

“Best Practices” Memos

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ONE AMERICA

In the 21st Century:

The President's Initiative on Race



To contact The President's Initiative on Race:

Please write to us:
President's Initiative on Race
ATTN: PIR1
New Executive Office Building
Washington, D.C. 20503

Or you may send an e-mail to:
OneAmerica@whitehouse.gov

Explore our new Website and learn more about the
Initiative and upcoming events.
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UNA NACIÓN UNIDA

En el siglo XXI

*La Iniciativa Presidencial
Para Asuntos Raciales*



**Para contactarse con la Iniciativa Presidencial
Para Asuntos Raciales:**

Por favor escribanos a:

President's Initiative on Race
ATTN: PIR1
New Executive Office Building
Washington, D.C. 20503

Comuníquese a través de correo electrónico a:

OneAmerica@whitehouse.gov

Visite nuestra página del Internet y aprenda más sobre
La Iniciativa Presidencial Para Asuntos Raciales.

www.whitehouse.gov/Initiatives/OneAmerica

Le exhortamos a que fotocopie este folleto.

Race Initiative Policy

T.H. -
 Call Silverman
 as we discussed.
 Thanks
 Elena

Race Initiative Contacts

<u>DEPT</u>	<u>CONTACT</u>	<u>PHONE</u>	<u>FAX</u>
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Defense	Rudy Deleon	703-697-1361	703-693-4303
Justice	David Ogden	514-2001	514-1724
Interior	David Montoya	208-7351	208-1873
USDA	Reba Evans	720-3631	697-2119
Commerce	LeeAnn Inadomi	482-4246	482-2741
Labor	Virginia Apuzzo	219-2455	219-7971
HHS	Clay Simpson	301-443-5084	301-594-0767
HUD	Mercedes Marquez	708-2467	708-3389
DOT	Jerry L. Malone	366-1103	366-3956
Energy	Liz Montoya	586-6210	586-7644
Education	Leslie Thornton	401-6143	401-0596
VA	Eugene Brickhouse	273-4901	273-4914
EPA	Rafael DeLeon	260-4575	260-4580
CEA	Sanders Korenman	395-4597	395-6853
OMB	Josh Gotbaum	395-3060	395-3174
UN	Peter Londono	735-7555	735-7551
USTR	Irving Williamson	395-3150	395-3639
ONDCP	Walt Holton	395-6780	395-6708
SBA	Inna Munoz	205-6740	205-6913
FEMA	George Haddow	646-3291	646-4215
OPM	Doug Walker	606-1800	606-2204
USIA	Henry Howard	619-4626	401-3421
GSA	Eric Dodds	501-1104	208-5430
SSA	Lisa Peoples	358-6093	358-6076

- **International Financial Services:** On September 10, Secretary Rubin, Ambassador Barshefsky, and CEOs from several major corporations are scheduled to testify before the Senate Banking Committee on international financial services.
- **Inflation-Indexed Bonds:** Treasury is preparing to issue a new line of Series I inflation-indexed savings bonds in 1998, the first time that savings bonds will be indexed for inflation. Like other inflation-indexed bonds sold earlier this year, these bonds will provide investors with protection by changing the annual payment based on the rate of inflation.

DEPARTMENT OF JUSTICE

- **FL Health Care Fraud:** "Operation Takeback," a multi-agency effort targeting health care fraud, resulted in a 62-two count indictment charging six persons with fraud, conspiracy, and receiving illegal kickbacks in return for the referral of Medicare patients. A civil complaint seeking damages of \$170,000,000 and an action freezing approximately \$2,000,000 in assets were also filed.
- **Prisoner Population:** The U.S. Marshals Service prisoner population reached a level of 25,850 for the month of June 1997, bringing the FY97 average daily population to 24,947, a 6.7 percent increase over FY96 figures. For the month of June, the U.S. Marshals Service had 107 juveniles in custody, bringing the FY97 average juvenile prisoner population to 95, a 25 percent increase over the FY96 average of 76.
- **NY Bank Settles Mortgage Lending Bias Suit:** On August 13, DOJ filed a complaint and consent decree in United States v. Albanc, FSB, alleging that Albanc discriminated on the basis of race and national origin by adopting discriminatory redlining policies that excluded specific areas and cities in Westchester County, NY, and CT from which it would not take mortgage loan applications. Under the consent order, Albanc will end its restrictions on loans and make at least \$55 million in mortgage loans at 1.5 percentage points below prevailing interest rates in the formerly excluded communities with significant African-American and Hispanic populations.
- **IL Hispanic Congressional District Upheld:** On August 1, the three-judge court in King v. State Board of Elections (N.D. Ill.) ruled that the majority-Hispanic fourth Congressional district in Chicago, IL, is constitutional. The court concluded that the district's consideration of race is no more than reasonably necessary to fulfill its remedial purpose.

- **Beef Recall:** On August 12, USDA announced that an AR meat processing company, Hudson Foods, is voluntarily recalling frozen beef patties contaminated with *E. Coli*. Since the beginning of July, fifteen persons in CO have become ill in an outbreak being investigated by the CO Department of Public Health and Environment and USDA.
- **Forest Fires:** Fire danger remains very high in AZ, CA, MN, NV, and WA. In CA, two fires have destroyed 53,000 acres on the Los Padres National Forest and firefighters have not been able to estimate a containment date. Elsewhere in CA, two fires have burned far lesser amounts on the Sequoia and Lassen National Forests. In AK, 51 large fires, involving 1.8 million acres, are burning.
- **Uninspected Meat Products:** On August 7, USDA announced that Zenner's Quality Meat Products, Inc., a Portland, OR, meat processing firm, has been fined \$20,000 and put on probation after pleading guilty to selling and transporting noninspected meat products in violation of federal law.
- **Illegal Aliens' Food Stamp Benefits:** On August 6, Food and Consumer Service officials met with GAO analysts preparing a report which shows that illegal aliens receive \$1.1 billion in AFDC/Food Stamp Program benefits on behalf of their citizen children.
- **Simplified Food Stamp Programs:** The welfare reform bill gives states the option to operate a Simplified Food Stamp Program (SFSP) for families receiving assistance under a state's Temporary Assistance for Needy Families program. To assist states in assessing the effects of its SFSP design on recipients and program costs, FCS has contracted with Mathematica Policy Research (MPR) to provide technical assistance to State agencies free of charge. Currently, eight States are working with MPR: FL, ND, NC, SC, AR, MD, WI and OH.

Jose / Chris -

FYI.

Elena

DEPARTMENT OF ENERGY

- **Minority Syphilis Testing:** A June 23 *U.S. News and World Report* article quoted former and current African-American and Hispanic employees at Lawrence Berkeley National Laboratory as saying they were selectively tested and retested for syphilis, the trait for sickle cell anemia, and pregnancy solely because of their race. The Laboratory conducted a preliminary review of medical testing protocols and reported that there was no evidence to support the allegation that these tests were targeted at minorities. DOE is working with Representatives Dellums, Waters and Towns to resolve their concerns about comprehensive medical testing at DOE's National Laboratories.
- **Russian Plutonium:** On August 19, DOE officials will meet with representatives of the French government regarding international cooperation on the disposition of stockpiles of surplus Russian plutonium. Cooperation could involve French-German-Russian plans to build a pilot plant in Russia to produce fuel from weapons plutonium and a related U.S.-

Programmatic Environmental Impact Statement. On June 17, a hearing on the injunction began and will be continued on June 24. Until June 27, DOE temporarily halted construction on the National Ignition Facility at Lawrence Livermore National Laboratory and the conduct of subcritical experiments at the NV Test Site.

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~~Mike / Bill~~
~~Stanley Lee~~

DEPARTMENT OF EDUCATION

- **Higher Education:** On June 17, a report released by the Commission on National Investment in Higher Education finds that unless colleges and universities cut costs dramatically they will face a financial crisis that will significantly reduce access to higher education for poor students. Without reforms and commitment of more public funds, increasing costs, declining public investment and exploding student populations will likely overwhelm the higher education system.
- **Ireland Trip:** From June 26 - July 5, Secretary Riley will visit Ireland. On June 28, he will address the Irish Fulbright Alumni Association.

ENVIRONMENTAL PROTECTION AGENCY

- **Racial Reconciliation:** EPA is working with WH staff to address racial reconciliation issues, specifically as they pertain to environmental justice issues. In accordance with Executive Order 12898, *Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations*, Administrator Browner has established an environmental justice program to address disproportionately high and adverse public health and environmental impacts in minority communities and low-income communities.
- **Champion Paper Mill:** This week, we are circulating a settlement framework that addresses the effects of the Champion pulp and paper mill on water quality in the Pigeon River. This framework will satisfy the public health concerns of the citizens of TN and fulfill NC's economic needs. On July 9, the three parties are scheduled to meet with Champion in Washington, D.C., to discuss the proposed settlement. Subsequent meetings with community and environmental groups are planned.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

- **AIDS:** As of December, 1996, 35.8 percent of the 573,000 U.S. AIDS cases among adults reported to CDC were associated with injecting-drug use, according to a report tentatively scheduled for release in the June 20 *Morbidity and Mortality Weekly Report (MMWR)*. When compared with data from the previous year, this percentage has not changed significantly. The report presents data from a survey of U.S. syringe-exchange programs (SEPs) about their activities during 1995 and 1996 and compares the findings with those of an earlier survey.

Cabinet Weekly Report, June 13 - 20, page 9

Paul - (cc: Pance/Poss)
Could you look into this + find out whether
there's some policy lurking here? Thanks
Elena

- **Secretary's Schedule:**

- ▶ On June 30, at Incline Village, NV, Secretary Babbitt and Secretary Glickman will co-chair the second of three Lake Tahoe Basin Presidential Forum pre-conferences.
- ▶ On July 1, Secretary Babbitt joined by Governors Romer, Geringer and Nelson will sign a tri-state comprehensive multi-species conservation plan for the Platte River Basin that will provide for immediate funding for habitat acquisition and cost sharing between CO, WY, NE and the federal government.
- ▶ On July 3, Secretary Babbitt will announce that contributions for restoration of the Washington Monument have reached the goal of \$5 million.

UNITED STATES DEPARTMENT OF AGRICULTURE

Fair Housing Agreement: On July 11, Secretaries Glickman and Cuomo will sign an agreement that will enable rural Americans whose housing comes through USDA to receive the protection of the Fair Housing Act that HUD enforces.

Northeast Dairy Compact: On June 23, USDA's decision to authorize implementation of the Northeast Dairy Compact was upheld by the Federal District Court for D.C. USDA's decision had been challenged by dairy interests outside of the Compact region, which includes CT, ME, MA, NH, RI and VT. Dairy farmers in the six states will receive higher fluid milk prices as a result of actions taken by the Commission established to implement the Compact.

Water 2000 Funding: On June 27, Secretary Glickman joined the Vice President at the White House to announce \$155 million in federal money in the latest round of funding for Water 2000, a program to help rural Americans who lack adequate drinking water. The Vice President announced over 80 projects in 43 states and Puerto Rico as part of the program.

- **Citrus Canker Update:** As of June 20, 327 of 650 FL citrus acres surveyed were found to be infected by citrus canker. Survey teams are inspecting residential properties and commercial groves in a 1.5-square-mile area around positive sites. This week, FL officials began burning infected trees in the quarantined area. Emergency regulatory action is being taken to prevent any additional spread of the disease. The outbreak could have fallout effects for FL citrus in the European market, as the EU lists canker as a key quarantine concern.

EK/Joe -
use for
Race week?
BR.
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Possible E.O.
on 7/14

Treasury

Increasing Opportunities for Minority Business

1) Use of information technology

- Provides information pertaining to procurement opportunities on World Wide Web to assist small business representatives market their products and services.

2) Outreach to potential businesses

- PARTNERSHIPS Conferences offer on the spot procurement opportunities such as seminars, counseling, and an opportunity to establish business relationships with the Treasury, other federal agencies, and large business prime contractors. **Since the inception of PARTNERSHIPS in 1994, Treasury has increased the percentage of dollars awarded to minority businesses by 82.3 percent.**

3) Training and marketing

- Makes presentations to small business groups, holds training seminars, and hosting workshops.

Increasing Lending in Distressed Communities

Community Reinvestment Act

- Since 1993, home mortgage lending to African-Americans increased by 70 percent and lending to Hispanics is up nearly 48%

Community Development Financial Institutions (CDFI) Fund

- The CDFI Fund's investments have already leveraged more than \$50 million in non-federal matches, and the CDFI Fund estimates that over the long-term, these funds will leverage approximately 10 to 20 times the amount awarded.
- The CDFI Fund's \$3 million investment in North Carolina's Self-Help Venture has resulted in \$24 million in home mortgage transactions and commercial loans.
- These grants have encouraged \$126 million in lending and financial services to distressed neighborhoods.

Department of Justice

On June 14, 1997, President Clinton announced a Racial Reconciliation Initiative which seeks to address the nation's need for racial healing and reconciliation as we enter the next century.

Efforts towards racial reconciliation

- The Civil Rights Division, prosecutes those who violate civil rights laws, reviewed 10,129 complaints and investigated 2,619 having a prosecutorial success rate of 87 percent.

Voting Rights

- The Division is rigorously enforces the National Voter Registration Act (Motor Voter Law).
- The Division's vigorous enforcement of the minority language provision of the Voting Rights Act and Section 5 of the Act resulted in new and expanded protections of Native Americans' and Chinese Americans' right to be provided with election and assistance in their own languages.
- The Division has established a Minority Language Task Force to enhance enforcement of these protections.
- The Division has reviewed over 12,500 submissions under section 5 of the Voting Rights Act and objected approximately 150 times on the grounds that proposed changes violated the Act.

Housing and Public Accommodations Discrimination

- Division has filed 38 pattern and practice testing cases with evidence generated by its fair housing testing program.
- Division conducted 207 housing discrimination investigations in 1996 and resolved 92 of the cases.
- The Division has filed twelve **lending discrimination** suits, all of which have settled by consent decree.

Employment Discrimination

- During the Clinton Administration, the Division has filed nearly 60 new lawsuits. Since 1996, the Division has filed 19 new cases and has settled 22 new or pending cases.
- During the Clinton administration, the Division has also obtained orders providing injunctive and make-whole relief for over 2000 victims of discrimination (this was a new record).
- The Division is also currently administering the distribution of over \$10 million in damages to victims of employment discrimination.

5) Environmental Justice

- Since President Clinton signed the Executive Order 12898, "Federal Action to Address Environmental Justice in Minority Populations," the Environmental and Natural Resources Division has played an active role in developing and implementing the Department's policy on environmental justice.

Department of the Interior

Interest and involvement by top management

- Established a Diversity Task Force to develop a Departmental Strategic Plan.
- The Interior Management Council developed the Diversity Action Plan that required all Bureaus to take specific implementing steps to ensure diversity is improved.
- The Diversity Council was created as an ongoing advisory and proactive working group established to promote diversity and to address issues affecting the quality of work life in the Department of the Interior.

Employee development and outreach programs

- Diversity Summer Internship Program to ensure diverse participation.

Department of Labor

Training and Education

- Job Training Partnerships (JTPA) prepares economically disadvantaged and dislocated workers for productive employment, as well as providing training and summer job programs for economically disadvantaged youth.
- One Stop Career Centers offers information on employment-related services, assistance in filing initial claims for UI and evaluating eligibility for job training and education programs, preliminary assessment of skills, aptitudes, abilities, supportive service needs, and self-help information.
- Job Corps is the nation's largest and most comprehensive residential job training and education program for at-risk youth. Since 1964 it has provided more than 1.7 million young men and women with vocational, academic, and social skills needed to become productive members of society.
- The Work Opportunity Tax Credit (WOTC) is a federal income tax credit that encourages employers to hire certain job seekers and can reduce employer federal tax liability by as much as \$2,100 per qualified new worker, or \$1050 per qualified summer youth.

Employment protection

- The Fair Labor Standards Act provides minimum wage and overtime protections for covered employees serving to guarantee a living wage for poor and unskilled workers who would otherwise be vulnerable to exploitation.
- Executive Order 11246 prohibits discrimination on the basis of race, color, gender, religion, and national origin.

Public Education

- Public service campaigns such as the "Don't Work in the Dark!" were expanded to encourage women to get the facts about their workforce, know their rights on the job, and to find out what works across the nation.

Health and Human Services

The Offices of Minority Health (OMH) were established to serve as the focal point for leadership, policy development and program coordination related to the health needs of racial and ethnic minorities.

Bioethics

- The President's National Bioethics Advisory Commission promises to contribute to racial reconciliation.
- DHHS is currently following up on President Clinton's May 16th apology for the Tuskegee Syphilis Study to implement: (1) a \$200,000 grant to Tuskegee University to help build a center on bioethics and research; (2) a report and recommendations on how to better include minority communities in health care research; (3) a program of postgraduate fellowships at NIH to promising students enrolled in bioethics graduate programs to increase the understanding of ethical issues and clinical research; (4) DHHS will develop bioethics training materials within one year to help researchers effectively apply ethical principles in diverse populations.

Healthy People 2000

- A national strategy for significantly improving the health of the American people with the goals of increasing the span of healthy life for Americans, **reduce health disparities among Americans (including**
- **racial and ethnic minorities)**, and to achieve access to preventive services for all.
- The Program includes 319 objectives, 210 of which include targets for health problems among racial and ethnic minorities which includes the goal of eliminating health disparities for racial and ethnic minorities.

HUD

Home Ownership Market

- National Homeownership Partnership works to increase the homeownership opportunities.
- The Federal Housing Administration initiated marketing and outreach efforts last year to Latino-Americans, African-Americans, and Asian Americans.

Mobility Counseling Programs

- The Department's programs are operating in over 40 cities nationwide and serve approximately 120,000 Section 8 families.
- The demonstration program entitled Moving to Opportunity (MTO) provides Section 8 rental assistance to roughly 1,300 families.
- The Hope VI program works toward achieving diversity both in housing and the workplace.
- The Fair Housing Initiatives Program (FHIP) funds a variety of public and private efforts to eradicate housing discrimination.

July 21, 1997

As of 4:00 p.m., the Office of Cabinet Affairs has yet to receive the "Best Practices" memo from the State Department.

THE WHITE HOUSE
WASHINGTON

July 22, 1997

MEMORANDUM TO **THURGOOD MARSHALL, Jr.**
 SYLVIA MATTHEWS
 JUDY WINSTON
 ELENA KAGAN
 JOSE CERDA ~224 OE0B
 MARIA ECHAVESTE
 ANN LEWIS
 ANDREW MAYOCK

FROM **KYLE GIESLER, CABINET AFFAIRS**

SUBJECT: BEST PRACTICES UPDATE

You will find attached a REVISED DOT memo. Please replace your current copy with this one.

Thank you.

INTRODUCTION

As we fast approach the 21st century, DOT is working to ensure that our work force increasingly reflects the makeup of our diverse population and the contributions of all members of society toward our national goals. Educational opportunities and new technologies are opening job opportunities for all Americans. More than half the work force now consists of minorities, women and recent immigrants, and the trend is expected to continue.

DOT acknowledges the importance of managing, understanding, and valuing diversity to include differences and similarities in values, cultures and perspectives of individuals belonging to different groups. Effective management of diversity creates an environment that works for all employees and which empowers and enables every member of the work force to perform to his/her potential. These are fundamental in achieving racial harmony among our employees, customers and stakeholders.

Four years ago, the Department of Transportation (DOT) started a comprehensive process to examine and change the culture of the organization. This approach was unique because it did not use the traditional approaches for addressing organizational issues and managing diversity. We define diversity as "the differences and similarities present in any group of people." The issue for us encompasses more than the differences in race, national origin, disability, sexual orientation and gender—although these are the categories most commonly measured. DOT goes beyond this—to include the different values, cultures and perspectives that individuals belonging to different groups possess. It extends to age, personal and corporate background, education, and personality. It includes lifestyles, geographic origin, tenure with the organization, and exempt/non-exempt status.

DOT has developed concepts and strategies that strategically align the management of diversity with the mission of the organization. These strategies allow us to move from the traditional role of managing diversity as a "social, moral, nice to do" issue, to its proper position as a tool and process for achieving a high performance workplace. We first ask the question—what does it take to have a high performing organization; and secondly, what do we need to do as an organization to get us there?

This approach goes directly to that of racial harmony, because it does not pit one group against another. Managing diversity is not about white males managing minorities and women. It is about a manager empowering whomever is in his or her workforce to achieve maximum levels of productivity and commitment.

AFFIRMATIVE ACTION EMPLOYMENT AND RECRUITMENT

The Federal regulation at 29 CFR 1608.4 identifies the elements to be contained in affirmative employment plans and programs.

In 1993 through 1996, minority employees in DOT increased from 18.7% to 19.7%. Women in DOT increased from 26.4% to 26.9%. In the same time period, minorities in DOT's Senior Executive Service (SES) rose from 9.4% to 15%, and women in DOT's Senior Executive Service rose from 13.8% to 21.3%.

Accomplishments in Increasing the Representation of Minorities and Women in the DOT Workforce Compared to Other DOT Groups

- Over the past four years, the Department has made significant progress in improving the diversity of the representation of minorities and women in the DOT Workforce. Specifically, since January 1993, 24 percent of the total senior executive selections included minority candidates and 25 percent of these selections were female candidates.

Particularly, since April 1993, the Federal Highway Administration (FHWA) has made an unprecedented 51 SES selections which represented the greatest transition period FHWA has experienced. Minority/female SES representation increased from 19.4% nearly four years ago to 44.8% today! This includes 11 (18.9%) minority men; 3 (5.2%) minority women; and 12 (20.7%) non-minority women out of a total of 58 SES executives.

Further, statistics show a marked improvement in the employment of minorities and women at other grade levels in DOT as listed below:

- Females in grades 12/13 increased 18.3% compared to all DOT persons in grades 12/13, increased only 4.9%
- Females in grades 14/15 increased 22.6% compared to all DOT persons in grades 14/15, who increased only 3%
- Minorities in grades 12/13 increased 16.7% compared to all DOT persons in grades 12/13, who increased only 4.9%
- Minorities in grades 14/15 increased 14.3% compared to all DOT persons in grades 14/15, who increased only 3%

Some of the practices at DOT that have contributed to these achievements are as follows:

- DOT has recently developed a "Broad Spectrum Recruitment" initiative which will ensure that applicant pools for executive and senior positions include qualified women, minorities, and disabled candidates through recruitment efforts which access a broad spectrum of sources.
- DOT has developed a Human Resources Web site, which helps level the playing field for easy access to information. The public can find information about employment opportunities along with instructions on how to apply for jobs. This site also provides easy access to demographic information on the DOT workforce. In the past, interest groups had to write to DOT requesting such information. This step can be eliminated through use of the new web site.
- DOT has several internal career development programs that assist in addressing the "glass ceiling" issues that adversely affect underrepresented groups.
- The Federal Aviation Administration (FAA) Flight Standards Service revised the Inspector qualifications standards to facilitate recruitment, professional growth, and development of women and minorities. Hiring, promotion and firing continue to be based on merit.
- FAA also plans to implement a national Flight Standards Co-op Program for Aviation Safety Inspectors upon Office of Personnel Management approval.
- FHWA instituted a Professional Development Program for clerical, secretarial and office management staff, and short-term details and rotational assignments to enhance and broaden job experience and promotional opportunities for minorities and women.
- FHWA uses student intern and grant programs, such as the Summer Transportation Intern Program, to improve employment and educational opportunities for targeted groups.
- The Federal Railroad Administration (FRA) developed an action plan to expand and intensify recruitment of underrepresented groups, such as Asian/Pacific Islander and Native American females, for Railroad Safety Inspector vacancies.
- The National Highway Traffic and Safety Administration (NHTSA) has developed a comprehensive plan for the prevention of sexual

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harassment.

- The Research and Special Projects Administration (RSPA) increased participation at job fairs geared to specific groups.

RSPA developed a Supervisor/Manager Report Card. This is used with the annual performance appraisal process to evaluate and improve the accountability of RSPA's supervisors and managers for activities and results on their diversity accomplishments in accordance with recruiting, promotions, awards, training and developmental assignments referenced in RSPA's Workforce Diversity Action Plan.

In 1994 RSPA developed a comprehensive, results-based plan for managing diversity, the "Workforce Diversity Action Plan." The goals of the plan are to increase diversity in RSPA's applicant pool by expanding outreach efforts and reducing under-representation of minorities in promotions, development, and retention. The plan focuses on three primary areas: 1) promoting diversity for entry-level hires, especially in technical occupations; 2) increasing and ensuring diversity in selections for training and development opportunities for mid-level staff; and 3) increasing diversity in senior level positions, including the Senior Executive Service (SES).

- The FAA has pledged to create a more productive and hospitable work force that mirrors the Nation's diversity. To that end, FAA has developed the "FAA Model Work Environment" brochure and "FAA Model Work Environment Action Plan for Managers and Supervisors." Implementing the FAA's Model Work Environment Plan is a primary objective for FY 1997. The Civil Rights Office has begun working on specific milestones as announced in its FY 1997 Business Performance Plan to help accomplish some of the national actions that are identified in the Model Work Environment Plan.
- Departmental Federal Women's Program (FWP) and Operating Administrations' FWP representatives meet monthly to discuss employment barriers, equal pay issues, sexual harassment and sex-based discrimination, career development, "glass ceiling/sticky floor" concerns and mentoring and training.
- During FY 1996 there was increased participation by Personnel and selecting officials at job fairs of underrepresented groups. Announcements were also sent to organizations representing these groups. This action generated a more diverse pool of candidates.

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6

HERITAGE AND SPECIAL EMPHASIS CELEBRATIONS

- The Secretary, senior administrators, and staff sponsor several events during various heritage celebrations (i.e. Black History, Hispanic Heritage, Native-American and Asian American) to recognize their achievements and contributions to transportation and the nation. These events are often held in the Department's headquarters building courtyard. Partnership schools and senior citizens groups are also invited to attend. The Secretary issued proclamations for several of these events. Senior officials are often speakers.

OPPORTUNITIES FOR DIALOGUE AMONG THE RACES

DOT efforts to manage diversity involve five key steps:

The first and most critical step is advocacy and awareness. Employees and managers must clearly understand not only the definitions, but also the goal DOT is striving towards. For this reason, DOT has established a Diversity Advocate in the Office of the Secretary who conducts awareness sessions and consults with managers throughout the Department on "Managing Diversity." To date, diversity sessions has been conducted with over 15,000 DOT employees and 3,000 other Federal Government employees to explain the concepts and process used to identify organizational issues. These sessions have had such a tremendous impact on organizations that many managers and employees have stepped forward to initiate a comprehensive review, including examining the roots of their organization's culture. The Diversity Advocate serves as a consultant to these organizations.

The second phase includes defining the future state of DOT. This involves not only determining the future strategic mission, but also requires identifying the organizational work environment that will allow each employee to be productive. It is during this stage that current organizational values and their role in the future corporate culture are challenged.

The diagnostic process begins at the next stage, with emphasis on examining the current practices and systems of the agency to determine if they are promoting or hindering the agency's efforts to effectively manage diversity. This segment is the most intensive and can involve focus groups with employees, survey instruments, and other methods to assess the core or roots of the organizational culture.

Last, but most important, is the process of defining interventions that address the areas of concern raised during the diagnostic stage. Once we know what the real issues are that need to be addressed, small and large interventions must be implemented, then evaluated to ensure they have addressed the issue.

This process is novel in that it does not make assumptions about the issues that need to be addressed and, therefore, what questions need to be asked. The former is the path most organizational assessments follow. Rather, DOT uses employee focus groups throughout the process to both define the issues that should be addressed and to validate information collected on problem areas.

Further, DOT is proactively engaged in many endeavors which help create the foundation and opportunity for dialogue among our customers and stakeholders. For example, through jobs, both inside and outside the Department, and through educational experiences, we help bring Native Americans, African-Americans, Hispanics, and other groups into the transportation mainstream. For example, the Eisenhower Fellowship Program brings diverse young scholars into the Department. Here, dialogue can take place on an equal footing.

We believe strongly that the most fruitful dialogue consists of listening. To that end, Secretary Slater has scheduled a number of listening sessions designed to elicit the thoughts of the Department's stakeholders and customers. We also sponsor more formal conferences, for example, on environmental justice. Many of our programs emphasize outreach to minority populations, help create programs and opportunities where none have existed before, and assist existing programs through our funding and support.

- DOT is working to strengthen the linkages between transit facilities and the communities that they serve. FTA's "Livable Communities" initiative has emphasized policies and demonstration projects to incorporate childcare, shopping, skills training and family-friendly facilities into transit hubs such as rail stations and park-and-ride facilities. FTA, with the Office of the Secretary (OST) and FHWA, have initiated a DOT-wide effort to promote livable communities within empowerment zones (EZ) and enterprise communities (EC). In 1996, five demonstration sites were selected and a series of regional meetings were held among community residents.
- DOT helped fund the early years of the Intertribal Transportation Association, which represents about 250 tribes. DOT has worked closely with this tribal advocacy group to advance self-governance. FHWA administers a \$191 million Indian Reservation Road (IRR) Program which

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channels DOT funds through the Bureau of Indian Affairs to the Tribes. The President's NEXTEA proposal includes increasing funding for the IRR program from \$191 million to \$200 million.

- FHWA conducted an Indian Issues Conference to clarify FHWA's role in addressing American Indian issues throughout the planning, project development, and construction processes. In FHWA Headquarters, an American Indian Issues Coordinating Committee was established to create a mutually beneficial relationship between the FHWA and Tribal Governments and to increase the level of awareness and commitment to ensure that FHWA programs provide the intended benefits to and adequately consider the concerns of Tribal Governments and members.
- Internet access and numerous public forums have been arranged and supported for the general public (not only customers and stakeholders) to have full opportunity to discuss and comment on DOT's May 30, 1997, proposed revised regulations for managing the Disadvantaged Business Enterprise Program (DBE) for minorities and women.
- In March, 1995 and July, 1997, FHWA and DOT's Office of Small and Disadvantaged Business Utilization (OSDBU), respectively, held public forums on its DBE Program to facilitate discussion among stakeholders, customers and practitioners to evaluate and improve administration while complying with the Adarand Supreme Court decision. Minority males and white females were particularly present in these discussions.
- The Department's Environmental Justice Order was signed by the Secretary on February 3, 1997 and published in the Federal Register on April 5, 1997. The Department's initiative is to ensure that minority and low income populations have the opportunity to participate in transportation planning and project development; to identify potential disproportionate adverse effects on minority and low income populations early; and to reduce, avoid, and eliminate adverse environmental effects of DOT projects and programs on minority and low income populations. DOT's EJ Order puts a strong emphasis on Title VI (of the Civil Rights Act of 1964) concepts, prohibiting discrimination on the basis of race, color, and national origin. By covering Title VI concepts with such depth and analysis, DOT is probably the lead agency in the Government in EJ.
- DOT will participate with EPA and HUD to develop a National Action Agenda for the Brownfields Initiative to include public discussions as part of the Administration's signature urban policy program. The Brownfields Initiative will expand an existing 75 city pilot program into a \$700 million,

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four-year effort to clean up and redevelop contaminated urban sites in 300 cities. Many of the residents of brownfields are minority. OST and OA staff have developed a strategic plan that has been provided to EPA as part of the National Brownfields Action agenda.

DIVERSITY AND AFFIRMATIVE ACTION IN FEDERAL AND FEDERALLY-ASSISTED PROCUREMENTS.

EO 12928 "Promoting Procurement with Small Business Owned and Controlled by Socially and Economically Disadvantaged Individuals, Historical Black Colleges and Universities and Minority Institutions"; Public Law 102-240, the Intermodal Surface Transportation Efficiency Act of 1991, and 42 U.S.C. 200 e (Civil Rights Act of 1964) provide authority for some of the activities in this section. A large number of other executive orders and statutes with applicability to DOT include nondiscrimination provisions.

- The Administration's NEXTEA (National Economic Crossroads Transportation Efficiency Act) proposal contains a variety of measures designed to help assure equal opportunity. For example, reauthorization of DOT's Disadvantaged Business Enterprise (DBE) program, employment opportunities for welfare recipients and those who live in Empowerment Zones and Enterprise Communities, and assistance to minority-serving higher education institutions.
- DOT funds programs (i.e. New Jersey Regional Alliance for Small Contractors) designed to expand the capacity of disadvantaged business enterprises interested in bidding on transportation related projects in the New Jersey/New York area.
- NEXTEA includes a six-year, \$600 million competitive grant program to support new flexible, innovative transportation services to connect welfare recipients with jobs. This Access to Jobs proposal will help move families from welfare to work in those areas with the worst employment transportation problems.

MINORITY-SERVING HIGHER EDUCATION INSTITUTIONS

Some examples of DOT efforts to help create programs where none have existed before and assist existing programs through our funding and support are our deep ties to Historically Black Colleges and Universities. Transportation touches the lives of all people in America, including the most dispersed populations and hard-to-reach rural areas, through our Indian Reservation

Roads Program.

SECRET 10

- The Summer Transportation Internship Program for Diverse Groups (STIPDG) is a DOT-wide program which FHWA has participated in since 1991. This program recruits undergraduates with diverse cultural and academic backgrounds for ten weeks of enriching experiences that showcase the scope and variety of careers in transportation. Students must have completed their freshman year of college and have a GPA of 3.0 and above. College students from all over the country are matched as closely as possible with offices which have projects and assignments that meet the interests of students who have the requisite background and/or major to complete the suggested assignments. The National Highway Institute has contributed funding, expertise, and other resources to ensure this program continues to be a successful endeavor.

EO 12876 requires each Federal agency to establish a program to increase Historically Black Colleges and Universities (HBCUs) participation in federally sponsored programs. It also requires each agency to submit an annual plan and performance report to the White House Initiative on HBCU staff. In the performance report submitted on June 12, 1997:

- DOT FY 1996 awards to HBCUs totaled \$8,335,907. This represents approximately 8% of the total awards made by DOT to all institutions of higher education.
- DOT goal completion rate was over 100% when compared to the FY 96 projection of \$8,294,602 contained in DOT's FY 96 Plan.
- FY 1996 awards to HBCUs increased by 7% when compared to the \$7,758,853 awarded to HBCUs during FY 1995.
- DOT supports the Intelligent Transportation System (ITS) Consortium which works primarily through HBCUs and DBEs to help assure that minority students will be able to participate in ITS opportunities. ITS provides for the application of cutting-edge technology to transportation systems and infrastructure.

EO 12900 requires each Federal Agency to prepare a plan to increase Hispanic participation in Federal education programs.

- DOT developed a plan which was submitted to the Secretary of Education on September 20, 1995. DOT's Plan established three goals:

- Actively identify, develop, facilitate, enhance, and increase opportunities for Hispanics to participate in all DOT education and/or other appropriate programs to the maximum extent possible.
- Maintain a continuing program of communication and dialogue with Hispanic Serving Institutions, the Hispanic Association of Colleges and Universities, and other public and private sector organizations to promote departmental initiatives and programs targeted at educational excellence for Hispanics.
- Aggressively promote the recruitment of Hispanic students for internship, fellowship, cooperative education, training, part-time, summer, and permanent positions within DOT headquarters and field organizations.
- DOT's Volpe Center's TEAM Effort, a volunteer educational outreach program, is now in its fifth year involving approximately 10% of Volpe Center staff as well as contractors. It consists of an elementary school mini-course program, a high school tutor-mentor program, an adult education English as a Second Language Program, and an in-house mentoring program. The first two programs have afforded Volpe Center staff an opportunity to interact with a very diverse student body (68 languages are spoken at the high school) and are a way to encourage women and minority students to further their education and/or pursue nontraditional careers. The programs have provided opportunities to closely interact with these groups. The Volpe Center is now recognized by the City of Cambridge, Massachusetts, as a real leader in this area.
- DOT employees participate in a wide variety of other education outreach activities to hundreds of schools with diverse student bodies.
- The Garrett A. Morgan Technology & Transportation Futures Program, which DOT announced in Cleveland on May 30, 1997, aims to build a bridge between American students of all ages and the transportation community, and to coordinate public and private transportation technology and educational resources to better use the nation's human capital in meeting the needs of the 21st century. It supports literacy, education, and equity through a commitment to reaching, talking with, and providing information to a million diverse students through tutoring, mentoring and education curricula, and promotes corporate citizenship through outreach to the transportation industry to help reach the students by the end of the year 2000. These efforts will help level the playing field of job opportunities.

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12

- The Coast Guard has an active partnership with the National Alliance of Black School Educators. It consists of over 5,000 African-Americans, including school superintendents, principals, counselors, and faculty members. They work with the Coast Guard to recruit high performing candidates interested in the Coast Guard.

MILITARY

- The Commandant of the Coast Guard, ADM Kramek, was recently awarded the NAACP Meritorious Service Award for his demonstrated exemplary vision, outstanding leadership, and superior judgment on creating and maintaining a positive environment where the ethnic and cultural differences of all personnel are recognized, understood, and valued.
- The U.S. Coast Guard Academy's (USCGA) Class of 1999 has the highest percent of minorities ever—25%.
- CG's Minority Officer Recruiting Effort Program (MORE) provides tuition assistance to sophomores and juniors attending HBCU's. Upon graduation, students attend Officer Candidate School and are commissioned as officers in the Coast Guard. There are currently 60 students in the scholarship program each year. As of May 1997, 93 Coast Guard officers have been commissioned through MORE.
- The Coast Guard Recruiting Initiative for the Twenty-First Century (CGRIT) is a scholarship program developed for students to attend one or two years at an HBCU before going to the US Coast Guard Academy. Students in the program are guaranteed appointment to the USCG. They get commissioned as officers in the CG upon graduation from USCG.
- The CG Minority Advisory Council (MAC) was created to focus on diversity across all paygrades. Senior management officials are briefed semiannually on the status. The MAC advises recruiting and workforce planning staffs in their efforts to ensure diverse representation.
- The Ethnic Policy Advisor monitors the retention of minorities in the organization. Advice is given to officer and enlisted personnel command staffs, military personnel staffs, and Workforce Planning staffs. The Minority Advisory Council also addresses and briefs the Commandant. Planning is underway to make the MAC more focused by looking at consolidating into a single inclusive Diversity Advisory Council.

DRAFT

13

- The Coast Guard works with the Naval Academy Preparatory School, to prepare candidates to attend the Coast Guard Academy. Typically, almost 75% of these students are minority. Approximately 55% of the School's students who receive appointments to the Coast Guard Academy are commissioned as Coast Guard officers.
- Through the Minority Introduction to Engineering (MITE) program, the Coast Guard offers a select group of minority high school juniors the opportunity to attend the Coast Guard Academy for one week. There, they are exposed to a variety of engineering concepts and activities. The program has been in existence for over 20 years; it has grown to 165 participants last year. Next year, it will be increased to about 200. In the Class of 2001, 11 cadets are former MITE participants.

ASSESSMENT (WORKING/NOT WORKING)

DOT is considered a leader in promoting and implementing strategies for managing diversity. At least ten other agencies have used the services provided by the DOT's Diversity Advocate to begin the process of awareness and examination of workforce cultural issues. These include work for the Departments of Defense, Army, Agriculture, Interior, Commerce, Treasury, and for the Environmental Protection Agency. The Diversity Advocate has provided both consultation with senior management and awareness sessions on managing diversity for these organizations.

With some initiatives, such as Environmental Justice, it is too soon to tell if they are working. However, as noted elsewhere in this document, DOT is in the forefront of federal agencies in incorporating non-discrimination concepts. Other initiatives are in flux, such as DOT's Disadvantaged Business Enterprise programs. DOT is vigorously addressing court challenges, and is continuing to actively support the Administration's "mend it, not end it" affirmative action position. In at least one area, equal employment opportunity complaints filed by employees, we are not satisfied with our progress. We believe that changes in personnel practices, such as downsizing, streamlining, and realigning, may have led to increased numbers of complaints. In some specific offices and types of jobs, an outmoded organizational culture may have led to a number of sexual harassment complaints. Many jobs in the transportation field are traditionally associated with men, and we must work hard to dispel old stereotypes. The DOT Managing Diversity Framework currently being considered for implementation should assist in achieving this objective.

DRAFT

14

We sometimes hear concerns that Metropolitan Planning Organizations (MPOs) are not sufficiently representative of minority concerns in their geographic areas. More information must be gathered about this concern. In the area of Alternative Dispute Resolution, we are experiencing some of the same problems as other agencies in bringing this excellent idea into fruition.

It is difficult to assess progress in the civil rights area. Some of this difficulty will be addressed through the Department's efforts in program evaluation under the Government Performance and Results Act (GPRA). A major initiative in the Department's proposed Strategic Plan, "One DOT" will address the problem of wide dispersal of civil rights responsibility in DOT, and the problem of lack of central coordination of some special focus programs, such as those for Native Americans. DOT, like all federal agencies except one, was criticized by the U.S. Commission on Civil Rights in its 1996 report on federal Title VI (Civil Rights Act) enforcement. These efforts were also criticized in a report by DOT's Inspector General, for lack of central policy and monitoring.

In a period of declining resources, civil rights functions must compete with other programs of the Department for budget and personnel. Some areas in need of conciliation are rooted in public policy considerations and the political process, such as highway versus transit funding. Generally (though not universally), some minority groups feel that insufficient emphasis has been put on public transit funding. As described elsewhere in this document, the many achievements of the Department far outweigh the problems identified. We have been vigilant in identifying problems, and are being visionary in finding solutions to them.

PROMOTE RACIAL RECONCILIATION

- Many of the initiatives described in this document promote racial reconciliation. However, we are not starting from a position that our relations with our minority stakeholders and customers are inharmonious. Since our programs touch all people in the United States (and many beyond U.S. borders), we hear many different opinions. Many of our programs provide direct benefits to minority populations; however, some of these customer groups may desire a higher or different level of service than the transportation industry and providers desire. Thus, we sometimes find ourselves in between groups with seemingly conflicting views and needs.
- The Directors of each of the ten service organizations of the Transportation Administrative Services Center (TASC), a division created

DRAFT

15

in 1995 to provide support and administrative services to DOT and other federal agencies, have developed a diversity standard. This provides accountability in compliance with DOT's strategic goal to provide leadership that builds and maintains an environment for workforce excellence. We wish to increase worker involvement, encourage learning, improve performance and recognition systems, and emphasize employee well-being and satisfaction.

- TASC has designed a Cultural Audit to administer to any organization attempting to discover racial conflicts or discrimination. The Coast Guard has designed and conducted such an audit. Six thousand instruments were issued, with a 67% return rate. Three organizational barriers were identified: career development, diversity management, and communications. A broad range of interventions was developed to respond to the results and to 40 focus groups held throughout the Service. These interventions are being deployed. The Audit will be used as a baseline for future assessments, to measure the effectiveness of the interventions.

TASC has offered training to DOT employees and managers, to provide awareness of stereotypes, biases and discriminatory practices. Other federal agencies have inquired about having this training presented to their employees.

TASC developed a survey to administer to supervisors and managers to assess their skills in managing diversity. The survey will be completed by the supervisors' subordinates.

TASC provided training for employees, supervisors and managers going beyond race and encompassing other dimensions of diversity such as gender, sexual orientation, religion, ethnicity, and age.

- The Coast Guard is an active participant in the National Naval Officers Association, which focuses on diversity and increased opportunities for Coast Guard, Navy, and Marine Corps officers, with an African-American emphasis. A Coast Guard officer is a past National President.

RESPONSES TO CIVIL RIGHTS COMPLAINTS/NOTEWORTHY INITIATIVES AND FY 96 ACCOMPLISHMENTS

- The Research and Special Programs Administration has provided training on Preventing EEO Complaints and Building a Positive Work Climate.

This training provides skills, strategies, and information to supervisors and managers on how to avoid discriminatory practices and what employees perceive as such practices. This course assists in identifying to the supervisor/manager the basic authorities and responsibilities for managing subordinate performance and conduct; considering factors in selecting appropriate resolutions to effect disciplinary and adverse actions; and seeking advice/assistance from the EEO and personnel office.

- DOT has installed an updated, automated system for capturing and retrieving complaint data; sharing and analyzing complaint-related data and information; compiling, analyzing and evaluating complaint patterns and trends on a quarterly basis; and responding appropriately.
- More than 170 FAA employees were trained in-house as EEO counselors with the objective of ensuring consistent and uniform procedures and approaches for resolving internal complaints at the lowest level.
- A Departmental pilot program in Alternative Dispute Resolution (ADR) has concluded and a Departmental ADR (Mediation) Program is being developed based on the results. More than 30 mediators were trained.
- Air Traffic, one of the largest organizations in the FAA, trained approximately 85% of its employees in the Prevention of Sexual Harassment in the Workplace, and distributed a desk guide on the Prevention and Elimination of Sexual Harassment in the Workplace to all managers and supervisors.

CURRENT PROPOSALS/INITIATIVES UNDERWAY

Managing Diversity Framework

- DOT decided to pilot its Managing Diversity Framework four years ago and the USCG agreed to undertake this comprehensive review. The objective was to identify and remove barriers to individual satisfaction within the USCG. The USCG views this initiative as a business imperative, given the changes in its workforce. The emphasis for this initiative is defining those interventions which will allow everyone within the organization to reach his/her full potential, and to establish a baseline and benchmarks for future surveys. The results are in, and the USCG is currently designing and implementing interventions to address many of the issues identified during the diagnosis stage.

DRAFT 7

Other cultural audits have been conducted in small organizations throughout the Department. DOT is considering whether to expand the process used by the USCG to address internal organizational issues in other parts of the Department.

- We are initiating an internal policy to require each departmental office to develop and implement a managing diversity plan consistent with the Department's overall plan, to include periodic updates and measurements that will be submitted to the Secretary for approval.

DOT Ombudsman Proposal

- Disputes cost the Department millions of dollars a year in lost productivity and excess leave usage. Millions more are spent on dispute resolution procedures. Unfortunately, these procedures "have become increasingly formal, costly, and lengthy, resulting in unnecessary expenditures of time and in a decreased likelihood of achieving consensual resolution of disputes." (PL 101-552). Moreover, they are employed only after a dispute has escalated to a point that a formal action is filed. By that time, the parties are committed to their positions, further decreasing the likelihood of resolution. Alternate dispute resolution (ADR) procedures are informal, consensual procedures which can be used for early settlement of employee concerns and disputes in an effective, fair, timely and less costly manner.

DOT is considering establishing a DOT Ombudsman. As part of this process, the Department would create and staff a position to serve as the Department's advocate and change agent for dispute and problem prevention as part of an informal, fair dispute resolution process. Pilots would be established in some of the operating administrations to assess the effectiveness of early interventions in resolving workplace issues. An evaluation process would be established to determine the effectiveness of the pilot program.

Senior Diversity Summit

- DOT is considering sponsoring a DOT-wide Diversity Summit for senior managers within the next few months. Prominent authorities on "managing diversity" will meet with DOT officials to discuss successes and share insights on maximizing employee potential as we embrace the broader perspective of the workplace of the twenty-first century.

SENIOR LEVEL DIVERSITY COMMITTEE

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- We are considering revamp the diversity committee, which has met monthly, to include deputy level representation to the Senior Management Council chaired by the Deputy Secretary, and Operating Administrators representation.

HARMONIOUS PARTNERSHIPS

- We are examining creation of a DOT Federal Advisory Committee to parallel the President's Racial Harmony initiative with a theme of "Harmonious Partnerships," comprised of transportation officials, representatives from industry, and the minority community; or a committee composed of key internal DOT officials who would sponsor listening sessions and focus groups to obtain viewpoints and make recommendations to improve racial relations.

Issues to be addressed in this dialogue are:

- Racial imbalances in transportation resources.
- Patterns and practices of discrimination in contracting and employment in transportation.
- Role of affirmative action and alternatives to it in transportation programs.
- Diversity among officials responsible for transportation planning and development.
- Effective communication between minority communities and transportation officials.
- Identification of service provision changes and needs likely to occur in the 21st century as a result of demographic shifts in race and ethnicity.

**THE WHITE HOUSE
WASHINGTON**

July 22, 1997

**MEMORANDUM TO THURGOOD MARSHALL, Jr.
 SYLVIA MATTHEWS
 JUDY WINSTON
 ELENA KAGAN
 JOSE CERDA
 MARIA ECHAVESTE
 ANN LEWIS
 ANDREW MAYOCK**

FROM KYLE GIESLER, CABINET AFFAIRS

SUBJECT: BEST PRACTICES GSA UPDATE

You will find attached USIA's "Best Practices" memo. We are expecting to receive the State Department and USTR's memos shortly. You will receive those copies as soon as we get them. I apologize for the inconvenience.

Thank you.

THE WHITE HOUSE
WASHINGTON

July 22, 1997

MEMORANDUM TO SYLVIA MATTHEWS
 JUDY WINSTON
 ELENA KAGAN
 JOSE CERDA
 MARIA ECHAVESTE
 ANN LEWIS
 ANDREW MAYOCK 224 OEOB

FROM KYLE GIESLER, CABINET AFFAIRS

SUBJECT: BEST PRACTICES GSA UPDATE

The attached is a revised copy of GSA's "Best Practices" Memo. I apologize for the inconvenience.

Thank you.

THE WHITE HOUSE
WASHINGTON

July 30, 1997

MEMORANDUM TO **THURGOOD MARSHALL, Jr.**
 SYLVIA MATTHEWS
 JUDY WINSTON
 ELENA KAGAN
 JOSE CERDA
 MARIA ECHAVESTE
 ANN LEWIS
 ANDREW MAYOCK

FROM: **KYLE GIESLER, CABINET AFFAIRS**

SUBJECT: **BEST PRACTICES UPDATE**

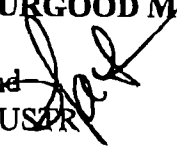
You will find attached the final "Best Practices" memo from USTR. I'm sorry it has taken so long, but I just received it today.

Thank you.

EXECUTIVE OFFICE OF THE PRESIDENT
OFFICE OF THE UNITED STATES TRADE REPRESENTATIVE
WASHINGTON, D.C. 20508

July 30, 1997

MEMORANDUM FOR THURGOOD MARSHALL, JR.

FROM: Nancy LeMond 
Chief of Staff, USTR

SUBJECT: Racial Justice Initiative: USTR Best Practices

In response to the President's racial justice initiative, we believe that we can make adjustments in the way we carry out our responsibility to coordinate U.S. international trade policies that will help achieve its objectives. USTR can do this by ensuring that minority groups and the organizations that represent their interests are more actively engaged in the formulation of the U.S. trade policy agenda, both by soliciting views of these interest groups and by ensuring that they are represented in the personnel structure at USTR, and by alerting them to the economic opportunities of the global economy.

The international sector is the fastest growing sector of our economy, but the benefits of increased international trade should be more equitably distributed. In particular, as we enter into a debate in the Congress on a new grant of authority for the President to conclude new trade agreements, we believe it is important to emphasize that increased U.S. exports can mean more jobs for all Americans and increased growth in our national economy will give us more resources to address racial and economic injustice at home.

In terms of specific actions, USTR is seeking to expand the number of minorities on our advisory committees and to engage in a more intense dialogue with minority interest groups to ensure that their interests are fully taken into account in the formulating trade policy. We recently worked with the Mexican-American community on the roll-out of the NAFTA report.

USTR would also like to examine the possibility of working with Cabinet Affairs to form an interagency group, comprised of agencies such as USTR, Commerce and Labor, to coordinate the existing "technical assistance" regarding international trade available to minorities and minority-owned businesses. The group could help ensure that our efforts to provide information about export opportunities and export promotion programs reach minority groups and minority-owned businesses, that the views of minority groups are reflected in our trade policies, and that minority groups and business owners are educated about those areas where the greatest export opportunities will occur. The upcoming debate on granting the President fast track authority for international trade agreement will present an opportunity to test this approach.

This agency has also become gravely concerned with its minority hiring record. One of our short term goals is to change this pattern by taking steps to ensure better outreach to a wide range of candidates when filling positions on our staff.

Second, we can work with the Department of Labor to find ways to better ensure that minorities are being trained for jobs in the sector with the most significant growth in high wage jobs: the international sector. We are considering for example the possibility of establishing a new advisory group to consider "Trade and Education." Such a group could help the Administration focus attention on the relationship between our trade agenda and training our workforce to take advantage of global export opportunities.

In the last year, USTR has undertaken to foster minority involvement in international trade by:

- Outreach activities such as meetings and seminars designed to inform minorities of opportunities in the global marketplace.
- The first Minority Trade Conference, sponsored jointly with the Departments of Commerce and State, to educate minority-owned small businesses on opportunities in the global marketplace.

THE WHITE HOUSE
WASHINGTON

July 29, 1997

MEMORANDUM TO THURGOOD MARSHALL, Jr.
 SYLVIA MATTHEWS
 JUDY WINSTON
 ELENA KAGAN
 JOSE CERDA
 MARIA ECHAVESTE
 ANN LEWIS
 ANDREW MAYOCK

FROM: KYLE GIESLER, CABINET AFFAIRS 

SUBJECT: BEST PRACTICES UPDATE

You will find attached the State Department's memo. I'm sorry it has taken so long, but I just received it today.

Thank you.



United States Department of State

*Office of Equal Employment Opportunity
and Civil Rights*

Washington, D.C. 20520-4216

July 25, 1997

The Honorable Thurgood Marshall, Jr.
Secretary, Cabinet Affairs
White House

Dear Mr. Marshall:

Enclosed please find the US Department of State's inventory of "best practices" in support of race reconciliation in the Foreign Affairs Agency.

The Department of State has struggled over the last decade to create and sustain a workforce which encompasses racial diversity. Secretary Albright has expressed her commitment to achieving a diverse workforce at all levels within the Department and we know it is possible.

President Clinton has taken the correct action in establishing the Advisory Board on Race and we at the Department of State look forward to assisting with the initiative. Should you have any questions concerning this submission, please contact me at (202) 647 -9294.

Sincerely,

A handwritten signature in dark ink, appearing to read "Deidre A. Davis".

Deidre A. Davis
Deputy Assistant Secretary

Department of State Best Practices on Race Reconciliation

Commemorative Program Activities

Commemorative activities provide a vehicle for acknowledging the rich cultural contributions of American society. The Department annually recognizes the contributions of Native Americans, Hispanics, Asian-Americans, and African-Americans. We are also in the process of developing a broader commemorative event that will recognize the diversity of non-traditional protected classes. The event will be held in the fall of 1997.

Diversity Awareness Training

The Department has a long-standing two day EEO awareness course that was mandatory for all managerial personnel. As a result of class action litigation implemented by women and African-American foreign service officers, this course has been enhanced to include a more comprehensive review of diversity issues with specific emphasis on race and gender. Everyone who manages within the Department must take the course. It is the goal of the Department to expand the course to all Department personnel as part of the orientation process.

Special EEO Briefings

The Office of EEO and Civil Rights, as a matter of routine, provides briefings on the fundamentals of equal employment opportunity in a variety of forums, including but not limited to Ambassadorial Seminars, Foreign Service Junior Officer Orientations, Civil Service Employee Orientations, training for Foreign Service Officers returning from extended tours abroad, and advanced training for Consular Officers, Personnel Officers, and Administrative Officers.

Strategic Recruitment Plan

The Strategic Recruitment Plan provides a comprehensive framework for actively recruiting a representative workforce. It is accomplished by targeted campus visits, student employment programs, and attendance at job and career fairs that have high levels of minority participation. The Department is a partner with the White House Initiatives on Historically Black Colleges and Universities and Excellence in Education for Hispanic Students.

Career Mobility Programs

The Department maintains a number of programs which offer opportunity for career advancement to lower grade employees, the largest percentage of whom are minorities. Examples include:

New Leader Program - A six-month program sponsored by the US. Department of Agriculture (USDA) designed to develop leadership skills for employees in grades GS-7/11 or Foreign Service equivalent. Seminars, team projects, and developmental assignments focus on leadership, teambuilding and team participation, self-direction, and interpersonal skills. Training also emphasizes problem solving, flexibility, decisiveness, technical competence, oral communication, and written communication.

Women's Executive Leadership - A six-month developmental program to prepare high potential employees at grades GS-11/12 for future positions as supervisors or managers.

Foreign Affairs Fellows Program

For several years the Foreign Affairs Fellows Program served as an excellent vehicle for the recruitment and placement of minority Foreign Service Junior Officers. However, because race was a primary factor used to identify participants, the Supreme Court decision on Adarand resulted in the suspension of this program which had the potential for very viable results. This program was in fact one of the best practices employed by the Department to gain greater representation in the Foreign Service.



DEPARTMENT OF THE TREASURY
WASHINGTON, D.C. 20220

July 18, 1997

MEMORANDUM FOR THURGOOD MARSHALL, JR

FROM: MICHAEL FROMAN MF

SUBJECT: BEST PRACTICES

Attached is a document outlining some of Treasury's best practices for the President's race initiative. We are, in addition, involved in an array of policy areas, ranging from the Youth Crime Gun Interdiction initiative to analyzing health and education proposals, many of which have a significant impact on minorities.

I look forward to working with you to further develop these and other policy initiatives in the weeks and months ahead.

Increasing Opportunities for Minority Businesses

Treasury is committed to increasing procurement opportunities for small minority and women-owned businesses. Treasury's Office of Small & Disadvantaged Business Utilization has undertaken three initiatives which recognize the needs of both the small business community and Treasury procurement offices. The three initiatives include 1) use of information technology, specifically the World Wide Web; 2) outreach to potential businesses; and 3) training and marketing on the small business programs offered through Treasury.

World Wide Web

Treasury provides information about procurement opportunities on the World Wide Web to assist small business representatives in marketing their products and services to Treasury. The information on the Web includes a forecast and posting of contract opportunities, Treasury points of contact, information on upcoming outreach sessions, and a contractor profile database, which allows small businesses to register with all Treasury bureau procurement offices at once, rather than mailing a separate application to each bureau.

Outreach

In addition to its participation in procurement fairs sponsored by Congressional representatives, trade associations, and other government agencies, Treasury added two new programs to its outreach efforts in 1994.

- Vendor Outreach Sessions allow vendors the opportunity to meet with bureau small business and program personnel monthly.
- *PARTNERSHIPS* conferences, held in cities throughout the country, offer on-the-spot procurement opportunities. *PARTNERSHIPS* features seminars, counseling, procurement opportunities, and an opportunity to establish business relationships with Treasury, other federal agencies, and large business prime contractors.

Since the inception of PARTNERSHIPS in 1994, Treasury has increased the percentage of dollars awarded to minority businesses by 82.3 percent.

Training and Marketing

Treasury promotes the small business program by making presentations to small business groups and Treasury bureau personnel on the benefits of utilizing small, minority, and women-owned businesses, as well as providing customized training on subcontracting, market research, and responsibilities of the procurement. For the past two years, Treasury has held training seminars for procurement specialists to discuss trends and topics pertaining to small business issues. Treasury also hosts periodic workshops with its large business prime contractors to share concerns and ideas on increasing subcontracting opportunities for small, minority, and women-owned businesses.

Partnership in Education

Treasury's Partnership in Education program provides students from D.C. public schools with the opportunity for learning in a professional work environment. During the summer session, students have full time paid jobs where they perform support tasks, attend sessions with policy makers, and gain experience in fields such as finance, banking, international affairs, law enforcement, and law. During the spring and fall sessions, students come in a few afternoons a week to volunteer in management and policy offices. The program works to improve student performance, raise student ambition through exposure to various career fields, and put academics in a practical context. Through the Partnership in Education program, Treasury is the leading agency in providing summer jobs to District of Columbia youth.

Over 135 students from Eastern, Woodrow Wilson, Anacostia, and City Lights High Schools are employed within main Treasury and the bureaus for the summer of 1997.

School Within a School

In 1995, Treasury, Justice, and Defense jointly sponsored the Law, Justice, and Security Academy at Anacostia High School, which currently enrolls over 200 students. In this "school within a school", in addition to the basic high school curriculum, students enroll in an enhanced curriculum which encourages them to plan for post-high school careers in Treasury-related fields. The Academy provides for academic and career development in the area of law enforcement, and serves as a school-to-work transition vehicle. Government personnel support the Academy through on-site day-to-day operational management, recruitment, mentoring, and liaison with private sector businesses, universities, nonprofit and government agencies. In the fall of 1997, the Business and Finance Academy will open at Woodrow Wilson High School. The Academies are part of the President's efforts to support D.C. schools.

Diversity in the Workplace

Equal Employment Opportunity Training

The Treasury Department strives to be a model workplace, free from discrimination, where every employee is assured equal opportunity. The underlying factors in many discrimination complaints are often due to misunderstandings; therefore, to achieve our goal, it is necessary to provide executives and managers with strategies to better cope with these differences.

An Equal Employment Opportunity (EEO) training initiative was developed for the 200 executives and managers in Departmental Offices and the Office of the Inspector General on the following topics:

- Sexual Harassment Prevention
- Managing a Diverse Workforce
- Resolving Conflict
- Legal Rights and Responsibilities

Contracted instructors with expertise in sexual harassment prevention, diversity, and conflict resolution led the first three sessions, and an executive from Treasury's Office of General Counsel presented the module on Legal Rights and Responsibilities. These sessions were held over the course of several months in the spring of 1997 and attended by approximately 100 to 150 Treasury executives and managers.

Treasury Executive Institute

The Treasury Executive Institute (TEI) was established in 1983 to promote the continued improvement of the Senior Executive Service of the Department of the Treasury. To accomplish that mission, TEI regularly conducts seminars and workshops on leadership skills and topics pertinent to the mission of the Bureaus in Washington and in key Treasury field offices. These seminars have covered topics ranging from generational diversity to communication skills.

Recent TEI seminars on diversity-related topics have featured Christopher Edley of Harvard Law School and consultant to the President's Advisory Board on Race, presenting "Not All Black and White: A Perspective on Diversity and Affirmative Action", Byron Kunisawa, author and consultant on diversity, on "Workforce Diversity: A New Look", and Sally Helgesen, author and consultant on women in management, on "The Web of Inclusion," a discussion of the need to be inclusive of all points of view within an organization in order to make sound management decisions. Each of these programs was attended by groups of approximately fifty Treasury senior executives.

Increasing Lending in Distressed Communities

Community Reinvestment Act

Treasury's Office of the Comptroller of the Currency played a leading role in the reform of the 1977 Community Reinvestment Act (CRA). The reforms, which were fully implemented on July 1, 1997, are performance-based and are designed to increase lending and investment in underserved communities -- including low- and moderate-income neighborhoods where many African American and Hispanic residents live. A companion law, the 1975 Home Mortgage Disclosure Act (HMDA), requires that banks disclose data on both mortgage applications and mortgage approvals by race, gender, income, and geography.

Since 1993, home mortgage lending to African-Americans increased by 70%, and lending to Hispanics is up nearly 48%.

Since June 1994, Comptroller Ludwig has held a series of over 16 community outreach forums and roundtables across the U.S. with more than 420 national, regional, and local community development leaders from nonprofit community-based organizations. These meetings have provided valuable information and feedback about local credit and lending needs, such as home purchase or improvement loans and refinancing, as well as access to banking services.

Community Development Financial Institutions (CDFI) Fund

The CDFI Fund works to facilitate the flow of lending and investment capital into distressed communities, and to create economic opportunity for people often left behind by the economic mainstream. The focus of the Fund's CDFI Program toward distressed communities and low-income populations has resulted in the funding of institutions that substantially serve neighborhoods with significant minority populations. In the first round, the CDFI Fund selected 31 community development financial institutions serving 46 states and the District of Columbia to receive **\$37.2 million in loans**, equity investments, grants and technical assistance.

The CDFI Fund's \$3 million investment in North Carolina's Self-Help Venture Fund has resulted in \$24 million in home mortgage transactions and commercial loans.

The CDFI Fund's investments have already leveraged more than \$50 million in non-federal matches, and the CDFI Fund estimates that over the long-term, these funds will leverage approximately 10 to 20 times the amount awarded. In the first round of the Bank Enterprise Awards Program, the CDFI Fund selected 38 banks and thrifts in 18 states and the District of Columbia to receive \$13.1 million in grant awards. These grants have encouraged **\$126 million in lending and financial services to distressed neighborhoods.**



THE UNDER SECRETARY OF THE AIR FORCE
WASHINGTON

JUL 21 1997

Mr. Thurgood Marshall, Jr.
Assistant to the President and
Cabinet Secretary
Room 160, OEOB
Washington, DC, 20502

Dear Mr. Marshall,

The Department of Defense (DoD) is often considered to be one of the most successfully integrated institutions in America. The enclosure highlights the best practices, policies and programs behind DoD's success in this area. Although the policies governing military personnel may be unique, the majority of DoD's principles and practices are transferable outside the Department and the federal government.

DoD has an enviable track record in implementing non-discrimination and equal opportunity programs, but our efforts must continue. I have been asked to serve as DoD's representative on the President's Race Initiative. I look forward to working with you and the President on this important issue.

Rudy DeLeon

Enclosure:
As stated

DEPARTMENT OF DEFENSE BEST PRACTICES SUPPORTING THE PRESIDENT'S INITIATIVE ON RACE

INTRODUCTION

The Department of Defense is, by many accounts, one of the most successfully integrated institutions in the country. Noted military sociologist Charles Moskos has observed that the hallmarks of this effort have been "an unambiguous commitment to non-discrimination coupled with uncompromising standards of performance." Five principles have guided the Department's equal opportunity program:

- A focus on *behavior* and *compliance* with stated policy.
- Emphasis on equal opportunity and intergroup understanding as *military readiness* issues.
- An understanding that *equal opportunity* is a *commander's responsibility*, and that the *Equal Opportunity professional's function* is to *advise and assist the commander* in carrying out this responsibility;
- A belief that *education and training* can bring about the desired behavioral changes; and
- Reliance on *affirmative action plans* as a method for ensuring equity and diversity. Affirmative action plans as used here are management tools that examine existing situations, identify problems, and propose corrective action for each problem with a concomitant timetable for completion of the action.

MILITARY EQUAL OPPORTUNITY PROGRAMS

POLICY:

It is the Department's policy that all military and civilian employees have a right to carry out their jobs without discrimination or harassment. Discrimination or harassment of or by any Department of Defense employee will not be tolerated.

Military EO programs are based upon the authority of the Secretary of Defense to regulate personnel matters of the Department of Defense (DoD) -- Congress has specifically exempted the military from coverage by the various civil rights laws it passed. The Department of Defense established its Military Equal Opportunity Program by DoD Directive. Under the Directive, standardized procedures for DoD Component military affirmative action plan accomplishment reports must be submitted to the Office of the Secretary of Defense. Affirmative action is defined as the "methods used to achieve the objectives of the EO program" and the "processes, activities, and systems designed to identify, eliminate, prevent, and work to overcome the effects

of discriminatory treatment as it affects the upward mobility and quality of life for DoD personnel." The Directive also established a Defense Equal Opportunity Council (DEOC) that is chaired by the Deputy Secretary of Defense. The Under Secretaries of Defense, Secretaries of the Military Departments and other senior officials serve as DEOC members. The charter of DEOC is to coordinate and review military and civilian EO programs, monitor progress in achieving program objectives, assist in developing policy guidance for equal opportunity and human relations training, and ensure senior management accountability for equal opportunity programs.

PRACTICES:

Leadership Strong leadership and top down commitment are essential elements of the Department's efforts to achieve racial harmony and equal opportunity in the military Services. Therefore, Commanders are accountable to ensure that equal opportunity policies and programs are understood and executed at all levels. They are required to assess the equal opportunity climate within their organizations, and to institute policies to prevent unlawful discrimination. Each command must establish and publish both formal and informal complaint procedures, and ensure that appropriate disciplinary and corrective actions are taken if unlawful discrimination or reprisal is substantiated.

Training Education and training are integral to the Department's equal opportunity program. A key element of DoD's EO program success can be attributed to the Defense Equal Opportunity Management Institute (DEOMI) -- a defense activity dedicated to equal opportunity training. DEOMI's mission is to:

- (a) Provide training for armed forces personnel who advise commanders and are assigned Equal Opportunity/Equal Employment Opportunity (EO/EEO) responsibilities;
- (b) Perform EO/EEO and associated human relations research in conjunction with the armed forces and monitor and disseminate research findings;
- (c) Provide input to Defense Department leadership in formulating EO/EEO policy;
- (d) Provide EO/EEO training or consultation services to DoD organizations; and
- (e) Collect and disseminate information to assist EO/EEO advisors and human relations professionals in performing their duties.

EO training by the Services is multi-tiered, beginning in basic training and continuing as service members progress through the ranks. It involves understanding basic issues such as what constitutes discrimination or sexual harassment, developing appreciation for the contributions and cultures of the diverse individuals comprising the military, familiarization with DoD EO policies and procedures, and recognition of the importance of EO to unit cohesion and readiness. All new general and flag officers attend a mandatory senior officer training program at DEOMI.

PROGRAMS:

Each year, the military departments submit a Military Equal Opportunity Assessment (MEOA) report that addresses: (1) Recruiting/Accessions, (2) Composition, (3) Promotions, (4)

Professional Military Education (PME), (5) Separations, (6) Augmentation and Retention, (7) Assignments, (8) Discrimination and Sexual Harassment Complaints, (9) Utilization of Skills, and (10) Discipline. Military departments establish their own goals and procedures for affirmative actions. DEOMI serves as a consultant as the military departments conduct the MEOA, and provides informal review of the annual reports.

DoD also uses the Military Equal Opportunity Climate Survey (MEOCS) to provide commanders and other military leaders with information with which to better execute their EO responsibilities. The MEOCS is a professionally developed organizational survey addressing equal opportunity and organizational effectiveness issues. DEOMI administers the MEOCS free of charge to commanders and other organizational heads in all military departments, provides confidential feedback reports and maintains a database of overall survey results. The feedback reports provide comparisons between unit and database results, as well as internal comparisons (e.g., minority-majority, men-women) to assist commanders in planning actions to improve organizational climate. This voluntary program has been well received by commanders, resulting in a database of well over 300,000 respondents.

In addition, military departments develop their own climate assessment programs based upon their unique requirements and traditions. For example, the Navy has the Command Assessment Team Survey System, the Army has the Training Diagnostic Assessment Survey, and the Air Force conducts Staff Assistance Visits using trained EO advisors. Periodically, the military departments and DoD conduct overall climate assessments using sampling techniques (e.g., the Navy Equal Opportunity/Sexual Harassment Survey, the Marine Corps Equal Opportunity Survey, and the 1995 DoD Sexual Harassment Survey).

Complaint Processing Timely complaint processing is one of the more effective tools for maintaining a climate free of racial discrimination. Procedures cover both formal and informal means for resolving complaints and include timelines for resolution (normally 60 days), feedback and follow-up mechanisms. Complaints are investigated in a fair, impartial and prompt manner. All formal reports are reviewed for legal sufficiency.

Promotion Boards Military officer promotion boards recommend for promotion those members considered best qualified. All persons selected must be fully qualified for promotion, regardless of race, sex or ethnicity. The expectation is that minorities and women will be selected for promotion in proportion to their representation within the pool of eligible candidates. This expectation is not always met. For example, in all Services today, the selection rate of minorities for promotion to pay grade O5 (lieutenant colonel/commander) is below the promotion rate for whites. This is one of several reasons why former Secretary of Defense William Perry directed that the officer "pipeline" be studied in order to identify cause(s) for such disparities. Once identified, causes for differences can be addressed -- without compromising standards or substituting quotas for a best qualified promotion system.

Military Recruiting Initiatives DoD has no enlisted recruiting objectives with regard to race, however, the Department actively monitors race distribution within enlisted accessioning programs. The data is used to evaluate trends in the Service recruiting programs and the long

term effects on minority representation in the military. Since 1975, the Department has conducted the Youth Attitude Tracking Survey Study (YATS), a computer-assisted telephone interview of a national representative sample of 10,000 young men and women. The YATS survey provides information on the propensity, attitudes and motivations of young people toward military service. From this survey, DoD tracks the propensity of White, African American and Hispanic youth to serve in the military. Negative trends are addressed by conducting focus groups with Black high school seniors, recent graduates as well as parents. In addition, DoD advertises in black magazines and other media to ensure complete penetration of the public regarding opportunities in the military.

Most of the Services still have low representation of minorities in their officer corps. The Navy and Marine Corps established a "12/12/5 Initiative" to achieve minority representation goals by the year 2000 of 12 percent African American, 12 percent Hispanic and 5 percent Asian/Pacific Islander across all ranks. With regard to the officer corps, the Navy re-established the "Seaman-to-Admiral" program that taps junior enlisted personnel with leadership potential to become officers; it created an Immediate Scholarship Decision program to help attract qualified applicants, including minorities and women, into the Naval Reserve Officer Training Corps at various colleges and universities; the U.S. Naval Academy expanded recruiting efforts for minorities and women and is streamlining its application procedures; and the Navy's Baccalaureate Degree Completion program has been expanded from two to three years in order to make it a more attractive education/commissioning option for enlisted members. Service academy preparatory schools and the Reserve Officer Training Corps (ROTC) units at Historically Black Colleges and Universities (HBCU) also serve to expand the pool of qualified applicants and successfully prepare minorities for officer commissioning.

The Air Force established a prep school to prepare minorities to meet the requirements for entry into the U.S. Air Force Academy. In this way, the Academy enlarges the pool of eligible applicants without compromising entry standards. The Air Force recently began requiring all personnel to attend a mandatory four hour block of instruction on equal opportunity. In addition, the Air Force added eighty-six enlisted manpower authorizations to the equal opportunity and treatment career field. These positions will be used to augment base level social actions offices.

MILITARY UNIQUENESS:

Special circumstances exist in the military that may not exist elsewhere. This is an important factor when considering whether successes in equal opportunity among our armed forces can be transferred to civilian endeavors. Equal opportunity programs in the armed forces are a military necessity and rely on a distinctive pattern of control in the military personnel system that has limited lateral entry, and has recruitment, training, utilization, career development and retention programs regulated by law and directive. The leadership and professional capabilities of officers and non-commissioned officers are developed as they progress through the system. And, finally, the disciplined hierarchy of the military means that when the leadership declares a priority, service members are duty-bound to ensure it is achieved.

CIVILIAN EQUAL EMPLOYMENT OPPORTUNITY (EEO) PROGRAMS

POLICY:

Departmental policy is to:

- 1) Recognize EEO programs, including affirmative action programs as essential elements of readiness that are vital to meeting the national security mission. Equal employment opportunity is the objective of affirmative action programs.
- 2) Develop and Implement DoD Component affirmative action programs to achieve a civilian work force in which the representation of minorities, women and persons with disabilities at all grade levels, in every occupational series and in every major organizational elements are commensurate with EEOC and OPM guidance.
- 3) Ensure civilian EEO program activities are fully integrated into the civilian personnel management system.
- 4) Assess progress in DoD Components in accordance with the affirmative action goals of the Department of Defense.
- 5) Prohibit discrimination based on race, color, religion, sex, national origin, age, or mental or physical disability.
- 6) Eliminate all barriers and practices that impede equal employment opportunity for all employees and applicants for employment.

PRACTICES:

Leadership The Department of Defense incorporates its civilian EEO programs into an overall philosophy of human resource management. Program commitment from the top down is an essential element of the Department's program. This is reflected in the Department of Defense Human Goals Charter (enclosure).

The Office of the Deputy Assistant Secretary of Defense for Equal Opportunity was established in 1993 to develop Department-wide policy initiatives; manage centralized EEO training; represent the Department before national civil rights organizations, other federal agencies, and the public; conduct research on equal opportunity issues and processes; support the Defense Equal Opportunity Council; and make recommendations for Department-wide equal opportunity initiatives.

Training As with its military programs, DoD emphasizes training in implementing its civilian EEO programs. The Defense Equal Opportunity Management Institute (DEOMI) includes a robust program of civilian equal employment opportunity training. DEOMI courses are offered for DoD Component staff in EEO program management, specialist skills, counseling and the use of alternative dispute resolution in the discrimination complaint process. Through centralized training, DoD is able to ensure that all personnel receive the same material and that it is sufficient in scope and detail to meet the Federal program requirements. As with all new general and flag

officers, newly appointed members of the Senior Executive Service receive a mandatory two day senior leader training program.

PROGRAMS:

The Department of Defense Special Emphasis Programs for Blacks, Hispanics, Asian/Pacific Islanders, and American Indian/Alaskan Natives recognizes that each of these groups has experienced unique employment situations or problems. Defense components are required to establish Special Emphasis Programs for each group.

Special Emphasis Program managers analyze the civilian workforce and identify barriers to the employment and advancement of special emphasis groups. These program managers prioritize the problems they have identified, devise feasible solutions, and monitor program implementation and progress. For example, DoD's Hispanic Employment Program Manager has been working with the Hispanic Association of Colleges and Universities (HACU) to develop a partnership agreement to identify Hispanic student/faculty employment opportunities within DoD, and to explore mutually beneficial research and grant funding possibilities.

The Department's Special Emphasis Program managers also assist in planning and implementing a wide range of special observances, such as Martin Luther King Jr.'s birthday. For each special observance period, DoD issues a memorandum encouraging all DoD Components to conduct appropriate activities. At the Pentagon, programs for National African American History Month and Hispanic Heritage Month feature nationally prominent speakers. The Department works with the State Department to conduct a program for Asian Pacific American Heritage Month. In the Pentagon, Martin Luther King Jr.'s Birthday is celebrated with a breakfast, featuring a prominent speaker who reflects upon Dr. King and the meaning of his life. Tickets are sold to cover meal costs and the event is always oversubscribed, even though a large cafeteria is used.

The Department sponsors forums at the annual convention of the NAACP, National IMAGE, Inc., the American GI Forum, Inc. and Blacks in Government. Seminars for DoD employees are sponsored by DoD and the Military Departments during these conventions.

Complaint Processing The Department of Defense Office of Complaint Investigation (OCI) is responsible for investigating individual civilian employee discrimination complaints under Title VII of the Civil Rights Act and the Equal Employment Opportunity Commission. Prompt adjudication is vital to fair and equitable employment conditions and workplace relationships.

OCI was formed in 1993 at the direction of the Deputy Secretary of Defense. It consolidated separate activities of the Services and Defense Agencies. Complainants and their employers benefited as the backlog of cases was reduced and the voluntary settlements avoided expensive appeals and litigation.

All OCI investigators are trained mediators and employ Alternative Dispute Resolution techniques. Use of ADR resolved 523 disputes in Fiscal Year 1996. OCI closed 3,862 cases in Fiscal Year 1996, with 19 percent being successfully mediated or otherwise resolved -- avoiding

approximately \$8 million in further investigative and appellate costs. The average processing time was 107 days, which is well below the EEOC time limit of 180 days.

Hiring and Advancement In hiring, DoD Components determine under-representation within or across their specific organizations based on guidelines established by the Equal Employment Opportunity Commission. The DoD Components then develop plans to provide opportunities to address the identified imbalances. EEO and recruitment offices are charged with the responsibility to establish and maintain contacts with organizations and individuals representative of minority groups to ensure a balanced candidate pool for Defense positions. Once employees are hired, efforts continue to train, develop, mentor, educate and provide promotional opportunities. Minorities have been entering DoD's white collar work force at a reasonable rate, but are generally concentrated in grades below GS-12. Therefore, DoD has required its Components to develop and implement an action agenda to improve the representation of minorities, women, and persons with disabilities in grades GS/GM-13 and above.

Action Agenda On May 10, 1995, the Deputy Secretary of Defense issued an "Action Agenda for Civilian Equal Employment Opportunity Progress in the Department of Defense." The document contained 25 action steps, in nine categories. Key points within the Action Agenda included:

- (1) Incorporate EEO programs into newly required Agency Strategic Plans;
- (2) Require recruitment plans to fill individual SES vacancies with centralized review and approval in each Component;
- (3) Greater use of developmental position by filling jobs at less than the full performance level;
- (4) Establish a corps of SES members to mentor newly selected SES members as well as provide personalized advice to selected GS-13s, 14s, and 15s who aspire to the SES;
- (5) Review all selections for GS-13 and above for EEO considerations;
- (6) Require demonstrated leadership in EEO for managers to receive awards and bonuses;
- (7) Require impact analyses before, during, and after any restructuring, reduction-in-force, or base closure;
- (8) Increase number and type of executive development programs and improve representation of minorities, women, and persons with disabilities in those programs; and
- (9) Develop a comprehensive DoD-wide plan to fully implement E.O. 12876 regarding Historically Black Colleges and Universities, Hispanic Serving Institutions, Tribal Colleges, and other minority institutions.

Downsizing While the Department is still working to improve minority representation in the higher civilian grades, our success in maintaining diversity during the drawdown is notable. Between September 30, 1989, and May 31, 1996, DoD reduced its civilian workforce by 26 percent. During the drawdown, the relative composition of the workforce remained the same; however, as a group, minority representation rose from 26 to 27 percent, and relative representation of minorities in high-grade civilian positions (GS 13-15 and SES) also increased.

Contracting Fiscal Year 1996 marked the fifth straight year that DoD achieved its goal of 5 percent for awards to small disadvantaged businesses, Historically Black Colleges and Universities, and minority institutions. In Fiscal Year 1996, DoD achieved 8.9 percent, with dollar awards of \$9.7 billion. During Fiscal Year 1996, DoD awarded \$107.7 million in contracts, grants and cooperative agreements to Historically Black Colleges and Universities—the highest level ever achieved. Following the Supreme Court's 1995 decision in *Adarand*, the Department, in consultation with the Department of Justice, suspended its small and disadvantaged business set-aside program. DoD continues to emphasize the importance of the small and disadvantaged business program to its buying commands and major prime contractors. The program has paid dividends in that DoD has expanded its industrial base to include many new and innovative suppliers of goods and services.

TRANSFERABILITY:

Although the Department is unique because of the specific mission requirements that it undertakes, certain lessons and elements of success may be applicable more broadly to the private sector.

- **Top-down priority:** There must be no confusion in the ranks about the importance of equal opportunity. Private sector experts stress the importance of similar commitment flowing from the Board Room to the line supervisors.
- **Thorough implementation:** The goals are pursued with a range of tools from management information systems to equal opportunity training, to performance appraisals of managers based on their support for equal opportunity policies.
- **Investments for a quality pool:** The organization must work to recruit, retain and upgrade the skills of minorities through both training and mentorship to ensure that they can compete effectively in the promotion pool.
- **Assessment:** Assessing the health and functioning effectiveness of an organization by examining such factors as morale, teamwork and communication will help managers determine when problems exist, and help ascertain what corrective measures must be applied.



Department of Defense HUMAN GOALS

Our Nation was founded on the principle that the individual has infinite dignity and worth. The Department of Defense, which exists to keep the Nation secure and at peace, must always be guided by this principle. In all that we do, we must show respect for the serviceman, the servicewoman, the civilian employee, and family members, recognizing their individual needs, aspirations, and capabilities.

The defense of the Nation requires a well-trained volunteer force, military and civilian, regular and reserve. To provide such a force, we must increase the attractiveness of a career in the Department of Defense so that service members and civilian employees will feel the highest pride in themselves, their work, their organization, and their profession.

THE ATTAINMENT OF THESE GOALS REQUIRES THAT WE STRIVE

To attract to the Department of Defense people with ability, dedication, and capacity for growth;

To provide opportunity for everyone, military and civilian, to rise to as high a level of responsibility as possible, dependent only on individual talent and diligence;

To assure that equal opportunity programs are an integral part of readiness;

To make military and civilian service in the Department of Defense a model of equal opportunity for all regardless of race, color, sex, religion, or national origin;

To provide equity in civilian employment for older persons and individuals with disabilities and to provide an environment that is accessible to and usable by all.

To hold those who do business with or receive assistance from the Department to full compliance with its equal opportunity policies;

To help each service member in leaving the service to readjust to civilian life;

To create an environment that values diversity and fosters mutual respect and cooperation among all persons; and

To contribute to the improvement of our society, including its disadvantaged members, by greater utilization of our human and physical resources while maintaining full effectiveness in the performance of our primary mission.

Chief of Staff, U.S. Army

Chief of Naval Operations

Chief of Staff, U.S. Air Force

Commandant, U.S. Marine Corps

Secretary of the Army

Secretary of the Navy

Secretary of the Air Force

Secretary of Defense

Deputy Secretary of Defense

Chairman, Joint Chiefs of Staff