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Scheduling and Advance, Office of

Presidential Daily Diary

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01/05/2017

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DOCUMENT NO.	FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
001	Schedule	The Daily Diary of President Barack H. Obama	9	01/05/2017	P6/b6;
002	Schedule	The Daily Diary of President Barack H. Obama	9	01/05/2017	P6/b6;
003	Schedule	Meeting Breakdown for President Barack Obama	7	01/05/2017	P6/b6;
004	Schedule	Meeting Breakdown for President Barack Obama	7	01/05/2017	P6/b6;
005	Briefing	Daily Economic Briefing - To: POTUS - From: Jeff Zients	4	01/04/2017	P5;
006	Memorandum	Live From the White House: Regional TV Interviews on the Chicago Farewell Speech - From: Regional Communications	6	01/05/2017	P6/b6;
007	Talking Points	Talking Points	1	N. D.	P5;

COLLECTION TITLE:
Scheduling and Advance, Office of

SERIES:
Presidential Daily Diary

FOLDER TITLE:
01/05/2017

FRC ID:
9559

RESTRICTION CODES

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

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

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

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B. Closed by statute or by the agency which originated the document.
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Freedom of Information Act - [5 U.S.C. 552(b)]

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

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
1:31 AM THURSDAY

START	END		DESCRIPTION
1:31 AM	1:31 AM	P	The President talked with White House Administration Switchboard operator, Nijah Kelly.
7:30 AM	7:30 AM	R	The President received a wake up call from White House Administration Switchboard operator, Sidney Jones.
7:35 AM		R	The President was telephoned by the White House Administration Switchboard operator. The follow-up wake up call was not completed.
10:14 AM			The President went to the Oval Office.
10:14 AM	10:55 AM		The President met for a daily intelligence briefing with: James R. Clapper Junior, Director of National Intelligence Denis McDonough, Assistant to the President and Chief of Staff Susan E. Rice, Assistant to the President for National Security Affairs Avril D. Haines, Assistant to the President and Deputy National Security Advisor Lisa O. Monaco, Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor Colin H. Kahl, Deputy Assistant to the President and National Security Advisor to the Vice President Benjamin J. Rhodes, Assistant to the President and Deputy National Security Advisor for Strategic Communications
11:15 AM			The President went to the Map Room.
11:15 AM	12:15 PM		The President participated in an Office of Political Strategy and Outreach (OPSO) meeting with: Governor Terrence R. "Terry" McAuliffe, (D-Virginia) Senator Charles E. Schumer, (D-New York) Representative Nancy P. Pelosi, (D-California)
12:15 PM	12:16 PM		The President returned to the Oval Office.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
12:16 PM THURSDAY

START	END	DESCRIPTION
12:16 PM	12:32 PM	The President participated in a recognition photo opportunity with political appointees: Rebecca E. Barnes, Special Assistant to the President, and CEO and Front Office Manager, Overseas Private Investment Corporation (OPIC) Cynthia J. Giles, Assistant Administrator for Enforcement and Compliance Assurance, Environmental Protection Agency Amanada J. "AJ" Pearlman, Chief of Staff and Senior Advisor, Office for Civil Rights, Department of Health and Human Services Katherine E. Tretow, Deputy White House Liaison, Department of Education Norman C. Bay, Chairman and Commissioner, Federal Energy Regulatory Commission Ximena Gonzalez, Chief of Staff for Presidential Personnel and Policy, Office of Presidential Personnel
12:32 PM		The President went to the Oval Office dining room.
12:32 PM	1:04 PM	The President had lunch alone.
1:04 PM		The President returned to the Oval Office.
1:04 PM	1:10 PM	The President met with: Mr. McDonough Ambassador Rice Ms. Haines Ms. Monaco
1:10 PM	2:10 PM	The President participated in a meeting with intelligence agency officials. The purpose of the meeting was to receive the report on Russia's cyber activity. For a list of attendees, see <u>APPENDIX "A."</u>
2:15 PM		P6/b(6)

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
2:15 PM THURSDAY

START	END	DESCRIPTION
2:15 PM	2:35 PM *	The President participated in a press pre-brief with: Joshua R. Earnest, Assistant to the President and Press Secretary Jennifer R. Psaki, Assistant to the President and Director of Communications Valerie B. Jarrett, Senior Advisor and Assistant for Intergovernmental Affairs and Public Engagement Elizabeth M. "Liz" Allen, Deputy Assistant to the President & Deputy Director of Communications Kaelan Richards, Senior Regional Communications Director
	P6/b(6)	
2:35 PM *	2:40 PM *	The President went to the Diplomatic Reception Room.
2:42 PM	2:48 PM	The President participated in an interview with Carol Marin, political editor with WMAQ-NBC of Chicago, Illinois.
2:50 PM	2:56 PM	The President participated in an interview with Dawn Hasbrouck, news anchor with WFLD-FOX, of Chicago, Illinois.
2:58 PM	3:06 PM	The President participated in an interview with Jay Levine, special contributor with WBBM-CBS of Chicago, Illinois.
3:08 PM	3:13 PM	The President participated in an interview with Muriel Clair, reporter with WGN of Chicago, Illinois.
3:15 PM	3:22 PM	The President participated in an interview with Judy Hsu, co-news anchor with WLS-ABC of Chicago, Illinois.
3:35 PM		The President returned to the Oval Office.
3:39 PM	3:49 PM	P The President talked with Lynn Taliento, co-founder and principal of the Social Sector Practice of the Americas with McKinsey and Company.
3:50 PM		The President went to the Roosevelt Room.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
3:50 PM THURSDAY

START	END	DESCRIPTION
3:50 PM	3:55 PM *	The President participated in a video taping session for a Weekly Address to the Nation on his upcoming farewell address. The President's remarks will be released on January 7, 2016 over the internet.
3:55 PM *	4:08 PM	The President participated in a audio taping session for a virtual reality film.
4:08 PM		The President returned to the Oval Office.
4:10 PM	4:20 PM	The President participated in a video taping session of a Farewell Address trailer for the Office of Digital Strategy (ODS).
4:20 PM	4:25 PM	The President went to the China Room.
4:25 PM	5:31 PM *	The President and the Vice President participated in a meeting of his Council of Advisors on Science and Technology (PCAST). For a list of attendees, see <u>APPENDIX "B."</u>
5:31 PM *		The Presidential party went to the Diplomatic Reception Room.
5:31 PM *	5:41 PM	The President participated in a group photo opportunity with his Council of Advisors on Science and Technology (PCAST).
5:41 PM		The President returned to the Oval Office.
5:41 PM	5:51 PM	The President met for a wrap up with: Denis McDonough, Assistant to the President and Chief of Staff Jason Furman, Chair, Council of Economic Advisors Sandra E. Black, Member, Council of Economic Advisers
5:51 PM	6:00 PM	The President met for a daily wrap up with Mr. McDonough.
6:00 PM	6:30 PM	The President met with Mr. Rhodes.
6:30 PM		The President went to the Second Floor Residence.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



APPENDICES FOR THE PRESIDENTIAL DIARY
OF
THURSDAY, JANUARY 5, 2017

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



MEETING WITH INTELLIGENCE AGENCY OFFICIALS

January 5, 2017
The Oval Office

Appendix "A"

Attendance not confirmed.

ATTENDEES:

The President

Joseph R. "Joe" Biden Junior, Vice President

Jeh Charles Johnson, Secretary of Homeland Security

Denis McDonough, Assistant to the President and Chief of Staff

Susan E. Rice, Assistant to the President for National Security Affairs
[tentative]

Avril D. Haines, Assistant to the President and Deputy National Security Advisor

Lisa O. Monaco, Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor

James R. Clapper Junior, Director of National Intelligence

Sally Quillian Yates, Deputy Attorney General

James B. Comey Jr, Director of the Federal Bureau of Investigation (FBI)

John O. Brennan, Director of the Central Intelligence Agency

Admiral Michael S. Rogers, Director, National Security Agency; Commander, U.S. Cyber Command

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017
The China Room

Appendix "B"

Attendance not confirmed.

ATTENDEES:

The President

Joseph R. "Joe" Biden Junior, Vice President

John P. Holdren, Assistant for Science and Technology, and Director, Office of Science and Technology Policy
[co-chair, PCAST]

Eric S. Lander, co-chair, PCAST; Director of the Broad Institute of M.I.T. and Harvard; Professor of Biology,
M.I.T.

William Press, vice chair, PCAST; Professor of Computer Sciences, University of Texas at Austin

Maxine Savitz, PCAST Vice Chair and General Manager (retired) of Technology Partnerships at Honeywell,
Inc.

Wanda Austin, President and CEO (Retired), Aerospace Corporation

Rosina Bierbaum, Professor of Natural Resources and Environment, University of Michigan

Christine Cassel, President and CEO, National Quality Forum

Christopher Chyba, Professor of Astrophysical Sciences and International Affairs and Director, Program on
Science and Global Security, Princeton University

S. James Gates Junior, John S. Toll Professor of Physics and Director of the Center for String and Particle
Theory, University of Maryland, College Park

Mark Gorenberg, founder and managing director, Zetta Venture Partners

Susan L. Graham, Professor of Electrical Engineering and Computer Science Emerita, University of California,
Berkeley

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017
The China Room

Appendix "B"

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J. Michael McQuade, Senior Vice President, Science and Technology, United Technologies Corporation

Chad Mirkin, professor and Director of International Institute for Nanotechnology, Northwestern University

Craig Mundie, President, Mundie Associates; former Senior Advisor to the CEO, Microsoft Corporation

Barbara Schaal, Dean of Arts and Sciences and Professor of Biology at Washington University, St. Louis

Daniel Schrag, Hopper Professor of Geology and Professor of Environmental Science and Engineering, Harvard University; Director of Center for Environment, Harvard University

Valerie B. Jarrett, Senior Advisor and Assistant for Intergovernmental Affairs and Public Engagement

W. Neil Eggleston, Assistant to the President and Counsel

Avril D. Haines, Assistant to the President and Deputy National Security Advisor

Cecilia Munoz, Assistant to the President and Chair of the Domestic Policy Council

Megan J. Smith, Assistant to the President and Chief Technology Officer

Jeffrey D. "Jeff" Zients, Assistant to the President for Economic Policy and Director, National Economic Council

Tamara L. "Tammy" Dickinson, Principal Assistant Director for Environment and Energy, Office of Science and Technology Policy [backbench]

Cristin Dorgelo, Chief of Staff, Office of Science and Technology Policy [backbench]

Steve Fetter, Principal Assistant Director, Office of Science and Technology Policy [backbench]

Jo Handelsman, Associate Director for Science, Office of Science and Technology Policy [backbench]

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017

The China Room

Appendix "B"

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Thomas A. Kalil, Deputy Director for Technology and Innovation, Office of Science and Technology Policy
[backbench]

Billie McGrane, Executive Assistant, Office of Science and Technology Policy [backbench]

Jennifer L. Michael, Program Support Specialist, Office of Science and Technology Policy [backbench]

Ashley Predith, Executive Director, PCAST [backbench]

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
1:31 AM THURSDAY

ID	START	END		DESCRIPTION
103608	1:31 AM	1:31 AM	P	The President talked with White House Administration Switchboard operator, Nijah Kelly.
103609	7:30 AM	7:30 AM	R	The President received a wake up call from White House Administration Switchboard operator, Sidney Jones.
103610	7:35 AM		R	The President was telephoned by the White House Administration Switchboard operator. The follow-up wake up call was not completed.
103611	10:14 AM			The President went to the Oval Office.
103612	10:14 AM	10:55 AM		The President met for a daily intelligence briefing with: James R. Clapper Junior, Director of National Intelligence Denis McDonough, Assistant to the President and Chief of Staff Susan E. Rice, Assistant to the President for National Security Affairs Avril D. Haines, Assistant to the President and Deputy National Security Advisor Lisa O. Monaco, Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor Colin H. Kahl, Deputy Assistant to the President and National Security Advisor to the Vice President Benjamin J. Rhodes, Assistant to the President and Deputy National Security Advisor for Strategic Communications
103613	11:15 AM			The President went to the Map Room.
103614	11:15 AM	12:15 PM		The President participated in an Office of Political Strategy and Outreach (OPSO) meeting with: Governor Terrence R. "Terry" McAuliffe, (D-Virginia) Senator Charles E. Schumer, (D-New York) Representative Nancy P. Pelosi, (D-California)
103615	12:15 PM	12:16 PM		The President returned to the Oval Office.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
12:16 PM THURSDAY

ID	START	END	DESCRIPTION
103616	12:16 PM	12:32 PM	The President participated in a recognition photo opportunity with political appointees: Rebecca E. Barnes, Special Assistant to the President, and CEO and Front Office Manager, Overseas Private Investment Corporation (OPIC) Cynthia J. Giles, Assistant Administrator for Enforcement and Compliance Assurance, Environmental Protection Agency Amanada J. "AJ" Pearlman, Chief of Staff and Senior Advisor, Office for Civil Rights, Department of Health and Human Services Katherine E. Tretow, Deputy White House Liaison, Department of Education Norman C. Bay, Chairman and Commissioner, Federal Energy Regulatory Commission Ximena Gonzalez, Chief of Staff for Presidential Personnel and Policy, Office of Presidential Personnel
103617	12:32 PM		The President went to the Oval Office dining room.
103618	12:32 PM	1:04 PM	The President had lunch alone.
103619	1:04 PM	1:10 PM	The President met with: Mr. McDonough Ambassador Rice Ms. Haines Ms. Monaco
103620	1:10 PM	2:10 PM	The President participated in a meeting with intelligence agency officials. The purpose of the meeting was to receive the report on Russia's cyber activity. For a list of attendees, see <u>APPENDIX "A."</u>
103621	2:15 PM		P6/b(6)

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
2:15 PM THURSDAY

ID	START	END	DESCRIPTION
103622	2:15 PM	2:35 PM *	The President participated in a press pre-brief with: Joshua R. Earnest, Assistant to the President and Press Secretary Jennifer R. Psaki, Assistant to the President and Director of Communications Elizabeth M. "Liz" Allen, Deputy Assistant to the President & Deputy Director of Communications Kaelan Richards, <i>Sen Regional Comm. Dir.</i> Valerie B. Jarrett, Senior Advisor and Assistant for Intergovernmental Affairs and Public Engagement P6/b(6)
103623	2:35 PM *	2:40 PM *	The President went to the Diplomatic Reception Room.
103624	2:42 PM	2:48 PM	The President participated in an interview with Carol Marin, political editor with WMAQ-NBC of Chicago, Illinois.
103625	2:50 PM	2:56 PM	The President participated in an interview with Dawn Hasbrouck, news anchor with WFLD-FOX, of Chicago, Illinois.
103626	2:58 PM	3:06 PM	The President participated in an interview with Jay Levine, special contributor with WBBM-CBS of Chicago, Illinois.
103627	3:08 PM	3:13 PM	The President participated in an interview with Muriel Clair, reporter with WGN of Chicago, Illinois.
103628	3:15 PM	3:22 PM	The President participated in an interview with Judy Hsu, co-news anchor with WLS-ABC of Chicago, Illinois.
103629	3:35 PM		The President returned to the Oval Office.
103630	3:39 PM	3:49 PM P	The President talked with Lynn Taliento, co-founder and principal of the Social Sector Practice of the Americas with McKinsey and Company.
103631	3:50 PM		The President went to the Roosevelt Room.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA

THE WHITE HOUSE
WASHINGTON D.C.



January 5, 2017
3:50 PM THURSDAY

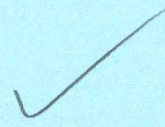
ID	START	END	DESCRIPTION
103632	3:50 PM	3:55 PM *	The President participated in a video taping session for a Weekly Address to the Nation on his upcoming farewell address. The President's remarks will be released on January 7, 2016 over the internet.
103633	3:55 PM *	4:08 PM	The President participated in a audio taping session for a virtual reality film. UK
103634	4:08 PM		The President returned to the Oval Office.
103635	4:10 PM	4:20 PM	The President participated in a video taping session of a Farewell Address trailer for the Office of Digital Strategy (ODS).
103636	4:20 PM	4:25 PM	The President went to the China Room.
103638	4:25 PM	5:31 PM *	The President and the Vice President participated in a meeting of his Council of Advisors on Science and Technology (PCAST). For a list of attendees, see <u>APPENDIX "B."</u>
103637	5:31 PM *		The Presidential party went to the Diplomatic Reception Room.
103639	5:31 PM *	5:41 PM	The President participated in a group photo opportunity with his Council of Advisors on Science and Technology (PCAST).
103640	5:41 PM		The President returned to the Oval Office.
103641	5:41 PM	5:51 PM	The President met for a wrap up with: Denis McDonough, Assistant to the President and Chief of Staff Jason Furman, Chair, Council of Economic Advisors Sandra E. Black, Member, Council of Economic Advisers
103642	5:51 PM	6:00 PM	The President met for a daily wrap up with Mr. McDonough.
103643	6:00 PM	6:30 PM	The President met with Mr. Rhodes.
103644	6:30 PM		The President went to the Second Floor Residence.

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



APPENDICES FOR THE PRESIDENTIAL DIARY OF THURSDAY, JANUARY 5, 2017

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



MEETING WITH INTELLIGENCE AGENCY OFFICIALS

January 5, 2017

The Oval Office

Event 103620

Appendix "A"

Attendance not confirmed.

ATTENDEES:

The President

Joseph R. "Joe" Biden Junior, Vice President

Jeh Charles Johnson, Secretary of Homeland Security

Denis McDonough, Assistant to the President and Chief of Staff

Susan E. Rice, Assistant to the President for National Security Affairs
[tentative]

Avril D. Haines, Assistant to the President and Deputy National Security Advisor

Lisa O. Monaco, Assistant to the President for Homeland Security and Counterterrorism and Deputy National Security Advisor

James R. Clapper Junior, Director of National Intelligence

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James B. Comey Jr, Director of the Federal Bureau of Investigation (FBI)

John O. Brennan, Director of the Central Intelligence Agency

Admiral Michael S. Rogers, Director, National Security Agency; Commander, U.S. Cyber Command

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017

The China Room

Event 103638

Appendix "B"

Attendance not confirmed.

ATTENDEES:

The President

Joseph R. "Joe" Biden Junior, Vice President

John P. Holdren, Assistant for Science and Technology, and Director, Office of Science and Technology Policy
[co-chair, PCAST]

Eric S. Lander, co-chair, PCAST; Director of the Broad Institute of M.I.T. and Harvard; Professor of Biology,
M.I.T.

William Press, vice chair, PCAST; Professor of Computer Sciences, University of Texas at Austin

Maxine Savitz, PCAST Vice Chair and General Manager (retired) of Technology Partnerships at Honeywell,
Inc.

Wanda Austin, President and CEO (Retired), Aerospace Corporation

Rosina Bierbaum, Professor of Natural Resources and Environment, University of Michigan

Christine Cassel, President and CEO, National Quality Forum

Christopher Chyba, Professor of Astrophysical Sciences and International Affairs and Director, Program on
Science and Global Security, Princeton University

S. James Gates Junior, John S. Toll Professor of Physics and Director of the Center for String and Particle
Theory, University of Maryland, College Park

Mark Gorenberg, founder and managing director, Zetta Venture Partners

Susan L. Graham, Professor of Electrical Engineering and Computer Science Emerita, University of California,
Berkeley

THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017

The China Room

Event 103638

Appendix "B"

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Jeffrey D. "Jeff" Zients, Assistant to the President for Economic Policy and Director, National Economic Council

Tamara L. "Tammy" Dickinson, Principal Assistant Director for Environment and Energy, Office of Science and Technology Policy [backbench]

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THE DAILY DIARY OF PRESIDENT BARACK H. OBAMA



PCAST MEETING

January 5, 2017

The China Room

Event 103638

Appendix "B"

Page 3

Thomas A. Kalil, Deputy Director for Technology and Innovation, Office of Science and Technology Policy [backbench]

Billie McGrane, Executive Assistant, Office of Science and Technology Policy [backbench]

Jennifer L. Michael, Program Support Specialist, Office of Science and Technology Policy [backbench]

Ashley Predith, Executive Director, PCAST [backbench]

PRIVATE

**MEETING BREAKDOWN FOR PRESIDENT BARACK OBAMA
THURSDAY, JANUARY 5, 2017
WASHINGTON, DC**

10:00 – 10:30 am PRESIDENTIAL DAILY BRIEFING

Location: The Oval Office
PRESS: CLOSED

Attendees:

1. Denis McDonough
2. Susan Rice
3. Avril Haines
4. Lisa Monaco
5. Colin Kahl
6. Ben Rhodes
7. Director Clapper

10:55 – 11:00 am MOVE TO THE MAP ROOM

11:00 – 11:30 am OPSO TIME

Location: The Map Room
POC: Caitria Mahoney
PRESS: CLOSED

Format:

- **YOU** greet meeting participants
- The meeting begins
- The meeting concludes
- The participants depart

Attendees:

1. Terry McAuliffe, Governor, Virginia (D)
2. Nancy Pelosi, U.S. Representative (D)
3. Chuck Schumer, U.S. Senator (D)

11:30 – 11:35 am MOVE TO THE OVAL OFFICE

11:35 – 11:55 am POTUS TIME

Location: The Oval Office
PRESS: CLOSED

11:55 – 12:15 pm PPO RECOGNITION PHOTOS

Location: The Oval Office
POC: Sarah Montell
Attendees: 6 participants // 5 clicks
PRESS: CLOSED

Format:

- Ximena Gonzalez introduces the first recognition photo recipient to **YOU**
- **YOU** welcome the appointee into the Oval Office
- **YOU** pose for a photograph with the appointee
- Ximena Gonzalez escorts the appointee out of the room and introduces the next recognition photo recipient to **YOU**

Attendees:

1. Rebecca Barnes, Special Assistant to the President and CEO and Front Office Manager, Overseas Private Investment Corporation
2. Cynthia Giles, Assistant Administrator for Enforcement and Compliance Assurance, Environmental Protection Agency
3. AJ Pearlman, Chief of Staff and Senior Advisor, Office for Civil Rights, Department of Health and Human Services
4. Kate Tretow, Deputy White House Liaison, Department of Education
5. Norman Bay, Chairman and Commissioner, Federal Energy Regulatory Commission
6. Ximena Gonzalez, COS for Presidential Personnel and Policy, Office of Presidential Personnel

12:25 – 12:55 pm

LUNCH

Location: The Oval Office
PRESS: CLOSED

1:00 – 2:00 pm

NSC TIME

Location: The Oval Office
POC: Meg Freshwater
PRESS: CLOSED

Attendees:

1. The Vice President
2. Jeh Johnson, Secretary of Homeland Security
3. Denis McDonough, Assistant to the President and Chief of Staff
4. *Susan Rice, Assistant to the President for National Security Affairs (i)*
5. Avril Haines, Assistant to the President and Deputy National Security Advisor
6. Lisa Monaco, Assistant to the President for Counterterrorism and Homeland Security
7. James Clapper, Director of National Intelligence
8. Sally Yates, Deputy Attorney General
9. James Comey, Director, Federal Bureau of Investigation
10. John Brennan, Director of the Central Intelligence Agency
11. Admiral Michael Rogers, Director, National Security Agency

2:05 – 2:10 pm

MOVE TO THE DOCTORS OFFICE

2:10 – 2:20 pm

INTERVIEW PREP // [REDACTED] P6/b(6)

Location: The Doctor's Office
POC: Peter Velz // Desiree Barnes
PRESS: CLOSED

NOTE: [REDACTED] **YOU** move to the Diplomatic Reception Room

Attendees:

1. Josh Earnest
2. Jen Psaki
3. Liz Allen
4. Kaelan Richards
5. Valerie Jarrett

2:20 – 2:55 pm

LIVE FROM THE WHITE HOUSE: REGIONAL TV INTERVIEWS ON THE CHICAGO FAREWELL SPEECH

Location: The Diplomatic Reception Room

POC: Kaelan Richards

Attendees: **YOU** + 5 Regional TV Anchors

Setup: 5 standing interviews, approximately 4 minutes each

Remarks: Informal (Talking Points)

Sound/Podium: Lav Mic // None

Teleprompter: No

PRESS: CLOSED // EMBARGOED UNTIL 5 PM EST ON 1/5 // WH VIDEOGRAPHER

Format:

- **YOU** are fitted with a lav mic
- Each anchor is escorted into the Diplomatic Reception Room
- **YOU** greet each anchor
- Interviews begin. Anchors will rotate out for each segment while **YOU** remain in the Diplomatic Reception Room.
 - 2:20 - 2:24 pm: Interview #1: Carol Marin – WMAQ (NBC) Chicago
 - 2:24 - 2:26 pm: Switch anchors and reset
 - 2:26 - 2:30 pm: Interview #2: Dawn Hasbrouck – WFLD (FOX) Chicago
 - 2:30 - 2:32 pm: Switch anchors and reset
 - 2:32 - 2:36 pm: Interview #3: Jay Levine – WBBM (CBS) Chicago
 - 2:36 - 2:38 pm: Switch anchors and reset
 - 2:38 - 2:42 pm: Interview #4: Muriel Clair – WGN Chicago
 - 2:42 - 2:44 pm: Switch anchors and reset
 - 2:44 - 2:48 pm: Interview #5: Judy Hsu – WLS (ABC) Chicago
- Following conclusion of last interview, **YOU** depart

2:55 – 3:00 pm

MOVE TO THE OVAL OFFICE

3:15 – 3:20 pm

MOVE TO THE ROOSEVELT ROOM

3:20 – 3:45 pm

WEEKLY ADDRESS AND VIDEO TAPINGS

Location: Roosevelt Room // Oval Office

POC: Adam Garber

PRESS: CLOSED // WH VIDEOGRAPHER

Video Tapings:

1. Weekly Address
2. VR Voice-Over Taping
3. Video for Farewell Address Trailer

Format:

- **YOU** tape the Weekly Address and VR Voice-Over in the Roosevelt Room
- **YOU** move to the Oval Office
- **YOU** tape the Farewell Address Trailer
- Video crew departs

4:00 – 4:05 pm

MEETING PREP

Location: The Oval Office
 POC: Cristin Dorgelo
 PRESS: CLOSED

Attendees:

1. Dr, John Holdren
2. Eric Lander, PCAST CO-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School

4:05 – 4:10 pm

MOVE TO THE CHINA ROOM

4:10 – 5:00 pm

PRESIDENT’S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY (PCAST) MEETING

Location: The China Room
 POC: Cristin Dorgelo
 Attendees: 31 participants
 Setup: Seated Meeting
 Remarks: Talking points submitted in event memo
 PRESS: CLOSED // WH VIDEOGRAPHER FOR OPENING REMARKS ONLY

Format:

- **YOU** take **YOUR** seat in the China Room and deliver opening remarks to PCAST
- Following **YOUR** opening remarks, John Holdren thanks you and lays out the meeting agenda
- Eric Lander summarizes the study on forensic science in the criminal courts, highlighting the need for better research and the application of scientific principles in pattern-matching disciplines. Jim Gates may add additional comments.
- John Holdren shares the findings and recommendations of the study on semiconductor industry competitiveness and innovation. Craig Mundie may add additional comments
- If time permits, Rosina Bierbaum and Chris Cassel are prepared to discuss PCAST’s report on science and technology to ensure the safety of the Nation’s drinking water

- If time permits, Wanda Austin and Chris Chyba are prepared to discuss PCAST's study of Federal actions needed to protect the Nation against biological attack
- **YOU** offer **YOUR** thoughts on the highest science and technology accomplishments and provide **YOUR** reactions to the PCAST activities
- **YOU** offer **YOUR** perspective on what is needed to ensure the U.S. science and technology enterprise remains robust into the future
- John Holdren offers brief closing observations
- **YOU** make closing remarks and invite the PCAST members to move into the Diplomatic Reception Room for a group photo
- **YOU** remain in the China Room while PCAST members take their places on pre-staged risers

PCAST Attendees:

1. John Holdren, PCAST Co-Chair and Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy
2. Eric Lander, PCAST Co-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School
3. William Press, PCAST Vice-Chair and Professor of Computer Sciences at the University of Texas at Austin and former Deputy Director of the Los Alamos National Laboratory
4. Maxine Savitz, PCAST Vice-Chair and General Manager (retired) of Technology Partnerships at Honeywell, Inc.
5. Wanda Austin, President and CEO (retired) of Aerospace Corporation
6. Rosina Bierbaum, Professor (and former Dean) of Natural Resources and Environment, University of Michigan, and OSTP Associate Director for Environment in the Clinton Administration
7. Christine Cassel, President and CEO of the National Quality Forum
8. Christopher Chyba, Professor of Astrophysical Sciences and International Affairs and Director, Program on Science & Global Security, Princeton University
9. S. James Gates Jr., John S. Toll Professor of Physics and Director of the Center for String and Particle Theory at the University of Maryland, College Park
10. Mark Gorenberg, Founder and Managing Director, Zetta Venture Partners
11. Susan L. Graham, Professor of Electrical Engineering and Computer Science Emerita, University of California, Berkeley
12. Michael McQuade, Senior Vice President, Science & Technology, United Technologies Corporation
13. Chad Mirkin, Professor and Director of International Institute for Nanotechnology, Northwestern University
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15. Barbara Schaal, Dean of Arts and Sciences and Professor of Biology at Washington University in St. Louis
16. Daniel Schrag, Hooper Professor of Geology and Professor of Environmental Science and Engineering, Harvard University, and Director of the Harvard University Center for Environment

White House Attendees:

1. The Vice President
2. Valerie Jarrett
3. Neil Eggleston
4. Avril Haines
5. Cecilia Muñoz
6. Megan Smith
7. Jeffrey Zients
8. Tammy Dickinson, Principal Assistant Director for Environment and Energy, OSTP (backbench)
9. Cristin Dorgelo, Chief of Staff, OSTP (backbench)
10. Steve Fetter, Principal Assistant Director, OSTP (backbench)

11. Jo Handelsman, Associate Director for Science (backbench)
12. Tom Kalil, Deputy Director for Technology and Innovation, OSTP (backbench)
13. Billie McGrane, Executive Assistant, OSTP (backbench)
14. Jen Michael, Program Support Specialist, OSTP (backbench)
15. Ashley Predith, PCAST Executive Director, OSTP (backbench)

5:00 – 5:10 pm

GROUP PHOTO WITH PCAST MEMBERS

Location: The Diplomatic Reception Room
 POC: Cristin Dorgelo
 Attendees: 16 participants
 Setup: Standing Photo
 PRESS: CLOSED // WH VIDEOGRAPHER

Format:

- Once PCAST members are set on the risers, **YOU** enter the Diplomatic Reception Room and pose for a group photo (16 participants // 1 click)
- Following the photo, **YOU** depart

Photo Participants:

1. John Holdren, PCAST Co-Chair and Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy
2. Eric Lander, PCAST Co-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School
3. William Press, PCAST Vice-Chair and Professor of Computer Sciences at the University of Texas at Austin and former Deputy Director of the Los Alamos National Laboratory
4. Maxine Savitz, PCAST Vice-Chair and General Manager (retired) of Technology Partnerships at Honeywell, Inc.
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6. Rosina Bierbaum, Professor (and former Dean) of Natural Resources and Environment, University of Michigan, and OSTP Associate Director for Environment in the Clinton Administration
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14. Craig Mundie, President, Mundie Associates (former Microsoft executive)
15. Barbara Schaal, Dean of Arts and Sciences and Professor of Biology at Washington University in St. Louis
16. Daniel Schrag, Hooper Professor of Geology and Professor of Environmental Science and Engineering, Harvard University, and Director of the Harvard University Center for Environment

5:10 – 5:15 pm

MOVE TO THE OVAL OFFICE

5:30 – 6:00 pm

WRAP UP

Location: The Oval Office
 POC: Jenny Wang
 PRESS: CLOSED

6:00 – 6:30 pm

DESK TIME

Location: The Oval Office
PRESS: CLOSED

RON

THE WHITE HOUSE

January 5, 2016

[illegible]

Thursday, January 5, 2017

PRESIDENTIAL CALL LOG

SIGNAL SWITCHBOARD

PRESIDENT BARACK H. OBAMA

Thursday, January 5, 2017

[illegible]

PRESIDENTIAL CALL LOG

WHITE HOUSE SITUATION ROOM

January 05, 2017

[illegible]



United States Secret Service
Presidential Protective Division
POTUS REPORT

Appointment Information

Appointment #: 806900 **U #:** U41314 **Room #:** Oval Office **Person to be Visited:** POTUS
Requestor: YAWEI WANG **Requestor Phone:** 69361
From Date/Time: 01/05/2017 11:00 AM **Type of Appointment:** Appointment
To Date/Time: 01/05/2017 11:59 PM **Location:** White House (WH)

Visitor's Name

McAuliffe, Terence Richard



United States Secret Service
Presidential Protective Division
POTUS REPORT

Appointment Information

Appointment #: 807120 **U #:** U41480 **Room #:** WW Lobby **Person to be Visited:** POTUS

Requestor: TIMOTHY KELLY

Requestor Phone: 51790

From Date/Time: 01/05/2017 11:00 AM

Type of Appointment: Appointment

To Date/Time: 01/05/2017 11:59 PM

Location: White House (WH)

Visitor's Name
Pelosi, Nancy NMN
Schumer, Chuck NMN



United States Secret Service
Presidential Protective Division
POTUS REPORT

Appointment Information

Appointment #: 806263 **U #:** U40795 **Room #:** Oval Office **Person to be Visited:** POTUS
Requestor: SARAH MONTELL **Requestor Phone:** 51804
From Date/Time: 01/05/2017 12:00 PM **Type of Appointment:** Appointment
To Date/Time: 01/05/2017 11:59 PM **Location:** White House (WH)

Visitor's Name
BARNES, REBECCA EILEEN
BAY, NORMAN CHUAN
GILES, CYNTHIA JANE
TRETOW, KATHERINE EMILY



United States Secret Service
Presidential Protective Division
POTUS REPORT

Appointment Information

Appointment #: 806264 **U #:** U40947 **Room #:** Oval Office **Person to be Visited:** POTUS
Requestor: SARAH MONTELL **Requestor Phone:** 51804
From Date/Time: 01/05/2017 12:00 PM **Type of Appointment:** Appointment
To Date/Time: 01/05/2017 11:59 PM **Location:** White House (WH)

Visitor's Name

PEARLMAN, AMANDA JILLIAN



PRESIDENT'S BRIEFING BOOK

For

THURSDAY, JANUARY 5, 2017

Presidential Diarist

PRIVATE

**MEETING BREAKDOWN FOR PRESIDENT BARACK OBAMA
THURSDAY, JANUARY 5, 2017
WASHINGTON, DC**

10:00 – 10:30 am PRESIDENTIAL DAILY BRIEFING

Location: The Oval Office

PRESS: CLOSED

Attendees:

1. Denis McDonough
2. Susan Rice
3. Avril Haines
4. Lisa Monaco
5. Colin Kahl
6. Ben Rhodes
7. Director Clapper

10:55 – 11:00 am MOVE TO THE MAP ROOM

11:00 – 11:30 am OPSO TIME

Location: The Map Room

POC: Caitria Mahoney

PRESS: CLOSED

Format:

- **YOU** greet meeting participants
- The meeting begins
- The meeting concludes
- The participants depart

Attendees:

1. Terry McAuliffe, Governor, Virginia (D)
2. Nancy Pelosi, U.S. Representative (D)
3. Chuck Schumer, U.S. Senator (D)

11:30 – 11:35 am MOVE TO THE OVAL OFFICE

11:35 – 11:55 am POTUS TIME

Location: The Oval Office

PRESS: CLOSED

11:55 – 12:15 pm PPO RECOGNITION PHOTOS

Location: The Oval Office

POC: Sarah Montell

Attendees: 6 participants // 5 clicks

PRESS: CLOSED

Format:

- Ximena Gonzalez introduces the first recognition photo recipient to **YOU**
- **YOU** welcome the appointee into the Oval Office
- **YOU** pose for a photograph with the appointee
- Ximena Gonzalez escorts the appointee out of the room and introduces the next recognition photo recipient to **YOU**

Attendees:

1. Rebecca Barnes, Special Assistant to the President and CEO and Front Office Manager, Overseas Private Investment Corporation
2. Cynthia Giles, Assistant Administrator for Enforcement and Compliance Assurance, Environmental Protection Agency
3. AJ Pearlman, Chief of Staff and Senior Advisor, Office for Civil Rights, Department of Health and Human Services
4. Kate Tretow, Deputy White House Liaison, Department of Education
5. Norman Bay, Chairman and Commissioner, Federal Energy Regulatory Commission
6. Ximena Gonzalez, COS for Presidential Personnel and Policy, Office of Presidential Personnel

12:25 – 12:55 pm

LUNCH

Location: The Oval Office
PRESS: CLOSED

1:00 – 2:00 pm

NSC TIME

Location: The Oval Office
POC: Meg Freshwater
PRESS: CLOSED

Attendees:

1. The Vice President
2. Jeh Johnson, Secretary of Homeland Security
3. Denis McDonough, Assistant to the President and Chief of Staff
4. *Susan Rice, Assistant to the President for National Security Affairs (i)*
5. Avril Haines, Assistant to the President and Deputy National Security Advisor
6. Lisa Monaco, Assistant to the President for Counterterrorism and Homeland Security
7. James Clapper, Director of National Intelligence
8. Sally Yates, Deputy Attorney General
9. James Comey, Director, Federal Bureau of Investigation
10. John Brennan, Director of the Central Intelligence Agency
11. Admiral Michael Rogers, Director, National Security Agency

2:05 – 2:10 pm

MOVE TO THE DOCTORS OFFICE

2:10 – 2:20 pm

INTERVIEW PREP // [REDACTED]

Location: The Doctor's Office
POC: Peter Velz // Desiree Barnes
PRESS: CLOSED

P6/b(6)

NOTE:

[REDACTED] **YOU** move to the Diplomatic Reception Room

Attendees:

1. Josh Earnest
2. Jen Psaki
3. Liz Allen
4. Kaelan Richards
5. Valerie Jarrett

2:20 – 2:55 pm

**LIVE FROM THE WHITE HOUSE: REGIONAL TV INTERVIEWS ON
THE CHICAGO FAREWELL SPEECH**

Location: The Diplomatic Reception Room
POC: Kaelan Richards
Attendees: **YOU** + 5 Regional TV Anchors
Setup: 5 standing interviews, approximately 4 minutes each
Remarks: Informal (Talking Points)
Sound/Podium: Lav Mic // None
Teleprompter: No
PRESS: CLOSED // EMBARGOED UNTIL 5 PM EST ON 1/5 // WH
VIDEOGRAPHER

Format:

- **YOU** are fitted with a lav mic
- Each anchor is escorted into the Diplomatic Reception Room
- **YOU** greet each anchor
- Interviews begin. Anchors will rotate out for each segment while **YOU** remain in the Diplomatic Reception Room.
 - 2:20 - 2:24 pm: Interview #1: Carol Marin – WMAQ (NBC) Chicago
 - 2:24 - 2:26 pm: Switch anchors and reset
 - 2:26 - 2:30 pm: Interview #2: Dawn Hasbrouck – WFLD (FOX) Chicago
 - 2:30 - 2:32 pm: Switch anchors and reset
 - 2:32 - 2:36 pm: Interview #3: Jay Levine – WBBM (CBS) Chicago
 - 2:36 - 2:38 pm: Switch anchors and reset
 - 2:38 - 2:42 pm: Interview #4: Muriel Clair – WGN Chicago
 - 2:42 - 2:44 pm: Switch anchors and reset
 - 2:44 - 2:48 pm: Interview #5: Judy Hsu – WLS (ABC) Chicago
- Following conclusion of last interview, **YOU** depart

2:55 – 3:00 pm

MOVE TO THE OVAL OFFICE

3:15 – 3:20 pm

MOVE TO THE ROOSEVELT ROOM

3:20 – 3:45 pm

WEEKLY ADDRESS AND VIDEO TAPINGS

Location: Roosevelt Room // Oval Office
POC: Adam Garber
PRESS: CLOSED // WH VIDEOGRAPHER

Video Tapings:

1. Weekly Address
2. VR Voice-Over Taping
3. Video for Farewell Address Trailer

Format:

- **YOU** tape the Weekly Address and VR Voice-Over in the Roosevelt Room
- **YOU** move to the Oval Office
- **YOU** tape the Farewell Address Trailer
- Video crew departs

4:00 – 4:05 pm

MEETING PREP

Location: The Oval Office
 POC: Cristin Dorgelo
 PRESS: CLOSED

Attendees:

1. Dr, John Holdren
2. Eric Lander, PCAST CO-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School

4:05 – 4:10 pm

MOVE TO THE CHINA ROOM

4:10 – 5:00 pm

PRESIDENT'S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY (PCAST) MEETING

Location: The China Room
 POC: Cristin Dorgelo
 Attendees: 31 participants
 Setup: Seated Meeting
 Remarks: Talking points submitted in event memo
 PRESS: CLOSED // WH VIDEOGRAPHER FOR OPENING REMARKS ONLY

Format:

- **YOU** take **YOUR** seat in the China Room and deliver opening remarks to PCAST
- Following **YOUR** opening remarks, John Holdren thanks you and lays out the meeting agenda
- Eric Lander summarizes the study on forensic science in the criminal courts, highlighting the need for better research and the application of scientific principles in pattern-matching disciplines. Jim Gates may add additional comments.
- John Holdren shares the findings and recommendations of the study on semiconductor industry competitiveness and innovation. Craig Mundie may add additional comments
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- **YOU** offer **YOUR** thoughts on the highest science and technology accomplishments and provide **YOUR** reactions to the PCAST activities
- **YOU** offer **YOUR** perspective on what is needed to ensure the U.S. science and technology enterprise remains robust into the future
- John Holdren offers brief closing observations
- **YOU** make closing remarks and invite the PCAST members to move into the Diplomatic Reception Room for a group photo
- **YOU** remain in the China Room while PCAST members take their places on pre-staged risers

PCAST Attendees:

1. John Holdren, PCAST Co-Chair and Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy
2. Eric Lander, PCAST Co-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School
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9. Cristin Dorgelo, Chief of Staff, OSTP (backbench)
10. Steve Fetter, Principal Assistant Director, OSTP (backbench)

11. Jo Handelsman, Associate Director for Science (backbench)
12. Tom Kalil, Deputy Director for Technology and Innovation, OSTP (backbench)
13. Billie McGrane, Executive Assistant, OSTP (backbench)
14. Jen Michael, Program Support Specialist, OSTP (backbench)
15. Ashley Predith, PCAST Executive Director, OSTP (backbench)

5:00 – 5:10 pm

GROUP PHOTO WITH PCAST MEMBERS

Location: The Diplomatic Reception Room
 POC: Cristin Dorgelo
 Attendees: 16 participants
 Setup: Standing Photo
 PRESS: CLOSED // WH VIDEOGRAPHER

Format:

- Once PCAST members are set on the risers, **YOU** enter the Diplomatic Reception Room and pose for a group photo (16 participants // 1 click)
- Following the photo, **YOU** depart

Photo Participants:

1. John Holdren, PCAST Co-Chair and Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy
2. Eric Lander, PCAST Co-Chair and Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School
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16. Daniel Schrag, Hooper Professor of Geology and Professor of Environmental Science and Engineering, Harvard University, and Director of the Harvard University Center for Environment

5:10 – 5:15 pm

MOVE TO THE OVAL OFFICE

5:30 – 6:00 pm

WRAP UP

Location: The Oval Office
 POC: Jenny Wang
 PRESS: CLOSED

6:00 – 6:30 pm

DESK TIME

Location: The Oval Office

PRESS: CLOSED

RON

THE WHITE HOUSE

Withdrawal Marker

Obama Presidential Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Briefing	Daily Economic Briefing - To: POTUS - From: Jeff Zients	4	01/04/2017	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Scheduling and Advance, Office of

SERIES:

Presidential Daily Diary

FOLDER TITLE:

01/05/2017

FRC ID:

9559

OA Num.:

NARA Num.:

FOIA IDs and Segments:

25-74956-F

24-01042-F

22-17857-F

RESTRICTION CODES

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

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

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

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

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

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

THE WHITE HOUSE

Washington

January 4, 2017

OPSO TIME

DATE: January 5, 2017
LOCATION: Map Room
TIME: 11:00 – 11:30 AM
From: Caitria Mahoney

I. PURPOSE

YOU will meet with Leader Pelosi, Leader Schumer, and Governor McAuliffe to discuss redistricting at Leader Pelosi's request.

II. PARTICIPANTS

- Terry McAuliffe, Governor, Virginia (D)
- Nancy Pelosi, U.S. Representative (D)
- Chuck Schumer, U.S. Senator (D)

III. PRESS PLAN

CLOSED Press.

IV. SEQUENCE OF EVENTS

- YOU welcome the meeting participants.
- The meeting begins.
- The meeting concludes.
- The participants depart.

V. REMARKS

N/A

VI. ATTACHMENTS

N/A

THE WHITE HOUSE

Washington

January 4, 2017

PPO RECOGNITION PHOTOS

DATE: January 5, 2017
LOCATION: Oval Office
TIME: 11:55 AM – 12:25 PM
From: Ximena Gonzalez & Sarah Montell
Presidential Personnel Office

I. PURPOSE

The purpose of this meeting is for YOU to thank and connect with agency appointees who have been doing exemplary work. The participants have been nominated by agency leadership to recognize the appointees' accomplishments in their current position with hopes this meeting will reaffirm their commitment to the Administration. This opportunity also serves as a way to keep appointees in the agencies connected to YOU and the White House.

II. PARTICIPANTS

- **Rebecca Barnes**, Special Assistant to the President and CEO and Front Office Manager, Overseas Private Investment Corporation
- **Cynthia Giles**, Assistant Administrator for Enforcement and Compliance Assurance, Environmental Protection Agency
- **AJ Pearlman**, Chief of Staff and Senior Advisor, Office for Civil Rights, Department of Health and Human Services
- **Kate Tretow**, Deputy White House Liaison, Department of Education
- **Norman Bay**, Chairman and Commissioner, Federal Energy Regulatory Commission

III. PRESS PLAN

CLOSED Press.

IV. SEQUENCE OF EVENTS

- Ximena Gonzalez introduces the first recognition photo recipient to YOU.
- YOU bring the recipient into the Oval Office to take a photo.
- YOU thank the appointee for their service.
- Ximena Gonzalez escorts the appointee out of the room and introduces the next recognition photo recipient to YOU.

V. REMARKS

N/A

VI. ATTACHMENT

A. Participant Background

PARTICIPANT BACKGROUND

Rebecca Barnes

Rebecca Barnes is the Special Assistant to the CEO and President and Front Office Manager at the Overseas Private Investment Corporation (OPIC), a position she has held since April 2010. Rebecca has served with President and CEO Elizabeth Littlefield during her entire tenure at OPIC, and remains a trusted and indispensable member of the front office team. She filters the distractions, manages information flow, and navigates daily challenges and projects with the utmost grace and patience. Rebecca provides exceptional support to President Littlefield, from juggling the demands of daily scheduling to quickly and efficiently solving problems before they reach the CEO's desk. She has also supported a number of Chiefs of Staff, Senior Advisors, and other assistants who have come through OPIC over the last six years, all with her signature collaborative spirit and work ethic. Rebecca is the face of the OPIC front office, often the first person to interact with staff and outside colleagues. Her positive attitude and institutional knowledge of OPIC processes have earned her the respect and appreciation throughout the building, both among newcomers to the agency and among long-serving staff. She is truly an indispensable member of the OPIC team, and is recommended today for her steadfast commitment to serving CEO Littlefield and your Administration until the end. Prior to joining the Administration, Rebecca served as a Legal Secretary for Jones Day in London. A recent empty nester, she has three adult children: Camille, Matthew, and Michael.

Cynthia Giles

Cynthia Giles is the Assistant Administrator for Enforcement and Compliance Assurance at the Environmental Protection Agency (EPA). Cynthia has been leading the Office of Enforcement and Compliance Assurance since May 2009, and is one of EPA's longest serving senior appointees. In this role, Cynthia leads EPA's efforts to enforce national environmental laws and advance environmental justice. Under her leadership, EPA has settled a number of historic enforcement cases that will continue to protect American communities from pollution. Following the Deepwater Horizon oil spill, Cynthia spearheaded joint civil and criminal enforcement cases that resulted in a \$20 billion settlement, the largest settlement with a single entity in the Department's history.

Cynthia is an advocate for innovation who continues to increase the Agency's use of modern technologies in the enforcement of environmental standards. More than a dozen states across the country are using infrared cameras to detect pollution previously invisible to the naked eye, one of many examples of Cynthia's pioneering approach to compliance. Cynthia is a tireless advocate for the most vulnerable communities overburdened with pollution. She fights to ensure these communities have a voice and receive the support they need to remain resilient against pollution. Prior to joining the Administration, Cynthia served as the Director of the Conservation Law Foundation's Advocacy Center in Rhode Island, where she advocated for laws and policies to combat climate change and promote clean energy. She has over 30 years of experience in environmental law. Cynthia has three children and two grandchildren.

AJ Pearlman

AJ Pearlman is the Chief of Staff and Senior Advisor in the Office for Civil Rights (OCR) at the Department of Health and Human Services (HHS). In this role, AJ develops and implements priorities to further OCR's mission of ensuring that all individuals have access to health care without discrimination. She also oversees the development and mentorship of OCR staff, supporting strategic planning, leadership, and professional development for her team. Upon first joining OCR in November 2014, AJ hit the ground running and successfully orchestrated the government-wide implementation plan for Section 1557, the non-discrimination provision of the Affordable Care Act (ACA). AJ exemplifies public service at its finest, continuing to drive Administration priorities forward and ensuring that her team is supported along the way. She equips her staff with the tools they need to thrive, coaching them through challenges while also allowing for personal growth and independence. When the circumstances get difficult, AJ buckles down and becomes even more focused, always finding a way to see the mission through. AJ began her Federal service as a career staff member at HHS in 2010, working to implement the early stages of the ACA and helping to establish the HHS LGBT Coordinating Committee, which has since been the driving force behind the Agency's commitment to LGBT health equity. Her unwavering dedication to promoting equal access to health care is worthy of recognition today. Originally from California, AJ is an avid runner, hiker and triathlete. She and her wife Lisa Mottet, the Deputy Executive Director at the National Center for Transgender Equality, have been married since 2009.

Kate Tretow

Kate Tretow is the Deputy White House Liaison at the Department of Education (DOEd), a position she has held since March 2016. Kate has served as a vital member of the DOEd White House Liaison team for over three years, first joining the office in March 2013 as a Confidential Assistant. As Deputy White House Liaison, Kate helps manage the political appointee portfolio at the Agency and works closely with the Presidential Personnel Office to ensure appointees remain focused, engaged, and confident in their next steps. Kate served as the primary lead on the appointment and swearing-in ceremony of Secretary John King in April 2016, working with counterparts in the Office of the Vice President and the Office of Legislative Affairs to ensure a smooth transition of leadership within the agency. In the coming month, Kate is planning to support the agency's 146 political appointees through their upcoming separation from DOEd in January. Kate is already brainstorming concrete strategies that will ensure the offboarding process is as seamless and comprehensive as possible, all while prioritizing appointees' leadership development and professional growth in their remaining time at the Agency. Kate brings to her role a meticulous attention to detail, juggling multiple assignments with efficiency and grace. She is proactive, always thinking ahead and maintaining perspective. Her work ethic sets the tone at the agency, encouraging appointees to keep working hard in the remaining months. Prior to joining the Administration, Kate worked for former Wisconsin Senator Herb Kohl. Kate is a native of Wisconsin and graduated from Marquette University. She and her husband, Zac, celebrated their two year anniversary in September.

Norman Bay

Norman Bay is the Chairman of the Federal Energy Regulatory Commission (FERC). He was confirmed to his position on FERC in July 2014 after a relatively contentious confirmation process, and became Chairman in April 2015. Norman is committed to continue serving at

FERC until his term expires June 2018. FERC is an independent organization within the executive branch chartered with regulating the interstate transmission of electricity, natural gas, and oil. Norman has calmly and ably managed the Commission in a complicated regulatory environment. He is admired by his colleagues for his genuine leadership and ability to remain poised and focused on the greater picture. Norman is committed to prohibiting fraud and manipulation in the electricity and natural gas markets, and continues to stand up against the interests of big banks in the energy sector. Norman first joined FERC in July 2009 as the Director of the Office of Enforcement, where he led a staff of nearly 200 tasked with enforcing the regulations of the Commission. An avid college basketball fan, Norman served on the NCAA Committee on Infractions prior to being confirmed as FERC Chairman. He served as a United States Attorney for the District of New Mexico from 2000 to 2001, making him first Chinese-American to be confirmed as a United States Attorney. A New Mexico native, he is a die-hard fan of the University New Mexico Lobos basketball team. Norman lives in Washington, DC with his wife, Yuri.

THE WHITE HOUSE

Washington

January 4, 2017

**LIVE FROM THE WHITE HOUSE: REGIONAL TV INTERVIEWS ON THE
CHICAGO FAREWELL SPEECH**

DATE: January 5, 2017
LOCATION: Diplomatic Reception Room
TIME: 2:10 – 2:55 PM
From: Regional Communications

I. PURPOSE

YOU will participate in five local TV interviews with Chicago affiliates in the Diplomatic Reception Room to reflect on YOUR presidency and discuss YOUR plans after the White House. YOU can also preview YOUR farewell address on January 10th and talk about Chicago's importance to YOU. Each TV anchor will rotate in to record his or her individual four-minute interview, which will air on local evening news tomorrow.

We anticipate that the reporters might ask about Chicago's crime rate, YOUR foundation and library, and potential upcoming pardons. Suggested talking points are included as an attachment.

In addition to their interviews with YOU, the anchors will spend the entire day at the White House. In the morning, the hosts will have coffee with Press Secretary Josh Earnest, and they have the option to attend the daily press briefing. To help inform their coverage, they will receive a briefing from Senior Advisor Valerie Jarrett and Communications Director Jen Psaki. After the briefing, the anchors will tape one-on-one interviews with Valerie Jarrett.

All on-the-record and background content of the day will be embargoed for 5:00 PM ET on Thursday evening.

II. PARTICIPANTS

- Carol Marin – WMAQ (NBC) Chicago
- Dawn Hasbrouck – WFLD (FOX) Chicago
- Jay Levine – WBBM (CBS) Chicago
- Muriel Clair – WGN Chicago
- Judy Hsu – WLS (ABC) Chicago

III. PRESS PLAN

Five one-on-one four-minute taped interviews with local TV stations in target markets. The interviews will be embargoed for 5:00 PM ET on Thursday for use on their evening newscasts and throughout the week.

WH Videographer will cover.

IV. SEQUENCE OF EVENTS

- P6/b(6)
- YOU move to the Diplomatic Reception Room.
- YOU are fitted with a lav mic.
- Each anchor is escorted into the Diplomatic Reception Room.
- YOU greet each anchor.
- YOU participate in interviews [Anchors will rotate out for each segment while YOU remain in the Diplomatic Reception Room]:

2:20 – 2:24 PM: Interview #1: Carol Marin – WMAQ (NBC) Chicago

2:24 – 2:26 PM: Switch anchors and reset

2:26 – 2:30 PM: Interview #2: Dawn Hasbrouck – WFLD (FOX) Chicago

2:30 – 2:32 PM: Switch anchors and reset

2:32 – 2:36 PM: Interview #3: Jay Levine – WBBM (CBS) Chicago

2:36 – 2:38 PM: Switch anchors and reset

2:38 – 2:42 PM: Interview #4: Muriel Clair – WGN Chicago

2:42 – 2:44 PM: Switch anchors and reset

2:44 – 2:48 PM: Interview #5: Judy Hsu – WLS (ABC) Chicago

V. ATTACHMENTS

- A. Anchor Biographies
- B. Background Topline Points and Q&A

ANCHOR BIOGRAPHIES

***Note that you have not interviewed with any of these anchors or stations as President.*

Carol Marin – WMAQ (NBC) Chicago

Carol Marin was named NBC5's Political Editor in 2006, covering state, local, and national political stories. An award-winning reporter, Carol has won two George Foster Peabody awards, two duPont-Columbia awards and two national Emmys. Carol began at NBC5 in 1978 as a reporter and anchored the 6 & 10 PM newscasts until May 1997. From 1997-2002, Carol was a correspondent for CBS News, working for both 60 Minutes and 60 Minutes II. Additionally, Carol is a political columnist for the Chicago Sun-Times and an interviewer on WTTW's "Chicago Tonight."

Dawn Hasbrouck – WFLD (FOX) Chicago

Dawn anchors the 5 and 9 PM broadcasts. Originally from Chicago, she has worked in a variety of markets, including WBZ in Boston, before returning to her hometown. Dawn was nominated for an Emmy and named to the Top 40 Under 40 list in Boston.

Jay Levine – WBBM (CBS) Chicago

Jay is a special contributor to CBS 2, and former chief correspondent with more than 40 years of experience in Chicago TV news. Levine joined CBS 2 in 1990 after 16 years at ABC-owned WLS-Channel 7. He has won several Emmy Awards, including a national award and local awards.

Muriel Clair – WGN Chicago

Muriel is a part-time reporter at WGN, having stepped away from her full-time duties in 2011 after 34 years with the station. Muriel continues to report on education issues, and has received numerous awards in journalism.

Judy Hsu – WLS (ABC) Chicago

Judy Hsu is the co-anchor of ABC7 News at 11 AM. and 4 PM, and joined ABC7 in April 2001. In addition to her anchor responsibilities, she reports for ABC7's daily newscasts and hosts a parenting segment on the morning show called "For Your Family." Hsu has won numerous awards for her coverage.

BACKGROUND TOPLINE POINTS AND Q&A

FYI on YOUR Farewell Address:

- Takes place at 8 PM CT Tuesday, January 10th at McCormick Place, which is where YOU spoke the night of YOUR 2012 victory.
- The event is open to the public.

Chicago/Violent Crime

- My Administration has been and continues to be committed to ensuring the safety of all Americans. Since taking office, we've dedicated hundreds of millions of dollars to violence prevention efforts, but also to create opportunities for individuals and communities to succeed because violence is not just a law enforcement issue.
- And we've made real progress.
- The number of violent crimes occurring in America between 2008 and 2015 has gone down by over 15%. And no year during the previous four Administrations was as safe as 2015.
- In fact, the overall crime rate the past two years has been at its lowest level since the late 1960s.
- The slight uptick in violent crime we've seen is largely caused by an increase that has impacted some cities and towns across the nation. Unfortunately, Chicago is one of those cities. But this trend is not a national trend and, as is usually the case, the numbers go up and down year to year. In fact, in cities, like New York City, Washington, D.C. and Baltimore, we have seen a drop in homicides in 2016.
- But while violent crime remains near historic lows, there is still more work for us to do, especially in places like my hometown of Chicago where I am deeply concerned by the violence they are seeing.
- That's why Chicago is one of the Department of Justice's Violence Reduction Network Cities and the Department of Justice has committed to working in partnership with them moving forward. Chicago also remains a National Forum on Youth Violence Prevention jurisdiction. The Federal Government has sent significant human and financial resources to Chicago and has responded immediately to any requests from City Leadership.
- More generally, we need to do a better job of preventing guns from falling into the hands of those who shouldn't have them. Too often, these are the kinds of guns that are used in carrying out these crimes.
- There is more that Congress can and should do on this front that wouldn't undermine the constitutional rights of law-abiding Americans, but would make it harder for criminals to get their hands on guns. And I've been frustrated that more progress hasn't been made on that.
- I'm also focused on rebuilding trust between law enforcement and the communities they protect, because we've seen how that can make our communities safer.
- And I know that's something that Mayor Emanuel has been quite focused on, too – and there are some indications that the situation there has improved.
- But I think the Mayor would be the first person to say that there's more that they need to do.
- But this is something we should be talking about – it's worthy of our attention. Too often the day-to-day shootings in America go underreported and I'm glad we are having the conversation.

Foundation/Library

Q: With regards to the building of your Presidential Center, many community groups in the neighborhood have been lobbying for a community benefits agreement, yet the Foundation has refused to agree. Why won't you agree to an agreement to ensure that the neighborhood benefits from the building of the Center?

- As you know, the South Side is our home. Michelle and I have been longtime members of the community there and that's why we chose to bring the Presidential Center to the South Side.
- Let's be very clear. The creation of the Center on the South Side will only bring economic benefits to the area. I'm committed to ensuring that happens.
- But not only do we see this as a benefit to the neighborhood economically, we want community members to be a part of the process. We've made it a top priority to hear from members of the community and make sure their input is a part of our decision-making.
- We know the community will benefit from this project. I'm committed to making that happen, and don't believe we need a formal agreement to keep that promise – it's our hometown and we want to see it flourish.

Q: Recent emails from Mayor Emanuel show that Marty Nesbitt was consulted regarding the Tiger Woods PGA golf course. Were you involved in these discussions and how involved was the Foundation in this new development?

- As I've said, we're thrilled to see this increased investment and more resources brought to the South Side of Chicago.
- My Foundation is focused on our core mission: creating a world-class Presidential Center that inspires people and communities to take on big challenges. We will continue to ensure that we are working in close partnership with our neighbors and the community in this effort.
- Of course we'll continue to stay apprised of any work on the Jackson Park Golf Course, along with any other projects that take place near the site of the Obama Presidential Center.
- And we anticipate other businesses and developments to relocate nearby and look forward to working with all of our current and future neighbors to ensure a positive impact on the neighborhood.
- My focus is ensuring that my Presidential Center is a place that brings people together, inspires them to make change, and ensures our neighbors on the South Side are a part of that effort throughout the process.

Q: Will the Foundation commit to maintaining the fundraising standards it has upheld while you were in office?

- As you know, I've made it a point not to raise money for the Foundation while in office, so I don't really have any updates on what our fundraising efforts will be when I leave office.
- What I'm focused on today is highlighting the progress our country has made over the last eight years.

Q: You've only got a few short weeks left in office. What does Day 1 of your post-presidency look like? Post Trump win, you've indicated that you're going to be more involved than you had once planned. What does that look like?

- Look, today more than every we need to be focused on how we can continue the progress we've made over the last eight years – whether it's on climate change, the economy, health care, foreign policy.
- But as I have said, that change and that progress has never been about me. It's been about the millions of Americans who fought alongside with me to make this country better.
- That's why the mission of my Presidential Center that will be created over the next few years will be to train and empower the next generation of leadership so people can make positive change in their own communities.
- For me, I'm going to take some time to spend with Michelle and the girls. Michelle and I will travel, Sasha is finishing high school. We're going to take some downtime.
- But that doesn't mean our work won't continue.
- My Foundation will continue to work closely with the community on the South Side of Chicago to plan for my Presidential Center. I've always said that I don't just want to have a library – I want to create a place where people can go and be inspired to take on our biggest challenges, and get the tools and skills they need to do that effectively.
- And separately, I know that my network of supporters will continue to stand up for the causes they believe in. Because as I said before, this movement was not just about me and it won't be in the future – this is about the progressive causes that we believe make this country better.

Blagojevich, Jesse Jackson Jr Pardons

- I'm not going to comment on individual cases.
- But in terms of pardons generally, you can expect that the process we've put in place will be followed. They will be reviewed by the pardon attorney, by my White House counsel, and then I'll make these decisions based on the merits, as opposed to political considerations.

THE WHITE HOUSE

Washington

January 4, 2017

ODS FAREWELL ADDRESS TRAILER TAPING

DATE: January 5, 2017
LOCATION: Oval Office
TIME: 3:20 – 3:45 PM (after Weekly Address taping)
From: Adam Garber, Director of Video
Office of Digital Strategy

I. PURPOSE

YOU will be featured in a video that will be distributed on White House social media channels. The ODS video team will ask YOU three questions, and will edit YOUR answers in a video piece to preview YOUR farewell address next week.

II. PARTICIPANTS

- White House video team (Adam Garber, Hope Hall, Rachel Kopilow, Duncan Wolfe)

III. PRESS PLAN

CLOSED Press. The final edited product will be distributed on White House social media channels and email lists.

IV. SEQUENCE OF EVENTS

- YOU will sit behind the Resolute Desk to answer questions from the video team.

V. REMARKS

The video team will ask three questions:

- This trip to Chicago represents a lot of finals and lasts, and it's a return to where it all began. How do you expect you will feel as you take the stage, and what do you imagine will be going through your mind?
- You're returning to Chicago where you were a Community Organizer, to talk about, among other things, the role of citizen. What did you learn as President that you'll take with you as a citizen?
- Lastly, you've been on what many agree is perhaps the most demanding of clocks for 8 years, 24/7. How do you imagine that morning on the 21st will feel?

THE WHITE HOUSE

Washington

January 4, 2017

**PRESIDENT'S COUNCIL OF ADVISORS ON SCIENCE AND TECHNOLOGY
MEETING**

DATE: January 5, 2017
LOCATION: China Room and Diplomatic Reception Room
TIME: 4:05 – 5:10 PM
From: John P. Holdren

I. PURPOSE

YOU are meeting YOUR President's Council of Advisors on Science and Technology (PCAST), which is co-chaired by Eric Lander and me and comprises a set of the Nation's leading scientists, engineers, and innovators. This is the 45th and final official in-person meeting of the full PCAST in YOUR Administration. YOU have met with this group (appointed in April 2009) 12 times, most recently in September 2015. The Vice President, 17 PCAST members, and other White House senior staff will be in attendance.

PCAST would like to use part of this meeting to discuss with YOU, to the extent time permits: (a) a brief overview of recent PCAST studies, including forensic science in criminal courts, semiconductor industry competitiveness and innovation, S&T for safe drinking water, and action needed to protect against biological attack; and (b) a broad discussion on the S&T accomplishments of this Administration, particularly those activities that PCAST helped initiate or inform. As always, the group would be interested to hear YOUR thoughts on the future of the Nation's science and technology enterprise in 2017 and beyond.

II. PARTICIPANTS

PCAST Members

- **Co-Chair John Holdren**, Assistant to the President for Science and Technology and Director of the White House Office of Science and Technology Policy
- **Co-Chair Eric Lander**, Director of the Broad Institute of MIT and Harvard, Professor of Biology at MIT, and Professor of Systems Biology at Harvard Medical School
- **Vice-Chair William Press**, Professor of Computer Sciences at the University of Texas at Austin and former Deputy Director of the Los Alamos National Laboratory
- **Vice-Chair Maxine Savitz**, General Manager (retired) of Technology Partnerships at Honeywell, Inc.
- **Wanda Austin**, President and CEO (retired) of Aerospace Corporation

- **Rosina Bierbaum**, Professor (and former Dean) of Natural Resources and Environment, University of Michigan, and OSTP Associate Director for Environment in the Clinton administration
- **Christine Cassel**, President and CEO of the National Quality Forum
- **Christopher Chyba**, Professor of Astrophysical Sciences and International Affairs and Director, Program on Science & Global Security, Princeton University
- **S. James Gates Jr.**, John S. Toll Professor of Physics and Director of the Center for String and Particle Theory at the University of Maryland, College Park
- **Mark Gorenberg**, Founder and Managing Director, Zetta Venture Partners
- **Susan L. Graham**, Professor of Electrical Engineering and Computer Science Emerita, University of California, Berkeley
- **Michael McQuade**, Senior Vice President, Science & Technology, United Technologies Corporation
- **Chad Mirkin**, Professor and Director of International Institute for Nanotechnology, Northwestern University
- **Craig Mundie**, President, Mundie Associates (former Microsoft executive)
- **Barbara Schaal**, Dean of Arts and Sciences and Professor of Biology at Washington University in St Louis
- **Daniel Schrag**, Hooper Professor of Geology and Professor of Environmental Science and Engineering, Harvard University, and Director of the Harvard University Center for Environment

White House Senior Staff

- The Vice President
- Valerie Jarrett
- Avril Haines
- Cecilia Muñoz
- Megan Smith
- Jeffrey Zients
- Neil Eggleston

OSTP Leadership and Staff

- Tammy Dickinson
- Cristin Dorgelo
- Steve Fetter
- Jo Handelsman
- Tom Kalil
- Billie McGrane
- Jen Michael
- Ashley Predith

III. PRESS PLAN

CLOSED Press. WH Videographer will cover opening remarks and photo.

IV. SEQUENCE OF EVENTS

Pre-Briefing (Oval Office)

- YOU will move from the Oval Office to the China Room with PCAST Co-Chairs John Holdren and Eric Lander, who can provide a short pre-briefing prior to YOUR meeting the full group.

PCAST Meeting (China Room)

- YOU will take YOUR seat in the China Room and make opening remarks to PCAST. (Suggested talking points attached at Tab A.)
- John Holdren will thank YOU and lay out the overall meeting agenda.
- Most of the discussion time will be devoted to discussing PCAST's and the Administration's accomplishments in science and technology over the past 8 years, as well as to discussing the future of the Nation's science and technology enterprise in 2017 and beyond, but a short summary of several recent PCAST reports and their outcomes will be shared first.
 - Eric Lander summarizes the study on forensic science in the criminal courts, highlighting the need for better research and the application of scientific principles in pattern-matching disciplines. Jim Gates may add additional comments.
 - John Holdren shares the findings and recommendations of the study on semiconductor industry competitiveness and innovation. Craig Mundie may add additional comments.
 - Rosina Bierbaum and Chris Cassel will be prepared to discuss PCAST's report on science and technology to ensure the safety of the Nation's drinking water.
 - Wanda Austin and Chris Chyba will be prepared to discuss PCAST's study of Federal actions needed to protect the Nation against biological attack.
 - YOU offer YOUR thoughts on the highest science and technology accomplishments and provide your reactions to the PCAST activities. YOU offer YOUR perspective on what is needed to ensure the U.S. science and technology enterprise remains robust into the future.
- John Holdren offers brief closing observations.
- YOU make closing remarks and invite the PCAST members to join YOU in the Diplomatic Reception Room for a group photo.
- YOU remain in the China Room while PCAST members take their places on pre-staged risers.

Group Photo (Diplomatic Reception Room)

- Once PCAST members are set on the risers, YOU enter the Diplomatic Reception Room and pose for a group photo (16 participants // 1 click).
- YOU depart.

V. REMARKS

Suggested talking points attached at Tab A.

VI. ATTACHMENTS

- A. Talking Points
- B. Participating PCAST Member Bios

Withdrawal Marker

Obama Presidential Library

FORM	SUBJECT/TITLE	PAGES	DATE	RESTRICTION(S)
Talking Points	Talking Points	1	N. D.	P5;

**This marker identifies the original location of the withdrawn item listed above.
For a complete list of items withdrawn from this folder, see the
Withdrawal/Redaction Sheet at the front of the folder.**

COLLECTION:

Scheduling and Advance, Office of

SERIES:

Presidential Daily Diary

FOLDER TITLE:

01/05/2017

FRC ID:

9559

OA Num.:

NARA Num.:

FOIA IDs and Segments:

25-74956-F

24-01042-F

22-17857-F

RESTRICTION CODES

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

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

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

Deed of Gift Restrictions

- A. Closed by Executive Order 13526 governing access to national security information.
- B. Closed by statute or by the agency which originated the document.
- C. Closed in accordance with restrictions contained in donor's deed of gift.

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

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

Records Not Subject to FOIA

Court Sealed - The document is withheld under a court seal and is not subject to the Freedom of Information Act.

PARTICIPATING PCAST MEMBER BIOS

The President's Council of Advisors on Science and Technology (PCAST) is an advisory group of the nation's leading scientists and engineers who directly advise the President and the Executive Office of the President. PCAST makes policy recommendations in the many areas where understanding of science, technology, and innovation is key to strengthening our economy and forming policy that works for the American people.

Co-Chairs



John P. Holdren (co-chair) is Assistant to the President for Science and Technology and Director of the Office of Science and Technology Policy (OSTP) in the Executive Office of the President. Prior to this appointment, Dr. Holdren was a Professor of Environmental Policy and Director of the Program on Science, Technology, and Public Policy at Harvard University's Kennedy School of Government. He also served concurrently as Professor of Environmental Science and Policy in Harvard's Department of Earth and Planetary Sciences and as Director of the independent, nonprofit Woods Hole Research Center. He is a member of the National Academy of Sciences, the National Academy of Engineering, and the American Academy of Arts and Sciences, as well as a former President of the American Association for the Advancement of Science and recipient of the MacArthur Foundation Prize Fellowship.



Eric Lander (co-chair) is the President and Director of the Broad Institute of MIT and Harvard and co-chair of PCAST. He is also Professor of Biology at MIT and Professor of Systems Biology at Harvard Medical School. Lander was one of the principal leaders of the Human Genome Project, leading the largest center in the international project. Over the past 25 years, Lander and colleagues have developed many of the key tools and generated many of the key information resources of modern human genomics. Lander earned his BA in mathematics from Princeton University in 1978 and PhD in mathematics from Oxford University in 1981 as a Rhodes Scholar. He was an assistant and associate professor of managerial economics at the Harvard Business School from 1981-1990. He has co-founded several successful biotechnology companies. Lander is the recipient of numerous awards, including the MacArthur Foundation Prize Fellowship, the Gairdner International Prize and the Albany Prize in Biomedicine. He is a member of both the National Academy of Sciences and Institute of Medicine.

Vice-Chairs

William Press (vice-chair) is the Warren J. and Viola M. Raymer Professor of Computer Science and Integrative Biology at the University of Texas at Austin and has wide-ranging expertise in computer science, theoretical physics, astrophysics, computational biology, and international security. A member of the National Academy of Sciences, he previously served as Deputy Laboratory Director for Science and Technology at the Los Alamos National Laboratory from 1998 to 2004. He was a Professor of Astronomy and Physics at Harvard University from 1976 to 1998. He was the 2012-2013 President of the American Association for the Advancement of Science.



Maxine Savitz (vice-chair) is retired general manager of Technology Partnerships at Honeywell, Inc. and has more than 30 years of experience managing research, development and implementation programs for the public and private sectors, including in the aerospace, transportation, and industrial sectors. From 1979 to 1983, she served as Deputy Assistant Secretary for Conservation in the US Department of Energy. She recently completed two terms 2008-2014, as Vice President of the National Academy of Engineering.

Members



Wanda Austin is President and CEO of Aerospace Corporation. She was previously senior vice president of the company's National Systems Group, which supports the national security space and intelligence community, after serving as the company's senior vice president of the Engineering and Technology Group. She is internationally recognized for her work in satellite systems, systems engineering, and simulation, and she is an active proponent of STEM education. Dr. Austin is a fellow of the AIAA and a member of the Defense Science Board, the National Academy of Engineering, the American Academy of Arts and Sciences, and the International Academy of Astronautics. Winner of numerous awards, she earned her doctorate in systems engineering from the University of Southern California



Rosina Bierbaum is a professor and former Dean of the School of Natural Resources and Environment at the University of Michigan. She has worked at the intersection of science and policy for more than 20 years, including serving as Associate Director for Environment in OSTP in the Clinton Administration and Acting Director of OSTP in 2000-2001. Dr. Bierbaum is a Fellow of the American Association for the Advancement of Science and the American Academy of Arts and Sciences. She was awarded the Climate Protection Award from the US Environmental Protection Agency for scientific leadership in climate protection (1999), the American Geophysical Union's Waldo E. Smith Medal in recognition of extraordinary service to geophysics (2000), and the Ecological Society of America's Distinguished Service Citation (2010) for application of ecology in the public welfare. Her PhD is in evolutionary biology and ecology.



Christine Cassel is President and CEO of the National Quality Forum. Previously she served as President and CEO of the American Board of Internal Medicine and earlier served as Dean of the School of Medicine and Vice President for Medical Affairs at Oregon Health & Science University. A member of the US Institute of Medicine, she was named the second most influential physician executive in the US by Modern Healthcare. An expert in geriatrics, bioethics, and healthcare quality, she was a member of the President's

Commission on Consumer Protection and Quality in the Health Care Industry during the Clinton Administration.



Christopher Chyba is Professor of Astrophysical Sciences and International Affairs at Princeton University and a member of the Committee on International Security and Arms Control of the National Academy of Sciences. His scientific research focuses on solar system exploration, and his security-related work emphasizes nuclear, biological, and space arms control and non-proliferation. He served on the White House staff from 1993 to 1995 at the National Security Council and the Office of Science and Technology Policy. In 2001, he was

awarded a MacArthur Prize Fellowship.



S. James Gates, Jr. is the John S. Toll Professor of Physics, University System of Maryland Regents Professor, and Director of the Center for String and Particle Theory at the University of Maryland, College Park. Currently Dr. Gates is a member of the Maryland State Board of Education. He has served as a consultant to the National Science Foundation, the US Departments of Energy and Defense, and the Educational Testing Service and held appointments at MIT, Harvard, California Institute of Technology and Howard University. Dr. Gates is a Fellow

of the American Physics Society, the American Association for the Advancement of Science, and the National Society of Black Physicists. He is a member of the National Academy of Sciences and a recipient of the National Medal of Science.



Mark Gorenberg is a venture capitalist and managing member of Zetta Venture Partners. Previously he was Managing Director of Hummer Winblad Venture Partners, which he joined in 1990 when the firm began investing its first fund. Earlier, Mr. Gorenberg was with Sun Microsystems, where he managed emerging new media areas and was a member of the original SparcStation team. Over the last 20 years, Mr. Gorenberg has served as a board member for numerous Hummer Winblad start-ups, including Omniture, AdForce,

NetDynamics, and Scopus Technologies. Mr. Gorenberg is a member of the Board of Trustees of the Massachusetts Institute of Technology Corporation, the Steering Committee of the Deshpande Center for Technological Innovation, and the Leadership Board of the McGovern Institute for Brain Research at MIT. Mr. Gorenberg served as chair of the H. John Heinz III Center for Science, Economics, and the Environment Board. Mr. Gorenberg received a BSEE from the Massachusetts Institute of Technology, an MSEE from the University of Minnesota, and an MS in Engineering Management from Stanford University.



Susan L. Graham is the Pehong Chen Distinguished Professor of Electrical Engineering and Computer Science Emerita at the University of California, Berkeley. She received an AB in mathematics from Harvard University and MS and PhD degrees in Computer Science from Stanford University. Her research includes programming language design and implementation, software tools, software development environments, and high-performance computing. Dr.

Graham has served on numerous advisory and visiting committees and has been a consultant to a variety of companies. She was a member of the President's Information Technology Advisory Committee (PITAC) from 1997 to 2003. She served as the Chief Computer Scientist for the National Partnership for Advanced Computational Infrastructure (NPACI) from 1997 to 2005. She currently chairs the Computing Research Association's Computing Community Consortium. Dr. Graham is a member of the National Academy of Engineering and the American Academy of Arts and Sciences, and she is a Fellow of the American Association for the Advancement of Science, the Association for Computing Machinery (ACM), and the Institute of Electrical and Electronics Engineers (IEEE). Her honors include the Harvard Medal, the IEEE von Neumann Medal, the Berkeley Citation, and the ACM/IEEE Ken Kennedy Award. She was named a University of California Berkeley Fellow in 2011.



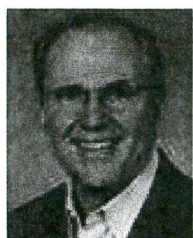
J. Michael McQuade is Senior Vice President for Science & Technology at United Technologies Corporation, where he provides strategic oversight and guidance for research, engineering and development activities throughout the business units of the corporation and at the United Technologies Research Center, focusing on a broad range of high-technology products and services to the global aerospace and building systems industries. Prior to joining UTC in 2006, Dr. McQuade served as Vice President of 3M's Medical Division, and

before that he was President of Eastman Kodak's Health Imaging Business. His early career at 3M was focused on research and development of high-end acquisition, processing and display systems for health care, industrial imaging and remote sensing. Dr. McQuade holds PhD, MS and BS degrees in physics from Carnegie Mellon University. He received his PhD in experimental high-energy physics for research on charm quark production performed at the Fermi National Accelerator Laboratory. Dr. McQuade is a member of the Board of Trustees for Carnegie Mellon University, the Board of Directors of Project HOPE, and the Board of Trustees for Miss Porter's School. He serves on advisory and visiting boards for a number of university science and engineering schools. He currently serves as a member of the Secretary of Energy Advisory Board.



Chad Mirkin is the George B. Rathmann Professor of Chemistry, Professor of Medicine, Professor of Chemical and Biological Engineering, Professor of Biomedical Engineering, and Professor of Materials Science and Engineering at Northwestern University. He is also the Director of Northwestern's International Institute for Nanotechnology. He is a leading expert on nanotechnology, including nano-scale manufacturing and applications of nanomaterials in medicine. He is a member of the National Academy of Sciences and the National Academy of Engineering, and he is the recipient of

over 60 national and international awards, including the Feynman Prize in Nanotechnology, the \$500,000 Lemelson-MIT Prize, and the Sackler Prize. Mirkin is the cofounder of three companies, Nanosphere, NanoInk, and Aurasense, all of which are commercializing applications of nanotechnology in medicine and the semiconductor industry.



Craig Mundie is President of Mundie Associates as of January 2015. He was senior advisor to the CEO of Microsoft Corporation. In this role, he works on key strategic projects within the company, as well as with government and business leaders around the world on technology policy, regulation and standards. Previously, Mundie served as Microsoft's chief research and strategy officer, where he oversaw Microsoft Research, one of the world's largest computer-science research organizations, and was responsible for Microsoft's

long-term technology strategy, directing a number of technology incubations. For more than a decade, Mundie has been Microsoft's principal technology-policy liaison to the US and foreign governments, with an emphasis on China, India and Russia. He has served on the US National Security Telecommunications Advisory Committee and the Markle Foundation Task Force on National Security in the Information Age. He is a member of the Markle Initiative for America's Economic Future in a Networked World.



Barbara Schaal is the Dean of the Faculty of Arts and Sciences and the Mary-Dell Chilton Distinguished Professor at Washington University in St. Louis. An evolutionary biologist, she is recognized for her work on the genetics of plant species. She is known particularly for her studies that use DNA sequences to understand evolutionary processes such as gene flow, geographical differentiation, and the domestication of crop species. She graduated from the University of Illinois, Chicago with a degree in biology, and she received a

doctorate from Yale University in 1974. She was on the faculties of the University of Houston and the Ohio State University before joining Washington University in 1980, where she served as chair of the biology department. Dr. Schaal served recently as Vice President of the National Academy of Sciences, and she is Chair of the Division on Earth and Life Studies of the National Research Council.



Daniel Schrag is the Sturgis Hooper Professor of Geology in the Department of Earth and Planetary Sciences at Harvard University and Professor of Environmental Science and Engineering in the School of Engineering and Applied Sciences. He is also Director of the Harvard University Center for Environment. He was trained as a geochemist and has employed a variety of methods to study the carbon cycle and climate over a wide range of Earth's history, using those insights to better constrain how the Earth will be affected by climate change in the future. Awarded a MacArthur Prize Fellowship in 2000, he has recently been working on technological approaches to mitigating future climate change, including geologic carbon sequestration.

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Friday, January 6, 2017 8:04 PM
To: Carter, Debbie G. EOP/WHO
Subject: EMBARGOED: WEEKLY ADDRESS: President Obama's Farewell Address to the Nation

THE WHITE HOUSE
Office of the Press Secretary

EMBARGOED UNTIL 6:00AM EDT, SATURDAY, January 7, 2017

WEEKLY ADDRESS: President Obama's Farewell Address to the Nation

WASHINGTON, DC — In this week's address, President Obama discussed his upcoming farewell address to the nation. In 1796, as George Washington set the precedent for a peaceful, democratic transfer of power, he also set a precedent by penning a farewell address to the American people. And over the 220 years since, many American presidents have followed his lead. Next week, the President will return to his hometown of Chicago to say a grateful farewell to the nation. This will mark the first time that a President has returned to his hometown to deliver such a speech. The President has said that the running thread through his career has been the notion that when ordinary people get involved, get engaged and come together, things change for the better. This belief is at the heart of the American experiment in self-government – and it gives purpose to new generations. Through his address, the President will thank his supporters, celebrate the ways we have changed this country for the better these past eight years, and offer his vision on where we all go from here. The President will deliver his farewell address at 9:00 PM EST on Tuesday, January 10, at McCormick Place in Chicago, Illinois. To tune in on Tuesday, visit WhiteHouse.gov/live.

The audio of the address and video of the address will be available online at www.whitehouse.gov at 6:00AM EDT, January 7, 2017.

Remarks of President Barack Obama as Prepared for Delivery
Weekly Address
The White House
January 7, 2017

Since the days of George Washington, presidents have delivered some form of final message while in office – a farewell address to the American people.

On Tuesday night, in Chicago, I'll deliver mine. I chose Chicago not only because it's my hometown – where I met my wife and we started a family – but also because it's really where my career in public service began.

The running thread through my career has been the notion that when ordinary people get involved, get engaged, and come together in collective effort, things change for the better.

That's the belief at the heart of this precious American experiment in self-government. It's what gives work and purpose to each new generation.

It's easy to lose sight of that truth in the day-to-day back-and-forth of Washington and our minute-to-minute news cycles. But remember that America is a story told over a longer time horizon, in fits and starts, punctuated at times by hardship, but ultimately written by generations of citizens who've somehow worked together, without fanfare, to form a more perfect union.

Over the past eight years, we've added our own new chapter to that story.

Together, we've turned an economy that was shrinking and losing jobs into one that's growing and creating jobs, with poverty falling, incomes rising, and wages that have jumped faster over the past few years than at any time in the past four decades.

Together, we've achieved what eluded politicians of both parties for a century – we've moved 20 million more Americans from uninsured to insured, ended the days of discrimination against the up to half of Americans who have a preexisting condition, and secured new rights and protections for everybody with health insurance.

Together, we've brought home most of our brave troops from Iraq and Afghanistan, and took bin Laden and thousands of other terrorists off the battlefield for good. We've opened a new chapter with the people of Cuba, shut down Iran's nuclear weapons program without firing a single shot, and brought the world together around a climate agreement that could save this planet for future generations.

By these measures and many more, we have made America a better, stronger place for the generations that follow ours. We've run our leg in our long journey of progress, knowing that our work is and will always be unfinished. That's the imperative of citizenship – the idea that with hard work, people who love their country can change it. That will be the focus of my farewell to you this Tuesday – and I hope you'll tune in. Thanks, and have a great weekend.

###

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Carter, Debbie G. EOP/WHO

From: Young, Caitlin E. EOP/WHO
Sent: Thursday, January 5, 2017 4:32 PM
Subject: Interview of the President by Carol Marin, WMAQ-NBC, Chicago

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

January 5, 2017

INTERVIEW OF THE PRESIDENT
BY CAROL MARIN, WMAQ-NBC, CHICAGO

Diplomatic Room

2:42 P.M. EST

Q Mr. President, do you have full faith in the conclusions of the intelligence briefing that you got today?

THE PRESIDENT: Yes.

Q And is there a reason that Americans should be concerned by the tension that exists between the intelligence committee and the President-elect?

THE PRESIDENT: Well, I think my experience over the last eight years and the experience of most Presidents is that we can't make good decisions unless we have good intelligence. And it's important that the President is getting the very best, non-politicized intelligence possible, because our national security is at stake.

So my hope is that when the President-elect receives his own briefings, and is able to examine the intelligence as his team is put together and they see how professional and effective these agencies are, that some of those current tensions will be reduced.

Q It's disquieting to you, fair to say?

THE PRESIDENT: I think I can speak to my own experience. It's going to be important to make sure that the President and the intelligence communities are both working based on the best possible information.

Q What part of your legacy is going to require the fiercest fight to defend?

✓ ' THE PRESIDENT: Oh, I look back on the last eight years with enormous pride. We didn't get everything we wanted to get done. On the other hand, taking an economy that was on the verge of a Great Depression and creating an economy that, although it still has real pockets of need and still has unacceptable inequality that prevents people from fulfilling their potential, is now steady, stable, strong -- we've created more than 16 million new jobs -- or almost 16 million new jobs; an auto industry that's thriving. Graduation rates that are up. I think we're well-positioned for the future.

And my hope is, is that not just the President-elect but the incoming Congress looks honestly at everything that's been accomplished. Now that I'm, in two weeks, out of the scene, maybe they can have clearer-eyed view of, for example, the health care law that we passed that has made sure 20 million people have insurance that didn't have it before, and has actually slowed the increase in health care costs. And there's no doubt that there are areas where they can still improve it, but to suddenly have 20 million people without health insurance I think would be going backwards rather than forwards.

So my intention is not to be in the day-to-day scrum after the new President is inaugurated, but it is my intention, as a citizen, to continue to promote the things that I care about and that I've cared about ever since I moved to Chicago as a young community organizer.

Q You care about blood in the streets, and since you left there's more blood on the streets of Chicago. I was at Hyde Park Academy when you gave, arguably, one of your most impassioned speeches, and yet, it's worse now than when you were there. Why?

THE PRESIDENT: You know, I have been pushing everybody that has impact on criminal justice issues to answer that very question. What is it about Chicago that has created an increase in homicides that we're just not seeing in most other big cities around the country? And it appears to be a combination of factors -- the nature of gang structures or lack of structure in Chicago; the way that police are allocated; in some cases, the need for more police; the easy accessibility of guns; pockets of poverty that are highly segregated.

So I don't think that there's one reason, and I don't think there's a silver bullet answer for it. But I do think that it is going to be incumbent on all of us to really work on this. I've assigned my Justice Department to work directly with the mayor's office to provide them additional incentives, resources, best practices. As a citizen who has a deep interest in Chicago, my hope is, is the programs that we can invigorate -- like My Brother's Keeper -- that are reaching out to youth at risk, that that can make a difference as well.

Q I didn't want this to be the last question but I have one last question -- in time.

THE PRESIDENT: Sure.

Q Rod Blagojevich wants you to commute him. Will you?

THE PRESIDENT: You know, as a general matter, I don't comment on the commutation pardon process. We have steps that go through the Justice Department and the White House Counsel's Office, and then I study these cases on an individual basis. As you know, I have exercised my commutation powers very aggressively to make sure that we are not over-sentencing people, particularly in low-level drug crimes. Some of these higher-profile cases -- we'll see what gets to my desk.

Q Sir, we'll see you in Chicago. It will be kind of a teary, emotional time, won't it?

THE PRESIDENT: I look forward to coming home. It's always good.

Q Thank you, Mr. President.

THE PRESIDENT: You bet. Thank you, Carol.

END

2:48 P.M. EST

From: Young, Caitlin E. EOP/WHO
Sent: Thursday, January 5, 2017 4:44 PM
Subject: Interview of the President by Dawn Hasbrouk, WFLD-FOX, Chicago

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

January 5, 2017

INTERVIEW OF THE PRESIDENT
BY DAWN HASBROUCK, WFLD-FOX, CHICAGO

Diplomatic Room

2:50 P.M. EST

Q Okay, so your speech will be in Chicago in a few days so obviously you're still working on that. But while you're in Chicago, what will your message be to Chicagoans who are desperately seeking your help with the violence and the murders, nearly 800 in 2016?

THE PRESIDENT: Well, look, this has been heartbreaking for us, obviously. You know, a lot of these killings are happening just a few miles from our house. And these are neighborhoods that I know, that I love. There are people -- great people there that are feeling embattled.

And so we've been trying, even from the federal level, to provide assistance to the city. I've had my Justice Department specifically working with the mayor's office, providing them with additional resources, best practices. And what I hope to do once I'm out of office, as a citizen and somebody who still has a home in Chicago, is to work with community organizations, mentorship programs, anti-violence programs to see what we can do.

I don't think that we're going to be able to reverse these things overnight. On the other hand, the fact that crime overall is much lower around the country than it was when I took office, and that Chicago is the one big city where you've seen this huge spike, means that there's something specifically that's happening there, and that means we can fix it if we work together.

Q And the Department of Justice report, expected to be released before you leave office -- what are you hoping you can do before you're out of office to help and do something with the findings?

THE PRESIDENT: Well, you know, my expectation is, is that when the findings are released that we can do a better job of bringing the police department and communities together. Those communities that make a real dent in violence are communities where there's a trusting relationship between communities and police, where the police are aggressive in going after violent crime but are respectful and are seeing the community as an ally. And I think that that's something that we can do but is not there yet. And I will make sure that our Justice Department, for as long as we're here, is following up not just with identifying a problem but, more importantly, starting to find solutions.

Q So you're talking about the community. After your daughter graduates, do you expect to move back to Chicago and continue that community work that you started that really got you here?

THE PRESIDENT: Well, the one thing that's for certain is, is that we're going to be putting my Presidential Center and library in Chicago, which is a big project. It's an exciting one, because I continue to believe that Chicago is this amazing laboratory for social change and progress. And what we want to do is, in a world-class city, have a world-class institution that is helping to train that next generation of leadership, that is a focal point for communities to be able to come together around important issues that they care about.

So Michelle and I are very excited about doing the work. I'm going to be in Chicago a lot over the next couple years, even if we won't be living there.

Q Will you go back, you think, to the honey-do list -- walking the dog, taking out the trash, all of that stuff?

THE PRESIDENT: You know, my hope is that -- keep in mind, I've got a honey-do list here, it's just not the same honey-do list that a lot of people have.

Q But don't you have other dos for that? Other people do it?

THE PRESIDENT: I do, but Michelle finds ways to keep me busy.

I would love to be able to walk Bo and Sunny, but, you know, whether Secret Service -- because I'll still have some protection -- how they feel about me just roaming around the park scooping the poop, I don't know. We'll have to check that out. That wasn't the thing that I was most focused on in what I would once I left.

Q Last question. I just want to ask you, you know, when days were long and the days were hard and the critics were many, how did you keep your calm? How did you stay cool and focused?

THE PRESIDENT: Well, you identified --

Q What did you turn to?

THE PRESIDENT: You identified a part of it, which is my family. I mean, Michelle is an amazing woman who has just been a foundation stone for me, somebody who is a friend and a great advisor. My daughters, who I am amazed by because they've handled this whole thing with such grace and poise and basically who, when we sat down at the dinner table every night, didn't really care about my stuff and were much more interested in talking about theirs. That grounded me and took me out of sort of the day-to-day stuff that goes on here in Washington. And we've just got wonderful friends and supporters who have been praying for us and thinking about us and encouraging us throughout this process.

And finally, the American people. It's true that you get a lot of criticism, but every day I get 10 letters out of the 40,000 that are sent to me. And some of them are complaining, but a lot of them just say, thank you, we appreciate what you're doing. And it's a good reminder of why I got into this business in the first place. Ultimately, it's not about all the pomp and circumstance, but knowing that you helped somebody out there, that'll keep you going, that'll wake you up in the morning.

Q Well, what's the first thing you're going to do when you wake up and you're not President?

THE PRESIDENT: Well, I think the most important thing to know is, is that I won't be setting the alarm, so who knows what time I'll wake up.

Q Good to know. Thank you so much.

THE PRESIDENT: Thank you so much. Appreciate it.

Q Thank you.

THE PRESIDENT: Look forward to seeing you back in Chicago.

END

2:56 P.M. EST

Carter, Debbie G. EOP/WHO

From: Young, Caitlin E. EOP/WHO
Sent: Thursday, January 5, 2017 4:59 PM
Subject: Interview of the President by Jay Levine, WBBM-CBS, Chicago

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

January 5, 2017

INTERVIEW OF THE PRESIDENT
BY JAY LEVINE, WBBM-CBS, CHICAGO

Diplomatic Room

2:58 P.M. EST

Q Mr. President, it's good to see you.

THE PRESIDENT: It's great to see you, Jay.

Q Couple of quick ones to start. How have you changed in the eight years since you traded one residence on Greenwood to another one here on Pennsylvania Avenue?

THE PRESIDENT: I'm a lot grayer, that's for sure. You know, look, it's interesting, most of my friends will tell you that I'm basically the same guy. I think that the reason for that is Michelle and the girls, who are my pride and joy and have kept me grounded, made sure I don't take myself too seriously. They know I take my work seriously, but they don't want me to take myself too seriously as a father or as a husband. I think the close friends that I've kept all these years have kept me grounded.

There's no doubt that as President, you have a bird's eye view on the world. And I'm wiser in some ways; I'm certainly more knowledgeable about a lot of problems. Interestingly enough, I'm actually more hopeful. I've seen real changes that make a difference in people's lives. A lot of people focus on the things that are still troubling, like, for example, the kind of violence we're seeing in Chicago. But I have confidence in the American people and our ability over time to tackle any problem that's out there as long as we're willing to work together.

Q Do you take all of President-elect Trump's criticism about violence in Chicago personally? After all, it's got to be frustrating

that the most powerful man in the free world cannot stop the violence in his hometown.

THE PRESIDENT: Well, look, we all have a role to play. And, obviously, most issues around crime and safety are local. I can't send the Marines in to Chicago.

But it is heartbreaking to see that for a variety of reasons -- not all of which I think are fully understood -- Chicago is the one big city where you've seen a big spike in the murder rate. Overall, during the course of my presidency, violent crime is much lower than it has been during my lifetime. It's probably as low as it's been in the last 50 years. Something is happening in Chicago that is specific, and it's a combination, it appears, of the structure or lack of structure in the gangs, easy access to firearms, I think some tensions between the communities and the police, and isolation for communities that are poor and underserved.

And so my hope, in addition to the work we've done -- as President, I've assigned my Justice Department to work directly with the mayor's office and the police departments there to come up with better solutions, best practices. My hope is, is that as a private citizen who's still got a home in Chicago, that I'll be able to contribute -- the Presidential Center that I have there hopefully will be able to contribute to some ways of reversing what has been really a troubling trend.

Q You talk about tensions between people and police. Among the many accomplishments you've had, the one that's been frustrating, I'm sure to you, is race relations. They've gotten worse, especially in Chicago -- Laquan McDonald; two recent racially motivated attacks, one this week caught on Facebook Live. That's got to be terribly disappointing to you of all the things you wanted to do with race relations.

THE PRESIDENT: Well, Jay, here's how I think about it. I don't think it's accurate to say race relations have gotten worse. Listen, I came to Chicago in '85 -- you were there -- during Council Wars. I promise you, race relations haven't gotten worse.

But what is true is that, in part because we see visuals of racial tensions, violence and so forth because of smartphones and the Internet and the media, what we've seen is surfacing -- I think a lot of the problems that have been there a long time, whether it's tensions between police and communities, whether it's hate crimes of the despicable sort that has just now recently surfaced on Facebook. I take these things very seriously.

The good news is that the next generation that's coming behind us you see have I think smarter, better, more thoughtful attitudes around race. And I think the overall trajectory of race relations in this country is actually very positive. My own election, obviously, is some proof of that. It doesn't mean all racial problems have gone away, it

means that we have the capacity to get better over time. And I think that will continue.

Q Was Chicago integral to your success?

THE PRESIDENT: Absolutely.

Q Could it have happened anywhere else, the Obama success story?

THE PRESIDENT: No. And the reason is, is because I came of age, I understood my mission when I moved to Chicago and I was a young community organizer out there. And I never claimed that I was wildly successful in bringing about the kind of changes I wanted in some really tough neighborhoods. But I met such wonderful people. I was able to establish a sense of community. I understood what I wanted to devote my life to, and that was giving people a chance to empower themselves, to make their lives and their children's lives better.

And so everything that I've done subsequently, all the way through my presidency, was a direct outgrowth of what I learned in Chicago. And I always say Chicago has got challenges, but it is really a microcosm of the country. There's no city, in some ways, that's more representative of both the difficulties, but, more importantly, the promise of America.

Q I'm getting a wrap here, but will you go home again? Will you have -- will your principal residence be in Chicago going forward after Sasha graduates from high school?

THE PRESIDENT: You know, Michelle is the one who ultimately makes that decision. As she points out, she's been dragged around on a whole bunch of wild adventures. She pretty much gets veto power from here on out.

Here's what I know, is our Presidential Center will be there. I will be investing a huge amount of effort and time and energy to making that a world-class center in a world-class city to help train the next generation of leaders to bring about social change. I think it will have a real positive impact in the communities around Chicago, and a real economic benefit to the city.

And so I will always be a citizen of Chicago. And right now, we've still got a house in Hyde Park that I look forward to spending more time in.

Q Mr. President, thank you so much.

THE PRESIDENT: Wonderful to see you again. Thank you.

END

3:06 P.M. EST

Carter, Debbie G. EOP/WHO

From: Young, Caitlin E. EOP/WHO
Sent: Thursday, January 5, 2017 5:12 PM
Subject: Interview of the President by Muriel Clair, WGN, Chicago

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

January 5, 2017

INTERVIEW OF THE PRESIDENT
BY MURIEL CLAIR, WGN, CHICAGO

Diplomatic Room

3:08 P.M. EST

Q Mr. President, it has been a long journey. What I'd like to know from you is what are you going to do when it is all over? Are you just going to wake up one morning and say, you know what, I think I'm not going to do anything all day?

THE PRESIDENT: You know what, I suspect for the first couple of weeks, maybe even for the first couple months, I'm going to not set the alarm. Because I've been waking up and -- busy all day every day, and there's no doubt that you need a little time to refresh yourself. But Michelle and I talk about this -- the work we've done here at the White House, our concerns about giving young people opportunity, dealing with issues like the terrible violence that we've been seeing in Chicago, providing jobs and opportunities for people -- those issues don't go away for us.

And so I think what we'll do is spend a lot of time building this world-class Presidential Center in Chicago. We want to train the next generation of leaders to do great work. There are a bunch of Baracks and Michelles out there that just need a chance. And I'm looking forward to continuing to work on the same issues that I've worked on all my life, just in a different capacity.

Q Let's talk about the violence a little bit. That's been one of your heartaches.

THE PRESIDENT: Yeah. It's been heartbreaking. You see what happens in Chicago, and these are communities I know and love, and there are so

many good people there. And they're people who I know have been personally affected by levels of violence.

What's most frustrating is that, overall, violence during my presidency has been at historic lows. It's as low as it's been in the last 20, 30, 40 years. Chicago is an exception in how fast you have seen this spike in murder over the last couple of years.

And what I've done is assign the Justice Department to work with the mayor's office and the police department in Chicago to identify exactly what's going on and what do we need to do to fix it. I don't think there's any one single perfect answer, but clearly we as a community have to come together, and I look forward to being part of the conversation.

Q At some point in your career, you have said that you knew that - at the beginning, you knew that there would be some tough days ahead, and so you were really prepared for that.

THE PRESIDENT: Well, you know, you don't serve eight years as President of the United States without having some tough days. And the toughest days have been those days where either troops who I've deployed are killed, or where families have been affected by gun violence or, in some cases, terrorist attacks. Dealing with the grief of families and wanting to do everything you can to not just soothe them but prevent any other families from going through that, those are always tough days.

But you know what has helped to keep me going through the ups and the downs is Michelle and those girls who have just been the pride and joy of my life; great friends, including a lot of friends from Chicago who I've seen on a regular basis and send me messages of encouragement; and the American people, who, for all our disagreements and all the noise and contention of our democracy -- you know, as President you get to know a lot of people and there is a lot of good people out there who really are doing wonderful work and raising wonderful families. And so that makes you encouraged.

Q I know. I just have to ask this real quickly, and you have answer it real quickly if you don't mind, and that is, what do you tell the people who have been so concerned about the opposition that you have faced? I mean some Americans just feel that -- just some quick advice for them.

THE PRESIDENT: Well, you know what I tell them is, don't worry about me, because I'm skinny but I'm tough. And the amount of support and encouragement that I've gotten throughout this process has always outweighed some of the negativity.

What I can say and prove is that the country is a lot better off now than it was when I took this office, and I take great pride in that. And hopefully, in the next phase of my journey I'll continue to be able to give back to this country that's given me so much.

Q Thank you so much.

THE PRESIDENT: Thank you. Appreciate you.

3:13 P.M. EST

From: Young, Caitlin E. EOP/WHO
Sent: Thursday, January 5, 2017 5:13 PM
Subject: Interview of the President by Judy Hsu, WLS-ABC, Chicago

THE WHITE HOUSE

Office of the Press Secretary

Internal Transcript

January 5, 2017

INTERVIEW OF THE PRESIDENT
BY JUDY HSU, WLS-ABC, CHICAGO

Diplomatic Room

3:15 P.M. EST

Q Mr. President, our city, your city is being torn apart by gun violence. How will you use the considerable power that you will have after leaving office to help Chicago reclaim its streets?

THE PRESIDENT: Well, it's been a heartbreaking situation to see. These are neighborhoods that I know. There are people who live there who have been affected by it that I know. In some cases, it's happened just a mile or two from my house.

And so I haven't waited until I get back to Chicago, I've assigned my Justice Department to work with the mayor's office and the police department. Ironically, what you've seen across the country is actually historically low rates of violence in our cities. Chicago is this strange exception, and I think there are a lot of factors around that. But what I intend to do is to build off of some of the work that has been done in other cities to intervene in violence, provide better support for youth that are at risk. And my Presidential Center and me personally, this is something where we want to join those who are intent on doing something about this. I want to be a part of the solution on this.

Q Speaking of opportunities, we have a question from a viewer, citing a lack of economic opportunity. He wanted us to ask you what happened to the change that you promised while you were campaigning.

THE PRESIDENT: Well, I can tell you what happened is, is that I took an economy that was about to go into a Great Depression, and we've now had a little over six years of straight economic job growth, an unemployment

rate that's down below 5 percent, and incomes that have gone up and poverty that's gone down.

So we have done an enormous amount to create greater opportunities. Now, that doesn't mean that there aren't still folks out there who struggle, and communities that are still depressed. And this is an ongoing battle. I said in Grant Park when I was declared the winner of the presidency that this wasn't a task for one year or one term or even one President. We have to continue to work to make sure that kids are getting the best education they can, that jobs are being located so that people in need can access them. And that's going to be something that I suspect we'll all be working on and folks will still be working on even after I'm gone.

Q You will be coming home for the farewell speech.

THE PRESIDENT: Right.

Q Is it still sweet home Chicago for you? Does Chicago figure into the future for you and the First Lady?

THE PRESIDENT: Absolutely. I mean, we're going to be making a huge investment of time and energy in making this Presidential Center really a world-class center to train young people to bring about change, to work on the issues that we've worked on all our lives. And I still have a home in Hyde Park, and -- so we have to stay here so Sasha graduates from the school that she's been at, but our closest friends still live in Chicago, Michelle's mom still lives in Chicago. And so we're going to be spending, even in the next two years, a lot more time there, and we're looking forward to it.

I admit that I'm probably a little soft now when it comes to winter, because things are a little warmer here. So I'm going to have to re-accustom myself to some of those winds whipping off the lake, but other than that, it is a city we love.

Q The other big question a lot of our viewers have is has race relations gotten better or worse since you have been in office?

THE PRESIDENT: You know, I think that in some ways, like everything else, it's gotten better, and in some ways I think we have surfaced tensions that were already there but are getting more attention.

Look, I came to Chicago in 1985 in the middle of Council Wars between Harold Washington and Eddie Vrdolyak -- some of your viewers are too young to remember this stuff. I promise you, for the most part, race relations have gotten better. But I think what we've seen over the last several years when it comes to tensions between police and communities, the Internet, horrific hate crimes of the sort that we appear to have seen this week --

Q On Facebook, yeah.

THE PRESIDENT: -- on Facebook today.

Q What is your reaction to that, actually, to that Facebook video?

THE PRESIDENT: Oh, it's terrible. And so part of what technology allows us to see now is the terrible toll that racism and discrimination and hate takes on families and communities. But that's part of how we learn and how we get better. We don't benefit from pretending that racism doesn't exist and hate doesn't exist. We don't benefit from not talking about it. The fact that these things are being surfaced means we can solve them.

But, overall, what I've seen as President traveling around the country is particularly the next generation, young people, their appreciation of people who are different than them, come from different places, have different backgrounds -- my daughters' generation, they're far more sophisticated about race, far more tolerant and embracing of diversity.

So I think that over the long arc, America will keep on getting better.

Q What is your message to the youth growing up on the city's South and West Side? I know I'm out of time, I -- just one final message to the youth growing up.

THE PRESIDENT: We have to keep on working hard every day. And there are going to be ups and downs, but you've got folks who care about you, including the President of the United States.

Q Thank you very much, sir. Thank you for your time.

END

3:22 P.M. EST

Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 12:08 PM
To: Carter, Debbie G. EOP/WHO
Subject: FW: In-town pool #1 -- lunch lid

From: David Boyer [mailto:dboyer@washingtontimes.com]
Sent: Thursday, January 5, 2017 12:04 PM
To: Gabriel, Brian A. EOP/WHO <Brian_A_Gabriel@who.eop.gov>
Subject: In-town pool #1 -- lunch lid

There's a lunch lid until 2:30 p.m., with the exception of the briefing, which has been pushed back to 1:15 p.m.

--
Dave Boyer
White House correspondent
The Washington Times
202-604-0998 (c)

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Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 3:57 PM
To: Carter, Debbie G. EOP/WHO
Subject: Fwd: In-town pool #2 -- TV interviews

Begin forwarded message:

From: David Boyer <dboyer@washingtontimes.com<mailto:dboyer@washingtontimes.com>>
Date: January 5, 2017 at 3:48:59 PM EST
To: "Gabriel, Brian" <Brian_A_Gabriel@who.eop.gov<mailto:Brian_A_Gabriel@who.eop.gov>>
Subject: In-town pool #2 -- TV interviews

From the White House:

Today, the President participated in the latest installment of "Live from the White House" by conducting a round of interviews with television anchors from Chicago. These interviews are embargoed until 5:00PM ET.

The President interviewed with the following anchors:

- * Judy Hsu - WLS (Chicago, IL)
- * Jay Levine - WBBM (Chicago, IL)
- * Muriel Clair - WGN (Chicago, IL)
- * Dawn Hasbrouck - WFLD (Chicago, IL)
- * Carol Marin - WMAQ (Chicago, IL)

--
Dave Boyer
White House correspondent
The Washington Times
202-604-0998 (c)

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Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 4:55 PM
To: Carter, Debbie G. EOP/WHO
Subject: FW: In-town pool #3 -- lid

From: David Boyer [mailto:dboyer@washingtontimes.com]
Sent: Thursday, January 5, 2017 4:44 PM
To: Gabriel, Brian A. EOP/WHO <Brian_A_Gabriel@who.eop.gov>
Subject: In-town pool #3 -- lid

A travel/photo lid was called at 4:43 p.m.

--
Dave Boyer
White House correspondent
The Washington Times
202-604-0998 (c)

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From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 8:03 AM
To: Carter, Debbie G. EOP/WHO
Subject: Letter from President Obama on Cabinet Exit Memoranda

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

January 5, 2017

Letter from President Obama on Cabinet Exit Memoranda

As we look back on the past eight years, President Obama asked each member of his Cabinet to write an Exit Memo on the progress we've made, their vision for the country's future, and the work that remains in order to achieve that vision. Please see below for a letter from President Obama to the American people, which will accompany the Cabinet Exit Memos. You can view each memo at go.wh.gov/CabinetInReview.

Letter from President Obama

To my fellow Americans,

Eight years ago, America faced a moment of peril unlike any we'd seen in decades.

A spiraling financial crisis threatened to plunge an economy in recession into a deep depression. The very heartbeat of American manufacturing – the American auto industry – was on the brink of collapse. In some communities, nearly one in five Americans were out of work. Nearly 180,000 American troops were serving in harm's way in Iraq and Afghanistan, and the mastermind of the worst terror attack on American soil remained at large. And on challenges from health care to climate change, we'd been kicking the can down the road for way too long.

But in the depths of that winter, on January 20, 2009, I stood before you and swore a sacred oath. I told you that day that the challenges we faced would not be met easily or in a short span of time – but they would be met. And after eight busy years, we've met them – because of you.

Eight years later, an economy that was shrinking at more than eight percent is now growing at more than three percent. Businesses that were bleeding jobs unleashed the longest streak of job creation on record. The auto industry has roared its way back, saving one million jobs across the country and fueling a manufacturing sector that, after a decade of decline, has added new jobs for the first time since the 1990s. And wages have grown faster over the past few years than at any time in the past forty.

Today, thanks to the Affordable Care Act, another 20 million American adults know the financial security and peace of mind that comes with health insurance. Another three million children have

gained health insurance. For the first time ever, more than ninety percent of Americans are insured – the highest rate ever. We’ve seen the slowest growth in the price of health care in fifty years, along with improvements in patient safety that have prevented an estimated 87,000 deaths. Every American with insurance is covered by the strongest set of consumer protections in history – a true Patients’ Bill of Rights – and free from the fear that illness or accident will derail your dreams, because America is now a place where discrimination against preexisting conditions is a relic of the past. And the new health insurance marketplace means that if you lose your job, change your job, or start that new business, you’ll finally be able to purchase quality, affordable care and the security and peace of mind that comes with it – and that’s one reason why entrepreneurship is growing for the second straight year.

Our dependence on foreign oil has been cut by more than half, and our production of renewable energy has more than doubled. In many places across the country, clean energy from the wind is now cheaper than dirtier sources of energy, and solar now employs more Americans than coal mining in jobs that pay better than average and can’t be outsourced. We also enacted the most sweeping reforms since the Great Depression to protect consumers and prevent a crisis on Wall Street from punishing Main Street ever again. These actions didn’t stifle growth, as critics predicted. Instead, the stock market has nearly tripled. Since I signed Obamacare into law, America’s businesses have added more than 15 million new jobs. And the economy is undoubtedly more durable than it was in the days when we relied on oil from unstable nations and banks took risky bets with your money.

The high school graduation rate is now 83 percent – the highest on record – and we’ve helped more young people graduate from college than ever before. At the same time, we’ve worked to offer more options for Americans who decide not to pursue college, from expanding apprenticeships, to launching high-tech manufacturing institutes, to revamping the job training system and creating programs like TechHire to help people train for higher-paying jobs in months, not years. We’ve connected more schools across the country to broadband internet, and supported more teachers to bring coding, hands-on making, and computational thinking into our classrooms to prepare all our children for a 21st century economy.

Add it all up, and last year, the poverty rate fell at the fastest rate in almost fifty years while the median household income grew at the fastest rate on record. And we’ve done it all while cutting our deficits by nearly two-thirds even as we protected investments that grow the middle class.

Meanwhile, over the past eight years, no foreign terrorist organization has successfully planned and executed an attack on our homeland. Plots have been disrupted. Terrorists like Osama bin Laden have been taken off the battlefield. We’ve drawn down from nearly 180,000 troops in harm’s way in Iraq and Afghanistan to just 15,000. With a coalition of more than 70 nations and a relentless campaign of more than 16,000 airstrikes so far, we are breaking the back of ISIL and taking away its safe havens, and we’ve accomplished this at a cost of \$10 billion over two years – the same amount that we spent in one month at the height of the Iraq War.

At the same time, America has led the world to meet a set of global challenges. Through diplomacy, we shut down Iran’s nuclear weapons program, opened up a new chapter with the people of Cuba, and brought nearly 200 nations together around a climate agreement that could save this planet for our kids. With new models for development, American assistance is helping people around the

world feed themselves, care for their sick, and power communities across Africa. And almost every country on Earth sees America as stronger and more respected today than they did eight years ago. All of this progress is due to the service of millions of Americans in intelligence, law enforcement, homeland security, diplomacy, and the brave men and women of our Armed Forces – the most diverse institution in America.

We've also worked to make the changing face of America more fair and more just – including by making strides towards criminal justice reform, making progress towards equal pay, repealing Don't Ask, Don't Tell, and advancing the cause of civil rights, women's rights, and LGBT rights. I appointed two extraordinary women to the Supreme Court, marking the first time in history that three women sit on the bench, including the first Latina. And today in America, marriage equality is finally a reality across all fifty states.

This is where America stands after eight years of progress. By so many measures, our country is stronger and more prosperous than it was when we started – a situation I'm proud to leave for my successor. And it's thanks to you – to the hard work you've put in; the sacrifices you've made for your families and communities; the way you've looked out for one another.

Still, through every victory and every setback, I've insisted that change is never easy, and never quick; that we wouldn't meet all of our challenges in one term, or one presidency, or even in one lifetime. And for all that we've achieved, there's still so much I wish we'd been able to do, from enacting gun safety measures to protect more of our kids and our cops from mass shootings like Newtown, to passing commonsense immigration reform that encourages the best and brightest from around the world to study, stay, and create jobs in America.

And for all the incredible progress our economy has made in just eight years, we still have more work to do for every American still in need of a good job or a raise, paid leave or a dignified retirement. We have to acknowledge the inequality that has come from an increasingly globalized economy while committing ourselves to making it work better for everyone, not just those at the top, and give everyone who works hard a fair shot at success.

And here's the thing – over the past eight years, we've shown that we can. Last year, income gains were actually larger for households at the bottom and the middle than for those at the top. We've also made the tax code fairer. The tax changes enacted over the past eight years have ensured that the top one percent of Americans pay more of their fair share, increasing the share of income received by all other families by more than the tax changes in any previous administration since at least 1960. Simply put, we've actually begun the long task of reversing inequality. But as the global economy changes, we'll have to do more to accelerate these trends, from strengthening unions that speak for workers, to preventing colleges from pricing out hardworking students, to making sure that minimum wage workers get a raise and women finally get paid the same as men for doing the same job. What won't help is taking health care away from 30 million Americans, most of them white and working class; denying overtime pay to workers, most of whom have more than earned it; or privatizing Medicare and Social Security and letting Wall Street regulate itself again – none of which middle-class Americans voted for.

We will have to move forward as we always have – together. As a people who believe that out of many, we are one; that we are bound not by any one race or religion, but rather an adherence to a

common creed; that all of us are created equal in the eyes of God. And I'm confident we will. Because the change we've brought about these past eight years was never about me. It was about you. It is you, the American people, who have made the progress of the last eight years possible. It is you who will make our future progress possible. That, after all, is the story of America – a story of progress. However halting, however incomplete, however harshly challenged at each point on our journey – the story of America is a story of progress.

Recently, I asked each member of my talented and dedicated Cabinet to prepare a detailed report on the progress we've made across the board these past eight years, and the work that remains to make this country we love even stronger. Today, I'm sharing them with you. And I hope you'll share them with others, and do your part to build on the progress we've made across the board.

It has been the privilege of my life to serve as your President. And as I prepare to pass the baton and do my part as a private citizen, I'm proud to say that we have laid a new foundation for America. A new future is ours to write. And I'm as confident as ever that it will be led by the United States of America – and that our best days are still ahead.

Sincerely,

BARACK OBAMA

###

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From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 9:07 AM
To: Carter, Debbie G. EOP/WHO
Subject: FACT SHEET: Final It's On Us Summit and Report of the White House Task Force to Protect Students from Sexual Assault

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

January 5, 2017

FACT SHEET: Final It's On Us Summit and Report of the White House Task Force to Protect Students from Sexual Assault

Since the beginning of this Administration, the President and Vice President have made it a priority to root out sexual misconduct wherever it exists, especially on our nation's college campuses. Students have played a significant role in carrying out the Administration's vision for having educational institutions that are free from violence. Around the country, college women and men are taking active roles in ensuring that their schools have robust and comprehensive plans to better understand and prevent sexual misconduct.

Today, the White House is proud to host its final event focused on stopping sexual violence against students, the It's On Us Summit. The Summit will bring together student leaders, campus, community, business and media partners, and federal colleagues. Attendees have gathered from across the country to hear from members of the Administration and outside stakeholders about the work that is being done to address campus sexual assault and to engage in a dialogue about the future of this work, both on college campuses and in communities across the country.

The White House Task Force to Protect Students from Sexual Assault Presents its Final Report

In April 2011, Vice President Biden and the Secretary of Education, Arne Duncan, introduced comprehensive guidance to help colleges and universities better understand their obligations under federal civil rights laws to prevent and respond to sexual assault on campus. Building on those efforts, in January 2014, the President and Vice President established the White House Task Force to Protect Students from Sexual Assault (Task Force). The Task Force, co-chaired by the Office of the Vice President and the White House Council on Women and Girls, has since worked diligently to assist schools in addressing campus sexual assault.

In collaboration with Federal partners, the Task Force has produced a number of practical tools that are readily available to students, administrators, faculty, campus police, health care professionals, and others who play key roles in these efforts. Today, the White House will release *The Second Report of the White House Task Force to Protect Students from Sexual Assault*. This second and final report builds on the recommendations and lessons learned from the first report of the Task Force, *Not Alone*, released in 2014, and documents the advances that have been made throughout this

Administration to address sexual misconduct in higher education. It also highlights some of the innovative and forward thinking initiatives that have been undertaken by campuses around the Nation.

In conjunction with the report, today the White House will also release *Preventing and Addressing Campus Sexual Misconduct: A Guide for University and College Presidents, Chancellors, and Senior Administrators (Guide)*. The Guide serves as a foundation for campus leadership to develop, or further hone, comprehensive responses to sexual misconduct at their institutions. Through its final report and the Guide, the Task Force underscores the importance of university leadership sending a strong public message of support for these responses – and the faculty, staff, and students who help develop them – and championing a culture shift that promotes safe campuses that are free from sexual misconduct.

For a full list of products, tools, and research findings on campus sexual assault produced during the Obama Administration, [click here](#).

It's On Us

After scores of listening sessions with students across the country, the President and Vice President launched It's On Us in September of 2014.

It's On Us is a movement aimed at fundamentally shifting the culture around sexual assault. It's a rallying cry, inviting everyone to step up and realize that the solution begins with all of us. The campaign works to educate, engage, and empower students and communities across the country to do something, big or small, to end sexual assault. The campaign has three core pillars - consent education, increasing bystander intervention, and creating an environment that supports survivors. Over the past two years, almost 400,000 people have taken the [It's On Us pledge](#) online and students have hosted almost 2,000 events on over 500 college campuses nationwide. The campaign has 95 partners, including MTV, Snapchat, and Major League Baseball.

The Vice President has traveled to numerous college campuses to talk with students about the responsibility we all share to step in and prevent sexual assault when we see it happening. As a lifelong champion for ending violence against women, he has shared this message of engagement and support for survivors with diverse audiences, including at the Academy Awards in Los Angeles in March 2016, and the NCAA Final Four Tournament in Houston in March 2016.

This year, It's On Us launched several new programs including a nationwide Student Engagement Program structured into eight Regional Teams of student leaders. This spring, each Team will host a Regional Summit to build upon the work of the campaign over the past two years. These Regional Summits will bring together students, advocates, community leaders, and campus administrators on the local level to focus on coordinated prevention strategies and messaging. Through this series of local summits, It's On Us will train and educate over 800 leaders on consent, bystander intervention, and creating an environment that supports survivors.

Additionally, It's On Us recently launched two new programs: a Greek Leadership Council comprised of fraternity and sorority leadership, and a Campus Innovation Program to partner directly with college and university administrators. Over the next year, It's On Us will continue to

grow these programs, as well as launch new initiatives and critical partnerships focused on engaging the athletic and entertainment communities.

Because of the dedicated student advocates and the leadership of our partners, we are confident that the work to prevent and respond to sexual assault on campuses and in communities across the country will continue. Join our effort by taking the pledge at ItsOnUs.org.

If you or someone you know is in need of support, you can call the National Sexual Assault Hotline at 1-800-656-4673, or [visit here](#) to chat live.

###

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HARVARD LAW REVIEW

CRIMINAL LAW

The President's Role in Advancing Criminal Justice Reform

*Commentary by Barack Obama***JAN 5, 2017**

130 Harv. L. Rev. 811

INTRODUCTION

Presidencies can exert substantial influence over the direction of the U.S. criminal justice system. Those privileged to serve as President and in senior roles in the executive branch have an obligation to use that influence to enhance the fairness and effectiveness of the justice system at all phases. How we treat citizens who make mistakes (even serious mistakes), pay their debt to society, and deserve a second chance reflects who we are as a people and reveals a lot about our character and commitment to our founding principles. And how we police our communities and the kinds of problems we ask our criminal justice system to solve can have a profound impact on the extent of trust in law enforcement and significant implications for public safety.

Criminal justice reform has been a focus of my entire career — even since before my time at the *Harvard Law Review*. As a community organizer, I saw firsthand how our criminal justice system exacerbates inequality. It takes young people who made mistakes no worse than my own and traps them in an endless cycle of marginalization and punishment. More than twenty years ago, I wrote about my experience in neighborhoods where “prison records had been passed down from father to son for more than a generation.”¹

1. BARACK OBAMA, DREAMS FROM MY FATHER: A STORY OF RACE AND INHERITANCE 252 (2d ed. 2004).

As a state legislator in Illinois, I worked with law enforcement and civil rights leaders to push for reduced sentences, videotaped police interrogations, and other reforms, including legislation in favor of second chances and against racial profiling.²

2. JOHN K. WILSON, BARACK OBAMA: THIS IMPROBABLE QUEST 145 (2008); President Barack Obama, Remarks by the President in Address to the Illinois General Assembly (Feb. 10, 2016), <https://www.whitehouse.gov/the-press-office/2016/02/10/remarks-president-address-illinois-general-assembly> (<https://www.whitehouse.gov/the-press-office/2016/02/10/remarks-president-address-illinois-general-assembly>) [<https://perma.cc/EH44-ZSN7> (<https://perma.cc/EH44-ZSN7>)] (describing professional relationships as a state senator and work on ethics reform and racial profiling issues); see also DAVID AXELROD, BELIEVER: MY FORTY YEARS IN POLITICS 140–41 (2015) (describing negotiations over racial profiling bill).

As a candidate for President, I called for addressing unwarranted disparities in criminal sentencing, emphasized the harms of profiling, and set out new initiatives to help the formerly incarcerated earn second chances.³

3. BARACK OBAMA, THE BLUEPRINT FOR CHANGE: BARACK OBAMA'S PLAN FOR AMERICA 49 (2007), <http://www.slideshare.net/USElections/the-blueprint-for-change-barack-obama-s-plan-for-america-presentation> (<http://www.slideshare.net/USElections/the-blueprint-for-change-barack-obama-s-plan-for-america-presentation>) [<https://perma.cc/6LKD-4VQ9> (<https://perma.cc/6LKD-4VQ9>)] [<https://perma.cc/6LKD-4VQ9>)].

Throughout my time in office, using an array of tools and avenues, I have pushed for reforms that make the criminal justice system smarter, fairer, and more effective at keeping our communities safe. I have tried to bring that case directly to the American people in a number of unprecedented ways. I sat down in the Oval Office with rank-and-file police officers⁴

4. See Ron Davis, *What 21st Century Policing Means*, WHITE HOUSE: BLOG (Mar. 2, 2015, 4:16 PM), <https://www.whitehouse.gov/blog/2015/03/02/what-21st-century-policing-means> (<https://www.whitehouse.gov/blog/2015/03/02/what-21st-century-policing-means>) [<https://perma.cc/EXW2-U6N8> (<https://perma.cc/EXW2-U6N8>)]; Justin Ray, *New Jersey Officer Meets President Obama*, NBC 10 (Feb. 26, 2015, 1:39 PM), <http://www.nbcphiladelphia.com/news/local/New-Jersey-Officer-Canden-President-Obama-Oval-Office-294229141.html> (<http://www.nbcphiladelphia.com/news/local/New-Jersey-Officer-Canden-President-Obama-Oval-Office-294229141.html>) [<https://perma.cc/ALX6-9NJY> (<https://perma.cc/ALX6-9NJY>)].

and saw up close how a new way of policing has brought hope to cities written off for being among the country's most dangerous. ⁵

5. See, e.g., President Barack Obama, Remarks by the President on Community Policing (May 18, 2015), <https://www.whitehouse.gov/the-press-office/2015/05/18/remarks-president-community-policing> (<https://www.whitehouse.gov/the-press-office/2015/05/18/remarks-president-community-policing>) [<https://perma.cc/4VXH-BF3P> (<https://perma.cc/4VXH-BF3P>)] (describing how reforms to the police department and other initiatives helped transform "a city trapped in a downward spiral"); see also Jim Walsh, *Report: Camden Dangerous, but Crime Down*, COURIER-POST (Feb. 8, 2016, 8:53 PM), <http://www.courierpostonline.com/story/news/crime/2016/02/01/camden-neighborhoodscout-crime-dangerous/79649266> (<http://www.courierpostonline.com/story/news/crime/2016/02/01/camden-neighborhoodscout-crime-dangerous/79649266>) [<https://perma.cc/TX35-8ZFE> (<https://perma.cc/TX35-8ZFE>)] (noting declines in Camden's crime rate).

As the first sitting President to go inside a federal prison, I heard directly from prisoners and corrections officers. ⁶

6. See President Barack Obama, Remarks by the President After Visit at El Reno Federal Correctional Institution (July 16, 2015), <https://www.whitehouse.gov/the-press-office/2015/07/16/remarks-president-after-visit-el-reno-federal-correctional-institution> (<https://www.whitehouse.gov/the-press-office/2015/07/16/remarks-president-after-visit-el-reno-federal-correctional-institution>) [<https://perma.cc/5LFX-GM79> (<https://perma.cc/5LFX-GM79>)].

I consoled the families of fallen police officers and the families of children killed by gun violence. ⁷

7. See President Barack Obama, Remarks by the President at the 122nd Annual IACP Conference (Oct. 27, 2015), <https://www.whitehouse.gov/the-press-office/2015/10/27/remarks-president-122nd-annual-iacp-conference> (<https://www.whitehouse.gov/the-press-office/2015/10/27/remarks-president-122nd-annual-iacp-conference>) [<https://perma.cc/FFE9-KZPD> (<https://perma.cc/FFE9-KZPD>)].

I met with men and women battling drug abuse, rehab coaches, and those working on new solutions for treatment. ⁸

8. See, e.g., President Barack Obama, Remarks by the President at Community Forum at East End Family Resource Center (Oct. 21, 2015), <https://www.whitehouse.gov/the-press-office/2015/10/21/remarks-president-community-forum-east-end-family-resource-center> (<https://www.whitehouse.gov/the-press-office/2015/10/21/remarks-president-community-forum-east-end-family-resource-center>) [<https://perma.cc/534B-GYKC>] (<https://perma.cc/534B-GYKC>); Press Release, Office of the Press Sec'y, FACT SHEET: President Obama Announces New Actions to Promote Rehabilitation and Reintegration for the Formerly-Incarcerated (Nov. 2, 2015), <https://www.whitehouse.gov/the-press-office/2015/11/02/fact-sheet-president-obama-announces-new-actions-promote-rehabilitation> (<https://www.whitehouse.gov/the-press-office/2015/11/02/fact-sheet-president-obama-announces-new-actions-promote-rehabilitation>) [<https://perma.cc/YN4X-7TS8>] (<https://perma.cc/YN4X-7TS8>).

I have sought to reinvigorate the use of the clemency power, commuting more federal sentences than my eleven predecessors combined. ⁹

9. See Neil Eggleston, *President Obama Grants Another 98 Commutations in the Month of October*, WHITE HOUSE: BLOG (Oct. 27, 2016, 4:00 PM), <https://www.whitehouse.gov/blog/2016/10/27/president-obama-grants-another-98-commutations-month-october> (<https://www.whitehouse.gov/blog/2016/10/27/president-obama-grants-another-98-commutations-month-october>) [<https://perma.cc/2LBA-YTQX>] (<https://perma.cc/2LBA-YTQX>).

I launched programs that have expanded opportunity and mentoring for young people, including boys and young men of color who disproportionately suffer from our current system's failings. And I signed sentencing reform legislation and met with members of Congress from both parties who share my belief that criminal justice reform is a priority. ¹⁰

10. See, e.g., Juliet Eilperin & Mike DeBonis, *Obama Convenes Meeting on Criminal Justice Reform to Buoy Bipartisanship*, WASH. POST (Dec. 3, 2015), https://www.washingtonpost.com/politics/bipartisan-criminal-justice-reform-coalition-holds-white-house-meeting/2015/12/03/98cb7dde-99fa-11e5-b499-76cbec161973_story.html (https://www.washingtonpost.com/politics/bipartisan-criminal-justice-reform-coalition-holds-white-house-meeting/2015/12/03/98cb7dde-99fa-11e5-b499-76cbec161973_story.html) [<https://perma.cc/8E92-8BDT>] (<https://perma.cc/8E92-8BDT>); Jordan Fabian, *Obama Huddles with Key Republicans on Criminal Justice Reform*, THE HILL (Feb. 5, 2016), <http://thehill.com/blogs/blog-briefing-room/news-other-administration/268427-obama-met-with-grassley-goodlatte-on> (<http://thehill.com/blogs/blog-briefing-room/news-other-administration/268427-obama-met-with-grassley-goodlatte-on>) [<https://perma.cc/P4NQ-YRJ9>] (<https://perma.cc/P4NQ-YRJ9>).

YRJ9)]. In addition to signing the Fair Sentencing Act of 2010, Pub. L. No. 111-220, 124 Stat. 2372 (codified at scattered sections of 21 and 28 U.S.C.), I also signed legislation that helps protect our men and women in uniform who are faced with threats, injuries, and death, see Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015, Pub. L. No. 114-12, 129 Stat. 192 (to be codified at 42 U.S.C. §§ 14165-14165b), as well as an important expansion of federal hate-crime laws that covers crimes committed because of a victim's sexual orientation or gender identity, see Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009, Pub. L. No. 111-84, 123 Stat. 2835 (codified at scattered sections of 18, 28, and 42 U.S.C.). See also President Barack Obama, Remarks by the President at Signing of the Rafael Ramos and Wenjian Liu National Blue Alert Act of 2015 (May 19, 2015), <https://www.whitehouse.gov/the-press-office/2015/05/19/remarks-president-signing-rafael-ramos-and-wenjian-liu-national-blue-alert> (<https://www.whitehouse.gov/the-press-office/2015/05/19/remarks-president-signing-rafael-ramos-and-wenjian-liu-national-blue-alert>) [<https://perma.cc/CT5K-4GCP>] (<https://perma.cc/CT5K-4GCP>); *The Matthew Shepard and James Byrd, Jr., Hate Crimes Prevention Act of 2009*, U.S. DEP'T JUST. (Aug. 6, 2015), <https://www.justice.gov/crt/matthew-shepard-and-james-byrd-jr-hate-crimes-prevention-act-2009-0> (<https://www.justice.gov/crt/matthew-shepard-and-james-byrd-jr-hate-crimes-prevention-act-2009-0>) [<https://perma.cc/9QAX-9G4F>] (<https://perma.cc/9QAX-9G4F>).

At the same time, I also made a point of emphasizing the importance of maintaining a strong justice system and underscored how that system depends on public servants who devote their lives to promoting the rule of law and ensuring public safety. ¹¹

11. President Barack Obama, Remarks by the President at the NAACP Conference (July 14, 2015), <https://www.whitehouse.gov/the-press-office/2015/07/14/remarks-president-naACP-conference> (<https://www.whitehouse.gov/the-press-office/2015/07/14/remarks-president-naACP-conference>) [<https://perma.cc/27GZ-7FJM>] (<https://perma.cc/27GZ-7FJM>) ("Our communities are safer, thanks to brave police officers and hardworking prosecutors who put those violent criminals in jail."); see also Obama, *supra* note 7 ("[Y]our work and your service really has helped make America safer than it's been in decades, and that's something for which every American should be proud."); President Barack Obama, Remarks by the President at Memorial Service for Fallen Dallas Police Officers (July 12, 2016), <https://www.whitehouse.gov/the-press-office/2016/07/12/remarks-president-memorial-service-fallen-dallas-police-officers> (<https://www.whitehouse.gov/the-press-office/2016/07/12/remarks-president-memorial-service-fallen-dallas-police-officers>) [<https://perma.cc/XV64-YHGJ>] (<https://perma.cc/XV64-YHGJ>) ("Like police officers across the country, these men and their families shared a commitment to something larger than themselves. They weren't looking for their names to be up in lights. They'd tell you the pay was decent but wouldn't make you rich . . . [T]he reward comes in knowing that our entire way of life in America depends on the rule of law; that the maintenance of that law is a hard and daily labor; that in this country, we don't have soldiers in the streets or militias setting the rules. Instead, we have public servants — police officers . . .").

Criminal justice is a complex system, administered at all levels of government and shaped by a range of actors. Thanks to the dedicated efforts of so many in my Administration, the bipartisan push for reform from federal, state, and local

officials, and the work of so many committed citizens outside government, America has made important strides. We have reduced overlong sentences for offenders and removed barriers for those with criminal records. We have made progress in helping people, especially young people, avoid getting entangled in the justice system in the first place. This Commentary talks about those achievements — and the tools Presidents can use to effect meaningful change throughout the system. And it emphasizes the continuing historic opportunity to make further progress.

Part I details the current criminal justice landscape and emphasizes the urgent need for reform. It would be a tragic mistake to treat criminal justice reform as an agenda limited to certain communities. All Americans have an interest in living in safe and vibrant neighborhoods, in raising their children in a country of equal treatment and second chances, and in entrusting their liberty to a justice system that remains true to our highest ideals. We simply cannot afford to spend \$80 billion annually on incarceration, to write off the seventy million Americans — that's almost one in three adults — with some form of criminal record,¹²

12. THE SENTENCING PROJECT, AMERICANS WITH CRIMINAL RECORDS 2 (2015), <http://www.sentencingproject.org/wp-content/uploads/2015/11/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf> (<http://www.sentencingproject.org/wp-content/uploads/2015/11/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>) [<https://perma.cc/8E96-WBJV> (<https://perma.cc/8E96-WBJV>)].

to release 600,000 inmates each year without a better program to reintegrate them into society, or to ignore the humanity of 2.2 million men and women currently in U.S. jails and prisons¹³

13. *Id.*

and over 11 million men and women moving in and out of U.S. jails every year.¹⁴

14. Peter Wagner, *Jails Matter. But Who Is Listening?*, PRISON POL'Y INITIATIVE (Aug. 14, 2015), <https://www.prisonpolicy.org/blog/2015/08/14/jailsmatter> (<https://www.prisonpolicy.org/blog/2015/08/14/jailsmatter>) [<https://perma.cc/JD33-5F7Q> (<https://perma.cc/JD33-5F7Q>)] (compiling data retrieved from the Bureau of Justice Statistics' *Jail Inmates at Midyear Series 2007-2014*).

In addition, we cannot deny the legacy of racism that continues to drive inequality in how the justice system is experienced by so many Americans.

Part II shows how the President can drive significant reform at the federal level. Working with Congress, my Administration helped secure bipartisan sentencing reform legislation reducing the crack-to-powder-cocaine disparity. As an executive branch, we've been able to make important changes to federal charging policies and practices, the administration of federal prisons, and federal policies relating to reentry. And through the presidential pardon power, I have commuted the sentences of more than 1000 prisoners. Even though there are important structural and prudential constraints on how the President can directly influence criminal enforcement, these changes illustrate that presidential administrations can and do shape the direction of the federal criminal justice system in lasting and profound ways.

Part III details the approaches that Presidents can take to promote change at the state and local level, recognizing that the state and local justice systems tend to have a far broader and more pervasive impact on the lives of most Americans than does the federal justice system. While the President and the executive branch play a less direct role in these systems, there are still opportunities — as my Administration's work demonstrates — to advance reform through a combination of federal-local partnerships, the promulgation of best practices, enforcement, federal grant programs, and assembling reform-minded jurisdictions struggling with similar challenges.

Part IV highlights some of the work that remains, focusing on reforms that are supported by broad consensus and could be completed in the near term. These include passing bipartisan criminal justice reform legislation in Congress, adopting commonsense measures to keep firearms out of the hands of those who are a threat to others or themselves, finding better ways to address the tragic opioid epidemic in this country, implementing critical reforms to forensic science, improving criminal justice data, and using technology to enhance trust in and the effectiveness of law enforcement.

I. THE URGENT NEED FOR REFORM

It's hard to deny the urgent need for reform. In 1980, there were less than half a million inmates in U.S. state and federal prisons and jails. ¹⁵

15. THE SENTENCING PROJECT, FACT SHEET: TRENDS IN U.S. CORRECTIONS 2 (2015), <http://sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf> (<http://sentencingproject.org/wp-content/uploads/2016/01/Trends-in-US-Corrections.pdf>) [<https://perma.cc/9Q5W-7GVG> (<https://perma.cc/9Q5W-7GVG>)].

Today, that figure stands at an estimated 2.2 million, more than any other country on Earth. ¹⁶

16. *Id.*

Many people who commit crimes deserve punishment, and many belong behind bars. But too many, especially nonviolent drug offenders, serve unnecessarily long sentences. With just 5% of the world's population, the United States incarcerates nearly 25% of the world's prisoners. ¹⁷

17. WHITE HOUSE COUNCIL OF ECON. ADVISORS, ECONOMIC PERSPECTIVES ON INCARCERATION AND THE CRIMINAL JUSTICE SYSTEM 23 (2016) [hereinafter ECONOMIC PERSPECTIVES ON INCARCERATION], https://www.whitehouse.gov/sites/default/files/page/files/20160423_cea_incarceration_criminal_justice.pdf. (https://www.whitehouse.gov/sites/default/files/page/files/20160423_cea_incarceration_criminal_justice.pdf) [<https://perma.cc/L7SW-34LH> (<https://perma.cc/L7SW-34LH>)].

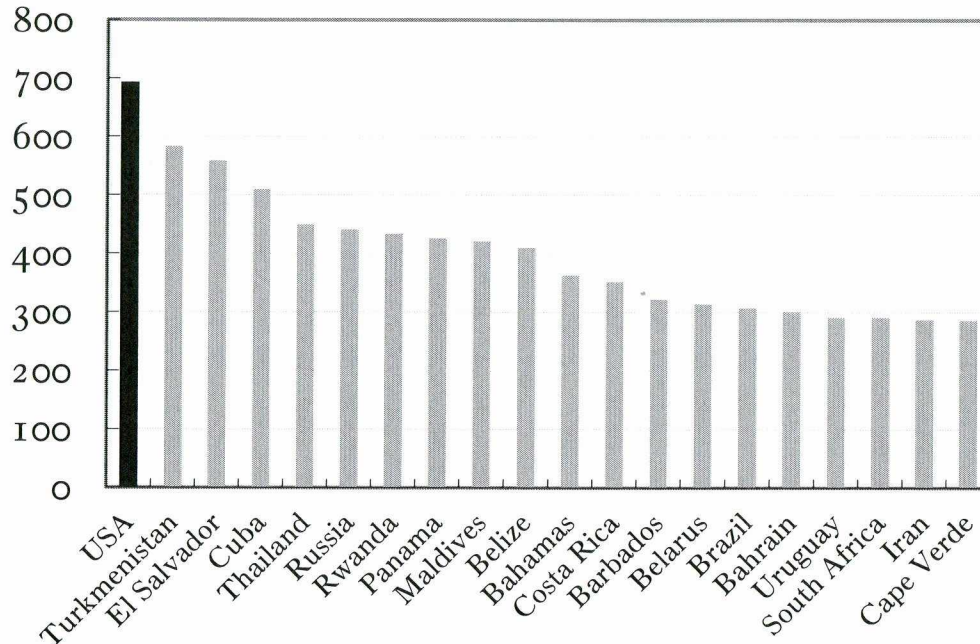
We keep more people behind bars than the top thirty-five European countries combined, and our rate of incarceration dwarfs not only other Western allies but also countries like Russia and Iran. ¹⁸

18. PEW CHARITABLE TRS., COLLATERAL COSTS: INCARCERATION'S EFFECT ON ECONOMIC MOBILITY 7 fig.1 (2010), http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1pdf (http://www.pewtrusts.org/~media/legacy/uploadedfiles/pcs_assets/2010/collateralcosts1pdf) [<https://perma.cc/U6H8-QGB4> (<https://perma.cc/U6H8-QGB4>)].

FIGURE 1. INCARCERATION RATE BY COUNTRY, 2016:

INMATES PER 100,000 RESIDENTS ¹⁹

19. Data obtained from Inst. for Criminal Policy Research & World Prison Brief, *Highest to Lowest — Prison Population Rate*, PRISONSTUDIES.ORG, http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All (http://www.prisonstudies.org/highest-to-lowest/prison_population_rate?field_region_taxonomy_tid=All) [<https://perma.cc/7MGA-RAR7> (<https://perma.cc/7MGA-RAR7>)]. This ranking excludes territories and countries with populations of less than 200,000. See also ECONOMIC PERSPECTIVES ON INCARCERATION, *supra* note 17, at 24 fig. 18 (compiling the same statistics from 2015).



There is a growing consensus across the U.S. political spectrum that the extent of incarceration in the United States is not just unnecessary but also unsustainable. ²⁰

20. See, e.g., WILLIAM J. STUNTZ, *THE COLLAPSE OF AMERICAN CRIMINAL JUSTICE* 13 (2011) (“The consequence of those trends is an unsustainably large prison population, disproportionately composed of young African American men from poor urban neighborhoods.”).

And it is not making our communities safer. The federal government spends more than \$7 billion a year to house prisoners, nearly a third of the Department of Justice’s budget and a figure that crowds out spending on other critical public safety initiatives. ²¹

21. See Sally Q. Yates, Deputy Att’y Gen., U.S. Dep’t of Justice, Deputy Attorney General Sally Q. Yates Delivers McNamara Memorial Lecture at Fordham University (Nov. 14, 2016), <https://www.justice.gov/opa/speech/deputy-attorney-general-sally-q-yates-delivers-mcnamara-memorial-lecture-fordham> (<https://www.justice.gov/opa/speech/deputy-attorney-general-sally-q-yates-delivers-mcnamara-memorial-lecture-fordham>).

[attorney-general-sally-q-yates-delivers-mcnamara-memorial-lecture-fordham](#) [<https://perma.cc/7TGM-6ZZV> (<https://perma.cc/7TGM-6ZZV>)] (“The Justice Department’s prison and detention costs have increased by almost three billion dollars in the past decade alone and now account for roughly one third of the department’s budget. This comes with significant public safety consequences because the growing [Bureau of Prisons (BOP)] budget is crowding out everything else we do at the department.”); *see also* CHARLES COLSON TASK FORCE ON FEDERAL CORRECTIONS, TRANSFORMING PRISONS, RESTORING LIVES 14 (2016), <http://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000589-Transforming-Prisons-Restoring-Lives.pdf> (<http://www.urban.org/sites/default/files/alfresco/publication-pdfs/2000589-Transforming-Prisons-Restoring-Lives.pdf>) [<https://perma.cc/R24X-PK2N> (<https://perma.cc/R24X-PK2N>)] (“The BOP’s growth and size have created a tremendous financial burden for the federal government, requiring significant investment in basic housing and infrastructure and leaving few resources for the important work of supporting rehabilitation and successful reentry.”).

As Deputy Attorney General Sally Yates noted recently, every dollar that the Department of Justice spends on excessive sentences for nonviolent drug offenses represents “a dollar we don’t have for investigating emerging threats, from hackers to home-grown terrorists. And it’s a dollar we don’t have to support state and local law enforcement with more cops on the street and crucial programs for prevention, intervention and reentry.”²²

22. Yates, *supra* note 21.

If one includes the cost of jail and prison at the state and local level, the total U.S. budget for incarceration rises to a staggering \$81 billion,²³

23. TRACEY KYCKELHAHN, U.S. BUREAU OF JUSTICE STATISTICS, JUSTICE EXPENDITURE AND EMPLOYMENT EXTRACTS, 2012 — PRELIMINARY tbl.1 (2015), <http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5239> (<http://www.bjs.gov/index.cfm?ty=pbdetail&iid=5239>) [<https://perma.cc/RH4C-SUJG> (<https://perma.cc/RH4C-SUJG>)] *see also* DIANE WHITMORE SCHANZENBACH ET AL., THE HAMILTON PROJECT, THE BROOKINGS INST., TWELVE FACTS ABOUT INCARCERATION AND PRISONER REENTRY 4 (2016), https://www.brookings.edu/wp-content/uploads/2016/10/thp_20161020_twelve_facts_incarceration_prisoner_reentry.pdf (https://www.brookings.edu/wp-content/uploads/2016/10/thp_20161020_twelve_facts_incarceration_prisoner_reentry.pdf) [<https://perma.cc/XVB7-AGL6> (<https://perma.cc/XVB7-AGL6>)] (estimating total expenditures in 2012 based on U.S. Bureau of Labor Statistics and Bureau of Justice Statistics data); *Does the U.S. Spend \$80 Billion a Year on Incarceration?*, COMM. FOR A RESPONSIBLE FED. BUDGET (Dec. 23, 2015), <http://crfb.org/blogs/us-spends-80-billion-year-incarceration> (<http://crfb.org/blogs/us-spends-80-billion-year-incarceration>) [<https://perma.cc/WN4K-BM4V> (<https://perma.cc/WN4K-BM4V>)] (fact-checking a similar estimate from 2010).

enough to fund transformative initiatives like universal preschool for every three- and four-year-old in America²⁴

24. U.S. DEP'T OF EDUC., STATE AND LOCAL EXPENDITURES ON CORRECTIONS AND EDUCATION 5 exhibit 1 (2016), <https://www2.ed.gov/rschstat/eval/other/expenditures-corrections-education/brief.pdf> (<https://www2.ed.gov/rschstat/eval/other/expenditures-corrections-education/brief.pdf>) [<https://perma.cc/GAJ8-5LVN> (<https://perma.cc/GAJ8-5LVN>)].

— initiatives that can change the odds for so many kids, including by keeping them out of the juvenile and criminal justice systems in the first place.

Total expenditures on incarceration, moreover, only begin to capture the true costs of our flawed approach to criminal justice. An estimated seventy million Americans — roughly a third of the adult population — have some type of criminal record, which can trigger a whole host of stigmas and restrictions, including barriers to employment, voting, education, housing, and public benefits. ²⁵

25. ECONOMIC PERSPECTIVES ON INCARCERATION, *supra* note 17, at 45–51 (2016).

Each year, more than eleven million Americans cycle in and out of jails, ²⁶

26. Wagner, *supra* note 14.

impairing their ability to work and support their families. And in too many communities — especially communities of color and those struggling with poverty and addiction — the justice system has touched almost every family. The costs of maintaining this system are nothing short of breathtaking. We sacrifice billions of taxpayer dollars and waste untold human capital on a system that shuffles too many young people into a pipeline from underfunded schools to overcrowded jails. ²⁷

27. See generally SARAH E. REDFIELD & JASON P. NANCE, AM. BAR ASS'N, SCHOOL-TO-PRISON PIPELINE: PRELIMINARY REPORT (2016), https://www.americanbar.org/content/dam/aba/administrative/diversity_pipeline/stp_preliminary_report_final.authcheckdam.pdf (https://www.americanbar.org/content/dam/aba/administrative/diversity_pipeline/stp_preliminary_report_final.authcheckdam.pdf) [<https://perma.cc/2TWQ-LGW2> (<https://perma.cc/2TWQ-LGW2>)].

And even as violent crime has plummeted over the past two decades, the evidence indicates that our massive levels of incarceration have not made us safer. ²⁸

28. See, e.g., Timothy Head & Grover Norquist, *The High Costs of Over-Incarceration*, NAT'L REV. (Aug. 13, 2015, 4:00 AM), <http://www.nationalreview.com/article/422476/over-incarceration-not-making-america-safer> (<http://www.nationalreview.com/article/422476/over-incarceration-not-making-america-safer>) [<https://perma.cc/3S2U-ZHB2> (<https://perma.cc/3S2U-ZHB2>)]. See generally STEVEN RAPHAEL & MICHAEL A. STOLL, DO PRISONS MAKE US SAFER? THE BENEFITS AND COSTS OF THE PRISON BOOM (2009).

How we got to this point is a complicated story. The policies of the 1980s and 1990s occurred against a backdrop of criminal activity that was ravaging our communities, especially our poor neighborhoods and communities of color. 29

29. See generally NAT'L RESEARCH COUNCIL OF THE NAT'L ACADS., THE GROWTH OF INCARCERATION IN THE UNITED STATES 70-103 (2014) [hereinafter GROWTH OF INCARCERATION]. The FBI calculates that the rate of violent crime was 372.6 per 100,000 people in 2015, compared to 469.0 in 2005, 684.5 in 1995, and 620.1 in 1986; the murder and manslaughter rate was 4.9 per 100,000 people in 2015, 5.6 in 2005, 8.2 in 1995, and 8.6 in 1986. See FBI, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS tbl.1 (2015), https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/tables/table-1/table_1_crime_in_the_united_states_by_volume_and_rate_per_100000_inhabitants_1996-2015.xls (https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/tables/table-1/table_1_crime_in_the_united_states_by_volume_and_rate_per_100000_inhabitants_1996-2015.xls) [<https://perma.cc/A4Q2-WM56> (<https://perma.cc/A4Q2-WM56>)]; FBI, U.S. DEP'T OF JUSTICE, UNIFORM CRIME REPORTS tbl.1 (2005), <https://ucr.fbi.gov/crime-in-the-u.s/2005> (<https://ucr.fbi.gov/crime-in-the-u.s/2005>) [<https://perma.cc/5MCS-49AS> (<https://perma.cc/5MCS-49AS>)]; see also U.S. BUREAU OF JUSTICE STATISTICS, CRIMINAL VICTIMIZATION, 2015 (2016), http://www.bjs.gov/content/pub/pdf/cv15_sum.pdf (http://www.bjs.gov/content/pub/pdf/cv15_sum.pdf) [<https://perma.cc/XEY8-3QTJ> (<https://perma.cc/XEY8-3QTJ>)] ("From 1993 to 2015, the rate of violent crime declined from 79.8 to 18.6 victimizations per 1000 persons age 12 or older.").

The push in that period for stricter laws, longer sentences, and more vigilant policing was not limited to one party or one community. 30

30. See GROWTH OF INCARCERATION, *supra* note 29, at 70-103; see also Rachel E. Barkow, *Clemency and Presidential Administration of Criminal Law*, 90 N.Y.U. L. REV. 802, 819 (2015) ("Elected officials responded to . . . public fear and dissatisfaction [with a 'too lenient' justice system] by taking ever-tougher stances on crime. Republicans embraced the strategy first, but Democrats quickly followed. Key interests have also pushed for more expansive and tougher criminal laws, including prosecutors, victims' rights organizations, rural communities that may depend on prisons for jobs, private prison companies, and corrections unions.").

Unfortunately, the impact of those policies has been anything but evenly distributed. 31

31. Bryan Stevenson, a member of my Task Force on 21st Century Policing, has said that under the current justice system, it is often “better if you’re rich and guilty than if you’re poor and innocent.” Bryan Stevenson, *We Need to Talk About an Injustice*, TED (Mar. 2012), https://www.ted.com/talks/bryan_stevenson_we_need_to_talk_about_an_injustice/transcript?language=en (https://www.ted.com/talks/bryan_stevenson_we_need_to_talk_about_an_injustice/transcript?language=en) [<https://perma.cc/UEQ2-YUEK> (<https://perma.cc/UEQ2-YUEK>)]; *see also* BRYAN STEVENSON, JUST MERCY 18 (2014) (“[T]he opposite of poverty is not wealth; the opposite of poverty is justice.”).

If we are to chart honestly the path for criminal justice reform, we must confront the role of race and bias in shaping the policies that led us to this point. ³²

32. For example, studies have suggested no statistically significant difference in the rate of current drug use across races and ethnicities though the arrest and conviction rate for African Americans for drug crimes is significantly higher. *See* U.S. DEP’T OF HEALTH & HUMAN SERVS., RESULTS FROM THE 2013 NATIONAL SURVEY ON DRUG USE AND HEALTH: SUMMARY OF NATIONAL FINDINGS 26 (2014), <http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf> (<http://www.samhsa.gov/data/sites/default/files/NSDUHresultsPDFWHTML2013/Web/NSDUHresults2013.pdf>) [<https://perma.cc/LZ4X-MZ38> (<https://perma.cc/LZ4X-MZ38>)].

It was no accident that the setting for my most expansive public address on this topic was the NAACP. ³³

33. Obama, *supra* note 11.

That’s because many of the most tragic failings of the justice system are disproportionately felt by communities of color. ³⁴

34. *Id.*

A large body of research finds that, for similar offenses, members of the African American and Hispanic communities are more likely to be stopped, searched, arrested, convicted, and sentenced to harsher penalties. ³⁵

35. ECONOMIC PERSPECTIVES ON INCARCERATION, *supra* note 17, at 4; *see also* JESSICA EAGLIN & DANYELLE SOLOMON, BRENNAN CTR. FOR JUSTICE, REDUCING RACIAL AND ETHNIC DISPARITIES IN JAILS 10–13 (2015), <https://www.brennancenter.org/sites/default/files/publications/Racial%20Disparities%20Report%20062515.pdf> (<https://www.brennancenter.org/sites/default/files/publications/Racial%20Disparities%20Report%20062515.pdf>).

[eport%20062515.pdf](#)) [<https://perma.cc/DTZ4-8VBA>] (<https://perma.cc/DTZ4-8VBA>); LYNN LANGTON & MATTHEW R. DUROSE, BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, POLICE BEHAVIOR DURING TRAFFIC AND STREET STOPS, 2011 (2013), <http://www.bjs.gov/content/pub/pdf/pbtss11.pdf> (<http://www.bjs.gov/content/pub/pdf/pbtss11.pdf>) [<https://perma.cc/Y4X3-XRU6>] (<https://perma.cc/Y4X3-XRU6>); THE SENTENCING PROJECT, REPORT OF THE SENTENCING PROJECT TO THE UNITED NATIONS HUMAN RIGHTS COMMITTEE REGARDING RACIAL DISPARITIES IN THE UNITED STATES CRIMINAL JUSTICE SYSTEM 1 (2013), <http://sentencingproject.org/wp-content/uploads/2015/12/Race-and-Justice-Shadow-Report-ICCPR.pdf> (<http://sentencingproject.org/wp-content/uploads/2015/12/Race-and-Justice-Shadow-Report-ICCPR.pdf>) [<https://perma.cc/89FU-NUZA>] (<https://perma.cc/89FU-NUZA>); RAM SUBRAMANIAN ET AL., VERA INST. OF JUSTICE, IN OUR OWN BACKYARD: CONFRONTING GROWTH AND DISPARITIES IN AMERICAN JAILS 12-13 (2015), <http://www.safetyandjusticechallenge.org/wp-content/uploads/2015/12/incarceration-trends-in-our-own-backyard-report.pdf> (<http://www.safetyandjusticechallenge.org/wp-content/uploads/2015/12/incarceration-trends-in-our-own-backyard-report.pdf>) [<https://perma.cc/HEA4-U6RL>] (<https://perma.cc/HEA4-U6RL>); M. Marit Rehavi & Sonja B. Starr, *Racial Disparity in Federal Criminal Sentences*, 122 J. POL. ECON. 1320 (2014).

Rates of parental incarceration are two to seven times higher for African American and Hispanic children. ³⁶

36. ECONOMIC PERSPECTIVES ON INCARCERATION, *supra* note 17, at 5.

Over the past thirty years, the share of African American adults with a past felony conviction — and who have paid their debt to society — has more than tripled, and one in four African American men outside the correctional system now has a felony record. ³⁷

37. See Sarah K.S. Shannon et al., *The Growth, Scope, and Spatial Distribution of People with Felony Records in the United States, 1948 to 2010*, DEMOGRAPHY (forthcoming) (manuscript at 25), http://users.soc.umn.edu/~uggen/former_felons_2016.pdf (http://users.soc.umn.edu/~uggen/former_felons_2016.pdf) [<https://perma.cc/YS3H-EJVN>] (<https://perma.cc/YS3H-EJVN>).

This number is in addition to the one in twenty African American men under correctional supervision. ³⁸

38. *Id.* (manuscript at 26).

The system of mass incarceration has endured for as long as it has in part because of the school-to-prison pipeline and political opposition to reform that insisted on “a stern dose of discipline — more policy, more prisons, more personal

responsibility, and an end to welfare.”³⁹

39. BARACK OBAMA, *THE AUDACITY OF HOPE* 253 (1st ed. 2006); see also Am. Psychological Ass'n Zero Tolerance Task Force, *Are Zero Tolerance Policies Effective in the Schools? An Evidentiary Review and Recommendations*, 63 AM. PSYCHOLOGIST 852, 853–54 (2008) (documenting and challenging the “key assumptions of zero tolerance policies”).

Today, however, much of that opposition has receded, replaced by broad agreement that policies put in place in that era are not a good match for the challenges of today.⁴⁰

40. See LAUREN-BROOKE EISEN & INIMAI CHETTIAR, BRENNAN CTR. FOR JUSTICE, *THE REVERSE MASS INCARCERATION ACT* 6, 10 (2015), http://www.brennancenter.org/sites/default/files/publications/The_Reverse_Mass_Incarceration_Act%20.pdf (http://www.brennancenter.org/sites/default/files/publications/The_Reverse_Mass_Incarceration_Act%20.pdf) [<https://perma.cc/W62K-5BK6> (<https://perma.cc/W62K-5BK6>)] (describing state approaches to reducing crime and incarceration); see also BRENNAN CTR. FOR JUSTICE, *SOLUTIONS: AMERICAN LEADERS SPEAK OUT ON CRIMINAL JUSTICE* (Inimai Chettiar & Michael Waldman eds., 2015), http://www.brennancenter.org/sites/default/files/publications/Solutions_American_Leaders_Speak_Out.pdf (http://www.brennancenter.org/sites/default/files/publications/Solutions_American_Leaders_Speak_Out.pdf) [<https://perma.cc/Q5XX-Y8JX> (<https://perma.cc/Q5XX-Y8JX>)] (compiling proposals for criminal justice reform from bipartisan public leaders); INT'L ASS'N OF CHIEFS OF POLICE, *PARTNERSHIPS IN PRETRIAL JUSTICE* (2016), http://www.iacp.org/Portals/0/documents/pdfs/IACP_ParnersinPretrialJustice_Final.pdf (http://www.iacp.org/Portals/0/documents/pdfs/IACP_ParnersinPretrialJustice_Final.pdf) [<https://perma.cc/DC9K-YKTZ> (<https://perma.cc/DC9K-YKTZ>)] (detailing state efforts to adopt risk-based reforms).

And even as budgets for social services are under increasing political pressure and our criminal justice system continues to too often serve as the default response for mental illness and addiction, over the past decade, many states — including so-called “red states” like Georgia, Texas, and Alabama — have led and innovated with new approaches. By reducing sentences and reinvesting some of the savings in other public safety initiatives — especially programs that actually address substance abuse and support for those with mental illness — these states have improved outcomes, enhanced trust, and thus ultimately made better use of taxpayer dollars.⁴¹

41. In Georgia, after criminal justice reform in 2012, prison admissions fell 8%, and the violent crime rate dropped to its lowest since 1980. BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, IN BRIEF: EXAMINING THE CHANGING RACIAL COMPOSITION OF THREE STATES' PRISON POPULATIONS 2 (2015), <https://www.bja.gov/Publications/CSG-RacialPrisonPop.pdf> (<https://www.bja.gov/Publications/CSG-RacialPrisonPop.pdf>) [<https://perma.cc/HUU4-CHCD>] (<https://perma.cc/HUU4-CHCD>)]; *Statewide Crime Rates per 100,000 Population 1980-2015*, GA. BUREAU INVESTIGATION, https://gbi.georgia.gov/sites/gbi.georgia.gov/files/related_files/site_page/Statewide%20Crime%20Rates%20per%20100,000%20Population.pdf (https://gbi.georgia.gov/sites/gbi.georgia.gov/files/related_files/site_page/Statewide%20Crime%20Rates%20per%20100,000%20Population.pdf) [<https://perma.cc/UWM3-RVP8>] (<https://perma.cc/UWM3-RVP8>)]. In Texas, after reforms in 2007 that reduced sentencing terms for drug offenders, the violent crime rate declined by 20% between 2007 and 2011. See Sally Q. Yates, Deputy Att'y Gen., U.S. Dep't of Justice, Remarks at the National District Attorneys Association on Prosecution Integrity (July 21, 2015), <https://www.justice.gov/opa/speech/deputy-attorney-general-sally-quillian-yates-delivers-remarks-national-district-attorneys> (<https://www.justice.gov/opa/speech/deputy-attorney-general-sally-quillian-yates-delivers-remarks-national-district-attorneys>) [<https://perma.cc/7ULA-RYPZ>] (<https://perma.cc/7ULA-RYPZ>)]. Alabama has had a similar experience. See Press Release, Office of the Governor of Ala., Governor Bentley Addresses Congress on Alabama's Prison Reform Efforts (July 14, 2015), <http://governor.alabama.gov/newsroom/2015/07/governor-bentley-addresses-congress-alabamas-prison-reform-efforts> (<http://governor.alabama.gov/newsroom/2015/07/governor-bentley-addresses-congress-alabamas-prison-reform-efforts>) [<https://perma.cc/XDB6-ATYD>] (<https://perma.cc/XDB6-ATYD>)] ("In 2014, Alabama launched the Justice Reinvestment Initiative (JRI), a comprehensive study of the state's criminal justice system to identify ways to implement more cost effective criminal justice policies. The goal of JRI is to generate state savings that can be reinvested in evidence-based strategies that will increase public safety while holding offenders accountable for crimes. . . . The legislation is expected to reduce the state's prison population by more than 4200 people, avert more than \$380 million in future costs and provide supervision for 3000 more people upon release from prison.").

For some people, the problems described in this Part will sound familiar. But these issues don't always get the attention they deserve, and they haven't translated into real reform in vast portions of our country. 42

42. See, e.g., THE SENTENCING PROJECT, LIFE GOES ON: THE HISTORIC RISE IN LIFE SENTENCES IN AMERICA 3, 15-16 (2013), <http://sentencingproject.org/wp-content/uploads/2015/12/Life-Goes-On.pdf> (<http://sentencingproject.org/wp-content/uploads/2015/12/Life-Goes-On.pdf>) [<https://perma.cc/WG7B-ZF66>] (<https://perma.cc/WG7B-ZF66>)] (noting that, even amid broad policy reform, there is little debate about the use of and appropriateness of life sentences, and that "[l]ife without parole is a mandatory sentence upon conviction under three strikes laws in 13 states and the federal government," *id.* at 16).

As President, I felt a unique responsibility to highlight the compelling economic and policy arguments for justice reform as well as the human toll of a failing system. Through my own actions and the policies of my Administration, I

supported evidence-based solutions to these longstanding problems. What's more, unlike so many issues that divide Washington, D.C., criminal justice is an area in which there is increasing bipartisan agreement. A number of Republicans have been vocal and sincere advocates for reform efforts even as they were otherwise frequent critics of my Administration. ⁴³

43. Within Congress, the supporters of criminal justice reform include Senators John Cornyn, Mike Lee, and Rand Paul, as well as Congressmen James Sensenbrenner and Trey Gowdy, among others. See *Criminal Justice Reform Initiative*, HOUSE JUDICIARY COMMITTEE, <https://judiciary.house.gov/issue/criminal-justice-reform-initiative> (<https://judiciary.house.gov/issue/criminal-justice-reform-initiative>) [<https://perma.cc/K6S9-UKUD> (<https://perma.cc/K6S9-UKUD>)]; see also Seung Min Kim, *Compromise Struck on Criminal Justice Reform*, POLITICO (Apr. 28, 2016, 11:03 AM), <http://www.politico.com/story/2016/04/criminal-justice-reform-senate-222577> (<http://www.politico.com/story/2016/04/criminal-justice-reform-senate-222577>) [<https://perma.cc/CGJ2-AGT8> (<https://perma.cc/CGJ2-AGT8>)]. There are also a host of Left-Right coalitions in this space. Most notably, in 2015, a group called the Coalition for Public Safety launched with a mission "to make our criminal justice system smarter, fairer and more cost effective." *About the Coalition*, COALITION FOR PUB. SAFETY (2015), <http://www.coalitionforpublicsafety.org/about> (<http://www.coalitionforpublicsafety.org/about>) [<https://perma.cc/Z8G5-BZKB> (<https://perma.cc/Z8G5-BZKB>)]. The organization partners with many of the nation's most prominent conservative and progressive organizations — including organizations backed by Grover Norquist and the Koch brothers. See *The Importance of Action*, COALITION FOR PUB. SAFETY (2015), <http://www.coalitionforpublicsafety.org> (<http://www.coalitionforpublicsafety.org>) [<https://perma.cc/5DCV-75Y7> (<https://perma.cc/5DCV-75Y7>)] (listing partner organizations). On March 27, 2015, the Bipartisan Summit for Criminal Justice Reform brought together more than ninety speakers in Washington, D.C., in an event hosted by Pat Nolan and former Speaker of the House Newt Gingrich, among others. See Edgar Saavedra, *A Bipartisan Summit on Criminal Justice Reform*, #CUT50 (Mar. 27, 2015), <http://www.cut50.org/summit1> (<http://www.cut50.org/summit1>) [<https://perma.cc/JPK5-QD6Q> (<https://perma.cc/JPK5-QD6Q>)]. Governor Nathan Deal of Georgia, a state that has led on these issues, spoke at the event about the impact drug courts can have on the lives of those struggling with addiction and seeking to earn their second chance. See *Bipartisan Summit: Georgia Governor Nathan Deal*, YOUTUBE (Mar. 26, 2015), <https://www.youtube.com/watch?v=uGa45JNw7kU> (<https://www.youtube.com/watch?v=uGa45JNw7kU>) [<https://perma.cc/6FGP-EQSN> (<https://perma.cc/6FGP-EQSN>)].

Buoyed by these bipartisan calls for change, I continue to be confident that we can see meaningful reform in the coming years. But because the current system reflects years of changes and policy developments, I am also clear-eyed about the fact that change will likely happen gradually, with an emphasis on evidence-based reforms and incremental approaches that enjoy broad support. ⁴⁴

44. President Barack Obama, Remarks by the President in Arm Chair Discussion on Criminal Justice with Law Enforcement Leaders (Oct. 22, 2015), <https://www.whitehouse.gov/the-press-office/2015/10/22/remarks-president-arm-chair-discussion-criminal-justice-law-enforcement> (<https://www.whitehouse.gov/the-press-office/2015/10/22/remarks-president-arm-chair-discussion-criminal-justice-law-enforcement>) [<https://perma.cc/HR4Q-KN7U> (<https://perma.cc/HR4Q-KN7U>)] (“[T]his is a staged process. We will lose the public if we try to do everything at once without having data and evidence If, on the other hand, we do it systematically, methodically, . . . [and] we’re not telling prosecutors you’re going to be promoted based on how many maximum sentences you get, but rather based on how wise your use of prosecutorial discretion — if all those things prove that we’re still doing a good job controlling crime, then I think we’ve got something to build on.”).

II. REFORMING THE FEDERAL CRIMINAL JUSTICE SYSTEM

Every week, I receive letters from people across the country urging me to address issues involving state and local justice systems, about which there is often frustratingly little that anyone in the federal government can do. State and local officials are responsible for most policing issues, and they are in charge of the facilities that hold more than 90% of the prison population and the entire jail population.⁴⁵

45. Peter Wagner & Bernadette Rabuy, *Mass Incarceration: The Whole Pie 2016*, PRISON POL’Y (Mar. 14, 2016), <https://www.prisonpolicy.org/reports/pie2016.html> (<https://www.prisonpolicy.org/reports/pie2016.html>) [<https://perma.cc/N4WB-4T8C> (<https://perma.cc/N4WB-4T8C>)].

Even at the federal level, there are important limits on the President’s authority.⁴⁶

46. “Resolution of prosecutorial questions usually is conceived as lying at the heart of the executive power vested in the President,” then-Professor Elena Kagan observed in a seminal article on presidential administration. Elena Kagan, *Presidential Administration*, 114 HARV. L. REV. 2245, 2357 (2001). “But it is in this area, because so focused on particular individuals and firms, that the crassest forms of politics . . . pose the greatest danger of displacing professionalism and thereby undermining confidence in legal decisionmaking.” *Id.* at 2357–58.

The Constitution separates the executive, legislative, and judicial powers into three coequal branches of government, all of which have independent roles in shaping the criminal justice system.⁴⁷

47. See, e.g., Rachel E. Barkow, *Separation of Powers and the Criminal Law*, 58 STAN. L. REV. 989, 1017 (2006).

And within the executive branch, the President's direct influence is subject to constraints designed to safeguard the fair enforcement of the law.

Nowhere are these limits more important than in the administration of the criminal law. For good reason, particular criminal matters are not directed by the President personally but are handled by career prosecutors and law enforcement officials who are dedicated to serving the public and promoting public safety.⁴⁸

48. See Kate Andrias, *The President's Enforcement Power*, 88 N.Y.U. L. REV. 1031, 1051 (2013).

The President does not and should not decide who or what to investigate or prosecute or when an investigation or prosecution should happen. To avoid even the appearance of politicization, a series of internal White House rules and prudential practices sharply restrict contact with the Department of Justice and other enforcement agencies on specific matters.⁴⁹

49. See *id.* at 1070–72; see also Kagan, *supra* note 46, at 2357–58.

These practices make things difficult when the public looks to the President to opine on a particular case, but they are critical to ensuring the rule of law as well as the integrity and independence of the justice system.

Nevertheless, there is still much that Presidents can do to make the justice system better serve the public. In my Administration, that has meant starting with the federal system — which has not only directly affected those in federal custody, but also made federal practice a model that can drive and accelerate change at the state and local levels. This Part shows how my Administration has used the tools at its disposal to effect change at the federal level: from the legislative reforms we've

advanced, to the policies we've changed in the executive branch, to the second chances we've given to those who received clemency, we have brought our system more in line with the values that define us.

A. ACHIEVING REFORMS TO FEDERAL CHARGING AND SENTENCING PRACTICES

Working with Congress and the U.S. Sentencing Commission, my Administration has made reforms to federal charging and sentencing practices. These reforms have allowed us to use our federal criminal laws wisely, reduce excessive sentences, and better ensure that the punishment fits the crime. I have also used my clemency power to a degree unmatched in modern history⁵⁰

50. See Eggleston, *supra* note 9.

to address unfairness in the federal system. These changes mean that I will be the first President in decades to leave office with a federal prison population lower than when I took office⁵¹

51. See *Past Inmate Population Totals*, FED. BUREAU PRISONS (Dec. 1, 2016), https://www.bop.gov/about/statistics/population_statistics.jsp (https://www.bop.gov/about/statistics/population_statistics.jsp) [<https://perma.cc/GZ3R-TSVY> (<https://perma.cc/GZ3R-TSVY>)] (providing historical inmate totals from 1980 to 2016); see also PATRICK A. LANGAN ET AL., BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, HISTORICAL STATISTICS ON PRISONERS IN STATE AND FEDERAL INSTITUTIONS, YEAREND 1925-86, at 12 (1988), <https://www.ncjrs.gov/pdffiles1/digitization/111098ncjrs.pdf> (<https://www.ncjrs.gov/pdffiles1/digitization/111098ncjrs.pdf>) [<https://perma.cc/Y9HS-A24R> (<https://perma.cc/Y9HS-A24R>)] (presenting historical data that suggests the last President to see a decrease in the federal inmate population while in office was President Jimmy Carter).

even as my Administration saw the rate of violent crime fall to its lowest point in decades.⁵²

52. There were historic decreases in violent crime in 2014. While the most recent FBI Uniform Crime Report (UCR) data suggests that crime increased overall in 2015, it is important to remember that 2015 still represented the third-lowest year for violent crime in the past two decades. See *Crime in the United States 2015*, FBI, <https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/home> (<https://ucr.fbi.gov/crime-in-the-u.s/2015/crime-in-the-u.s.-2015/home>) [<https://perma.cc/WFQ5-55S3> (<https://perma.cc/WFQ5-55S3>)];

Crime in the United States 2014, FBI, <https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014> (<https://ucr.fbi.gov/crime-in-the-u.s/2014/crime-in-the-u.s.-2014>) [<https://perma.cc/7YB8-P98F> (<https://perma.cc/7YB8-P98F>)].

1. *Charging Policies and “Smart on Crime.”* — From the beginning of my Administration, the Department of Justice has made important changes to federal charging policies, starting first and foremost with the “Smart on Crime” initiative begun under Attorney General Eric Holder and continued under Attorney General Loretta Lynch, both of whom were longtime career prosecutors. ⁵³

53. These actions were undertaken not at my direction, but because of the strong, principled leadership of Eric Holder and Loretta Lynch, the two outstanding Attorneys General who served in my Administration. In many respects, the most consequential actions I took in this area were my decisions to entrust these dedicated public servants (and other senior officials in the Department of Justice) with the authority to use their discretion wisely and to provide guidance and set an example for the thousands of federal prosecutors across the United States. This point is consistent with recent scholarship that demonstrates the important role prosecutors have played in escalating the length of sentences and can play in easing them. See, e.g., John F. Pfaff, *The Micro and Macro Causes of Prison Growth*, 28 GA. ST. U. L. REV. 1239, 1242 (2012) (describing the important role county prosecutors have played in prison population growth).

In 2010, the Department reversed a policy requiring prosecutors in every case to bring charges that could result in the most severe possible sentence. ⁵⁴

54. Memorandum from Eric Holder, Jr., Att’y Gen., U.S. Dep’t of Justice, to All Federal Prosecutors (May 19, 2010), <http://subjecttoinquiry.default.wp1.lexblog.com/files/2013/09/Holder-Charging-Memo-5-19-10.pdf> (<http://subjecttoinquiry.default.wp1.lexblog.com/files/2013/09/Holder-Charging-Memo-5-19-10.pdf>) [<https://perma.cc/D599-RPVA> (<https://perma.cc/D599-RPVA>)]; see *id.* at 3 (“This memorandum supersedes previous Department guidance on charging and sentencing including the September 22, 2003 memorandum issued by Attorney General John Ashcroft . . . , the July 2, 2004 memorandum issued by Deputy Attorney General James Comey . . . and the January 28, 2005 memorandum issued by Deputy Attorney General James Comey . . .”).

The new policy instead instructed that cases should be charged based on the individual circumstances of the defendant, stressing that “[p]ersons who commit similar crimes and have similar culpability should, to the extent possible, be treated similarly,” and that “equal justice depends on individualized justice, and smart law enforcement demands it.” ⁵⁵

55. *Id.* at 1.

As part of the Smart on Crime initiative, Holder revised the Department's charging policies to avoid triggering excessive mandatory minimums for low-level, nonviolent drug offenders.⁵⁶

56. See Memorandum from Eric Holder, Jr., Att'y Gen., U.S. Dep't of Justice, to the United States Attorneys & Assistant Attorney General for the Criminal Division 1 (Aug. 12, 2013), <https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/ag-memo-department-policypon-charging-mandatory-minimum-sentences-recidivist-enhancements-in-certain-drugcases.pdf> (<https://www.justice.gov/sites/default/files/oip/legacy/2014/07/23/ag-memo-department-policypon-charging-mandatory-minimum-sentences-recidivist-enhancements-in-certain-drugcases.pdf>) [<https://perma.cc/9UMG-B3L9> (<https://perma.cc/9UMG-B3L9>)]. A footnote in the memo notes that "[a]s with every case, prosecutors should determine, as a threshold matter, whether a case serves a substantial federal interest. In some cases, satisfaction of the . . . criteria [for declining to charge under a mandatory minimum statute] meant for low-level, nonviolent drug offenders may indicate that prosecution would not serve a substantial federal interest and that the case should not be brought federally." *Id.* at 2 n.3.

Subsequently, the Department of Justice put in place new policies instructing federal prosecutors to no longer use so-called "851" enhancements — which trigger longer sentences based on prior drug convictions — to gain leverage on defendants in plea negotiations.⁵⁷

57. Memorandum from Eric Holder, Jr., Att'y Gen., U.S. Dep't of Justice, to Department of Justice Attorneys (Sept. 24, 2014), https://www.justice.gov/oip/foia-library/ag_guidance_on_section_851_enhancements_in_plea_negotiations/download (https://www.justice.gov/oip/foia-library/ag_guidance_on_section_851_enhancements_in_plea_negotiations/download) [<https://perma.cc/VWW7-9CCK> (<https://perma.cc/VWW7-9CCK>)].

and to no longer require, as a part of plea agreements, that defendants waive their right to appeal based on ineffective counsel.⁵⁸

58. Memorandum from James M. Cole, Deputy Att'y Gen., U.S. Dep't of Justice, to All Federal Prosecutors (Oct. 14, 2014), <https://www.justice.gov/file/70111/download> (<https://www.justice.gov/file/70111/download>) [<https://perma.cc/V772-EVBU> (<https://perma.cc/V772-EVBU>)].

Some warned that these types of reforms would undermine cooperation, making it more difficult to obtain evidence against kingpins and cartel leaders and putting public safety at risk.⁵⁹

59. See, e.g., NAT'L ASS'N OF ASSISTANT U.S. ATT'YS, THE DANGEROUS MYTHS OF DRUG SENTENCING "REFORM" 10–11 (2015), <https://www.naausea.org/2013/images/docs/Dangerous-Myths-of-Drug-Sentencing-Reform.pdf> (<https://www.naausea.org/2013/images/docs/Dangerous-Myths-of-Drug-Sentencing-Reform.pdf>) [<https://perma.cc/FZ8D-H8W9> (<https://perma.cc/FZ8D-H8W9>)] (predicting that lower mandatory minimums would inhibit a prosecutor's ability to dismantle criminal organizations); Letter from Robert Gay Guthrie, President, Nat'l Ass'n of Assistant U.S. Att'ys, to Senator Patrick Leahy, Chairman, and Senator Charles Grassley, Ranking Member, Senate Judiciary Comm. (Jan. 31, 2014), <http://www.naausea.org/2013/images/docs/MandMinSentencingLegOppose013114.pdf> (<http://www.naausea.org/2013/images/docs/MandMinSentencingLegOppose013114.pdf>) [<https://perma.cc/ZSX5-3QBU> (<https://perma.cc/ZSX5-3QBU>)]].

Now that these changes have been in place for several years, however, it has become increasingly clear that the opposite is true: since Smart on Crime was announced, federal prosecutors have used mandatory minimums more carefully, and the result has been a focus on more serious cases and more significant offenders. ⁶⁰

60. See Press Release, Office of Pub. Affairs, U.S. Dep't of Justice, New Smart on Crime Data Reveals Federal Prosecutors Are Focused on More Significant Drug Cases and Fewer Mandatory Minimums for Drug Defendants (Mar. 21, 2016), <https://www.justice.gov/opa/pr/new-smart-crime-data-reveals-federal-prosecutors-are-focused-more-significant-drug-cases-and> (<https://www.justice.gov/opa/pr/new-smart-crime-data-reveals-federal-prosecutors-are-focused-more-significant-drug-cases-and>) [<https://perma.cc/67U4-6Z2N> (<https://perma.cc/67U4-6Z2N>)] (noting that "the percentage of defendants with an aggravating role steadily increased" while the number of drug cases with mandatory minimums has fallen).

In other words, the Department is better able to prioritize and devote resources where they matter most. In 2013, we saw the first reduction in the federal prison population in thirty-three years, ⁶¹

61. See BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2013 (2014), <http://www.bjs.gov/content/pub/pdf/cpus13.pdf> (<http://www.bjs.gov/content/pub/pdf/cpus13.pdf>) [<https://perma.cc/2FQ2-T48B> (<https://perma.cc/2FQ2-T48B>)]].

a trend that has continued in the years since. ⁶²

62. See BUREAU OF JUSTICE STATISTICS, U.S. DEP'T OF JUSTICE, CORRECTIONAL POPULATIONS IN THE UNITED STATES, 2014, at 2 (2015), <http://www.bjs.gov/content/pub/pdf/cpus14.pdf> (<http://www.bjs.gov/content/pub/pdf/cpus14.pdf>) [<https://perma.cc/VG8R-PPQR> (<https://perma.cc/VG8R-PPQR>)]].

The proportion of drug offenders convicted of an offense carrying a mandatory minimum penalty is now the lowest it has been since 1993.⁶³

63. See U.S. SENTENCING COMM'N, OVERVIEW OF FEDERAL CRIMINAL CASES FISCAL YEAR 2015, at 7–8 (2016), http://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/FY15_Overview_Federal_Criminal_Cases.pdf (http://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/FY15_Overview_Federal_Criminal_Cases.pdf) [<https://perma.cc/BY29-6H87> (<https://perma.cc/BY29-6H87>)]. The U.S. Sentencing Commission attributed this significant reduction to “a change in the policy of the Department of Justice in 2013 as to how to charge drug cases.” *Id.* at 8; *id.* at 12 n.8 (providing data from fiscal years 2013 and 2014).

Yet despite the fears of some, defendants are pleading guilty at the same rates as they were before Smart on Crime, and cooperation rates have at least been stable, and may have even slightly increased.⁶⁴

64. See Yates, *supra* note 21.

2. *Sentencing Reform Legislation.* — Any lasting, broad-based reform to federal sentencing can only be addressed through legislation. That’s why I’ve consistently called on Congress to pass bipartisan sentencing reform and build on the progress we’ve made in recent years. In August 2010, I signed the Fair Sentencing Act⁶⁵

65. Pub. L. No. 111-220, 124 Stat. 2372 (2010) (codified as amended in scattered sections of 21 and 28 U.S.C.).

(FSA), which reduced the disparity in the amounts of powder cocaine and crack cocaine required for the imposition of mandatory minimum sentences and eliminated the mandatory minimum sentence for simple possession of crack cocaine.⁶⁶

66. *Id.* § 3 (codified at 21 U.S.C. § 844(a) (2012)).

In doing so, the FSA reduced a disparity between crack cocaine and powder cocaine that had resulted in excessive and unwarranted punishments that fell disproportionately on defendants of color.⁶⁷

67. *Restoring Fairness to Federal Sentencing: Addressing the Crack-Powder Disparity: Hearing Before the Subcomm. on Crime & Drugs of the S. Comm. on the Judiciary*, 111th Cong. 2–3 (2009) (Statement of Sen. Richard J. Durbin, Chairman, S. Subcomm. on Crime & Drugs).

Beyond its specific impact, passage of this bill demonstrated that it was possible for Congress to come together on a bipartisan basis and pass reforms that reduced excessive federal sentences and gave additional support to the efforts of the Department of Justice and the U.S. Sentencing Commission to do the same.

One promising proposal in my second term was the Smarter Sentencing Act,⁶⁸

68. Smarter Sentencing Act of 2014, S. 1410, 113th Cong.; *see also* Smarter Sentencing Act of 2015, S. 502, H.R. 920, 114th Cong. (a similar bill introduced in 2015).

an ambitious bipartisan bill that advanced out of the Judiciary Committee by a significant margin.⁶⁹

69. S. 1410.

Introduced in 2013 by Senators Dick Durbin and Mike Lee, and supported by a bipartisan group of twenty-five Senators including Ted Cruz and Cory Booker, the bill included provisions that would have reduced but not eliminated mandatory minimum sentences for certain nonviolent drug offenses — from twenty years to ten years, ten years to five years, and five years to two years.⁷⁰

70. *Id.* § 4.

The bill would also have eliminated mandatory life imprisonment for a drug crime and enlarged eligibility for “safety valve” relief for certain drug offenders (which allows judges to make exceptions to otherwise applicable mandatory minimums⁷¹

71. *Id.* § 2.

) and would have made the FSA retroactive.⁷²

72. *Id.* § 3(b).

The Congressional Budget Office scored this bill as potentially saving taxpayers as much as \$4 billion over ten years, funds that could be reallocated from prisons to other public safety measures.⁷³

73. CONG. BUDGET OFFICE, COST ESTIMATE, S. 1410 SMARTER SENTENCING ACT OF 2014 (Sept. 11, 2014), <https://www.cbo.gov/sites/default/files/113th-congress-2013-2014/costestimate/s141000.pdf> (<https://www.cbo.gov/sites/default/files/113th-congress-2013-2014/costestimate/s141000.pdf>) [<https://perma.cc/8ETY-KHS9> (<https://perma.cc/8ETY-KHS9>)] .

Despite broad support, the bill was viewed skeptically by some Republicans and was not brought to the floor. ⁷⁴

74. *See, e.g.*, 161 CONG. REC. S1378–80 (daily ed. Mar. 10, 2015) (statement of Sen. Grassley); 160 CONG. REC. S4449–50 (daily ed. July 14, 2014) (statement of Sen. Grassley); 159 CONG. REC. S6511–13 (daily ed. Sept. 17, 2013) (statement of Sen. Grassley).

Encouragingly, the following year, even as the Senate shifted to Republican control, cooperation across party lines on this issue continued in search of an alternative. I met several times at the White House with Democrats and Republicans from the House and the Senate who are dedicated to these issues. The culmination of these efforts was the Sentencing Reform and Corrections Act of 2015, ⁷⁵

75. S. 2123, 114th Cong.

a bill voted out of the Senate Judiciary Committee by a strong, bipartisan majority. (A largely parallel set of proposals later advanced in the House with broad support. ⁷⁶

76. H.R. 3713, 114th Cong. (2015).

) While not going as far on mandatory minimum reform as the Smarter Sentencing Act would have, the bill still would have reduced mandatory minimum prison sentences for thousands of nonviolent drug offenders ⁷⁷

77. *See* S. 2123 § 101.

and also would have made the sentencing changes in the FSA retroactive. ⁷⁸

78. *See id.* § 106.

Moreover, it would have helped current prisoners turn their lives around by offering “credits” for participating in certain beneficial programming while incarcerated, which could have enabled inmates to leave prison earlier (and go into home confinement or halfway houses). ⁷⁹

79. *Id.* § 202(a)(6)(A).

In addition, and reflecting a sustained focus on juvenile justice by Senator Booker, among others, the bill would have provided new authority for judges to seal and expunge the records of nonviolent juvenile offenders. ⁸⁰

80. *Id.* § 211.

By reducing overlong sentences, moreover, the bill would have freed up additional resources available for investments in other public safety initiatives, including additional resources for law enforcement.

Some on the Hill and in the advocacy community were initially disappointed that the proposed legislation did not go further. But the bill would have made the system fairer for thousands of inmates and defendants and saved more than \$1 billion in the process. ⁸¹

81. See CONG. BUDGET OFFICE, COST ESTIMATE, S. 2123 SENTENCING REFORM AND CORRECTIONS ACT OF 2015 (2016), <https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/costestimate/s2123-r.pdf> (<https://www.cbo.gov/sites/default/files/114th-congress-2015-2016/costestimate/s2123-r.pdf>) [<https://perma.cc/RF8A-W6PJ>] (<https://perma.cc/RF8A-W6PJ>)] (estimating cost savings of over \$1 billion over ten years).

As I often tell my team, “better is good.” So even though the bill was imperfect — in particular, it did too little to address the five-year mandatory minimum for drug offenses that can often be a source of excessive and counterproductive punishment — we were convinced that it represented a historic step forward. Senior officials from the Department of Justice supported the legislation in strong terms, ⁸²

82. See, e.g., *Sentencing Reform and Corrections Act of 2015: Hearing on S. 2123 Before the S. Comm. on the Judiciary*, 114th Cong. (2015) (statement of Sally Quillian Yates, Deputy Att’y Gen., U.S. Dep’t of Justice).

and my team worked to push it forward. The legislation ultimately garnered the support of everyone from Families Against Mandatory Minimums⁸³

83. See Press Release, Families Against Mandatory Minimums, Senate Judiciary Committee Approves the Sentencing Reform and Corrections Act (Oct. 22, 2015), <http://famm.org/senate-judiciary-committee-approves-the-sentencing-reform-and-corrections-act> (<http://famm.org/senate-judiciary-committee-approves-the-sentencing-reform-and-corrections-act>) [<https://perma.cc/T7LH-GQL7> (<https://perma.cc/T7LH-GQL7>)].

to the bipartisan Coalition for Public Safety,⁸⁴

84. Press Release, Coal. for Pub. Safety, Statement by Deputy Director Jessica Berry on Senate Judiciary Committee Approval of Sentencing Reform and Corrections Act (Oct. 23, 2015), <http://www.coalitionforpublicsafety.org/statement-by-deputy-director-jessica-berry-on-senate-judiciary-committee-approval-of-sentencing-reform-and-corrections-act> (<http://www.coalitionforpublicsafety.org/statement-by-deputy-director-jessica-berry-on-senate-judiciary-committee-approval-of-sentencing-reform-and-corrections-act>) [<https://perma.cc/G9QA-FH89> (<https://perma.cc/G9QA-FH89>)]. Members and funders of the Coalition for Public Safety include the American Civil Liberties Union (ACLU), Americans for Tax Reform, the Center for American Progress, the Faith and Freedom Coalition, the Ford Foundation, Freedom Works, Koch Industries, Inc., the Laura and John Arnold Foundation, the Leadership Conference Education Fund, the MacArthur Foundation, the NAACP, and Right on Crime. *About the Coalition*, *supra* note 43.

the International Association of Chiefs of Police,⁸⁵

the Major County Sheriffs' Association,⁸⁶

86. Letter from Michael J. Bouchard, Vice President of Gov't Affairs, Major Cty. Sheriffs' Ass'n, to Mitch McConnell, Majority Leader, U.S. Senate, and Harry Reid, Democratic Leader, U.S. Senate (May 11, 2016), http://www.mcsheriffs.com/pdf/news/mcsa_support_s_2123_sentencing_reform_and_corrections_act.pdf (http://www.mcsheriffs.com/pdf/news/mcsa_support_s_2123_sentencing_reform_and_corrections_act.pdf) [<https://perma.cc/KC95-Q7EJ> (<https://perma.cc/KC95-Q7EJ>)].

the National District Attorneys Association,⁸⁷

civil rights organizations, faith organizations, and over 160 influential law enforcement leaders.⁸⁸

88. See Letter from Ronal Serpas, Co-Chairman, Law Enf't Leaders to Reduce Crime & Incarceration, et al., to Mitch McConnell, Majority Leader, U.S. Senate, et al. (Jan. 20, 2016), <http://lawenforcementleaders.org/wp-content/uploads/2016/01/Law-Enforcement-Leaders-SCRA-Letter-of-Support.pdf> (<http://lawenforcementleaders.org/wp-content/uploads/2016/01/Law-Enforcement-Leaders-SCRA-Letter-of-Support.pdf>) [<https://perma.cc/SJ3M-JLNU> (<https://perma.cc/SJ3M-JLNU>)] (signed by over seventy leaders of law enforcement agencies on behalf of a group that represents more than 160 law enforcement leaders).

Although the reform bills appeared to have majority support in the Congress, including among many conservatives, Republican leaders have not yet allowed them to come to the floor for a vote.⁸⁹

89. Despite broad support, there was vocal opposition from some while others pushed for the reform legislation to be paired with proposals such as mens rea reform that could undermine public safety and harm progressive goals. See, e.g., James Hohmann, *Why Criminal Justice Reform May Actually Get Done This Year — If These Two Hurdles Can Be Overcome*, WASH. POST: THE DAILY 202 (May 9, 2016), https://www.washingtonpost.com/news/powerpost/paloma/daily-202/2016/05/09/daily-202-why-criminal-justice-reform-may-actually-get-done-this-year-if-these-two-hurdles-can-be-overcome/572ff07c981b92a22d6c6553/?utm_term=.269814bf1714 (https://www.washingtonpost.com/news/powerpost/paloma/daily-202/2016/05/09/daily-202-why-criminal-justice-reform-may-actually-get-done-this-year-if-these-two-hurdles-can-be-overcome/572ff07c981b92a22d6c6553/?utm_term=.269814bf1714) [<https://perma.cc/SM5Z-LA2L> (<https://perma.cc/SM5Z-LA2L>)] (describing the “uphill battle” facing legislation in Congress despite broad support in Congress and from outside organizations).

Nevertheless, I continue to believe that a historic moment exists to embrace the bipartisan momentum on this issue. There is no growing crime wave. We should all be able to agree that our resources are better put toward underfunded schools

than overfilled jails and that many of those in our criminal justice system would be better and more humanely served by drug treatment programs and the receipt of mental health care. That kind of reform is good politics as well as good policy.

B. ADVANCING FEDERAL PRISON REFORMS

We've also been able to make progress on helping to rehabilitate those in the federal prison system — which not only improves lives but also promotes public safety. One important step in that direction is how we approached reforming policies on “restrictive housing,” a practice more commonly described as solitary confinement.⁹⁰

90. OFFICE OF THE DEPUTY ATT'Y GEN., U.S. DEP'T OF JUSTICE, REPORT AND RECOMMENDATIONS CONCERNING THE USE OF RESTRICTIVE HOUSING 6 (2016), <https://www.justice.gov/dag/file/815551/download> (<https://www.justice.gov/dag/file/815551/download>) [<https://perma.cc/R8SR-QZRH>] (<https://perma.cc/R8SR-QZRH>)].

It is estimated that as many as 100,000 inmates in U.S. prisons are currently held in solitary confinement — a figure that includes juveniles and people with mental illness.⁹¹

91. ASS'N OF STATE CORR. ADM'RS, TIME-IN-CELL: THE ASCA LIMAN 2014 NATIONAL SURVEY OF ADMINISTRATIVE SEGREGATION IN PRISON 3 (2015), https://www.law.yale.edu/system/files/area/center/liman/document/asca-liman_administrativesegregationreport.pdf (https://www.law.yale.edu/system/files/area/center/liman/document/asca-liman_administrativesegregationreport.pdf) [<https://perma.cc/M9L2-PSTU>] (<https://perma.cc/M9L2-PSTU>)].

Of these, as many as 25,000 are in long-term solitary confinement, which involves months if not years with almost no human contact.⁹²

92. Barack Obama, Opinion, *Why We Must Rethink Solitary Confinement*, WASH. POST (Jan. 25, 2016), https://www.washingtonpost.com/opinions/barack-obama-why-we-must-rethink-solitary-confinement/2016/01/25/29a361f2-c384-11e5-8965-0607e0e265ce_story.html (https://www.washingtonpost.com/opinions/barack-obama-why-we-must-rethink-solitary-confinement/2016/01/25/29a361f2-c384-11e5-8965-0607e0e265ce_story.html) [<https://perma.cc/3Y3V-XUMS>] (<https://perma.cc/3Y3V-XUMS>) [<https://perma.cc/3Y3V-XUMS>] (<https://perma.cc/3Y3V-XUMS>)].

I believe strongly that solitary confinement is overused and can be counterproductive.⁹³

93. *Id.*

Studies suggest it can have profound negative consequences, exacerbating mental illness and undermining the goals of rehabilitation.⁹⁴

94. *Id.*; see also *Davis v. Ayala*, 135 S. Ct. 2187, 2210 (2015) (Kennedy, J., concurring) (“[R]esearch still confirms what this Court suggested over a century ago: Years on end of near-total isolation exact a terrible price.” (citing Stuart Grassian, *Psychiatric Effects of Solitary Confinement*, 22 WASH. U. J.L. & POL’Y 325 (2006))).

That is why in 2015, I directed my Attorney General to review the use of restrictive housing.⁹⁵

95. Press Release, Office of the Press Sec’y, FACT SHEET: Department of Justice Review of Solitary Confinement (Jan. 25, 2016), <https://www.whitehouse.gov/the-press-office/2016/01/25/fact-sheet-department-justice-review-solitary-confinement> (<https://www.whitehouse.gov/the-press-office/2016/01/25/fact-sheet-department-justice-review-solitary-confinement>) [<https://perma.cc/G27J-XB9A> (<https://perma.cc/G27J-XB9A>)].

and in January 2016, I directed DOJ to implement important reforms — including a series of concrete “guiding principles” — to the way that solitary confinement is used in the federal prison system.⁹⁶

96. *Id.*

These reforms include banning solitary confinement for juveniles, prohibiting its use as a response to low-level infractions, expanding treatment of those with mental illness, increasing the amount of time inmates spend out of their cells, and ensuring inmates are not released into communities directly from solitary confinement.⁹⁷

97. *Id.*

These steps will affect almost 10,000 federal prisoners — and are expected to serve as a model for state and local facilities.⁹⁸

98. Obama, *supra* note 92.

In addition, DOJ is working to encourage states to reduce their use of solitary confinement. ⁹⁹

99. See generally OFFICE OF THE DEPUTY ATT'Y GEN., *supra* note 90.

Since those reforms were announced, we have seen others follow suit. Of particular note, the American Correctional Association issued new standards in August 2016 that mirror many of DOJ's guiding principles. ¹⁰⁰

100. RESTRICTIVE HOUS. COMM., AM. CORR. ASS'N, RESTRICTIVE HOUSING PERFORMANCE BASED STANDARDS (2016), http://www.aca.org/ACA_Prod_IMIS/ACA_Member/Standards_Accreditation/Standards/Restrictive_Housing_Committee/ACA_Member/Standards_and_Accreditation/Restrictive_Housing_Committee/Restrictive_Housing_Committee.aspx (<a%20href=) [https://perma.cc/4G4J-Q5TM (https://perma.cc/4G4J-Q5TM)].

Earlier this year, the Los Angeles Board of Supervisors approved sweeping restrictions on the use of solitary confinement for juveniles, using language from DOJ's guiding principles. ¹⁰¹

101. CTY. OF L.A. BD. OF SUPERVISORS, MEETING TRANSCRIPT OF THE LOS ANGELES COUNTY BOARD OF SUPERVISORS (2016), http://file.lacounty.gov/SDSInter/bos/sop/transcripts/243452_050316C.PDF (http://file.lacounty.gov/SDSInter/bos/sop/transcripts/243452_050316C.PDF) [https://perma.cc/CED4-N5M3 (https://perma.cc/CED4-N5M3)]; see also Abby Sewell & Garrett Therolf, *L.A. County Severely Restricts Solitary Confinement for Juveniles*, L.A. TIMES (May 3, 2016), <http://www.latimes.com/local/lanow/la-me-ln-juvenile-solitary-20160503-story.html> (<http://www.latimes.com/local/lanow/la-me-ln-juvenile-solitary-20160503-story.html>) [https://perma.cc/M8W6-PWGZ (https://perma.cc/M8W6-PWGZ)].

In July 2016, the Nebraska Department of Correctional Services enacted a new regulation prohibiting the use of restrictive housing as a disciplinary sanction. ¹⁰²

102. 72 NEB. ADMIN. CODE § 83-173.03 (2016).

In September 2016, the North Carolina Department of Public Safety enacted a policy limiting the use of restrictive housing for inmates with mental illness and banning its use for youthful offenders. ¹⁰³

103. See Rose Hoban, *Ending Solitary for Juveniles, Prison Commissioner Cites Use of Evidence-Based Alternatives*, N.C. HEALTH NEWS (June 21, 2016), <http://www.northcarolinahealthnews.org/2016/06/21/ending-solitary-for-juveniles-prison-commissioner-cites-use-of-evidence-based-alternatives> (<http://www.northcarolinahealthnews.org/2016/06/21/ending-solitary-for-juveniles-prison-commissioner-cites-use-of-evidence-based-alternatives>) [<https://perma.cc/9BU8-XGBL> (<https://perma.cc/9BU8-XGBL>)].

We are hopeful that these changes will continue to accelerate as it becomes clear that they promote better outcomes and also better comport with our values.

While restrictive housing is an important example, the Department of Justice has focused on reforming federal prisons on a variety of fronts. This has included a critical reform directing the Federal Bureau of Prisons (BOP) to reduce and ultimately end the Agency's use of private for-profit prisons, facilities that not only resulted in worse conditions for prisoners but were also found to be less safe and not to yield meaningful cost savings. ¹⁰⁴

104. Sally Q. Yates, *Phasing Out Our Use of Private Prisons*, U.S. DEP'T JUST.: JUST. BLOGS, (Aug. 18, 2016), <https://www.justice.gov/opa/blog/phasing-out-our-use-private-prisons> (<https://www.justice.gov/opa/blog/phasing-out-our-use-private-prisons>) [<https://perma.cc/6SPA-65RR> (<https://perma.cc/6SPA-65RR>)]; see also OFFICE OF THE INSPECTOR GEN., U.S. DEP'T OF JUSTICE, REVIEW OF THE FEDERAL BUREAU OF PRISON'S MONITORING OF CONTRACT PRISONS (2016), <https://oig.justice.gov/reports/2016/e1606.pdf> (<https://oig.justice.gov/reports/2016/e1606.pdf>) [<https://perma.cc/D73V-36QA> (<https://perma.cc/D73V-36QA>)].

These reforms have also included a new emphasis on prison education and on working toward reentry. Studies have shown that inmates who participate in correctional education programs have significantly lower odds of returning to prison than those who do not, and that every dollar spent on prison education saves four to five dollars on the cost of reincarceration. ¹⁰⁵

105. LOIS M. DAVIS ET AL., RAND CORP., EVALUATING THE EFFECTIVENESS OF CORRECTIONAL EDUCATION: A META-ANALYSIS OF PROGRAMS THAT PROVIDE EDUCATION TO INCARCERATED ADULTS (2013), https://www.bja.gov/Publications/RAND_Correctional-Education-Meta-Analysis.pdf (https://www.bja.gov/Publications/RAND_Correctional-Education-Meta-Analysis.pdf) [<https://perma.cc/77HC-G538> (<https://perma.cc/77HC-G538>)] ("[O]n average, inmates who participated in correctional education programs had 43 percent lower odds of recidivating than inmates who did not. . . . This translates into a reduction in the risk of recidivating of 13 percentage points for those who participate in correctional education programs versus those who do not." (emphasis omitted)).

As a result, in 2016, the Department of Justice announced that BOP was building a semiautonomous school district within the federal prison system — one that blends face-to-face classroom instruction with education software on mobile tablets. ¹⁰⁶

106. Press Release, Office of Pub. Affairs, U.S. Dep't of Justice, Justice Department Announces Reforms at Bureau of Prisons to Reduce Recidivism and Promote Inmate Rehabilitation (Nov. 30, 2016), <https://www.justice.gov/opa/pr/justice-department-announces-reforms-bureau-prisons-reduce-recidivism-and-promote-inmate> (<https://www.justice.gov/opa/pr/justice-department-announces-reforms-bureau-prisons-reduce-recidivism-and-promote-inmate>) [<https://perma.cc/3QL7-7AQR> (<https://perma.cc/3QL7-7AQR>)].

At the same time, BOP has been developing standardized, evidence-based programs to reduce recidivism, focusing on the core behavioral, mental health, and substance abuse issues that give rise to criminality. ¹⁰⁷

107. *Prison Reform: Reducing Recidivism by Strengthening the Federal Bureau of Prisons*, U.S. DEP'T JUST., <https://www.justice.gov/prison-reform> (<https://www.justice.gov/prison-reform>) (last updated Dec. 2, 2011) [<https://perma.cc/WZB3-377E> (<https://perma.cc/WZB3-377E>)].

Additionally, in 2016, the Department of Justice led an Administration-wide, inaugural “National Reentry Week” ¹⁰⁸

108. *National Reentry Week: April 24–30, 2016*, U.S. DEP'T JUST., <https://www.justice.gov/reentry/reentry-week> (<https://www.justice.gov/reentry/reentry-week>) [<https://perma.cc/8KZL-WU UW> (<https://perma.cc/8KZL-WU UW>)].

during which Attorney General Lynch released the Roadmap to Reentry, a strategic plan for overhauling the federal prison system to reduce recidivism and improve outcomes for the formerly incarcerated. ¹⁰⁹

109. U.S. DEP'T OF JUSTICE, ROADMAP TO REENTRY (2016), <https://www.justice.gov/reentry/file/844356/download> (<https://www.justice.gov/reentry/file/844356/download>) [<https://perma.cc/7TWY-N7PG> (<https://perma.cc/7TWY-N7PG>)].

Subsequently, the department released a memo from Deputy Attorney General Yates on reforms to residential reentry centers, popularly known as “halfway houses,” including creating new, more exacting standards, improving data collection, and covering the cost of obtaining state-issued IDs for inmates prior to their release from custody. ¹¹⁰

110. Memorandum from Sally Q. Yates, Deputy Att'y Gen., U.S. Dep't of Justice, to Thomas R. Kane, Acting Dir., Fed. Bureau of Prisons (Nov. 30, 2016), <https://www.justice.gov/dag/page/file/914051/download> (<https://www.justice.gov/dag/page/file/914051/download>) [<https://perma.cc/S9LA-YUS5> (<https://perma.cc/S9LA-YUS5>)].

In addition to improving outcomes for those leaving prison, these types of reforms represent a good use of resources to promote public safety.

C. FOCUSING ON REENTRY

Beyond prison and sentencing reform, we need to do more as a country to help people who have served their time put their lives back on track. Not only is it the right thing to do, but giving former inmates the tools they need to lead law-abiding lives is also a direct investment in public safety. This is an area where the federal government can and should lead the way, and it is only growing in importance. Even as the national prison population has leveled off, the population of those with a felony record outside prison has reached almost 20 million. ¹¹¹

111. JAMES ELWELL, AMY FRIEDER, NIRUPAMA RAO & AARON SOJOURNER, COUNCIL OF ECON. ADVISERS, NEW ESTIMATES OF POPULATIONS AFFECTED BY CRIMINAL JUSTICE BY STATE, RACE, AND YEAR 2 (2016).

Studies suggest that this number represents over 6% of adults and over 25% of African American men, and these figures do not include those with misdemeanors or with felony records who are on bail or parole. ¹¹²

112. *Id.*

The obstacles to this population finding gainful employment, obtaining public benefits, pursuing higher education, and reintegrating into the workforce are staggering. This means millions of Americans have difficulty even getting their foot in the door to try to get a job, much less actually hanging onto that job. That doesn't just deprive those individuals of opportunity, it deprives businesses of talented workers, and it deprives communities in desperate need of more role models who are gainfully employed.

Attorney General Holder started, and Attorney General Lynch has continued, a cabinet-level working group on reentry. ¹¹³

113. Press Release, Office of the Press Sec'y, Presidential Memorandum — Promoting Rehabilitation and Reintegration of Formerly Incarcerated Individuals (Apr. 29, 2016), <https://www.whitehouse.gov/the-press-office/2016/04/29/presidential-memorandum-promoting-rehabilitation-and-reintegration> (<https://www.whitehouse.gov/the-press-office/2016/04/29/presidential-memorandum-promoting-rehabilitation-and-reintegration>) [<https://perma.cc/CNW5-WPPD> (<https://perma.cc/CNW5-WPPD>)].

The group brings all relevant departments and agencies to the table to support the government's work on the rehabilitation and reintegration of individuals returning to their communities from prisons and jails. ¹¹⁴

114. *Id.*

And in April 2016, I signed a Memorandum formally establishing that group as the “Federal Interagency Reentry Council” to ensure its important work continues. ¹¹⁵

115. *Id.*

This group continues to work tirelessly to address needlessly harsh collateral consequences that make it difficult for the formerly incarcerated to get a fair chance. ¹¹⁶

116. *See generally* FED. INTERAGENCY REENTRY COUNCIL, A RECORD OF PROGRESS AND A ROADMAP FOR THE FUTURE (2016), <https://csgjusticecenter.org/wp-content/uploads/2016/08/FIRC-Reentry-Report.pdf> (<https://csgjusticecenter.org/wp-content/uploads/2016/08/FIRC-Reentry-Report.pdf>) [<https://perma.cc/VD3G-ZHL2> (<https://perma.cc/VD3G-ZHL2>)] (describing work of the Federal Interagency Reentry Council in its first five years).

For example, the Office of Personnel Management finalized a rule to “ban the box” — which would prohibit federal agencies from asking questions about criminal and credit history of applicants for tens of thousands of jobs in the competitive service, as well as the career senior executive service, until a conditional offer of employment has been made. ¹¹⁷

117. Beth Colbert, “*Banning the Box*” in *Federal Hiring*, OFF. OF PERSONNEL MGMT.: DIRECTOR'S BLOG (Apr. 29, 2016), <https://www.opm.gov/blogs/Director/2016/4/29/Banning-the-Box-in-Federal-Hiring> (<https://www.opm.gov/blogs/Director/2016/4/29/Banning-the-Box-in-Federal-Hiring>).

The Department of Housing and Urban Development released guidance on the use of criminal records by providers of housing and guidance for public housing authorities. ¹¹⁸

118. HELEN R. KANOVSKY, U.S. DEPT OF HOUS. & URBAN DEV., OFFICE OF GENERAL COUNSEL GUIDANCE ON APPLICATION OF FAIR HOUSING ACT STANDARDS TO THE USE OF CRIMINAL RECORDS BY PROVIDERS OF HOUSING AND REAL ESTATE-RELATED TRANSACTIONS (2016), http://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf (http://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf) [<https://perma.cc/5JC7-FZP7> (<https://perma.cc/5JC7-FZP7>)].

The guidance explained that a criminal-history screening policy may violate the Fair Housing Act ¹¹⁹

119. 42 U.S.C. §§ 3601-3619 (2012).

if it disproportionately excludes individuals of a particular race or other protected characteristic and is not shown to be necessary to achieve a substantial, legitimate, nondiscriminatory purpose that could not be served by a less discriminatory alternative. ¹²⁰

120. KANOVSKY, *supra* note 118.

The Department of Education has emphasized the importance of going “beyond the box” in college applications — because unnecessarily broad questions about criminal history can often deter and discourage qualified students from pursuing a college degree. ¹²¹

121. U.S. DEPT OF EDUC., BEYOND THE BOX: INCREASING ACCESS TO HIGHER EDUCATION FOR JUSTICE-INVOLVED INDIVIDUALS 4 (2016), <https://www2.ed.gov/documents/beyond-the-box/guidance.pdf> (<https://www2.ed.gov/documents/beyond-the-box/guidance.pdf>) [<https://perma.cc/TCQ5-GD8U> (<https://perma.cc/TCQ5-GD8U>)].

Because change at the federal level is not nearly enough, Presidents should also serve as conveners, helping to foster change in the private and educational sectors. That is why the White House launched its “Fair Chance Business Pledge” ¹²²

122. Press Release, Office of the Press Sec'y, FACT SHEET: White House Launches the Fair Chance Business Pledge (Apr. 11, 2016), <https://www.whitehouse.gov/the-press-office/2016/04/11/fact-sheet-white-house-launches-fair-chance-business-pledge> (<https://www.whitehouse.gov/the-press-office/2016/04/11/fact-sheet-white-house-launches-fair-chance-business-pledge>) [<https://perma.cc/W6QJ-RK6B> (<https://perma.cc/W6QJ-RK6B>)].

and "Fair Chance Higher Education Pledge."¹²³

123. Press Release, Office of the Press Sec'y, FACT SHEET: White House Launches the Fair Chance Higher Education Pledge (June 10, 2016), <https://www.whitehouse.gov/the-press-office/2016/06/10/fact-sheet-white-house-launches-fair-chance-higher-education-pledge> (<https://www.whitehouse.gov/the-press-office/2016/06/10/fact-sheet-white-house-launches-fair-chance-higher-education-pledge>) [<https://perma.cc/JLE9-RND8> (<https://perma.cc/JLE9-RND8>)].

The business pledge calls on employers to commit to reduce barriers to a second chance by taking actions such as "banning the box," ensuring information regarding an applicant's criminal record is considered in the proper context, and engaging in hiring practices that do not unnecessarily place jobs out of reach for those with criminal records.¹²⁴

124. Press Release, *supra* note 122.

Over 300 companies and organizations that employ well over five million people have taken this pledge, including Walmart, Intel, PepsiCo, Google, American Airlines, CVS Health, Koch Industries, Starbucks, the Hershey Company, the Johns Hopkins Hospital and Health System, and the University of Pennsylvania.¹²⁵

125. See Press Release, Office of the Press Sec'y, FACT SHEET: White House Announces New Commitments to the Fair Chance Business Pledge and Actions to Improve the Criminal Justice System (Nov. 30, 2016), <https://www.whitehouse.gov/the-press-office/2016/11/30/fact-sheet-white-house-announces-new-commitments-fair-chance-business> (<https://www.whitehouse.gov/the-press-office/2016/11/30/fact-sheet-white-house-announces-new-commitments-fair-chance-business>) [<https://perma.cc/EMF7-KPAV> (<https://perma.cc/EMF7-KPAV>)] ("Today's signatories to the Fair Chance Business Pledge bring the total number of pledged employers to over 300."); Press Release, Office of the Press Sec'y, FACT SHEET: White House Announces New Commitments to the Fair Chance Business Pledge (Aug. 16, 2016), <https://www.whitehouse.gov/the-press-office/2016/08/16/fact-sheet-white-house-announces-new-commitments-fair-chance-business> (<https://www.whitehouse.gov/the-press-office/2016/08/16/fact-sheet-white-house-announces-new-commitments-fair-chance-business>) [<https://perma.cc/7WW7-EBPL> (<https://perma.cc/7WW7-EBPL>)]; Press Release, *supra* note 122.

Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Thursday, January 5, 2017 11:07 AM
To: Carter, Debbie G. EOP/WHO
Subject: President Obama Announces Presidential Delegation to Ghana to Attend the Inauguration of His Excellency Nana Akufo-Addo

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE

January 5, 2017

President Obama Announces Presidential Delegation to Ghana to Attend the Inauguration of His Excellency Nana Akufo-Addo

President Barack Obama today announced the designation of a Presidential Delegation to Ghana to attend the Inauguration of His Excellency Nana Akufo-Addo on January 7, 2017 in Accra, Ghana.

The Honorable Linda Thomas-Greenfield, Assistant Secretary of State for African Affairs, will lead the delegation.

Members of the Presidential Delegation

The Honorable Robert Jackson, U.S. Ambassador to the Republic of Ghana, U.S. Department of State

The Honorable Karen Bass, U.S. House of Representatives (CA-37)

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Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Wednesday, January 4, 2017 6:46 PM
To: Carter, Debbie G. EOP/WHO
Subject: CORRECTED: DAILY GUIDANCE AND PRESS SCHEDULE FOR THURSDAY, JANUARY 5, 2017

CORRECTED:

In the afternoon, the President will participate in the latest installment of "Live from the White House" by conducting a round of interviews with ~~radio~~ television hosts from Chicago, Illinois to discuss his farewell address on January 10th. While in Washington, the local anchors will spend the day at the White House with the President's top advisers. These interviews are embargoed until 5:00PM EST. The interviews will take place in the Diplomatic Room.

2:20PM THE PRESIDENT is interviewed by local ~~radio~~ television hosts participating in "Live from the White House"
Diplomatic Room

THE WHITE HOUSE
Office of the Press Secretary

FOR IMMEDIATE RELEASE
January 4, 2017

**DAILY GUIDANCE AND PRESS SCHEDULE FOR
THURSDAY, JANUARY 5, 2017**

In the morning, the President will receive the Presidential Daily Briefing in the Oval Office. This meeting is closed press.

In the afternoon, the President will participate in the latest installment of "Live from the White House" by conducting a round of interviews with radio hosts from Chicago, Illinois to discuss his farewell address on January 10th. While in Washington, the local anchors will spend the day at the White House with the President's top advisers. These interviews are embargoed until 5:00PM EST. The interviews will take place in the Diplomatic Room.

In-Town Travel Pool

Wires: AP, Reuters, Bloomberg
Wire Photos: AP, Reuters, AFP
TV Corr & Crew: CBS
Print: Washington Times
Radio: WW1

EST

9:30AM In-Town Pool Call Time

10:00AM THE PRESIDENT will receive the Presidential Daily Briefing
Oval Office
Closed Press

2:20PM THE PRESIDENT is interviewed by local radio hosts participating in "Live from the White House"
Diplomatic Room

Briefing Schedule

12:30PM Press Briefing by Press Secretary Josh Earnest

###

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Carter, Debbie G. EOP/WHO

From: White House Press Office <noreply@useopwh.service.govdelivery.com>
Sent: Wednesday, January 4, 2017 7:45 PM
To: Carter, Debbie G. EOP/WHO
Subject: DAILY GUIDANCE FOR THE VICE PRESIDENT

THE WHITE HOUSE
Office of the Vice President

FOR IMMEDIATE RELEASE

January 4, 2017

DAILY GUIDANCE FOR THE VICE PRESIDENT
Thursday, January 5, 2017

At 3:15 PM, the Vice President will deliver remarks at an It's on Us event. The event will look back at the Obama Administration's work to protect students on college campuses from sexual assault. The entire event will be livestreamed at www.whitehouse.gov/live.

###

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United States Secret Service

Presidential Protective Division

POTUS REPORT

Appointment Information

Appointment #: 806975 **U #:** 170032 **Room #:** Penn Ave/
 Reviewing Stand **Person to be Visited:** Capt Gregory
Requestor: JEANPHILIPPE CHARLES **Requestor Phone:** [REDACTED] P6/b(6)
From Date/Time: 01/05/2017 07:00 AM **Type of Appointment:** Worker
To Date/Time: 01/13/2017 11:00 PM **Location:** White House (WH)

Visitor's Name
ALVARADO, LUIS ALDOLFO
BRADSHAW, ROBERT MILTON
BUNTING, JOHN WILLIAM
BUNTING, JOHN WILLIAM
CARTER, DONALD FRANK
DIAZ, ELICEO NMN
DOWNING, DAVID DUVALL
EYOUMAEYAYE, GUY PATRICK
FRAME, KIMBERLY ANNE
GONZALES, VLADIMIR ANTHONY
HAGER, LARRY WILLIAM
HARDEN, DARRIAN MALIK
HOWES, ROBERT MONROE
MACKEY, WILLIAM FRANCIS
MARTIN, LARRY EUGENE
NELSON, JEROME CARLTON
REDD, DARREN STEVEN
RODRIGUEZ, ENRIQUE TUMANA
ROSADO, CARLOS MANUEL
SIEGRIST, DAVID MICHAEL
SMITH, EARL LEROY
STEWERT, THOMAS JAMES
TAMAI, KEVIN SHINCHI
THOMAS, JOHNNY RUSSELL
TUCKER, JEROME NMN
WILBY, PATRICK MICHAEL