know, we're blessed in the White House by having Professor Galston with us for a number of years, so I feel a real kinship with the work that is done here and the people who are part of this great university community.

So when the opportunity arose for me to come and speak with you about an upcoming White House Conference on Child Care, I immediately seized it, because, as the Congressman said, the President and I are hosting a White House Conference on Child Care on October 23rd, and I wanted to come and tell you why this is an issue that deserves White House attention, deserves the attention of our nation, one that we hope will raise awareness of these issues around our country.

Some of you may recall that last spring the President and I hosted a Conference on Early Learning and Brain Research, and we brought to the nation's attention the very exciting work that has been done by researchers here at NIH and elsewhere across the country that demonstrates clearly how important it is that we take the first three years of life, because of what is happening in a child's brain. And we wanted to get that information out because, although many people intuitively knew that, and experts like Professor Seefeldt taught that, there wasn't the hard data that supported that information until recently, with the kind of work that has been going on in brain research.

And so, for a lot of reasons, this is a time when all of us have to focus on what we best can do in our own homes and families, as well as in our larger society, to ensure that each child has a chance to live up to his or her promise.

I saw that in action this morning here at the Center for Young Children. What a wonderful facility you have here -- a child care center that is warm and inviting, with workers that are creative and energetic and focused, a range of books and toys and crafts materials.

I answered question from the five-year-olds who wanted to know, among other things, what my favorite food was, what my favorite color was -- and then a real stumper was what my favorite roller coaster was. (Laughter.) I had to confess to this little boy that it has been so long since I've been on a roller coaster I couldn't remember the names of any of the roller coasters I like. But I certainly had the feeling that this is a place where children are treasured and valued and stimulated, a place that any of us would happily stay for juice and nap time any day.

But that center is far too rare, even though more and more families are seeking child care. In fact, over half of the infants under age one are in day care; 12 million children under the age of six, and 17 million more age six through 13, have both parents or their only parent in the work force. The plain fact is that there is simply not enough quality care for the children who need it. Quality child care is financially out of reach for the hard-working American families whose children deserve the best attention they can receive.

So today I come with a very straightforward proposition that this situation must change for the sake of our children and our future. And there are ways I want to suggest that each of us can participate in this change.

Every working parent in this room and in this country knows how urgent the matter is. Any mom or dad who has ever left a child with a care-giver for even a minute has felt at the gut level the importance of quality care. The stress around child care affects families ranging from the poorest all the way to the most affluent. It is a daily pressure for parents with preschoolers and parents with children in school who, for whatever reason, cannot get home to supervise a child themselves.

For more than 25 years, I have worked on issues affecting children and families. But in the last four and a half years I've been privileged to travel around our country on my own and with my husband, listening and talking with parents about their economic concerns, the issues that affect them on the streets where they live, whether it's crime or the environment, and I've heard over and over again how important child care is. Yet, despite its importance in our everyday lives, it is not an issue that has been dealt with effectively by our society.

Now, there are many reasons for this oversight, and some of you who are students of human development and child care could recite many of them, I'm sure. But I think it's fair to say that until the demographics of our citizenry changed, until economic forces and women's choices led so many mothers into the work force, this was not an issue that many people thought was serious. It was, like many issues affecting children in the past, viewed as a soft issue that was of disproportionate concern to women. Yet now we know it is one of the hardest issues we face and it is an issue that has economic and social implications that go far beyond the individual concern that each of us brings to it.

Fortunately, times are changing -- partly because of the work that many of you are doing, partly because more and more parents are speaking out, partly because America's employers have come to understand that the strength of their bottom lines depends on workers who are not absent, who will have their mind on their work when they're there, whose child care needs are being met; and partly because we have people in leadership like the President of this university, like this member of Congress before you who represents you, and because of my husband and members of Congress and state legislators of both parties and many governors who have made this a priority.

All of this brings us together in the name of a shared belief that the children of our country deserve child care as fine as that provided right here at this university. In fact, American children deserve the best care in the world.

Now, there are many reasons to put our children's needs first, but let me just mention a few of them. One reason, as I've already stated, is because we know that how we care for our children is critical to their intellectual and emotional development. You know, it wasn't so long ago -- and I can actually recall when I was younger and thinking about children a lot and even pregnant with my own -- that it used to be kind of a joke among a lot of fathers that I knew that they would say, well, you know, let's wait until

he can throw a ball or she can talk to me and then I'll pay attention. And it was the kind of attitude that had been prevalent for most of history that very young children should be cared for by their mothers, other women, that there wasn't much for fathers to do because there wasn't much happening until a child started to in some way assert a personality, act on his or her own. Well, now we know clearly that that was mistaken. As we talked about at the White House Conference on Early Childhood Development in April, what happens to a child in those earliest years can make all the difference for a lifetime.

Just 15 years ago, even scientists thought that a baby's brain structure was virtually complete at birth. Now, neuroscience tells us that it is a work in progress and that everything we do with a child has some kind of potential physical influence on that rapidly forming brain. As one participant at the White House Conference put it, nature and nurture don't compete, they cooperate.

Children's earliest experiences -- the sights and sounds and smells and feelings they encounter, the challenges they meet -- they determine how their brains are wired. For those of you who know a lot more about computers than I know, we're talking about how the brain shapes itself through repeated experiences. The more something is repeated, the stronger the neurocircuitry becomes. And those connections, in turn, can be permanent. In this way, even the seemingly unimportant, totally forgettable events of our first years are anything but trivial. It is during this time that children learn to soothe themselves when they're upset, to empathize, to get along with others, to become -- and we hope they will -- human beings of the finest order.

Experiences in those first three years of life can also determine how well a child learns. When someone speaks, reads or plays with an infant or toddler, her or she, whether it is a parent, a grandparent, an older sibling or a care-giver, is activating the connections in that child's brain that will one day enable her to think and read and speak and solve problems herself. Now, what that means is that sub-par care, whether in the home or in a child care setting, means that a young brain is being deprived of what it needs to live up to its natural potential.

Now, that is a very serious conclusion for us to reach, and now we have no more excuses. If we know that ignoring the child, being impatient, pushing off an 8-month-old or a 16-month-old, failing to invest the time that is necessary in that two-and-a-half-year-old, then we have to acknowledge it's not just a momentary action, but it adds to the past and the present and the feelings that that child is internalizing, and it also, literally, affects the brain.

Another reason we need to act is that we now have evidence that child care is too often inadequate. Research presents a troubling picture. A recent national study of child care centers found that 70 percent of children are in care that is barely adequate; 10 percent are in care that is dangerous to their health and safety. Infants and toddlers are at the greatest risk, with 40 percent in care that poses a threat to their health and well-being. That means that they spend hours of their days with care-givers who do not follow basic sanitary practices, who rarely cuddle, talk to or play with these infants and toddlers, in rooms that lack toys and other materials to encourage development, and in places where the ratio of children to adults is too high for individual attention. Only 20 percent of our children are in what we could call "high quality care," such as what I saw this morning.

A study of child care in family-based settings found equally disturbing patterns. Only 56 percent of these programs provided adequate care. Thirty-five percent were deemed inadequate, which means, as we now know, that the hours spent there could actually undercut a child's development. And only nine percent offered high-quality care, which was defined as enhancing the growth and development of children. And even where quality care is available, it is often financially out of reach for parents, particularly low-income parents.

According to the 1995 census, families earning under \$1,200 a month pay an average of 24 to 25 percent of their income for child care. That takes a big chunk out of a household budget. But it was still not enough to ensure quality care. I asked about the cost of the child care centers here on this campus, and there is a sliding scale, which is very important, but it still costs between \$340 and \$600 a month. Middle class families are hit hard as well. Families earning up to \$36,000 pay out 12 percent of their income for child care without any guarantee that that 12 percent is buying quality. It is difficult to think

of a consumer situation in America where so many people are paying so much and too often getting so little.

Another reason we need to act is that we now know from another study that was just completed by the National Institute for Child Health and Development that good child care can be beneficial to young children, whether it is care given at home or in a day care center. Now, there's no doubt that the most important, lasting influence on any child is that child's family. But we do know that good, quality child care can improve a child's chances, if that child is in a difficult family situation or enhance a child's learning and maturity if that child is in a good family situation. And for children who come out of family situations that are not always conducive to their well-being, bad child care can make a difficult situation even worse.

Now, a final reason we need to act is because of the changing nature of the work force. We know that the American work force has changed dramatically in the past 40 years and that has meant dramatic changes in family life. Half of all mothers with children under the age of one are working outside the home, and not only are more parents working, they are working longer hours. So this issue must become a policy challenge for all of us because it clearly affects the well-being of children, American workers, and the dynamism of our economy itself.

I would imagine that many of you who are parents and those of you who are students, not yet parents, can equally shut your eyes and imagine or think back to one of those work-family conflicts that has occurred in all of our lives. Even though my daughter is a freshman in college, I still remember vividly the days when my child care arrangements fell through and I was not able to do anything about them. Now, luckily for me, those were very few because I had the kind of job where if my daughter were sick or if she had a special occasion that I wanted to take advantage of in her preschool or her school years, I could arrange my schedule. That is not the case for the vast majority of working moms and dads.

I also had the advantage, except for two years of her life, to live in a Governor's Mansion where there were lots of people around. That is not a common experience for most working mothers. And so I'm very aware that my situation was unique. But even with it, I recall vividly those few times when, despite my best efforts and a very supportive husband and all of the balancing we all do, it just all fell through and I had to scramble like crazy to make up for it.

One time in particular when I couldn't cancel something or just not go into work or go in late -- I had to be in court at 9:00 a.m. -- and Chelsea was up all night sick and my baby-sitter was sick, probably with the same thing Chelsea was sick with, and my husband was out of town and my family wasn't around, and I called one of my best friends and she wasn't available. And it was just a real terrible feeling that you get when you know that you want to be with your child and because of work demands you can't. And I was lucky enough to find a neighbor who could come in and sit with her. And I called home every chance I had a break and rushed home when I finished to find her very well taken care of.

But that is not what is available to most parents. And I know it is infinitely tougher for most women who every day are trying to do the best they can. And I honestly don't know how single parents do it. And I think we ought to be very sympathetic and very supportive of all parents, but particularly of single parents.

Too many children end up because of their parents' challenges, caring for themselves or being supervised by older siblings. And we know what happens when children are left unsupervised. According to the FBI, it is during the late afternoon that our youngest children, those who are in their preteens or early teens, are most likely to experiment with drugs, to become involved with criminal gangs, to get pregnant, to commit violence or to get in trouble in other ways. So, when that 3:00 p.m. bell rings, kids are relieved, but a lot of working parents panic. And we have to find a way to help parents with school-aged children as well.

So we know we need to act, but where do we start. Well, we can learn from models of excellent child care around our country. They can provide the energy and expertise and inspiration for what we need to do now. One very bright spot is the military's child care system. Our Defense Department runs the

largest child care system in the world, taking care of the children of the parents who are in the front lines of America. I was privileged just two days ago at Quantico Marine Base to be able to see firsthand what is being provided for the children of our Armed Forces and I have to say I saw what every parent would want for her child -- a beautiful facility, well-trained workers, high standards, unannounced inspections both in the center and in the family day care settings, a toll-free number for parents to call with their concerns, mandatory training for everyone that comes into contact with and works with a child, and, most importantly, good wages and solid benefits and respect for staff. Now, that has resulted in lower turnover and more experienced care-givers.

Now, that wasn't always the case, and I learned in a very open discussion that the military's child care was not always what we would hold up as an example. In fact, even the center that I visited at Quantico is brand-new because the previous one had to be shut down because it didn't make the grade a few years ago. But, the leadership of our military knows that readiness depends upon mothers and fathers being able to do their work without worrying about who's caring for their children. So the military made a commitment to turning its child care system around and Quantico is now a shining example of what can be done.

I want to tell two stories that I heard. The first, from one of the commanders there was what happens before good child care in the military. I heard about a mother and a father who were both called to duty on an emergency basis at the same time. I believe they were both pilots. They had to be in the air at the same time. When that happened, they had to bring their two infants in bassinets to the office of their commander -- (laughter) -- leave those bassinets in their commander's office with instructions for care and feeding. Now, that beats any story about child care challenges that I've ever heard.

The second story is about what happens now that there is quality care available, no matter what the occasion. I met a staff sergeant, a single dad raising two little girls. He said that when he took his daughters to day care the first day they cried when he dropped them off, but the second day they cried when he came to pick them up. (Laughter.) I was especially impressed by this very tough Marine who's obviously put in his time at the weight training facility, talking with great pride about how he mastered pigtails and ponytails for his daughters. But I think part of the reason his confidence is so high about embarking on the rather daunting task of being a single dad of two little girls is because he's gotten a lot of support from the child care facility and the care-givers who have been there, helping him along, encouraging him, giving him advice, helping to create that village.

On a serious note also, we were privileged to have Lt. Colonel Pote (phonetic), who I see in the audience here, speak about the perspective of the child care system from the perspective of a commander. He said that his soldiers are more productive when they don't have to worry about their children. Now, I probably should say his Marines are more productive when they don't have to worry about their children. And the result of that is a much higher level of preparedness 24 hours a day.

Now, there are certainly differences between the military and civilian sector, but I believe that the military's experience can serve as a beacon for the American workplace in general. When parents don't have to come to work feeling concerned about how their children are doing, they can make a much more positive contribution which benefits all of us.

Just before I visited Quantico I was in Miami at Baptist Hospital there that also has made a commitment to child care. I saw another first-class facility. I learned about how they had adjusted the hours because, just like the military, they have 24-hour work days in a hospital. And I heard a lot of detail from the chief executive officer about why it is good economic sense to provide this service.

I met at the hospital with the Board of Directors of something called Florida's Child Care Executive Partnership, a group of business executives appointed by Governor Lawton Chiles to address child care issues. In creating this partnership, Florida put aside \$2 million the first year to match dollar for dollar corporate contributions for child care. And the board was charged with engaging the private sector in this effort.

Once asked, the Florida business community responded quickly and generously, and this year the

legislature and the business community are doubling their commitment so that we're taking both public dollars and private-sector dollars and pooling them to create more affordable quality child care. And because of this effort, thousands of more working families in Florida now have access to the kind of care I saw at Quantico, I saw at Baptist Hospital, and I saw here at the university.

Because we know that providing good child care requires community involvement. The grant money in Florida only goes to communities where businesses have come together with child care organizations to forge a plan of action. And when I asked these business leaders why they thought the partnership was successful, they didn't hesitate to answer in very businesslike terms; they said it was good for the bottom line. They said they didn't have to spend as much time recruiting new workers who left because of child care problems, they didn't have to spend as much money recruiting new workers who had to be trained, they didn't have to worry about absenteeism, which had been cut dramatically. Now, that was also the experience of many other businesses with whom I have met, and I just find it being repeated over and over again.

So, because I find the partnership concept so impressive, I'm very pleased to announce today that the Department of Health and Human Services is awarding a half million dollar grant to the Families and Work Institute, the National Governors Association, and the Finance Project, to assist states in developing these partnerships with the private sector.

And the President has, earlier this year, tasked the military, the Department of Defense, to work with the private sector to take the experience they've gained, their guidelines which have been carefully written, and bring those to the table to discuss with more child care centers and family day care providers what can be done to use money like that available in Florida to make models that can be replicated. Because all sectors of society have to be involved -- businesses, schools, police departments, religious organizations, libraries, citizens organizations, the federal, state and the local governments.

We hope that the White House Conference will be a catalyst to bringing many of these sectors together. I also hope that at the White House Conference we will discuss ways that could assist parents who wish to make the choice to stay at home with their children more economically feasible, because it's not just creating good child care centers and family day care centers outside the home; how do we create real choices that are available to working families so that they, in the privacy of their family, can make a decision that it is economically feasible for one parent to be there for their children.

It is important to remember that this conference is a starting point. I hope that it marks the beginning of national discussion and action. And I hope that its focus on the three key areas will spark individual ideas around the country. Now, the three key areas are the lack of affordable child care, quality concerns, and the need for school-age care.

We have already discussed affordability, and we've made some progress. The President took some steps to address this need. For starters, he expanded federal funding for child care. In fact, since 1993, child care funding has risen by approximately 68 percent, and it now reaches more than one million children through subsidies which is critical if they're going to have financial access to quality care. And I'm encouraged, too, that in the last four years more states are committing their own resources to help working people pay for quality child care.

In the balanced budget agreement, the \$500 child tax credit will go to 27 million families with 45 million children under the age of 17. Now, for the typical American family with two kids, this child tax credit will mean \$1,000 more in take-home pay per year. That is especially important for low-income families who are also going to benefit from this child tax credit. Thirteen million children from families with incomes below \$30,000 will receive the credit. That's a lot of young teachers, police officers, farmers, nurses, and others who will have some extra income to put into whatever their family decides, but certainly one of the great expenses is improving child care. Also, through the expanded Earned Income Tax Credit, more working families have had a cut in their taxes, which has on average meant an increase in their income of over \$1,000.

So there have been real steps forward so that there is more child care available, it's subsidized, and there

is more of an opportunity for families with children to take advantage of these programs.

The President has also made child care an essential component of welfare reform. He insisted that welfare reform include spending for child care because we're putting a lot more women, single women with children, into the work force. So it will be increased by nearly \$4 billion over the next six years.

But that is still not enough and we have a long way to go to explore how better to enable parents to meet their child care costs.

Quality is the second key issue. We have to do more to support child care providers. We have not done a good job of lifting up the profession that is so important in taking care of our children and matching that with increased income and job opportunities and benefits.

I've been to a lot of child care centers and I've met many, many terrific people running and working in them. But their salaries are woefully low, and many leave the profession because it's not one that enables them to support themselves and their own families. I remember one provider who told me with tears in her eyes that with the birth of her second child, she had to leave taking care of children, which is what she loved to do more than anything, and go to work in an office because she needed to make more income.

So we have to do all we can to encourage and support child care workers to get training, to build their skills and increase their knowledge, which will demand higher salaries and benefits. We have to find the very best people to take the jobs of caring for our children because parents should not have to worry whether their child is safe at day care. And the vast majority of teachers are absolutely superb in caring for their children, but there are a few who we need to make sure do not go into the classrooms of our day care centers.

And we also have to help parents do a better job of searching out good child care. In survey after survey, when parents are asked, they really don't know what they're looking for. They don't know what kind of equipment should be there; they don't know what kind of training they would be demanding for the child care workers. Too often, parents are better informed about what kind of car to buy than what kind of child care to choose. So we have to help parents become more informed consumers to create that demand that will absolutely say to the marketplace: we must have higher quality for the money we're paying.

One of the interesting results of a lot of the research that has been done recently is that good quality child care is generally, but not always, more expensive than inadequate child care. And in the middle, there is a lot of child care that could be vastly improved with some good training and better guidance, that would make a big difference for the money that is being paid.

Now, I hope that we will continue to focus on safeguarding the health and safety of children in our disparate system around the country. Certainly, the President earmarked money going to the states for child care for quality improvements. And this summer he proposed a new rule requiring that child care programs that receive federal dollars make sure that all children are immunized.

And in 1995 the administration launched the Healthy Child Care America Campaign, which promotes partnerships between child care centers and health agencies. That initiative, now in 46 states, teaches child care centers how to create safe healthy environments. A lot of times when we do these surveys and we get the results, and people go in and say, this isn't sanitary, this is not appropriate -- the child care workers don't know that; nobody's told them; they're not sure about what they're supposed to be doing. So through the Healthy Child Care America Campaign, we intend to do a better job of educating child care workers.

And, finally, school-age care, a critical issue for millions of working American families. I have visited some excellent school-age child care programs. The other day in Quantico, I visited one of their schools and saw what was available for the children there. But most children and their parents do not yet have access to good school-age child care -- places where the children can do homework or play sports or

learn to play a musical instrument. "Home Alone" might have been a hit movie, but it is not a good script for real children's lives, and we need to move to make sure more children can safely and productively spend those after-school hours in a place like a school or a library or some other setting that is good for them.

I'd like to close with one thought and then invite your questions. We are privileged to live in a time of tremendous bounty in our country. We are at peace. Our economy is booming. Social problems that for years held us back are receding. The crime rate is down. The teenage pregnancy rate is down. On so many fronts we're making progress together. And a time such as this presents a special opportunity. Free from crisis, we can do work that might not be possible in stormier moments. So we should use this good fortune to make a difference, to lay the groundwork so that the generations of children to come will be able, themselves, to build a country that has so many opportunities and take advantage of the blessings that we all have.

So turning to child care is not just something that is a nice issue to talk about. It is, as the President calls it, the next great frontier of public policy. To build up and strengthen our families, to give them more support so they can do their jobs both at home and in the workplace will help us chart that frontier not only so that we are led to a better world for the children I saw today, but for generations of American children to come. And I invite all of you to be part in taking action to make sure that happens.

Than you all very much. (Applause.)

I'm glad there were babies here. That's a wonderful reminder of why this is so important. (Applause.)

Child Care

Remarks by the First Lady on Child Care

White House Conference on Child Care

Child Care Announcement

Redbook Magazine ``Mothers and Shakers of 1998`` Awards

April 22, 1998

Project Connect Child Development Program

President and First Lady | Vice President and Mrs. Gore

Record of Progress | The Briefing Room

Gateway to Government | Contacting the White House | White House for Kids

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THE WHITE HOUSE

Jeremy and Julia's Law

Bill Background and Status

On February 2, 1999, Rep. Lazio introduced Jeremy and Julia's Law, which would amend title 18 of the U.S. Code to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce. Specifically, the law would prohibit, and set penalties for, a child day care provider in or affecting interstate or foreign commerce from: (1) knowingly making any false representation regarding the care, the provider, or an employee to a parent or guardian considering the placement of a child in the care of that provider or to a law enforcement officer, thereby placing a child's safety or health at substantial risk; and (2) recklessly causing serious bodily injury. The law is based on the tragic deaths of two small children in child care settings (Jeremy Fiedelholz in Florida and Julia Haas in Albany, NY). The bill has 14 cosponsors and has been referred to the Judiciary Committee's Subcommittee on Crime; no further action has been taken.

A number of states, including New York, have passed state versions of the law. On September 24, 1998, Gov. Pataki signed New York State's Jeremy and Julia's Law, making New York the first state in the nation to criminalize major day care violations. The New York law creates new classifications of crimes upon which such day care providers may be prosecuted. The bill makes a class A misdemeanor the act of making willful or intentional misrepresentations by child day care providers to any parent or guardian, state or local government official, police officer or peace officer regarding the facts pertaining to such provider, including but not limited to: the number of children in a facility; the area of the facility, home or center used for child care; the credentials or qualifications of any child day care provider, assistant, employee or volunteer. The bill creates a Class E felony of reckless assault of a child by a day care provider. Day care providers are guilty of such a crime when they recklessly cause serious physical injury to a child under their care.

Analysis and Response

We have evaluated this bill with HHS and have concluded that the issues it covers are more effectively adjudicated on the state level. A federal bill would cover a very small number of such cases and furthermore, many believe that such a law would not stand up in court. Recognizing the importance of safe child care, our response to the bill ought to be:

- Parents who put their children into child care should not have to worry about whether or not their child care providers are being honest with them. We support the intentions of this bill and encourage more states to take up laws similar to New York's law. Increasing and enforcing penalties on such providers may act as a deterrent to illegal behavior.
- Mrs. Clinton has been the lead Administration advocate for child care and worked hard to develop comprehensive proposals to address quality and safety of child care:

Promoting Early Learning. The Administration's comprehensive child care initiative addresses the struggles our nation's working parents face in finding child care they can

afford, trust and rely on. To ensure high quality, safe child care centers, we have proposed to create the Early Learning Fund that will provide community grants for activities that foster cognitive development, improve child care quality and promote readiness for school. Resources could be used to help child care providers get training or certification, facilitate licensing or accreditation of child care centers, and reduce child-to-staff ratios -- factors associated with positive developmental outcomes for young children. The Administration's budget includes \$3 billion over five years for this proposal.

Facilitated Background Checks on Child Care Workers. In 1998, the President signed the National Crime Prevention and Privacy Compact, which, when ratified by the states, will facilitate effective background checks on child care providers by eliminating state law barriers to sharing criminal history information for non-criminal purposes. This legislation was transmitted to the Congress in conjunction with the 1997 White House Conference on Child Care, which was organized and chaired by Mrs. Clinton.

Improved the Quality of Federally-Sponsored Child Care. The President issued an Executive Memorandum to improve the quality of federally-sponsored child care, directing all federally-sponsored child care facilities in the executive branch to become nationally accredited and ensure proper background checks of child care workers. The President believes that the federal government should be a model employer, leading the way to improve the child care it sponsors for the families of its employees.

HR 469 IH

106th CONGRESS

1st Session

H. R. 469

To amend title 18, United States Code, to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce.

IN THE HOUSE OF REPRESENTATIVES

February 2, 1999

Mr. LAZIO (for himself, Mr. SHOWS, Mr. HORN, Mr. GILMAN, and Mr. BARCIA) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as 'Jeremy and Julia's Law'.

SEC. 2. DAY CARE PROVIDER CRIMES.

(a) IN GENERAL- Chapter 89 of title 18, United States Code, is amended by adding at the end the following:

'Sec. 1822. Day care providers

'(a) Whoever, being a child day care provider in or affecting interstate or foreign commerce, or an employee thereof, knowingly makes any false representation regarding that care, that provider, or that employee to--

'(1) a parent or guardian considering the placement of a child in the care of that provider; or

'(2) a law enforcement officer;

and thereby places a child's safety or health at substantial risk shall be fined under this title or imprisoned not more than one year, or both.

'(b) Whoever, being a child day care provider in or affecting interstate or foreign commerce recklessly causes serious bodily injury (as defined in section 1365) shall be fined under this title or imprisoned not more than 3 years, or both.

'(c) As used in this section, the term 'child day care provider' means any person or entity that

provides child day care in a place other than the home of the child or children for whom the care is provided.'.

(b) CLERICAL AMENDMENT- The table of sections at the beginning of chapter 89 of title 18, United States Code, is amended by adding at the end the following:

`1822. Day care providers.'.

END

Bill Summary & Status for the 106th Congress

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H.R.469

Sponsor: Rep Lazio, Rick (introduced 2/2/1999)

Latest Major Action: 2/25/1999 Referred to House subcommittee

Title: To amend title 18, United States Code, to provide penalties for certain crimes relating to day care providers in or affecting interstate or foreign commerce.

STATUS: *(color indicates Senate actions)* (Floor Actions/Congressional Record Page References)

2/2/1999:

Referred to the House Committee on the Judiciary.

2/25/1999:

Referred to the Subcommittee on Crime.

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The Bulletin's Frontrunner

July 6, 2000

LENGTH: 1947 words

HEADLINE: NY: Today's Clinton-Lazio Senate Race News.

BODY:

Lazio Fundraising Letter Blasts Clintons As Disgraces And Embarrassments. CNN (7/5, Inside Politics, Buckley) reported Rep. Lazio is "on the offensive in a fundraising letter sent to supporters in which he writes: 'Hillary Clinton and her husband have embarrassed our country and disgraced their powerful posts. She covets power and control, and thinks she should be dictating how other people run their lives.'" AP (7/5) reported that in his "harshesht attack to date," Lazio "says in a fund-raising letter that Senate rival Hillary Rodham Clinton and her husband 'have embarrassed our country and disgraced their powerful posts.'" Lazio said in the letter, "No other Senate hopeful enjoys a liberal national press that hangs on her every word and treats her never-ending soap opera of scandals as 'irrelevant' and 'yesterday's news.'" The New York Daily News (7/6, Siegel) reported, "In upstate Plattsburgh yesterday, minutes before the letter surfaced, Lazio vowed to 'sail above' the nasty tactics he continually accuses the First Lady of waging." The letter "took the focus off a five-day Lazio swing through upstate. He boarded the reporters' bus and spent most of his 23 minutes there talking about the letter -- sent to out-of-state prospects." He "declined to say how he thought the Clintons had engaged in questionable conduct, saying only that 'they have got pretty significant liabilities that are well-known.'" The New York Post (7/6, Birnbaum, Hardt) reported, "Campaigning upstate on a five-day bus tour, Lazio distanced himself from the letter when he was peppered with questions about it from reporters." Lazio said, "Frankly, these letters are not written by me. I'm not disowning it, but they're not written by me. I just think this is a huge smoke screen. That's not part of our media campaign. That's not what I'm talking about on the stump. I just think it's 'incredibly unfair to try to characterize the message of a campaign based on a phrase in a solicitation letter. Clinton spokesman Howard Wolfson "dismissed Lazio's latest fundraising appeal, saying, 'We are confident that New Yorkers will reject Rick Lazio's campaign of personal insults in favor of Hillary's campaign of issue differences and real ideas.'" Long Island Newsday (7/6, Riley) reported, "In addition to solicitations from Lazio, yesterday The Associated Press obtained a Lazio fund-raising letter signed by conservative publisher Steve Forbes, formerly a GOP presidential contender, that accuses Clinton of 'shameless hypocrisy' and 'perpetual pandering.'" Forbes says in the letter, "While she's a liberal extremist, Rick's a dyed-in-the-wool conservative. While she's ricocheted from one scandal to another, Rick holds himself to the highest ethical standards." Lazio's campaign "confirmed that it authorized the letter." The New York Times (7/6, Archibold) reported, "In a news briefing held on a bus that was carrying reporters traveling with him on his cross-state campaign tour this week, Lazio would not elaborate. He said many such letters pass across his desk and he needed to review this one before elaborating on it." Mrs. Clinton, "through a spokesman, called the letter a 'personal insult.' But Lazio defended the letter, saying he needed to strike back after Mrs. Clinton began broadcasting a series of negative television advertisements a couple of weeks ago. And he continued to tell supporters at public rallies that he would wage a positive campaign." When "asked to

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reconcile the letter with his promise to stay positive, Lazio drew a distinction between television advertising and letters to supporters. The letter, he said, 'is not part of a mass communication.'" Lazio added, "I just think it's a totally different situation. Our campaign is not focused on the negative; their campaign is completely focused on the negative. It's not what you send to some House donor list that matters." On CNN (7/5, Inside Politics) , Time correspondent Margaret Carlson said Lazio's fundraising letter "hit all her soft spots, including going to New York, using New York because it was there, and perhaps using it as a stepping stone to even more power, and then raising impeachment. He did it all in that letter." National Review writer Rich Lowry said, "I think this is a repeat of the Giuliani pattern, where you have the Republican candidates against Hillary being very sharp and tough in their direct mail fundraising letters but not quite carrying that out more broadly in their campaign. And I think when Lazio replaced Giuliani as a candidate, all the talk was about now this is going to be a race about issues, and I haven't seen that yet. I think Lazio's comments recently about how he opposes litmus tests for Supreme Court justices but he will want to know what the nominees' views on abortion are, but he won't tell us whether that will sway him one way or the other, that's just a mushy mess. And I think his campaign has been that way generally. . I think he's proved himself a very attractive and energetic and good-looking candidate, but we haven't seen the substance from him yet that it's going to take to really beat Hillary."

NARAL Attacks Lazio On Abortion. CNN (7/5, Inside Politics, Woodruff) reported "some of the First Lady's supporters are about to launch an offensive on the issue of abortion." CNN (Buckley) added that while Republican Rep. Rick Lazio "was reading to children at a child and family facility in upstate New York, abortion rights activists were preparing to launch an offensive against the congressman in the New York Senate race." The National Abortion and Reproductive Rights Action League (NARAL), began "a targeted cable TV buy, which will begin airing Thursday in the crucial swing suburbs just outside of New York City." NARAL spokeswoman Kelli Conlin was shown saying, "What is at issue here is how our senator will vote on that nominee. And the future of Roe versus Wade, the future of legal abortion in this nation hangs in the balance." CNN added NARAL "endorsed Hillary Clinton in late May saying Lazio had frequently voted against abortion rights," But Lazio says "Clinton and NARAL are distorting his record." Still, he "adds he does differ with NARAL and Mrs. Clinton on some forms of late-term abortion, which opponents call 'partial birth' abortion." Lazio was shown saying, "What they're trying to do is to define me as anti-choice because I support the ban on partial birth. They're opposed to the ban. Mrs. Clinton is opposed to the ban on partial birth abortions. That's, I think, an extreme position." CNN added Lazio "would not say how he would vote on a Supreme Court justice nominee opposed to abortion rights." Although the Clinton campaign "believes the abortion issue could help to persuade particularly suburban women voters to vote for Hillary Clinton," Lazio consultant Mike Murphy says "it's Hillary Clinton who's on the wrong side of the issue." Murphy was shown saying, "I think the Clinton campaign has made a mistake here, because the voters of New York support Rick Lazio on this position. Rick Lazio's pro-choice, but he opposes partial birth abortion. Mrs. Clinton doesn't. And that's the real abortion difference in the campaign, and the Clinton folks are desperate to smoke screen that." The New York Daily News (7/6, Goldschlag) reported, " NARAL, which has pledged \$500,000 to an anti-Lazio campaign, said it was spending \$50,000 to run the 30-second ad over the next two weeks, mostly in Westchester and Long Island." The ad buy is "aimed squarely at pro- choice moderate suburban women to sow doubts about Lazio."

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NARAL bought time on cable systems during local breaks for the female-aimed Lifetime, and Home and Garden networks, among others." Long Island Newsday (7/6, Riley) reported, "Hillary Rodham Clinton has promised to vote against any nominee who would not support Roe vs. Wade, the decision that established a constitutional right to abortion. Lazio says he supports abortion rights and Roe vs. Wade, but has refused to promise to apply such a 'litmus test' to Supreme Court nominees. The ad is generally accurate, but may mislead voters by failing to tell them that Lazio says he is 'pro-choice.' It also creates the impression-by using the word 'ambiguity' and calling it a 'simple question' that Lazio is being evasive. This may be unfair; some critics of litmus tests say they risk politicizing the court and oversimplifying a selection process that should be based on legal skills, not a nominee's position on hot-button issues." The New York Times (7/6, Levy) reported, "The commercial opens with a shot of Ross DeMarco, a member of the abortion rights group. She is sitting with her hands clasped, speaking to the camera. It cuts to text -- 'How Would Lazio Vote on Judges?' -- before showing footage of the Supreme Court confirmation hearings of Robert Bork, a conservative judge who was rejected by the Senate." It then "superimposes a headline from The New York Post referring to Mr. Lazio as being a 'master of ambiguity' on abortion and cuts to more text -- 'Would Lazio Oppose Anti-Choice Judges?' It ends with a telephone number for the abortion rights group." Ms. DeMarco says, "I have one question for Rick Lazio. How would he vote in the United States Senate when it comes to the Supreme Court and abortion? Like most New Yorkers, I believe it's a woman's right to decide. One Supreme Court decision could rob us of this choice. Now Rick Lazio is saying he can't promise New Yorkers he'd oppose anti-choice judges. So how would Rick Lazio vote on Supreme Court nominations? It's a simple question. New Yorkers deserve an answer."

Hillary May Shift Position On Late-Term Abortion Ban. CNN (7/5, Inside Politics, Woodruff) reported the Clinton campaign "said the First Lady could support a ban on late-term abortions if exceptions were broadened to include not only the life of the mother, but the mother's health as well." On CNN (7/5, Inside Politics), Time correspondent Margaret Carlson said Mrs. Clinton was "very smart was to get closer to" Lazio's "position on abortion. His is the better position at the moment. It appeals to more people, who have a moderate position on abortion: not one that embraces partial birth abortion. So her statement on that was very smart."

Lazio Hits Hillary On Child Day Care. The Albany Times Union (7/6, Jakes) reported, "A New York day care law partially inspired by a local family provided US Senate campaign fodder Wednesday for GOP candidate Rick Lazio, who accused Hillary Rodham Clinton of refusing to support similar protections nationwide." Lazio "said Clinton should have done more to help the parents of Jeremy Fiedelholtz who advocate a Federal law that would hold day care providers accountable for any harm done to children while under their watch." Campaign aides "said Clinton supports such legislation but could not immediately say why she had not advocated for it earlier." The Times-Union added, "Jeremy's father, Mark, has since toiled for a federal law but has failed to get support from the Clinton administration." Lazio, who "introduced legislation last year to create a national Jeremy and Julia's Law, took up the matter Wednesday after reading to youngsters in Plattsburgh." Lazio said, "Despite heartfelt appeals for help, we are working on Jeremy and Julia's Law with absolutely no help whatsoever from Mrs. Clinton. Hillary Clinton often talks a good game, but when it came to stepping up and helping New York families get this legal protection, Mrs. Clinton stayed on the sidelines." The bill has been "stalled in the

GOP-controlled US House since February 1999."

LANGUAGE: ENGLISH

LOAD-DATE: July 6, 2000

2ND STORY of Level 1 printed in FULL format.

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The Times Union (Albany, NY)

July 6, 2000, Thursday, THREE STAR EDITION

SECTION: CAPITAL REGION, Pg. B2

LENGTH: 510 words

HEADLINE: Lazio sounds off over day care law

BYLINE: LARA JAKES; Political writer

HIGHLIGHT:

Albany Senate hopeful says First Lady hasn 't backed law to hold providers liable for harm

BODY:

A New York day care law partially inspired by a local family provided U.S. Senate campaign fodder Wednesday for GOP candidate Rick Lazio, who accused Hillary Rodham Clinton of refusing to support similar protections nationwide.

Lazio, a four-term Long Island congressman, said Clinton should have done more to help the parents of Jeremy Fiedelholz advocate for a federal law that would hold day care providers accountable for any harm done to children while under their watch.

Campaign aides for the Democratic First Lady said Clinton supports such legislation but could not immediately say why she had not advocated for it earlier.

Two 3-month-old babies -- Jeremy Fiedelholz of Florida and Julia Haas of Albany -- died in 1997 after being left unattended in their respective day care centers. They inspired the 1998 Jeremy and Julia's Law, which allows care providers to be charged with a felony when youngsters under their watch are harmed. New York was the first state to enact such a measure.

Jeremy's father, Mark, has since toiled for a federal law but has failed to get support from the Clinton administration. Lazio, who introduced legislation last year to create a national Jeremy and Julia's Law, took up the matter Wednesday after reading to youngsters in Plattsburgh.

"Despite heartfelt appeals for help ... we are working on Jeremy and Julia's Law with absolutely no help whatsoever from Mrs. Clinton," Lazio said in a statement. "Hillary Clinton often talks a good game, but when it came to stepping up and helping New York families get this legal protection, Mrs. Clinton stayed on the sidelines."

The bill has been stalled in the GOP-controlled U.S. House since February 1999.

Clinton spokeswoman Karen Dunn pointed out the First Lady's long track record on background checks for child care workers and noted that cracking down on criminal and negligent caretakers would remain a top priority if she is elected. "As a 30-year advocate for children, nothing is more important to Hillary

The Times Union, July 6, 2000

than their health, safety and well-being," Dunn said.

Lazio also hit Clinton in a fund-raising letter given to reporters Wednesday, saying she "covets power and control and thinks she should be dictating how other people run their lives. ... Hillary Clinton and her husband have embarrassed our country and disgraced their powerful posts."

Clinton, too, has issued a new fund-raising letter that calls Lazio the pick of "Republican Party kingmakers."

Clinton got a boost Wednesday with a \$ 50,000 ad paid by the New York chapter of the National Abortion and Reproductive Rights Action League. The ad criticizes Lazio for refusing to clarify whether he would vote against Supreme Court nominees who support abortion rights. The ad is the first step in a \$ 500,000 NARAL campaign against Lazio, said Erica Pelletreau, the group's legislative director.

Lazio generally supports abortion rights but voted to ban late-term abortions. Clinton also supports a ban, except when the mother's life or health is in danger.

GRAPHIC: RICHARD DREW, ASSOCIATED PRESS NICK FRANCIS, 5, points a toy camera at U.S. Senate candidate Rick Lazio during a campaign stop in Plattsburgh Wednesday.

LOAD-DATE: July 7, 2000

3RD STORY of Level 1 printed in FULL format.

Copyright 2000 The Hearst Corporation
The Times Union (Albany, NY)

June 5, 2000, Monday, ONE STAR EDITION

SECTION: MAIN, Pg. A8

LENGTH: 439 words

HEADLINE: Day-care vigilance

HIGHLIGHT:

New proposals on background checks deserve the support of state lawmakers

BODY:

Governor Pataki's campaign to improve the state's protections for youngsters in child care has entered a new phase this year with a proposal to require greater monitoring of operators and staff, more training for personnel and stiffer penalties for violators. His package of reforms deserves passage before lawmakers break for the summer and return home. In truth, these reforms warranted passage long ago.

Incredibly, New York state lacks a law requiring criminal background checks for operators of day-care centers, their employees, assistants or volunteers. But given the nature of their responsibilities, and the number of instances nationwide where children have been preyed upon by unmonitored providers, background checks ought to be routine.

Mr. Pataki's proposal would make them a matter of law and automatically disqualify applicants who are found to have been convicted of any violent felony, crime against a child or sex offense. The law also would disqualify applicants who have been convicted of DWI or drug offenses within the previous five years.

Other provisions would double the training requirement to 30 hours from 15, a doubling of fines to a maximum of \$ 500 a day for violations, and a 50 percent increase in the number of state inspections each year of licensed day-care providers.

In 1998, New York became a leader in child-care protections with the passage of Jeremy and Julia's Law that raised penalties for day-care providers who misrepresent their credentials or lie about the number of children under their supervision. The law was named after 3-month-old Julia Haas, who apparently choked to death while left unattended in a baby swing at an Albany day-care program, and Jeremy Fiedelholz, who choked to death in an overcrowded day-care center in Florida.

The Assembly sponsor of Jeremy and Julia's Law, Jack McEneny, D-Albany, worked in concert with Governor Pataki to get the legislation passed as time was running out on the session.

It later became a model for national legislation introduced by Rep. Rick Lazio, R-L.I., and Rep. John Sweeney, R-Clifton Park. The bipartisan approach signifies that child-care safety is an issue that transcends partisanship.

The Times Union, June 5, 2000

It should remain so in this case, although there is as yet no Assembly version of the Pataki reforms. But as more and more families find that both parents must work to make ends meet, finding suitable child care is a necessary but often daunting task. Mr. Pataki's latest proposals, when signed into law, would help erase the fear of many parents that choosing the wrong provider could put their child's life at risk.

LOAD-DATE: June 6, 2000

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