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Affirmative Action

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February 16, 1995



Affirmative Action
[General Points]

- Deep commitment to racial progress is part of who I am and the life I've lived. Affirmative action has contributed to that progress. It is not, however, a perfect tool -- and no thoughtful person would say that it is.
- But here's the problem: In recent decades the nation has seen too many periods when politicians used race as a wedge issue to divide Americans. Now we hear some politicians sharpening that wedge yet again. Devising a strategy of code word and division.
- Instead, I will pursue a strategy of healing and progress.
- Underneath the generalities, these are tough issues. We do need an honest debate about what works and what doesn't. The noisy people who want that debate to be about how to rollback our hard-won progress are dead wrong, and they don't understand this nation's character.
- I want a discussion about how to move *forward* instead of backward. You can't keep race out of politics. But my belief has always been that you win *not by dividing people* by race or otherwise, but by pulling people together.
- That's what I'm trying my best to do.

February 16, 1995

Affirmative Action

[Policy Framework]

- "Affirmative action" means lots of different things, and comes in many forms. We can't have a decent discussion in sweeping generalities and old code words. But a few things are clear:
 - Despite progress, discrimination still exists, and we shouldn't forget that.
 - Some measures called "affirmative action" are just too extreme -- the best examples are rigid quotas or numerical straight jackets when there's been no proof of specific wrongdoing.
 - But other approaches, if narrowly tailored, can make sense. There's a right way, and there's a wrong way. We need a discussion to define the differences.
- The hard debate isn't about remedies for specific acts of discrimination. The hard issues arise when we move beyond that because we care about being *inclusive*. We can't turn back just because it's hard, because inclusiveness is an important goal:
 - First, inclusion is a means of *empowering individuals* to realize their full potential and thus contribute to the well-being of their families and communities.
 - Second, *inclusiveness benefits America as a whole*, because our lives are richer as a result of social diversity, and because our communities and our economy are stronger when all of us are full participants -- carrying both a full load of responsibilities, and a full complement of opportunities.

THE WHITE HOUSE
WASHINGTON

March 9, 1995

MEMORANDM FOR LEON PANETTA, GEORGE STEPHANOPOULOS, MAGGIE
WILLIAMS, HAROLD ICKES, SKILA HARRIS

FROM: Alexis Herman

SUBJECT: Invitees to Dinner on Affirmative Action

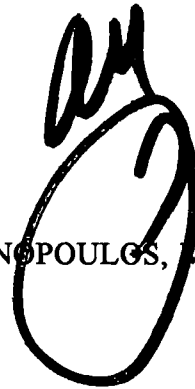
The purpose of this dinner is to bring in a cross-section of leaders in preparation for the President's speech to give him an opportunity to (1) test his assumptions about affirmative action, and (2) to create a universe of spokespersons externally to support his strategy.

Attached is the list of people I am proposing that we invite to the dinner on Monday night. Using recommendations from the Vice President, I have tried to find people who represent a cross-section of the following four categories:

- Opinion leaders who are knowledgeable on this issue, whom the press will call and who have a constituency following.
- Opinion leaders who are well-grounded on this issue and whom the press will call, but who do not have a constituency.
- Individuals who are well-grounded on this issue and who have a constituency to mobilize in support of the President's strategy, but who are not generally visible in the press.
- Individuals who are knowledgeable on the issues, but who do not have a constituency following and who are not prominent in the press.

Please review this list and let me know your comments by 9am so that we can proceed with the invitations.

Thank you.



13 0074



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FAX TRANSMISSION

March 6, 1995

Mr. Michael Lux
Office of Public Liaison
The White House
Washington, D. C.

Dear Mike:

For reasons that are altogether understandable, I keep trading phone calls with George and Alexis. I was hoping I might prevail upon your good offices to learn whether they would like me to follow-up on our discussions and bring a delegation of representatives from BSR member companies to Washington to meet with one or both of them at the White House.

My understanding is that this would be an opportunity for delegation members to express their views about affirmative action, suggest ways their companies and other businesses might be helpful and offer their reactions to ideas and strategies you may have under consideration.

The group would be six to ten people counting myself, but we could make it whatever size you wish.

I have assumed we would try to do this within the next few weeks, but timing is flexible for us -- though participants would vary based on their availability. So far the following people have expressed a wish to attend if possible:

Toni Fey, Senior VP Marketing, Time Warner
Gail Snowden, President, Bank of Boston Community Bank
Judy Belk, VP Community Affairs, Levi Strauss & CO.
Jim Coles, VP Public Affairs, Clorox
Ken Frietas, VP Community Enterprises, Timberland
Bob Miller, Senior VP of Marketing, Federal Express

I've thought of adding a few smaller companies as well and substituting other large members such as Home Depot, Taco Bell, Reebok, Merck, etc.

Late in the day on the 14th of March or the morning of the 15th is possible; the week of the 21st would probably be better.

We'd be pleased to do this if it would be helpful to Alexis and or George.

Thanks for your help.

Robert H. Dunn
Robert H. Dunn, President and CEO

E X E C U T I V E O F F I C E O F T H E P R E S I D E N T

13-Mar-1995 05:56pm

TO: Amanda Crumley
TO: Heather Beckel
TO: Rahm Emanuel
TO: John B. Emerson
TO: Janice A. Enright

FROM: Thomas S. Epstein
 Office of Political Affairs

SUBJECT: Willie Brown/affirmative action

FYI--Willie Brown met with the L.A. Times bureau in D.C. today. He apparently told them if the President changed "one dot" of existing law on affirmative action, he doesn't deserve re-election.

FAX TRANSMISSION**To:** Mr. George Stephanopolis**FAX No.:** (202) 456-6703**FROM:** REBECCA GORDON, PRESIDENT, IMMIGRANT RIGHTS
COALITION ✓**FAX No.:** (415) 282-3947**ADDRESS:** 347 DOLORES ST., #210
SAN FRANCISCO, CA 94110

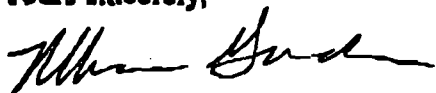
Dear Mr. Stephanopolis,

This communication addresses you in your capacity as director of President Clinton's review of federal affirmative action practices. Many of us here in California and around the country are very concerned that the President understand he must not abandon the decades-long struggle for equal justice for all Americans.

Now is not the moment to give up on affirmative action. Sadly, a look at employment, housing, education and other economic data makes it clear that there is still plenty of discrimination against women and minorities in this country. Unfortunately, it remains true even today that all individuals do not receive the same opportunities regardless of sex, race, color, or national origin. To ignore this fact and deny businesses or public entities the legal right to take action where there are remaining vestiges of discrimination condemns us to perpetuate unequal opportunity.

We are confident that your review will tell you what we already know: affirmative action programs have been among the most effective tools in combatting discrimination in employment and education. But that battle is not over yet. It's vital that the President and his Administration continue to stand firm in support of equal opportunity for all Americans. Thank you.

Yours sincerely,



P.S. All of California cares about this issue. Don't let your party be fooled into abandoning its loyal base!

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Rolling Hills Estates, CA 90274-4215
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FACSIMILE TRANSMITTAL

DATE: March 11, 1995

TO: Doug Sosnik
George Stephanopolis

CC: The Hon. Barbara Boxer
The Hon. Dianne Feinstein
The Hon. Jane Harman
Betsy Myers

FROM: Kathleen T. Schwallie

MESSAGE: I am writing on behalf of the National Association of Women Business Owners as co-chairperson of its Procurement Special Interest Group. We are confident that upon completing his review of federal affirmative action programs, the President will conclude that goals programs which remediate for discrimination against women-owned firms have succeeded, and that only by retaining these programs and enhancing them can women contractors make further gains.

In 1993, only 1.8% of federal government contracts were awarded to women owned businesses despite the fact that they comprise approximately 30% of all businesses in this country. The taxpayers are not receiving the best value for their tax dollars when many of this country's most efficient and innovative firms-- women-owned firms--do not have the opportunity to compete. And that is all they want is to compete - not to be given preferential treatment.

NAWBO supports the continuation of all goals programs for women-owned businesses. Replacing goals programs with others based on "need" will not ensure we have a gender-blind procurement system. NAWBO does not support set-aside programs.

This Administration has taken an important step forward to reform these programs by pursuing the use of certification of women-owned businesses, rather than self-certification. In the future, only those businesses which are truly owned and controlled by women will benefit from goals programs.

The President must not retreat on enforcement of equal opportunity laws. His leadership on this issue will be pivotal to their continued success.

Number of pages, including this transmittal sheet: 1

A & E Telecommunications Agency

TO: George
Stephanopoulos

FAX: 202-456-6703

DATE: 3/12/95

Number of Pages: 2
including Cover Page (Call 908-238-7006 if all not received)

FROM: Eileen McKyton

FAX: 1-908-238-9852

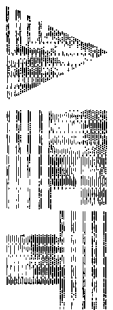
PHONE: 1-908-238-7006

REMARKS:

To: Alexis
Fr: GS
(FYI)

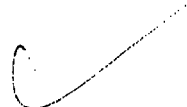
P.O. Box 117, Spotswood, N.J. 08884 Telephone 908-238-7006,
1-800-205-9966, Fax 908-238-9852

A&E Telecommunications Agency



March 11, 1995

George Stephanopoulos
Senior Advisor on Police and Strategy



Dear Mr. Stephanopoulos,

I am a white female small business owner, and I am writing to ask that the President not support affirmative action as it exists today. I do not believe in discrimination and affirmative action perpetrates discrimination. I do support something like blind procurement.

My own personal reasons are some of the horror stories I have heard resulting from affirmative action that have resulted in both discrimination and reverse discrimination:

One large company gives personnel a list of not just qualifications but also age, sex and race of the employee that must be hired to fill a position.

One company doing business under the set aside program could not obtain more business from the contractor, not because they did a poor job, but because if they were to use that particular company for other jobs their set aside percentage would be increased the next year.

I was at a meeting with 9 other women preparing to run as delegates for the White House Conference on Small Business and we were in total agreement against affirmative action as it now exists. We concluded that it not only builds resentment between sex and race, but people believe us to be less qualified thinking that we got the job because of affirmative action so they dismiss us as being less than qualified or capable even though we are.

We only want an equal opportunity to reach the heights that we are capable of reaching!

Sincerely,

Eileen McKyton

cc: Doug Sosnik, White House Political Director

Date: 03/15/95 Time: 19:37

Liberals, Women Press Clinton to Hold Fast on Affirmative Action

WASHINGTON (AP) Raising their voices in the stormy debate over affirmative action, liberal Democrats and women's advocates pressed President Clinton on Wednesday to resist political pressure to retreat.

"We will not be eliminated from this debate," said Eleanor Smeal, president of the Feminist Majority.

In White House meetings, Capitol Hill speeches and a march across Pennsylvania Avenue, traditional allies of Clinton and his party intensified their lobbying as the president neared the end of his review of federal programs that favor minorities.

It threatens to become a key issue in the 1996 campaign, with Clinton needing support from the liberal wing of his party even as he casts himself as a centrist Democrat not beholden to the left.

Some of his visitors walked away confident that Clinton will not roll back. But he also faced skepticism and frustration from some old political friends, showing how difficult the issue has become.

"He indicated clearly that as it now stands that there is insufficient basis for abolishment of affirmative action," said Willie Brown, speaker of the California Legislature, after a private meeting with Clinton.

And Patricia Ireland, president of the National Organization for Women, said White House officials assured women's advocates that Clinton supported affirmative action programs based on gender.

But Maxine Waters, D-Calif., said minorities and women will no longer stand with Clinton or his party if affirmative action is abandoned.

"No party is so important that we will belong to it if it undermines us on this issue. No president is so important that we will belong to him if he undermines us on this issue," she said.

And Ireland said, "I am disturbed that we don't have a clear, firm statement already." She added, "Words are cheap and words are easy inside a closed conference room."

In announcing his review last month, Clinton promised to emphasize "need-based" programs, raising fears that some based on race or gender could be sacrificed.

Promising that Clinton will not turn his back on affirmative action, White House press secretary Mike McCurry had a firm response Wednesday for critics of the president's review.

"Ask them, 'What is a greater concern to you: Newt Gingrich and those in the Republican majority who would like to roll back affirmative action ... or the president of the United States who is trying in a sensible way to have a national conversation on this issue which results in good, common sense policy,'" McCurry said.

On Capitol Hill, Republicans pressed Clinton from the other end of the political spectrum. Senate Majority Leader Bob Dole accused the Justice Department of fostering reverse discrimination in its legal opinions.

"The bottom line is that the president's affirmative action review cannot have credibility if the affirmative action policies of his own administration are fundamentally flawed," Dole said.

The issue dominated meetings Clinton conducted Wednesday with California's state lawmakers and a group of liberal Democratic House members. White House aides George Stephanopoulos and Alexis Herman also met with a coalition of woman's groups that marched three blocks to the White House to raise their concerns.

Brown said that Clinton suggested in his meeting that the California ballot issue to abandon all state affirmative action plans is ``not a good idea.'' According to Brown, Clinton said he might advocate changes in some programs but it should not be viewed as a retreat from his overall support.

Clinton's evening meeting with liberal Democrats was interrupted after more than an hour when lawmakers scurried for a House vote. Rep. Charles Rangel, a black lawmaker from New York, said after the meeting, ``I feel pretty good about where we are.''

In a series of gatherings at small dinners and formal White House meetings over the past few weeks, Clinton has sought advice from a wide range of politicians, advocates and academics. Aides said he may reveal his plans as early as next week in a major policy speech.

They say Clinton has not given any hints about what he will do, other than his general commitment to improve any unfair programs.

A participant in a Monday night dinner meeting with Clinton said the president expressed concern that Republicans would try to incite voters with the issue in 1996. Aides say Clinton hopes to make a case in the speech that affirmative action programs, when operated correctly, benefit all Americans.

While the president wrestles with the topic, he is at the center of a tug-of-war between liberal Democrats fighting to preserve programs and conservative Democrats aligned with Republicans to argue that affirmative action irks middle-class voters, particularly white males.

APNP-03-15-95 1942EST

NEWS

FROM:

U.S. SENATOR FOR KANSAS

SENATE MAJORITY LEADER

Bob Dole



FOR IMMEDIATE RELEASE
Wednesday, March 15, 1995

Contact: Clarkson Hine
(202) 224-5358

AFFIRMATIVE ACTION

DOLE TO INTRODUCE LEGISLATION TO REMOVE PREFERENCES FROM FEDERAL LAW AND TO PROMOTE COLOR-BLIND IDEAL

To his credit, President Clinton has initiated a long-overdue "review" of all federal affirmative action laws.

After nearly thirty years of government-sanctioned quotas, timetables, set-asides, and other racial preferences, the American people sense all too clearly that the race-counting game has gone too far. The President is responding to these pressures, and his review could not have come at a more propitious time.

Administration Must Review Own Misguided Policies

But first things first. As the President conducts his review, he should also revisit some of the misguided "affirmative action" policies of his own administration.

For starters, he should take a few moments to read the Justice Department's brief in the Piscataway Board of Education case, which is now pending before the Third Circuit Court of Appeals.

In Piscataway, the Justice Department has taken the position that, when an employer is laying off employees, an individual American can legally be fired from her job because of her race. That's right: our nation's top law enforcement agency says that it's perfectly legal, as a way to achieve workforce diversity, to tell a person that she can no longer keep her job because she happens to have the wrong skin color.

This is an insidious position...one that goes beyond current law...and one that the President should emphatically reject.

The bottom line is that the President's affirmative action review cannot have credibility if the "affirmative action" policies of his own administration are fundamentally flawed. Correcting these policies, not reviewing old ones, should be the president's first priority.

Fight Illegal Discrimination, Don't Abandon Color-Blind Ideal

With that said, let's remember that to raise questions about affirmative action is not to challenge our anti-discrimination laws. Discrimination is illegal. Those who discriminate ought to be punished. And those who are individual victims of illegal discrimination have every right to receive the remedial relief they deserve.

Unfortunately, America is not the color-blind society we would all like it to be. Discrimination continues to be an undeniable part of American life.

But fighting discrimination should never become an excuse for abandoning the color-blind ideal. Expanding opportunity should never be used to justify dividing Americans by race, by gender, by ethnic background.

Race-preferential policies, no matter how well-intentioned, demean individual accomplishment. They ignore individual

total value of its contracts each year to minority-owned and female-owned firms on the theory that these firms are "presumptively" disadvantaged.

Repeal Section 8 (a) Program, Unless Hearings Prove Otherwise

As a follow-up to the C.R.S. report, I have written to my colleagues, Senators Bond and Kassebaum, requesting hearings on the most prominent programs identified in the report--the Small Business Administration's section 8(a) program and Executive Order 11246, which has been interpreted to require federal contractors to adopt "timetables" and "goals" in minority- and female-hiring.

These hearings, I expect, will demonstrate that there are other, more equitable ways to expand opportunity, without resorting to policies that grant preferences to individuals simply because they happen to be members of certain groups. And unless the hearings produce some powerful evidence to the contrary, it is my judgment that the section 8(a) program should be repealed outright.

The hearings also provide us with the opportunity to rediscover the original purpose of Executive Order 11246. As signed by President Johnson, the Executive Order required government contractors to agree "not to discriminate against any employee or applicant for employment because of race, creed, color, or national origin... [And] to take affirmative action to ensure that applicants are employed... without regard to their race, creed, color, or national origin."

In other words, Executive Order 11246 defined affirmative action to mean "non-discrimination." There was no mention of timetables or goals. No mention of racial preferences. These concepts were later grafted onto the Executive Order not by Congress, but by regulation, the work of federal bureaucrats.

At a minimum, we should restore the original purpose of Executive Order 11246: to ensure that federal contractors do not discriminate. However, if the Executive Order continues to be used, and misused, as a hammer to force contractors to adopt race-based hiring practices, then it, too, should be repealed.

Legislation to Achieve Color-Blind Ideal

In fact, I intend to introduce legislation later this year that will force the federal government to live up to the color-blind ideal by prohibiting it from granting preferential treatment to any person, simply because of his or her membership in a certain favored group.

Of course, the government should fight discrimination where it exists...but, at the same time, it should be color-blind, race-neutral, both in theory and in practice.

Debate: What Kind of Country Do We Want America To Be?

I am hopeful about America. And I am optimistic, as we head into the 21st century, that the American experiment will continue to be a model of self-government and a source of hope for millions the world over.

But leadership also requires a sense of common purpose. We cannot continue to lead the world, if we are divided here at home.

Yes, we should celebrate our own differences. Yes, we should take pride in our own rich ethnic heritage. It is a source of great strength.

But, at the same time, we should not devalue the common bonds that define us as Americans. Too often, we speak in terms of a hyphenated identity: it's Italian-Americans, German-Americans, African-Americans, Irish-Americans, and not just "Americans."

Historian Arthur Schlesinger, Jr. probably put it best when he warned, and I quote: "Instead of a nation composed of individuals making their own unhampered choices, America increasingly sees itself as composed of groups more or less ineradicable in their ethnic character. The multiethnic dogma abandons historic

purposes, replacing assimilation by fragmentation, integration by separatism. It belittles unum and glorifies pluribus."

So, the coming debate over affirmative action will be much more than just a debate over "reverse discrimination." It will be a debate that forces us to answer a fundamental question: What kind of country do we want America to be?

Do we work toward a color-blind society? A society that judges people by their talents, their sense of honor, their hopes and dreams...as individuals? Or do we continue down the path of group rights, group entitlements...judging people not by their character or intellect, but by something irrelevant: the color of their skin?

America has always been a melting pot. But it should never become a place where race and ethnicity exclusively define who we are, how we think, and what we are supposed to believe.

1
###

Affirmative Action¹

I. The Need

A. Political

There is no generally understood core set of civil rights policies identified with New Democrats. The corollary is that Clinton's civil rights "definition" is hazy. The political challenge is to provide the intellectual content, and then a message and communication strategy to match.

Civil rights liberals, including most Blacks, *assume* Bill Clinton is "sympathetic" to the traditional aspirations, but have nagging anxiety about whether this sympathy equates to reliable support for efforts to reverse the Reagan Era retrenchments, or even reliable support for current legal doctrines and public policies, such as business set-asides. Civil rights conservatives assume Clinton is generally liberal in his racial sentiments, and then divide into two camps: the cynics expect pandering to the Democratic base in as disguised a way as possible, but conservatives looking for a reason to support the President *hope* they will see significant cracks in the orthodoxy.

In truth, many civil rights liberals may also hope for a crack in the orthodoxy -- at least in the *expression* of the orthodoxy -- because they fear that the old approaches and the old language have stalled our progress and produced a crisis in persuasion.

Finally, there is a strong measure of weariness among civil rights liberals. After a difficult decade of wedge politics, and after the frightening deployment of Federal resources on the opposite side of the barricades in several key litigation and policy battles, there is a deep hunger for a politics of healing, grounded in moral vision rather than electoral calculus. Beneath that hunger is an even deeper need among civil rights liberals and among minorities -- a need to know "Is the cause *safe*? Are we *safe*?"

¹ Notes:

This essay is written with reference to issues of race-based affirmative action, with specific concern for the political issues related to the African American community.

This essay does not represent Clinton Administration policy, nor the policy of any office, agency or official.

B. Substantive

The Administration faces several policy issues that we should address within a thoughtful (conceptual *and* political) framework, rather than piecemeal. The broad categories of immediate importance include:

- The permissible reach of judicial remedies in school and employment cases, especially when *de jure* discrimination and disparate treatment have ended, and the remedy seeks to address lingering effects embedded in a web of economic and social joint causation.
- The reach of voluntary affirmative action in employment and higher education, when such measures benefit individuals who are not themselves identified victims of specified acts of discrimination.
- The use of set-asides to enhance business opportunities.
- The upcoming California ballot initiative which, in the view of civil rights traditionalists, uses "color blindness" and anti-discrimination rhetoric to eviscerate affirmative measures by the State.

II. Basic Policy Framework

A. Moral Costs

Preferences have a moral cost, and therefore (i) must be justified and (ii) must be narrowly tailored, in means and duration, to fit that justification.

1. There is an important *ethical* distinction between preferences adopted as a remedy for past discrimination or exclusion, and those adopted to further other important ends such as diversity. The former purposes, being remedial in nature, generally carry more weight. They have, however, a factual predicate of wrongdoing and specific injury which makes them more difficult to use as justification for a racial preference.
2. There is an important *doctrinal* distinction between preferences adopted by a court for adjudicated remedial purposes, and those adopted voluntarily by governments or private persons.
 - Voluntary government actions deserve special scrutiny because, as the product of a political process, there is the familiar risk of majority tyranny. The *Croson* requirement of legislative findings is a valuable safeguard, provided it is not interpreted to require findings comparable in detail and specificity to what would be required in court to prove intentional discrimination against a specified individual. It is, in essence, a requirement of *deliberation* which forces a political legislature to think and weigh carefully. This is

a valuable check on state power, though not an absolute one.

- Voluntary government actions also deserve scrutiny because as wrong as it is when we injure one another, it is even worse when we are injured by our government. We therefore have a heightened collective duty to prevent abuses at the hand of government.
- Voluntary private actions deserve scrutiny (but not generally as much as governmental action) because of the risk that even well-intentioned private action will do unnecessary and unwarranted injury to the interests of non-beneficiaries. Private action may not fairly balance the ethical costs and benefits.

B. Defining Affirmative Action and Preferences

1. Varied Tools.

Affirmative action is a family of tools -- a range of measures which in practice stretches from low-intensity outreach, all the way to court-ordered goals and timetables and, in very rare cases, quotas.

- Quotas are and should be rarely employed, and never outside the court-approved remedial context. *Voluntary quotas, public or private, should be prohibited.*
- Set-asides are a form of affirmative action. If they establish a rigid numerical test, they are quotas.

2. Merit.

Affirmative action, when used properly, is consistent with merit. There are very rare instances when, in a court-ordered remedy, some aspects of merit have to take a back seat to righting a wrong. But these instances are and must be rare.

- When people design their affirmative action, they should make every effort to define a preference narrowly as a criterion for pulling someone into a pool for further consideration or, when the ultimate hiring or other decision is made, as a tie-breaking factor among comparably qualified individuals.
- "Comparably qualified" means just that. Qualifications that are sham devices to exclude mean nothing. Qualifications that are not reasonably related to the work or other tasks involved mean nothing. And when the "merits" are vague, the selection process highly subjective, and the history suggests exclusion, then it is especially important to be inclusive in defining what "qualified" actually means.

- Merit is important; indeed, it is an American value. It is one of the principles that distinguish us from other societies and cultures, now and historically, where life, liberty and happiness were contingent on heredity, caste and privilege.
- But we should also recognize that in many areas of our social and economic life, we look for "qualified" people or firms, and then use something other than merit to make the ultimate decision. We often make final decisions among the qualified randomly, or based on convenience, familiarity, or instinct. This is natural and fine, assuming the selection isn't tainted with prejudice. But we shouldn't confuse these nonformal ways of selecting among comparably qualified individuals with rigorous systems of pure merit. They are not. And modifying such "fuzzy" systems to include narrowly tailored affirmative action is just not as ethically objectionable as interfering with selection mechanisms truly based on merit.

C. Narrowly Tailoring Preferences: Preferences Have Costs

Because preferences are not costless in ethical or moral terms, any preference or affirmative action measure should be tailored to minimize the injury (actual or perceived) to the interests of non-beneficiaries. We must be especially concerned with legally cognizable interests, but not with those interests alone. And we must be especially concerned with non-beneficiaries who have not in any way benefited personally from patterns of exclusion.

1. "Tailoring" means:

- Clarify what the objective is. That is, state the intended result in terms of removing any vestiges of exclusion or securing the benefits of inclusion. This means being clear about what the evidence is that leads us to believe there is a problem in the first place -- typically a gross imbalance, viewed in the totality of the circumstances.²
- Understand the interests at stake, on all sides.
- Try to state what constitutes acceptable progress and success. When will the preference have served its purpose and no longer be needed?
- Consider the range of measures in increasing order of intrusiveness. One way of listing these is:
 - (i) review selection criteria to eliminate those not justified under true principles of merit;
 - (ii) broad outreach and recruiting;

² This tracks a formulation developed by the Department of Education, during the Clinton Administration, to test the legality of minority scholarship programs.

- (iii) targeted, group-specific outreach and recruiting;
- (iv) pulling qualified minorities into the pool of "finalists";
- (v) soft goals or targets;
- (vi) quotas.

- *Select the least intrusive measure that holds reasonable promise of effectiveness.*

2. This emphasis on *least intrusive methods* is fundamental, but potentially controversial in two respects. It is fundamental because it acknowledges that there is an ethical cost to racial preferences, and that we must judge in a given instance whether that cost justifies the progress that will result. By tailoring preferences to the least intrusive method, we minimize the ethical cost, and hopefully the divisiveness and social costs as well. Effectiveness is, of course, not an absolute. There is no running away from the balancing implied by this formulation. But facing that difficulty within a framework that attempts to respect the needs and aspirations of all concerned, is the best way out of the mess we are in.

This approach is potentially controversial because, first, it makes clear to conservatives that there will be circumstances -- and not rare ones -- when tailored race-conscious measures are desirable. But, second, the approach makes clear to liberals that they do not have a monopoly on virtue: that public policies and private practices must reflect ethical sensitivity both to the intended beneficiaries of preferences and to the unintended consequences for others.

III. Communications Framework: Curative and Remedial v. Aspirational and Empowering

A. An Edge for Pointed Clarity

To communicate the contrasts between our approach and those of the divisive Right and Old Left, we must sharp draw lines:

- Discrimination still exists. Agencies must clearly communicate research and enforcement data demonstrating that old-fashioned discrimination is alive and too well. Evidence produced by "testers" -- matched pairs of minority and majority job applicants, for example -- is especially compelling.
- Some voluntary and remedial measures are too extreme. We should point to examples that are unnecessarily intrusive, burdensome or injurious. And we should describe better alternatives
- Some specific measures that have been sharply criticized were, in fact, fully justified by the particular circumstances. Administration officials should explain a few of these pointedly, defending the appropriate use of tough medicine.

B. Curative and Remedial v. Aspirational and Empowering

As much as anything else, civic discourse on civil rights needs a language of healing rather than division. Beyond the more narrowly justifiable matters of blame-based cure and remedy, we pursue affirmative action and diversity to *empower* the individual beneficiaries and because we have *aspirations* as a nation to build strength through inclusiveness. These are alternatives to the language of blame, guilt and reparations.

There is more to affirmative action than providing a remedy to a proven incident of discrimination involving a victim and a perpetrator -- the *remedial* context. There is also the more general problem of addressing the lingering social and economic effects of past wrongs. These are manifest as contributing factors to the disadvantage suffered by many individually, and disproportionately by African Americans in the aggregate. This is the *curative* context.

But these are not enough. Both remedy and cure are terms that invoke the moral categories of victims and perpetrators, of innocence and fault. They invoke the analytical framework of cause and effect, of damages and reparations. As such, the terms are not politically effective when too many in the public simply do not believe in the predicate of wrongdoing, or feel that the preference benefits individuals whose own link to the wrongdoing is too remote to justify the preference. *Indeed, the terms are inherently divisive*, precisely because they invoke the language of blame. This does not mean that this framework is invalid or that we should scrap it. But we have to recognize the limits to its usefulness.

An alternative framework stresses the affirmative value of inclusiveness. First, inclusion is a means of empowering individuals to realize their full potential and thus contribute to the well-being of their families and communities. Second, inclusiveness benefits America as a whole, because our lives are richer as a result of social diversity, and because our communities and our economy are stronger when all of us are full participants -- carrying both a full load of responsibilities, and a full complement of opportunities. These are unifying themes of *empowerment and aspiration*.

C. Reacting v. Leading

From a political standpoint, there is an enormous difference between providing necessary reactions to the legislative or litigation developments thrust upon us, versus *leading* in a way that:

- *sets* the agenda for public discourse, rather than conveying the misimpression that New Democrats are politically timid about engaging in a debate on the issues;
- proclaims commitment and purpose by using *edges*, in a non-combative way, to make fundamental purposes clear -- identifying some measures we are *for*, and some we are *against*;

- in content, communicates to civil rights traditionalists that New Democrats have not abandoned the Democratic commitment to continuing racial progress -- meaning *both* racial harmony *and* steady, tangible progress in eliminating discrimination and its lingering consequences;
- communicates to civil rights conservatives and revisionists that New Democrats are prepared to abandon, and even criticize, private and governmental techniques that are too divisive and intrusive for the results they produce; and
- strategically mixes *narrowcasting* to key constituencies and voter blocs, with *broadcasting* to the Nation as a whole. Reliance exclusively on narrowcasting sends a message that the commitment is a politically contingent one, rather than the product of a deeply rooted value.

D. Litigation v. Policy

Perhaps because civil rights discussions are heavily populated with lawyers, they quickly become debates over recent and pending litigation. We debate policy choices within the framework of contested legal doctrines, and even mistakenly believe that most key policy decisions are about what to write in briefs and how to amend a civil rights or set-aside statute. This legalistic conception is a dangerously limited one.

Purging the lingering effects of past racial wrongs must go beyond rights-based litigation and legislation to address directly the impediments to opportunity. For example, quality K-12 schools, combatting teen pregnancy, and the community security agenda must be seen by civil rights traditionalists as absolutely critical measures for saving the next generation. (To this list one might add voter registration and participation.) The Administration can make that link, and a populist and forceful demand that we make progress on that *social policy* agenda will translate for many as a demand for *racial progress*. Which it is.

Even within the narrower range of conventional civil rights measures, it is a mistake limit policy debate to the questions presented in litigation. Research is a good example. Government and foundation funding cutbacks, together with the growing "political correctness" of conservative retreat on civil rights matters, jeopardize our intellectual capital. There is too little understanding of effective techniques of outreach, recruitment, affirmative action, conflict management, persuasion and so forth. There is too little basic data about the extent and consequences of continuing discrimination in employment, housing, credit, delivery of public services, etc. (The FY 1996 Budget includes several proposed investments to help rebuild our capacity, including resources for the Civil Rights Division to use "testers" for research and enforcement purposes, and added funding for the EEOC and the Civil Rights Commission.)

E. Policy v. Pulpit

The legalistic perspective misses the point in a more fundamental way, because its focus is on *public policy* rather than *civic virtues* and the *private practices* those virtues engender. It is a cliché to note the President's role as First Preacher and Chief Teacher. That role is often trivialized as First Lobbyist, and it can be dangerously inflated to that of Tiresome Moralizer. In between, however, is an honorable role that calls us to our better selves, and recalls the Nation to its deeper meaning. The closing message of the State of the Union was quite explicitly in this vein. The question is how to sustain it in general, and how to apply it specifically in the civil rights arena.

We make the civil rights agenda the domain of political tacticians, career litigators and governance mechanics. But that is the wrong field of battle. Almost without exception, when Bill Clinton has spoken from his soul on civil rights matters he has communicated all the qualities and themes needed to lift the national discourse from the trench warfare over legal doctrine to the vastly more important plane of civic virtues.

It is also clear that communication on this higher plane can and should include a strong personal element, with Bill Clinton speaking about his own experiences and those of his family. His credibility as a leader, and his commitment to racial progress, are most firmly reinforced when he speaks with conviction about how *he* has witnessed the rewards of inclusiveness, and how *he* has come to know the scarring consequences of exclusion.

F. Some Action Items

Translating the points above into concrete action items is difficult. Here are some possibilities:

- Work with California Democrats to formulate a Clinton-backed alternative ballot proposition for California, and organize voters around it.
- Plan three high-profile Presidential speeches over the next 9 months explicitly on the civil rights agenda, delivered on the plain of values, virtues and aspirations. On selected policy speeches in education, employment, the Middle Class Bill of Rights, etc., occasionally add an explicit linkage to the civil rights "opportunity agenda."
- Have certain cabinet officers reinforce the Presidential message above with parallel speeches of their own. Have a media strategy of background interviews with thoughtful essayists and opinion-makers.
- Identify two or three programs or practices -- Federal or State -- that overstep the bounds. For example, a minority set-aside that is too rigid or not narrowly drawn.
- Identify a civil rights agency to strengthen with a high-visibility initiative. For

example: new resources at EEOC to eliminate the backlog, or new resources at the Civil Rights Commission to rebuild a respectable research capability.

- Develop an initiative with a coalition of religious leaders, including broadcasters.

IV. Conclusion

From the perspective of civil rights liberals, the Reagan-Bush years were a period of unnerving and even frightening behavior by the White House, the Department of Justice, and the Congress. At times hostile, at times begrudgingly benign, the political branches have reminded anxious minorities that politics is a game designed for the majority. Compounding the anxiety, the Judiciary has similarly moved rightward, in accord with the Framers' design. The lesson is that even those doctrinal gains rooted in Constitutional interpretation are evidently contingent on politics as well, albeit with a lag.

The divisive quality of racial politics was largely quiescent on the national political stage after George Wallace's 1968 bid and until the activist revisionism of Meese and Reynolds ushered in what civil rights liberals understood to be an era of peril. They now ask whether that era is over, and what will come next.



April 11, 1995

Dear DLC Friend:

Few issues threaten the Democratic coalition as affirmative action does now. Sensing the perfect wedge issue for 1996, the Republicans are determined to use it to divide and conquer.

I am sending along the latest edition of *The New Democrat* with the hope that it sheds light on how Democrats should respond. In all, there are 13 articles on affirmative action, and I would like to call your attention to two in particular: First, the historical overview of affirmative action by Seymour Martin Lipset, senior scholar at the Progressive Policy Institute, and, second, the essay by PPI President Will Marshall proposing a course of action to build a new consensus on civil rights.

There are no silver bullets inside. This issue is far too difficult for that. But we hope you will find the magazine a thoughtful and useful voice in the national conversation President Clinton has initiated on affirmative action.

We've included some extra copies for your colleagues and friends. If you need additional, complimentary copies, or have any questions, please call Jay Sumner at (202) 546-0007.

Sincerely,

A handwritten signature in black ink, appearing to read "Chuck Alston", with a large, sweeping flourish extending from the end of the name.

Chuck Alston
Communications Director, DLC
Editor-in-Chief, *The New Democrat*

TV
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ROSS K. BAKER ON PHIL GRAMM ♦ RICHARD NIXON, STILL UP TO HIS OLD TRICKS

THE NEW DEMOCRAT

VOLUME SEVEN, NUMBER 3

MAY/JUNE 1995

\$3.00

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Joel Kotkin

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Carol M. Swain

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beyond
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STUDY SHOWS NO WIDESPREAD REVERSE BIAS CLAIMS

- ▶ A report prepared by Rutgers Law Professor Alfred W. Blumrosen for the Office of Federal Contract Compliance Programs shows there is no widespread abuse of affirmative action programs in employment. It also shows there are only a small number of reported reverse discrimination cases by white males -- a high proportion of which have been dismissed by federal courts.
- ▶ Based on an analysis of reported federal district and appeals court decisions, Professor Blumrosen found that reverse discrimination cases accounted for **between 1 and 3%** of some 3,000 reported employment discrimination cases between 1990 and 1994.
- ▶ The study was based on an analysis of both individualized claims and broader challenges to affirmative action programs, which were either voluntarily undertaken or adopted because of a court order or consent decree.
- ▶ Many of the reverse discrimination claims were brought by disappointed job applicants, who were found by the courts to be less qualified for the job than the chosen female or minority applicant.
- ▶ None of the cases challenging affirmative action programs involved application of Executive Order 11246.

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Leading the News

Affirmative Action

NO 'WIDESPREAD ABUSE' IN JOB CASES, FEW REVERSE BIAS CLAIMS, STUDY SAYS

An internal report prepared for the Labor Department by a prominent employment law professor concludes that there is "no widespread abuse" of affirmative action programs in employment and that there are only a small number of reported reverse discrimination cases by white males—a high proportion of which have been dismissed by federal courts.

Reverse discrimination cases accounted for between 1 percent and 3 percent of some 3,000 reported employment discrimination cases between 1990 and 1994, according to the study prepared by Alfred W. Blumrosen, a law professor at Rutgers University, for the department's Office of Federal Contract Compliance Programs. "Nothing in these cases would justify dismantling the existing structure of equal employment opportunity programs," he concluded.

A draft of the study, which has not been released by the Labor Department, was obtained by BNA.

Federal agencies currently are compiling data on affirmative action programs for an ongoing White House review. Bernard Anderson, assistant secretary of labor for employment standards, said earlier this month that he expected information submitted by the department to show that programs administered by OFCCP under Executive Order 11246 have made a "major difference" in expanding employment opportunities for women and minorities and should be continued (53 DLR AA-1, 3/20/95).

A Labor Department official declined to comment on the report, other than to say it is a draft that has not been reviewed. It reportedly is one of several that Blumrosen has prepared under a DOL contract. Blumrosen was out of the country and unavailable for comment.

'No Widespread Abuse'

Based on an analysis of reported federal district and appeals court decisions between mid-1990 and 1994, Blumrosen concluded that there was "no widespread abuse of affirmative action programs in employment" and that many of the individual reverse discrimination claims were brought by "disappointed" job applicants, who were found by the courts to be less qualified for the job than the chosen female or minority applicant.

"This research suggests that the problem of 'reverse discrimination' is not widespread; and that where it exists, the courts have given relief," he wrote.

Blumrosen analyzed both individualized claims of reverse discrimination and broader challenges to affirmative action programs, which were either voluntarily undertaken or adopted because of a court order or consent decree. Of the challenges to affirmative action programs, 12 upheld the programs and six either invalidated them or called for a re-examination in light of current conditions.

None of the cases challenging affirmative action programs involved application of Executive Order 11246—the affirmative action order covering federal contractors that is administered by OFCCP—or the Labor Department regulations implementing that order. Blumrosen attributed the absence of litigation under the executive order to the parameters of the program: goals are agreed to between OFCCP and the contractor; the obligation is to use "good faith efforts" to meet the goal; and the contractor "is not required or encouraged to hire unqualified personnel."

"An affirmative action plan applied as intended by OFCCP regulations will not provide a basis for 'reverse discrimination' suits," he concluded.

'Significant Minority, Female Improvement'

Citing earlier research he has compiled on the subject (122 DLR C-1, 6/28/94), Blumrosen wrote that ongoing EEO programs have produced "significant improvements" in the occupational position of women and minorities since the 1960s.

"My estimate is that more than five million people of color and six million women are in higher occupational categories today than they would be if we still distributed people through the labor force the way we did in the sixties," he wrote.

"One fascinating aspect of these statistics is that affirmative action apparently continued through the Reagan-Bush period of intense opposition to affirmative action and broad interpretation of [Title VII of the 1964 Civil Rights Act]," Blumrosen observed. "These figures tend to confirm my suggestion based on earlier statistics that 'affirmative action has deep roots in the industrial relations system'."

Although "improvement and simplification" of the federal EEO programs "is desirable," he concluded, "nothing in these cases would justify dis-

mantling the existing structure of equal employment opportunity programs."

(Text of the reverse discrimination study appears in Section E.)

—By Nancy Montwieler

Affirmative Action

EEOC, OFCCP NEED MORE VISIBLE ROLE IN CIVIL RIGHTS DEBATE, JACKSON ASSERTS

The federal government's leading fair employment agencies—the Equal Employment Opportunity Commission and the Labor Department's Office of Federal Contract Compliance Programs—should become more visible players in the affirmative action debate, the Rev. Jesse Jackson asserted March 22, following a meeting with EEOC Chairman Gilbert Casellas.

EEOC and OFCCP officials "are not in the inner circle" of Clinton administration discussions on the issue, Jackson charged, and their absence has had an impact in drawing the direction of the debate toward politics and away from substance.

During a meeting with President Clinton earlier this month, Jackson said he had "made it clear" that the enforcement agencies should be taking a greater

role in defending the merits of affirmative action. He said he intended to reassert his views on the subject with Clinton aide George Stephanopoulos.

"At this point, EEOC and OFCCP are not even in the debate," he said. "Fear and foolishness is prevailing over fact. Evidence is not part of the debate."

Citing the Labor Department's recently released Glass Ceiling Report as evidence of the barriers that still prevent minorities and women from advancing to higher-paying jobs, Jackson said more "substantive data" must be brought into the debate. "That data's not out there," he said. "If most Americans knew about it, they would be for affirmative action as a conservative remedy."

Casellas and Vice-Chairman Paul Igasaki said they had provided Jackson with data on EEOC charges and litigation and that he was "impressed by the statistics."

EEOC has been providing similar information to the White House for its ongoing review of affirmative action programs, Casellas said, and has been "involved to a degree" in the review.

"The public debate [over affirmative action] is based on a lot of misinformation," Casellas said. "My role has been to provide fact to counter some of that fiction and misinformation."

End of Section



UNITED STATES DEPARTMENT OF COMMERCE
Chief Financial Officer
Assistant Secretary for Administration
Washington, D.C. 20230

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FYI — A friend of
Joni's did this work —
thought you might be interested
Gloria



George Fisher Associates

human resource consultants

FOR RELEASE APRIL 20, 1995

The data below is based on Survey results through April 17, 1995. Corporations included in the survey were give until April 17, 1995 to respond. Final tabulation will be available by 8am EDT April 20, 1995.

CORPORATE AMERICA SUPPORTS AFFIRMATIVE ACTION

Concept AA
93% Support
70% Reg needed
The results of a survey of Fortune 250 and Financial 100 employers released today by Mark R. Fisher & Associates, Farmington, Michigan reveals that 93 percent of these major employers support the concept of Affirmative Action set forth in Executive Order 11246 and its implementing regulations. Nonetheless, 70 percent believe the regulations are in need of revision.

Mark Fisher stated that "The survey was taken to bring the perspective of Corporate America to this national discussion on Affirmative Action. These employers developed the basic regulations governing Affirmative Action and are the ones who are audited to see if their plans are being implemented. In other words they know what they are talking about."

Unqualified
86% Never hired
91% never promoted
The survey reveals that 86 percent of our nations largest employers assert that they have never hired an "unqualified person" due to Affirmative Action Goals and Timetables while 91 percent of these employers assert that they have never promoted an "unqualified person" due to Affirmative Action Goals and Timetables. The results are in stark contrast to politicians and talk radio hosts who charge that Affirmative Action should be abolished because it has resulted in substantial numbers of qualified candidates being passed over so unqualified persons can be selected,

Quotas
9% = to
Contrary to the assertions of Affirmative Action antagonists only 9 percent of these major employers equate the "goals and timetables" required by Affirmative Action as "absolute quotas" which must be achieved.

get method
59% Simplify
8% retain
33% abolish
The survey reveals that 59 percent of these major employers believe the Federal Government should simplify the methodology used for establishing "goals and timetables" and 8 percent believe that "goals and timetables" should be retained "as is" while 33 percent believe "goals and timetables" should be abolished.

Sensitivity
55% raised
81% focused
68% added
The survey also reveals that 55 percent of these major employers include Affirmative Action Plans as part of their basic business strategy such as human resource planning. According to the survey 81 percent of these employers believe that their Affirmative Action Plans has raised the sensitivity of management to the whole concept of Equal Employment Opportunity. In addition 68 percent of Americas major employers state that their Affirmative Action Plans have focused their attention on minorities and women who might have otherwise been overlooked but who were selected and are contributing to business success.

DBE/WBE
43% revise
25% same
32% abolish
Concerning the Affirmative Action setasides required by various local, state or federal agencies for minority or female owned businesses 43 percent of these major employers believe the regulations should be revised while 25 percent believe the setasides should remain unchanged and 32 percent believe setasides should be abolished.

Since January 1994 all of these employers have been notified by either a local, state or federal agency that an allegation of some type (race, sex, age, or handicap) of discrimination has been filed against them. During the same period 50 percent of these employers have had a law suit filed against them in either a state or federal court alleging that they have committed some type of discrimination.

George Fisher, President of George Fisher Associates, Human Resource Consultants, Marine City, Michigan, who commissioned the survey in early April explained that, "The results of the survey should not surprise anyone who

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knows that the current regulations are actually the brainchild of the National Alliance of Businessmen who developed them at the behest of President Johnson in the mid 1960's. With this in mind it is disturbing to observe opponents of Affirmative Action attempting to revise history by asserting that Affirmative Action has ravaged a "phantom tradition of meritocracy." The old cliché, "It's not what you know but whom you know that counts" captures the essence of the American way of personnel actions before the Civil Rights Act of 1964."

Fisher, who has a twenty seven year career in Civil Rights which includes the Steel Industry Consent Decree and the Harris Trust Settlement, observed that, "Affirmative Action has become the scape goat for those selecting officials who refuse to take responsibility for their decisions. They find it easier to attribute their selection to Affirmative Action rather than advising those who were not selected that there was someone else who was just as good or better suited for opportunity. Perhaps the classic example of such scape goating is the Alan Baake case where the Medical School admissions official refused to tell Baake that he was never in the selection pool because of his age and instead blamed his nonselection on the Medical Schools Affirmative Action Program. Major universities have always had various methods of categorizing applicants for admission prior to Affirmative Action. They counted the children of Alumni separately from other applicants. They counted applicants by geographical distribution. Universities were interested in having as diverse a student body as possible. Affirmative Action was just another subdivision of their method of evaluating applicants. The admission officials' scape goating worked out well for Baake. However, it triggered the trashing of the phrase "Affirmative Action" by divisive voices who have persuaded many average Americans to now believe that "Affirmative Action" means "no white men need apply". It is interesting to note that these divisive voice have utterly failed to brain wash those who preside over Corporate America. Nonetheless, the phrase "Affirmative Action" has been so maligned among folks on the street that it may be damaged beyond repair. I'm not sure that the political energy required to try to rehabilitate the blemished phrase would be worth the effort."

Fisher further analyzed the results of the survey, "The affirmative action advocacy groups and their friends should be heartened by the fact that the vast majority of these major employers in the survey support the "concept of Affirmative Action." However, they should take heed that a substantial majority maintain that the regulations are in need of significant revision. The current regulations were developed to deal with the job structure of large manufacturing employers as they existed in the early 1960's. Trying to adapt those regulations to the employment opportunities that exist in the late 1990's is unwieldy at best. Employers have dramatically changed their way of doing business over the last 30 years. One of those changes has been the ever evolving profession of the Human Resource professional which was largely brought about by the Affirmative Action Regulations. It is time to revisit the Affirmative Action regulations but that revisiting should not be conducted by Federal Agencies."

In closing Fisher stated, "I'm appalled by political candidates who imply that it is unAmerican to count persons by race and gender. Person counting did not start with the Civil Rights Act of 1964 rather it is as American as Apple pie. We have been counting persons since the signing of the constitution where it says that Negroes shall be counted as 3/5 of a person. This country has been counting persons by race and gender ever since."

For information on the above release please contact Mark R. Fisher & Associates at 810/473-0389

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April 18, 1995

George H. Fisher

Prior to forming George Fisher Associates he had a distinguished career as a senior government manager in the field of contract compliance with the Departments of Defense (Director of Operations, Chicago), Treasury (Regional Manager, Chicago) and Labor (District Director Grand Rapids, MI and Portland, OR). He began his government career as both an investigator and conciliator with the Michigan Civil Rights Commission. His career accomplishments includes The Steel Consent Decree, The Harris Bank Settlement and the computerization of DoL District Offices are unparalleled in the history of contract compliance.

He has lectured and conducted seminars on Equal Opportunity, Affirmative Action and Civil Rights at Northwestern University, the University of Michigan, Michigan State University, Grand Valley State University, Portland State University, the University of Oregon as well as numerous community colleges.

During his career he has done EEO- Affirmative Action problem solving with manufactures such as: General Motors, Ford, Chrysler, Nike, US Steel, Inland Steel, Bethlehem Steel, Weyerhaeuser Paper; financial institutions such as: First Chicago Bank, Harris Trust, First Wisconsin, Mercantile Bank, First Interstate Bank, Continental Bank, Michigan National Bank, Old Kent Bank; high tech firms such as Intel, Mentor Graphics; trade associations such as the American Bankers Association, the Michigan, Illinois, Missouri, Wisconsin and Oregon Bankers Associations, the American Association for Affirmative Action, the National Urban League, the American Management Association, the National Association of Bank Women, Underground Contractors Association, the Association of General Contractors, the National Electrical Contractors Association, and units of government which included The State of Illinois, The State of Michigan, the State of Oregon, and the State of Idaho.

He formed George Fisher Associates (GFA) to provide Senior Corporate Management with an informed, objective evaluation of Human Resource Programs. GFA will either assure senior management that their HR efforts fulfill Equal Employment and Government compliance obligations, promote employee morale, contribute to enthusiastic public perception and a positive bottom line or offer strategies to strengthen, enhance or correct them.

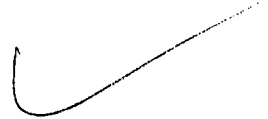
George Fisher was raised in Detroit, Michigan. He received a B.A. in Social Science from Capital University, Columbus, Ohio and a Master of Divinity in History from Trinity Theological Seminary, Columbus, Ohio.

Date: 03/15/95 Time: 23:51

Women's Groups Raising Voices In Affirmative Action Debate

Women's Groups Raising Voices In Affirmative Action Debate

(Washington) -- A number of women's groups are calling for "no retreat" on affirmative action programs.

Women's leaders from a wide range of organizations held a news conference today to demonstrate their solidarity. Afterward, they held a march to the White House for a meeting on the issue with officials there. 

President Clinton is nearing a decision on his review of affirmative action programs. He may reveal his intentions in a speech as early as next week.

The representatives of the women's groups claim that affirmative action programs are still needed to eliminate discrimination based on sex.

The president of the Feminist Majority, Eleanor Smeal, says the groups intend to wake up a "sleeping giant" -- America's working woman.

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