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Folder Title:

AIDS Policy Office - Spring / Summer 95 [1]

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OFFICE OF MANAGEMENT AND BUDGET

**Legislative Reference Division
Labor-Welfare-Personnel Branch**

Telecopier Transmittal Sheet

301
652
5155

FROM: **Melissa Cook**PHONE: **395-3924**DATE: 6/21/95

TIME: _____

Pages sent (including transmittal sheet): 4**COMMENTS:**

Could you please review the attached mark up of
+ insert for the ~~the~~ first two pages of the ^{USDA} testimony
to make sure ~~it~~ they are consistent with our

TO:

Steve Newirth
Patsy Fleming

Conversation of earlier today?
If you could provide your signoff
comments on the attached
ASAP or no later than 2pm Today,
I would appreciate it.

Thanks

PLEASE CALL THE PERSON(S) NAMED ABOVE FOR IMMEDIATE PICK-UP.

DRAFT

**STATEMENT OF WARDELL C. TOWNSEND, JR.
ASSISTANT SECRETARY FOR ADMINISTRATION
U. S. DEPARTMENT OF AGRICULTURE
BEFORE THE
SUBCOMMITTEE ON CIVIL SERVICE
OF THE
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT**

Thursday, June 22, 1995

The USDA Federal Workplace HIV/AIDS Education Initiative

Mr. Chairman. I am pleased to appear on behalf of Secretary Glickman to testify on the topic of training at the Department of Agriculture (USDA), and more specifically, on our implementation of the Executive Office of the President Federal Workplace HIV/AIDS Education Initiative.

Before I address the specific questions that were raised in your invitation to testify, I would like to give a brief overview of USDA's HIV/AIDS training. On September 30, 1993, President Clinton issued a directive to all Federal agencies to develop and fully implement comprehensive HIV/AIDS workplace policies and an employee education program. USDA took great care in designing an educational program as suitably informative on the issues surrounding HIV/AIDS as possible and to ensure that the material was sensitively administered to our employees. The original guidelines for the Federal Workplace HIV/AIDS Education Initiative stated that HIV/AIDS training was mandatory for every Federal employee. At the time the

*issued by the former
AIDS Policy Office coordinators*

training was provided, USDA complied with the ^{those guidelines.} ~~President's directive.~~ *Insert*

As the Assistant Secretary for Administration, I am also the USDA Safety and Health Officer. In that capacity, I oversee a number of programs that make the workplace a safer environment for all Federal workers. I firmly believe that we have a responsibility to our employees to educate them regarding what they believe to be potential risks within their work environment.

In the United States, AIDS is now the leading cause of death for Americans in their 20s, 30s, and 40s, a large segment of the working population. [New cases of AIDS are diagnosed at the rate of 20,000 every three months or each quarter of the year. These numbers include only people who have developed AIDS symptoms. Since there are no reporting requirements for HIV, this figure does not include the number of people who test positive for HIV antibodies or who are infected and have not yet been tested.]

→ Even if the average Federal worker doesn't yet know someone with HIV or AIDS, the chances are that he or she soon will. We are not sure of the exact number of Americans who have been exposed to the AIDS virus. This means any number of people we know, work with, or come in contact with may have HIV or AIDS, and may or may not know it. AIDS is no longer confined to certain groups. It is growing at alarming rates among Americans in the prime of life, among minority groups, and among women and children.

INSERT

The current director of the National AIDS Policy Office distributed a memorandum to all agencies clarifying that, while each agency must have a HIV/AIDS training program, each agency should determine the scope of and participation in such training. The memorandum also stated that the standard chosen by the agencies for this determination should be consistent with personnel policies for similar training programs.

**OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Neuwirth

FAX NUMBER: 456-¹⁶⁴⁷~~7503~~

FROM: Jeff Levi

DATE: April 7, 1995

PAGES INCLUDING COVER SHEET: 4

COMMENTS:

We have received the attached letter from Cong. Mica about the workplace education program. How do we proceed?

It should be noted that we do not have much of the material he is requesting, because it does not exist. This office issued a general guidance regarding the programs; it did not develop, contract for, or authorize the specific training programs or manuals. That was left to the discretion of the individual agencies.



EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
WASHINGTON, D.C. 20503

GENERAL COUNSEL

June 9, 1995

MEMORANDUM FOR DESIGNATED AGENCY HEADS
(SEE ATTACHED DISTRIBUTION LIST)

FROM: Robert G. Damus *RGD*
General Counsel

SUBJECT: Proposed Executive Order Entitled "Presidential
Advisory Council on HIV/AIDS"

Attached is a proposed Executive order entitled
"Presidential Advisory Council on HIV/AIDS."

It was prepared by the White House Counsel's Office in
accordance with the provisions of Executive Order No. 11030, as
amended.

On behalf of the Director of the Office of Management and
Budget, I would appreciate receiving any comments you may have
concerning this proposal. If you have any comments or
objections, they should be received no later than 1:00 p.m.
Friday, June 9, 1995. Please be advised that agencies that do
not respond by the June 9, 1995 deadline will be recorded as not
objecting to the proposal.

Comments or inquiries may be submitted by telephone to Mr.
Mac Reed of this office (Phone: 395-3563; Fax: 395-7294).

Thank you.

Attachments - Distribution List
Proposed Executive Order

cc: Jack Lew
John Koskinen
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DRAFT

EXECUTIVE ORDER

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the Secretary of Health and Human Services to exercise her discretion as follows:

Section 1. Establishment. (a) The Secretary of Health and Human Services (the "Secretary") shall establish an HIV/AIDS Advisory Council (the "Advisory Council" or the "Council"), to be known as "the Presidential Advisory Council on HIV/AIDS." The Advisory Council shall be composed of not more than 30 members to be appointed or designated by the Secretary. The Advisory Council shall comply with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) The Secretary shall designate a Chairperson from among the members of the Advisory Council.

Sec. 2. Functions. The Advisory Council shall provide advice, information and recommendations to the Secretary regarding programs and policies intended to (a) ensure effective prevention of HIV disease, (b) advance research on HIV and AIDS, and (c) promote quality services to Americans living with HIV disease and AIDS. The functions of the Advisory Council shall be solely advisory in nature. The Secretary shall provide the President with copies of any written reports provided to the Secretary by the Advisory Council.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Council with such information as it may require for purposes of carrying out its functions.

(b) Any members of the Advisory Committee that receive compensation shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the government service (5 U.S.C. § 5701-5707) [is this the correct provision for an HHS advisory committee?].

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide the Advisory Council with such funds as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, any functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Council, except that of reporting annually to the Congress, shall be performed by the Department of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services. [Is this necessary for an HHS advisory committee?]

(b) The Advisory Council shall terminate two years after the effective date of this order, unless that date is extended by the Secretary.

(c) This order is intended only to improve the internal management of the executive branch, and it is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

THE WHITE HOUSE
WASHINGTON

Steve

Please review
and OK -

Peg

#143

6-7831

THE WHITE HOUSE
Office of the Press Secretary

DRAFT

DRAFT PRESS RELEASE

For Immediate Release

June 13, 1995

**PRESIDENT CLINTON ANNOUNCES TWENTY-TWO MEMBERS TO THE
PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS**

The President today announced his approval of the following 22 individuals to serve on the Presidential Advisory Council on HIV/AIDS. The Council will be composed of not more than 30 individuals, nine of whom will be announced at a later date.

R. SCOTT HITT of California, who will serve as Chair of the Council, is a Medical Doctor who practices with the Pacific Oaks Medical Group, the country's largest private practice health care providers for patients with HIV disease. He dedicates much of his time to various organization which benefit the gay, lesbian and HIV affected communities. He serves on the Board of Directors of AIDS Project Los Angeles and ANGLE (Access Now for Gay and Lesbian Equality) and also serves as National Co-Chair of the Gay and Lesbian Victory Fund.

TERJE ANDERSON of Vermont is the AIDS Program Chief for the Vermont Department of Health and founder of the Vermont Committee for AIDS Resources, Education and Services (Vermont CARES). He also serves as a Board Member of the Vermont Coalition for Lesbian and Gay Rights.

REGINA ARAGON of California is the Deputy Director for Public Policy for the San Francisco AIDS Foundation. She has also served as a member of the California Department of Insurance HIV/Health Insurance Task Force and as a fellow with the Congressional Hispanic Caucus Institute. In addition, Ms. Aragón was formerly Chair of the CAEAR Coalition (Cities Advocating Emergency AIDS Relief), which represents the nation's 42 cities hardest hit by the AIDS epidemic.

MARY BOLAND of New Jersey is Director of the National Pediatric and Family HIV Resource Center at the University of Medicine and Dentistry of New Jersey in Newark. She is a registered nurse who has worked in the pediatric and adolescent HIV/AIDS wards since 1983 when HIV was first diagnosed in children. Ms. Boland is also the Director of the AIDS Program at the Children's Hospital of New Jersey. and has conducted research and published extensively on comprehensive care and treatment of children.

NICHOLAS BOLLMAN of California is currently Co-Chair of the Public Policy and Leadership Committee of Funders Concerned About AIDS. Mr. Bollman is also a program officer with the James Irvine Foundation, a grant making foundation which provides funding for numerous HIV and AIDS related programs. He previously served as a board member of the Gay Men's Health Crisis.

ROBERT L. FOGEL of Illinois is an attorney with the firm of Hilfman and Fogel of Chicago. He also is an active participant of the Association of Trial Lawyers of America and the Illinois Trial Lawyers Association. Mr. Fogel received the David C. Hilliard Award for outstanding committee service from the Chicago Bar Association.

DEBRA FRASER-HOWZE of New York is the President/CEO of the National Black Leadership Commission on AIDS, which is the oldest and largest Black HIV/AIDS organization of its kind in America and has expanded to 17 cities throughout the country. Ms. Fraser-Howze has been recognized for more than two decades of local, national and international leadership to communities of color regarding social welfare, HIV/AIDS, and teenage pregnancy. She is the former Chair of the National Institute of Health's Public Education Technology Committee and the former Director of Teenage Services for the New York Urban League.

KATHLEEN M. GERUS of Michigan is currently Chair of the Board of Directors of the National Hemophilia Foundation. She also serves as a member of the Board of the National Association of People With AIDS. For the past four years she was Co-Chair of WONN, a national network of women affected by hemophilia and HIV/AIDS. She works as an AIDS educator and was one of the members of the United States Delegation to the International Summit on AIDS last year in Paris. Ms. Gerus is the widow of a man with hemophilia and AIDS.

EDWARD GOULD of California just completed a three year term as Co-Chair of the Board of Directors of the Los Angeles Gay and Lesbian Community Service Center. Mr. Gould remains a member of the Board of Directors of the Center. He is also a member of the Board of Directors of the United Way of Greater Los Angeles and the Board of Directors for the Claremont McKenna College, and was recently named as a member of the Industrial Development Authority of Los Angeles by Mayor Riordan.

PHYLLIS GREENBERGER of the District of Columbia is the Executive Director of the Society for the Advancement of Women's Health Research. She is also a member of The National Advisory Environmental Health Services Council and Chair of the Health Task Force of the Democratic National Committee's Women's Leadership Forum.

BOB HATTOY of California is currently White House Liaison to the Department of the Interior. Mr. Hattoy, who is living with AIDS, has been an advocate, speaker and organizer for people with AIDS and AIDS related viruses. He received national attention when he spoke at the 1992 Democratic National Convention about his experiences with AIDS. Mr. Hattoy has a long history of involvement in AIDS issues, environmental policy and civil rights cases.

CAROLE laFAVOR of Minnesota is a registered nurse and a member of the Ojibwa Tribe. She is a founding member of Positively Native, a national organization for Native Americans with HIV/AIDS. Ms. laFavor has been an active spokesperson on AIDS as it relates to women and minorities, especially Native Americans.

JEREMY LANDAU of New Mexico is the Founder of the National Rural AIDS Network, which provides services and education for people living with the HIV/AIDS virus. He has been an HIV/AIDS educator and service provider for over twelve years. During this time, he has consulted and provided services to a variety of health agencies, including the Centers for Disease Control, as well as the United States Public Health Service. He is a long-term survivor of HIV disease.

ALEXANDRA MARY LEVINE of California is a Professor of medicine and Chief of Hematology at the University of Southern California School of Medicine. She also serves as the Deputy Clinical Director at the USC/Norris Comprehensive Cancer Center and Research Institute and Chairman of the AIDS Policy Committee at the USC School of Medicine. She has done extensive research on AIDS and AIDS associated malignancies.

STEVE LEW of California is the Executive Director of the GAPA Community HIV Project and serves as Co-Chair of the San Francisco Ryan White Planning Council. Mr. Lew also chairs the Campaign For Fairness, a national advocacy campaign on behalf of gay men of color. He is a person living with the HIV virus.

ALTAGRACIA PEREZ of California is the Rector of the Church of Saint Philip the Evangelist, Episcopal. She is an active member of HDI Inc., Educational Leadership Council on Latinas and AIDS, and has served as Writer and Consultant for the Episcopal Prevention Resource, "Episcopal Guide to TAP (Teens for AIDS Prevention) Peer Education Program." Reverend Perez is a former member of the General Convention Joint Commission on AIDS of the Episcopal Church.

H. ALEXANDER ROBINSON of the District of Columbia is President of the National Task Force on AIDS Prevention. He is the Senior Legislative Representative for the American Civil Liberties Union AIDS and Lesbian and Gay Rights Projects and a member of the Executive Committee of the National Organizations Responding to AIDS. He is the founding President of the District of Columbia's Comprehensive AIDS Resources and Education Consortium, and formerly served as Administrator of the Inner City AIDS Network and as Deputy Executive Director of the National Minority AIDS Council. Mr. Robinson is living with HIV.

DEBBIE RUNIONS of Tennessee is a journalist, a college instructor, and a professional speaker and consultant in the area of HIV/AIDS awareness and education. She has more than twenty years experience as a freelance writer and has contributed a chapter to the book AIDS and Women's Experience: Emerging Policy Agenda to be published in 1995 by Columbia University Press. She serves on Tennessee's HIV Prevention Community Planning Group and is also a task force member of the Centers for Disease Control Prevention Marketing Initiative- Nashville site.

BENJAMIN SCHATZ of California serves as Executive Director of the Gay and Lesbian Medical Association. He was the first attorney to work full time on issues of AIDS-related discrimination on a national basis by establishing the AIDS Civil Rights Project at the National Gay Rights Advocates.

DENISE STOKES of Georgia is a free-lance AIDS and substance abuse educational consultant and former Lead Peer Counselor for OUTREACH Inc., the first HIV organization based in the African American Community in the Southeast.

CHARLES QUINCY TROUPE of Missouri is respected nationally for his presentations on minority health issues- focussing on the impact of AIDS on women and minorities. He served as national presenter and advocate for the Improvement of HIV research and services that are targeted to minority communities. He is a Missouri State Representative for the 62nd Legislative District where he served as Chairman of Appropriation-Social Services and Corrections Committee.

SANDRA THURMAN of Georgia is the Director of Advocacy Programs for the Task Force for Child Survival and Development at the Carter Center in Atlanta. She previously served as Executive Director of AIDS Atlanta, the Southeast's largest and oldest community based AIDS service organization.

BRUCE G. WENIGER of Georgia is a medical epidemiologist with international research and training experience on the HIV/AIDS epidemic in Asia and South America. He works at the United States Centers for Disease Control in Atlanta.

The Presidential Advisory Council on HIV/AIDS has been established to provide advice, information and recommendations regarding programs and policies to promote effective prevention of HIV disease, advance research on HIV and AIDS, and promote quality services to persons living with HIV disease and AIDS. All 30 members will be directly appointed by the Secretary of Health and Human Services, Donna Shalala.

-30-30-30-

June 13, 1995

The Honorable John L. Mica
Chairman
Subcommittee on Civil Service
Committee on Government Reform and Oversight
U.S. House of Representatives
Washington, D.C. 20515-6143

Dear Mr. Chairman:

Thank you for your letter of March 30 regarding the Federal Workplace HIV/AIDS Education Initiative (FWAEI). I apologize for not having responded sooner. I appreciate your interest and your concerns regarding this important program. As Director of the Office of National AIDS Policy, I am responsible for overseeing this effort.

Let me first report that this has been a very successful program. To date, nearly three-quarters of Federal employees have participated in an HIV/AIDS education program. Participant response has been quite positive and employees have indicated that they have gained important information for themselves, their co-workers, and their families. There have been a relatively small number of complaints and they have all been taken seriously.

FWAEI builds on an effort begun in March, 1988, during the Reagan Administration, by the Office of Personnel Management to train supervisors about HIV and AIDS in the workplace. Since 1981, when HIV was first detected in the U.S., more than 450,000 Americans have been diagnosed with AIDS and nearly 250,000 individuals have died as a result of this illness. Today, an estimated one million Americans are living with HIV, or approximately one out of every 250 Americans. Recently, the Centers for Disease Control and Prevention (CDC) reported that AIDS is the leading cause of death for Americans between the ages of 25 and 44.

On September 30, 1993, President Clinton issued a memorandum to the heads of all Agency and Department directing them to "develop and fully implement comprehensive HIV/AIDS workplace policies and employee education and prevention programs." FWAEI provides Federal employees with basic information about HIV and its impact on the human body. It provides information employees need to prevent infection with HIV and establishes personnel policies and procedures that encourage people with any chronic illness, including HIV/AIDS, to continue productive work for as long as their health permits. I have enclosed a copy of the President's September 1993 memorandum.

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These programs were created at the urging of the National Leadership Coalition on AIDS and the National Commission on AIDS. The Federal effort is modeled after programs being conducted by such firms as Aetna Life & Casualty, Bank of America, Chubb & Son, DAKA International, Digital Equipment Corp., Eastman Kodak Co., First Union Corporation, Gap Foundation, IBM Corp., Levi Strauss Foundation, NationsBank Corp., Polaroid Corp., RJR Nabisco, SBC Communications Inc., and The Principal Financial Group.

Your letter raises some important concerns about this program that I would like to allay. Unfortunately, the news article in the Washington Times to which your letter refers painted an inaccurate picture of this program and included a number of inaccuracies. I'd like to set the record straight.

On April 7, 1994, my predecessor, Kristine Gebbie, issued a memorandum to the heads of Executive Departments and Agencies elaborating on the President's September 30, 1993. In her memorandum, Ms. Gebbie said the President "mandated Federal HIV/AIDS education for all employees." A copy of Ms. Gebbie's memorandum is attached.

Unfortunately, this memorandum was interpreted by many agencies as a requirement that all workers participate in such classes. This was not correct. The President's memorandum of September 30, 1993, instructed each agency to establish a program of HIV/AIDS education in the workplace. While this directive was binding on all agencies, it did not require individual participation. As has traditionally been the case with workplace education efforts by the Federal government, each agency was left to determine whether participation would be mandatory or voluntary.

Because of the confusion over this matter, on April 21, 1995, I issued a memorandum to the heads of Executive Departments and Agencies making clear that the decision to make HIV/AIDS education mandatory or voluntary was theirs to make as long as it is consistent with policies regarding other workplace education efforts. A copy of my memorandum is attached.

Ms. Gebbie also provided each agency with a 15-page set of guidelines for the HIV/AIDS education initiative. Again, these guidelines were based on the models provided by private business, the CDC, and the National Leadership Commission on AIDS. The guidelines include information about class size, length of training, use of evaluations, methodology, use of instructors, and the content of class curricula. A copy of these guidelines is attached.

Each agency is responsible for developing its own HIV/AIDS education program and hiring expert trainers to conduct these classes. It is my understanding that many of these trainers were provided by the American Red Cross and the Whitman-Walker Clinic, the largest provider of AIDS services in the Washington DC metropolitan area. As you can imagine, such an undertaking involves hundreds of individuals operating throughout the government.

Page 3

According to the guidelines, the primary goals of FWAEI are as follows: (1) increasing employee's knowledge on issues of HIV transmission; (2) increasing awareness of HIV/AIDS in the workplace issues and available relevant resources; (3) creating positive attitudes about working alongside people living with HIV/AIDS; (4) encouraging the participation in activities, both at work and in the community, that will stop the HIV/AIDS epidemic.

As you will see, nothing in the guidelines encourages, condones, or otherwise supports efforts to breakdown religious beliefs or discuss the sexual practices of individuals or their family members, "sex without love", or "homosexuality for my child." To date, my office has not received any complaints regarding such statements. If we do, you can be assured that I will take prompt action if such incidents are brought to my attention.

While my office is deeply committed to educating Federal employees regarding HIV and AIDS, it is a very small office and does not have the staff that would permit us to monitor each training session and the materials that are distributed. Let me make clear that I am sensitive to the criticisms from Federal employees and continue to make every effort to ensure that FWAEI meets the needs of these individuals and their families.

The Federal Workplace HIV/AIDS Education Initiative has been carefully planned and implemented and has been a tremendous success. We understand that you are considering holding a hearing on this subject. We hope that the information provided in this letter will obviate the need for any such hearing. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Patricia S. Fleming
Director
National AIDS Policy Office

Attachments:

1. September 30, 1993, memorandum from President Clinton to Heads of Executive Departments and Agencies.
2. April 7, 1994, memorandum from Kristine Gebbie to Heads of Executive Departments and Agencies.
3. Guidelines for the Federal Workplace HIV/AIDS Education Initiative.
4. April 21, 1995, memorandum from Patricia S. Fleming to Heads of Executive Departments and Agencies.

WILLIAM F. CUNGER, JR., PENNSYLVANIA
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ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

March 30, 1995

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BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY--(202) 225-5074
MINORITY--(202) 225-5081

The Honorable Patricia Fleming
Director
White House Office of National AIDS Policy
750 17th St., Suite 600
Washington, D.C. 20503

Dear Madam Director:

I was distressed to read in yesterday's Washington Times the enclosed article entitled "Mandatory federal AIDS classes cited as promoting gay agenda," which described the Clinton administration's mandatory aids training at several agencies. If the training featured in the Washington Times article is accurately described, it is totally inappropriate in the federal workplace, and particularly if federal employees are compelled to attend.

Attacking employees' religious beliefs and speculating about their grandmothers' sexual practices, incidents cited in the article, simply have no place whatsoever in workplace training. As tempting as it is to believe such incidents are simply aberrations, it is becoming increasingly difficult to ignore the many complaints that have surfaced over these AIDS training programs and other federal training programs. I am concerned that the real purpose of this and other training may go far beyond the boundaries of acceptable programs to improve the efficiency and skill-level of federal employees.

By statute, the purpose of workforce training is to "assist in achieving an agency's mission and performance goals by improving employee and organizational performance." It is just very difficult to fathom how discussing "flavored condoms" and grandma's sexual habits and disparaging employees' religious beliefs contributes one whit to these statutory objectives. Accordingly, as the Chairman of the Civil Service Subcommittee, I believe it is incumbent upon me to investigate and determine how extensively government training programs are being abused, whether my subcommittee should hold hearings, and whether legislation is necessary to ensure that taxpayers' money is not used by this administration for political and ideological indoctrination of the federal workforce.

In order to assist me with this review, please provide me with the following:

1. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any conversations or correspondence regarding AIDS training in the federal workplace between any officer or employee of the Office of National Aids Policy and any person employed by or acting in behalf of (1) the President, (2) any of his principal assistants, (3) officers or employees of executive agencies, or (4) representatives of the Office of Personnel Management.

2. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any complaints, comments, suggestions, or other remarks by persons exposed to AIDS training at executive agencies.

3. Copies of all materials used for training employees of the executive agencies on AIDS, including manuals, guidelines, or other teaching aids provided to instructors that are in the possession of the Office.

4. Copies of all materials approved by the Office and coordinated through OPM or any other entity for training personnel in the federal workplace.

5. The name, business address, and business phone number of the person at Office most knowledgeable about the Office's planning and implementation of AIDS training for employees of executive agencies.

6. A complete description of the role of the Office in the development and implementation of AIDS training for employees of executive agencies. The names, business addresses, and business phone numbers of all federal employees or other persons or entities who participated in any way in the development or implementation of the administration's AIDS training program for employees of executive agencies.

7. Copies of all contracts, statements of work, or other documents describing the scope and purpose of the work performed by the persons identified in your answer to 6 above, including any such documents that clearly describe the role of any person or entity not compensated for their efforts.

8. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of

all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to the Office's policies regarding the attendance of executive branch employees at AIDS training sessions.

9. An explanation of how AIDS training in the workplace is expected to improve "employee and organizational performance."

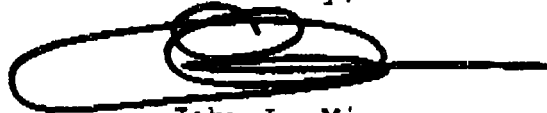
10. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to criteria for the selection of instructors for AIDS training.

11. Describe all actions you have taken to protect federal employees from the kinds of abuses detailed in the Washington Times article and explain when you took such actions.

Please provide the information I have requested, along with any other information you believe would help me make an informed decision regarding the need for oversight hearings or legislation, to the staff of the Subcommittee on Civil Service, Rayburn HOB, Room B 371-C, Washington, DC 20515. If you or your staff have any questions regarding this matter, please contact Garry Ewing of the subcommittee staff on 225-6427.

I look forward to your prompt reply and to working with you on this important matter.

Sincerely,

A handwritten signature in black ink, appearing to be "John L. Mica", with a long horizontal line extending to the right.

John L. Mica
Chairman
Subcommittee on Civil Service

Rider

In hiring trainers, developing training sessions and producing any training materials, agencies are expected to conform with the guidelines issued by this office. My office is very small, however, and does not have the staff that would permit us, as your letter implies, to monitor in every instance the hiring of trainers, the content of training sessions, or the materials distributed. Contrary to your letter's suggestion, this office has not, for example, "approved" materials for "training personnel."

THE WHITE HOUSE
WASHINGTON

June 16, 1995

The Honorable John L. Mica
Chairman
Subcommittee on Civil Service
Committee on Government Reform and Oversight
U. S. House of Representatives
Washington, D.C. 20515-6143

Dear Mr. Chairman:

I have received your letter of June 13 regarding the hearing you have scheduled to address the Federal Workplace HIV/AIDS Education Initiative (FWAEI). I hope that you have now received my letter dated June 13, 1995, but delivered to your office on the morning of June 14, which provides a detailed factual response to your original letter on this subject and the issues you raised therein. Let me reiterate my apology for the delay in providing you with a response to your original letter. I particularly regret that our letters crossed in the mail, because I believe the information in my June 13 letter responds to the concerns that have evidently prompted you to call a hearing. As I state in that letter, please be assured that your comments and questions about the FWAEI have been taken seriously.

I appreciate your invitation to participate in the FWAEI hearing. As I believe you know, I have been advised by the White House Counsel's Office that it is the general practice, long recognized by Congress and the Executive Branch, that members of the White House staff do not testify before Congress. I am hopeful, however, that my June 13 letter provides the information you are seeking. Please do not hesitate to contact me with further questions.

Again, please accept my apologies for the delay in responding to your original letter.

Sincerely,



Patricia S. Fleming
Director
National AIDS Policy Office

n:\mica

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF MANAGEMENT AND BUDGET
Washington, D.C. 20503-0001

LRM NO: 2 3

FILE NO: 1031

7/31/95

LEGISLATIVE REFERRAL MEMORANDUM

Total Page(s): 14

TO: Legislative Liaison Officer - See Distribution below:
FROM: Janet FORSGREN (for) *Janet R. Forsgren*
Assistant Director for Legislative Reference
OMB CONTACT: Melissa COOK 395-3924
Legislative Assistant's line (for simple responses): 395-7382
SUBJECT: ENERGY Qs and As on AIDS/HIV Federal Employee Training

DEADLINE: 11:00am Wednesday, August 02, 1995

In accordance with OMB Circular A-19, OMB requests the views of your agency on the above subject before advising on its relationship to the program of the President.

Please advise us if this item will affect direct spending or receipts for purposes of the "Pay-As-You-Go" provisions of Title XIII of the Omnibus Budget Reconciliation Act of 1990.

COMMENTS: In follow up to the 6/22/95 hearing on Federal employee HIV/AIDS training, attached are Energy's (Corlis Moody's) responses to questions posed by the H. Subcommittee on Civil Service.

AGENCIES:

328-HHS - Sondra S. Wallace - (202) 690-7760
331-Office of Personnel Management - James N. Woodruff - (202) 606-1424

EOP:

Nancy-Ann Min
Bob Rideout
Al Seferian
Barry Clendenin
Richard Turman
Greg White
Gary Bennethum
Allison Eyd
Roz Rettman
Jeremy Ben-Ami
Chris Jennings
Jennifer Klein
Diana Fortuna
Patsy Fleming
Jeff Connaughton
Steve Neuwrith
Jodie Torkelson
Barry Tolv
C. Konigsberg
L. Muniz
Jim Murr
Janet Forsgren

LRM NO: 2203
FILE NO: 1031

POST-HEARING QUESTIONS AND ANSWERS

FROM THE

JUNE 22, 1995 HEARING

BEFORE THE

SUBCOMMITTEE ON CIVIL SERVICE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

WITNESS: CORLIS S. MOODY

DIRECTOR, OFFICE OF ECONOMIC IMPACT AND DIVERSITY

DEPARTMENT OF ENERGY

QUESTIONS FROM CONGRESSMAN JOHN L. MICA

QUESTION #1: Why did the Department evaluate the impact of training on employee attitudes (e.g., on their willingness to do volunteer work)?

ANSWER: In the early months of the Federal Workplace HIV/AIDS Education Initiative, the Department did evaluate the impact of the HIV/AIDS training on employee attitudes in limited pilot testing of new survey instruments. These early evaluations were used based on recommendations of the Office of National AIDS Policy, the National Headquarters of the American Red Cross, and the Centers for Disease Control Business Responds to AIDS evaluation staff. Only a small population of the DOE employees, and for the most part only attendees of pilot sessions, were asked questions concerning attitudes.

The American Red Cross pilot tested an instrument in a few initial presentations that were made to DOE staff in Washington, DC and Golden, Colorado. This early survey included items that assessed employee attitudes relevant to the role of HIV/AIDS in the workplace. No other attitudes were assessed. The Red Cross indicated to the pilot attendees that "there were no right or wrong answers to these questions." Because of survey administrative difficulties, an inadequate number of responses were received for these items. Thus, attitude measures were

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neither recorded nor included as a criterion for effectiveness assessment. This has been documented in the Red Cross Final Evaluation previously sent in Binder #1, Section #2.

The Red Cross training survey at our Nevada Operations office as well as the two pilots mentioned earlier, did include the following question. "How likely are you to volunteer for HIV/AIDS related community work?" That is the only place in Red Cross evaluations that we find wording similar to yours. The Red Cross included this question to respond to the Centers for Disease Control Business Responds to AIDS initiative which defines five principles of workplace education, including volunteering in the community. The summary evaluation for the Nevada Operations Office is in Binder #4.

Another survey instrument, designed by the Center for Disease Control Business Responds to AIDS evaluation staff, was used in one pilot session at the Oakland Operations Office and these are included in Binder #6.

3

In early 1994, the Department selected another contractor, NOVA Research Company, to provide the HIV/AIDS training at Headquarters, and a new course was implemented. The evaluation instrument designed for these classes, representing a significant majority of the training at Headquarters, did not include questions relating to employees' attitudes. These evaluations were included in our previous submission to you.

The information binders provided to you on July 21, 1995 contain all the surveys and evaluations we received from the HIV/AIDS training coordinators in our regional and area offices. For the most part the evaluations used throughout the regions were shorter and did not include questions about employees' attitudes.

I want to emphasize that the comments we received from our employees throughout the Department were taken very seriously. These comments provided the best guidance in correcting misunderstandings, and more importantly, improving the HIV/AIDS training.

4

QUESTIONS FROM CONGRESSMAN JOHN L. MICA

QUESTION #2: Do you think it is appropriate for a government agency to attempt to change employees minds about AIDS or any other topic, rather than just their behavior on the job?

ANSWER: The Department did not attempt to change employees minds about HIV/AIDS. Any questions asked of our employees attending the HIV/AIDS training were intended to measure the effectiveness of the training and gather their concerns and comments. These comments were always used to improve content and delivery of the course. The Department used materials and instruction techniques to educate our employees about HIV/AIDS in order to reduce fear and to answer employee concerns. The Department followed the recommended guidelines from the Office of National AIDS Policy very closely and the instructors were required to present the subject matter in a professional and clinical manner. More importantly, the HIV/AIDS training focused on those issues which were specific workplace issues.

In conclusion, we followed the guidelines closely, followed directions from the Office of National AIDS Policy, took our employees concerns seriously, and made improvements to the course design, delivery, and the evaluation tool.

5

QUESTIONS FROM CONGRESSMAN JAMES MORAN**QUESTION #1:**

You indicated that 85% of the employees who received training at your department rated it very good or excellent. How did the other 15% of the participants rate the training? Did you take any action as a result of what you learned from those giving the training less than a very good rating?

ANSWER:

The following information was compiled from evaluations received from Headquarters employees who attended the HIV/AIDS training and were asked about their "overall impression" of the training.

- o Approximately, 4,400 employees attended
- o 3,639 completed evaluations
- o 1,594 (44%) rated the training as "Excellent"
- o 1,448 (41%) rated the training as "Very Good"
- o 407 (11%) rated the training as "Good"
- o 63 (1%) rated the training as "Fair"
- o 43 (1%) rated the training as "Poor"
- o 84 (2%) did not complete this question

Any questions asked of our employees attending the HIV/AIDS training were intended to measure the effectiveness of the training and gather concerns and comments. This information was used to improve content and delivery of the course. The Department listened seriously to the concerns of our employees and made many improvements throughout the past two years to the course design and delivery, and the evaluation tool.

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Yes, the Department took action to respond to valid employee concerns, and implemented their suggestions for improvement.

Many employees who rated the training other than favorable often did not include comments on which the Department could take action.

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QUESTIONS FROM CONGRESSMAN JAMES MORAN

QUESTION #2: What if any disciplinary action was taken against those of your employees who declined to participate in AIDS/HIV training?

ANSWER: The Department did not take disciplinary action against employees who did not attend the training. During the training at the Department very few employees formally asked to be excluded from the classes. Through their training coordinators and their managers, employees knew they had the right to refuse the class and arrange for alternative education which included a self study manual and watching the Red Cross Video, "AIDS in the Workplace." Any employee who had concerns about their attendance at the training could call the Department HIV/AIDS training contact or the Office of Employee Relations.



QUESTIONS FROM CONGRESSMAN JAMES MORAN

QUESTION #3: How has your AIDS/HIV training program been evaluated?
What if any changes have been made in the program as a result
of what has been revealed in participant's evaluations?

ANSWER: The HIV/AIDS training program was evaluated in several ways.
In the beginning several pilot courses were conducted by the
National Headquarters of the American Red Cross. Much of the
information which shaped the Department's HIV training was
received through candid discussion with members of the pilot
groups which included almost every DOE organization.

In addition, in the early months of the Federal Workplace
HIV/AIDS Education Initiative, the Department and the National
Headquarters of the American Red Cross evaluated the impact of
the HIV/AIDS training using a "pilot" survey instrument. These
early evaluations were used based on recommendations of the
Office of National AIDS Policy, the National Headquarters of
the American Red Cross, and the Centers for Disease Control.
Business Responds to AIDS evaluation staff. Only a small
population of the DOE employees, and for the most part, only
attendees of pilot sessions completed these surveys at
Washington DC and Golden, Colorado.

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The Red Cross Final Evaluation from this training was previously sent to Chairman Mica on June 14, 1995 in enclosure

Binder #1, Section #2. A similar survey was conducted at the Nevada Operations Office and the results of this survey are included in enclosure Binder #6 which was sent to Chairman Mica on July 21, 1995.

Another survey instrument, designed by the Center for Disease Control Business Responds to AIDS evaluation staff, was used in one pilot session at the Oakland Operations Office and these evaluations are also included in Binder #6.

In early 1994, the Department selected another contractor, NOVA Research Company, to provide the HIV/AIDS training at Headquarters, and a new course was implemented which used a new survey instrument. This survey, used in a significant majority of the Headquarters courses, was brief and focused on gathering concerns from the employees, as well as information about course content and delivery. These evaluations were included in our previous submission to Chairman Mica on June 14, 1995.

10

The information binders sent July 21, 1995 to Chairman Mica contain all the surveys and evaluations we received from the HIV/AIDS training coordinators in our regional and area offices. For the most part the evaluations used throughout the regions were shorter and focused on gathering employee comments and information about the content and delivery of the course.

Our training at the Department was successful for a few simple reasons. The Department seriously listened to any employee concerns and continually incorporated their suggestions into our training. The questions asked of the employees attending the HIV/AIDS training were intended to measure the effectiveness of the training and gather concerns and comments. These comments were often used to improve content and delivery of the course. These comments provided the best guidance in correcting misunderstandings, and more importantly, improving the HIV/AIDS training.

11

Assistant Secretary's initials:

07/27/95

Corlis S. Moody

Director, Office of Economic Impact and Diversity

Office Phone: 202-586-8383

Home Phone: 301-203-0636

Concurrences:

Human Resources:

Thomas W. Evans, HR-1, July 26, 1995

General Counsel:

Anne Broker, July 25, 1995

Suzanne Odom for Eric Fygi, July 26, 1995

Congressional Affairs:

Shirley deJavanne, July 26, 1995

Policy Office:

Deferred concurrence to HR-1

Preparation Lead:

Donald Donaldson

Date Questions Received:

July 13, 1995

12

OFFICE OF THE NATIONAL AIDS POLICY COORDINATOR

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Newirth

FAX NUMBER: 416-1647

FROM: Patsy Flannery

DATE: 10/21/94

PAGES INCLUDING COVER SHEET: _____

COMMENTS:

THE WHITE HOUSE
WASHINGTON

October 17, 1994

MEMORANDUM TO ERSKINE BOWLES

FROM: Patsy Fleming, National AIDS Policy Coordinator, Interim **PF**
SUBJECT: Staffing of Office of the National AIDS Policy Coordinator

I wanted to update you since our meeting regarding the budget and staff for the Office of the National AIDS Policy Coordinator.

As you suggested, I have met with Steve Neuwirth in the counsel's office and he suggested the following arrangement for assembling the budget and staff. It is predicated on the legal requirement that any *cash* for the office come from only *one* cabinet agency and that staff cannot be detailed (this is considered a cash contribution), but rather reassigned (with changed duty stations). They will continue to be supervised by their home agencies.

Cash. The office needs about \$400,000 in cash, to cover rent, phones, travel, and general administrative costs. Since HHS has already signed a lease for our office space, it will be necessary to look to HHS for all our cash needs. The \$400,000 figure is significantly less than was contributed last year and should be negotiable with the Department.

President's Advisory Council on AIDS. Since the Advisory Council is not a part of the Office of the National AIDS Policy Coordinator, another department can be asked to support its travel and other cash needs. We estimate this to be from \$150,000 to \$200,000. DOD, VA, or HUD would be potential sources for these funds, since they have the larger HIV budgets after HHS.

Staff. The original staffing plan we discussed last week called for 13 people in addition to the coordinator. (The coordinator's position is a White House FTEE.) We plan to identify individuals in relevant Cabinet departments who could change their duty stations to work at the White House AIDS office. Carol Rasco and I met with Jennifer O'Connor today to discuss how we might approach the Cabinet departments. They agreed that once we identify potential staff, we should then approach the departments. Jennifer is willing to work with us; she and I both need to know who should approve this approach.

Deputy Coordinator. This staffing arrangement limits us to people already working in government. If I am appointed to the Coordinator position, I would like to bring on board a deputy who is not currently in a government job. Would it be possible to assign a White House position to the AIDS office so that we can hire from the outside? At HHS, at least, there is a hiring freeze at the GS-13 level and above, making it impossible to place him at HHS and then change his duty station. I would appreciate your advice as to the options in this area.

Memorandum to Erskine Bowles/October 17, 1994/Page Two

Thanks again for your assistance in moving these structural issues through the system.

**cc: Carol Rasco
Jodie Torkelson
Steve Neuwirth**

**OFFICE OF THE
NATIONAL AIDS POLICY COORDINATOR**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Distribution List

FAX NUMBER: (See attached distribution list)

FROM: Patricia Fleming, National AIDS Policy Coordinator, Interim

DATE: October 17, 1994

PAGES INCLUDING COVER SHEET: 4/5

COMMENTS:

THE WHITE HOUSE
WASHINGTON

October 12, 1994

MEMORANDUM

TO: Distribution List

FROM: Patsy Fleming *Patsy Fleming*
National AIDS Policy Coordinator, Interim

RE: Intern Training Program

The Office of the National AIDS Policy Coordinator has recently developed an HIV/AIDS training program for our intern staff. The program is designed to expose interns to every facet of the HIV/AIDS issue.

We are very pleased to have developed an extensive lecture series taught by leading figures in their respective fields. So that all may benefit from these high profile individuals, the Office of the National AIDS Policy Coordinator would like to extend an invitation to all White House interns to participate in this important program. Attached is a list of dates and topics discussed.

Please contact Gus Vennura or Kristin McGinn by the close of business on the Monday preceding the meeting you wish to attend. This will allow us to make arrangements to best accommodate the number of individuals attending.

TUESDAY, NOVEMBER 29 (10:00-12:00)

Topic: LEGISLATION AND FUNDING

Speaker: Jeff Levi, Deputy Coordinator, National AIDS Policy Office

TUESDAY, DECEMBER 6 (10:00-12:00)

Topic: INTERNATIONAL AIDS

**Presentation from Jeannie Louie Wong, Ekatrini
Malliou and George Huang from the Office of the
National AIDS Policy Coordinator**

TUESDAY, DECEMBER 13 (10:00-12:00)

Topic: VOLUNTEER OPPORTUNITIES

Speaker to be announced

October 12, 1994

**National AIDS Policy Office
Intern Training Program**

**For further information, please contact:
Gus Ventura, Executive Assistant 632-1090
Kristin McGinn, Intern 632-1090**

AGENDA

**TUESDAY, OCTOBER 18 (12:30-2:30)
CHILDREN'S HOSPITAL SITE VISIT
111 Michigan Avenue, NW
(202) 884-2339**

**TUESDAY, OCTOBER 25 (10:00-12:00)
Topic: AIDS IN THE INNER CITY
Speaker; Thomas Gleaton from Inner City AIDS Network
Speaker; Sean Bugg from Whitman Walker Male Sex
Industry Project**

**TUESDAY, NOVEMBER 1 (10:00-12:00)
Topic: THE AIDS MOVEMENT: GROUPS AND ACTIVISTS
Speaker; Mike Shriver from Mobilization Against AIDS
Information from Alexandra Da Silva and Sten Hallock**

**TUESDAY, NOVEMBER 8 (10:00-12:00)
Topic: AIDS RESEARCH
Speaker to be announced**

**TUESDAY, NOVEMBER 15 (10:00-12:00)
Topic: PREVENTION
Speaker to be announced**

**TUESDAY, NOVEMBER 22 (10:00-12:00)
Topic: SERVICES
Speaker to be announced**

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Management and Budget	(202) 395-3746
Science and Technology	(202) 456-6021
White House Security	(202) 456-7029
White House Fellows	(202) 395-6179
Visitor's Office	(202) 456-2370
Executive Clerk	(202) 456-6472
Correspondence	(202) 456-2461
George Stephanopoulos's Office	(202) 456-2100

OFFICE OF THE NATIONAL AIDS POLICY COORDINATOR

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Newirth

FAX NUMBER: 456-1647

FROM: Patsy Fleming

DATE: 10/17/94

PAGES INCLUDING COVER SHEET: 3

COMMENTS:

Thanks for your help!

THE WHITE HOUSE

WASHINGTON

October 17, 1994

MEMORANDUM TO ERSKINE BOWLES

FROM: Patsy Fleming, National AIDS Policy Coordinator, Interim PF

SUBJECT: Staffing of Office of the National AIDS Policy Coordinator

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President's Advisory Council on AIDS. Since the Advisory Council is not a part of the Office of the National AIDS Policy Coordinator, another department can be asked to support its travel and other cash needs. We estimate this to be from \$150,000 to \$200,000. DOD, VA, or HUD would be potential sources for these funds, since they have the larger HIV budgets after HHS.

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Memorandum to Erskine Bowles/October 17, 1994/Page Two

Thanks again for your assistance in moving these structural issues through the system.

**cc: Carol Rasco
Jodie Torkelson
Steve Neuwirth**

THE WHITE HOUSE

WASHINGTON

October 11, 1994

MEMORANDUM TO CAROL RASCO

FROM: Patsy Fleming, Interim National AIDS Policy Coordinator PF
632 1090 or 690 5400
SUBJECT: Funding for the Office of the National AIDS Policy Coordinator

With the start of the new fiscal year, I have been in discussions with HHS budget staff regarding the funding for the White House Office of the National AIDS Policy Coordinator (ONAPC). As you know, in FY 1994, the Office of the Assistant Secretary for Health (OASH), through the National AIDS Program Office (NAPO) budget, has supported the AIDS Coordinator's office. In 1994, this came to \$568,000 in direct spending (five FTEs and rent, travel, and other administrative costs), as well as \$300,000 in in-kind services.

Congress reduced the FY 1995 appropriation for NAPO by \$1 million. This reduction makes it impossible for OASH to provide the same level of support for the White House office and maintain important (though reduced) functions at NAPO.

I have attached an FY 1995 budget of \$1.6 million for the Office of the National AIDS Policy Coordinator. This is a conservative budget when one considers the scope and amount of work anticipated for a well-functioning National AIDS Policy Office. Even though it is conservative, it is somewhat higher than last year for the following reasons:

(1) As originally constructed, the National AIDS Policy Coordinator functioned as *both* the head of the White House AIDS Office *and* the head of the PHS National AIDS Program Office. PHS directly supported White House-specific functions (rent on 17th Street, phones, travel for the coordinator, and five FTEs housed at the 17th Street office). In addition, staff at the NAPO office in the Humphrey Building indirectly supported interdepartmental functions of the Coordinator -- at a cost estimated to be \$300,000 in staff time for various personnel assigned -- including program staff and administrative staff. (For example, the two offices shared one Administrative Officer, and all travel was arranged through the NAPO office). Dr. Phil Lee, the Assistant Secretary for Health, and Kristine Gebbie, the former National AIDS Policy Coordinator, agreed several months ago that NAPO and ONAPC should be independent, with no overlapping staff. Therefore, no further administrative and program support will be provided from NAPO to the White House staff.

(2) The President's Advisory Council will be appointed soon after the announcement of the new Coordinator. The cost of supporting the Council is about \$250,000 (\$150,000 in direct travel and meeting costs, plus significant staff time).

Separate

I have suggested to Dr. Lee that, in light of the budget cut at NAPO, we would request only \$500,000 in FY 1995, while seeking funding from other sources within the Federal budget. In order to fund the full budget, it may be useful to look beyond NAPO for support from HHS (e.g., HCFA). We will also need to approach other cabinet departments for support. (See attached list.) This should be possible to achieve. Apparently, last fall, NAPO staff surveyed several cabinet departments about making contributions, and the response was generally positive.

Your guidance is needed to assist in identifying the full budget. According to HHS staff, there is a precedent for seeking support across departments for government-wide efforts of this kind (e.g., the NPR). They suggested that we need sufficient documentation showing that the position description of the Coordinator and the mission of the office are both government-wide in nature. We would also need a formal request from the White House to all relevant departments for contributions to this effort.

This is a matter of some urgency. It will be important to have a budget in place before a coordinator is appointed.

**Proposed FY 1995 Budget for the
Office of the National AIDS Policy Coordinator**

Salary and Benefits (see staff listing below)	\$1,064,000	This number could be smaller if contract consultants are used instead of FTEs and/or if agencies provide staff through duty station changes.
Rent	\$124,000	Fixed cost of lease on 17th St.
Phones	\$50,000	
Travel	\$54,000	
Administrative	\$15,000	
Advisory Council	\$150,000	Assumes two meetings per year; with arrangements handled by meeting planner.
Consultants	\$150,000	This number could be higher if contract consultants are used rather than FTEs.
Total	\$1,607,000	

**Proposed Staffing Structure for the
Office of the National AIDS Policy Coordinator**

Coordinator
Deputy Coordinator
Executive Assistant to the Coordinator
Administrative Officer

Program Staff

Advisory Council/Community relations
Workplace initiative/Community relations
Discrimination/housing, etc. issues
OMB/Budget issues
Care/Services
Research
Prevention
Communications

Support staff

Administrative Asst.
Administrative Asst.

Total staff: 14

Source of staff:

1 White House FTE (Coordinator)
5 HHS FTEs (current commitment)
remaining slots can be filled through agency FTEs, duty station changes, or
consulting contracts

Estimated cost: \$1,064,000 in salaries and benefits
(this number could be lower if some FTEs are funded through agency duty station
changes)

Potential Sources of Funding for White House AIDS Office

Department	Estimated HIV Budget	1994 Contribution to ONAPC	Proposed 1995 Funding Request
White House		\$160,000 (1 FTE)	\$ 160,000
HHS	\$5,960,774,000	\$868,000	\$ 500,000
VA	\$349,000,000	0	\$ 200,000
HUD	\$186,000,000+	0	\$ 200,000
DOD	\$99,000,000+	0	\$ 200,000
ED		0	\$ 100,000
Energy		(past FTE)	\$ 100,000
DOJ	\$ 10,000,000	0	\$ 100,000
USAID	\$ 83,000,000	0	\$ 100,000
State	\$ 1,000,000	0	\$ 100,000
SEC		\$ 75,000 (1 FTE)	\$ 75,000
Commerce		\$75,000 (1 FTE)	\$ 75,000
Total			\$1,810,000



**EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF ADMINISTRATION
Washington, D.C. 20503**

November 28, 1995

MEMORANDUM FOR STEVE NEUWIRTH
ASSOCIATE COUNSEL TO THE PRESIDENT

FROM: ASHLEY RAINES *Ashley Raines*
CUSTOMER SERVICE PROGRAM DIRECTOR

SUBJECT: MOU between OPD and HUD

I am the new Fund Manager for the Office of Policy Development. I have been informed that you have been involved with the discussion between the Office of Policy Development and the Department of Housing and Urban Development concerning funding for the Interagency Task Force on AIDS. Attached is a revised Memorandum of Understanding from HUD's Counsel's office for your review.

I would like to schedule a meeting this week with you and Nelson to discuss where the line should be drawn for what HUD should pay for versus what OPD should pay for concerning the AIDS Policy Office. Please let me know when would be a good time to meet. I can be reached at x62023.

cc: Nelson Cunningham

SUBJECT TO AVAILABILITY OF FUNDS**MEMORANDUM OF UNDERSTANDING****Between****THE OFFICE OF POLICY DEVELOPMENT
EXECUTIVE OFFICE OF THE PRESIDENT****and****THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT****I. BACKGROUND:**

The White House established in 1995 an interdepartmental team responsible for coordinating policy development and public outreach on HIV/AIDS Policy. This group is referred to as the Interdepartmental Task Force on AIDS.

The Department of Housing and Urban Development (HUD) has been, and will be actively involved in this interdepartmental effort and has a substantial stake in the success of the Task Force's work. HUD was the only Agency contributing financial support to the Task Force during Fiscal Year 1995, and is the only Agency so contributing during Fiscal Year 1996. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Task Force on HUD's behalf.

II. AUTHORITY:

This agreement is entered into under the authority of 31 U.S.C. §1346 (b).

III. THE UNDERTAKING:

Under this interagency agreement, OPD agrees to provide administrative support, on HUD's behalf, to the Task Force. The cost of such support shall not exceed \$245,000 in fiscal year 1996. HUD agrees to make advances to OPD up to the foregoing amount for its expenditures for providing such support. Administrative services include but are not limited to: requisitioning of goods and services, funds management, and liaison with other agencies in the Executive Office of the President.

HUD will be represented on the interdepartmental team by the Secretary or his or her designee(s).

IV. PERIOD OF AGREEMENT:

This agreement commences immediately and shall remain in effect

until September 30, 1996. The paragraphs herein memorialize the understandings, terms, and agreements pursuant to which each involved organization shall act. This agreement may be modified with the advance written consent of both parties.

V. NOTICE:

All acquisitions made under this agreement shall comply with the Competition in Contracting Act, Pub. L. 98-369.

All capitalized equipment (equipment with a per item value in excess of \$1,000 and a useful life exceeding one year), including computer hardware, telefax machines, and other equipment purchased for this project with HUD funds will be returned to HUD at the end of this agreement unless the parties enter into a follow-on agreement that provides otherwise.

No portion of these funds will be used to support publicity or propaganda activities prohibited by section 507 of the Treasury, Postal Service, and General Government Appropriations Act, 1996, or predecessor provisions; by the Anti-Lobbying Act, 18 U.S.C. § 1913; or by any other applicable law.

VI. PROGRAM/TECHNICAL LIAISON OFFICERS:

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

Fred G. Karnas, Jr., Director
of HIV/AIDS Housing
U.S. Department of
Housing and Urban Dev.
Washington, DC 20410

OFFICE OF POLICY DEVELOPMENT

Ashley L. Raines
~~Andrea S. Rutledge~~
~~White House~~ Office of Administration
Executive Office of the
President
Washington, DC 20500
(202) 456-2500

Jurg Hochuli, Director
Financial Management Division
Office of Administration
(202) 395-3793

VII. FINANCIAL PROVISIONS:

With the approval of the agreement, OPD will bill HUD for an advance of funds not to exceed an annual amount of \$245,000, or such lesser pro rata amount as may be permitted under any applicable continuing resolution, via the Online Payment and Collection System (OPAC). Such requests will cite the number of this agreement, appropriation symbol and other accounting identification codes.

Each month, OPD will provide HUD with itemized charges to support the use of the advances. The total amount of expenditures under this agreement shall not exceed \$245,000, in Fiscal Year 1996.

Upon submission of the final monthly list of itemized charges under this agreement, OPD will provide to HUD a final reconciliation of the advances to the actual costs. OPD will then refund via OPAC any resulting outstanding balance.

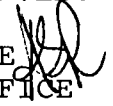
VIII. APPROVALS

<u>CUSTOMER AGENCY:</u> ALC: Appropriation Symbol:	<u>SERVICING AGENCY:</u> THE EXECUTIVE OFFICE OF THE PRESIDENT Office of Administration Washington, DC 20500 Attn: Andrea Rutledge (202) 456-2500 ALC: 11-01-0003 Appropriations Symbol: 1162200
<u>CUSTOMER AGENCY APPROVALS:</u>	<u>SERVICING AGENCY APPROVAL(S):</u>
Signature _____ Date _____ Marilyn Davis Assistant Secretary for Administration Department of Housing & Urban Development Washington, DC	Signature _____ Date _____ Jurg Hochuli Director Financial Management Division
	Signature _____ Date _____ Andrea S. Rutledge Director, White House Administrative Office

THE WHITE HOUSE
WASHINGTON

October 30, 1995

NOTE FOR SARAH MANZANO
HOUSING & URBAN DEVELOPMENT

FROM: ANDREA S. RUTLEDGE 
ADMINISTRATIVE OFFICE

SUBJECT: Interagency Agreement for
AIDS Task Force

Enclosed are two signed copies of the interagency agreement between HUD and the Office of Policy Development for support of the Interagency Task Force on AIDS.

Please sign both copies and return on* to the attention of Ann Fleischman in Room 1 of the Old Executive Office Building.

Thanks for your assistance and support throughout this project.

SUBJECT TO AVAILABILITY OF FUNDS

MEMORANDUM OF UNDERSTANDING

Between

THE OFFICE OF POLICY DEVELOPMENT
EXECUTIVE OFFICE OF THE PRESIDENT

and

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

I. BACKGROUND: The White House established an interdepartmental team responsible for coordinating policy development and public outreach on HIV/AIDS policy. This group is referred to as the Interdepartmental Task Force on AIDS.

The Department of Housing and Urban Development (HUD) is actively involved in this interdepartmental effort and has a substantial stake in the success of the Task Force's work. HUD is the only agency contributing financial support to the Task Force during fiscal year 1996. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Task Force on HUD's behalf.

II. AUTHORITY:

This agreement is entered into under the authority of 31 U.S.C. § 1346(b).

III. THE UNDERTAKING:

Under this interagency agreement, OPD agrees to provide administrative support, on HUD's behalf, to the Task Force. The cost of such support shall not exceed \$245,000 in fiscal year 1996. HUD agrees to reimburse OPD for its expenditures for providing such support. Administrative services include but are not limited to: requisitioning of goods and services, funds management, and liaison with other agencies in the Executive Office of the President.

HUD will be represented on the interdepartmental team by the Secretary or his or her designee(s).

IV. PERIOD OF AGREEMENT:

This agreement commences October 1, 1995 and shall remain in effect until September 30, 1996. The paragraphs herein memorialize the understandings, terms, and agreements pursuant to

SUBJECT TO AVAILABILITY OF FUNDS

SUBJECT TO AVAILABILITY OF FUNDS

which each involved organization shall act. This agreement may be modified with the advance written consent of both parties.

V. NOTICE

All acquisitions made under this agreement shall comply with the Competition in Contracting Act, Pub. L. 98-369.

All capitalized equipment (equipment with a per item value in excess of \$1,000 and a useful life exceeding one year), including computer hardware, telefax machines, and other equipment purchased for this project with HUD funds will be returned to HUD at the end of this agreement unless the parties enter into a follow-on agreement that provides otherwise.

No portion of these funds will be used to support publicity or propaganda activities prohibited by section 507 of Public Law 103-123, the Treasury, Postal Service, and General Government Appropriations Act, 1995; by the Anti-Lobbying Act, 18 U.S.C. § 1913; or by any other applicable law.

VI. PROGRAM/TECHNICAL LIAISON OFFICERS:

DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT

Fred G. Karnas, Jr, Director
of HIV/AIDS Housing
U.S. Department of
Housing & Urban Dev.
Washington, DC 20410

OFFICE OF POLICY DEVELOPMENT

Andrea S. Rutledge
White House Office
Executive Office of the
President
Washington, DC 20500
(202) 456-2500

Jurg Hochuli, Director
Financial Management Division
Office of Administration
(202) 395-3793

VII. FINANCIAL PROVISIONS:

With the approval of the agreement, OPD will bill HUD for an advance of funds not to exceed an annual amount of \$245,000 via the Online Payment and Collection System (OPAC). Such requests will cite the number of this agreement, appropriation symbol and other accounting identification codes.

Each month, OPD will provide HUD with itemized charges to support the use of the advances. The total amount of expenditures under this agreement shall not exceed \$245,000, in fiscal year 1996. Upon submission of the final monthly list of itemized charges under this agreement, OPD will provide to HUD a final

SUBJECT TO AVAILABILITY OF FUNDS

SUBJECT TO AVAILABILITY OF FUNDS

reconciliation of the advances to the actual costs. OPD will then refund via OPAC any resulting outstanding balance.

VIII. APPROVALS

<u>CUSTOMER AGENCY:</u> ALC: Appropriation Symbol:	<u>SERVICING AGENCY:</u> THE EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF ADMINISTRATION Washington, D.C. 20500 Attn: Andrea Rutledge (202) 456-2500 ALC: 11-01-0003 Appropriations Symbol: 1162200 Index Code: J108E
<u>CUSTOMER AGENCY APPROVALS:</u>	<u>SERVICING AGENCY APPROVAL(S):</u>  10/30/95
Signature Marilyn Davis Assistant Secretary for Administration Department of Housing & Urban Development Washington, DC	Signature Andrea S. Rutledge Director, White House Administrative Office
	Signature Jürg Hochuli Director Financial Management Division Office of Administration

SUBJECT TO AVAILABILITY OF FUNDS**MEMORANDUM OF UNDERSTANDING**

Between

**THE OFFICE OF POLICY DEVELOPMENT
EXECUTIVE OFFICE OF THE PRESIDENT**

and

THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

I. BACKGROUND:

The White House established in 1995 an interdepartmental team responsible for coordinating policy development and public outreach on HIV/AIDS Policy. This group is referred to as the Interdepartmental Task Force on AIDS.

The Department of Housing and Urban Development (HUD) has been, and will be actively involved in this interdepartmental effort and has a substantial stake in the success of the Task Force's work. HUD was the only Agency contributing financial support to the Task Force during Fiscal Year 1995, and is the only Agency so contributing during Fiscal Year 1996. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Task Force on HUD's behalf.

II. AUTHORITY:

This agreement is entered into under the authority of 31 U.S.C. §1346 (b).

III. THE UNDERTAKING:

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VI. PROGRAM/TECHNICAL LIAISON OFFICERS:

**DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT**

Fred G. Karnas, Jr., Director
of HIV/AIDS Housing
U.S. Department of
Housing and Urban Dev.
Washington, DC 20410

OFFICE OF POLICY DEVELOPMENT

Ashley L. Raines
~~Andrea S. Rutledge~~
~~White House Office of Administration~~
Executive Office of the
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Washington, DC 20500
(202) 456-2500

Jurg Hochuli, Director
Financial Management Division
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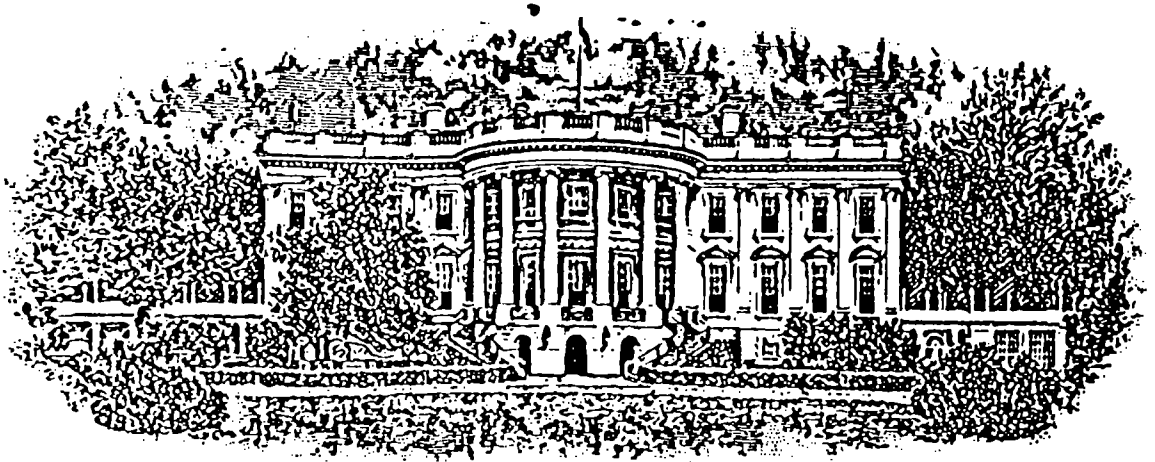
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<u>CUSTOMER AGENCY:</u> ALC: Appropriation Symbol:	<u>SERVICING AGENCY:</u> THE EXECUTIVE OFFICE OF THE PRESIDENT Office of Administration Washington, DC 20500 Attn: Andrea Rutledge (202) 456-2500 ALC: 11-01-0003 Appropriations Symbol: 1162200
<u>CUSTOMER AGENCY APPROVALS:</u>	<u>SERVICING AGENCY APPROVAL(S):</u>
Signature Marilyn Davis Assistant Secretary for Administration Department of Housing & Urban Development Washington, DC	Date Signature Jurg Hochuli Director Financial Management Division
	Signature Andrea S. Rutledge Director, White House Administrative Office

The White House



COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 6/13/95

TO: James Castello

FACSIMILE NUMBER: 66279

TELEPHONE NUMBER: 66611

FROM: Steve Neuwirth

TELEPHONE NUMBER: 67903

PAGES (WITH COVER): 6

COMMENTS:

PLEASE DELIVER AS SOON AS POSSIBLE

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ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

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BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(202) 225-5074
MINORITY—(202) 225-9081

March 30, 1995

The Honorable Patricia Fleming
Director
White House Office of National AIDS Policy
750 17th St., Suite 600
Washington, D.C. 20503

Dear Madam Director:

I was distressed to read in yesterday's Washington Times the enclosed article entitled "Mandatory federal AIDS classes cited as promoting gay agenda," which described the Clinton administration's mandatory aids training at several agencies. If the training featured in the Washington Times article is accurately described, it is totally inappropriate in the federal workplace, and particularly if federal employees are compelled to attend.

Attacking employees' religious beliefs and speculating about their grandmothers' sexual practices, incidents cited in the article, simply have no place whatsoever in workplace training. As tempting as it is to believe such incidents are simply aberrations, it is becoming increasingly difficult to ignore the many complaints that have surfaced over these AIDS training programs and other federal training programs. I am concerned that the real purpose of this and other training may go far beyond the boundaries of acceptable programs to improve the efficiency and skill-level of federal employees.

By statute, the purpose of workforce training is to "assist in achieving an agency's mission and performance goals by improving employee and organizational performance." It is just very difficult to fathom how discussing "flavored condoms" and grandma's sexual habits and disparaging employees' religious beliefs contributes one whit to these statutory objectives. Accordingly, as the Chairman of the Civil Service Subcommittee, I believe it is incumbent upon me to investigate and determine how extensively government training programs are being abused, whether my subcommittee should hold hearings, and whether legislation is necessary to ensure that taxpayers' money is not used by this administration for political and ideological indoctrination of the federal workforce.

**OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Newirth

FAX NUMBER: 456-1647

FROM: Patsy Fleming

DATE: 6/10/95

PAGES INCLUDING COVER SHEET: 2

COMMENTS:

THE WHITE HOUSE
WASHINGTON

June 9, 1995

MEMORANDUM FOR STEVE NEUWIRTH

FROM: PATRICIA S. FLEMING **PF**
DIRECTOR, OFFICE OF NATIONAL AIDS POLICY

SUBJECT: Comments on Draft Executive Order No. 11030

I have reviewed the draft Executive Order No. 11030 and have the following comments regarding changes:

Sec. 2. Functions.

On line three, change the word "ensure" to "promote"

On line five, change the word "promote" to "provide"

On line eight, change the word "any" to "all"

Add the following sentence at the end of this paragraph: "The Secretary shall report periodically to the President on the advice, information, and recommendations produced by the Council."

Sec. 3 Administration.

Clause (b): Change the word "Committee" to "Council"

Sec. 4 General Provisions.

Clause (b): Add the words "or the President" to the end of the clause.

If you have any questions regarding these changes, you can contact me at 632-1090.

Thank you.

THE WHITE HOUSE

WASHINGTON

June 8, 1995

MEMORANDUM FOR ROBERT G. DAMUS
GENERAL COUNSEL
OFFICE OF MANAGEMENT AND BUDGET

FROM: ABNER J. MIKVA
COUNSEL TO THE PRESIDENT

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED
"PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS"

Attached is a proposed executive order to establish an HIV/AIDS Advisory Council. The Order would direct the Secretary of Health and Human Services (the "Secretary") to exercise her discretion to establish the Council. The Council shall provide advice, information and recommendations to the Secretary regarding, among other things, programs and policies concerning HIV and AIDS.

We request that you process this executive order pursuant to Executive Order No. 11030, as amended. We request that you complete the processing of this order by the close of business on Friday, June 8, 1995.

Thank you for your prompt attention to this matter.

Privileged and Confidential
Attorney-Client/Work Product
DRAFT

EXECUTIVE ORDER

- - - - -

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the Secretary of Health and Human Services to exercise her discretion as follows:

Section 1. Establishment. (a) The Secretary of Health and Human Services (the "Secretary") shall establish an HIV/AIDS Advisory Council (the "Advisory Council" or the "Council"), to be known as "the Presidential Advisory Council on HIV/AIDS." The Advisory Council shall be composed of not more than 30 members to be appointed or designated by the Secretary. The Advisory Council shall comply with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) The Secretary shall designate a Chairperson from among the members of the Advisory Council.

Sec. 2. Functions. The Advisory Council shall provide advice, information and recommendations to the Secretary regarding programs and policies intended to (a) ensure effective prevention of HIV disease, (b) advance research on HIV and AIDS, and (c) promote quality services to Americans living with HIV disease and AIDS. The functions of the Advisory Council shall be solely advisory in nature. The Secretary shall provide the President with copies of any written reports provided to the Secretary by the Advisory Council.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Council with such information as it may require for purposes of carrying out its functions.

(b) Any members of the Advisory Committee that receive compensation shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the government service (5 U.S.C. § 5701-5707) [is this the correct provision for an HHS advisory committee?].

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide the Advisory Council with such funds as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, any functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Council, except that of reporting annually to the Congress, shall be performed by the Department of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services. **[Is this necessary for an HHS advisory committee?]**

(b) The Advisory Council shall terminate two years after the effective date of this order, unless that date is extended by the Secretary.

(c) This order is intended only to improve the internal management of the executive branch, and it is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

THE WHITE HOUSE

WASHINGTON

June 8, 1995

MEMORANDUM FOR ROBERT G. DAMUS
GENERAL COUNSEL
OFFICE OF MANAGEMENT AND BUDGET

FROM: ABNER J. MIKVA
COUNSEL TO THE PRESIDENT

SUBJECT: PROPOSED EXECUTIVE ORDER ENTITLED
"PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS"

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We request that you process this executive order pursuant to Executive Order No. 11030, as amended. We request that you complete the processing of this order by the close of business on Friday, June 8, 1995.

Thank you for your prompt attention to this matter.

MAJORITY MEMBERS

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, DC 20515-6015
February 7, 1995

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TELEPHONE:
002 225-2771

Honorable Donna E. Shalala
Secretary
Department of Health and Human Services
Washington, DC 20201

Dear Madam Secretary:

This letter is in response to your reprogramming letters of November 18, 1994 that were addressed to the Chairman of this Subcommittee in the last session of Congress. I apologize for the delay in responding. As you know, there has been a great deal of activity here during the past month.

The Subcommittee does not approve your proposal to utilize \$350,000 in the National AIDS Program Office to partially support the National AIDS Coordinator in the White House. In addition, the Subcommittee does not approve your proposal to utilize \$400,000 from funds appropriated under the Crime Bill to partially support the Ounce of Prevention Council.

Sincerely,

John Edward Porter, Chairman
Subcommittee on Labor, Health
and Human Services, Education
and Related Agencies

FEB 10 1995

002/002

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, DC 20515-6015

February 10, 1995

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CLERK AND STAFF DIRECTOR
JAMES W. DYER

TELEPHONE:
(202) 225-6771

The Honorable Nancy Pelosi
2457 Rayburn House Office Building
Washington, D.C. 20515
INSIDE MAIL

Dear Nancy:

I received your letter regarding the proposed reprogramming of funds from the National AIDS Program Office (NAPO) to the National AIDS Policy Coordinator (NAPC).

I have two substantive concerns about the request. First, I feel it is inappropriate to transfer resources from public health agencies to the White House. In addition, because the conference committee on our bill dramatically reduced funding for NAPO from the House-passed level, I am reluctant to approve a further reduction in funding at this time.

Nancy, although we disagree on the matter of the reprogramming, I would be happy to discuss these matters with you in the context of the 1996 L/H/E bill, and I look forward to working with you throughout the year.

Sincerely,

John Edward Porter
Member of Congress

JEP:mmm

NANCY PELOSI
5TH DISTRICT, CALIFORNIA

246 CANNON BUILDING
WASHINGTON, DC 20515-0508
(202) 225-4861

DISTRICT OFFICE
FEDERAL BUILDING
410 GOLDEN GATE AVENUE
SAN FRANCISCO, CA 94102-3460
(415) 556-4662

Congress of the United States
House of Representatives
Washington, DC 20515-0508

February 7, 1995

The Honorable John Porter, Chairman
Labor-HHS-Education Appropriations Subcommittee
2358 Rayburn Building
Washington, D.C. 20515

Dear Mr. Chairman:

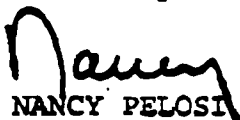
I am writing to urge your approval of the reprogramming request from the Department of Health and Human Services (HHS) to use \$350,000 from funds appropriated for the National AIDS Program Office (NAPO) to partially support the office of the National AIDS Policy Coordinator (NAPC).

The budget justification from the Department made clear that NAPO funds were intended to support the coordination efforts within the Public Health Service and the coordination efforts across Departments by the National AIDS Policy Coordinator. The Interdepartmental Task Force on AIDS is designed to assure that the public health efforts of the PHS are integrated into the activities of other departments.

Data released by the Centers for Disease Control and Prevention (CDC) released last week documented that "the magnitude of the epidemic is clearly greater than earlier statistics indicated." In my view, the Congress needs to work cooperatively with the Administration to do whatever is necessary to coordinate our national AIDS efforts.

Again, I urge you to approve the HHS reprogramming request and I look forward to working with you to respond to the many challenges created by the AIDS epidemic.

Sincerely,


NANCY PELOSI

Member of Congress

NP:sm

COMMITTEE ON APPROPRIATIONS

SUBCOMMITTEE:
LABOR-HEALTH AND
HUMAN SERVICES-EDUCATION

FOREIGN OPERATIONS, EXPORT FINANCING
AND RELATED PROGRAMS

DISTRICT OF COLUMBIA

PERMANENT SELECT COMMITTEE
ON INTELLIGENCE

COMMITTEE ON STANDARDS OF
OFFICIAL CONDUCT

CONGRESSIONAL WORKING GROUP
ON CHINA, CHAIR

02/01/95 17:33

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Congress of the United States
House of Representatives
Committee on Appropriations
Washington, DC 20515-6015
January 31, 1995

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CLERK AND STAFF DIRECTOR
JAMES W. GIBBY

TELEPHONE:
ONE 225-2771

Honorable Nancy Pelosi
U.S. House of Representatives
Washington, DC 20515

Dear Nancy:

I have enclosed for your review three pending reprogramming letters from two of our Departments. These letters were sent to the Subcommittee after Congress had adjourned last fall. The first letter is from the Department of Labor. It is a request to transfer \$3,806,000 from the State Unemployment Insurance and Employment Service Operations account to the Program Administration account of the Employment and Training Administration. The Program Administration account is the basic salaries and expenses account of the ETA. The funds would be transferred from excess postage funds in the State Operations account. The 1995 appropriations act provides the Department the legal authority to transfer money between appropriation accounts; there is an understanding, however, that any transfer would be treated as a reprogramming of funds.

The second letter is from the Department of Health and Human Services. It informs the Subcommittee of the Department's plans to use \$350,000 of funds appropriated to the National AIDS Program Office to partially support the National AIDS Policy Coordinator in the White House.

The third letter is also from the Department of Health and Human Services. It informs the Subcommittee of the Department's plans to use \$400,000 of funds appropriated to carry out a new crime prevention program authorized by last year's Crime Bill to partially support the Ounce of Prevention Council established by the Crime Bill.

Honorable Nancy Pelosi
January 31, 1995
Page Two

This Council cuts across several Cabinet Departments and is to be chaired by the Vice President. It is supposed to oversee the coordination of crime prevention programs in the Executive Branch.

I am presently inclined to turn down all three of these requests. Please let me know if you feel strongly about any of these.

Sincerely,

John Edward Porter, Chairman
Subcommittee on Labor, Health
and Human Services, Education
and Related Agencies

Enclosures



THE SECRETARY OF HEALTH AND HUMAN SERVICES
WASHINGTON, D.C. 20201

NOV 18 1994

The Honorable Neal Smith
Chairman Subcommittee on
Labor, Health and Human Services,
Education and Related Agencies
Committee on Appropriations
House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

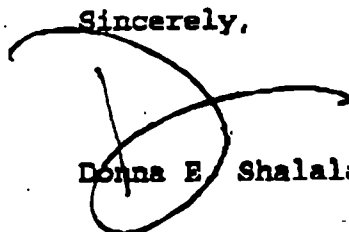
I am writing to inform you of our plans to use \$350,000 of FY 1995 funds appropriated for the National AIDS Program Office to partially support the National AIDS Policy Coordinator (NAPC). These funds were included within the appropriation account for the Office of the Assistant Secretary for Health.

I am fully aware that in your deliberations on the budget for this Office, a concern about the level of resources needed for directing and coordinating HIV/AIDS activities emerged. The Conference agreement specifies that \$1,750,000 is available for these purposes. As noted in our justification to the Committees, funding was requested to provide support to both the Assistant Secretary and the NAPC.

The \$350,000 identified for NAPC will be used to cover such expenses as rental of office space, communications, travel, supplies and equipment, and other support and contractual services. During FY 1995 the NAPC has been asked by the President to establish a new Interdepartmental Task Force on AIDS to ensure that HIV related activities of all Federal agencies are better coordinated and that inconsistencies in strategies and duplication of effort are eliminated.

I appreciate the Committee's continued interest in, and support of, this Department's response to the HIV/AIDS epidemic.

Sincerely,


Donna E. Shalala

THE WHITE HOUSE

WASHINGTON

EXECUTIVE OFFICE OF THE PRESIDENT

22-Mar-1995 03:54pm

TO: Stephen R. Neuwirth

FROM: Jeffrey Levi
AIDS Policy Council

SUBJECT: Foundation

We are gradually getting computerized here...Patsy has several questions regarding use of private foundation money to support some of our efforts.

(1) As you know, the President asked our office to prepare a report on the state of the epidemic among adolescents. To do this effectively, we need to do a good deal of outreach to adolescents at risk and to providers who work with adolescents. The National AIDS Fund (a 501(c) originally created by the Ford Foundation to encourage private sector support for AIDS programming) is considering pulling together several focus groups to assist us in this regard. There would be no transfer of resources: we would work together to design the focus groups, but they would be hosting and sponsoring them. (We would acknowledge this partnership in the report, of course.) Is this acceptable?

(2) It had been our plan to use funds to hire a writer to prepare the adolescents report. Is it possible for a foundation to hire a writer to work with us on this?

(3) To what extent can we look to foundation money to support the Advisory Council? In other words, could a foundation offer to pay for the travel of Advisory Council members whose parent organizations cannot afford it? Could any other support needs of the Council be funded with foundation funds? (We are talking here about existing foundations, not creating a new one.)

Call me if this is unclear (632-1090). Thanks.

Privileged and Confidential
Attorney-Client/Work Product
DRAFT

EXECUTIVE ORDER

PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS

By the authority vested in me as President by the Constitution and the laws of the United States of America, I hereby direct the Secretary of Health and Human Services to exercise her discretion as follows:

Section 1. Establishment. (a) The Secretary of Health and Human Services (the "Secretary") shall establish an HIV/AIDS Advisory Council (the "Advisory Council" or the "Council"), to be known as "the Presidential Advisory Council on HIV/AIDS." The Advisory Council shall be composed of not more than 30 members to be appointed or designated by the Secretary. The Advisory Council shall comply with the Federal Advisory Committee Act, as amended, 5 U.S.C. App. 2.

(b) The Secretary shall designate a Chairperson from among the members of the Advisory Council.

Sec. 2. Functions. The Advisory Council shall provide advice, information and recommendations to the Secretary regarding programs and policies intended to (a) ensure effective prevention of HIV disease, (b) advance research on HIV and AIDS, and (c) promote quality services to Americans living with HIV disease and AIDS. The functions of the Advisory Council shall be solely advisory in nature. The Secretary shall provide the President with copies of any written reports provided to the Secretary by the Advisory Council.

Sec. 3. Administration. (a) The heads of executive departments and agencies shall, to the extent permitted by law, provide the Advisory Council with such information as it may require for purposes of carrying out its functions.

(b) Any members of the Advisory Committee that receive compensation shall be compensated in accordance with Federal law. Committee members may be allowed travel expenses, including per diem in lieu of subsistence, to the extent permitted by law for persons serving intermittently in the government service (5 U.S.C. § 5701-5707) [is this the correct provision for an HHS advisory committee?].

(c) To the extent permitted by law, and subject to the availability of appropriations, the Department of Health and Human Services shall provide the Advisory Council with such funds as may be necessary for the performance of its functions.

Sec. 4. General Provisions. (a) Notwithstanding the provisions of any other Executive order, any functions of the President under the Federal Advisory Committee Act that are applicable to the Advisory Council, except that of reporting annually to the Congress, shall be performed by the Department of Health and Human Services, in accordance with the guidelines and procedures established by the Administrator of General Services. **[Is this necessary for an HHS advisory committee?]**

(b) The Advisory Council shall terminate two years after the effective date of this order, unless that date is extended by the Secretary.

(c) This order is intended only to improve the internal management of the executive branch, and it is not intended to create any right, benefit, trust, or responsibility, substantive or procedural, enforceable at law or equity by a party against the United States, its agencies, its officers, or any person.

In order to assist me with this review, please provide me with the following:

1. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any conversations or correspondence regarding AIDS training in the federal workplace between any officer or employee of the Office of National Aids Policy and any person employed by or acting in behalf of (1) the President, (2) any of his principal assistants, (3) officers or employees of executive agencies, or (4) representatives of the Office of Personnel Management.

2. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any complaints, comments, suggestions, or other remarks by persons exposed to AIDS training at executive agencies.

3. Copies of all materials used for training employees of the executive agencies on AIDS, including manuals, guidelines, or other teaching aids provided to instructors that are in the possession of the Office.

4. Copies of all materials approved by the Office and coordinated through OPM or any other entity for training personnel in the federal workplace.

5. The name, business address, and business phone number of the person at Office most knowledgeable about the Office's planning and implementation of AIDS training for employees of executive agencies.

6. A complete description of the role of the Office in the development and implementation of AIDS training for employees of executive agencies. The names, business addresses, and business phone numbers of all federal employees or other persons or entities who participated in any way in the development or implementation of the administration's AIDS training program for employees of executive agencies.

7. Copies of all contracts, statements of work, or other documents describing the scope and purpose of the work performed by the persons identified in your answer to 6 above, including any such documents that clearly describe the role of any person or entity not compensated for their efforts.

8. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of

all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to the Office's policies regarding the attendance of executive branch employees at AIDS training sessions.

9. An explanation of how AIDS training in the workplace is expected to improve "employee and organizational performance."

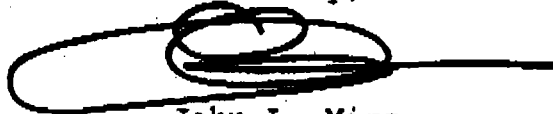
10. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to criteria for the selection of instructors for AIDS training.

11. Describe all actions you have taken to protect federal employees from the kinds of abuses detailed in the Washington Times article and explain when you took such actions.

Please provide the information I have requested, along with any other information you believe would help me make an informed decision regarding the need for oversight hearings or legislation, to the staff of the Subcommittee on Civil Service, Rayburn HOB, Room B 371-C, Washington, DC 20515. If you or your staff have any questions regarding this matter, please contact Garry Ewing of the subcommittee staff on 225-6427.

I look forward to your prompt reply and to working with you on this important matter.

Sincerely,

A handwritten signature in dark ink, appearing to read "John L. Mica", with a long horizontal flourish extending to the right.

John L. Mica
Chairman
Subcommittee on Civil Service

**OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Neuwirth

FAX NUMBER: 456-1647

FROM: Patsy Fleming

DATE: June 2, 1995

PAGES INCLUDING COVER SHEET: 6

COMMENTS:

Attached is a draft response to Mica. We have received a call from his office about the status of our response -- as well as an inquiry from Legislative Affairs.

employee. If participants find the material presented offensive, it is often

DRAFT

counterproductive to the goal of encouraging an accurate self-assessment of risk for HIV infection.

This office did not review the curricula adopted by the individual agencies nor did it provide the private contractors who undertook the training. Both the curriculum and the choice of contractor were left to the individual agencies so they could develop programs most suited to their workforce. It has been the practice of this office to refer any complaints about an agency's training to the relevant offices in those agencies for response.

We hope this is fully responsive to the issues you raised in your letter.

Sincerely,

Patricia S. Fleming
National AIDS Policy Director

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L. EHRLICH, JR., MARYLAND

ONE HUNDRED FOURTH CONGRESS

Congress of the United States

House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

March 30, 1995

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BERNARD SANDERS, VERMONT
INDEPENDENT

MAJORITY—(202) 225-6074
MINORITY—(202) 225-6061

The Honorable Patricia Fleming
Director
White House Office of National AIDS Policy
750 17th St., Suite 600
Washington, D.C. 20503

Dear Madam Director:

I was distressed to read in yesterday's Washington Times the enclosed article entitled "Mandatory federal AIDS classes cited as promoting gay agenda," which described the Clinton administration's mandatory aids training at several agencies. If the training featured in the Washington Times article is accurately described, it is totally inappropriate in the federal workplace, and particularly if federal employees are compelled to attend.

Attacking employees' religious beliefs and speculating about their grandmothers' sexual practices, incidents cited in the article, simply have no place whatsoever in workplace training. As tempting as it is to believe such incidents are simply aberrations, it is becoming increasingly difficult to ignore the many complaints that have surfaced over these AIDS training programs and other federal training programs. I am concerned that the real purpose of this and other training may go far beyond the boundaries of acceptable programs to improve the efficiency and skill-level of federal employees.

By statute, the purpose of workforce training is to "assist in achieving an agency's mission and performance goals by improving employee and organizational performance." It is just very difficult to fathom how discussing "flavored condoms" and grandma's sexual habits and disparaging employees' religious beliefs contributes one whit to these statutory objectives. Accordingly, as the Chairman of the Civil Service Subcommittee, I believe it is incumbent upon me to investigate and determine how extensively government training programs are being abused, whether my subcommittee should hold hearings, and whether legislation is necessary to ensure that taxpayers' money is not used by this administration for political and ideological indoctrination of the federal workforce.

In order to assist me with this review, please provide me with the following:

1. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any conversations or correspondence regarding AIDS training in the federal workplace between any officer or employee of the Office of National Aids Policy and any person employed by or acting in behalf of (1) the President, (2) any of his principal assistants, (3) officers or employees of executive agencies, or (4) representatives of the Office of Personnel Management.
2. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to any complaints, comments, suggestions, or other remarks by persons exposed to AIDS training at executive agencies.
3. Copies of all materials used for training employees of the executive agencies on AIDS, including manuals, guidelines, or other teaching aids provided to instructors that are in the possession of the Office.
4. Copies of all materials approved by the Office and coordinated through OPM or any other entity for training personnel in the federal workplace.
5. The name, business address, and business phone number of the person at Office most knowledgeable about the Office's planning and implementation of AIDS training for employees of executive agencies.
6. A complete description of the role of the Office in the development and implementation of AIDS training for employees of executive agencies. The names, business addresses, and business phone numbers of all federal employees or other persons or entities who participated in any way in the development or implementation of the administration's AIDS training program for employees of executive agencies.
7. Copies of all contracts, statements of work, or other documents describing the scope and purpose of the work performed by the persons identified in your answer to 6 above, including any such documents that clearly describe the role of any person or entity not compensated for their efforts.
8. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of

all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to the Office's policies regarding the attendance of executive branch employees at AIDS training sessions.

9. An explanation of how AIDS training in the workplace is expected to improve "employee and organizational performance."

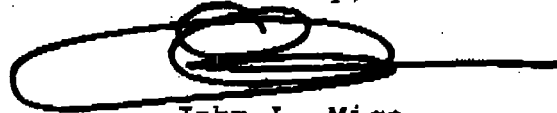
10. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to criteria for the selection of instructors for AIDS training.

11. Describe all actions you have taken to protect federal employees from the kinds of abuses detailed in the Washington Times article and explain when you took such actions.

Please provide the information I have requested, along with any other information you believe would help me make an informed decision regarding the need for oversight hearings or legislation, to the staff of the Subcommittee on Civil Service, Rayburn HOB, Room B 371-C, Washington, DC 20515. If you or your staff have any questions regarding this matter, please contact Garry Ewing of the subcommittee staff on 225-6427.

I look forward to your prompt reply and to working with you on this important matter.

Sincerely,

A handwritten signature in dark ink, appearing to be "John L. Mica", with a large, stylized loop at the end.

John L. Mica
Chairman
Subcommittee on Civil Service

**OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: James Castello

FAX NUMBER: 456-6279

FROM: Patsy Fleming

DATE: _____

PAGES INCLUDING COVER SHEET: 5

COMMENTS:

*Articles from the Wash. Times
re AIDS training pgms in
the Federal agencies.*

PF

Done N

Classes on AIDS under fire

Hill probe sought of 'pro-gay' slant

By Rowan Scarborough

At least two congressional panels plan to investigate the Clinton administration's mandatory AIDS education for federal employees in light of reports that the curriculum promotes the homosexual lifestyle.

Rep. Robert K. Dornan, California Republican and chairman of the House National Security subcommittee on personnel, said he will hold hearings later this spring.

"I'm going to go on the House floor to beg federal workers of courage to come to me anonymously and help me make a case file," Mr. Dornan said. "It's not AIDS education. It is advancing the homosexual agenda. The homosexual has cleverly used a venereal disease, and they used it brilliantly to their advantage to promote the homosexual cause."

The House Government Reform and Oversight subcommittee on civil service has begun a preliminary inquiry, a staffer said.

"These are things that really don't belong as mandatory training and have nothing to do with AIDS in the workplace," the staffer said.

House Speaker Newt Gingrich of Georgia may take a look at the program after the "Contract with America" is completed, said his spokesman, Tony Blankley.

"It sounds like the typical hideous things that liberals do," Mr. Blankley said.

But the White House defended the program, which was targeted to reach 2 million federal employees and is due to end in the coming days. President Clinton signed an executive order creating the program in September 1993.

"It went very well and was very positively received," said Richard Sorian, spokesman for the White House National AIDS Policy of-

fice, which coordinated the far-reaching network of "training-the-trainer" sessions and education. "There's been very good feedback from employees. We're very pleased."

He said he could not defend the conduct of every trainer but believes the education will be effective in preventing AIDS.

Mr. Sorian said there is no program cost for the "Federal Workplace AIDS Education Initiative" because the training was bankrolled from each department's existing budget for worker education.

Conservative groups have criticized the initiative as "pro-gay."

The Washington Times yesterday published excerpts from government training manuals that tell instructors to break down any resistance to the teaching based on religious beliefs.

The documents portray people opposed to condom distribution in schools as "partisans." They tell teachers to use nonjudgmental words such as "sex partners" instead of "husband and wife" and "injecting drug user" instead of "addict."

Trainer candidates had to discuss their views on "homosexuality for my child" as part of a scoring system to see if they were suitable.

Critics claim the test was designed to exclude all but pro-gay trainers.

Some federal workers — who, for fear of reprisal, spoke only on the condition that they not be identified — complained of being subjected to graphic talk about sex practices.

A Defense Department worker said her class included a slide on "sex toys" and flavored condoms.

A second department employee said he walked out of his session, offended by what he considered a too-intimate discussion for a mixed group.

Another worker said her instructor told participants it was likely that their grandmothers had engaged in anal sex as a form of birth control.

Concerned Women for America, with 600,000 members nationwide, is urging the Republican-controlled Congress to investigate the program.

"This initiative has proved to be little more than a thinly veiled effort at re-educating and re-orienting people's views and values," the group said.

Grace Paranzino, a nurse with the U.S. Public Health Service who has conducted federal AIDS training in Pennsylvania, said some trainers do devote too much of the discussion to homosexual sex practices. She said she avoids going over the line.

"We strictly discuss AIDS transmission, prevention and risk reduction as well as federal workplace policy as they relate to HIV and AIDS," she said. "You must also keep in mind when we talk about HIV and AIDS, it is a sexually transmitted disease, and therefore you cannot ignore it is sexually transmitted."

see AIDS, page A18

Mandatory federal AIDS classes cited as promoting gay agenda

By Rowan Scarborough
THE WASHINGTON TIMES

The Clinton administration's guidelines for mandatory AIDS training of all federal employees call for the "breaking down of audience resistance" to the program's teachings if that resistance is based on "religious beliefs."

The training manuals portray people opposed to condom distribution in schools as "partisans." They tell trainers to use the words "sex partners" instead of "husband and wife" and "injecting drug user" instead of "addict."

Would-be trainers have to dis-

Training addresses religion as barrier

cuss their views on "homosexuality for my child" as part of the selection process.

A federal worker who underwent training this month said she was offended when the instructor, a private contractor, began talking about her grandmother's likely sex practices.

"I was shocked and upset when the instructor personalized anal sex for each person in the room by saying our grandmothers prob-

ably practiced birth control by participating in anal sex," said the worker, who described the three-hour session on the condition that she not be identified.

"I was highly offended," she said. "I have a very godly grandmother, and I just broke down and cried. I guess they're trying to say homosexuals do it that way and so did your grandmother."

The guidelines are in documents from the departments of Energy, Health and Human Services, and Agriculture. Other departments are believed to use

see AIDS, page A18

The Washington Times

AIDS training no longer mandatory

PAGE A4 / THURSDAY, APRIL 6, 1995

By Ruth Larson
THE WASHINGTON TIMES

The Drug Enforcement Administration and the Federal Aviation Administration have backed off their policies on mandatory AIDS-prevention training in light of recent comments by the White House AIDS policy office.

In response to questions from The Washington Times, Patricia S. Fleming, director of the Office of National AIDS Policy, said AIDS-prevention training is not mandatory for federal workers and never has been.

Guidance prepared by her predecessor, Kristine M. Gebble, said, "HIV/AIDS workplace training is mandatory for every federal employee."

Ms. Fleming said she interpreted that to mean every federal agency is required to conduct the training, but it is up to the agencies

to decide whether the training is mandatory.

Late last month, The Times reported about a DEA employee facing charges of insubordination for refusing to attend her agency's mandatory AIDS-prevention training, part of the administration's program to educate all 2.1 million federal workers on the dangers of the disease.

The woman, who asked not to be identified, told her supervisor she objected to the graphic descriptions in the Justice Department's AIDS brochure, particularly its advice on sharing drug needles.

Her supervisor replied by saying: "I am hereby giving you a direct order to comply with the

president's mandate and attend the required training in a timely manner. Your refusal to comply with this order will be interpreted by me as insubordination."

Last week, the supervisor reconsidered his decision and sent a second memo. An employee familiar with that memo told The Times: "It was just two paragraphs that said, 'Disregard my previous memo: I was given accurate information.' No apology or anything."

DEA spokesman James J. McGivney said senior agency officials had ordered that the woman be excused from the training. While he did not know if written guidance had been issued, Ms.

McGivney said any employees who objected to the training on religious or moral grounds would not be required to attend.

Jeffrey Levi, deputy director of the Office of National AIDS Policy, said guidance to all agencies clarifying the training policy is being prepared. He said March 31 was the deadline for agencies to complete the training, but some agencies had requested extensions.

Mr. Levi said his office had not received final figures on the number of federal workers who went through the training.

The FAA, like other agencies, had required its employees to attend the training, based on the ad-

ministration's earlier guidance.

But on Tuesday, the FAA's federal air surgeon and acting director of human resources issued a memo to all employees clarifying the agency's policy on AIDS-prevention training, citing recent discussions with the White House AIDS office.

"We want to make it clear that no employee will be forced to attend HIV/AIDS training and that there will be no negative consequences for anyone who chooses not to attend. We will no longer record attendance by name, but will merely keep total attendance records," the memo said.

"We've gone from 100 percent participation, taking names, to

NATION

"Never mind," an FAA employee said. "It's extraordinary how a handful of phone calls and one newspaper article can change the government's whole training policy."

The memo noted "concerns expressed by some FAA employees about the frank nature of the prevention segment of the training." It went on to say that workers' response to the training had been "overwhelmingly positive," with good reviews on more than 95 percent of the course evaluations.

Two House panels have expressed interest in the government's AIDS-prevention training program: The National Security subcommittee on personnel is expected to hold hearings this spring, and the Government Reform and Oversight subcommittee on civil service is looking into the issue.

AIDS

From page A1

similar guidelines, which are coordinated and approved by the White House.

Aimed at the 2.1 million federal employees, the "Federal Workplace AIDS Education Initiative" was authorized last year by Mr. Clinton, whose campaign received political and financial support from the homosexual community. Administration rules for AIDS instruction tell trainers:

- To avoid certain terms, such as "husband and wife," "homosexual men," "promiscuous," "sexual preference" and "addict."

- To deflect "homophobic comments" during a training session by saying, "There is some division of opinion on that point."

- To watch out for troublemakers among the pupils. A federal worker who takes an "intransigent point of view" on condom distribution in schools or needle distribution is pegged as a "partisan." A "heckler" is someone who "expresses disbelief, disgust or scoffs at content and processes." A "moralist" believes that "people who are HIV-infected through sex or drug use deserve what they get."

- To suggest that a person use his own drug-injection equipment or try "disinfecting with bleach" to avoid getting the human immunodeficiency virus, which causes AIDS.

The Department of Energy's AIDS program is titled "Walkin' the Talk" and includes a discussion of "serial monogamy," which it defines as an "exclusive sexual relationship with one individual at a time."

"Practicing serial monogamy and therefore having several sexual partners, even over an extended period of time, may place one at risk for HIV infections unless he or she practices safer sex," the program says.

One of the training manuals included a scoring system titled "Values About HIV/AIDS-Related Issues." It was used to select AIDS instructors.

Candidates were asked to rate their opinion on several topics, including "sex without love," "sex outside of a committed relationship," "homosexuality for my child," "stiff sentences for injection-drug users who share needles and other drug-injection paraphernalia" and "laws to protect homosexuals from discrimination in housing, jobs and public accommodations."

Jim Woodall, a vice president of the conservative group Concerned Women for America, said President Clinton should "cease and desist" the training. He said the goals could be achieved by giving employees a Centers for Disease Control and Prevention brochure on AIDS prevention.

"We have been suspecting for a long time that AIDS education is

being used as a facade to promote the homosexual lifestyle," Mr. Woodall said. "AIDS education used in public schools and college campuses has now invaded our government, where the president is mandating federal employees to sit down for four hours for this type of education. It's a travesty."

Mr. Woodall's 600,000-member organization is compiling information on the program.

"I do not have any problem with gays resorting to gays when talking about sex," he said. "The issue is, the U.S. government is promoting that agenda using taxpayer dollars."

Richard Soriano, White House spokesman on AIDS policy, disagreed with the group's characterization of the program. "The effort has been a very successful effort to supply people with information that allows them to protect themselves and protect their family," he said.

He said Concerned Women for America is misinterpreting some of the training material. For example, he said, the section on "breaking down audience resistance" based on religion is an effort to have workers air those concerns so they can be discussed.

"They are not trying to change someone's religious beliefs at all," Mr. Soriano said. "What they are talking about is beginning the instruction with any concerns they have or religious belief that might make them uncomfortable with the discussion so they can be comfortable in the discussion."

Mr. Soriano said such words as "addict" are avoided for a good reason: "If you say drug addicts are susceptible to HIV, but they don't consider themselves an addict, then they don't recognize themselves as an addict."

He said he has received "positive feedback" from participants who have used the information to educate others. The program is scheduled to end this week. The White House AIDS office then will know how many workers were reached.

Some federal workers have objected to the training.

A Defense Department employee said he walked out during his department's session.

"I don't believe I should sit next to a female and be told how to do intercourse, no matter how awkward they go," said the employee, who requested anonymity. "I don't want to be in mixed company and talk about a lifestyle I'm not involved in, that I don't approve of. I don't care to be instructed by Big Brother in things I avoid."

A Drug Enforcement Administration worker who objected to attending AIDS training was ordered to attend or be disciplined for insubordination.

Mr. Woodall said the system "weeds out any people who have a problem with the gay lifestyle."

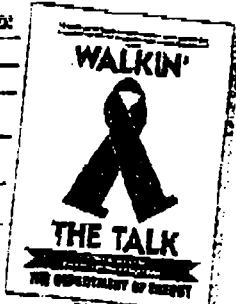
FEDERAL GUIDELINES

Government guidelines for mandatory AIDS training of all federal employees prescribe how trainers are selected and how they should federal workers about AIDS.

Words to avoid	Why
Innocent victims	Suggests anyone else with AIDS is guilty
Promiscuous	Implies an inappropriate moral overtone
Homosexual men	Can have a pejorative connotation
	Implies a judgment
Boyfriend/girlfriend/husband/wife/spouse	Makes a presumption of sexual activity, orientation or marital status

Trainer candidates are graded on suitability based on their reaction to:

- Sex without love
- Homosexuality for my child
- Laws to protect homosexuals from discrimination
- Prosecution for attempted murder of an HIV infected person
- Whether content is appropriate for workplace discussion
- Religious beliefs
- Bias and prejudices



The Washington Times

HIV/AIDS in the Federal Workplace Trainer's Handbook

HIV/AIDS is a serious health issue and the rights and responsibilities of employees of basic facts about HIV/AIDS and their rights and responsibilities of employers.

1. Understanding "Why Federal Workplace HIV/AIDS Training?"
 - Why HIV/AIDS? Very personal issue and usually confined in the workplace (AIDS, HIV, drug use, etc.)
 - Public health issue. Spreading rapidly from sick and infected people with information (AIDS, infection) has of workplace policy.
 - All possible, prevention is possible only through education.

GCOA 200

2. Breaking Down Audience Resistance
 - Sources of resistance
 - Not appropriate content for workplace discussion
 - Religious beliefs
 - Bias and prejudices

The Washington Times

NATION

American scene

Activists demand firing of AIDS czar

AIDS activists yesterday demanded that President Clinton fire AIDS policy chief Patsy Fleming for "bowing to the right wing" and eliminating mandatory AIDS education for all federal workers — once an administration priority.

"This is just another example of the Clinton administration caving in to right-wing pressure at the expense of people with AIDS," said Steve Michael of ACT UP.

The White House and Ms. Fleming's office refused to comment on Mr. Michael's demands.

Mr. Michael said the mandate for AIDS education was dropped after 18 months because of pressure from Republicans who said the classes were promoting homosexuality.

**OFFICE OF NATIONAL AIDS POLICY
EXECUTIVE OFFICE OF THE PRESIDENT**

750 17th Street, N.W.
Washington, DC 20503

Phone: 202-632-1090
Fax: 202-632-1096

FACSIMILE COVER SHEET

TO: Steve Neuwirth

FAX NUMBER: 456-1647

FROM: Patsy Fleming

DATE: June 2, 1995

PAGES INCLUDING COVER SHEET: 6

COMMENTS:

Attached is a draft response to Mica. We have received a call from his office about the status of our response -- as well as an inquiry from Legislative Affairs.

One Hundred Third Congress
of the
United States of America

AT THE SECOND SESSION

*Begun and held at the City of Washington on Tuesday,
the twenty-fifth day of January, one thousand nine hundred and ninety-four*

An Act

Making appropriations for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the Treasury Department, the United States Postal Service, the Executive Office of the President, and certain Independent Agencies, for the fiscal year ending September 30, 1995, and for other purposes, namely:

TITLE I—DEPARTMENT OF THE TREASURY

DEPARTMENTAL OFFICES

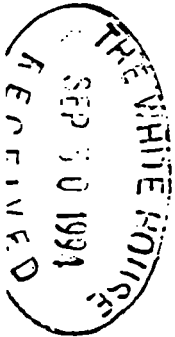
SALARIES AND EXPENSES

For necessary expenses of the Departmental Offices including operation and maintenance of the Treasury Building and Annex; hire of passenger motor vehicles; maintenance, repairs, and improvements of, and purchase of commercial insurance policies for, real properties leased or owned overseas, when necessary for the performance of official business; not to exceed \$2,900,000 for official travel expenses; not to exceed \$3,101,000 to remain available until September 30, 1997, shall be available for information technology modernization requirements; of which not less than \$6,443,000 and 85 full-time equivalent positions shall be available for enforcement activities; not to exceed \$150,000 for official reception and representation expenses; not to exceed \$258,000 for unforeseen emergencies of a confidential nature, to be allocated and expended under the direction of the Secretary of the Treasury and to be accounted for solely on his certificate; not to exceed \$490,000, to remain available until September 30, 1997, for repairs and improvements to the Main Treasury Building and Annex; \$104,479,000: *Provided*, That of the offsetting collections credited to this account, \$79,000 are permanently canceled.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, hire of passenger motor vehicles; not to exceed \$2,000,000 for official travel expenses; not to exceed \$100,000 for



H.R. 4539 - Treasury / Postal Appropriations Bill, FY 95

event any functions budgeted as administrative expenses are subsequently transferred to or paid from other funds, the limitations on administrative expenses shall be correspondingly reduced.

SEC. 610. No part of any appropriation for the current fiscal year contained in this or any other Act shall be paid to any person for the filling of any position for which he or she has been nominated after the Senate has voted not to approve the nomination of said person.

SEC. 611. Any department or agency to which the Administrator of General Services has delegated the authority to operate, maintain or repair any building or facility pursuant to section 205(d) of the Federal Property and Administrative Services Act of 1949, as amended, shall retain that portion of the GSA rental payment available for operation, maintenance or repair of the building or facility, as determined by the Administrator, and expend such funds directly for the operation, maintenance or repair of the building or facility. Any funds retained under this section shall remain available until expended for such purposes.

SEC. 612. Pursuant to section 1415 of the Act of July 15, 1952 (66 Stat. 662), foreign credits (including currencies) owed to or owned by the United States may be used by Federal agencies for any purpose for which appropriations are made for the current fiscal year (including the carrying out of Acts requiring or authorizing the use of such credits), only when reimbursement therefor is made to the Treasury from applicable appropriations of the agency concerned: *Provided*, That such credits received as exchanged allowances or proceeds of sales of personal property may be used in whole or part payment for acquisition of similar items, to the extent and in the manner authorized by law, without reimbursement to the Treasury.

* [SEC. 613. No part of any appropriation contained in this or any other Act shall be available for interagency financing of boards, commissions, councils, committees, or similar groups (whether or not they are interagency entities) which do not have a prior and specific statutory approval to receive financial support from more than one agency or instrumentality.

SEC. 614. Funds made available by this or any other Act to the "Postal Service Fund" (39 U.S.C. 2003) shall be available for employment of guards for all buildings and areas owned or occupied by the Postal Service and under the charge and control of the Postal Service, and such guards shall have, with respect to such property, the powers of special policemen provided by the first section of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318), and, as to property owned or occupied by the Postal Service, the Postmaster General may take the same actions as the Administrator of General Services may take under the provisions of sections 2 and 3 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318a, 318b), attaching thereto penal consequences under the authority and within the limits provided in section 4 of the Act of June 1, 1948, as amended (62 Stat. 281; 40 U.S.C. 318c).

SEC. 615. None of the funds made available pursuant to the provisions of this Act shall be used to implement, administer, or enforce any regulation which has been disapproved pursuant to a resolution of disapproval duly adopted in accordance with the applicable law of the United States.

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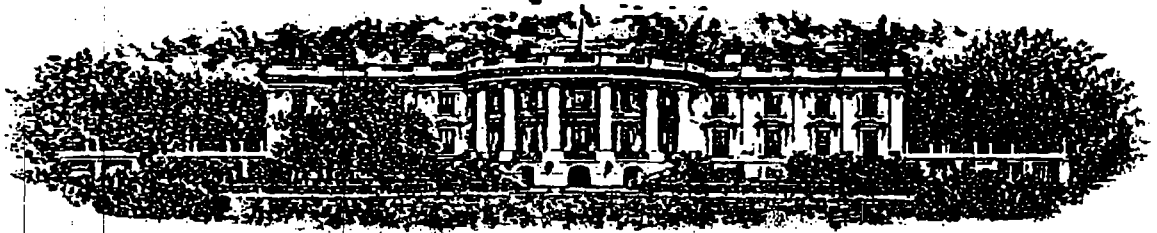
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The White House



COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE:	6/13/95
TO:	James Castello
FACSIMILE NUMBER:	66279
TELEPHONE NUMBER:	66611
FROM:	Steve Neuwirth
TELEPHONE NUMBER:	67903
PAGES (WITH COVER):	6
COMMENTS:	

PLEASE DELIVER AS SOON AS POSSIBLE

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XEROX TELECOPIER 7020

Stephen Newirth

June 13, 1995

*Patsy Fleming's office faxed
this on Friday.
Thought you might
want it for your files.
I'm now assigned to
charge mtls.
Liz*

The Honorable John L. Mica
Chairman
Subcommittee on Civil Service
Committee on Government Reform and Oversight
U.S. House of Representatives
Washington, D.C. 20515-6143

Dear Mr. Chairman:

Thank you for your letter of March 30 regarding the Federal Workplace HIV/AIDS Education Initiative (FWAEI). I apologize for not having responded sooner. I appreciate your interest and your concerns regarding this important program. As Director of the Office of National AIDS Policy, I am responsible for overseeing this effort.

Let me first report that this has been a very successful program. To date, nearly three-quarters of Federal employees have participated in an HIV/AIDS education program. Participant response has been quite positive and employees have indicated that they have gained important information for themselves, their co-workers, and their families. There have been a relatively small number of complaints and they have all been taken seriously.

FWAEI builds on an effort begun in March, 1988, during the Reagan Administration, by the Office of Personnel Management to train supervisors about HIV and AIDS in the workplace. Since 1981, when HIV was first detected in the U.S., more than 450,000 Americans have been diagnosed with AIDS and nearly 250,000 individuals have died as a result of this illness. Today, an estimated one million Americans are living with HIV, or approximately one out of every 250 Americans. Recently, the Centers for Disease Control and Prevention (CDC) reported that AIDS is the leading cause of death for Americans between the ages of 25 and 44.

On September 30, 1993, President Clinton issued a memorandum to the heads of all Agency and Department directing them to "develop and fully implement comprehensive HIV/AIDS workplace policies and employee education and prevention programs." FWAEI provides Federal employees with basic information about HIV and its impact on the human body. It provides information employees need to prevent infection with HIV and establishes personnel policies and procedures that encourage people with any chronic illness, including HIV/AIDS, to continue productive work for as long as their health permits. I have enclosed a copy of the President's September 1993 memorandum.

Page 2

These programs were created at the urging of the National Leadership Coalition on AIDS and the National Commission on AIDS. The Federal effort is modeled after programs being conducted by such firms as Aetna Life & Casualty, Bank of America, Chubb & Son, DAKA International, Digital Equipment Corp., Eastman Kodak Co., First Union Corporation, Gap Foundation, IBM Corp., Levi Strauss Foundation, NationsBank Corp., Polaroid Corp., RJR Nabisco, SBC Communications Inc., and The Principal Financial Group.

Your letter raises some important concerns about this program that I would like to allay. Unfortunately, the news article in the Washington Times to which your letter refers painted an inaccurate picture of this program and included a number of inaccuracies. I'd like to set the record straight.

On April 7, 1994, my predecessor, Kristine Gebbie, issued a memorandum to the heads of Executive Departments and Agencies elaborating on the President's September 30, 1993. In her memorandum, Ms. Gebbie said the President "mandated Federal HIV/AIDS education for all employees." A copy of Ms. Gebbie's memorandum is attached.

Unfortunately, this memorandum was interpreted by many agencies as a requirement that all workers participate in such classes. This was not correct. The President's memorandum of September 30, 1993, instructed each agency to establish a program of HIV/AIDS education in the workplace. While this directive was binding on all agencies, it did not require individual participation. As has traditionally been the case with workplace education efforts by the Federal government, each agency was left to determine whether participation would be mandatory or voluntary.

Because of the confusion over this matter, on April 21, 1995, I issued a memorandum to the heads of Executive Departments and Agencies making clear that the decision to make HIV/AIDS education mandatory or voluntary was theirs to make as long as it is consistent with policies regarding other workplace education efforts. A copy of my memorandum is attached.

Ms. Gebbie also provided each agency with a 15-page set of guidelines for the HIV/AIDS education initiative. Again, these guidelines were based on the models provided by private business, the CDC, and the National Leadership Commission on AIDS. The guidelines include information about class size, length of training, use of evaluations, methodology, use of instructors, and the content of class curricula. A copy of these guidelines is attached.

Each agency is responsible for developing its own HIV/AIDS education program, producing its own program materials, and hiring expert trainers to conduct these classes. It is my understanding that many of these trainers were provided by the American Red Cross and the Whitman-Walker Clinic, the largest provider of AIDS services in the Washington DC metropolitan area. As you can imagine, such an undertaking involves hundreds of individuals operating throughout the government.

Page 3

In hiring trainers, developing training sessions, and producing any training materials, agencies are expected to conform with the guidelines issued by this office. My office is very small, however, and does not have the staff that would permit us, as your letter implies, to monitor in every instance the hiring of trainers, the content of training sessions, or the materials distributed. Contrary to your letter's suggestion, this office has not, for example, "approved" materials for "training personnel."

As stated in the guidelines, the primary goals of FWAEI are as follows: (1) increasing employee's knowledge on issues of HIV transmission; (2) increasing awareness of HIV/AIDS in the workplace issues and available relevant resources; (3) creating positive attitudes about working alongside people living with HIV/AIDS; (4) encouraging the participation in activities, both at work and in the community, that will stop the HIV/AIDS epidemic. Such education efforts are expected to improve employee and organizational performance.

As you will see, nothing in the guidelines encourages, condones, or otherwise supports efforts to breakdown religious beliefs or discuss the sexual practices of individuals or their family members, "sex without love", or "homosexuality for my child." To date, my office has not received any complaints regarding such statements. ~~If we do~~, you can be assured that I will take prompt action if such incidents are brought to my attention.

My office is deeply committed to educating Federal employees regarding HIV and AIDS. Let me make clear that I am sensitive to criticisms from Federal employees and continue to make every effort to ensure that FWAEI meets the needs of these individuals and their families.

The Federal Workplace HIV/AIDS Education Initiative has been carefully planned and implemented and has been a tremendous success. We understand that you are considering holding a hearing on this subject. We also hope that the information provided in this letter will obviate the need for any such hearing. This letter and the enclosed documents are intended to provide you with information responsive to the issues set forth in your letter. If I can be of further assistance, please do not hesitate to contact my office.

Sincerely,

Patricia S. Fleming
Director
National AIDS Policy Office

Page 4

Attachments:

1. September 30, 1993, memorandum from President Clinton to Heads of Executive Departments and Agencies.
2. April 7, 1994, memorandum from Kristine Gebbie to Heads of Executive Departments and Agencies.
3. Guidelines for the Federal Workplace HIV/AIDS Education Initiative.
4. April 21, 1995, memorandum from Patricia S. Fleming to Heads of Executive Departments and Agencies.