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MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: December 7, 2000

Reauthorization

The White House, through OMB, and the Corporation had been working to get the Corporation's reauthorization attached to the Labor-HHS Appropriations bill for FY 2001. We remain hopeful that reauthorization will be included as part of this bill.

VA-HUD Appropriations

As previously reported, the VA-HUD appropriations bill providing \$458.5 million for the Corporation was signed by the President on October 13, 2000. This bill includes funds for AmeriCorps, Learn and Service America, the National Service Trust, and other important programs.

Labor-HHS Appropriations

Negotiations on this bill are on going. Funding for the Corporation's programs under the bill, AmeriCorps*VISTA and the Senior Corps, is not in controversy.

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: November 30, 2000

Reauthorization

The White House, through OMB, and the Corporation had been working to get the Corporation's reauthorization attached to the Labor-HHS Appropriations bill for FY 2001. Our first major hurdle was getting Senator Gregg to release his hold on the bill. The Corporation and OMB had come to an agreement that addressed the concerns of Senator Gregg and others. Congressman Goodling, however, did not approve of the agreement and as of Monday, October 30, the Corporation's reauthorization was not included in the final Labor-HHS agreement reached between the Administration and the appropriators. That agreement on Labor-HHS, however, never came to pass when the House Republican leadership disapproved.

It is uncertain whether reauthorization will happen this year or not. It is our understanding that OMB still considers reauthorization a priority for the final Labor-HHS negotiations.

VA-HUD Appropriations

As previously reported, the VA-HUD appropriations bill providing \$458.5 million for the Corporation was signed by the President on October 13, 2000. This bill includes funds for AmeriCorps, Learn and Service America, the National Service Trust, and other important programs.

Labor-HHS Appropriations

Negotiations on this bill collapsed earlier this week when the House Republican leadership killed an agreement reached between the Administration and Congressional appropriators. The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps. Funding for these programs was not the cause of the failure.

Schedule for Harris Wofford

Printed 11/30/0



Start Time	End Time	Subject	Details	Location
Thursday 30/November/2000				
08:13:00	09:59:00	Depart Philadelphia for Union Station, Metroline No: 103, Reservation No: 2V122045		
11:00:00	12:00:00	Disability Senior Staff Decision Meeting	POC: Nancy Talbot x470	8410
13:00:00	13:30:00	Bob Goodwin and Wendy Zenker		
Friday 1/December/2000				
12:30:00	13:56:00	Depart Washington National for Boston, US Air Flt: 6412, Terminal B, Ref:RFCGZR	RON: Doubletree Hotels -- Inn at Harvard-Cambridge, 1201 Massachusetts Ave., Cambridge, MA 02138, 617/491-2222; 617/520-3711 fax; Confirmation: 81783406 Dollar Rent a Car, Boston Pick up; Confirm No: R0713129; 617/634-0006	
18:30:00	19:30:00	National Collegiate Conference on Community Service -- HW to speak on the intersection of government and community service and his experience at AmeriCorps	POC: Michael Thakur, Phillips Brooks House Association Vice President, thakur@fas.harvard.edu	Harvard
Saturday 2/December/2000				
12:00:00	13:41:00	Depart Boston for Washington National, US Air Flt: 6521, Terminal B, Ref: RFCGZR		
Sunday 3/December/2000				
00:00:00	00:00:00			
Monday 4/December/2000				
10:00:00	15:00:00	Board Retreat		DC
Tuesday 5/December/2000				
00:00:00	00:00:00			

Start Time	End Time	Subject	Details	Location
		Congress Returns FYI: Eugene Lang in DC FYI: Official Launch of International Year of Volunteers 2001		
09:00:00	09:30:00	Digital Divide Conference -- you're asked to do introduction	Crowne Plaza Hotel, 14th & K Sts. NW POC: Thea Kachoris ext.562	DC
09:30:00	10:30:00	Senior Staff Meeting		Rm. 8410
10:30:00	11:30:00	NCCC Advisory Board Meeting -- said a tentative yes to your being there.		9520
17:00:00	17:00:00	National Commission on Service Learning Reception/Dinner	POC: Leslie Hergert	
Wednesday, 16 December 2000				
08:00:00	09:00:00	Senate Prayer Breakfast		S-115
08:30:00	16:00:00	National Commission for Service-Learning Meeting	POC: Leslie Hergert	
17:30:00	19:30:00	FYI: General Federation of Women's Clubs' Holiday Reception		1734 N St., NW
18:30:00	21:30:00	Private Dinner at the home of Senator and Mrs. Evan Bayh to honor the new Democratic Senators	6:30 Cocktails 7:00 Dinner You may bring a guest.	5170 Tilden Rd, NW

Thursday, 17 December 2000

00:00:00 00:00:00

12:00:00 13:00:00

Lunch with Peter Gallagher and Father Bill
ByronPOC: Rhonda West, America's Promise, TBD
703/535-3805

16:00:00 16:30:00

4:15 Meet Gina Bailey McKell, new ED of
Alabama Commission

Your office

Friday, 18 December 2000

Start Time	End Time	Subject	Details	Location
00:00:00	00:00:00			
11:00:00	12:00:00	Meet with Catherine Reynolds	This is your friend from SC who tried meeting with you a month or two ago. (803-777-6236)	Your Office
12:30:00	13:30:00	Lunch with Fred Grande, formerly of Goodwill Industries	POC: Nancy Shepherd, Assistant, 301/530-6500	TBD
Saturday, 9/December/2000				
00:00:00	00:00:00			
Sunday, 10/December/2000				
00:00:00	00:00:00			
Monday, 11/December/2000				
08:00:00	16:00:00	Frostburg Event		
Tuesday, 12/December/2000				
00:00:00	00:00:00	FYI: Lawrence Fish in town through tomorrow		
14:00:00	16:00:00	Quo Vadis Session with Senior Staff		
18:00:00	21:00:00	Council on Foreign Relations Reception to Celebrate the Holiday Season		1779 Massachusetts Ave NW
Wednesday, 13/December/2000				
00:00:00	00:00:00	FYI: Day in New York		
11:00:00	12:30:00	Monthly IG/CEO Briefing		Your Office or 8501
18:00:00	20:00:00	Council on Foreign Relations Reception to Celebrate the Holiday Season		58 East 68th St., New York

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: November 1, 2000

Reauthorization

The White House, through OMB, and the Corporation had been working to get the Corporation's reauthorization attached to the Labor-HHS Appropriations bill for FY 2001. Our first major hurdle was getting Senator Gregg to release his hold on the bill. The Corporation and OMB had come to an agreement that addressed the concerns of Senator Gregg and others. Congressman Goodling, however, did not approve of the agreement and as of Monday, October 30, the Corporation's reauthorization was not included in the final Labor-HHS agreement reached between the Administration and the appropriators. That agreement on Labor-HHS, however, never came to pass when the House Republican leadership disapproved.

It is uncertain whether reauthorization will happen this year or not. We remain optimistic and hope that the extended Continuing Resolution will help ease tensions. We will continue to work the issue during the time Congress is away.

VA-HUD Appropriations

As previously reported, the VA-HUD appropriations bill providing \$458.5 million for the Corporation was signed by the President on October 13, 2000. This bill includes funds for AmeriCorps, Learn and Service America, the National Service Trust, and other important programs.

Labor-HHS Appropriations

Negotiations on this bill collapsed earlier this week when the House Republican leadership killed an agreement reached between the Administration and Congressional appropriators. The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps. Funding for these programs was not the cause of the failure.

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: October 27, 2000

Reauthorization

The White House, through OMB, is in final negotiations on the Labor-HHS Appropriations bill for FY 2001. It our hope that the Corporation's reauthorization legislation will be attached to this vehicle. The key figure in these negotiations is Senator Ted Stevens, Chairman of the Senate Appropriations Committee. We understand that he has been contacted from several sources about the importance of reauthorization. We appreciate the support the White House has given to us in this effort.

VA-HUD Appropriations

Today, The President signed the FY 2001 VA-HUD Conference Report. The Corporation received \$458.5 million for national service, including AmeriCorps and Service-Learning. This represents an increase of \$26 million above the amounts enacted in the prior year. The bill provides \$231 million for AmeriCorps Grants and \$70 million for the National Service Trust, representing a slight increase above the prior year level. The budget for AmeriCorps*National Civilian Community Corps is increased from \$18 to \$21 million, thereby increasing the size of this residential program based on the model of the Civilian Conservation Corps. Funding levels for Learn and Serve America and certain other service activities are the same as FY 2000. Additional funds are also provided for program administration. The bill rescinds \$30 million of prior-year funds from the National Service Trust.

The Points of Light Foundation will receive \$10 million, an increase of \$2.5 million above the prior year level. The bill also provides funding for a number of organizations for the first time. America's Promise - the Alliance for Youth receives \$7.5 million to support its efforts to mobilize people from every sector of American life to build the character and competence of our nation's youth. Special funding is also targeted to a number of nonprofit organizations, including Communities in Schools, Boys and Girls Clubs, Parents as Teachers, and the Youth Life Foundation.

Labor-HHS Appropriations

Negotiations on this bill are still on going. The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps. The current negotiations on the Labor-HHS Conference report do not involve the funding for Corporation programs. We are hopeful that the Corporation's reauthorization legislation will be added to this bill

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: October 20, 2000

Reauthorization

Senator Judd Gregg (R-NH) has placed a hold on the Corporation's reauthorization bill in the Senate, S. 2764. According to sources, he placed the hold because he does not want to "tie the hands" of the next presidential administration. He is apparently not opposed to the State Commissions that the Corporation funds or the work that the AmeriCorps members do. We have reason to believe that even if he removes his hold another Republican will place a hold on the bill. Given Senator Gregg's hold on the bill and the potential for other holds, it is imperative that the President communicate to Congress that reauthorization of the Corporation for National Service is a top priority for this session of Congress.

This situation is in a constant state of flux and we will do our best to keep the White House informed of changes. This report reflects the current status. Bipartisan support for reauthorization remains strong. The Senate bill has 34 cosponsors and the House bill, H.R. 4740, has 143 cosponsors.

VA-HUD Appropriations

The House and Senate passed the FY 2001 VA-HUD Conference Report. The Corporation received \$458.5 million for national service, including AmeriCorps and Service-Learning. This represents an increase of \$26 million above the amounts enacted in the prior year. The bill provides \$231 million for AmeriCorps Grants and \$70 million for the National Service Trust, representing a slight increase above the prior year level. The budget for AmeriCorps*National Civilian Community Corps is increased from \$18 to \$21 million, thereby increasing the size of this residential program based on the model of the Civilian Conservation Corps. Funding levels for Learn and Serve America and certain other service activities are the same as FY 2000. Additional funds are also provided for program administration. The bill rescinds \$30 million of prior-year funds from the National Service Trust.

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Labor-HHS Appropriations

We understand that congressional appropriations negotiators met with White House officials this week to discuss the Labor-HHS-Education spending bill. Although Congress has increased its funding levels for this bill, the administration is asking for more money to fund key programs, particularly in education. Both sides are interested in a compromise.

The House Labor-HHS bill passed the House on June 14 with funding for the DVSA programs being funded at \$294.5 million, virtually frozen at the FY2000 levels.

The Senate Full Committee hearing was held May 11th. The funding for DVSA programs was approved at the level passed by the Senate subcommittee - \$302.5 million. The Senate approved their bill by voice vote with an increase in DVSA programs to \$302.5 million.

The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps.

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: September 29, 2000

Reauthorization

There has been a lot of activity on obtaining passage of the Corporation's reauthorization. Governor Marc Racicot (R-MT), a member of the Corporation's Board of Directors, spoke to Majority Leader Lott about moving the bill (S. 2764) through the Senate by unanimous consent. The Majority Leader indicated that he was willing to do that, provided that Democrats would not seek to amend the bill. Senator Daschle's office has indicated that they support doing this bill by unanimous consent. Governor Racicot has subsequently spoken with Senator Burns's office (one of our cosponsors) and they will contact the Majority Leader about hotlining the bill. Currently, S. 2764 has 31 cosponsors.

Rep. Chris Shays and Rep. Chip Pickering circulated our Governors' support letter to the entire Republican delegation. Forty-nine of the nation's governors signed a letter supporting reauthorization. Rep. Shays has expressed his concern that the President has not made it clear to the House leadership that reauthorization is a priority. Governor placed calls to members of the House leadership, but has been unable to speak directly to any members. The House bill, H.R. 4740 has 124 cosponsors.

VA-HUD Appropriations

Negotiations on VA-HUD and the other spending bills are still ongoing. We have not heard any new information regarding status of the Corporation's appropriation. The House did not provide any funding for the Corporation and the Senate bill provided \$433.5 million in funding, a minimal increase over the FY 2000, but \$95 million below the Administration's request. The Senate bill cuts AmeriCorps grants by \$26 million, effectively undermining the Administration's goal of increasing AmeriCorps participation by 12,000. In addition, the bill contains a \$50 million rescission in the National Service Trust that will endanger the Corporation's ability to pay education awards. More detail on the Corporation's objections to the Senate VA-HUD package is attached to this report.

Labor-HHS Appropriations

We understand that congressional appropriations negotiators met with White House officials this week to discuss the Labor-HHS-Education spending bill. Although Congress has increased its funding levels for this bill, the administration is asking for more money to fund key programs, particularly in education. Both sides are interested in a compromise.

The House Labor-HHS bill passed the House on June 14 with funding for the DVSA programs being funded at \$294.5 million, virtually frozen at the FY2000 levels.

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The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps.

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: October 6, 2000

Reauthorization

Activity continues on moving the Corporation's reauthorization bill through the Congress and support for the reauthorization continues to grow. The Senate version of the bill, S. 2764, has 34 cosponsors and the House bill, H.R. 4740, has 130 cosponsors. The Majority Leader indicated that he was willing to do that, provided that Democrats would not seek to amend the bill. The Democrats have cleared the bill on their side of the aisle.

VA-HUD Appropriations

Negotiations on VA-HUD and the other spending bills are still ongoing. We have not heard any new information regarding status of the Corporation's appropriation. The House did not provide any funding for the Corporation and the Senate bill provided \$433.5 million in funding, a minimal increase over the FY 2000, but \$95 million below the Administration's request. The Senate bill cuts AmeriCorps grants by \$26 million, effectively undermining the Administration's goal of increasing AmeriCorps participation by 12,000. In addition, the bill contains a \$50 million rescission in the National Service Trust that will endanger the Corporation's ability to pay education awards. More detail on the Corporation's objections to the Senate VA-HUD package is attached to this report.

Labor-HHS Appropriations

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The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps.

MEMORANDUM

To: Chuck Brain
From: Kevin J. Avery
Subject: Corporation for National Service Weekly Report
Date: September 22, 2000

VA-HUD Appropriations

The VA-HUD Appropriations bill is in considerable flux right now. The House did not provide any funding for the Corporation and the Senate bill provides \$433.5 million in funding, a minimal increase over the FY 2000, but \$95 million below the Administration's request. The Senate bill cuts AmeriCorps grants by \$26 million, effectively undermining the Administration's goal of increasing AmeriCorps participation by 12,000. In addition, the bill contains a \$50 million rescission in the National Service Trust that will endanger the Corporation's ability to pay education awards. More detail on the Corporation's objections to the Senate VA-HUD package is attached to this report.

We have received word that staff discussions are taking place, but so far the Corporation's funding has not been specifically addressed. According to staff, as of 9/21, the House had not decided whether to attach VA-HUD to the Transportation conference report. Another source informed us that there may be a "conference" on Tuesday of next week.

Labor-HHS Appropriations

We understand that congressional appropriations negotiators met with White House officials this week to discuss the Labor-HHS-Education spending bill. Although Congress has increased its funding levels for this bill, the administration is asking for more money to fund key programs, particularly in education. Both sides are interested in a compromise.

The House Labor-HHS bill passed the House on June 14 with funding for the DVSA programs being funded at \$294.5 million, virtually frozen at the FY2000 levels.

The Senate Full Committee hearing was held May 11th. The funding for DVSA programs was approved at the level passed by the Senate subcommittee - \$302.5 million. The Senate approved their bill by voice vote with an increase in DVSA programs to \$302.5 million.

The Labor-HHS bill funds AmeriCorps*VISTA and the Senior Corps.

Reauthorization

There was quite a bit of activity on the reauthorization front for the Corporation. On Wednesday we released a letter signed by 49 of the nation's governors, including George W. Bush, in support of reauthorization. The only governor not to sign on was Owens of Colorado. The Senate Health, Education, Labor, and Pensions Committee approved S. 2764, the National and Community Service Amendments Act of 2000, on a voice vote. Currently, S. 2764 has 30 cosponsors (16 Dem.; 10 Rep.). Senator Kennedy is the sponsor of the bill. The bill will receive

full Senate consideration in September and it is expected to pass. The House companion bill, H.R. 4740, has 100 cosponsors (92 Dem.; 8 Rep.). Rep. Chris Shays is the sponsor of H.R. 4740.

CORPORATION FOR NATIONAL SERVICE

FISCAL YEAR 2001 BUDGET DISCUSSION

(dollars in thousands)

Activity =====	1998 Enacted =====	1999 Enacted =====	2000 Enacted =====	2001 President's Budget =====	2001 Senate Committee =====	Difference 2001 Senate - President's Budget =====	Difference: 2001 Senate -2000 Enacted =====
National and Community Service Act (NCSA): (funded by HUD/VA appropriations)							
National Service Trust [Rescission from previous appropriation acts]	\$70,000	\$70,000	\$69,395 (\$80,000)	\$79,600	\$75,000 (\$50,000)	(\$4,600)	\$5,605
AmeriCorps Grants:							
State Funds	187,000	197,000	189,000	233,000	162,500	(70,500)	(26,500)
National Direct Funds	40,000	40,000	45,000	51,000	45,000	(6,000)	0
	=====	=====	=====	=====	=====	=====	=====
Subtotal, AmeriCorps Grants	227,000	237,000	234,000	284,000	207,500	(76,500)	(26,500)
Innovation, Assistance, and Other Activities	30,000	28,500	28,500	42,500	28,500	(14,000)	0
Earmarks for Comm. In Schools, Boys and Girls Clubs, Parents as Teachers	0	0	0	0	10,000	10,000	10,000
Evaluations	5,000	5,000	5,000	5,000	5,000	0	0
National Civilian Community Corps	18,000	18,000	17,892	21,000	18,000	(3,000)	108
Learn and Serve America: K-12 and Higher Ed	43,000	43,000	43,000	46,000	43,000	(3,000)	0
Program Administration/State Commissions							
Program Administration	16,200	18,300	17,100	21,200	17,400	(3,800)	300
State Commissions	10,800	10,200	10,795	14,400	11,600	(2,800)	805
	=====	=====	=====	=====	=====	=====	=====
Subtotal, Admin. and State Commissions	27,000	28,500	27,895	35,600	29,000	(6,600)	1,105
Points of Light Foundation	5,500	5,500	7,471	7,500	10,000	2,500	2,529
America's Promise	0	0	0	7,500	7,500	0	7,500
	=====	=====	=====	=====	=====	=====	=====
Subtotal, NCSA	\$425,500	\$435,500	\$433,153	\$528,700	\$433,500	(\$95,200)	\$347
Inspector General	3,000	3,000	3,985	5,000	5,000	0	1,015
	=====	=====	=====	=====	=====	=====	=====
Subtotal, NCSA and OIG	\$428,500	\$438,500	\$437,138	\$533,700	\$438,500	(\$95,200)	\$1,362

Notes: Excludes transfer of \$1 million from Trust to the Inspector General as part of the 2000 supplemental.



U.S. Department of Justice

Office of Legislative Affairs

Office of the Assistant Attorney General

Washington, D.C. 20530
September 14, 2000

MEMORANDUM FOR CHARLES BRAIN

FROM:

Robert Raben
Assistant Attorney GeneralSUBJECT: Weekly Report for September 11, 2000 - September 15, 2000**THE WEEK AHEAD**

Wen Ho Lee: Senate Judiciary Committee staff and Intelligence Committee staff were advised on Sunday, September 10, of the pending plea agreement in this case. Staff from the Senate Intelligence Committee (Shelby) and the Senate Energy Committee (Murkowski and Bingaman) have called requesting briefings. Senator Specter announced on the Senate floor on September 11 his intent to hold a hearing and his staff have indicated his intent to obtain all documents related to the case. Staff of all interested committees were sent copies of the plea agreement after it was filed with the court on September 13. The Senate Judiciary Committee has tentative plans to hold a hearing on either September 26 or 27, with witnesses from the Federal Bureau of Investigation and the Department still to be requested. The Senate Intelligence Committee has tentative plans to hold a closed hearing the week of September 25 with Attorney General Reno, Director Freeh and Energy Secretary Richardson as potential witnesses. The Intelligence Committee has also asked for a staff briefing on this on September 15, which is still being scheduled.

Intelligence Committees: Senate Intelligence (Shelby, Chair) attempted to hotline the Intelligence Authorization bill (which contains the leak prosecution provision, among others) but a hold was put on it by Senator Moynihan in order to attach his declassification board bill (which Representative Goss has introduced in the House). Staff from both the House and Senate have requested briefings on several subjects, including FISA, Pan Am 103, drug kingpin legislation, and other matters; scheduling of these briefings is in progress.

FISA: Draft language to fix text in the FISA amendments that passed Senate Judiciary and Intelligence was sent over to the Department for approval; Senate Intelligence has asked to see drafts of the reports they requested as a condition for revising the funding fence-off language from the bill.

Preparedness Against Terrorism Act: On September 11, the Office of Legislative Affairs and the Federal Bureau of Investigation met with majority staff for Senate Environment and Public Works (Smith, Chair) to discuss H.R. 4210, the "Preparedness Against Terrorism Act." The Administration, the Department and the Bureau are opposed to this bill.

Meeting about Gun Prosecutions in Baltimore: On September 11, representatives of the Office of the Deputy Attorney General, the Executive Office for U.S. Attorneys and the Office of Legislative Affairs met with staff of Chairman Hyde and Congressman McCollum concerning gun prosecutions in Baltimore.

Telecom Mergers: The House Commerce Committee (Bliley, Chair) held a hearing on September 7 on telecommunications mergers involving foreign government ownership of U.S. telecommunications companies. Deputy Assistant Attorney General Kevin DiGregory from the Criminal Division and Federal Bureau of Investigation General Counsel Larry Parkinson testified. Follow-up questions to the Antitrust Division were sent by Chairman Tauzin.

The Department continues to work with House and Senate staff contacts on pending legislation (S. 467 [DeWine/Kohl] and H.R. 4019 [Pickering/Tauzin]), and on the pending telecom merger bills that would prohibit mergers of a U.S. telecom company with a company with more than 25 percent foreign government ownership (S.2793 [Hollings] and H.R. 4903 [Dingell/Markey]). A briefing for House Intelligence Committee (Goss, Chair) staff on the Department's and Bureau's law enforcement and national security interests in these bills is tentatively set for September 15.

Hate Crimes: On September 13, the House passed, by a vote of 232-192, the Frank-Conyers motion to instruct conferees of the fiscal year 2001 Defense Authorization bill to include the Senate-passed hate crimes language in the final bill. The House-passed version of the bill does not include hate crimes language. Prior to that vote, the House defeated, by a vote of 196-227, a motion by Congressman Lindsay Graham to instruct conferees not to agree to the Kennedy-Smith provisions of the Senate-passed bill. The Graham motion did not address the Hatch hate crimes provisions in the Senate-passed measure. The Department sent a letter yesterday regarding the Graham motion. The Department took the position that the Administration/Kennedy's hate crimes proposals do not violate the equal protection clause of the fourteenth amendment.

Electronic Privacy: On September 6, the House Judiciary Committee's Subcommittee on the Constitution (Canady, Chair) held a hearing on H.R. 5018 and H.R. 4987, legislation concerning electronic privacy. The Department was represented by Kevin DiGregory, Deputy Assistant Attorney General, Criminal Division and David Green, Principal Chief of Computer Crime and Intellectual Property Section.

In addition to meeting with House Judiciary Subcommittee on the Constitution staff prior to the Wednesday hearing on the electronic privacy bills, the Office of Legislative Affairs and the Computer Crime and Intellectual Property Section met with staff, the Office of Management and Budget and outside groups on September 8, with a follow-up meeting on September 12. The Department continues to oppose both bills and expects that the Departments of Treasury and Defense will share our view and begin to attend meetings on the Hill.

Environment: On September 12, Environment and Natural Resources Division Assistant Attorney General Lois J. Schiffer testified before the Senate Committee on the Environment and Public Works (Smith, Chair) on proposed environmental regulations by the Department of Transportation.

Law Enforcement and Extradition Treaties: On September 12, the Senate Foreign Relations Committee (Helms, Chair) held a hearing on pending treaties. Criminal Division Deputy Assistant Attorney General Bruce Swartz testified. Senator Grams presided.

Radiation Exposure Compensation Act: On September 12, staff from the Justice Management Division, Civil Division, and the Office of Legislative Affairs met with staff from the Senate Budget Committee (Domenici, Chair) to discuss the possibility of making RECA funding a permanent and indefinite appropriation. On September 14, we will be meeting with staff from Senator Daschle and Senator Hatch's office to discuss making technical amendments to the program, as well as funding issues.

Prosecution of Obscenity Cases: On September 13, the Department sent a response to Congressman Largent and nine other members regarding prosecution of obscenity cases. We declined to name the "top 20" producers of obscenity.

Native Hawaiian Self-Governance Hearing: On September 14, the Senate Indian Affairs Committee (Campbell, Chair) will hold a hearing and markup on S.2899/H.R.4904, which are identical bills which would clarify the political and legal relationship between the Federal Government and the Native Hawaiians as well as create a Native Hawaiian self-governing body. Jacqueline Agtuca, Acting Director of the Office of Tribal Justice, will testify on behalf of the Department.

Charitable Choice Issue Forum: On September 14, Congressman Robert C. "Bobby" Scott will host a forum titled "Charitable Choice - A New Threat to Civil Rights." At the forum, the American Civil Liberties Union, the Religious Action Center of Reform Judaism, the Baptist Joint Committee, the Lawyers' Committee for Civil Rights Under Law, and the NAACP Legal Defense and Educational Fund, Inc. will speak.

Nominations: The following nomination was confirmed by the Senate on September 8: Norman C. Bay, to be United States Attorney for the District of New Mexico.

On September 7, the Senate Governmental Affairs Committee discharged the nomination of Glenn Fine to be Inspector General by unanimous consent. That nomination is now pending on the Senate Executive Calendar.

On September 7, the following nominations were sent to the Senate: Valerie K. Couch, to be a United States District Judge for the Western District of Oklahoma, and Marian McClure Johnston, to be a United States District Judge for the Eastern District of California. The nomination of Steven Achelpohl, to be a United States District Judge for the District of Nebraska, was sent to the Senate on September 12. The nomination of Richard W. Anderson, to be a United States District Judge for the District of Montana, was sent to the Senate on September 13.

On September 13, the Senate Governmental Affairs Committee held a hearing on the nominations of J. Ramsey Johnson and Gerald Fisher, both to be Associate Judges of the Superior Court of the District of Columbia.

Congressional Black Caucus Forum: On September 15, the Attorney General will appear before an issue forum on prisoner reentry being conducted by the Legislative Conference of the Congressional Black Caucus. In addition, Deputy Attorney General Holder will attend and participate in a panel on hate crimes and Civil Rights Division Deputy Assistant Attorney General Loretta King will speak on the issue of pattern and practice. On September 14, Civil Division Deputy Assistant Attorney General Thomas Perrelli participated in a panel on Black farmers.

Sales of Violent Entertainment to Children: On September 19, the Senate Judiciary Committee (Hatch, Chair) will hold a hearing on antitrust law and entertainment industry efforts to restrict marketing and sales of violent entertainment to children. It has not yet been determined whether the Administration will be asked to provide a witness.

Hearing about Preventing and Combating Crime: On September 20, the House Judiciary Committee's Subcommittee on Crime (McCollum, Chair) will conduct a hearing about programs and policies that have been effective in preventing and combating crime. The Department has not yet selected its witness.

Inspector General Report on ICITAP: On September 21, the House Judiciary Committee (Hyde, Chair) will hold a hearing on Inspector General's Report in allegations of misconduct at ICITAP and the Department's response to the Report. We are working with the Criminal Division, the Justice Management Division and others in the Department to provide documents in response to the Committee's requests and otherwise prepare for the hearing. We are uncertain yet as to which Department representatives will testify in addition to the Inspector General.

Compensation Programs for Employees in Nuclear Weapons Programs: On September 21, the House Judiciary Committee's Subcommittee on Immigration and Claims (Smith, Chair) will hold a hearing on several bills that would provide compensation to workers in Department of Energy nuclear weapons programs, who subsequently contracted certain cancers. One of the bills, H.R. 3495, would place responsibility for administering the program with the Department of Justice. We anticipate the Secretary Richardson may take the lead in testifying for the Administration, while the Department and other impacted agencies will send a witness to answer Subcommittee questions.

Waco: The House Government Reform Committee (Burton, Chair) plans to hold a hearing on October 5 to ask the Attorney General about Waco and other matters, particularly any documents responsive to Committee subpoenas including, but not limited to, Waco. Staff advise that they will send a letter that specifically identifies the documents of concern to the Committee. Our document production of Waco documents to the Committee is almost completed.

THE WEEK IN REVIEW

Application of the Privacy Act to the White House: On September 8, Deputy Assistant Attorney General William Treanor testified before the House Government Reform Subcommittee on Criminal Justice, Drug Policy and Human Resources (Mica, Chair) about the Department's long-standing legal position that the Privacy Act does not apply to the Office of the White House. Full Committee Chairman Burton and Representative Barr questioned Mr. Treanor at length about this view and we may receive follow-up questions to complete the hearing record.

Mr. Treanor was followed by a panel of witnesses, including Professor Jonathan Turley of George Washington University Law School and Mr. Larry Klayman of Judicial Watch, who opined that the statute already applies or should apply to the White House. We are unaware of any pending legislation on this subject at this time.

Counterfeit Currency Briefing: On September 8, representatives of the Criminal Division and the Office of Legislative Affairs joined representatives of the Secret Service in briefing House Banking Committee Chairman Leach about issues relating to counterfeit currency.

McDonnell-Douglas: In a motions hearing in this case on September 5, House of Representatives General Counsel, on behalf of GAO, requested and was granted a two week extension of time to intervene in this case to prevent disclosure to the defense of certain witness statements GAO voluntarily turned over to the office of the U.S. Attorney's office for the District of Columbia.