

President Has Seen

PHOTOCOPY
PRESERVATION

The President Has Seen

December 2000

THE PRESIDENT HAS SEEN

9-26-00

PROGRESSIVE GOVERNANCE DINNER

HILTON ROOM - SEATING

New York, New York

Wednesday, September 6, 2000

12-19-00

Carol was working
w/ Sid Blumenthal's
office re attached
photos did not turn
out from this
event OK to
send to oem?
YES

Advocate Mojanku Gumbi

President Thabo Mbeki

Sidney Blumenthal

POTUS

Par Nuder

PM Goran Persson

1. Push & leave
all names from this
and
1. PM
all names from this
and

Chancellor Gerhard Schroeder

Michael Steiner

PM Tony Blair

David Miliband

Dr. Fernando de la Rúa

Adalberto Rodriguez Giavarini

PM Costas Simitis

Nikolaos Themelis

President Giuliano Amato

Marta Dassu

W.J.P. Wim Geerts

PM Wim Kok

Ricardo A. Lagos

President Ricardo Lagos

Chaviva Hosek

PM Jean Chretien

Maria Joao Rodrigues

PM Antonio Guterres

Heather Simpson

PM Helen Clark

Who should
we copy?
Podesta
Carol - pls handle
photos w/ NSC

PHOTOCOPY
WJC HANDWRITING

11-25-00

THE WHITE HOUSE
WASHINGTON

Do #1

MEMORANDUM FOR THE PRESIDENT AND THE FIRST LADY

From: Capricia Penavic Marshall *CPM*

Date: November 21, 2000

Re: National Medal of Arts and Humanities Ceremony

Here is the list of the Arts and Humanities awardees:

2000 NATIONAL MEDAL OF THE ARTS

- | | |
|-------------------------|------------------------------------|
| • Barbara Streisand | Singer/Songwriter, Actor |
| • Mikhail Baryshnikov | Dancer |
| • Benny Carter | Jazz Musician, Composer, Conductor |
| • Chuck Close | Painter |
| • Horton Foote | Playwright |
| • National Public Radio | Cultural Programming |
| • Maya Angelou | Author, Actor |
| • Eddy Arnold | Country Singer |
| • Lewis Manilow | Patron |
| • Claes Oldenburg | Sculptor |
| • Itzhak Perlman | Violinist, Conductor |
| • Harold Prince | Musical Theater Producer, Director |

11-25
copied
c.p. Marshall
Podesta**2000 NATIONAL MEDAL OF THE HUMANITIES**

- Will D. Campbell
- Judy Crichton
- David Driskell
- Ernest Gaines
- Herman Guerrero
- Quincy Jones
- Edmund Morgan
- Toni Morrison
- Virginia Driving Hawk
- Robert Bellah
- Barbara Kingsolver
- Earl Shorris

PHOTOCOPY
WJC HANDWRITING

The proposed program for the Arts and Humanities Awards is as follows:

- 10:30 AM Small Meet and Greet in the Blue Room with NEA, NEH and PCAH Council Member
- 10:40 AM Awardees and their families meet with YOU in the East Room
- 11:05 AM YOU depart from the White House with the awardees and their families in the motorcade en route DAR Constitution Hall for the Arts and Humanities Ceremony
- 11:15 AM Arts and Humanities Award Ceremony begins on stage on Constitution Hall
- 12:20 PM YOU depart from DAR en route the White House
- 1:00 PM YOU host an open house for those who attended the awards ceremony
- 7:00 PM Guests begin to arrive for the Arts and Humanities Dinner

The entertainment for the evening is Leonard Slatkin and the National Symphony Orchestra. They have sent us three different proposals. Please let me know which proposal you prefer.

Program Proposal 1 (with Mr. Hampson narrating)

- Schuman *Chester* from New England Triptych
- Gould American Salute
- Ellington *Rialto Ripples* from The River
- Grofe Excerpt from Grand Canyon Suite
- Copland Three Songs from Old American Songs (with Mr. Hampson)
- Ives American Variations

Program Proposal 2 (with the President narrating)

- Schuman *Chester* from New England Triptych
- Gould American Salute
- Ellington *Rialto Ripples* from The River
- Grofe Excerpt from Grand Canyon Suite
- Ives American variation
- Copland Excerpt from Lincoln Portrait (the President narrating)

Program Proposal 3

- Combination of first two programs with Mr. Hampson and the President narrating

Each program is 18-20 minutes in length

THE PRESIDENT HAS ACCEPTED
12-21-00

Dinner in honor of
Senator-Elect Hillary Rodham Clinton

Monday, December 18, 2000
at 7:30 PM
WAT 42A

GUEST LIST

HOST AND HOSTESS

Ambassador Richard Holbrooke and Ms. Kati Marton Holbrooke
US Representative to the United Nations,
United States Mission to the United Nations

GUEST OF HONOR

First Lady Hillary Rodham Clinton
The First Lady of the United States

GUESTS

accept

Mr. Edgar Bronfman, Sr. and Ms. Jan Aronson
Joseph E. Seagram & Co.

accept

H.E. Mr. Anwarul Karim Chowdhury and Mrs. Mariam Chowdhury
Permanent Representative of the People's Republic of Bangladesh
Permanent Mission of the People's Republic of Bangladesh to the United
Nations

accept

Ms. Judy Collins and Mr. Louis Nelson
Rocky Mountain Productions, Inc.

accept

Mr. Robert De Niro
Actor

accept

Mr. Harrison Ford
Actor

accept

Mr. John Guare and Ms. Adele Chatfield-Taylor
Playwright

accept

Mr. Morton Janklow and Mrs. Linda Janklow
Senior Partner, Janklow, Nesbit Associates

accept

Ms. Caroline Kennedy and Mr. Ed Schlossberg

accept	Mr. Joe Lelyveld and Mrs. Carolyn Lelyveld Executive Editor, New York Times
accept	Ms. Maya Lin and Mr. Daniel Wolf
accept	H.E. Mr. Chief Arthur C. I. Mbanefo and Mrs. Jacqueline Mbanefo Permanent Representative of Nigeria Permanent Mission of Nigeria to the United Nations
accept	Mr. Jim Naughton and Mrs. Pam Naughton Actor
accept	Mr. Alan Patricof and Mrs. Susan Patricof Co-Chairman, Patricof & Co.
accept	Mr. Steve Rattner and Ms. Maureen White Quadrangle Group LLC
accept	Ambassador Felix G. Rohatyn and Mrs. Elizabeth Rohatyn United States Ambassador to France
accept	Mr. Arthur Schlesinger Writer, Historian
accept	Mr. David Stern and Mrs. Dianne Stern NBA Commissioner
accept	Mr. George Stevens and Mrs. Elizabeth Stevens Filmmaker
accept	Mr. Peter Stone Playwrite
accept	Mr. Howard Stringer and Dr. Jennifer Patterson Sony Corporation of America
accept	Mr. Arthur Ochs Sulzberger Jr. and Ms. Gail Gregg Publisher, New York Times
accept	Ms. Melanne Verveer Chief of Staff to the First Lady The White House
accept	Ms. Barbara Walters Anchor, 20/20, ABC News
accept	Mr. Steve Weisman and Ms. Elisabeth Bumiller NY Times
accept	Mr. David Westin and Mrs. Sherrie Rollins Westin President, ABC News
accept	Mr. Mort Zuckerman Editor-in-Chief, US News & World Report, NY Daily News

Lisel -
everyone
has their
copies

12-4-00

THE WHITE HOUSE
WASHINGTON

November 28, 2000

copied
 Podesta
 Bradtke
 staff sec

✓
→ Graham
 Street.

MR. PRESIDENT:

In choosing Medal of Freedom recipients for the August, 2000 ceremony, you indicated you would like to discuss the option of awarding the Medal to Nelson Mandela, Archbishop Tutu and Aung San Suu Kyi; as you may recall, John and Melanne recommended holding off and making these awards as part of a human rights ceremony in the fall with the First Lady.

In a separate memo (attached), Melanne outlines a proposed human rights event for next week at which you would present the Eleanor Roosevelt Human Rights Awards. If you choose to do this event, it would provide an opportunity for you to make one or more of these three Medal of Freedom awards, along with the Eleanor Roosevelt awards. The Medal of Freedom could also be awarded at a separate event.

Brief descriptions of the three candidates are attached. If you approve, we would notify the recipients as soon as possible and begin preparing their medals and citations.

CC: 6
Send on
to
reads
12.11.00

Nelson Mandela

Approve ☒

Disapprove ☐

Discuss ☐

Archbishop Tutu

Approve ☐

Disapprove ☐

Discuss ☐

Aung San Suu Kyi

Approve ☒

Disapprove ☐

Discuss ☐

Let's go
up to
Mandela
get at least one
✓

Lisel Loy. *RL*

THE WHITE HOUSE
WASHINGTON

November 28, 2000

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Nelson Mandela

Approve _____ Disapprove _____ Discuss _____

Archbishop Tutu

Approve _____ Disapprove _____ Discuss _____

Aung San Suu Kyi

Approve _____ Disapprove _____ Discuss _____

Lisel Loy. 

426743

CC: (aia)
S. Street
in
envelope
close h
11-29-00

7-10-00
THE WHITE HOUSE
WASHINGTON

July 10, 2000

MR. PRESIDENT:

For the August 9th Medal of Freedom ceremony, you have indicated you would like to award the Medal to 17 people from the list you received (copy attached). From that list, John recommends that you consider Cox, Motley and Greenberg for the Citizens Medal instead; if you approve, that would leave the following 14 recipients: Taylor, Edelman, Clark, Burke, Higgins, Jackson, Krim, Galbraith, Wiesenthal, Crowe, McGovern, Chafee, Moynihan, and Jeffrey. Maria is working to identify 1-2 Hispanic candidates to add to the list.

For the major international human rights candidates (Mandela, Suu Kyi and Tutu), John and Melanne recommend you postpone your decision until after the August ceremony and consider making one or more of those awards separately, perhaps as part of a major human rights event with the First Lady in the fall.

We recommend moving the remaining names from the original list to the Citizens Medal list we're preparing for your review.

If you approve, we would like to notify the core group of 14 of your decision and the upcoming ceremony and begin preparing their medals and citations.

Approve ☒

Disapprove ☐

Discuss ☐

Lisel Loy 

to redefine relations between Washington and New Delhi. He also was chairman of Americans for Democratic Action from 1967-69 and taught economics at Harvard College for nearly 30 years.

Approve ☒

Disapprove ☐

Discuss ☐

International Human Rights

Given the high profile and important contributions of Mandela, Suu Kyi, and Tutu, you may wish to hold a separate ceremony if you choose one or more of these first 3 international candidates. For your information, from the total list of 5 candidates in this category, Dr. Pisar is the only U.S. citizen.

Nelson Mandela, 81.

Freed after serving 27 years of a life sentence imposed for sabotage and treason, Mandela became South Africa's first democratically elected president and held the position from 1994 to 1999. In 1993, he shared the Nobel Peace Prize with F. W. de Klerk, his Vice President, for their efforts to end apartheid.

Approve ☐

Disapprove ☐

Discuss ☐

Aung San Suu Kyi, 54.

Co-founder of the National League for Democracy, Suu Kyi is the leader of Burma's opposition force and pro-democracy movement. In 1989, she was placed under house arrest for violating a government ban on political activity, and she was awarded the Nobel Peace Prize in 1991 for her efforts to bring democracy and human rights to Burma through peaceful means. In 1995, the junta finally released her from confinement. She refuses to travel outside Burma for fear that if she leaves, the junta will not let her back into the country. NSC recommends that Secretary Albright receive the Medal on Suu Kyi's behalf should you choose to make the award.

Approve ☐

Disapprove ☐

Discuss ☐

Archbishop Desmond Tutu, 68.

The first black Anglican bishop of Johannesburg and archbishop of Cape Town, Tutu has devoted his career to the pursuit of human rights. He is the former Secretary-General of the South African Council of Churches, and he chaired South Africa's Truth & Reconciliation Commission after the election of the African National Congress in 1994. Tutu has worked extensively to ease racial tensions in South Africa, emphasizing nonviolent means of protest and encouraging economic pressure by countries dealing with South Africa, and his efforts in combating apartheid earned him the 1984 Nobel Peace Prize.

Approve ☐

Disapprove ☐

Discuss ☐

* * *

2000 Medal of Freedom

7-5-00

Nominee	Approve	Disapprove	Discuss
Monsignor George G. Higgins	✓		
The Reverend Jesse Jackson	✓		
Constance Baker Motley	✓		
Jack Greenberg			✓
Daisy Bates			✓
John Sengstacke			✓
Dr. Mathilde Krim	✓		
Hank Aaron			✓
Muhammad Ali			✓
John Kenneth Galbraith	✓		
Nelson Mandela			✓
Aung San Suu Kyi	✓		✓
Archbishop Desmond Tutu			✓
Simon Wiesenthal	✓		
Dr. Samuel Pizar			✓
Admiral William Crowe	✓		✓
John F. Seiberling	✓		✓
George McGovern	✓		
John Chafee	✓		✓
Shirley Chisholm	✓		
Senator Daniel Patrick Moynihan	✓		
Mildred "Millie" Jeffrey	✓		✓
The Reverend Addie Wyatt			✓

THE WHITE HOUSE
WASHINGTON

July 10, 2000

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If you approve, we would like to notify the core group of 14 of your decision and the upcoming ceremony and begin preparing their medals and citations.

Approve ☒

Disapprove ☐

Discuss ☐

Lisel Loy 

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Approve ☒ Disapprove ☐ Discuss ☐

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Approve ☐ Disapprove ☐ Discuss ☐

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Approve ☐ Disapprove ☐ Discuss ☐

* * *

2000 Medal of Freedom

7-5-00

Nominee	Approve	Disapprove	Discuss
Monsignor George G. Higgins	✓		
The Reverend Jesse Jackson	✓		
Constance Baker Motley	✓		
Jack Greenberg			✓
Daisy Bates			✓
John Sengstacke			✓
Dr. Mathilde Krim	✓		
Hank Aaron			✓
Muhammad Ali			✓
John Kenneth Galbraith	✓		
Nelson Mandela	✓		✓
Aung San Suu Kyi	✓		✓
Archbishop Desmond Tutu			✓
Simon Wiesenthal	✓		
Dr. Samuel Pizar			✓
Admiral William Crowe	✓		✓
John F. Seiberling	✓		✓
George McGovern	✓		
John Chafee	✓		✓
Shirley Chisholm	✓		
Senator Daniel Patrick Moynihan	✓		
Mildred "Millie" Jeffrey	✓		✓
The Reverend Addie Wyatt			✓

THE WHITE HOUSE
WASHINGTON

November 22, 2000

MEMORANDUM FOR THE PRESIDENT

FROM: MELANNE VERVEER
LISEL LOY
DELIA COHEN

SUBJECT: AWARD OF THE PRESIDENTIAL CITIZENS MEDAL

The Presidential Citizens Medal was established on November 13, 1969, by Executive Order 11494. The medal is awarded by you to U.S. citizens who have performed exemplary deeds of service for our nation -- but of a slightly lesser impact or scope than those performed by Presidential Medal of Freedom recipients. To date, 90 medals have been awarded overall: 2 by President Nixon, 57 by President Reagan, 16 by President Bush, and 15 by you. No medals were awarded by President Ford or President Carter.

We are working with Scheduling to set up a Citizens Medal event.

Civil Rights

Irene Morgan, 83.

In Gloucester, Virginia, in 1944, Irene Morgan refused to relinquish her seat in the back of a Greyhound bus to a white couple. Knowing that she had not violated any segregation law, she resisted arrest and was thrown in jail. Two NAACP lawyers, Thurgood Marshall and William Hastie, appealed her arrest and \$10 fine to the U.S. Supreme Court. Their appeal resulted in a landmark decision in 1946 that struck down Jim Crow segregation in interstate transportation.

Approve ☒ Disapprove ☐ Discuss ☐

Ruby Bridges, 46.

On November 14, 1960, six-year-old Ruby Bridges, escorted by 75 federal marshals, became the first African American student to attend William Frantz Elementary School. Today, she represents the Ruby Bridges Foundation, a nonprofit group created in 1995 to improve education, visiting schools across the country to share her story with young people. To commemorate her courage, she was made an Honorary U.S. Marshal in August 2000.

Approve ☒ Disapprove ☐ Discuss ☐

11-22-00

copy of
Verveer

Log

Cohen

Podesta

Saunders

John Sengstacke (posthumous; died in 1997).

As publisher and editor of the *Chicago Defender*--a newspaper his uncle founded in 1905--Sengstacke provided an important outlet for the African American voice for 57 years. W.E.B. DuBois and Langston Hughes were among those whose work appeared in Sengstacke's paper. Sengstacke was also instrumental in the integration of the U.S. Armed Forces--as a member of the Fahey Commission (one of 10 Presidential appointments he received) and through his newspaper, he argued that President Truman should integrate U.S. troops. Sengstacke also persuaded President Franklin Roosevelt to include the first black reporter in a White House news conference, and he organized the meeting with Branch Rickey that led to Jackie Robinson joining major league baseball. Under his leadership, the National Newspaper Publishers Association, an organization of African American newspaper publishers, was formed in 1940. Among Sengstacke's other publications were the *Michigan Chronicle* in Detroit, the *Pittsburgh Courier*, and the *Tri-State Defender* in Memphis.

Approve ☒

Disapprove ☐

Discuss ☐

Constance Baker Motley, 78.

A key participant in virtually every important case brought to enforce *Brown v. Board of Education*, Motley began her career as an attorney with the NAACP and won nine out of ten civil rights cases she argued before the United States Supreme Court. One of her most renowned victories was on behalf of James Meredith, making it possible for him to enroll in the University of Mississippi. Motley left the NAACP in 1964 and was elected New York State's first black woman senator. In 1966, President Johnson appointed her U.S. District Court Judge for the Southern District of New York, making Motley the first African American female federal judge. She became Chief Judge of the Southern District in 1982 and assumed senior status in 1986.

Approve ☒

Disapprove ☐

Discuss ☐

Jack Greenberg, 75.

Jack Greenberg served as Director-Counsel of the NAACP Legal Defense and Education Fund from 1961 to 1984 and was an assistant counsel for the group from 1949 to 1961. He argued 40 cases before the United States Supreme Court, including *Brown v. Board of Education*. He is a founding member of the Mexican American Legal Defense and Education Fund and is a member of the executive committee of Human Rights Watch. Greenberg served as dean of Columbia College from 1989 to 1998 and currently is a professor at Columbia Law School.

Approve ☒

Disapprove ☐

Discuss ☐

The Reverend Fred Shuttlesworth, 78.

A native of Alabama, Shuttlesworth went on to become one of the leaders of the non-violent civil rights movement of the 1950s and 60s, leading efforts to integrate Birmingham's schools, buses, and recreational facilities. He established the Alabama Christian Movement for Human Rights after Alabama banned the NAACP. A confidant of Martin Luther King, Jr.,

Shuttlesworth helped organize the Southern Christian Leadership Conference and was its first secretary.

✓ Approve ☒ _____

Disapprove ☐ _____

Discuss ☐ _____

Morris Dees, 63.

Co-founder of the Southern Poverty Law Center, he also founded Klanwatch, a system designed to catch the KKK in acts that violate others' rights.

Approve ☐ _____

Disapprove ☐ _____

Discuss ☐ _____

Culture/Entertainment

Pete Seeger, 81.

The son of two musicians, Seeger studied Sociology at Harvard University but left to pursue his interest in singing. In 1941, he and Woody Guthrie formed the Almanac Singers, one of the first groups to give a voice to social issues. Mr. Seeger was inducted into the Army in 1942, serving in the Special Services entertaining troops in the United States and South Pacific. In 1948, he joined the folk group called The Weavers and during the 50s and 60s, he performed for the civil rights and antiwar movements. In 1955, Seeger was called before the House Un-American Activities Committee during its investigation of possible subversive influences in the entertainment field. He was found guilty of 10 counts of contempt of Congress for refusing to answer several questions, but the Supreme Court reversed that judgment in 1962. Seeger is an active environmentalist and has long campaigned for peace, equality, and civil rights, while never compromising his ideals.

✓ Approve ☒ _____

Disapprove ☐ _____

Discuss ☐ _____

Elizabeth Taylor, 68.

A multiple Academy Award winner, Taylor is regarded as one of the great actresses of the 20th century. She is also the co-founder of and spokesperson for the American Foundation for AIDS Research. Taylor has donated and raised millions of dollars to fight HIV/AIDS.

✓ Approve ☒ _____

Disapprove ☐ _____

Discuss ☐ _____

Paul Newman, 75.

Leading Hollywood actor and director for four decades, Newman received eight nominations for the Best Actor Academy Award and won for his role in 1987's *The Color of Money*. He has used his fame and his food product line, Newman's Own, to raise millions of dollars for charity. He also founded the Hole in the Wall Gang Camp for children suffering from potentially fatal diseases.

✓ Approve ☒ _____

Disapprove ☐ _____

Discuss ☐ _____

Health

David Ho, 47.

Dr. David Ho, a distinguished AIDS researcher, was named *TIME* magazine's 1996 Man of the Year for his groundbreaking work in HIV research. He is the Director and Chief Executive Officer of the Aaron Diamond AIDS Research Center and has served on numerous councils and boards -- advising the Scientific Advisory Board of the National Cancer Institute and the Office of AIDS Research at the National Institutes of Health. Dr. Ho also serves on the President's Advisory Commission on Asian Americans and Pacific Islanders.

Approve ☒

Disapprove ☐

Discuss ☐

Dr. Helen Rodriguez-Trias, 71.

A pediatrician for more than 30 years and a nationally recognized health care advocate, Dr. Rodriguez-Trias has served in several leadership positions in academic and clinical medicine, including as President of the American Public Health Association. Throughout her career, she has promoted women's, children's, and reproductive rights, community involvement, personal responsibility, and guidelines on sterilization procedures. A founder of the New York Latino Commission on AIDA and a charter member and former board member of the National Women's Health Network from 1996 to 1999, she was co-director of the Pacific Institute for Women, a Los Angeles-based non-profit organization dedicated to improving women's well-being locally and globally since its founding in 1993. Currently, Dr. Rodriguez-Trias works as a consultant to agencies and foundations, addressing the health needs of various populations, including women, children, adolescents, and HIV-infected individuals. She is focusing on the development of effective programs to serve those limited in access: members of minority communities, the uninsured, and low-income persons and families.

Approve ☒

Disapprove ☐

Discuss ☐

Sports

Hank Aaron, 66.

Aaron began his remarkable career on the baseball field as a minor league player on a segregated team in the South, where he suffered the humiliation of eating and living separately from his teammates. He is best known for breaking Babe Ruth's home run record -- ultimately hitting 755 home runs over the course of his career and reaching this milestone in the face of death threats against himself and his family. After he retired from play, he joined the front office of the Atlanta Braves, a position from which he called for more African Americans in baseball management and decried racist comments by baseball club owners. Aaron has also been active in Big Brothers/Big Sisters and the Boy Scouts of America. In 1995, he established the Chasing the Dream Foundation, a fund to help underprivileged children in Atlanta pursue advanced study in music, art, writing, dance, and sports.

Approve ☒

Disapprove ☐

Discuss ☐

Muhammad Ali, 58.

Regarded by many to be the greatest boxer of all time, Ali won the world heavyweight title for the first time in 1964. In 1967, he refused induction into the U.S. Army, was found guilty of draft evasion, and was stripped of his title. In 1971, the U.S. Supreme Court overturned his conviction, and in 1974, Ali regained the world championship. He later lost the title and regained it for a record third time in 1978. In 1980, he retired from boxing. Now suffering from the advanced stages of Parkinson's disease, he serves as the spokesperson for the National Parkinson's Foundation and performs charity work for UNICEF and Best Buddies.

Approve ☒ Disapprove ___ Discuss ___

Scholars

Anthony Lewis, 73.

The winner of two Pulitzer Prizes, Lewis is well known for his newspaper column, which he began in 1969, and his work for the *New York Times*. His career began in 1952 with the *Washington Daily News*, and he joined the *Times* in 1955, where he worked in both the Washington and London bureaus.

Approve ☒ Disapprove ___ Discuss ___

Human Rights

Rabbi Arthur Schneier, 70.

Founder and current president of the Appeal of Conscience Foundation, Schneier has used the Foundation to advocate mutual understanding, tolerance, and peace. He has served as an envoy for the last four presidents. In recent years, he has done extensive work to help prevent ethnic conflict and promote healing in the Balkans.

Approve ☒ Disapprove ___ Discuss ___

Marion Wiesel, 68.

A strong advocate for advancing human rights and peace, Marion Wiesel helped her husband to establish the Elie Wiesel Foundation for Humanity, and she has translated most of his books. In addition, she wrote and narrated *Children of the Night*-- a documentary about the 1.3 million children killed in the Holocaust -- and edited *To Give Them Light*--a collection of Roman Vishniac's photography. She works on behalf of the world's children and is helping 800 Ethiopian children in Israel to adjust to life in their new country.

Approve ☒ Disapprove ___ Discuss ___

Juan Andrade, Jr., 53.

Co-founder, president, and executive director of the United States Hispanic Leadership Institute, formerly the Midwest-Northeast Voter Registration Education Project, Juan Andrade has led his organization in conducting and organizing over 900 nonpartisan voter registration campaigns, registering over one million new voters. He has worked tirelessly on behalf of the Hispanic community, voicing its concerns to the media, striving to increase Latino political representation,

and preparing Hispanic youth for leadership roles. Through numerous meetings with Latin American leaders, he has promoted democratic principles in Mexico, Guatemala, Nicaragua, Panama, and Colombia. He has authored or co-authored more than 150 articles, and a scholarship award has been established in his name.

Approve ☒

Disapprove ☐

Discuss ☐

Education/Labor

Don Cameron, 62.

A former teacher, Cameron has devoted much of his life to American education, having worked as the executive director of the Birmingham Education Association, the director of communication at the Michigan Education Association, and the executive director of the Florida Teaching Profession National Education Association. He currently serves as the director of the National Education Association. During his 20-year tenure at the NEA, Cameron has been a driving force behind the CEO Forum on Education and Technology, a group created in 1997 to follow up on work done by your National Information Infrastructure Advisory Council. By serving as Co-Chairman of the Forum during its first year, Cameron advanced the organization's goal of integrating technology in classrooms. In your digital divide speech at Comdex, you announced that the deans of more than 200 colleges of education had agreed to measure their progress on training teachers to use technology -- using a tool developed by the CEO Forum.

Approve ☒

Disapprove ☐

Discuss ☐

Religious Leaders

Sister Carol Coston, 65.

Sr. Carol Coston has devoted her life to creative and innovative ways to serve the poor and achieve economic justice for all. She founded NETWORK, a highly effective Catholic social justice lobby, and she served there for 10 years. As the founding member of the Adrian Dominican Portfolio she used social criteria to make 93 "alternative" investments, totaling over 3.6 million dollars. Coston has done extensive work with farmer cooperatives around both new farming and environmentally sound methods. She now serves as director of Partners for the Common Good where she also uses social criteria for investments, as well as evaluating the potential leverage loans could offer the borrowing partner and their involvement in shaping public policy. The first Partners for the Common Good Loan Fund (1989 - 1994) made 49 loans and deposits to benefit low-income communities in 29 states as well as in Central and South America and American Samoa. The overall rate of repayment was 99.7%. Currently, Partners for the Common Good 2000 (PCG 2000) has a lending pool of \$7,902,668 from its 99 religious institutions' investors. She has been a role model for and defender of women both in this country and around the world.

Approve ☒

Disapprove ☐

Discuss ☐

Environment

Former Representative John F. Seiberling (D-OH), 81.

Seiberling's record of accomplishment on environmental issues is astonishing. A Member of Congress from 1970-1987, he authored legislation that established the 30,000-acre Cuyahoga Valley National Recreation Area, tripled the size of the Land and Water Conservation Fund, and prohibited mining in public parks. He also co-authored key amendments to the Surface Mining Control and Reclamation Act of 1977 and helped manage passage of the Alaska National Interest Lands Conservation Act, which preserved more than 100 million acres in Alaska. He is credited with saving more than 69 million acres of wilderness in 27 states, and he authored amendments to the Nuclear Waste Policy Act of 1982.

Approve ☒

Disapprove ☐

Discuss ☐

Disability Advocates

Patrisha Wright, 51.

Ms. Wright earned the nickname "The General" during passage of the ADA for her role in the overall strategic effort on behalf of the legislation. She has served as Director of Washington Affairs for the Disability Rights Education and Defense Fund (DREDF) since the early 1980s. Her single greatest contribution has been to establish disability issues as civil rights issues. She is the only disability community representative on the Board of the Leadership Conference on Civil Rights, and she was instrumental in obtaining LCCR's crucial support of the ADA.

Approve ☒

Disapprove ☐

Discuss ☐

Dr. I. King Jordan, 57.

Dr. Jordan is the first deaf president of Gallaudet University. His selection in 1988 was the result of a major alumni and student protest in support of a "Deaf President Now." The student victory was a huge symbolic boost to the ADA, demonstrating how people with disabilities could be empowered to take charge of their own lives and be fully integrated into society. Dr. Jordan, who has an academic background in psychology, is known and respected across the world not only for deaf and disability issues, but as a proponent of quality higher education. He is also an elite marathon runner who won the 1996 Grand Slam of ultramarathons.

Approve ☒

Disapprove ☐

Discuss ☐

Government Service

Warren B. Rudman, 70.

U.S. Senator from New Hampshire from 1981 to 1993, he co-authored the landmark Gramm-Rudman-Hollings deficit reduction law and served as a member of the Appropriations Committee. He was also the chair of the Ethics Committee and active on the Subcommittees on Defense and Commerce, Justice, State, and the Judiciary. As founding co-chairman of the Concord Coalition, he has continued to advocate for fiscal discipline in the federal government. Appointed as a member of the President's Foreign Intelligence Advisory Board in 1993, he now

serves as Vice Chairman. In 1998, he was appointed as chair of the Special Oversight Board for Department of Defense Investigations of Gulf War Chemical and Biological Incidents. During the Korean War, he was a platoon and company commander. He was discharged with the rank of captain.

Approve ☒ ___

Disapprove ___

Discuss ___

Archibald Cox, 88.

Cox was Special Prosecutor during the Watergate scandal and was fired by then-Solicitor General Robert Bork, after both Attorney General Elliot Richardson and Deputy Attorney General William French Smith resigned in protest when President Nixon asked each of them to fire Cox. An attorney and professor, Cox also served as Solicitor General from 1961 to 1965 under Presidents Kennedy and Johnson. From 1980 to 1992, he was chairman of Common Cause, a non-profit lobbying organization dedicated to campaign finance reform.

Approve ☒ ___

Disapprove ___

Discuss ___

Charles DeLisi, 59.

Director of the Office of Health and Environmental Research in the Department of Energy from 1985 to 1987, he set aside the first funding for human genome research and conceived of a project to sequence the human genome, which eventually led to the current revolution in genetic knowledge. As Professor of Biomedical Engineering at Boston University, he has advanced computational research on molecular structure and neural networks. He has served as a scientific advisor to both federal government agencies and private corporations, published over 180 publications, and received several awards, including DOE's Exceptional Service Award.

Approve ☒ ___

Disapprove ___

Discuss ___

Representative Edward R. Roybal, 84.

Elected to the House of Representatives in 1962, Edward Roybal served his congressional district in California for 30 years, overcoming the initial prejudice of his colleagues to become a powerful member of several important House committees, including the Appropriations Committee. In 1967, he authored the first bilingual education bill, and in 1968, he worked to establish a Cabinet Committee on opportunities for Spanish-speaking people. Throughout his political career, he introduced and sponsored legislation to protect the rights of Hispanics, senior citizens, the poor, and people with disabilities. During the 97th Congress, Roybal chaired the Congressional Hispanic Caucus, where he led the opposition against the Simpson-Mazzoli immigration bill. In his last two terms, he worked to expand rural mental health care programs, establish a national mental health education program, halt age-based discrimination in employee benefits, and provide medical service to people with Alzheimer's disease.

Approve ☒ ___

Disapprove ___

Discuss ___

Administration Officials

Eli Segal, 57.

From his tenure as Assistant to the President for National and Community Service and later as both a member of the board and Chief Executive Officer of the Corporation for National Service, Eli Segal played an important role in launching and maintaining your national service program. As President and Chief Executive Officer of the Welfare to Work Partnership, he is helping to move people from welfare to work by educating businesses about the benefits of hiring individuals on welfare and assisting them with the hiring process.

Approve ☒ Disapprove ☐ Discuss ☐

Robert Rubin, 62.

Robert Rubin's accomplishments are legendary in the worlds of domestic and international finance. Rubin spent the bulk of his career on Wall Street, where he worked in virtually every financial market from bonds to commodities. As Secretary of the U.S. Treasury, he presided over the Administration's economic policy that has led to the nation's longest peacetime economic expansion. Rubin is credited with promoting initiatives to respond to five international crises: the Mexican peso crisis in 1995; the Asian crises from 1997 to 1998; and the Russian ruble crisis in July of 1998.

Approve ☒ Disapprove ☐ Discuss ☐

Charles Ruff (posthumous; died in 2000).

Chuck Ruff had a long and distinguished career of service to the D.C. government, the D.C. bar association, and the nation. He served as a law professor at the University of Liberia and the Georgetown Law Center, Watergate special prosecutor, a high-ranking member of the Carter Justice Department, and U.S. Attorney for the District of Columbia. In 1995, he left his practice to serve as District of Columbia Corporation Counsel in order to address problems he cared deeply about, including juvenile delinquency and abuse. Charles Ruff served as White House Counsel from 1997 to 1999.

Approve ☒ Disapprove ☐ Discuss ☐

James Lee Witt, 56.

As Director of the Federal Emergency Management Agency since the earliest days of your Administration, James Lee Witt has transformed FEMA into one of the most responsive and effective agencies in the federal government. He brought his experience as Yell County Judge and Arkansas' director of emergency services to Washington, and under his direction, FEMA has become a valuable resource for state and local governments in times of disaster.

Approve ☒ Disapprove ☐ Discuss ☐

Ron Brown (posthumous; died in 1996).

Throughout his lifetime, Ron Brown broke down barriers for African-Americans around the country. He was the first African-American partner in his law firm, the first African-American chairman of the Democratic National Committee, and the first African-American Secretary of Commerce. As Secretary of Commerce, he worked to open international markets for U.S. businesses and bring billions of dollars into the U.S. economy. Brown was a strong advocate for "commercial diplomacy." At the time of his death in 1996, Ron Brown was in Bosnia on a trade mission to promote prosperity and free enterprise.

Approve ☒ 

Disapprove ☐

Discuss ☐

Warren Christopher, 75.

Warren Christopher, Secretary of State during the first four years of your Administration, has become one of America's most highly respected elder statesmen. Christopher worked under three previous Democratic administrations as a trade negotiator. In addition, he served as Deputy Attorney General under President Lyndon Johnson and as Deputy Secretary of State under President Jimmy Carter. Christopher's accomplishments as Secretary of State include promoting peace in the Middle East, the Korean Peninsula, and Eastern Europe; pushing for the expansion of NATO; helping to usher democracy into Haiti; stabilizing America's post-Cold War relations with Russia; and opening markets in Asia. Christopher anticipated growing threats to our national security, including terrorism and the spread of weapons of mass destruction, and he took steps to contain them.

Approve ☐

Disapprove ☐

Discuss ☐

THE WHITE HOUSE
WASHINGTON

September 21, 2000

MEMORANDUM FOR DELIA COHEN

FROM: John Wertman 
RE: Clinton Citizens Medal Winners

Attached is a list of the individuals to whom POTUS has presented the Citizens Medal. They received their Medals in the following manner:

Yates: Special presentation during the Presidential Arts Medal ceremony
Natcher: Visit by POTUS to Natcher at Bethesda Naval Hospital
Pell: Special presentation during the Arts and Humanities Awards ceremony
Fisher, Kicklighter, and St. John: Roosevelt Room ceremony
Meadows: Presented to his family posthumously
McCarty: Oval Office ceremony
Drew, Frasure, and Kruzel: Old Executive Office Building ceremony
Jones: Oval Office ceremony
Guggenheimer: Presented by First Lady in New York City
Autry: Sent to him by Fed-Ex
Abramson: Roosevelt Room ceremony

cc: Shannon Hinderliter

PRESIDENTIAL CITIZENS MEDAL
PRESENTED BY
President Clinton

- - -

YATES, Sidney R. Long-time champion of the American arts, Member of the United States House of Representatives from Illinois	10/07/93
NATCHER, William H. Public Servant, Member, U.S. House of Representatives, served since 1953	03/03/94
PELL, Claiborne Public Servant, U.S. Senator from Rhode Island, Advocate of the Arts	10/14/94
FISHER, Zachary Founder of Intrepid Museum in NYC, gifts to families of service members killed in the line of duty	04/21/95
KICKLIGHTER, William H. Executive Director of WWII Commemoration Committee, public service	04/21/95
ST. JOHN, Adrian WW II & Korean War hero	04/21/95
MEADOWS, Major Richard Special Forces Officer, Son Tay prison raid, Reconnaissance for Teheran raid Desert One	07/29/95
MCCARTY, Oseola Humanitarian, patron of University of Southern Mississippi	09/23/95
DREW, Samuel Nelson (POSTHUMOUSLY) U.S. Diplomat killed in Bosnia during peace negotiations	12/15/95
FRASURE, Robert C. (POSTHUMOUSLY) U.S. Diplomat killed in Bosnia during peace negotiations	12/15/95
KRUZEL, Joseph J. (POSTHUMOUSLY) U.S. Diplomat killed in Bosnia during peace negotiations	12/15/95
JONES, Bernice Young Philanthropist, patron of the arts, supporter of community and religious institutions	02/26/96
GUGGENHEIMER, Elinor Philanthropy and Childrens Advocate	12/10/97
AUTRY, Gene Humanitarian, Philanthropist, American legend	02/26/98
ABRAMSON, Albert Businessman, Philanthropist, mobilized the financial resources to help build the U.S. Holocaust Memorial Museum	04/29/98



G. Timothy Saunders

12/06/2000 01:49:41 PM

.....

Record Type: Record

To: Lisel Loy/WHO/EOP@EOP
cc: David E. Kalbaugh/WHO/EOP@EOP
bcc:
Subject: Re: HONOR

LISEL,

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2) While most all events have been in the East Room, we identified one posthumous award given by President Nixon on 8/6/70, in the Oval Office. Additionally, Reagan gave one (also posthumous) at the Inner Court of the Pentagon; and Carter gave one in the Rose Garden.

Lisel Loy



Lisel Loy

12/05/2000 07:34:57 PM

Record Type: Record

To: G. Timothy Saunders/WHO/EOP@EOP
cc:
bcc:
Subject: Re: HONOR

ok; 2 other questions, if you could: any other presidents giving to past presidents (clinton to tr). And, any other recent presidents (bush, reagan, carter etc) who did it differently -- oval, etc. thanks.

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G. Timothy Saunders

12/05/2000 07:21:05 PM

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cc:
Subject: HONOR

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Unable to identify any Clinton presentations in the Oval Office; found the South Lawn one, and one in the State Dining Room.

TIM/CLERK



David E. Kalbaugh

12/06/2000 03:38:27 PM

Record Type: Record

To: Lisel Loy/WHO/EOP@EOP

cc:

Subject: Re: HONOR

Lisel:

Tim asked me to answer this for him -

Yes there were other posthumous awards:

On May 24, 1994, the President awarded the Medal of Honor to 2 U.S. Army soldiers killed in Mogadishu in late 1993. These were the first Medals of Honor presented by President Clinton. They were presented in an East Room ceremony.

----- Forwarded by David E. Kalbaugh/WHO/EOP on 12/06/2000 03:29 PM -----



G. Timothy Saunders

12/06/2000 03:23:58 PM

Record Type: Record

To: David E. Kalbaugh/WHO/EOP@EOP

cc:

Subject: Re: HONOR

----- Forwarded by G. Timothy Saunders/WHO/EOP on 12/06/2000 03:24 PM -----



Lisel Loy

12/06/2000 03:18:34 PM

Record Type: Record

To: G. Timothy Saunders/WHO/EOP@EOP

cc:

bcc:

Subject: Re: HONOR 

any other posthumous individuals (apart from 2 big groups)?

G. Timothy Saunders



G. Timothy Saunders

12/06/2000 03:15:33 PM

Record Type: Record

To: Lisel Loy/WHO/EOP@EOP

cc:

bcc:

Subject: Re: HONOR

Pitsenbarger will be the 35th (including 22 Asian Americans from WWII and 7 African Americans from WWII).

Lisel Loy



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12/06/2000 03:04:22 PM

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G. Timothy Saunders



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TIM/CLERK

UNCLASSIFIED WITH
ATTACHMENT

THE WHITE HOUSE
WASHINGTON
December 12, 2000

12-15-00

00 DEC 12 PM 7:51

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN PODESTA

SUBJECT: Daily Report

White House offices are tracking the following issues today:

LEGAFFS

FY 2001 Budget. The budget agreement is likely to be considered in one package on the floor as early as Thursday evening. Staff-level discussions on the Labor/HHS bill, New Markets legislation, and the BBRA occurred throughout today and will continue tomorrow.

House. On Monday, the House agreed to the Senate amendments to H.R. 5630, the FY 2001 Intelligence Authorization, by unanimous consent. The House was not in session today, and will convene for a pro-forma session on Wednesday so Members may attend memorial services for Rep. Julian Dixon (D-CA). It will next consider legislative business on either Thursday or Friday.

Senate. The Senate was not in session today and will next meet on Thursday or Friday.

CEQ

Climate Change Negotiations. Undersecretary Loy joined a wide range of E.U. and Umbrella Group Ministers for a productive but inconclusive conference call this morning to discuss possible next steps following last week's technical talks in Ottawa. E.U. Ministers plan to meet Monday to coordinate a position, and are seeking a Ministerial meeting with the Umbrella Group in Oslo for December 20 or 21. Hoping to avoid another high profile failure, the U.S. and other Umbrella Group countries have not agreed to the Oslo meeting pending assurances that a deal is actually possible. John Prescott, Deputy Prime Minister of the U.K., continues to be a constructive force in trying to forge an agreement between industrialized countries.

CABAFFS

Funeral for Julian Dixon. On December 13, Secretary Herman will attend the funeral for Rep. Julian Dixon on your behalf.

NSC

See attached memo.

UNCLASSIFIED WITH
ATTACHMENT

PHOTOCOPY
WJC HANDWRITING

00 DEC 12 4:13

THE WHITE HOUSE

WASHINGTON

December 12, 2000

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: DONALD L. KERRICK (10)

SUBJECT: Daily NSC Update

V-22 Osprey Crash: Crews have located the aircraft's flight data recorder and investigators are interviewing several eye witnesses. Initial reports indicate the pilot's mayday message cited mechanical error. The Marine Corps has suspended all Osprey flights until the investigation is complete. Eight Ospreys remain operational. DOD is considering creating a Blue Ribbon Panel to review the entire Osprey program. Two of the Marines killed, Lt Col. Keith Sweaney and Major Michael Murphy, were part of HMX-1 based in Quantico. Both had co-piloted Marine One: Sweaney from '91-'95; Murphy during the mid-90's. Letters of condolence will be prepared for your signature.

Eritrea/Ethiopia: A signing ceremony formally ending the hostilities between Eritrea and Ethiopia was held in Algiers today. Secretary Albright, UN Secretary General Annan, OAU Secretary General Salim, as well as our negotiating team of Tony Lake, Gayle Smith, and Susan Rice, attended. A UN peacekeeping mission, eventually projected to number 4,200 peacekeepers and observers, has begun deploying, and a land corridor between the two countries has been opened. UNSYG Annan expects the peacekeeping operation to last about a year. A statement in your name was released expressing support for the agreement and appreciation of your negotiating team.

cc: Vice President
Chief of Staff

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON, D.C. 20502

December 12, 2000

MEMORANDUM FOR THE PRESIDENT

00 DEC 12 PM 7:53

FROM: ROBERT Z. LAWRENCE *RL*

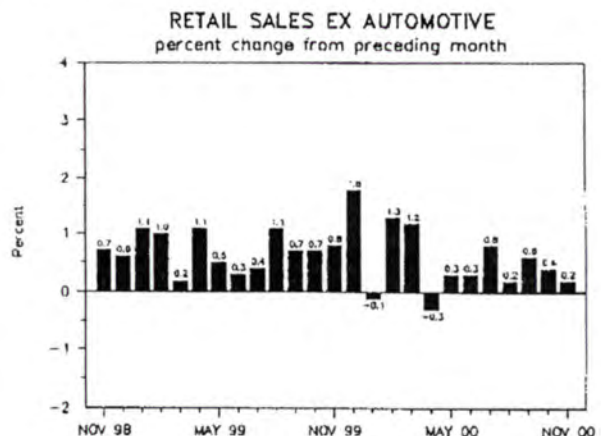
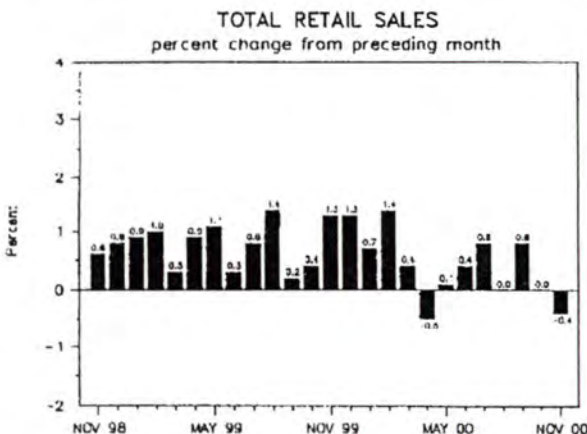
SUBJECT: November Retail Sales, Commerce Department
Release, Wednesday, 8:30 a.m.

Nominal retail sales fell 0.4 percent in November. The market had expected a slight increase.

- Sales at the Commerce Department's sample of autodealers fell 2.3 percent in November. Separate data reported directly by the automakers show a similar decline in sales from 16.8 to 16.4 million units at an annual rate. The drop in sales in the past 2 months appears to have surprised the automakers, who have cut their fourth-quarter production schedules.
- Excluding motor vehicles, retail sales increased 0.2 percent in November, slightly below market expectations. Preliminary estimates for the prior 2 months were revised down a bit.

As reported last Friday, consumer sentiment plunged in the first half of December. It remains too soon to see whether this drop had any effect on retail spending, as today's report extends only through November. Fragmentary data compiled from weekly chain-store sales through December 9 indicate that sales are soft for this Christmas season.

Based on these data, real consumption appears to be on track towards growth of about 2.8 percent at an annual rate in the fourth quarter, down from the 4.5 percent annual pace in the third quarter. Fourth-quarter growth in real GDP appears to be in the 2-to-3½ percent range at an annual rate.



TIME OF TRANSMISSION:

TIME OF RECEIPT:

**WHITE HOUSE
SITUATION ROOM**

PRECEDENCE

CLASSIFICATION:

RELEASER: MTW

IMMEDIATE

NOT CLASSIFIED
but includes
confidential
economic report

DATE/TIME: 12-12-00 0115Z

MESSAGE #: SR056

FROM: Adam Rosman PH: 62702 ROOM: GrFl/WW
SUBJECT: Rosman note forwarding (1) Podesta's Daily
Report with attached Daily NSC Update; PAGES: 7
(2) Echaveste/Reed/Nolan/Chow memo re Proposed
Presidential Commission on Educational Resource Equity; and
(3) Lawrence/CEA memo re November Retail Sales

PLEASE DELIVER TO:

LOCATION	DELIVER TO	ROOM	PHONE
	To: LISEL LOY		

DO NOT WAKE TO DELIVER TONIGHT; DELIVER FIRST THING IN A.M.

SPECIAL DELIVERY INSTRUCTIONS/REMARKS:

UNCLASSIFIED WITH
ATTACHMENT

THE WHITE HOUSE
WASHINGTON
December 12, 2000

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WASHINGTON

December 12, 2000

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EXECUTIVE OFFICE OF THE PRESIDENT
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December 12, 2000

MEMORANDUM FOR THE PRESIDENT

00 DEC 12 PM 7:53

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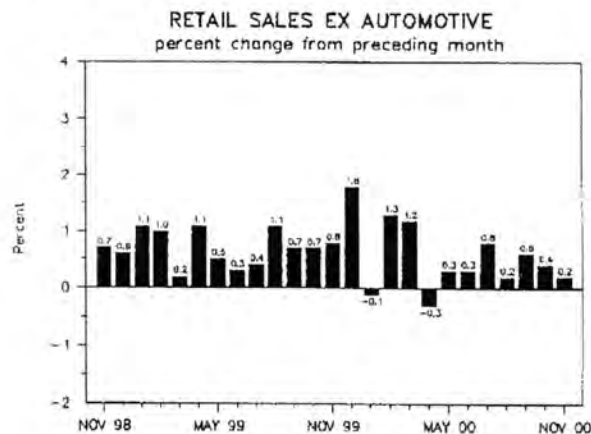
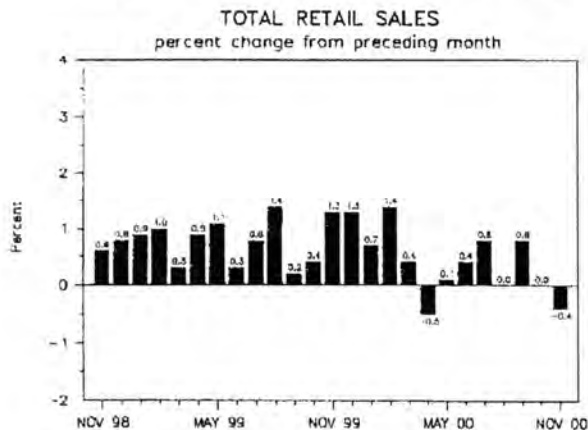
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December 12, 2000
8:15 p.m.

LL:

Attached:

1. Dailies
2. Memo from Maria et. al re proposed EO. Came to us this afternoon. Maria would like it to go to POTUS ASAP. I asked Maria if JP had seen it; he hadn't and Maria asked me to show it to him, although she said that she had "talked to him about it last week." In any case, I left it with MB but JP left b/f I got a read on it. As you'll see, it's fairly harmless (Presidential Commission to study . . .) and it's just asking for his ok to move forward on the EO, so I don't think JP will care. But I'll try and get a clear answer from him tomorrow and let you know.

TIME OF TRANSMISSION:

TIME OF RECEIPT:

**WHITE HOUSE
SITUATION ROOM**

PRECEDENCE

IMMEDIATE

CLASSIFICATION:

NOT CLASSIFIED
but includes
confidential
economic report

RELEASER:

DATE/TIME:

MESSAGE #:

MTU

12-12-00

01152

SR056

FROM: Adam Rosman PH: 62702 ROOM: GrFl/WW
SUBJECT: Rosman note forwarding (1) Podesta's Daily
Report with attached Daily NSC Update; PAGES: 7
(2) Echaveste/Reed/Nolan/Chow memo re Proposed
Presidential Commission on Educational Resource Equity; and
(3) Lawrence/CEA memo re November Retail Sales
PLEASE DELIVER TO:

[illegible]

SPECIAL DELIVERY INSTRUCTIONS/REMARKS:

December 12, 2000
8:15 p.m.

LL:

Attached:

1. Dailies
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UNCLASSIFIED WITH
ATTACHMENT

THE WHITE HOUSE
WASHINGTON
December 12, 2000

00 DEC 12 PM 7:51

MEMORANDUM FOR THE PRESIDENT

FROM: JOHN PODESTA 

SUBJECT: Daily Report

White House offices are tracking the following issues today:

LEGAFFS

FY 2001 Budget. The budget agreement is likely to be considered in one package on the floor as early as Thursday evening. Staff-level discussions on the Labor/HHS bill, New Markets legislation, and the BBRA occurred throughout today and will continue tomorrow.

House. On Monday, the House agreed to the Senate amendments to H.R. 5630, the FY 2001 Intelligence Authorization, by unanimous consent. The House was not in session today, and will convene for a pro-forma session on Wednesday so Members may attend memorial services for Rep. Julian Dixon (D-CA). It will next consider legislative business on either Thursday or Friday.

Senate. The Senate was not in session today and will next meet on Thursday or Friday.

CEO

Climate Change Negotiations. Undersecretary Loy joined a wide range of E.U. and Umbrella Group Ministers for a productive but inconclusive conference call this morning to discuss possible next steps following last week's technical talks in Ottawa. E.U. Ministers plan to meet Monday to coordinate a position, and are seeking a Ministerial meeting with the Umbrella Group in Oslo for December 20 or 21. Hoping to avoid another high profile failure, the U.S. and other Umbrella Group countries have not agreed to the Oslo meeting pending assurances that a deal is actually possible. John Prescott, Deputy Prime Minister of the U.K., continues to be a constructive force in trying to forge an agreement between industrialized countries.

CABAFFS

Funeral for Julian Dixon. On December 13, Secretary Herman will attend the funeral for Rep. Julian Dixon on your behalf.

NSC

See attached memo.

UNCLASSIFIED WITH
ATTACHMENT

00 DEC 12 4:13

THE WHITE HOUSE

WASHINGTON

December 12, 2000

INFORMATION

MEMORANDUM FOR THE PRESIDENT

FROM: DONALD L. KERRICK (10)

SUBJECT: Daily NSC Update

V-22 Osprey Crash: Crews have located the aircraft's flight data recorder and investigators are interviewing several eye witnesses. Initial reports indicate the pilot's mayday message cited mechanical error. The Marine Corps has suspended all Osprey flights until the investigation is complete. Eight Ospreys remain operational. DOD is considering creating a Blue Ribbon Panel to review the entire Osprey program. Two of the Marines killed, Lt Col. Keith Sweaney and Major Michael Murphy, were part of HMX-1 based in Quantico. Both had co-piloted Marine One: Sweaney from '91-'95; Murphy during the mid-90's. Letters of condolence will be prepared for your signature.

Eritrea/Ethiopia: A signing ceremony formally ending the hostilities between Eritrea and Ethiopia was held in Algiers today. Secretary Albright, UN Secretary General Annan, OAU Secretary General Salim, as well as our negotiating team of Tony Lake, Gayle Smith, and Susan Rice, attended. A UN peacekeeping mission, eventually projected to number 4,200 peacekeepers and observers, has begun deploying, and a land corridor between the two countries has been opened. UNSYG Annan expects the peacekeeping operation to last about a year. A statement in your name was released expressing support for the agreement and appreciation of your negotiating team.

cc: Vice President
Chief of Staff

THE WHITE HOUSE
WASHINGTON

00 DEC 12 PM 4:36

December 12, 2000

MEMORANDUM FOR THE PRESIDENT

**FROM: MARIA ECHAVESTE, BRUCE REED, BETH NOLAN, AND
BARBARA CHOW**

SUBJECT: Proposed Presidential Commission on Educational Resource Equity

As you requested after your discussions with Representative Chaka Fattah regarding school finance equity, we have met with his staff and explored possible actions that could be initiated in the remainder of your term. Specifically, we recommend that you establish a Presidential Commission on Educational Resource Equity that would produce a substantive report on the issue as well as increase public awareness of the issue. This action would allow you to move the federal government forward on a key education and civil rights issue that is fast becoming the next big wave in education reform -- one that builds logically on the public expectations set by your mandate of holding states accountable for helping all students reach high standards.

BACKGROUND

Flowing from the 1994 Improving America's Schools Act and Goals 2000, we are now in a period of movement toward high standards and accountability in education. It is critical that all students have access to the educational resources necessary to achieve high standards. Nonetheless, traditional structures for funding public education have created substantial disparities in educational resources by race, ethnicity, and other factors. Thus, it is vitally important that we better understand and chart a course for our nation to overcome resource gaps. Last year a Congressionally-mandated Committee on Education Finance, a panel of academics convened by the Department of Education and the National Research Council, raised this point in a report concluding that "money can and should be used more effectively than it traditionally has been to make a difference in U.S. schools. To promote the achievement of a fair and productive educational system, finance decisions should be explicitly aligned with broad educational goals."

Furthermore, legal challenges underscore the importance of this issue. Today, there are school resource equity cases pending in at least 23 states, and dozens more have been heard over time. Over the years, your Administration has participated as *amicus* in several recent lawsuits filed against states involving Title VI discrimination claims, making clear that such claims are actionable, while taking no position on the merits of the underlying claims. Title VI of the Civil Rights Act of 1964 requires that when recipients endeavor to provide educational resources they do so in a nondiscriminatory manner, though it does not impose any affirmative obligation on recipients to provide resources. The responsibility of each state depends on its authority and role in the educational system. Nonetheless, it is important to make states aware of their obligations

under Title VI giving them impetus to examine their resource allocation to ensure that it is nondiscriminatory.

The Department of Education has agreed to develop preliminary guidance for states and/or districts on resource comparability and Title VI. This guidance should be ready for release before the end of your Administration. On the legislative side, Representative Fattah has proposed federal action on school finance on more than one occasion. In February of 1999, Fattah filed H.R. 555, the "Equal Protection School Finance Act," which had over 40 co-sponsors, but which was defeated as an amendment in October of 1999. Fattah's bill essentially makes state eligibility for federal education funds contingent upon an acceptably narrow degree of variation in per pupil funding among districts in a state.

RECOMMENDED ACTION

After consulting with Representative Fattah's staff and considering the viable options for action in the time remaining, we believe that the creation of a Presidential Commission on Educational Resource Equity would best allow you to provide leadership and public awareness in the short term, while ensuring some concrete action on this issue in the next Administration. The release of an Executive Order establishing such a Commission would offer an excellent opportunity for you to tout the progress of the standards and accountability movement (including the legacy of the 1994 Improving America's Schools Act and Goals 2000) while challenging the nation to examine the next steps in education reform – including the equitable allocation of resources to support the higher expectations you have helped establish for all students.

The Presidential Commission on Educational Resource Equity. We recommend that you appoint a six- to eight-member Commission composed of familiar and respected individuals drawn from the political and policy spheres, academia, and the private sector. Such a Commission could build on the issues identified by the Congressionally-mandated Committee on Education Finance by engaging stakeholders at a variety of levels in addressing and examining those issues, hosting public forums, and recommending policy changes to improve resource allocation. A final report by the Commission to the incumbent President would generate broad public attention and serve to provide a policy push to the next Administration. Additionally, an Executive Order establishing a Commission could also mandate an annual report offering a compilation of statistics on school finance, describing the status of resource comparability across the nation, providing case studies on school finance equity and outlining promising practices for achieving school resource equity. A small but substantive Commission could be named before you left office and staffed by the Department of Education.

CONCLUSION

With your concurrence, we will prepare immediately an Executive Order and compile a slate of recommended candidates for the Commission.

☐ APPROVE ☐ DISAPPROVE ☐ LET'S DISCUSS

EXECUTIVE OFFICE OF THE PRESIDENT
COUNCIL OF ECONOMIC ADVISERS
WASHINGTON, D.C. 20502

December 12, 2000

MEMORANDUM FOR THE PRESIDENT

00 DEC 12 PM 7:53

FROM: ROBERT Z. LAWRENCE *RL*

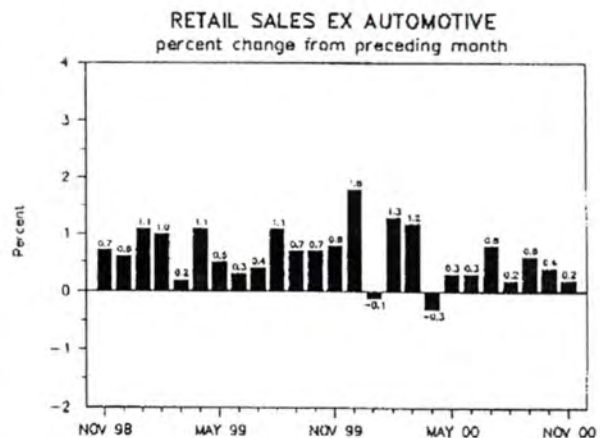
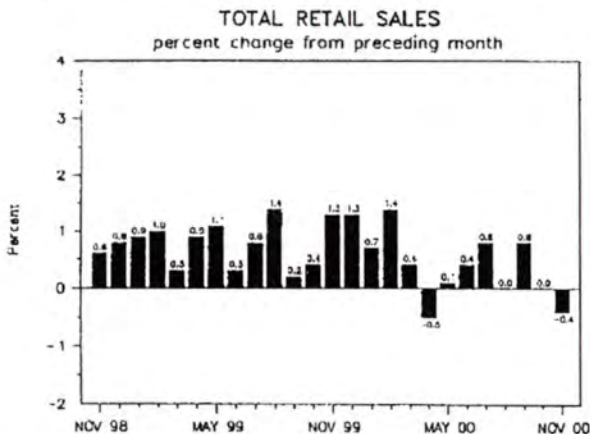
SUBJECT: November Retail Sales, Commerce Department
Release, Wednesday, 8:30 a.m.

Nominal retail sales fell 0.4 percent in November. The market had expected a slight increase.

- Sales at the Commerce Department's sample of autodealers fell 2.3 percent in November. Separate data reported directly by the automakers show a similar decline in sales from 16.8 to 16.4 million units at an annual rate. The drop in sales in the past 2 months appears to have surprised the automakers, who have cut their fourth-quarter production schedules.
- Excluding motor vehicles, retail sales increased 0.2 percent in November, slightly below market expectations. Preliminary estimates for the prior 2 months were revised down a bit.

As reported last Friday, consumer sentiment plunged in the first half of December. It remains too soon to see whether this drop had any effect on retail spending, as today's report extends only through November. Fragmentary data compiled from weekly chain-store sales through December 9 indicate that sales are soft for this Christmas season.

Based on these data, real consumption appears to be on track towards growth of about 2.8 percent at an annual rate in the fourth quarter, down from the 4.5 percent annual pace in the third quarter. Fourth-quarter growth in real GDP appears to be in the 2-to-3½ percent range at an annual rate.



12-19-00

THE WHITE HOUSE
WASHINGTON

December 18, 2000

Copied
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MEMORANDUM FOR THE PRESIDENT

FROM: BETH NOLAN
BRUCE LINDSEY
MEREDITH CABE

SUBJECT: Pardons Recommended by DOJ that Were Denied Earlier in Your Administration

Below are cases in which you have previously denied pardons, but which the Department of Justice recommended favorably. You indicated you would like to review those cases. We have identified the following as cases you may wish to reconsider. We listed these same cases in a memo we sent you last week. In this memorandum, we are submitting them to you for decision.

If you would like to grant pardons to these petitioners, we will confirm they are both still alive and still wish to be pardoned. We will then communicate your decision to the Department of Justice for those cases in which you have decided to grant a pardon and the petitioner still will accept it.

- I. The following are pardon cases denied on December 21, 1998, for which the Department of Justice submitted recommendations in favor of granting pardons.

NAME/DISTRICT	OFFENSE	RATIONALE
Harlan Richard Billings D. Maine (1985) Age: 56	Conspiracy to possess with intent to distribute in excess of 1,000 pounds of marijuana (agreed to serve as lookout for offloading of shipment of marijuana; withdrew his participation before any drugs arrived). Sentenced to 3 years' probation with \$200 hours of community service (terminated one year early) and fined \$5000.	Agreed to minor role in offense, which he abandoned before any illegal activity took place; offense aberration in otherwise law-abiding life; favorable character and professional references; involvement in community; seeks pardon to restore self-esteem, to acquire Coast Guard captain's license, and to restore his federal firearms privileges; demonstrates remorse and rehabilitation; U.S. Attorney and sentencing judge recommend pardon.

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12-19-00

William Robert Carpenter N.D. California (1991) Age: 40	Possession of marijuana with intent to distribute, distribution of marijuana and aiding and abetting (helped several individuals offload a shipment of marijuana from a boat in return for \$5,000). Sentenced to one year's probation.	Relatively minor role in offense, committed when young (24); petitioner has since overcome drug and alcohol addiction; favorable character and employment references; seeks pardon to become correctional officer; cooperated with the prosecution of wider conspiracy; U.S. Attorney recommends pardon.
Rickey Lee Cunningham S.D. Texas (1973) Age: 46	Possession with intent to distribute marijuana (stopped at U.S. and Mexico border with 18 pounds of marijuana). Sentenced to 5 years' probation (under Youth Corrections Act).	Remoteness of offense, committed when young (20); since offense has led law-abiding, productive life, remaining steadily employed; leadership in his labor union; favorable employment and character references; requests pardon to enhance employment opportunities.
Peter Welling Dionis N.D. New York (1976) Age: 49	Conspiracy to import, importation, and possession with intent to distribute controlled substances (conspired to import 38 pounds of hashish from Canada to U.S.; succeeded in importing 20 pounds). Sentenced to two years' imprisonment and two years' special parole.	Remoteness of offense, which has been aberration in otherwise law-abiding life; favorable character and employment references; involvement in church and community; honorable service in Marine Corps in Vietnam; expresses sincere remorse; recommendation of U.S. Probation Officer.

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12-19-00

Joe Robert Grist W.D. Texas (1990) Age: 33	Misapplication of funds by a bank employee (as a 23-year-old teller, on four separate occasions embezzled a total of \$11,700 from his cash drawer). Sentenced to five years' probation (terminated early).	Involved in church and community; since offense has been treated for alcohol and drug addiction and has become licensed chemical dependency counselor; has received bachelor's degree and has continued education; favorable character references; seeks pardon to obtain social work license; sentencing judge, probation officer recommend pardon; U.S. Attorney does not object.
Leroy Kenneth Hartung, Jr. D. Nevada (1986) Age: 48	Unlawful interception of wire communications (as DEA agent, illegally recorded conversations of suspected cocaine distributor).	Since offense, has led law-abiding, productive life; involved in church and community; favorable character and employment references; seeks pardon to enhance employment opportunities, to remove stigma of conviction, to remove federal firearms disabilities, and for family's sake; sentencing judge, U.S. Attorney do not object; probation officer recommends pardon.
Robert Quinn Houston S.D. Mississippi (1986) Age: 51	Conspiracy to obstruct commerce by extortion (on behalf of a Mississippi State Senator, sought payments to secure Senator's support of pending legislation that would legalize pari-mutuel betting on horse racing). Sentenced to five years' probation (terminated early), 416 hours of community service, and fined \$10,000.	Cooperated extensively with investigation; offense an aberration in otherwise law-abiding, productive life; extensive involvement in community; very favorable character references; seeks pardon to restore his civil rights, for his family's sake, and to facilitate international travel in connection with his business; probation officer, criminal division chief of U.S. Attorney's Office recommend pardon; sentencing judge does not object.

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12-19-00

Michael Thomas Johnson S.D. Mississippi (1987) Age: 47	Filing false income tax returns (as a veterinarian in his early thirties, underreported his income by \$111,000, resulting in nonpayment of approx. \$22,000 in taxes). Sentenced to three years' probation (terminated early) and 360 hours of community service.	Involvement in church and community; very favorable character and professional references; IRS reports petitioner has satisfied his tax obligation for years of offense, as well as penalties and interest; shows sincere remorse; probation officer recommends pardon; U.S. Attorney, sentencing judge do not object.
Richard Tabor Johnson E.D. Virginia (1983) Age: 67	Conspiracy to defraud the U.S. (as an authorized vendor to the Norfolk Naval Shipyard, billed the shipyard approx. \$1,842 for products that he never delivered, and then provided free products from his store to shipyard employees). Sentenced to 60 days in jail, three years' probation, and fined \$5,000.	Cooperated immediately when discovered; offense involved relatively minor sum and is an isolated event in otherwise law-abiding life; involvement in community; very favorable character and professional references; honorable service in Navy; probation officer recommends pardon; sentencing judge does not object.
Daniel Wayne Keys S.D. Texas (1977) Age: 43	Possession with intent to distribute marijuana (stopped at Mexican border with 132 pounds of marijuana in his van). Sentenced to two years' imprisonment and three years' parole.	Remoteness of offense, committed at age 21; favorable character and employment references; seeks pardon to remove his federal firearms disabilities and to facilitate travel abroad; honorable service in Army; probation officer recommends pardon, U.S. Attorney does not object.
Jack Kligman E.D. Pennsylvania (1985) Age: 65	Conspiracy to defraud the U.S. and mail fraud (provided confidential contract pricing information on government contracts to a bidder in exchange for payment). Sentenced to five years' probation (with psychological counseling and 200 hours community service) and fined \$11,000.	Petitioner voluntarily ceased his criminal activity prior to the commencement of the government investigation; offense an aberration in otherwise law-abiding life; favorable character and professional references; seeks pardon to restore his civil rights, to remove stigma of conviction, and to enhance employment opportunities; sincerely remorseful.

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12-19-00

 Hector Osvaldo Labagnara D. New Jersey (1976) Age: 61	Conspiracy to transport stolen motor vehicles in interstate commerce, receipt and sale of stolen motor vehicles, and transport and disposition of falsely made vehicle registrations (sold stolen cars that had been delivered to petitioner's restaurant, receiving \$200 per car). Sentenced to three months' imprisonment and five years' probation.	Isolated offense in otherwise law-abiding life; relatively minor role in conspiracy; remoteness of offense; favorable character and professional references, community involvement; seeks pardon to ease the stigma of conviction and for family's sake; expresses remorse; U.S. Attorney does not object; probation officer highly recommends.
 Leon Lee Liebscher W.D. Oklahoma (1982) Age: 66	Conspiracy to defraud the U.S. (tax evasion) (as an elected county commissioner, accepted \$30,183 in cash kickbacks he failed to report as income on his tax returns). Sentenced to two years' imprisonment and fined \$5,000.	Remoteness of offense; involvement in community and church; very favorable character and professional references; honorable service in Army; expresses genuine remorse; seeks pardon to restore his civil rights, for his family's sake, and to restore his right to carry a firearm; probation officer, sentencing judge recommend pardon.
 Pierluigi Mancini N.D. Georgia (1985) Age: 37	Possession of cocaine with intent to distribute (arrested in possession of 577 grams of cocaine at the Atlanta International Airport). Sentenced to five years' probation with 500 hours community service and fined \$6,000 (as reduced).	Extensive involvement in community including volunteering for rehab center and substance abuse prevention and recovery groups; has since recovered from drug addiction, which motivated offense; academic advancement since conviction; very favorable character and professional references; seeks pardon as a sign of forgiveness and to facilitate international travel; probation officer, Prosecuting Asst. U.S. Attorney recommend pardon; U.S. Attorney, sentencing judge do not object.

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Edward Francis McKenna III S.D. Mississippi (1993) Age: 33	Possession with intent to distribute anabolic steroids (purchased Sustanon 250 from an undercover agent on behalf of co-worker). Sentenced to one year's probation and fined \$750.	Isolated offense in otherwise law-abiding life; seeks pardon to enable him to remain enlisted in the Army National Guard and be reinstated to his civil service position in the Mississippi Army National Guard; favorable character and professional references; U.S. Attorney, sentencing judge recommend pardon.
Andrew Kirkpatrick Mearns, III D. Delaware (1978) Age: 45	Possession of cocaine with intent to distribute and distribution of cocaine (served as an intermediary in the sale of cocaine; arrested in possession of 7 oz.). Sentenced to six months in jail.	Cooperated immediately when discovered; very involved in community; favorable character and employment references; seeks pardon to restore his self-esteem, for his children's sake, and as a sign of forgiveness; co-defendant pardoned in March, 2000; sentencing judge recommends pardon.
Philip James Morin W.D. Texas (1984) Age: 53	Distribution of cocaine (on three occasions, sold a total of approx. five and one-third ounces of cocaine to undercover law enforcement agents for \$12,700). Sentenced to six years in jail (as reduced) and four years' special parole (terminated early).	Involvement in community activities; very favorable character and professional references; honorable service in Army; seeks pardon to enhance employment opportunities, to remove stigma of conviction, and as a sign of forgiveness; expresses sincere remorse; sentencing judge recommends pardon; U.S. Attorney does not object.
Daryl Edward Nelson D. Minnesota (1974) Age: 56	Possession of an unregistered firearm (possession of a .22 Armalite rifle he had purchased from a friend for \$50, but had not registered as required by law). Sentenced to one year's probation.	Remoteness and minor nature of offense; after several youthful offenses (none since this offense), has led law-abiding life; favorable character and professional references; seeks pardon to restore peace of mind, in recognition of his rehabilitation, and to facilitate starting locksmith business; U.S. Attorney does not object.

PHOTOCOPY
WJC HANDWRITING

12-19-00

Roger Lee Nelson D. Nebraska (1981) Age: 50	Mail fraud (submitted a false proof-of-loss insurance claim after he deliberately set fire to his own home). Sentenced to two year's probation (terminated early).	Remoteness of offense; offense isolated incident in otherwise law-abiding life; involvement in community; seeks pardon to restore firearms rights; honorable service in Air Force; expresses remorse; probation officer, U.S. Attorney do not object.
John Russell Raup U.S. Air Force (1984) Age: 37	Larceny of government property (stole a variety of items from an FB-111 aircraft) and wrongful possession of marijuana. Sentenced to two years' confinement, forfeiture of pay of \$300/month for 24 months, reduction in grade, and bad-conduct discharge.	Since offense has led law-abiding, productive life; expresses remorse and believes conviction "redirected" his life; involvement in community; favorable character and professional references; seeks pardon for forgiveness, to restore civil rights, and to remove the stigma of conviction.
Lloyd Edward Rickey N.D. Indiana (1983) Age: 59	Interstate transportation of a stolen motor vehicle (two counts) (stole tow cars and drove them across state lines). Sentenced to four years' imprisonment and five years' probation.	Remoteness of offense which appears to be isolated event in otherwise law-abiding life; favorable character and professional references; seeks pardon as a sign of forgiveness and to enhance employment opportunities; expresses remorse; probation officer recommends pardon; U.S. Attorney does not object.

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12-19-00

Stanley Sirote E.D. New York (1974) Age: 65	Bribery of a public official (as the owner and president of a mortgage company, paid more than \$55,000 in bribes to several employees of the Hempstead, New York office of the Federal Housing Administration for the purpose of obtaining and expediting mortgage insurance on mortgages issued and sold by his company). Sentenced to three years' probation and fined \$40,000.	Voluntarily came forward and cooperated with investigation; active contributor to charitable organizations; very favorable character and professional references; seeks pardon to restore his civil rights and to clear his name for his family's sake; probation officer recommends pardon; U.S. Attorney does not object.
Dent Elwood Snider, Jr. D. Colorado (1981) Age: 53	Using a telephone to facilitate the distribution of cocaine (discussed sale of cocaine on telephone and then sold cocaine to undercover agent.) Sentenced to three years' probation (terminated early) with condition of mental health/alcohol treatment counseling.	Remoteness of offense; favorable character and professional references; seeks pardon to enhance employment opportunities; has overcome a long-standing drug and alcohol abuse problem; U.S. Attorney recommends pardon; sentencing judge does not object.
Stephanie Marie Vetter D. New Mexico (1979) Age: 44	Possession with intent to distribute methamphetamine (sold 12 grams of amphetamine for \$600 and 1.6 grams of methamphetamine for \$100 to undercover DEA agents and 286 morphine sulfate tablets to an undercover state narcotics officer for \$5,000). Sentenced to five years' probation.	Remote and isolated offense (committed at age 22) in otherwise law-abiding life; very favorable character and professional references; expresses genuine remorse and seeks pardon as a sign of forgiveness; probation officer, U.S. Attorney do not object to pardon.

PHOTOCOPY
WJC HANDWRITING

12-19-00

Michael Lynn Weatherford E.D. North Carolina (1986) Age: 38	Interstate travel in aid of racketeering and aiding and abetting (picked up a bag containing \$30,000 and two pistols for a neighbor and drove neighbor from South Carolina to North Carolina). Sentenced to two years' supervised probation.	Relatively minor role in larger offense; offense appears a youthful mistake (committed at 23) in otherwise law-abiding life; involvement in community and charitable activities; seeks pardon as a sign of forgiveness; probation officer recommends pardon.
Charles Elvin Witherspoon E.D. Texas (1977) Age: 50	Embezzlement of bank funds (as a cashier and auditor for a bank, embezzled \$141,500 over an 18- month period). Sentenced to 10 months' imprisonment (as reduced).	Remoteness of offense; made full restitution to bank; favorable character and professional references; seeks pardon as a sign of forgiveness, for his family's sake, to enhance employment opportunities, and to remove firearms disabilities; former U.S. Attorney recommended pardon in 1991, and sentencing judge concurred; current U.S. Attorney does not object.
Charles Z. Yonce, Jr. D. South Carolina (1988) Age: 50	Conspiracy to possess with intent to distribute cocaine and aiding and abetting (bought cocaine for personal use and sold 7 grams to friends). Sentenced to 6 months' imprisonment followed by 5 years' probation (as reduced).	Cooperated fully when contacted by FBI; relatively minor role in conspiracy; has since overcome drug addiction that motivated offense; involvement in community; favorable character and professional references; expresses remorse; seeks pardon to restore his civil rights, for forgiveness, to remove his federal firearms disabilities, and for family's sake; probation officer, U.S. Attorney, prosecuting attorney, and sentencing judge all recommend pardon.

PHOTOCOPY
WJC HANDWRITING

12-19-00

- II. The three cases in this group were also ones in which DOJ recommended pardon. These were denied on December 23, 1997.

<u>NAME/DISTRICT</u>	<u>OFFENSE</u>	<u>RATIONALE</u>
 Alberto Britton S.D. Florida (1987) Age: 32	Possession with intent to distribute cocaine (at the age of 20, worked as a courier for a drug smuggling organization). Sentenced to time served (about five months in jail) and five years' probation (terminated early).	Offense an aberration, committed as youth, in otherwise law-abiding life; cooperated with authorities, despite death threats, providing substantial assistance in large drug investigation; favorable character and professional recommendations; seeks pardon to help him become a U.S. citizen (believes his life would be in jeopardy if he is deported to Colombia); DEA special agent recommends pardon, sentencing judge has no objection.
 Darrin Dean Dorn S.D. Iowa (1981) Age: 37	Conspiracy to destroy by means of explosives a building used in interstate commerce (as part of a late-night prank, ignited a homemade pipe bomb at the front door of the city hall). Sentenced to six months in jail, three years' probation, and ordered to pay \$109 restitution.	Relatively minor nature of offense, attributable to teenage immaturity; very favorable character and professional recommendations; expresses genuine remorse; commendable service in U.S. Army; seeks pardon to facilitate employment as a commercial airline pilot; U.S. Attorney, sentencing judge recommend pardon.
 Irma Ann Hendrix S.D. California (1976) Age: 48	Conspiracy to distribute and dispense heroin (introduced undercover agents to her source of heroin, who offered to sell agents 1lb. of heroin for \$17,600). Sentenced to four months in jail, three years' probation, and three years' special parole.	Has since overcome drug abuse problem which motivated offense; involved in community; expresses sincere remorse; very favorable character and professional recommendations; seeks pardon to obtain teaching certificate; U.S. Attorney recommends pardon.

PHOTOCOPY
WJC HANDWRITING

12-19-00

- III. In the four cases listed below, the Pardon Attorney submitted recommendations in favor of granting pardons, but noted the Deputy Attorney General did not concur. The petitions for Andrews and Hardiman were denied on July 17, 1996; the petition for Nash was denied on December 23, 1997; and the petition for Murphy was denied on December 21, 1998.

<u>NAME/DISTRICT</u>	<u>OFFENSE</u>	<u>RATIONALE</u>
 Michael Robert Andrews D. Colorado (1977) Age: 53	Aiding and abetting the distribution of cocaine (with another person, sold four ounces of cocaine for \$7,000 to an undercover DEA agent). Sentenced to three years' imprisonment (reduced to confinement for 67 days and 4.5 years' probation with the special condition that he perform voluntary service for the National Park Service two days per month for 1 year) and three years' special parole.	Remoteness of offense; has overcome drug abuse problem which motivated offense; has become a law-abiding and productive citizen, earning both undergraduate and masters degrees; involved in community; favorable character and professional recommendations; U.S. Attorney supports pardon.
 Michael Joseph Hardiman S.D. California (1975) Age: 53	Possession of marijuana with the intent to distribute (participated in a conspiracy to smuggle 681 pounds of marijuana into the United States from Mexico). Sentenced to two years' imprisonment and three years' special parole.	Remoteness of offense; petitioner played relatively minor role in smuggling scheme; involved in community; favorable character and professional recommendations; seeks pardon to obtain permanent teaching position; probation officer recommends pardon; sentencing judge does not object.
 John Edward Murphy N.D. California (1962) Age: 64	Forging a U.S. Treasury check (\$78.00). Sentenced to three years' probation and ordered to pay \$78 in restitution.	Remoteness and minor nature of offense; despite troubled youth, petitioner has led law-abiding life for 29 years; involvement in community and church; very favorable character and professional references; pardon would enhance qualifications for a bartender's license.

PHOTOCOPY
WJC HANDWRITING

Thomas Edward Nash, Jr. W.D. North Carolina (1988) Age: 58 <i>OK</i>	Conspiracy to restrain interstate trade and commerce in violation of the Sherman Act (while employed at Coca-Cola Bottling Co., engaged in conspiracy to suppress and eliminate competition in the soft drink distribution industry by fixing the wholesale and discount prices of soft drinks in North and South Carolina). Sentenced to three years' probation (terminated early) and fined \$100,000.	Upon learning of government investigation, voluntarily ceased activity and approached authorities with offer of cooperation; involved in community, including substantial financial contributions to charities; expresses sincere remorse; favorable character and professional recommendations; seeks pardon out of concern his conviction is a source of embarrassment to charities he is involved with, and because he and his grown children have experienced difficulty obtaining loans; probation officer recommends pardon, sentencing judge has no objection.
---	--	--

DECISION:

GRANT: _____

DENY: _____

DISCUSS: _____

*Personally - I can't believe
I'm usually wrong? Denial
then before! Then must be
get a new man of them
as many as possible*

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PACKET CONTENTS:

PETITION FOR PARDON AFTER COMPLETION OF SENTENCE _____

HISTORY OF THE OFFENSE _____

CURRENT LETTER FROM RAY SMITH, JR. _____

CURRENT LETTER FROM GARLAND CO. PROS. ATTORNEY _____

PROGRESS REPORT FROM BUREAU OF PRISONS _____

CHARACTER LETTERS (OLDER) _____

LETTERS FROM CONGRESSMEN (OLDER) _____

12-18-00

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Cabc
pedestals

To Meredith Cahn

Mr. Dick Kelley

Mae McEay

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WJC HANDWRITING

12-24-00

Send to
Records
Management

December 7, 2000

To: President Clinton
From: Michael Waldman
Subject: Your 'summing up' speeches

12-15-00
THE PRESIDENT HAS SEEN
12-15-00
I agree with you -
I don't think you
are

It was very good to see you and Mrs. Clinton yesterday. Visiting the White House, it was hard to believe these eight years are drawing to a close, so I can only imagine what it must be like for you.

I have read in the newspapers, and heard from your staff, about your 'summing up' speeches, and I wanted to pass on one thought. These speeches are a marvelous opportunity to sum up the narrative of your two terms, on your own terms.

In that light, I strongly encourage you to focus one of the speeches explicitly on the role of government and how you changed the presidency. During your presidency, you helped forge a new consensus on the role of government - smaller but active, fiscally responsible and beginning to be reformed to meet the information age. This was one of your most important accomplishments. So much of what you did, it seemed to me, had the purpose of taking the steam out of the anti-government movement that was the strongest political force of our lifetimes. This will be true even if Bush takes office; except occasionally, he did not run as a Gingrich-Reagan style anti-government ideologue, and it is worth establishing that consensus before he lays claim to it. I think that laying these points out in a thoughtful and coherent way - like the Commonwealth Club speech that FDR did, which you have cited so often - offers a chance to rise above the need to put out new policies in the day-to-day speeches. Similarly, you can talk in a thoughtful way about your vision of the presidency as an active office in a new time, for example, giving your thinking behind the unprecedented use of the bully pulpit and executive actions. So many times, as you prepared State of the Union speeches and other addresses, I heard you lament the fact that you didn't have the chance to make these particular points at length to a broad audience. This is an excellent chance to do so.

I have spent the last year speaking to journalists, columnists, academics and lay audiences about your legacy. As you know, I focus on the changing presidency and the role of government - and I have found enormous receptivity to these points. (Even critics, or those inclined to skepticism, grudgingly acknowledge the importance of these changes. Political scientists and historians, especially, are intrigued to learn how intentional, if not necessarily preplanned, these changes have been.)

I hope this is useful to you. I have conveyed these thoughts to your speechwriters as well. And thanks again for all the support and encouragement you have given to my book, and in everything else as well.

Copied
Podesta

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THE PRESIDENT HAS SEEN

12-15-00

CriticalPath

Date: June 1, 2000

To: Ms. Betty Currie

From: David Hayden

The Office of the President

Fax: (202) 456-1210

Phone: (415) 808-8738

Phone:

Fax: (415) 808-8898

Re: eLibrary

Pages 3

The following is an email exchange between Bruce Lindsay and David Hayden regarding the eLibrary.

June 13, 2000 (email to Bruce Lindsay)

Dear Bruce:

Thank you for responding to my emails.

From the beginning, the eLibrary was a *big* idea - an ambitious, creative, pioneering, and exciting platform for the President the day he leaves office. A project that could, in its scope, firmly align the President with the advent of the Internet, just as Roosevelt and Kennedy share that historical relationship with radio and television respectively.

All great Internet projects begin with a vision, a concept, and then proceed to building a team, establishing scopes of work, estimating budgets, creating a business plan and model, executing on the plans, raising funds, and continually revising and re-thinking the entire work and process. The successful projects distinguish themselves by their speed and momentum, their growth and acceleration toward their goals. For example, Critical Path, the Internet company I founded just three years ago was just named by Forbes as the #1 fastest growing and best managed technology company in the world in 1999.

To do the best job possible for the President, I had assembled the beginning of a great team to do the work of creating the scope and articulating the vision of the eLibrary. I had also enlisted a distinguished board of technology advisors, including Sandy Robertson, Eric Schmidt, Amy Rao, and Tim Newell to help guide the project and to help the Foundation raise money for the project. And, I had hired the best brand creation/identity firm, Addis Group, to create the first draft of a visual presentation of the project and to visually represent for the President its potential scope. Finally, I had personally recruited an outstanding Internet CEO to run the project.

I did all this because it was clear, at least to me, that the President wanted to do the eLibrary, wanted to have it ready the day he left office, wanted to be involved in it; and it was clear, at least to me, that I had a positive signal to proceed through the early phases of articulating the vision for the President, to put together a team, and to ready a presentation so that we *all* could become a great deal clearer about what this eLibrary could potentially be. I had always understood, because it was stated directly to me, that the necessary decisions to continue to progress with the work would be made quickly, and would have the direct involvement of the Foundation's board, which included Nicole, Terry, and even at times the President.

June 15, 2000

At this point, I at least understand that we are not proceeding with the project for the moment, so thank you for that information. At this point also, I am going to step down from my involvement, and I will send the President a letter formally resigning from my 'unofficial role'. I will also inform Sandy, Tim and the rest of those involved to date as to the current status or pending status of things, and I am going to release our ceo candidate from his stand-by position, so that he can get on with his career.

Best Regards,
David Hayden

June 13, 2000 (email from Bruce Lindsay)

Sorry for not responding earlier. I have been out of the country and snowed under. It is my understanding that no one is authorized to proceed at this point. Before we take the next step, we need to know what the costs are, where the funding is coming from, the relationship between the eLibrary and the Foundation, etc. I know Nicole has tried to reach you to discuss all of this.

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THE PRESIDENT HAS SEEN

12-15-00

THE PRESIDENT

by
Lindsay Podest
12/15/00

Copied
Lindsay
Podest



JP/Riccheti

THE PRESIDENT HAS SEEN

11-25

NEWS RELEASE (DRAFT)

For Immediate Release

November 24, 2000

CONTACT: Nizam Arain
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Fax: 650-323-7639

Atlanta Bureau
Hendon Plaza
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Suite 101
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Phone: 404-525-5883 or 5666
Fax: 404-525-5233

Detroit Bureau
First National Building
880 Woodward Ave.
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Detroit, MI 48226
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Fax: 313-903-9012

The Department of Justice must enforce Section 2 of the Voting Rights Act to protect the most vulnerable citizens. The Department of Justice has been too silent, too lenient, and too distant in the face of voting irregularities in Florida.

For whom one votes is a political question. The right to vote, to have that vote counted and protected, is a federally guaranteed right.

The US Civil Rights Commission which has subpoena power, with the support of the Department of Justice, must immediately convene hearings. The range of voter intimidation is clear, and voter denial schemes clearly violate the 1965 Voting Rights Act.

In the heat of the current crisis in Florida over the counting of ballots, it should be acknowledged that, although the Constitution gives the right to states to administer voting procedures, the right of all citizens to vote is a constitutionally guaranteed and protected right that is in the purview of the Federal government. In particular, the Fifteenth Amendment to the Constitution prohibits the use of color as the basis of the denial of the right to vote, a prohibition given to the Federal Government to enforce.

The modern enhancement of the right of blacks to vote was affected by the Civil Rights movement which pitted ordinary American citizens seeking the right to participate in the political system against vicious dogs, fire hoses, and the night sticks of Sheriff "bull" Connor and other officials. The result was the promulgation of the Voting Rights Act of 1965. Section 2 of the Voting Rights Act, "grants to all citizens of the United States the right to be free from enactment or enforcement of voting...procedures, standards, or practices which deny or abridge the right to vote on account of race or color."

copied 11-25
Podesta
Ricchetti

Today we have come full circle. Whereas for more than 100 years since the Fifteenth Amendment was enacted, up to 1965, the right of blacks to vote was abridged and eliminated by the most ruthless tactics, today it is accomplished by more subtle means. Evidence abounds from several sources, that immediately after the vote on November 7, 2000, there was a shower of complaints from African Americans, Haitians, whites, Hispanics, the elderly and others that their ballots were cast wrongly because of the confused construction of the ballot; that police set up procedures to check to see if potential voters were felons and thereby disqualified from voting; that polls were summarily closed with people in line both inside polling stations and outside them, in clear violation of the law; that absentee ballots were sent to people who did not request them, and as a consequence, they were stricken from the voting rolls and not allowed to vote when they appeared at polling stations. In the face of these blatant Section 2 violations of the right of citizens to vote, the Justice Department has not intervened.

On Wednesday November 21, the world witnessed the spectacle of Republican voting officials inside the counting building demonstrating thuggish tactics so threatening that they may have intimidated the Counting Commission into stopping the vote count in Miami Dade county altogether. Still the Justice Department has not intervened.

Therefore, we call upon the Justice Department to exercise its Fifteenth Amendment responsibility, to protect the right of all citizens to vote and to intervene now on the basis of the current violations of the Civil Rights of citizens of the state of Florida to vote in clear violation of the Voting Rights Act.

The Justice Department sent 317 voting observers to various places on November 7 to observe the conduct of elections and report any violations in voting procedures. Florida is one of the covered states under the Voting Rights Act for having had a past where the right of blacks to vote had been denied by various means. We call upon the Justice Department to release any findings from their voting observers now, especially if they have a bearing on the present issue of obtaining a fair opportunity for blacks and others to have their vote recorded fairly in the political process.

Page Three

The evidence of the denial of the right to vote, collected by the NAACP was sent to the Justice Department through Attorney General Janet Reno, to Assistant Attorney General for Civil Rights Bill Lann Lee, and give to the Voting Rights Division. The Division has made no public declaration of the substance of those claims, nor sought to intervene in this process to protect the rights of those disenfranchised to vote in the recounting processes that have been occurring. This silence has occurred, while local officials seek, disproportionately, to especially protect the rights of men and women in the Armed Services who cast absentee ballots, to have them fairly recorded.

The focus of the conflict in Florida has been on obtaining a fair counting for those whose votes are registered in the system. I/we, submit that there is an equally serious and egregious issue with respect to those who were denied the ballot altogether, or who, because of their residence in communities of concentrated minority voters, as the evidence reveals, may have been targeted for voter suppression.

On constitutional, practical and moral grounds, we feel that the Justice Department as a responsibility to exercise its prerogatives immediately, to intervene in the conflict in Florida on behalf of those whose votes also would count if they had been accorded justice.

NewsBrowser

'Ballot Security' Effects Calculated; GOP Aide Said Louisiana Effort 'Could Keep the Black Vote Down'

The Washington Post, October 23, 1986

Thomas B. Edsall, Washington Post Staff Writer

Section: A SECTION, Page: a01

A Republican National Committee (RNC) official had calculated that a so-called ballot security program in Louisiana "could keep the black vote down considerably," according to documents released today in federal court here.

The documents and court hearing were the latest developments in a continuing controversy over the GOP's ballot program, which Democrats maintain is aimed at reducing minority turnout. The Republicans say the program's sole purpose is to purge ineligible voters.

In an Aug. 13 memo the court made public today, Kris Wolfe, the RNC Midwest political director, wrote Lanny Griffith, RNC southern political director, and said of the Louisiana campaigning:

"I know this race is really important to you. I would guess that this program will eliminate at least 60-80,000 folks from the rolls If it's a close race ... which I'm assuming it is, this could keep the black vote down considerably."

She said in the memo that the program had been approved by Gregory Graves, deputy political director of the National Republican Senatorial Committee.

The document, called Exhibit 13, was unsealed by U.S. District Court Judge Dickinson R. Debevoise when lawyers for the Democratic National Committee (DNC) said it was needed to question Wolfe.

Wolfe testified that she wrote about the possibility of keeping the black vote down to remind Griffith that there "might be a political situation he might want to consider I wanted him to be aware of the political considerations."

The Democrats are suing the Republican Party for \$10 million, charging that RNC ballot security programs violated a 1981 consent agreement signed here by both political parties.

Under the agreement, the RNC would "refrain from undertaking any ballot security activities in polling places or election districts where the racial composition of such districts is a factor."

Debevoise refused today to issue a restraining order requiring the GOP to stop all similar activity.

The judge said he accepted the word of Republican lawyers who told him that all ballot security programs have been stopped, including an effort the Democrats say singled out predominantly black and Hispanic precincts in Pontiac, Mich.

Under pressure from national GOP officials, who were seeking to avoid a confrontation in the courts, organizers of the Michigan program Thursday night abandoned plans to send in paid workers to

challenge certain voters in Pontiac. The Michigan program was financed largely by a \$24,000 grant from the National Republican Congressional Committee (NRCC).

For the past month, the RNC has been ensnared in controversy over its ballot security program. In testimony today, Mark Braden, the RNC's chief counsel and the organizer of the ballot security program, said he repeatedly sought to make it clear to subordinates that "race was a factor that could not be used. I would instill the fear of God in them I'm not an idiot--this is a big press issue and it's a big legal issue."

The RNC's ballot security program was conducted in Louisiana, Indiana and Missouri. Before it became controversial, GOP political strategists said they planned to use it in other states.

On Oct. 14, Louisiana state District Court Judge Richard E. Lee issued an injunction against the program. In his order, Lee said, "This was an insidious scheme by the Republican Party to remove blacks from the voting rolls."

In most of the GOP programs, voters in districts and precincts in which 80 percent or more cast ballots for Walter F. Mondale in the 1984 presidential election were mailed letters marked "Do not forward. return to sender." In many cases, precincts casting Democratic margins this high are black or Hispanic.

Letters that were returned to a Chicago company hired by the GOP, Ballot Integrity Group Inc., were turned over to election officials in an effort to have the names purged from the lists on the grounds that the voters apparently did not reside at their listed addresses.

In addition, the names of all the voters for whom letters were returned were turned over to the Federal Bureau of Investigation and U.S. attorneys' offices. The names also were kept for possible use by Republican poll judges on Nov. 6.

National Republican Party officials have promised the courts that no use of the lists will be made on Election Day.

Wolfe, questioned today by DNC lawyer David R. Boies, testified that she served as a "technical consultant" in the Louisiana ballot security program, and discussed it at length with officials of the Republican Senate campaign of Rep. W. Henson Moore, including Larry Kinlaw, Moore's campaign manager.

Moore and Democratic Rep. John B. Breaux are in one of the tightest races in the country, and party officials for both sides say that turnout will be a key factor.

During his questioning, Boies sought to tie the RNC to the Michigan program by questioning Wolfe about a series of memos that appeared to link her to it. In a memo to RNC officials, Wolfe wrote: "Met with John Maddox (of the NRCC) and agreed to write ballot integrity plans for Indiana 8 and Michigan 6," and "worked on MI6 ballot integrity program." Pontiac is in Michigan's Sixth Congressional District.

Wolfe denied writing the Michigan plan.

In rejecting the Democrats' request for a restraining order, Debevoise said the Democrats had not

adequately proved a link between the RNC and the NRCC, which put up the \$24,000 for the Michigan program.

(In Washington, Democratic Party Chairman Paul G. Kirk Jr. said, "The GOP's attempt to portray this outrageous assault on voting rights as a public service project to eliminate ghost voters is another classic Republican disinformation campaign--an attempt to make people feel good while masking Republican dirty tricks.") []

Washington Post Online

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THE PRESIDENT HAS SEEN

12-15-00

Federalism's Future

Cass R. Sunstein

cc Peter Uden
PM
JP
Stu
Nash
Amen
Pm. File

What are the powers of the national government? When is the nation allowed to act? When must the states act instead? These are not trivial issues. The answers will determine the ultimate fate of measures safeguarding the environment, preventing violence against women, protecting endangered species, and banning certain crimes in general and hate crimes in particular.

The appropriate exercise of national power sharply divides Republicans from Democrats. Even more important, it sharply divides members of the Supreme Court, making federalism by far the most lively of all issues in current constitutional law. George W. Bush says that his favorite justices are Antonin Scalia and Clarence Thomas, and that he would like to appoint justice who agree with them; Scalia and Thomas have been arguing for a far narrower view of national power than has been taken by the Supreme Court in over sixty years. If Governor Bush is elected President, the Scalia/Thomas view is likely to receive increasing support. There will be more limits on Congress' ability to deal with problems that, in the public's view, deserve national attention -- and greater reliance on state government, which often lack the resources and the will to remedy those problems.

There is a larger, and much-neglected, story in the background here. In the recent past, Governor Bush, and the Republican Party, have made "judicial activism" a national issue. But in the recent past, the real "judicial activism" has come from the right, in the form of countless efforts to persuade federal courts to strike down legislative enactments. The supposed "judicial activism" of which the Republicans complain consists, almost entirely, of reaffirmation of long-established law. But judicial activism on the right consists of something very different -- dramatic new departures, abandoning long-established law and threatening a wide range of actual and proposed initiatives from the elected branches of the national government.

Federalists and Antifederalists

To understand the modern debate, a little history in order. According to a standard conservative view, the Constitution was rooted in fear of a national power. But this is a myth. In fact it has things exactly backwards. The Constitution was not born from fear of national authority. It was produced, above all else, because of fear of the power of the states. The framers of the Constitution were enthusiastic centralizers. They sought to create a much stronger national government.

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Hennreich

The Constitution was of course predated by the Articles of Confederation. Under the Articles, state power was an obstacle to the creation of a national economic marketplace, even to the creation of the nation itself. The Constitution represented a dramatic and self-conscious expansion of the authority of the central government - above all, perhaps, through the framers' grant of a brand-new authority, to Congress, to regulate "commerce" among the several states. The antifederalists, opponents of the Constitution, claimed that the national government would be remote and unaccountable, and that the only vehicle for genuine self-government would lie in respect for state authority and for a sharply limited central authority. (Whether on the Supreme Court or in the political arena, modern opponents of national power actually carry forward the thinking of the antifederalists, not the framers.)

In rejecting the antifederalists' views, the Federalists spoke from their own unfortunate experiences with state authority. But they also had a theory about why the national government had large advantages over the states. They believed that small governments, operating at the state and local levels, were especially vulnerable to the influence of factions, understood as powerful private groups with their own parochial agendas. In the Federalist No. 10, James Madison urged that in a larger government, it was more likely that elected officials would represent a "fit choice," with "the most attractive merit." Thus Madison favored a strong role for the central government, on the simple ground that it would provide better protection of rights and generally do a better job. "Extend the sphere, and you take in a greater variety of parties and interests; you make it less probable that a majority of the whole will have a common motive to invade the rights of other citizens; or if such a common motive exists, it will be more difficult for all who feel it to discover their own strength, and to act in unison with each other."

Of course the Federalists won the national debate. Equally important, their victory was endorsed and expanded at crucial moments in the nation's history. Two of these moments were especially important. The first was the extension of national power after the Civil War, based largely on Lincoln's arguments about the need for a powerful, rights-protecting central government and the dangers of oppression at the state level. The second was the rise of greater national authority during the New Deal, with Franklin Delano Roosevelt's insistence on the need for a strong national authority to help the disadvantaged and to promote economic prosperity.

But in every period of American life, the antifederalist vision, in one or another form, has also had its vigorous advocates. At least since the New Deal period, Republican candidates have consistently argued for a reduced national role. Here as elsewhere, George W. Bush has not provided many details, but his general direction is clear. It is evident that the Republican Party would seek a diminished national role in many domains, giving states greater flexibility in such areas as environmental protection, health care, and welfare reform. In some of

these domains, state flexibility isn't a bad idea. But there is an inevitable danger that such flexibility will mean less protection for citizens, if only because states have to compete against each other to attract business, and the competition will create a kind of "race," among the states, to do less and less.

It is for this reason that the Republican Party's opposition to national authority is no mere abstraction. It is closely associated with, and a way of promoting, that party's substantive agenda. In arguing for national action, Democrats, starting with Roosevelt, have made exactly the same point, contending if the nation does not act, no one will.

Judicial Activism Under The Commerce Clause

For this election, however, the most important issue may well be the future of the Supreme Court. For the first time since the New Deal itself, the Court is in the midst of rethinking, in a fundamental way, the powers of Congress under the commerce clause. Indeed, the question of national authority has become the leading issue within the Court. Bush's favorite justices have made it clear that they would like to see nothing less than a constitutional revolution, resulting in a significant curtailment of national authority (so much for conservative complaints about judicial activism). To understand the point, we need to return to history.

In the early decades of the twentieth century, the Supreme Court struck down many national enactments, concluding that Congress's power to regulate commerce "between the several states" should be narrowly construed. In a series of cases, the Court said that Congress lacked the constitutional authority to do many things we now take for granted -- to regulate the mining of coal, to forbid child labor, to establish retirement and pensions plans in the railroad industry, and to regulate the slaughter and sale of chickens. It was only at the end of the New Deal period that the Court relented, concluding that so long as Congress' actions had a "rational" connection to interstate commerce, the judiciary should not stand in its way.

The big shift came in 1937, when the Supreme Court upheld the National Labor Relations Act. The Court made it clear that a democratic effort to stabilize labor-management relations in any particular area would inevitably have effects on the national economy. The Court learned this lesson, involving the economic interrelationships of the states, very well. Between 1937 and 1995, the Court never struck down legislative action under the commerce clause. The Court allowed Congress to prevent racial discrimination at small restaurants, to apply wheat quotas to a local dairy farm in Ohio, to ban loan-sharking enforced by threats of violence, and to apply maximum hour and minimum wage laws throughout the nation.

Why, for most of the twentieth century, did the Court decide to leave Congress so much room to maneuver? Part of the answer is historical. In the midst of the Depression, the nation required national action, and the Court could not long stand in the way. The Court was also responsive to democratic considerations: Whether national action is appropriate in light of the commerce clause is a question on which the Supreme Court should be reluctant to second-guess the elected legislature. But there are two still more important and enduring points, involving economic interdependence and the nature of the Constitution itself.

Economic interdependence is inevitable in modern societies. If a strike occurs at a plant in Ohio, it is likely that sooner or later, people outside Ohio will be affected. If there is racial discrimination at hotels in Georgia, it is inevitable that some people will be less likely to travel and do business in Georgia. The level of wages for low-income workers in New York will matter to states other than New York. Seemingly local acts often have national repercussions. In any case there is little need for an aggressive role by the Supreme Court in protecting states against national incursions. Under the Constitution, the states are represented as such in the national government - most dramatically through the composition of the Senate, with each state having two representatives regardless of population. As the Court wrote in 1985, the "principal means chosen by the Framers to ensure the role of the States in the federal system lies in the structure of the Federal Government itself," for the composition of that government "was designed in large part to protect the States from overreaching by Congress." In these circumstances, the Court has rightly concluded that its own role should be minimal.

A Coming Revolution?

But more recently the Court has shifted ground. In the process, it has started to draw over a half century of law into fresh doubt. In 1995, the Court held, by a 5-4 vote, that Congress exceeded its authority in enacting the Gun-Free School Zones Act, which made it a federal crime to possess a firearm in a school zone. On behalf of Congress, the government argued that interstate commerce would inevitably be affected by gun violence near schools, because such violence would threaten education, which was central to the development of the national economy. The Court rejected the argument, signalling that it would be prepared to look carefully at any claimed connection between national law and interstate commerce. In a separate opinion, Justice Thomas said that he was skeptical of much of the constitutional law of federalism that had emerged in the last six decades.

A far more dramatic step came just this year, when the Court, again by a 5-4 vote, struck down a key provision of the Violence Against Women Act (a law that claimed bipartisan support). The relevant provision creates a federal civil rights remedy for victims of sex-related violence. Congress was well aware of the risk of a challenge in the Supreme Court, and it found, reasonably and on the basis of

extensive evidence, that sex-related violence has significant adverse effects on the economy -- not least because it deters women from travelling at times and to places where violence might occur. But the Court said that this was not enough. In its most important passages, the Court raised new doubts about Congress' power to regulate noncommercial activity, such as violence - in the process drawing into question the constitutional validity of the Endangered Species Act, the Clean Water Act, and current proposals designed to penalize hate crimes at the national level.

There is much more. The Court has recently created a brand-new obstacle to national power, saying that Congress cannot "conscript" states by telling them to enforce federal laws calling for background checks on handgun purchasers and regulation of the disposal of radioactive waste. The Court has also expanded the immunity of state government from liability for its own unlawful acts, including unlawful discrimination on the basis of age. The result is a singularly strange situation in which Congress can create rights against states, but cannot make states pay for violating them.

Are we in the midst of a revival of the pre-New Deal view of congressional power? What parts of national criminal law might now be vulnerable to federal challenge? Is the Court really prepared to raise questions about national environmental law? It is much too early to tell. In some cases, a majority continues to allow action by the national government. In the 1980s, the Court went back and forth on some crucial federalism questions, involving the power of national government to impose certain requirements (such as minimum wage and maximum hour laws) on the states. By a slim majority, which continues to prevail today, the Court eventually concluded that Congress could indeed do so. And in the face of a dissent from Justice O'Connor, the Court has also upheld "conditional spending" programs, by which Congress gives money on condition that states comply with national requirements, (for example, prohibiting the purchase of alcohol by people under the age of 21).

But the reach and future of these decisions is uncertain, and some evidence of new departures is provided by the Court's recent decision to hear a constitutional challenge to the Clean Water Act. Of course the particular arguments made to the Court will matter. But the ultimate answers will inevitably turn in large part on the Court's future composition. Consider the Court's internal dynamics. Justices Scalia and Thomas would like to go much further than the Court has thus far. Chief Justice William Rehnquist often seems to agree with them, but he is more likely to proceed cautiously, in line with precedents, and one case at a time. Justices Ruth Bader Ginsburg, Stephen Breyer, David Souter, and John Paul Stevens are the regular dissenters from decisions questioning Congress' authority.

That means that as usual, Justices Sandra Day O'Connor and Anthony Kennedy are the swing votes. In hard federalism cases, they tend to swing toward Scalia

and Thomas. O'Connor, usually a centrist on the Court, and almost invariably attuned to the facts of individual cases, seems uncharacteristically drawn to an extreme position on federalism issues. What this means is that a narrow majority is quite willing to reject the Court's own previous reasoning and to erect new obstacles to democratic efforts at the national level. And many of the key federalism cases are 5-4 divisions. If Gore is elected, it is unlikely that the Court will much expand on the recent cases; it might well retreat from them. If Bush is elected, it is likely that the Court will continue to raise doubts about Congress' constitutional power. Such a development would have immense importance. It would force the public to rely, much more of the time, on state governments, which are often financially strapped and which are often deterred from regulating by the constant need to compete with one another to attract business.

There is an undoubted connection between the developments in the area of federalism and developments in other areas in which the Court has drawn the authority of national and state governments into doubt. In the last years, the Court has also limited congressional power to enforce the fourteenth amendment, the Constitution's most general guarantee of both equality and liberty. Hence the Court has invalidated the Religious Freedom Restoration Act (enacted with overwhelming and bipartisan support in Congress) and shown no patience with Congress' argument that the Violence Against Women Act was a legitimate effort to protect the equal rights of women. Affirmative action may or may not be a good thing; reasonable people disagree on that question. But the Court has shown little reluctance to decide that issue on its own, in the process throwing almost all affirmative action programs into serious constitutional doubt, even when enacted by Congress.

In a related development, the Court, again by a 5-4 vote, struck down the attempt by the Food and Drug Administration to assert authority over the sale and marketing of tobacco. And the Court has been badly divided on the question whether and when Congress may give citizens "standing" to sue the government when it is not enforcing laws protecting the environment. Justice Scalia and Thomas would sharply cabin congressional power, and have occasionally gotten five votes for their position; but they have lost too, often by 4-5 votes, which could easily become 5-4 or 6-3 majorities if Governor Bush is elected. Within federal courts generally, there is an unmistakable trend, promoted by Reagan and Bush appointees, toward aggressive judicial interference with national action, on some issues the most aggressive since the New Deal itself.

There are real ironies in the recent developments. The Republican Party in general, and George Bush in particular, have spent a great deal of time complaining of an excessive judicial role in overseeing the elected branches, and proclaiming their commitment to "judicial restraint." Don't believe it for a second. In the last decade, the real "judicial activism" has come from Republican appointees -- often in the form of decisions invalidating congressional enactments in the name of federalism. One of the central issues in this election is

the fate of a constitutional vision that would allow the Supreme Court to hamstring the national government for many decades to come.