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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 Administrations, 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.

EXECUTIVE DEPARTMENTS
AND
AGENCIES
Consistent
with other
memoranda
the letter

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 ^{Memorandum} 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.~~ Operating as what?

Page 3

In hiring trainers, developing training sessions, and producing any training materials, agencies are expected to conform ^{to} 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 ^{you've} ~~the concerns raised~~ ~~criticisms from Federal employees~~ and continue to make every effort to ensure that FWAEI meets the needs of ~~these individuals~~ ^{Federal employees} 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

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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.

OFFICE OF MANAGEMENT AND BUDGET

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

Telecopier Transmittal Sheet

FROM: Melissa Cook

PHONE: 395-3924

DATE: 6/20/95

TIME: _____

Pages sent (including transmittal sheet): 11**COMMENTS:**

Per your request, the USDA testimony on HIV training. Please note HUD is not testifying at this hearing. Please provide your comments to me by 10:00am Tomorrow (6/21) ~~by~~.

TO:

Steve Newirth

Thanks.

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

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

LRM NO: 1726

FILE NO: 1031

6/20/95

LEGISLATIVE REFERRAL MEMORANDUM

Total Page(s): 10

TO: Legislative Liaison Officer - See Distribution below:
FROM: Janet FORSGREN (for) *Conni J. Brown Sr*
Assistant Director for Legislative Reference
OMB CONTACT: Melissa COOK 395-3924
Legislative Assistant's line (for simple responses): 395-7362
SUBJECT: AGRICULTURE, CONG AFFAIRS Proposed Testimony on USDA Federal Workplace HIV/AIDS Education Initiative

DEADLINE: 4:30pm Tuesday, June 20, 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: Please note that I have attached behind this testimony the witness list for the 6/22 H. Civil Service Subcommittee hearing.

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LRM NO: 1726
FILE NO: 1031

☐ Concur
☐ No Objection
☐ No Comment
☐ See proposed edits on pages _____
☐ Other: _____
☐ FAX RETURN of _____ pages, attached to this response sheet

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

those guidelines
training was provided, USDA complied with the President's directive.

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.

As the result of this alarming growth rate, many people have developed misconceptions regarding HIV/AIDS. Many of our managers in the federal workforce want to better understand the legal and personnel issues in order to appropriately respect the rights of their employees who may be HIV positive. In addition, many employees who have co-workers with the disease want to know how they can be supportive and responsive and, in some cases, are fearful of contracting the disease from these same co-workers.

I would like to address the specific questions raised in your invitation to testify before this subcommittee.

First, the Federal Workplace HIV/AIDS Education Initiative was designed to provide information to Federal employees that was preventive in nature. As early as January 1990, USDA had a written policy on AIDS in the workplace in compliance with Office of Personnel Management guidelines, and 5 USC 7901, which authorizes agencies to establish health service programs for employees. The purpose of this policy was to "increase their understanding of AIDS and to facilitate the proper handling of personnel situations where AIDS is a factor".

Second, USDA, did require that all employees receive HIV/AIDS training in compliance with the President's directive. At the same time, accommodations were made available to those employees with strong religious or moral objections to attending this training. Under the new White House guidelines, issued on April 21, 1995, separate HIV/AIDS training is no longer mandatory. USDA therefore has included the HIV/AIDS education program as an integral part

of its training on such subjects as health education, substance abuse, sexual harassment, and other health and safety related topics.

Third, USDA has spent approximately \$200,000 on the development and delivery of HIV/AIDS training. Over 50,000 employees have received training lasting two and one half hours. Our best estimate of the cost of their time spent in training is \$4.1 million. As I'm sure this subcommittee is aware, similar programs have been conducted by many private sector companies, both to alleviate the concerns and fears of their employees and to ensure that their employees were aware of their legal obligations to those with HIV/AIDS.

Fourth, the goal of the Federal Workplace HIV/AIDS Education Initiative is to provide all Federal employees with HIV/AIDS prevention information and with information on workplace policies and procedures related to persons living with HIV/AIDS and other chronic illnesses. This initiative is expected to improve employee and organizational performance by:

- 1) Informing employees regarding their obligations to comply with the civil rights laws and other applicable statutes, in their work activities affecting other employees or program beneficiaries with HIV/AIDS;
- 2) Educating Federal employees in HIV/AIDS prevention to help protect them from contracting the disease, either inside or outside the workplace, thereby prolonging their lives and on-the-job productivity, and promoting a safe work environment

free from disruption and fear;

- 3) Educating Federal employees on workplace policies and procedures related to their responsibilities when interacting with, and providing services to, co-workers and customers living with HIV/AIDS and other chronic illnesses, as well as overall organizational performance; and
- 4) Informing USDA employees of risks to their safety and health that might arise in the workplace so that they will have the facts to enable them to respond to such risks if they arise.

Fifth, the authority for conducting this HIV/AIDS training was not statutory but rather based on the Presidential directive cited earlier. However, in our opinion this training program did fulfill the statutory objectives of assisting USDA in achieving its mission and performance goals by improving employee and organizational performance.

Sixth, in implementing the HIV/AIDS Education Program, USDA used the "Train the Trainer" methodology. This method allowed a group of 184 individuals to be trained to conduct the full coursework for other USDA employees. This was a cost-effective approach to educating our world-wide workforce. Nine "Train the Trainer" sessions were held. The USDA instructors were selected by their agencies for these training sessions based upon an assessment of the individual's capabilities. Some agencies preferred to enlist their health personnel; while others

used human resource professionals.

Seventh, as I mentioned earlier, further HIV/AIDS education will be conducted as an integral part of USDA's ongoing training on a variety of health and safety related issues.

Eighth, during the course of "Train the Trainer" sessions, evaluation and review of the materials were ongoing. Some employees raised personal objections to participating in the training course. As a result, those employees were permitted to forego the training. Constructive criticisms were used to upgrade and improve the training wherever possible. USDA took great care to ensure that our training program was suitably informative and sensitively administered. An introduction to the HIV/AIDS Education satellite video teleconference was written and broadcast to assure viewers that their personal beliefs were not under attack.

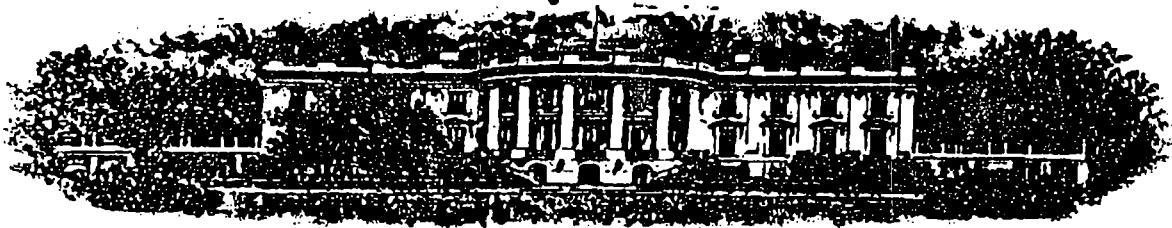
Ninth, USDA conducts several mandatory training programs, for example agency-wide mandatory ethics training. The requirement to conduct annual ethics training rests in regulation rather than law. Executive Order 12674 of April 12, 1989, required agencies to develop annual training plans, which include mandatory briefings on ethics and standards of conduct for certain groups of employees, including senior executives, filers of confidential disclosure reports and others. Approximately 25,000 employees within the Department must be trained each year. Since issuance of that Executive Order, the Office of Government Ethics codified this annual training requirement in Title 5 of the Code of Federal Regulations (5 CFR 2638.704). Both USDA Ethics training and the Federal Workplace HIV/AIDS Education Initiative are conducted through a variety of methods including teleconferences and on-site training sessions.

Finally, as we have discussed with subcommittee staff, it has taken IISDA a considerable period of time to gather the information needed to respond to the Chairman's letter of March 30, 1995. With an organization of over 100,000 employees in 29 agencies worldwide, an extensive effort was required to collect the information requested. We estimate that the request generated over 100 pounds of documents that required hundreds of staff-hours to produce and review. Much of what was requested was forwarded last week and efforts are under way to expedite and finalize the assembly of the remaining items.

I would like to thank you for the opportunity to discuss the Federal Workplace HIV/AIDS Education Initiative at USDA.

I would be pleased to respond to questions from the subcommittee.

The White House



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 FROM: STEVE NEUWIRTH
 TELEPHONE NUMBER: 67903
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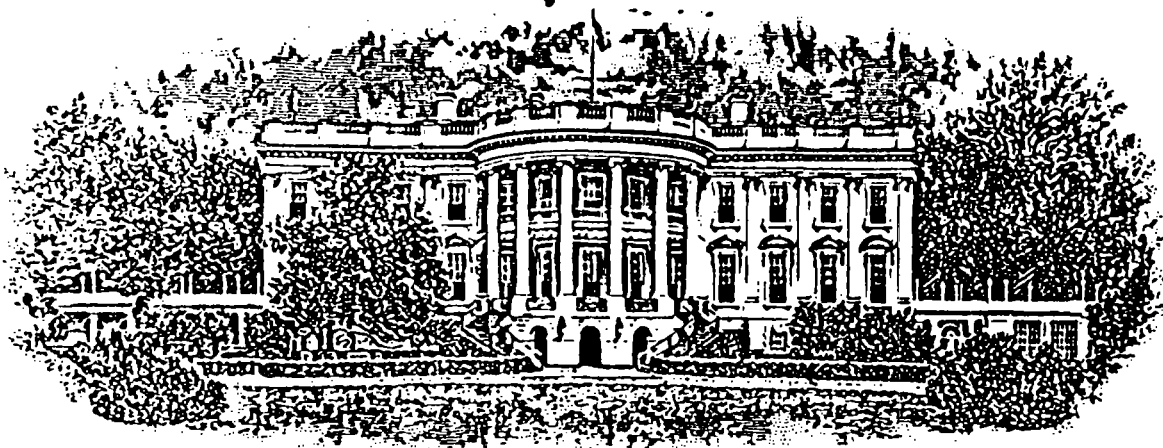
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ONE HUNDRED FOURTH CONGRESS

Congress of the United States House of Representatives

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT

2157 RAYBURN HOUSE OFFICE BUILDING

WASHINGTON, DC 20515-6143

June 13, 1995

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INDEPENDENT

MAJORITY—(202) 225-9074
MINORITY—(202) 225-5081

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

Dear Madam Director:

The House Committee on Government Reform and Oversight Subcommittee on Civil Service has scheduled an oversight hearing for Thursday, June 22, 1995 at 10:00 a.m. in Room 2154 of the Rayburn House Office Building. This Subcommittee has government-wide jurisdiction to oversee training programs in the civil service. The purpose of this hearing is to examine federal training programs, particularly the Administration's AIDS training program, to ensure that both the subject matter and method of presentation are designed to meet the statutory objectives of assisting agencies in achieving their "mission and performance goals by improving employee and organizational performance."

As you know, certain training programs, including the AIDS training program, have generated considerable controversy. News reports, employee complaints, and other congressional hearings have raised serious questions as to whether these training programs are truly designed to meet the statutory objectives. We request that you testify at that hearing to explain the Administration's AIDS training program.

In particular, the Subcommittee would appreciate your addressing the following specific questions:

- (1) What is the problem in the workplace that the Administration's AIDS training is designed to address, and how will you evaluate whether it is successful? Is there, for example, a health problem in the federal workplace related to AIDS?
- (2) Was employee attendance at agency AIDS training programs mandatory under the Administration's policies?
- (3) How much has the government spent (including all time employees spent in training) in conducting its AIDS training for employees?

(4) How does the Administration's AIDS training program meet the statutory objectives cited above?

(5) What legal authority authorized the the Administration's AIDS training?

(6) Who selected the individual trainers for the Administration's AIDS training program? What criteria were used in making that selection? Please identify and provide copies of any questionnaires, rating guides, or other documents used in making those selections?

(7) Do you have plans to do follow-up training?

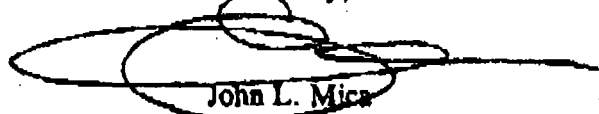
(8) In the wake of adverse publicity AIDS training received, did you review the Administration's training program? If so, what were the results of your review, and did you alter that program in any way after the review?

(9) What other training programs has the Administration required of agencies, and how does the AIDS training program compare in design and delivery with those other programs?

(10) Why did it take your agency so long to provide the information Chairman Mica asked for in his letter of March 30, 1995? As of the date of this letter, we have not yet received that information. Please identify each person who worked on preparing your response, describe his or her role, and indicate how long it took each person to accomplish his or her tasks?

Committee rules provide for the submission of the testimony 24 hours in advance of the hearing. Accordingly, please submit 100 copies of your testimony no later than 10:00 a.m. on Wednesday, June 21.

Sincerely,

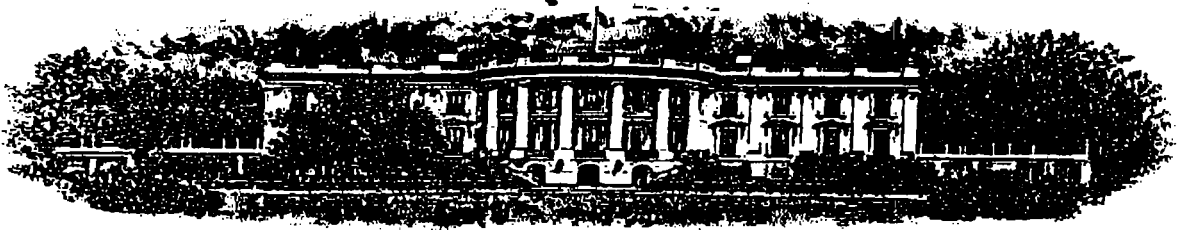
A handwritten signature in black ink, appearing to read "John L. Mica", is written over a circular stamp or seal.

John L. Mica

Chairman

Subcommittee on Civil Service

The White House



COUNSEL'S OFFICE

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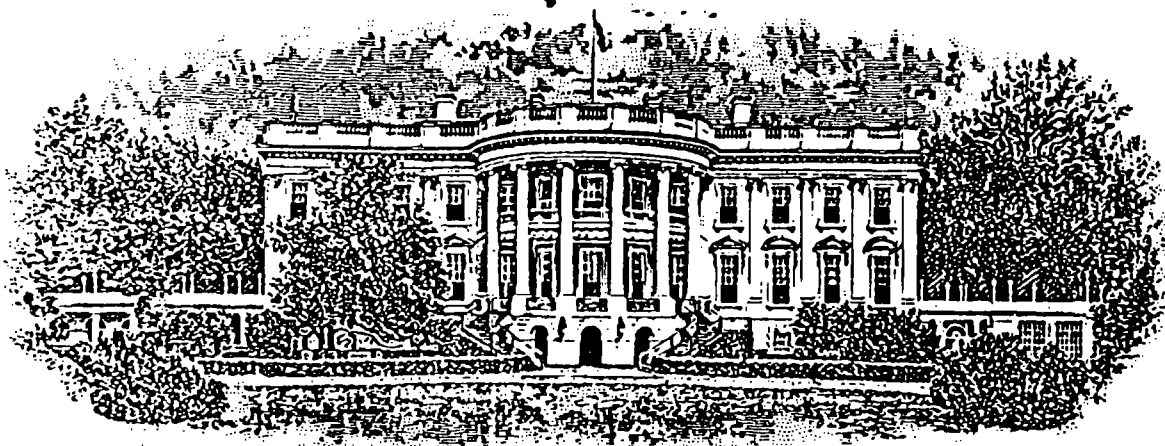
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Steve 7pm

THE WHITE HOUSE

Office of the Press Secretary

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For Immediate Release

June 15, 1995

**PRESIDENT CLINTON SIGNS EXECUTIVE ORDER FOR CREATION OF THE
PRESIDENTIAL ADVISORY COUNCIL ON HIV/AIDS AND ANNOUNCES
TWENTY-THREE MEMBERS OF THE COUNCIL**

The President yesterday signed an Executive Order for the creation of a Presidential Advisory Council on HIV/AIDS. Pursuant to the President's Executive Order, the Council will be established at the Department of Health and Human Services.

The President also announced today that Secretary Shalala will appoint the following 23 individuals to serve on the Council. The Council will be composed of not more than 30 individuals, seven 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 also serves on the Board of Directors of AIDS Project Los Angeles.

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).

Regina Aragon of California is the Deputy Director for Public Policy for the San Francisco AIDS Foundation. 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.

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.

Robert L. Fogel of Illinois is an attorney with the firm of Hilfman and Fogel of Chicago. He also is an active supporter of the Chicago House and Social Service Agency which provides housing and services for people with HIV/AIDS.

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, expanding to 17 cities throughout the country.

Kathleen M. Gerus of Michigan, who is Chair of the Board of Directors of the National Hemophilia Foundation, serves as a member of the Board of the National Association of People With AIDS. 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 and 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.

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.

Bob Hattoy of California is currently White House Liaison at the Department of the Interior. Mr. Hattoy, who is living with AIDS, is an advocate, speaker and organizer for people with AIDS and AIDS related viruses.

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.

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 is living with HIV.

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 Chairman of the AIDS Policy Committee at the USC School of Medicine.

Steve Lew of California is the Executive Director of the Gay Asian Pacific Alliance Community HIV Project and serves as Co-Chair of the San Francisco Ryan White Planning Council. He is living with HIV.

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 "Teens for AIDS Prevention."

H. Alexander Robinson of the District of Columbia is President of the National Task Force on AIDS Prevention and the Senior Legislative Representative for the American Civil Liberties Union AIDS and Lesbian and Gay Rights Projects. Mr. Robinson is living with HIV.

Debbie Runions of Tennessee is a freelance writer and has written a chapter in AIDS and Women's Experience: Emerging Policy Agenda to be published this year. She also serves on Tennessee's HIV Prevention Community Planning Group.

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 who is a Missouri State Representative, is nationally respected for his presentations on minority health issues-focusing on the impact of AIDS on women and minorities.

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 Center for Disease Control in Atlanta.

The Presidential Advisory Council on HIV/AIDS has been established at the Department of Health and Human Services 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.

URGENT

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

L NO: 1762

FILE NO: 1031

6/21/95

LEGISLATIVE REFERRAL MEMORANDUM

Total Page(s): 16

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): 395-7362

SUBJECT: ENERGY Proposed Testimony on Federal Workplace HIV/AIDS Education Initiative

DEADLINE: 6:30pm Wednesday, June 21, 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: *NOTE: THE ABOVE DEADLINE
IS FIRM !!*

AGENCIES:

230-AGRICULTURE, CONG AFFAIRS - Vince Ancell (all testimony) - (202) 720-7095
328-HHS - Sondra S. Wallace - (202) 690-7760
217-JUSTICE - Kent Markus - (202) 514-2141
330-LABOR - Robert A. Shapiro - (202) 219-8201
281-Office of Government Ethics - Jane Ley - (202) 523-5377
331-Office of Personnel Management - James N. Woodruff - (202) 606-1424

EOP:

Nancy-Ann Min
Bob Rideout
Al Seferian
Barry Ciendenin
Richard Turman
Greg White
Joe Lackey
Jonathan Winer
Maya Bernstein
Bruce McConnell
Roz Rettman
Jeremy Ben-Ami
Chris Jennings
Jennifer Klein
Diana Fortuna
{ Clarissa Cerda
{ Steve Neuirth
Jodie Torkleson
Patsy Fleming
Barry Tolv
C. Konigsberg/L. Muniz
Jim Murr
Janet Forsgren

08/21/98 14:48 2202 886 8407 BOX CP 12

standard also applies not only to health care workers but also to "downstream" employees such as housekeeping staff, janitors, and others. This information was included in the training to answer questions about transmission at work.

Question #5 - What legal authority authorized the AIDS training you conducted?

HIV/AIDS training classes are authorized under the Government Employee's Training Act which states: "In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance. . . ." "Agencies shall establish, operate, maintain, and evaluate programs for the training of employees." As noted earlier, this training was designed to educate employees and eradicate unnecessary fears so that employees can work together to achieve the agency's mission.

President Clinton's memorandum of September 30, 1993, culminated the efforts of the previous administration by calling on cabinet members to implement "ongoing HIV/AIDS education and prevention programs by World AIDS Day, 1994." The Department's training satisfies the requirements of the Government Employee's Training Act, as well as the President's memorandum.

Question #6 - Who selected the individual trainers for your AIDS training program? What criteria were used in making that selection? Please identify and provide copies of any questionnaires, rating guides, or other documents used in making those selections?

Contractors were selected by Corlis S. Moody, Director of the Office of Economic Impact and Diversity, and Donald Donaldson, a Department of Energy Federal employee. Mr. Donaldson, a nationally recognized trainer, was assigned to lead the program because of his training qualifications, his teaching experience, educational background, and interest in HIV/AIDS.

Representatives from our personnel department were chosen from the Office of Employee Relations because of their job responsibilities which include training in personnel and managerial issues, as well as experience with the subject matter. These instructor's names and positions in the Department are included in the Introduction Section of the Binders submitted previously.

The Department used two contracting sources for the Federal Workplace HIV/AIDS Education Initiative. The companies trained and hired their own instructors. The Red

Cross used a training class to certify their instructors. Instructors of NOVA Research were hired by NOVA, and a review was made of their qualifications as listed in their capabilities statement. Donald Donaldson also monitored the classes and was responsible for improvements, as well as contractor oversight. He also instructed some of the classes. This information was provided to you previously.

Cost comparisons and class design comparisons were made with Westover Consultants, Red Cross, the Whitman-Walker Clinic, NOVA Research, and the Office of Personnel Management. Whitman Walker was not chosen because they did not provide adequate classroom materials, and OPM and Westover were not chosen because of costs.

Because the Department was a lead agency and attentive to the time frames stipulated in President Clinton's memorandum, the Department acted quickly and followed the lead of the White House Executive Offices and selected the National Chapter of the American Red Cross to conduct pilot sessions.

The Department initiated several pilot sessions with both Red Cross and Nova Research. Following the Federal guidelines for the initiative, the Department looked for instructors with proven track records in HIV education, and a company that could retain a staff of competent, consistent, reliable, instructors who could follow the Department's specific directions for the training.

Much of the information which shaped the Department's HIV training was designed to answer questions and gain experience from input by the members of the pilot groups (which included almost every major DOE organization, and Operations Offices).

The Red Cross has a national, standardized training program which allows for some modifications and tailoring to meet specific company/agency needs. However, training by them was discontinued because the organization was not able to meet our demands for specific instructors designated by us for every training, nor could they meet all our directions and objectives within the context of their program.

NOVA Research was chosen because they could conduct an HIV/AIDS class which could evolve to meet the needs of our employees. Also they were chosen because of the experience of their instructors, as well as the experience they had with other organizations as listed in their capability statement. NOVA Research also was capable of providing the production capabilities to help publish a definitive HIV/AIDS workbook, later to become the Department's training manual.

Walkin' The Talk

Employee evaluations, both oral and written, were used to institute adjustments and ensure that the training objectives were met. Approximately 3,600 evaluations were submitted previously. As well, Mr. Donaldson coordinated with other agencies to

enlist their suggestions and "lessons learned." He would then discuss this information with the trainers.

Question #7 - Do you have plans to do follow-up training?

Yes. Future training will provide information as it relates to other health and personnel issues, not just HIV/AIDS. Disease transmission information will be included which covers TB, Hepatitis B, Legionnaire's Disease, Ebola, HIV/AIDS and Bloodborne Pathogens. These classes will be provided on a voluntary basis and will be instructed by agency personnel and training experts, as well as by medical or science professionals. However, policies and procedures which apply to HIV/AIDS, as well as all other life threatening illnesses, will be a part of required training for new supervisors and managers (as well as any managers and supervisors who may not have had the HIV/AIDS training.)

Question #8 - In the wake of adverse publicity AIDS training received, did your agency review its own training program? If so, what were the results of your review, and did you alter your program in any way after the review?

Yes. The Department's HIV/AIDS training was constantly monitored and changed to meet the needs of the employees and to meet the stated objectives and goals. Employee evaluations, recommendations, and opinions were considered very carefully.

As an example, information about First Aid Kits, their contents and locations became very important to employees. Employees wanted to know more about the blood supply and this information was added to the course. Television programs and newspaper articles about various types of viruses, especially Ebola, caused employees to ask more scientific questions. The novels Hot Zone, and The Coming Plagues added to these questions. As a result, NOVA Research Instructors were required to read a scientific and historical account of viruses, The Dancing Matrix by Renee Hellig.

Also, after the article, "Sessions on AIDS" by Mike Causcy in the Washington Post which was critical of HIV/AIDS training at the Office of Personnel Management, the Department of Energy became even more sensitive to reports of employee concerns. The Department of Energy continually took every effort to make the HIV training effective, appropriate, and sensitive to the needs of all employees. Because of the standards developed for the Department's training, many agencies have looked to the Department for leadership in the development of their own programs.

The Department of Energy followed the Federal guidelines issued by the Office of National AIDS Policy very closely. Personnel representatives and Mr. Donaldson monitored the classes for quality. During the training at Headquarters very few employees asked to be excluded from the classes. Through their organizational 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 the training could call the Department's contacts, Donald Donaldson or Paul Harris. Responses were overwhelming in favor of the training with few complaints. Instructors were informed immediately of both positive and negative evaluations and changes to the training were made immediately.

Question #9 - What other agency-wide mandatory programs has your agency conducted over the last five years, and how does the AIDS training program compare in design and delivery with those other programs?

The Department provides annual mandatory ethics training to employees at the GS/GM 13 level and above, as required by the Code of Federal Regulations. Employees who have security clearances are required to attend annual briefings. Personnel Management training is required for newly appointed supervisors. In some occupational series, job-related training is required to ensure technical competence and compliance with safety and health laws and regulations.

The design and delivery of the HIV/AIDS is very much like the other required courses. For instance, the HIV/AIDS course had many case studies which reflected the many different administrative and policy issues concerning HIV/AIDS in the workplace. Many of these case studies were used for managers and all other employees. The evaluation was very much like the evaluation instrument used for other classes.

Question #10 - Why did it take your agency so long to provide the information Chairman Mica asked for in his letter of March 30, 1995? As of the date of this letter, we have not yet received that information. Please identify each person who worked on preparing your response, describe his or her role, and indicate how long it took each person to accomplish his or her tasks.

The Department first responded to the Committee with a letter and a copy of the training manual which was mailed on May 12, 1995. Unfortunately, the Committee staff did not receive them. Upon learning that the letter had not been received, I asked Donald Donaldson to hand deliver the material on June 14, 1995. We have been in contact with your staff since June 1 to inform you of the progress of the remainder of the information. We certainly want to work very closely with your staff on these issues.

The employees working on this project took a great deal of time to compile a package of information which would be organized and responsive to the Committee's requests. The compilation process, as well as the review process, took many hours. Because of time constraints and limited personnel, we have not yet totally concluded the survey of our regional offices, and will need until July 17 to provide this information.

Mr. Donaldson is the only Department employee designated to research and coordinate this project. Since receipt of your March 30 letter, he has spent all of his time on this project.

Revision

DRAFT
PRIVILEGED AND CONFIDENTIAL

June 15, 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 you 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 also particularly regret that our letters crossed in the mail because I believe the information in my June 13 letter responds to the issues you have raised. As I state in that letter, please be assured that your comments and questions about the FWAEI have been taken seriously.

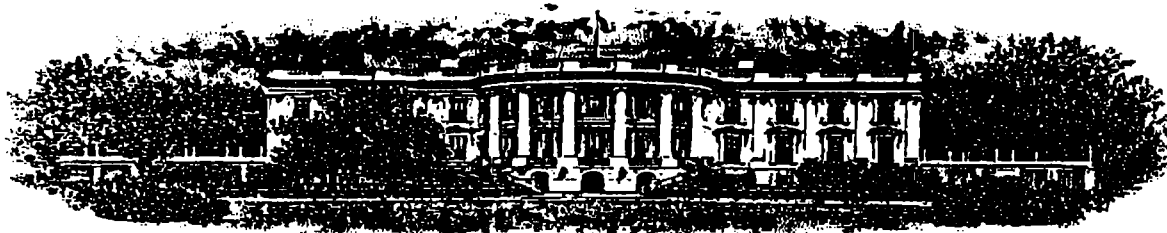
It is the general practice, long recognized by Congress and the Executive Branch, that members of the White House staff do not testify before Congress. However, I do believe that my June 13 letter provides the information you are seeking. Please do not hesitate to contact me with further questions.

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

Sincerely,

Patricia S. Fleming
Director
National AIDS Policy Office

The White House



COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 6/15
TO: James Castella
FACSIMILE NUMBER: 65279
TELEPHONE NUMBER: 66611
FROM: Steve Newman
TELEPHONE NUMBER: 67903
PAGES (WITH COVER): 2
COMMENTS: _____

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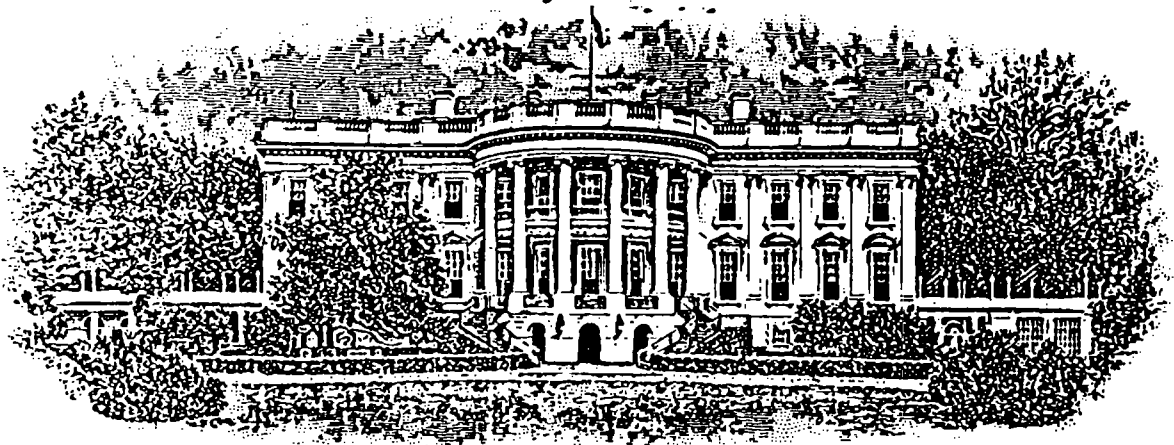
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TOTAL 0:01'42" 2

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The White House



COUNSEL'S OFFICE

FACSIMILE TRANSMISSION COVER SHEET

DATE: 6/15

TO: James Castells

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Letter #1

DRAFT
PRIVILEGED AND CONFIDENTIAL

June 1⁶~~4~~, 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:

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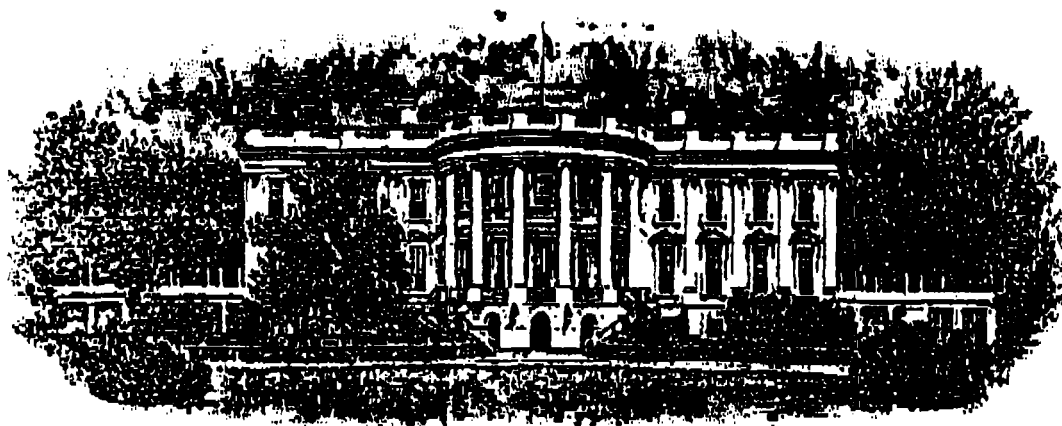
I appreciate your invitation to participate in the FWAEI hearing. I have been advised by the White House Counsel's Office, however, that it is the general practice, long recognized by Congress and the Executive Branch, that members of the White House staff do not testify before Congress. I do believe, 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,

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Director
National AIDS Policy Office

The White House



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Stephen Newirth -

For your review.

ling

|

DRAFT
PRIVILEGED AND CONFIDENTIAL

June 14, 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:

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

Sincerely,

Patricia S. Fleming
Director
National AIDS Policy Office

URGENT

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

LRM NO: 1752

FILE NO: 1031

6/21/95

LEGISLATIVE REFERRAL MEMORANDUM

Total Page(s): 16

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): 395-7362

SUBJECT: ENERGY Proposed Testimony on Federal Workplace HIV/AIDS Education Initiative

DEADLINE: 5:30pm Wednesday, June 21, 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: NOTE: THE ABOVE DEADLINE
IS FIRM !!

AGENCIES:

230-AGRICULTURE, CONG AFFAIRS - Vince Ancell (all testimony) - (202) 720-7095
328-HHS - Sondra S. Wallace - (202) 690-7760
217-JUSTICE - Kent Markus - (202) 514-2141
330-LABOR - Robert A. Shapiro - (202) 219-8201
261-Office of Government Ethics - Jane Ley - (202) 523-5377
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
Joe Lackey
Jonathan Winer
Maya Bernstein
Bruce McConnell
Roz Rettman
Jeremy Ben-Ami
Chris Jennings
Jennifer Klein
Diana Fortuna
{ Clarissa Cerda
Steve Neuwirth
Jodie Torkleson
Patsy Fleming
Barry Toiv
C. Konigsberg/L. Muniz
Jim Murr
Janet Forsgren

**RESPONSE TO
LEGISLATIVE REFERRAL MEMORANDUM**

**LRM NO: 1752
FILE NO: 1031**

If your response to this request for views is simple (e.g., concur/no comment), we prefer that you respond by e-mail or by faxing us this response sheet.

If the response is simple and you prefer to call, please call the branch-wide line shown below (NOT the analyst's line) to leave a message with a legislative assistant.

You may also respond by:

- (1) calling the analyst/attorney's direct line (you will be connected to voice mail if the analyst does not answer); or
- (2) sending us a memo or letter.

Please include the LRM number shown above, and the subject shown below.

TO: Melissa COOK 395-3924
Office of Management and Budget
Fax Number: 395-6148
Branch-Wide Line (to reach legislative assistant): 395-7362

FROM: _____ (Date)

_____ (Telephone)

SUBJECT: ENERGY Proposed Testimony on Federal Workplace HIV/AIDS Education Initiative

The following is the response of our agency to your request for views on the above-captioned subject:

_____ Concur
_____ No Objection
_____ No Comment
_____ See proposed edits on pages _____
_____ Other: _____
_____ FAX RETURN of _____ pages, attached to this response sheet

STATEMENT OF
CORLIS S. MOODY
DIRECTOR, OFFICE OF ECONOMIC IMPACT AND DIVERSITY
U.S. DEPARTMENT OF ENERGY
BEFORE THE
COMMITTEE OF GOVERNMENT REFORM AND OVERSIGHT
SUBCOMMITTEE ON CIVIL SERVICE
U.S. HOUSE OF REPRESENTATIVES
JUNE 22, 1995

OPTIONAL FORM 99 (7-80)

FAX TRANSMITTAL

of pages = 14

TO: <i>Melissa Cook</i>	FROM: <i>BARBARA BARNES</i>
Dept./Agency: <i>DOE</i>	Phone #: <i>586-6341</i>
Fax #: <i>395-6148</i>	Fax #: <i>586-5497</i>
NSN 7540-01-217-7008 5009-101 GENERAL SERVICES ADMINISTRATION	

Corlis S. Moody

Mr. Chairman and Members of the Committee:

Thank you for asking the Department of Energy to testify about a very important issue, HIV/AIDS training. HIV/AIDS training is authorized by the Government Employee Training Act, which was amended in 1994, and states, "In order to assist in achieving an agency's mission and performance goals, to improve employee and organizational performance, the head of each agency ... shall establish, operate, maintain, and evaluate... programs... for training of employees..."

In addition, the efforts of the Reagan and Bush administrations culminated in President Clinton's memorandum of September 30, 1993, "AIDS at Work", which was a commitment to do everything possible "to prevent discrimination against those infected by HIV." In his memorandum, President Clinton called on each cabinet member to implement "ongoing HIV/AIDS education and prevention programs" by World AIDS Day 1994 (December 1, 1994). The Department's training satisfies the requirements of the Government Employee Training Act and the President's memorandum.

HIV/AIDS creates a range of day-to day management challenges related to HIV disease -- job accommodation and disability requirements, concerns about confidentiality and privacy, discrimination issues, employee fears, harassment of infected workers, health insurance and health care costs, customer concerns, work disruptions, lawsuits, and declines in worker productivity and morale.

A review of current events, as well as research concerning workplace issues indicates that of the employee concerns, fear is the greatest. Fearful employees, including managers and supervisors, may act toward others in a manner that leads to unfair treatment, low morale and productivity problems.

In the past, fear has caused employees to avoid HIV/AIDS classes; some employees thought by attending HIV/AIDS classes that they might be "guilty by association" and perceived of either having HIV/AIDS or knowing someone who does. This type of reasoning was one of the primary factors which led to the requirements listed in the Federal Workplace HIV/AIDS Education Initiative.

The Department's HIV/AIDS training was designed to educate employees and eradicate unnecessary fears so that employees can work together to achieve the Department's mission. The training was also designed to answer present and future workforce needs. Let me explain with both national and local statistics.

In 1993, the National Commission on AIDS reported in its publication, HIV/AIDS: A Challenge for the Workplace, June, 1993. "The majority of the estimated 1 million HIV-infected individuals are between 25 and 44 years of age, so about one in every one hundred adults in this age group is infected. They are most likely to be employed, and in their prime working years. Sixty percent of the nation's work force falls within

this age range. People in this age range also are among the most sexually active and therefore, at increased risk of contracting HIV. "

As people with HIV/AIDS remain at work longer, employers must be able to manage HIV-related workplace concerns on a day-to-day basis. This means, among other things, staying abreast of health care options, legal and regulatory requirements, co-workers concerns, and maintaining a productive working relationship with affected individuals.

The Department's training was successful in bringing these varied topics together in a two and one-half hour session. Of the 3,639 Headquarters employees who evaluated our HIV/AIDS training program 85% of employees rated the training as "very good" or "excellent."

This year, the Centers for Disease Control reported that AIDS is now the leading killer of Americans between the ages of 25-44. We assume that the incident of HIV infection for DOE employees is the same as in the general population. Therefore, HIV/AIDS education is of utmost importance to the Department of Energy's employees.

Detailed answers to your requested questions are included in the information attached to this testimony. I'll be happy to answer any questions you might have.

Questions And Answers

Question #1 - What is the problem in the workplace that your agency's AIDS training is designed to address, and how will you evaluate whether it is successful? Is there, for example, a health problem at your agency related to AIDS?

The Department of Energy's HIV/AIDS training was designed to educate employees and eradicate unnecessary fears of encountering employees or members of the public with HIV. It was also designed to update employees on policy information concerning many administrative procedures related to HIV/AIDS, as well a number of other health and leave issues.

As people with HIV/AIDS remain at work longer, employers must be able to manage HIV-related workplace concerns on a day-to-day basis. This means, among other things, staying abreast of health care options, legal and regulatory requirements, co-workers concerns, and maintaining a productive working relationship with affected individuals. The Department's training was successful in bringing these varied topics together in a two and one-half hour session.

To evaluate success, and compile opinions of the course, an evaluation form was given to each attendee. Of the 3,639 evaluations received at Headquarters for approximately 4,400 attendees, over 95% rated the training in top categories (good, very good and excellent) for overall impression of the training. Fewer than two percent rated the training as "poor" or "fair." Two percent of respondents did not complete the item on overall impression.

A separate evaluation provided by the Red Cross is attached for training performed in late 1993 and early 1994, and this reflects equivalent approval ratings. (A chart reflecting these numbers, as well as formal comments received from employees, is included in Section #2 of Binder #1, in the material provided to the Subcommittee staff on June 14, 1995.)

Based on these evaluations, it can be concluded that the Department was successful in meeting the goals and objectives as listed in the Federal guidelines issued by the Office of National AIDS Policy.

In response to your questions about problems associated with HIV/AIDS, a review of current events, as well as research concerning workplace issues indicates that fear is the greatest problem. Fear causes some employees to not work with someone with HIV/AIDS. Fearful employees may act toward others in a manner that leads to unfair treatment, low morale and productivity problems.

Conversely, employees with HIV/AIDS may fear that others will "find out" about their infection. They fear being mistreated, shamed and shunned, when they must come forward to discuss absences associated with their illness. These employees fear losing their jobs, and fear losing the respect of their fellow employees.

In the past, fear has caused employees to avoid HIV/AIDS classes; some employees thought by attending HIV/AIDS classes that they might be "guilty by association" and perceived of either having HIV/AIDS or knowing someone who does. This type of reasoning was one of the primary factors which led to the requirements listed in the Federal Workplace HIV/AIDS Education Initiative.

Again "fear" is an important factor in computing the costs benefits analysis of this training. While I cannot give you specific dollar amounts, I can assure you that fear of coworkers with HIV/AIDS reduces productivity and increases conflicts. Consequently, managers lose production time. The Department's HIV/AIDS training reduced fear, and as a result, will reduce future loss of productivity and related personnel costs associated with these actions.

HIV/AIDS and other life threatening illnesses have a financial impact on the Department, both directly and indirectly. While the most commonly cited costs are associated with health, life and disability insurance and pension plan payouts, other less recognized costs involve those associated with employee replacement, retraining, and possible legal actions. Because the Department's training focused primarily on specific policies and procedures addressing these issues, we believe in the long run the Department will incur fewer complaints and therefore reduce the potential for any related legal and associated personnel costs.

The training was designed to answer present and future workforce needs. Let me explain with both national and local statistics. In 1993, the National Commission on AIDS reported in its publication, HIV/AIDS: A Challenge for the Workplace, June, 1993. "The majority of the estimated 1 million HIV-infected individuals are between 25 and 44 years of age, so about one in every one hundred adults in this age group is infected. They are most likely to be employed, and in their prime working years. Sixty percent of the nation's work force falls within this age range. People in this age range also are among the most sexually active and therefore, at increased risk of contracting HIV."

This year, the Centers for Disease Control reported that AIDS is now the leading killer of Americans between the ages of 25-44. We assume that the incidents of HIV infection for DOE employees is the same as in the general population. Therefore, HIV education is of utmost importance to the Department of Energy's employees.

Question #2 - Was employee attendance at your agency's AIDS training program mandatory?

Yes. After President Clinton's memorandum of September 30, 1993, and Kristine Gebbie's (former National AIDS Policy Coordinator), memorandum of October, 1993, attendance was required, but no enforcement actions have been taken against employees who did not attend.

Question #3 - How much has your agency spent (including all time employees spent in training) in conducting its AIDS training for employees.

Information in this part of the testimony will be limited to Headquarters training. We will provide information about regional HIV/AIDS education activities on July 17, 1995.

Since 1993, The Department has allocated \$127,000 to cover administrative support, development, and class training for the HIV/AIDS initiative at Headquarters. These funds provided enough classes for all Headquarters employees. These will be the only Headquarters contract costs for the initiative.

For Headquarters employees, we estimate that 4,500 employees spent approximately 2.5 hours each in HIV/AIDS training, a total of 11,250 hours. We estimate the average hourly cost per employee to be \$31; therefore, salary and training costs for AIDS training for these 4,500 employees is approximately \$100 per employee. (Actual training expense, per employee, is \$28).

Training costs for regional offices to be reported in July are expected to be less. Training was provided at many offices by employee assistance counselors, staff nurses, and local chapters of the Red Cross.

Question #4 - How does your AIDS training program meet the statutory objectives cited above?

HIV/AIDS creates a range of day-to day management challenges related to HIV disease -- job accommodation and disability requirements, concerns about confidentiality and privacy, discrimination issues, employee fears, harassment of infected workers, health insurance and health care costs, customer concerns, work disruptions, lawsuits, and declines in worker productivity and morale.

The National Commission on AIDS report, HIV/AIDS: A Challenge for the Workplace, also states that "Managers must balance the needs of HIV-infected employees with the need to ensure a productive and safe workplace -- in compliance with pertinent laws such as the Americans with Disabilities Act, and regulations of the Occupational Safety and Health Administration". Departmental administrative procedures which included equal opportunity employment, employee assistance programs, leave administration, leave bank, insurance issues and disability retirement were all included in the HIV/AIDS training.

A number of administrative and compliance policies have been enacted since 1990. These policies must be communicated clearly to managers and employees. Information about recent Congressional Acts, such as the FEGLI Living Benefits Act, and the Federal Employees Family Friendly Leave Act, were included in the training because both directly relate to HIV/AIDS issues in the workplace. The HIV/AIDS training became a vehicle for managers to be updated about current important issues.

The following compliance issues were an important part of the case studies in the HIV/AIDS training.

- (A) The Privacy Act protects medical documentation about a person's illnesses
- (B) The Rehabilitation Act was revised in 1992 to include language from the Americans with Disabilities Act of 1990. The ADA covers people "perceived or regarded as having HIV because of their status in a group perceived as being at high risk (for example, gay men, people of color in urban areas). Also covered are relatives and associates of people with HIV insofar as their association with the infected individual is the reason they are discriminated against. This is an important inclusion, since Federal employees often are caregivers for family members and loved ones.
- (C) The Family and Medical Leave Act of 1993, resulted in changes to administrative policy at the Department, and this information directly relates to all employees who may be impacted by serious illnesses. In 1994, the definition of "family" was expanded by the Federal Employees Family Friendly Leave Act. This information and its interpretation was conveyed through this training.
- (D) The Occupational Safety and Health Administration's Final Bloodborne Pathogens Standard took effect in March 1992. This standard is designed to protect an estimated 5.6 million employees who work in occupational settings where there is a risk of HIV or hepatitis B (HBV) infection because of exposure to blood and other body fluids. The standard mandates engineering controls, work practices, and personal protective equipment that, combined with employee training, will reduce on-the-job exposure risks. Significantly the

standard also applies not only to health care workers but also to "downstream" employees such as housekeeping staff, janitors, and others. This information was included in the training to answer questions about transmission at work.

Question #5 - What legal authority authorized the AIDS training you conducted?

HIV/AIDS training classes are authorized under the Government Employee's Training Act which states: "In order to assist in achieving an agency's mission and performance goals by improving employee and organizational performance. . ." "Agencies shall establish, operate, maintain, and evaluate programs for the training of employees." As noted earlier, this training was designed to educate employees and eradicate unnecessary fears so that employees can work together to achieve the agency's mission.

President Clinton's memorandum of September 30, 1993, culminated the efforts of the previous administration by calling on cabinet members to implement "ongoing HIV/AIDS education and prevention programs by World AIDS Day, 1994." The Department's training satisfies the requirements of the Government Employee's Training Act, as well as the President's memorandum.

Question #6 - Who selected the individual trainers for your AIDS training program? What criteria were used in making that selection? Please identify and provide copies of any questionnaires, rating guides, or other documents used in making those selections?

Contractors were selected by Corlis S. Moody, Director of the Office of Economic Impact and Diversity, and Donald Donaldson, a Department of Energy Federal employee. Mr. Donaldson, a nationally recognized trainer, was assigned to lead the program because of his training qualifications, his teaching experience, educational background, and interest in HIV/AIDS.

Representatives from our personnel department were chosen from the Office of Employee Relations because of their job responsibilities which include training in personnel and managerial issues, as well as experience with the subject matter. These instructor's names and positions in the Department are included in the Introduction Section of the Binders submitted previously.

The Department used two contracting sources for the Federal Workplace HIV/AIDS Education Initiative. The companies trained and hired their own instructors. The Red

Cross used a training class to certify their instructors. Instructors of NOVA Research were hired by NOVA, and a review was made of their qualifications as listed in their capabilities statement. Donald Donaldson also monitored the classes and was responsible for improvements, as well as contractor oversight. He also instructed some of the classes. This information was provided to you previously.

Cost comparisons and class design comparisons were made with Westover Consultants, Red Cross, the Whitman-Walker Clinic, NOVA Research, and the Office of Personnel Management. Whitman Walker was not chosen because they did not provide adequate classroom materials, and OPM and Westover were not chosen because of costs.

Because the Department was a lead agency and attentive to the time frames stipulated in President Clinton's memorandum, the Department acted quickly and followed the lead of the White House Executive Offices and selected the National Chapter of the American Red Cross to conduct pilot sessions.

The Department initiated several pilot sessions with both Red Cross and Nova Research. Following the Federal guidelines for the initiative, the Department looked for instructors with proven track records in HIV education, and a company that could retain a staff of competent, consistent, reliable, instructors who could follow the Department's specific directions for the training.

Much of the information which shaped the Department's HIV training was designed to answer questions and gain experience from input by the members of the pilot groups (which included almost every major DOE organization, and Operations Offices).

The Red Cross has a national, standardized training program which allows for some modifications and tailoring to meet specific company/agency needs. However, training by them was discontinued because the organization was not able to meet our demands for specific instructors designated by us for every training, nor could they meet all our directions and objectives within the context of their program.

NOVA Research was chosen because they could conduct an HIV/AIDS class which could evolve to meet the needs of our employees. Also they were chosen because of the experience of their instructors, as well as the experience they had with other organizations as listed in their capability statement. NOVA Research also was capable of providing the production capabilities to help publish a definitive HIV/AIDS workbook, later to become the Department's training manual, Walkin' The Talk.

Employee evaluations, both oral and written, were used to institute adjustments and ensure that the training objectives were met. Approximately 3,600 evaluations were submitted previously. As well, Mr. Donaldson coordinated with other agencies to

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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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INDEPENDENT

MAJORITY—(202) 225-8074
MINORITY—(202) 225-8081

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."

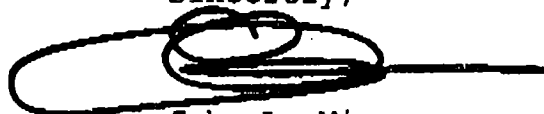
10. Copies of all correspondence, notes, memoranda, recordings, or other documents (including non-identical copies of all such documents and documents stored on computers, computer disks or tapes, or electronic mail) that relate or refer to criteria for the selection of instructors for AIDS training.

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 read "John L. Mica", with a long horizontal line extending to the right.

John L. Mica
Chairman
Subcommittee on Civil Service

100-10-1000 12-00 FROM WHITE HOUSE AIDS POLICY TO 5438184 1.02

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 Administrations, 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.

MEMORANDUM OF AGREEMENT**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) will be 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 during Fiscal Year 1995 to the financial support of the Task Force. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Task Force.

II. AUTHORITY:

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

III. THE UNDERTAKING:

HUD agrees to make advances to OPD in an amount not to exceed \$55,000 in Fiscal Year 1995, for its expenditures for, but 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 whomever the Secretary shall designate.

IV. PERIOD OF AGREEMENT:

This agreement commences immediately and shall remain in effect until September 30, 1995. 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 509 of Public Law 103-123, the Treasury, Postal Service, and General Government Appropriations Act, 1994; 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

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

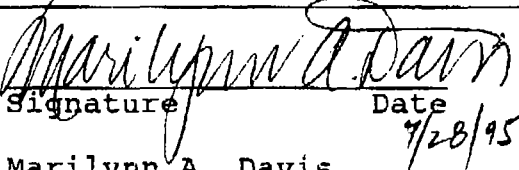
Jurg Hochuli, Director
Financial Management Division
Office of Administration
(202) 395-3793

VII. FINANCIAL PROVISIONS:

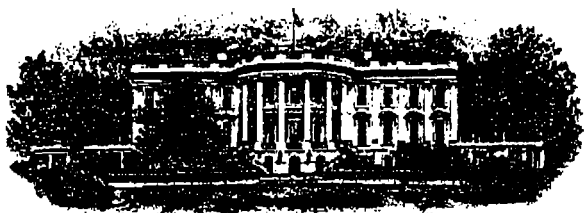
OPD will bill HUD for an advance of funds not to exceed an annual amount of \$55,000 via the Online Payment and Collection System (OPAC). Such requests will cite the number of this agreement, appropriation symbol and other accounting identification codes.

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 \$55,000, in Fiscal Year 1995. 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

ALC: Appropriation Symbol: _____	THE EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF ADMINISTRATION Washington, D.C. 20500 Attn: Andrea Rutledge (202) 456-2500 ALC: 11-01-0003 Appropriation Symbol: 115220 Index Code J105E
 Signature _____ Date <u>7/28/95</u> Marilynn A. Davis Asst. Secretary for Administration	Signature _____ Date _____ Jurg Hochuli Director Financial Management Division
Signature _____ Date _____ Andrea S. Rutledge Director, White House Administrative Office	

WHITE HOUSE OFFICE
MANAGEMENT AND ADMINISTRATION
ADMINISTRATIVE OFFICE, ROOM 1



FAX TRANSMITTAL COVER SHEET

Date: <i>1 Aug 95</i>	TO: <i>Steve Neuworth</i>
FAX No: <i>6-1647</i>	OF:

Comments:

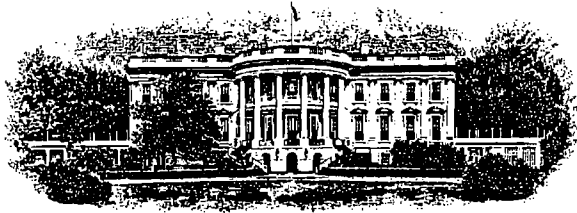
From:

Andrea R.

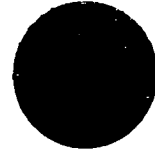
Telephone: 202-456-2500

Fax No: 202-456-6472

Number of Pages (including cover page):



**EXECUTIVE OFFICE OF THE PRESIDENT
WHITE HOUSE OFFICE
MANAGEMENT AND ADMINISTRATION**



TO: Nelson Cunningham
✓ Steve Neuwirth
Jurg Hochuli
Jodie Torkelson

FROM: Andrea S. Rutledge

DATE: July 26, 1995

Re: Interdepartmental Task Force on AIDS

The original IAG between HUD and OPD for support of the AIDS group was lost at HUD. They have taken advantage of this lull and made some revisions to the document. Attached is a copy of the revised IAG between OPD and HUD for support of the Interdepartmental Task Force on AIDS. The changes were submitted by HUD and are as follows:

- (a) The group shall be referred to as the Interdepartmental Task Force on AIDS. This change is at the request of HUD. The AIDS Policy Coordinator's staff provided the title for the group.
- (b) HUD has used the Economy Act as the only authorization for the agreement.
- (c) Section III has been retitled "The Undertaking" and the first two sentences have been combined into one. A second paragraph was added to Section III regarding HUD's representation on the Task Force.

These changes do not appear to substantially alter the agreement. If you do not have objections to the language of the agreement, I would like to advise HUD that the document can be submitted for signature.

If you have any questions, please do not hesitate to call me.

Thanks.

Attachments

MEMORANDUM OF AGREEMENT

DRAFT

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 National HIV/AIDS Policy Office~~. *The Interdepartmental Task Force on AIDS. (encl. 1)*

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

II. AUTHORITY:

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

III. THE UNDERTAKING:

HUD agrees to reimburse OPD in an amount not to exceed \$55,000 in Fiscal Year 1995, for its expenditures for, but 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 whomever the Secretary shall designate.

IV. PERIOD OF AGREEMENT:

This agreement commences immediately and shall remain in effect until September 30, 1995. 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.

DRAFT**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 509 of Public Law 103-123, the Treasury, Postal Service, and General Government Appropriations Act, 1994; 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

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

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

VII. FINANCIAL PROVISIONS:

OPD will bill HUD for an advance of funds not to exceed an annual amount of \$55,000 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 \$55,000, in Fiscal Year 1995. 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.

DRAFTVIII. APPROVALS

ALC: Appropriation Symbol: _____	THE EXECUTIVE OFFICE OF THE PRESIDENT OFFICE OF ADMINISTRATION Washington, D.C. 20500 Attn: Andrea Rutledge (202) 456-2500 ALC: 11-01-0003 Appropriation Symbol: 115220 Index Code J105E
Signature _____ Date _____ Marilyn A. Davis Asst. Secretary for Administration	Signature _____ Date _____ Jurg Hochuli Director Financial Management Division
Signature _____ Date _____	Signature _____ Date _____ Andrea S. Rutledge Director, White House Administrative Office

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 National HIV/AIDS Policy Office.

The Department of Housing and Urban Development (HUD) will be actively involved in this interdepartmental effort and has a substantial stake in the success of the Policy Office's work. HUD is solely responsible for funding the administrative support of the Policy Office. The Office of Policy Development (OPD), Executive Office of the President, will provide administrative services to the Policy Office for HUD.

II. AUTHORITY:

This agreement is entered into under the authority of 31 U.S.C. § 1346(b); § 601 of the Economy Act of 1932, as amended, 31 U.S.C. § 1535 and 1536; and the authorizing legislation of the two agencies.

III. GOODS/SERVICES TO BE PERFORMED:

Under this interagency agreement, OPD agrees to provide administrative support, financed by HUD, to the Policy Office. The cost of such support shall not exceed \$55,000 in fiscal year 1995. 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.

IV. PERIOD OF AGREEMENT:

This agreement commences upon signature by all parties and shall remain in effect until September 30, 1995. 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 509 of Public Law 103-123, the Treasury, Postal Service, and General Government Appropriations Act, 1994; 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

Marilyn Davis
Assistant Secretary for Admin.
U.S. Department of
Housing & Urban Dev.
Washington, DC

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 \$55,000 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 \$55,000, in fiscal year 1995. 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.

<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: 1152200 Index Code: J105E																						
<u>CUSTOMER AGENCY APPROVALS:</u>	<u>SERVICING AGENCY APPROVAL(S):</u>																						
<table border="0"> <tr> <td>Signature</td> <td>Date</td> </tr> <tr> <td>Marilyn Davis</td> <td></td> </tr> <tr> <td>Assistant Secretary for</td> <td></td> </tr> <tr> <td>Administration</td> <td></td> </tr> <tr> <td>Department of Housing & Urban</td> <td></td> </tr> <tr> <td>Development</td> <td></td> </tr> <tr> <td>Washington, DC</td> <td></td> </tr> </table>	Signature	Date	Marilyn Davis		Assistant Secretary for		Administration		Department of Housing & Urban		Development		Washington, DC		<table border="0"> <tr> <td>Signature</td> <td>Date</td> </tr> <tr> <td>Jurg Hochuli</td> <td>7/14/95</td> </tr> <tr> <td>Director</td> <td></td> </tr> <tr> <td>Financial Management Division</td> <td></td> </tr> </table>	Signature	Date	Jurg Hochuli	7/14/95	Director		Financial Management Division	
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Andrea S. Rutledge	7/13/95																						
Director, White House																							
Administrative Office																							

**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: 6/13/95

PAGES INCLUDING COVER SHEET: 5

COMMENTS:

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 Administrations, 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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**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 Dir PROVINCIO

FAX NUMBER: 456-1647

FROM: Patsy Fleming

DATE: 6-8-95

PAGES INCLUDING COVER SHEET: 4

COMMENTS:

- ① procedure for selecting who does training and names
- ② justification for the program in terms of "improving employee and organizational performance."

Document Neagen
Admin notes of program

June 8, 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 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 quite seriously.

FWAEI builds on an effort begun in March, 1988, during the Reagan Administration by the Office of Personnel Management to provide Federal employees with information about the human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS). 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.

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September 1993

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 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.

As you can see, ~~nowhere~~ ^{will nothing} in the guidelines is there anything that would encourage, condone, or support efforts to breakdown religious beliefs, 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, be assured that I will take prompt action if such incidents are brought to my attention.

(5)

you can

Page 3

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 needed 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. *that would permit us*

The Federal Workplace HIV/AIDS Education Initiative has been carefully planned and implemented and has been a tremendous success. ~~I have provided you with the documents that have shaped this effort.~~ If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

Patricia S. Fleming
Director
National AIDS Policy Office

This letter and the enclosed documents are intended to provide you with the information needed to address the issues set forth in your letter.

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.

THE WHITE HOUSE
WASHINGTON

Steve -

Please look
over intro &
conclusion to see
if its OK.

Thank!

6-783/

Reg
Lm 143

THE WHITE HOUSE
Office of the Press Secretary

DRAFT

DRAFT PRESS RELEASE

For Immediate Release

June 12, 1995

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

The President today announced his approval of the following 21 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.

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 is 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 a registered nurse who has worked in the pediatric and adolescent HIV/AIDS wards since 1983 when HIV was first diagnosed in children. She 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 also the Director of the AIDS Program at the Children's Hospital of New Jersey. She has conducted research and published extensively on comprehensive care and treatment of children.

NICHOLAS BOLLMAN of California is 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 and is currently Co-Chair of the Public Policy and Leadership Committee of Funders Concerned About AIDS.

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 an 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 is a person living with AIDS who has been an advocate, speaker and organizer for people with AIDS and AIDS related viruses. He received national prominence when he spoke at the 1992 Democratic National Convention. Mr. Hattoy has a long history of involvement in AIDS issues, environmental policy and civil rights cases.

R. SCOTT HITT of California 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 as National Co-Chair of the Gay and Lesbian Victory Fund and also serves on the Board of Directors of AIDS Project Los Angeles and ANGLE (Access Now for Gay and Lesbian Equality).

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 for and educates 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 the 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 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 Los Angeles 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.

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.