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McKinney & McDowell Associates

Public Relations with a Conscience

Gwen McKinney

■ 1325 G Street, NW, Washington, DC 20005 ■

■ Phone: 202-737-6225 / Fax: 202-737-6824 ■





McKinney & McDowell Associates

For Immediate Release
March 8, 1993

Contact: Gwen McKinney/Elaine McDowell
202-737-6225

LDF EXPANDS CIVIL RIGHTS AGENDA TO INCLUDE HEALTH, ENVIRONMENT

Woman to head organization run by Thurgood Marshall

Hillary Clinton joins speakers at luncheon marking new generation of LDF leadership

The NAACP LDF, the nation's preeminent civil rights legal organization, will announce the expansion of its civil rights agenda to embrace aggressive programs in environmental and economic justice and access to health care at a luncheon on **March 10** at the Mayflower Hotel, 1127 Connecticut Avenue NW. The event attended by Hillary Rodham Clinton and prominent civil rights leaders, will also mark the appointment of Elaine R. Jones as the Director-Counsel of the organization that was first headed by the late Thurgood Marshall.

A press availability will be held prior to the luncheon in the East Room of the Mayflower Hotel at 12:00 noon. Advance press arrangements must be made.

Jones, the former head of LDF's Washington, D.C. office, is the first woman to head a major civil rights organization. Although founded in 1940 by the National Association for the Advancement of Colored People, LDF is a distinct organization - not a part of NAACP - with its own program, board of directors, staff and budget.

LDF, since its inception, has helped enact into law many of our most cherished notions of justice and equality. The organization has been involved in more than 500 cases that have gone before the Supreme Court. The only legal entity that surpasses that record is the office of the United States Solicitor General.

Considered the legal arm of the civil rights movement, LDF will launch new initiatives aimed at solving the complex challenges to human rights in the 1990s and the 21st century. In addition to its long-standing role at the forefront fighting discrimination in voting rights, housing, criminal justice, employment, civil and education. LDF will increase its attention to program in environmental justice and economic and access to health care - issues which increasingly contribute to the deteriorating quality of life of African Americans, the poor and society's most vulnerable citizens.

The organization will tackle some of the major environmental health hazards such as childhood lead poisoning which afflicts two-thirds of all African American, poor and inner city youngsters. Reduction of hospital services in minority and poor communities and access to health care will also top LDF's priority agenda. Beyond challenging employment discrimination, LDF also plans to address structural impediments to African American entrepreneurship.

(More)

LDF EXPANDS PROGRAMS/ PAGE 2

As Director Counsel, Jones will step into the national spotlight after more than 20 years as a litigator and civil rights activist. She has been directly involved in monitoring judicial appointments and legislation, fighting discrimination in court, opposing capital punishment, promoting voting rights and securing fair housing.

Jones' appointment continues a long career of breaking barriers and achieving historic firsts. After graduating with honors from Howard University, Jones became the first African American woman graduate from the University of Virginia School of Law. She was one of the first African American women to defend death penalty cases. She was LDF's first official legislative advocate. And she was the first African American to sit on the Board of Governors of the American Bar Association. The appointment also marks the arrival of a new generation of civil rights leaders that came of age during the height of the civil rights movement.

"Charles Houston, Thurgood Marshall and other leaders dismantled the doctrine of legally enforced segregation and established important rights in the areas of housing employment, education and voting," notes Jones. "As LDF moves into the 21st century, a new generation must make these protections a living reality. We must pursue new programs to ensure environmental and economic justice and access to health care."

Jones succeeds Julius L. Chambers, who has become chancellor of North Carolina Central University in Durham.

LDF's first Director-Counsel was the late United States Supreme Court Associate Justice Thurgood Marshall, who led LDF in a successful campaign to have the courts declare unconstitutional the "separate but equal" doctrine, the legal basis for segregation. Under the leadership of Jack Greenberg, who became LDF's second Director-Counsel in 1961, LDF defended sit-in demonstrators, including Dr. Martin Luther King, Jr., and other civil rights activists who put their lives on the line for freedom. Under Julius Chambers, LDF helped ensure enforcement of the Voting Rights Act and adoption of the Civil Rights Act of 1991.

LDF's current program is organized around eight litigation areas: Poverty and Justice; Education; Voting Rights; Fair Employment; Capital Punishment and Administration of Criminal Justice; Fair Housing; Health Care and Environmental Justice. LDF has offices in New York City, Washington, D.C. and Los Angeles.

Members of the press interested in attending the luncheon must make advance arrangements with McKinney & McDowell Associates, 202-737-6225.

(End)

DATE: WEDNESDAY, MARCH 10, 1993
FINAL

PREV RON The White House

9:00 am - **PVT MTG W/Maggie & Patti**
9:15 am **HRC's Office**

9:15 am - **PVT MTG W/Maggie**
9:30 am **HRC's Office**

9:30 am - **PVT MTG W/Ira & Carol**
9:45 am **HRC's Office**

12:20 pm **DEPART** The White House South Portico
EN ROUTE The Mayflower Hotel
1127 Connecticut Ave, NW

Travelling Staff:
Kelly Craighead
Lisa Caputo
Melanne Verveer

12:25 pm **ARRIVE** The Mayflower Hotel
Curbside Greeters: Anthony Stewart Moore
General Mgr. Mayflower

12:30 pm - **PVT MEET & GREET**
12:35 pm **Cabinet Room**

Participants:
Elaine Jones - Incoming Dir. Counsel
William T. Coleman-Chm of the Board NAACP
Robert Preiskel-Pres. of the Board
Mrs. Thurgood Marshall (possible)

12:35 pm **PROCEED TO PHOTO-OP W/Elaine Jones**
Just outside Cabinet Room

12:40 pm **PROCEED TO LUNCH**

12:45 pm - **NAACP LEGAL LUNCH**
1:45 pm **Mayflower Hotel**
Grand Ballroom
(202) 347-3000
OPEN PRESS

Program Format: Julius Chambers - Former
Dir.-Counsel will intro HRC, HRC intros
Elaine Jones - Incoming Dir.-Counsel,
Elaine Jones remarks.

(Expanded program in briefing book)

Participants: 410 attendees

Contact: Elaine Jones
682-1300

1:45 pm

PROCEED TO EXIT

1:50 pm

DEPART Mayflower Hotel
EN ROUTE The White House

1:55 pm

ARRIVE The White House

2:30 pm -

HEALTH CARE MTG

3:30 pm

HRC's Office

Participants: HRC, David Wilhelm,
Maggie Williams, Melanne Verveer,
Rahm Emanuel, Celia Fischer

4:00 pm

DROP BY w/Harry Smith
Library

Contact: Lisa Caputo
456-2960

4:15 pm

DEPART The White House South Portico
EN ROUTE Capitol Hill

4:25 pm

ARRIVE Capitol Hill

4:30 pm -

REPUBLICAN SEN. HEALTH CARE TASK FORCE MTG

TBD

Room S-230

CLOSED PRESS

Format: Intro & remarks by Sen. Dole,
HRC remarks, general discussion regarding
health care.

Participants: Complete list in briefing book
24-35 Senators.

Contact: Shelia Burke
224-6521

RON

The White House

THE WHITE HOUSE
WASHINGTON

Repubs Perchisf.

- Rossy about missed mtg
- Came out det to come up w/ own pkg
- Danf Jeff, Kasse
possibly Chafee
GRAMM v. Dole
I involves in struggle
for control of Reps. Dole
therefore moving more to
right.
- Det. to keep out of
pkg) Reconciliation

(real: if out of Recon need
60 rather than 57 &
will have more control)

- ① Reg want from her that she
understands the trade-offs
- ② for cost containment will
have to propose strong
regs (invasive)
→ for every decision

Want 15 min about
^{cut out in success}
- understanding of the
issues
- substantive challenge
& inherent trade-
offs.

Celebration of Leadership
of
NAACP Legal Defense & Educational Fund, Inc. ("LDF")

Mistress of Ceremonies

J. C. Hayward
News Anchorwoman
WOR??

Welcome

William T. Coleman, Jr.
Chairman of the Board
NAACP Legal Defense and
Educational Fund, Inc.

Invocation

Dr. G. Daniel Jones
Pastor, Grace Baptist Church of
Germantown, Philadelphia, PA

Musical Interlude

Duke Ellington School of
Performing Arts
Washington, D.C.

Legacy of Leadership

Jack Greenberg
Director-Counsel
NAACP Legal Defense and
Educational Fund, Inc.
(1961 - 1984)

Introduction of
Hillary Rodham Clinton

Julius L. Chambers
Director-Counsel
NAACP Legal Defense and
Educational Fund, Inc.
(1984 - 1992)

Music

Shepherd Elementary School

Remarks

Hillary Rodham Clinton

LDF Today & Tomorrow

Elaine R. Jones
Director-Counsel

Special Presentation & Closing

Robert H. Preiskel
President
NAACP Legal Defense &
Educational Fund, Inc.

Potomac Chapter of LINKS
Delta Sigma Theta Sorority

Putting Schools on an Equal Course: LDF Pushes for Educational Equity

As an honors student at John F. Kennedy High School in Silver Spring, Maryland, Allison George had her choice to attend some of the country's finest universities. But in order to attend, Allison knew she'd need significant financial assistance.

Allison found out that the University of Maryland at College Park offered scholarships to outstanding minority students. She applied for and received the Banneker Scholarship, enabling her to realize her educational dream. Allison says that getting the scholarship "makes me push myself to succeed and to not accept mediocrity." She adds that it has another positive effect: presenting students and faculty "a positive image of blacks succeeding academically, and as active leaders on campus." Without them, many African Americans simply could never go to college.

But now Banneker and other minority scholarships are under attack. LDF has joined the university and the state of Maryland to defend these programs.

Education is the cornerstone on which LDF was built. From Thurgood Marshall's success in the *Brown vs. Board of Education* decision striking down legal school segregation, to the defense of minority scholarships in *Podberesky vs. Kirwan* today, LDF has been a champion for educational justice and equal opportunity. LDF's goal is to ensure the highest quality education for African American students.

Equal Educational Opportunity

In Hartford Connecticut, LDF and co-counsel filed suit on state court on behalf of African-American, Latino and white children. The case challenges that the school districts - sharply separated along racial, ethnic and economic lines - deprives Hartford children of equal educational opportunity guaranteed under the Connecticut Constitution. The case is currently being tried in Superior Court.

Opposing Segregation

LDF remains committed to guaranteeing that African American students have access to the same quality, breadth and variety of education as other children.

- ♦ LDF won a 20 year fight against school segregation in the Pittsburgh suburbs. The 1991 ruling required state funding of comprehensive educational improvements to benefit African Americans.

- ♦ In Palm Beach County, Florida, LDF assisted in a lawsuit brought after the school board wanted to replace a predominantly minority high school with a new facility built next to a prison on land used for toxic waste materials. The suit was settled when the board agreed to put the school next to a community college.
- ♦ In Chambers County, Alabama, LDF has challenged a plan to carve out a separate, predominantly white school district that would inherit a disproportionate share of the resources available.
- ♦ In St. Helena Parish, Louisiana, LDF is pushing the federal court to require the state to construct new schools to replace the decrepit, antiquated and dangerous facilities that the area's mostly African American population now attends.

Gaining Access to Higher Education

LDF maintains a long-standing commitment to improving the access, retention rates and graduation rates of higher learning, and to the enhancement of historically black colleges and universities.

- ♦ LDF filed an *amicus* brief on behalf of minority plaintiffs in a U.S. Supreme Court case that could determine whether former Jim Crow states will be required to remedy the legacies of segregation and discrimination in their university systems.
- ♦ LDF has worked to preserve minority scholarships in the face of legal challenges and opposition from the Bush Education Department.

Chapter 1 Program

LDF is helping to reshape federal policy affecting impoverished inner-city and rural schools, which receive funds under the Chapter 1 program. Since its enactment in 1965, the program has provided extra resources for teachers, aides and equipment to assist millions of African American students attain basic skills in reading and mathematics.

LDF's efforts are vitally important. The \$6 billion federal program must be redesigned to improve the woefully inadequate education provided to millions of poor and minority students.

- ♦ LDF participates in the congressionally mandated National Assessment of Chapter 1, which is recommending changes to require ambitious educational outcomes, to insist on school accountability, to reduce excessive student testing, to target money to schools with the greatest needs and to support parents in the role as their child's first teacher.

- ◆ LDF, along with other advocates for poor and minority students, helped to establish the Commission on Chapter 1, an independent, foundation-sponsored body. It has recommended wholesale changes in federal law that would enhance the ability of students to acquire the high level skills and knowledge necessary for success in college and in the job market.

Overturning Barriers to Fair Employment

Paula Dean started her job as a salad bar attendant at the sparkling new Shoney's Restaurant the day it opened in Pensacola, Florida in 1987. Despite the lower paying job--she had sought the position of hostess or cashier--she was convinced there would be room to quickly advance. But after more than a year of being trapped in the same position, several denied requests for promotions, and months of training new staffers for positions she couldn't get, it dawned on Paula Dean that something wasn't right. "The last thing I considered is that the others were getting promotions because they were white and I was being denied because I was black," notes Dean, who left Shoney's in 1988 with a bachelor's degree and a certificate in word processing.

Paula Dean wasn't the only victim of Shoney's discriminatory practices. Represented by LDF, she and some 40,000 others this year won the largest employment discrimination class action ever brought against a private company -- for \$105 million. In addition to the record settlement, the Nashville food chain, with more than 1500 stores in 30 states, was forced to adopt an aggressive company-wide program to increase job opportunities at all levels for African Americans.

The Shoney's case is just one illustration of LDF's success in using the courts to battle employment practices that shut African Americans out of the nation's economic mainstream. LDF will continue its aggressive Fair Employment program to fight discrimination--whether overt or subtle--and raise the standard of living for African Americans.

Redefining the Civil Rights Act

One of LDF's chief concerns the last few years has been to rectify more than a half dozen 1989 Supreme Court decisions that severely weakened the legal protections against job bias. These rulings seriously imperiled rights previously guaranteed under both the 1866 and 1964 Civil Rights Acts.

LDF lawyers and board members worked with Congress in drafting the Civil Rights Act of 1991, which corrected many of the problems created by the Court's 1989 rulings.

But the fight is not over...

- ◆ Though the new law provides litigants with significant new tools to combat employment discrimination, compromise language in the

final bill lead to litigation about the precise meaning and scope of certain parts of the Act.

- ◆ LDF is still working on cases that were already in the courts when the Civil Rights Act of 1991 passed. One of the most troubling is the case of Brenda Patterson, a North Carolina bank clerk who sued her employer over racial slurs, discriminatory work assignments, and other on-the-job racial harassment. A court last year dismissed her claim holding that the 1991 Act does not apply to her 1989 case.
- ◆ LDF has published and widely circulated to attorneys a manual that discusses how to litigate questions regarding the applicability of the 1991 Act to pending claims.

Enforcing the Law

Despite an adverse legal climate LDF continued to win significant victories:

- ◆ The underrepresentation of African Americans, Latinos, and Asians in supervisory positions in the Los Angeles Police Department will change as a result of administrative complaints filed by LDF and Latino and Asian officers. In October 1992, the City of Los Angeles agreed to a settlement that sets up a 12-year program to enable minorities to reach parity. The City will also pay \$500,000 to establish new training programs and \$1 million for scholarships and other aids to advancement.
- ◆ A federal appellate court sustained LDF's objections to a discriminatory promotion examination used by the Port Authority of New York and New Jersey (*Waisome v. Port Authority*). This decision will likely double the number of African-American sergeants on the force.
- ◆ A federal judge approved the terms of a settlement that included \$5.25 million in back pay in a longstanding LDF case involving more than 1,000 African Americans formerly employed by the Pullman-Standard Company (*Swint v. Pullman-Standard*).

Black Women's Employment Program

In 1991-1992, LDF's Black Women's Employment Program continued its litigation on behalf of economically disadvantaged, working women of color:

- ◆ LDF won a 1989 class action suit by documenting claims of intentional discrimination in promotions and assignments at the New York City Human Resources Administration. The defendants agreed to settle the case, providing for promotions and back pay.

- ◆ LDF is taking step 5 to enforce the rights to training and child care provisions of the Family Support Act of 1988. The Act requires states to develop programs to enable parents receiving Aid to Families with Dependent Children (AFDC) to become self-supporting.

LDF Expands Legal Terrain Environmental Justice Charts New Program

The residents of Mountain View Mobile Home Park in Globe, Arizona learned that their community was built on soil that was sixty percent asbestos. After an intense two-year legal battle, in 1983 each family received an \$80,000 settlement.

The residents of Carver Terrace in Texarkana, Texas discovered that their homes were built on land saturated with chemicals so toxic that they sickened the residents and killed their pets. In 1992-93 each family received an average of \$30,000 to \$40,000 for their homes, well below the cost of replacement properties.

The residents of Mountain View are blue-collar whites. The residents of Carver Terrace are middle-class blacks. LDF is challenging this discriminatory treatment.

As Americans become more conscious of environmental hazards, they are becoming more and more aware of widespread environmental injustice. Poor and minority communities continue to be dumping grounds for dangerous wastes and noxious industry, while federal and state environmental laws are enforced unfairly. In response, LDF has launched a new legal campaign to secure environmental justice.

Hazardous Waste Sites and Incinerators

Low-income and minority communities around the country have asked LDF to assist them in keeping out hazardous waste.

- ◆ In Palm Beach County, Florida, for example, LDF helped a predominantly African-American and Latino community prevent a school board from building a high school on land containing toxic waste.

Lead Poisoning

The Secretary of Health and Human Services has labelled lead poisoning the number one environmental health problem affecting children. Lead causes neurological impairment and learning disabilities, attention deficit disorders, and other serious problems. At least three to four million American children have been contaminated by lead; at least two-thirds of African-American inner-city children are afflicted.

- ◆ LDF and a coalition of environmental and poverty law groups filed a federal law suit challenging California's failure to protect poor children from lead poisoning in violation of federal Medicaid law. In a landmark settlement, California

agreed to screen 500,000 poor children for lead and to ask physicians to question parents about their children's exposure to lead. California will be required to offer lead testing to all one-year-olds. LDF plans to pursue similar action in other states.

- ◆ LDF is directly involved a nationwide class action suit on behalf of poor children. The Texas suit would force the federal government to require effective blood lead level tests for Medicaid-eligible children.
- ◆ In Congressional testimony on bills to strengthen the federal response to the lead crisis, LDF spoke out on behalf of the shockingly high number of African-American children who have been exposed to lead. On October 28, 1992 the reauthorization of the National Affordable Housing Act -- which contains key provisions regarding the abatement of lead hazards -- was signed into law by then President Bush.

Discriminatory Administrative Enforcement

LDF's new program of litigation and advocacy will mount a direct attack on unfair and unequal enforcement of environmental regulations.

- ◆ Federal and state agencies have used their considerable discretion in enforcing environmental laws to discriminate against minorities and the poor. In the single largest environmental program, Superfund, for example, sites located in minority communities have received much less priority and funding than sites in white communities. Likewise, the Environmental Protection Agency has approved a disproportionately high number of hazardous waste facilities in minority communities.

LDF will pursue effective, equal enforcement of environmental regulations through litigation, administrative or judicial intervention, and through community education and advocacy. An important element of the environmental justice program will be a novel legal strategy that will buttress the usual environmental law theories with racial discrimination claims. In an era when the courts have become much less friendly to both civil rights and the environment, LDF's ability to get new laws passed will also be critical.

Access, Reform and Advocacy: LDF Expands Health Care Program

Lisa Matthews, a mother of two in Long Beach, California, was worried that exposure to lead could be dangerous to her daughters, so she asked the doctor at a health clinic to screen them. Ms. Matthews was told that her children, who were covered under the Medicaid program, could not be screened because Medicaid insurance would not pay for lead testing.

In a landmark settlement, LDF secured an agreement that California doctors would test not only the Matthews girls, but would also screen 500,000 other poor children throughout the state.

Finding Permanent Solutions

LDF's program on health care issues uses litigation and other means to battle the dismally poor health status of low-income African Americans. The program had its origins in a three-day national conference LDF convened in 1991 to help solve the African-American health care crisis. The conference brought together more than 200 civil rights advocates, health care practitioners, administrators, legislators, and attorneys. The result was LDF's new health care initiative and a new multi-disciplinary network of health care advocates for African Americans and the poor.

Preserving Accessible Health Care for Women

- ◆ Working closely with a community coalition, LDF has filed suit to prevent St. Luke's/Roosevelt Hospital Center's plan to "downsize" its facility medically underserved central Harlem by more than 300 beds and to transfer many key services to midtown Manhattan. The case is part of a dangerous national trend toward removing hospital services from and denying access to the poor.
- ◆ In Tennessee, as in many other states, a very small percentage of obstetric care providers are willing to treat Medicaid recipients, many of whom are minorities. To address this problem, LDF and other groups filed a federal lawsuit in December 1991 on behalf of low-income Tennessee women who are entitled to Medicaid benefits and medical services but have been unable to obtain adequate obstetric care.
- ◆ In 1992, LDF filed an amicus brief in *Planned Parenthood v. Casey*, the case that presented the U.S. Supreme Court with the opportunity to review a woman's constitutional right to terminate a pregnancy. LDF's brief argued that the Court should consider the impact of the statute on poor women and their ability to exercise the right of reproductive choice.

Opening Up Nursing Homes and Hospitals to Minorities and the Poor

- ◆ In 1988, Pennsylvania paid \$714 million in Medicaid funds to nursing homes; 90 percent went to people who paid private rates "up front," the majority of whom were white and middle class, while minorities and the poor were shut out. LDF and the Pennsylvania Health Law Project are challenging these discriminatory fee arrangements in federal court.
- ◆ LDF successfully challenged a discriminatory practice in Tennessee that enabled nursing homes to "warehouse" beds for wealthier patients with private funds. A 1991 settlement will provide nursing home beds on a "first-come, first-served" basis, improving the access of the poor, African-American elderly to nursing care.

Addressing Insurance Issues

- ◆ In New Jersey, LDF took on Blue Cross, to fight discriminatory insurance rates practices and make health insurance more accessible. LDF represented a coalition of public interest groups. Despite laws requiring equal rates, Blue Cross charged people living in a poor county more, basing rates on gender, county of residence, and age. The Appellate Division found Blue Cross' use of demographic rates illegal.

Protecting Children from Environmental Hazards

Nearly two-thirds of African American inner city children suffer from lead poisoning causing learning disabilities and other physical and neurological damage.

- ◆ LDF and a coalition of environmental and poverty law groups filed a federal law suit challenging California's failure to protect poor children from lead poisoning in violation of federal Medicaid law. In a landmark settlement, California agreed to screen 500,000 poor children for lead and to ask physicians to question parents about their children's exposure to lead. LDF plans to pursue similar action in other states.
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LDF Blends Tradition and Innovation In Battle for Fair Housing Enforcement

For no apparent reason, a Los Angeles landlord refused to rent an apartment to an African-American nurse and her son, a National Guard reservist. Upon investigation, it was discovered that the owner of the units had ordered his rental agents to keep track of the race of all rental applicants through a coding system. In one of the most significant awards granted by a Los Angeles court in a housing case, LDF recently settled the case, sending a warning to the real estate industry that racial discrimination will not be tolerated.

To aid African Americans who are denied housing solely because of their race, LDF's Fair Housing Program is using a variety of innovative advocacy, education and litigation strategies. LDF is also using the courts to aid victims of more subtle but equally pernicious forms of housing discrimination and exploitation.

Penalizing Housing Bias

LDF is fighting to make those who discriminate pay the price. Congress has responded by strengthening the Fair Housing Act, lifting the cap on punitive damages in housing discrimination cases and giving the federal government more enforcement authority. LDF carefully monitors enforcement of this legislation and fights to establish favorable legal precedents to codify and enhance the laws.

- ♦ Trial is imminent in *Harder v. Magnolia Palms Apartments*, a case in which a landlord consistently raised the rent he charged an African-American tenant in an effort to force the tenant to move. The rental manager has indicated that she was explicitly instructed to treat LDF's client differently because he is African American.
- ♦ LDF filed a complaint this year in U.S. District Court in Uniondale, New York, against a Long Island landlord that harassed and threatened to evict two white tenants because they had black visitors. The suit is tied to a larger legal enforcement strategy aimed at protecting the people who are ultimately affected by racial discrimination -- African Americans and other people of color.

Ending Discriminatory Advertising

Ancestral and long-held black land has dwindled dramatically over the past two decades. Ten years ago when the U.S. Civil Rights Commission called for immediate changes in government policy to prevent the complete disappearance of black farmers, there were 567,271 black farmers owning approximately 4 million acres. The 1987 Agriculture Census found only 22,954 African American farmers remaining with only 175 in the entire nation under age 25. The problem is believed to have worsened even more since then. LDF encourages the development of programs to revive African American farms.

- ◆ On Daufuskie Island, South Carolina, LDF is working with African American residents to reverse a pattern of private and government discrimination. Unequal and inadequate municipal services and racially exclusive resort development threaten to turn the island, once a shining example of African American self-reliance, into an all-white enclave.
- ◆ In James City, North Carolina, a black community with its roots dating back to the civil war, public protest and LDF's intervention blocked a federally funded construction project that threatened to cause extensive cultural, environmental and physical devastation.

Housing bias and residential segregation are furthered by housing advertisements that display white models only and convey a distinct message that "minorities need not apply."

- ◆ LDF won a landmark settlement in a lawsuit against the developer and marketing agency of a New York co-op which agreed to pay \$250,000 to four African Americans and the Open Housing Center and to use African American models in future advertising.
- ◆ LDF is litigating more than a dozen lawsuits against the advertising and real estate industries in the Washington, D.C. metropolitan area and New York City for disseminating "whites only" ads.

Enforcing the Fair Housing Act

Even though many laws against discrimination are on the books, LDF has found that enforcement of these laws is not guaranteed. To assure compliance, LDF carefully monitors the processing of housing discrimination complaints and the administration of housing programs.

- ◆ In 1991, LDF filed a Freedom of Information Act request with HUD for data on its record of fair housing enforcement. The information was shocking -- of 4,194 complaints of race or color discrimination filed over a 22 month period, only 1,176 were resolved through conciliation, and of the 242 that were investigated, only 21 were found to have cause to believe discrimination occurred. LDF is now engaged in an extensive review process to analyze HUD's files.
- ◆ In 1990, LDF became co-counsel in a suit that challenges the way federal housing assistance programs are administered in the Buffalo, New York area. In violation of the Fair Housing Act, minority public housing residents have been denied access to vouchers that would have supplemented their rent and given them an opportunity to move to private housing in predominantly white, suburban neighborhoods. LDF has reached a settlement on some narrow issues and hopes to settle the primary issues before a trial becomes necessary.
- ◆ In February 1992, LDF co-sponsored a conference in Chicago for lawyers and others interested in the remedies available to address segregation in government-assisted housing. The other sponsors were The National Housing Law Project, Business and Professional People for the Public Interest and the Texas Lawyers Committee for Civil Rights Under Law. Community education is a vital key to enforcement of the Fair Housing Act.

Black Land Loss

**Balancing the Scales:
Capital Punishment and the Administration of Justice**

He killed no one. Yet on July 30, 1992, William Andrews was executed by lethal injection in Utah. The 37 year old African American was a victim of our nation's abhorrent practice of capital punishment -- a process widely characterized by racial injustice. Eighty-six percent of those executed have been put to death for killing whites: murders of blacks receive lesser sentences. Andrews was tried by an all-white jury. After lunch one day during trial, a note which read "hang the niggers" was found on the jurors lunch table. Andrews was convicted of murder despite the fact that he fled the scene of the crime before the murders were committed by his accomplice. Avowed white racist Joseph Paul Franklin, also tried in Utah, was sentenced only to life imprisonment. He shot two black men in cold blood for jogging with white women.

Minorities and the poor have often been the victims of bias perpetrated by America's law enforcement and criminal justice systems. LDF's work in these areas aims to eliminate police misconduct, insure greater protection of constitutional rights of all Americans, and abolish capital punishment.

Opposing the Death Sentence

National in scope, LDF's capital litigation focuses broadly on the system's bias -- against the poor, minorities, the vulnerable and the disabled -- and its unreliable sentencing procedures. LDF's campaign includes fighting for competent counsel, adequate defense resources and juries from which minorities are not excluded.

The campaign is being waged in the courts, local communities and the general public.

- ◆ In four Georgia cases in 1991, intervention by LDF and community leaders convinced prosecutors to seek life sentences instead of the death penalty.
- ◆ In Texas, LDF persuaded the Court of Criminal Appeals that inmates were entitled to appeal their death sentences because the former Texas death penalty law precluded the jury from considering important mitigating circumstances.
- ◆ When LDF reinvestigated the case of Robyn Parks in Oklahoma and discovered false trial testimony, exculpatory evidence concealed by the prosecution, and ineffective assistance counsel, it didn't sway the court. Thanks to LDF's massive organizing effort, thousands of people appealed to the Governor, the Parole Board, and the media.

- ◆ Tragically, Parks was executed in March 1992. But his case energized the national and international debate on racial injustice and capital punishment.

Resisting Threats to Habeas Corpus

During the past four years, the Supreme Court and the Bush administration worked meaningful form. Habeas corpus. Habeas corpus is the most important means prisoners have to ensure that state officials complied with the Bill of Rights at their trials.

- ◆ At the request of Congress, LDF has provided considerable advice about the pressing need to preserve a viable habeas corpus remedy. LDF has also rendered assistance to those arguing important habeas corpus cases in the Supreme Court.

Addressing Police Misconduct

The beating of Rodney King by Los Angeles police in March 1991 focused America's attention on nationwide police brutality and discrimination. LDF's Western Regional Office is playing an innovative and increasingly important role in the Los Angeles area.

- ◆ LDF Board Member Gilbert Ray was Executive Director of the Christopher Commission, the quasi-governmental group whose recommendations have led to significant reforms of the Los Angeles Police Department. LDF staffers testified before the Commission and helped it investigate racial discrimination against African Americans, including police officers.
- ◆ In September 1990, LDF and a team of private lawyers filed one of the largest police misconduct suits in history. The complaint alleged more than 60 incidents of abuse against more than 70 African Americans and Latinos by Los Angeles County deputy sheriffs assigned to the town of Lynwood. A federal judge granted a preliminary injunction, finding that the plaintiffs were victimized by "terrorist-type tactics" and that several deputies were members of a "neo-nazi, white supremacist gang...with the knowledge of departmental policymakers." LDF's intends to ensure that the Lynwood substation is placed under the control of a receiver or special master.
- ◆ LDF also filed two cases challenging a common practice in Los Angeles: setting police dogs on non-combative criminal suspects who are offering no resistance to arrest. The cases also challenge the discriminatory deployment of police canine units in minority neighborhoods while they are rare in white neighborhoods.

**Democracy Delayed:
LDF's Crusade on Voting Rights**

Judges Bonnie Fitch, Francis Williams and William Plummer, all up for re-election in Harris County, Texas judicial races followed the same rules of the political game as 16 other Democratic incumbent judges. All of the incumbents raised money together and shared campaign tactics.

The 16 other judges -- all white -- won re-election. The three African Americans lost, despite overwhelming support by minorities in Harris County, where African Americans comprise 20 percent of the population. "The only thing different between us and the other 16 was the color of our skin," says Fitch.

And in Louisiana, New Orleans' majority African American population is divided into two judicial districts so that it can be combined with the majority-white suburbs. This arrangement, combined with the area's voting patterns, essentially prohibit African Americans from getting elected to the state's Supreme Court.

Fair elections are a basic tenet of American democracy. Yet racial discrimination continues to be rampant in our electoral system. To fight such injustices, LDF is challenging discriminatory electoral practices, safeguarding minority voting rights and fostering African American political empowerment.

Promoting Fairness in Judicial Elections

In many states, the elected judiciary is the last bastion of segregation in government. State and local officials maintain existing methods or develop new ones to preserve the existing racial makeup of their elected officials. But LDF is there in the struggle for electoral fairness.

- ◆ Ruling on a challenge by LDF and other civil rights groups, the U.S. Supreme Court held that judges are "representatives" under the Voting Rights Act. Judicial election districts could, therefore, be challenged if electoral practices are shown to have a discriminatory effect. As a result, Louisiana agreed to settle the case brought by African-American voters, resulting in the election of the first African American to the Louisiana Supreme Court in 1992.
- ◆ In Galveston, Texas in December 1991, an African American was elected to serve as a Justice of the Peace for the first time, as a result of LDF's challenge to the discriminatory election scheme.

- ◆ LDF continues to challenge judicial election schemes in Texas, Oklahoma and other states where judicial electoral discrimination persists.

Fostering African-American Political Empowerment

In the mid 1980s, in Etowah County, Alabama, just after the first African-American since Reconstruction won election to the County Commission, the white majority of the commission stripped the black commissioner of his budgetary authority. He was left unable to carry out the road maintenance functions he was elected to perform. However, in 1991, the Supreme Court held that the Voting Rights Act did not cover this discriminatory action.

The Presley situation is part of a worrisome trend. With more vigorous enforcement of the Voting Rights Act and increasing numbers of African Americans being elected to office, more and more local governments are making changes that reduce the ability of black elected officials to represent their constituents effectively. One of LDF's priorities is to devise new ways to challenge these discriminatory practices.

- ◆ LDF is working with other attorneys and the NAACP to challenge a rule change in Shelby County, Tennessee. There, when black county commissioners failed to provide the required two-thirds margin for the white majority's county commission redistricting plan, the white majority ignored the two-third requirement and passed the plan by a simple majority, rather than seek a compromise agreeable to all.
- ◆ LDF is also working with other attorneys and local community groups in Haywood County, Tennessee to challenge the gerrymandering of the school board. When African Americans began winning election to the Haywood County Commission, which elects the school board, the white majority of the Commission gerrymandered the County Commission and eliminated the residency requirement for school board members. Now, there is no way to ensure black representation on the school board even though the county is majority black.
- ◆ In Chicago, LDF and cooperating attorneys are challenging the redistricting plan for the City Council because the white majority deliberately failed to create additional majority black districts, in order to preserve its control over the Council. Although whites comprise 37 percent of the population, they dominate 48 percent of the City Council districts in the city.

During the post-census redistricting in 1991-1992, LDF began a campaign in several target states to educate and empower community residents to participate in the 1990 redistricting process. LDF arranged or participated in a series of workshops and educational

meetings on redistricting, the Voting Rights Act and other voting rights matters in Arkansas, Louisiana, Florida, North Carolina and Texas. LDF provided technical and legal assistance to African-American constituents in these states to ensure fair voting practices.

LDF's work focuses in particular on providing African American community activists, ministers, lawyers and legislators with the knowledge and tools to monitor post-census redistricting to protect minority voting rights.

March 9, 1993

MEMORANDUM FOR HILLARY RODHAM CLINTON

FROM: Kim Tilley

SUBJECT: Briefing materials for Wednesday, March 10th

The following material is attached for tomorrow's events:

NAACP Legal Lunch briefing

- Invitation letter from Elaine Jones
- NYT's article on Elaine Jones
- Elaine R. Jones Biographical Sketch
- NAACP-LDF Overview/Jones Leadership Prospectus
- A Portrait of Inequality (prepared by LDF)

Senator Republican Task Force on Health Care briefing

- Task Force Member List
- Summary of Task Force's 1991 Health Care Proposal
- Proposal critique
- Bios and health positions of Task Force Members

March 9, 1993

SENATE REPUBLICAN TASK FORCE ON HEALTH CARE

DATE:	March 10, 1993
LOCATION:	S-230/Capitol
TIME:	4:30 p.m.
FROM:	Kim Tilley

I. PURPOSE

To address the Senate Republican Task Force on Health Care and answer their questions about the President's Task Force on Health Care Reform.

NOTE: Some of the Members were disgruntled that your previously scheduled meeting in Anapolis was cancelled. They felt the weather excuse was a bit flimsy since they had made the drive themselves. This seemed to provide some of the impetus to the group's decision at the meeting's conclusion to develop their own health care reform package.

While originally they were interested in hearing about the process and where they as Republicans fit in, they now also want to hear a demonstration of your understanding 1) of the issues involved and 2) of the trade-offs involved (e.g. if cost containment is part of the reform package, the government will have to propose strong "invasive" regulations). They don't simply want to share their concerns, they want to ascertain what you know. (Cliches like "chip on their shoulders" and "show me" come to mind.)

Another potential difficulty is that Senators Dole and Gramm are involved in a struggle for control of the Republican party. This struggle is increasingly moving Senator Dole over to the right and may prove troublesome. For example, this meeting was supposedly set up under the jurisdiction of the Health Care Task Force. Senator Dole's office, however, made it quite clear that he was in charge.

II. BACKGROUND

- These Senators are very interested in the role that Republicans will play in this process.
- The Senate Republican Task Force on Health Care was formed almost three years ago. Senator Dole tapped Senator Chafee to chair the task force because of

his long standing interest and activities in this area. The task force meets every Thursday that the Senate is in session to discuss health care issues.

- Many of the members of this group -- led by Senators Chafee and Dole -- have drafted a health care proposal, very similar in its limited scope to a proposal that President Bush introduced just days before the New Hampshire primary last year. It is an incremental attempt to repair parts of the system without attempting comprehensive reform. It fails to control costs or provide security. [Please see the attached summary of their proposal as well as our critique about their plan.]
- As you are aware, Congressional Republicans in general are very worried about the taxes that may be raised to finance health reform and the increased role of the government that is contemplated by many advocates of reform. They generally oppose global budgets, employer mandates, and other attempts to increase government regulation of the private sector.
- These Senators, under Chafee's leadership, wanted to form a bipartisan working group last year to find solutions to a number of the smaller health care issues -- realizing that the larger issue of health reform would have to wait until after the election. The Democrats ostensibly agreed to the proposal but were not very active -- wary of taking the issue away from Bill Clinton or producing a small package which would dispel some cries for reform and for which George Bush would take the credit. This group felt that the Democrats did not make a good faith effort and publicly concluded that Democrats are using health care as a political issue but are not serious about health care reform.
- Melanne wanted to remind you that many of the members in this meeting could be potential votes (Chafee, Durenberger, Kassebaum, Cohen, and Bond in particular). Many of them have worked on this issue for several years and they are eager to hear what you have to say.

III. PARTICIPANTS

Please see the attached list and brief descriptions of the health care positions taken by these Senators. It appears Senator Dole's office has opened this up beyond the task force to all Republican senators. It is unclear who in addition to the task force members may attend.

IV. PRESS PLAN

Closed press for the meeting. Open press - arrival and departure.

V. SEQUENCE OF EVENTS

- o Introductory remarks by Senator Dole;
- o HRC remarks (15-20 minutes)
- o Informal Q&A.

IV. REMARKS

- In light of their sensitivity on the issue of their inclusion, you might mention, that you hope this will be the first of many opportunities to listen to their concerns and engage in substantive discussions on the issue of health care reform.
- Recognize Senator Chafee's leadership in this area (as you may remember, he is the one who extended the invitation to you).

Senate Republican Task Force for Health Care

John H. Chafee, Chairman

SENATORS

Christopher S. Bond
Hank Brown
Conrad Burns
John H. Chafee
Dan Coats
Thad Cochran
William S. Cohen
Larry E. Craig
John C. Danforth
Robert Dole
Pete V. Domenici
Dave Durenberger
Slade Gorton
Charles E. Grassley
Judd Gregg
Orrin G. Hatch
Mark O. Hatfield
James M. Jeffords
Nancy Landon Kassebaum
Trent Lott
Richard G. Lugar
Connie Mack
John McCain
Mitch McConnell
Frank H. Murkowski
Don Nickles
Bob Packwood
Larry Pressler
William V. Roth, Jr.
Alan K. Simpson
Arlen Specter
Ted Stevens
Strom Thurmond
Malcolm Wallop
John W. Warner

SENATE REPUBLICAN TASK FORCE ON HEALTH CARE
Summary of Health Care Proposal

TITLE: THE HEALTH EQUITY AND ACCESS IMPROVEMENT ACT OF 1991

GOALS: To "hold down skyrocketing costs and expand access"

PROVISIONS:

A. Cost Containment:

1. Medical Liability Reform
 - Including: alternate dispute resolution systems, preempting state tort law, setting damage awards
2. Managed Care
 - Encourage development of managed care arrangements through tax credits and "pre-emption of state anti-managed care laws"
3. Insurance Reform
 - Encourage development of small group purchasing cooperatives
4. Prevention
 - Expand existing public programs such as Childhood Immunization and Community Health Centers

B. Expansion of Access to Health Care:

1. Tax credits for individuals
 - Value of \$1,200 per family and \$600 per individual. Credit applies to family income below \$32,000 and individual income below \$16,000.
2. Tax Credits for Small Business
 - A tax credit -- starting at 25% in 1st year and then diminishing -- given to small businesses which begin to provide health insurance or extend coverage to dependents. Credits are also given for joining insurance purchasing groups.
3. Tax Deductibility
 - Applies to self-employed and those without employer-provided health care.
4. Expansion of Public Health Service Programs
 - Including: Community Health Centers and the National Health Service Corps (May provide access to additional 7.5 million in next five years)
5. Creation of new public program
 - Provide matching funds for states to develop systems for poor people who are not eligible for Medicaid
6. Rural Access
7. State Flexibility
 - Provide waivers to allow states flexibility in restructuring existing system

SPONSORS: Senators Chafee, Dole, McCain, Specter, Bond, Cohen, Danforth, Murkowski, Gorton, McConnell, Stevens, Pressler, Simpson, Wallop, Warner, Mack, Domenici, Hatfield, D'Amato, Grassley, Kasten, Lott, Hatch, Nickels

[Meeghan Prunty, Communications]

CRITIQUE OF SENATE REPUBLICAN TASK FORCE HEALTH CARE PROPOSAL

Two years ago -- before Senator Wofford's election propelled health care reform to the forefront of the public consciousness -- this might have been an innovative attempt to address some real issues in America's health care system. In 1993, however, amidst a public outcry for comprehensive reform of the entire health care system, it is an attempt to preserve the *status quo* -- offering a piecemeal approach that exacerbates the weaknesses of the current system. It is not a serious attempt to address America's crisis in health care as it neither controls costs nor guarantees the quality, affordable health care that will give Americans peace of mind. Furthermore, the Republicans offer no details of how they will finance this proposal.

REPUBLICAN PLAN HAS NO REAL COST CONTROL:

- The Republicans' proposals for reining in national health care spending are minimal. This proposal does not include the two most important aspects of a serious cost containment strategy -- controlling overall health care spending and limiting increases in payments to providers. It will throw more money into a system that doesn't work now.

TAX SUBSIDIES ONLY PAY FOR THREE MONTHS OF HEALTH INSURANCE:

- The credits and deductions offered by this proposal are too small to make a difference in the purchase of an insurance policy. Families USA estimates that it would cost a family of four, living in Washington, D.C., \$6,000 a year for a "bare bones" insurance plan with a \$300 deductible. In this case, the proposed tax credit (\$1,200) won't even pay for three months of health insurance. In addition, tax credits do nothing to control the escalating costs of health care and insurance premiums. These costs will therefore continue to rise -- further reducing the value of these credits to working families.

INCOMPLETE INSURANCE "REFORM":

- The Republican proposal offers no comprehensive insurance reform and does nothing to address the underlying causes of health inflation -- such as the overuse of technology, excessive increases in provider charges, and unnecessary procedures. Although improvements in small group insurance is an important component of any reform effort, this proposal does not include any cost containment measures. Successful reform of the small group insurance market can only be done in the context of comprehensive national effort.

MANAGED CARE INCENTIVES DON'T GO FAR ENOUGH:

- Many of large businesses with sophisticated managed care plans for their employees lead the charge for health reform, recognizing that their programs alone cannot stem the rising tide of health care inflation. No system-wide savings can be achieved in the absence of system-wide reforms.

MALPRACTICE LIABILITY REFORM -- BIG SOLUTION FOR SMALL PROBLEM:

- While the issue of medical malpractice needs to be addressed, malpractice reform is not meaningful cost containment as premiums for malpractice insurance represent less than two percent of our national health care spending.

REPUBLICAN TASK FORCE ON HEALTH CARE

SENATOR JOHN CHAFEE, CHAIR:

Senator John Chafee of Rhode Island is considered one of the more liberal Republicans in the Senate. He co-sponsored this year's Family and Medical Leave Act. Senator Chafee has been very active in the health care reform forum, working on legislation in the 102d Congress to expand Medicaid to help the mentally retarded, and to allow federally funded family planning agencies to advise women of the availability of abortion. He co-sponsored Senator Mitchell's Freedom of Choice Act of 1993 (S. 25). He also co-sponsored Senator Lautenberg's PRO-KIDS Act of 1993 (S. 261), a bill to protect children from exposure to environmental tobacco smoke in the provision of children's services.

SENATOR ROBERT DOLE, REPUBLICAN LEADER:

A Washington Post article recently commented: "Well versed and experienced in health care matters, [Senator Dole of Kansas] is poised to be the stalking horse for the conservatives. He has been an advocate of market based incremental reform similar to that proposed by President Bush during the campaign. Dole is expected to oppose most forms of government regulation, most especially mandates on businesses, but has not entirely closed the door on some type of price controls to control costs. He wants to make sure that rural areas fare well under any plan." [Washington Post, 1/26/93]

Most recently, on January 21, Dole introduced S. 176, a bill to amend Medicare -- focusing on rural health issues, such as essential access community hospitals, regional referral centers, medicare-dependent small rural hospitals, prohibitions on carrier forum shopping, and demonstrations. In the 102d Congress, Dole sponsored a bill to make the tax deduction for health insurance costs of self-employed individuals permanent, and to provide for a phased-in increase in the deductible amount of health insurance costs from 25 to 100 percent. He also submitted a bill that included an insurance pooling mechanism.

Senator Dole recently said: "...if we're going to have health care reform, it's got to be bipartisan. Nobody has the votes for health care reform. We don't have the votes. We're the minority. Democrats don't have the votes because they have different ideas. But it seems to me this issue is so important that it shouldn't be politicized. Now, politics -- there's a place for it, and there's a place not for it, and I think health care reform is one of those areas." [Reuter Transcript Report, 2/16/93]

SENATOR ROBERT BENNETT:

Senator Robert Bennett of Utah is the oldest member of the freshman class, and enters the Senate having made a fortune from the Franklin Day Planner. He currently serves on the Committee on Energy and Natural Resources, Committee on Banking, Housing, and Urban Affairs, the Committee on Small Business, and the Joint Economic Committee. In the two months he has been in the Senate, Bennett has co-sponsored no legislation with significant health policy implications.

SENATOR CHRISTOPHER "KIT" BOND:

Senator Kit Bond of Missouri is known for his spirited partisanship and willingness to oppose popular initiatives -- such as the Americans With Disabilities Act and the 1990 Civil Rights Act. He co-sponsored a Republican health care initiative in the 102nd Congress that sought a \$150 billion solution to the lack of universal coverage, and when asked whether he was submitting the bill over Bush Administration objection said, "[Sununu] is not driving our bus." [NYT, 11/8/91]

Senator Bond recently introduced an administrative reform bill addressing the high cost of health care administration -- and excluding the increased costs or cancellation for sickness -- saying: "the loss of insurance coverage when a child becomes very ill is not risk-sharing, it's risk-avoidance. The broad health care reform is vital. It is a very, very complex problem, but there are certain, I think, readily agreed upon steps that we ought to take. I don't expect that we're going to get health care reform solved within the first 100 days. I think we can take some very significant steps, and I hope we will." [FNS, 1/4/93] Senator Bond was one of eight Republican co-sponsors on the Family and Medical Leave Act, and also co-sponsored Senator Dole's recent bill on Medicare (S. 176).

SENATOR THAD COCHRAN:

Mississippi Senator Thad Cochran conservative stand on almost all issues and chairmanship of the Senate Republican Conference reflects his Republican leadership role in the Senate. On health care, Senator Cochran recently said, "...it needs to be understood that the Republican contribution on the health care issue discussion indicated a willingness to work together, and an acknowledgement that this is one of the most serious problems we face in the country today, and that it ought to be given a very high priority. So I don't think we ought to misunderstand what the commitment is. And the commitment is to try to work in a bipartisan way to solve these problems that exist in the health care area, acknowledging that they're complicated, multifaceted." [Reuter Transcript Report, 1/26/93]

SENATOR WILLIAM "BILL" COHEN

Senator Bill Cohen from Maine is considered to be an unpredictable and liberal Republican, whose home state priorities often override partisan votes. Last session, Senator Cohen worked on a health care package which included a refundable tax credit for health insurance premiums and a nationwide low-cost basic benefits package. On January 27, 1993, Senator Cohen submitted S. 223, the Access to Affordable Health Care Act, a bill to contain health care costs and increase access to affordable health care, and for other purposes. Senator Cohen also co-sponsored Senator Mitchell's Freedom of Choice Act.

SENATOR LARRY CRAIG:

Idaho's junior senator Larry Craig emphasizes economic development and is opposed to any government regulations that might hamper this development. Senator Craig co-sponsored Senator McCain's Medicare Provider Payment Equity Act of 1993, which is designed to amend the Social Security Act to repeal the reduced medicare payment provision for new providers. He also co-sponsored Senator Dole's recent bill on Medicare (S. 176).

SENATOR JOHN DANFORTH:

Senator John Danforth of Missouri is one of two co-sponsors of Senator Kassebaum's BasiCare Health Access and Cost Control Act, which focuses on cost control through reform and simplification of private health care insurance. At the press conference on the submission of the legislation, Senator Danforth emphasized that, "the easiest thing to do is to introduce a bill that provides for universal coverage. The hardest thing to do is to provide for cost control." [FNS, 2/4/93] On January 21, Senator Danforth submitted S. 151 amending the Social Security Act, to permit payments under a State plan to certain vaccine manufacturers. He also co-sponsored Senator Dole's recent bill on Medicare (S. 176). The Senator has been vocal lately opposing the possibility of new taxes for health care reform, saying, according to The New York Times, "it would be 'extremely difficult' for Congress to pass new taxes for health care on top of those sought for deficit reduction." He is also quoted as saying, "How many big tax bills is Congress going to pass in a year? ... How much is the country going to swallow in a year?" [NYT, 2/21/93]

SENATOR PETER DOMENICI:

Senator Pete Domenici of New Mexico has been reluctant to diverge publicly from the Republican party lines. Addressing the issue of health care in December, the Senator said, "you can't get the federal budget under control without dramatically reducing the increasing costs of health care." [Reuter Transcript Report, 12/10/92] Senator Domenici released a report last October with Senator Nunn that suggested that to control escalating federal health care costs, Congress should enact legislation by December 1993 to cap spending on entitlement programs such as Medicare and Medicaid.

SENATOR DAVID DURENBERGER:

Minnesota Senator David Durenberger's committee responsibilities (Labor, Environment, Aging) reflect the issues -- particularly health care -- with which he is most concerned. Senator Durenberger tried to salvage the Catastrophic Health Care Act when Congress repealed it in 1989. He authored the Small Employer Health Benefit Reform Act of 1990 and is opposed to some paths towards universal health care -- maintaining that the financial burden could fall too heavily on the business community. In the 103rd Congress, Senator Durenberger is a co-sponsor of Senator Kennedy's NIH Reauthorization bill and has also co-sponsored, along with Senator Hatch, Senator Kennedy's Long-Term Care Insurance and Improvement Accountability Act -- which seeks to amend the Public Health Service Act to improve the quality of long-term care insurance through the establishment of Federal standards. He also co-sponsored Senator Dole's Medicare reform bill (S.176).

According to a recent AP story, Durenberger stated that "Nobody can ever say we can get to 100 percent (health insurance) coverage without a tax... It's hard to imagine covering 36 million ... (who now have no insurance) without additional public subsidies." He has repeatedly urged caution in working towards universal coverage, opting for managed competition yielding savings to generate expanded coverage over a long period of time. [BNA Pension Reporter, 1/25/93]

SENATOR SLADE GORTON:

Senator Slade Gorton of Washington has recently returned to the Senate. In the 103rd Congress, he is a co-sponsor of Senator Dole's Medicare reform bill.

SENATOR ORRIN G. HATCH:

In the early 1980's, Senator Hatch of Utah chaired the Labor Committee and is still active on issues on the committee's agenda, such as child care legislation (on which he broke with his leadership) and civil rights legislation. Senator Hatch led the opposition on the Labor Committee to mandated health insurance in 1988 and 1989. Like Senator Durenberger, Senator Hatch co-sponsored Senator Kennedy's NIH Reauthorization bill and Senator Kennedy's Long-Term Care Insurance and Improvement Accountability Act. In the 102d Congress, Senator Hatch sponsored the "Health Care Access and Affordability Act of 1992" (S. 3348), which was a consumer-choice based health reform plan.

SENATOR MARK HATFIELD:

Senator Mark Hatfield of Oregon was a Republican co-sponsor on the Family and Medical Leave Act, and co-sponsored Senator Harkin's Contraceptive and Infertility Research Centers Act (S. 95) -- which provides for the development and operation of centers to conduct research with respect to contraception and centers to conduct research with respect to infertility. Although he is pro-life, he did back amendments to allow family planning at Title X clinics. Recently, Senator Hatfield sponsored a bill to establish a National Center for Sleep Disorders Research within the National Heart, Lung and Blood Institute (S. 104).

SENATOR JAMES M. JEFFORDS:

Senator James Jeffords of Vermont is considered one of the most liberal Republicans in the Senate and has frequently broken with the Republican leadership -- notably in his efforts to repeal the "gag rule". Last October, Senator Jeffords sponsored legislation to create a single-payer, Canadian style "MediCore" health insurance, designed to pay the cost of prescription drugs and long-term care for the elderly, split costs between federal and state governments (with the federal government paying 70 percent), and replace insurance premiums with a federal tax of 6 percent on payrolls - 4 percent paid by the employer and 2 percent by the employee. [Gannett, 10/6/92] In the current Congress, Senator Jeffords has co-sponsored the Family and Medical Leave Act and the Freedom of Choice Act.

SENATOR NANCY KASSEBAUM:

Senator Nancy Kassebaum of Kansas co-sponsored the NIH Reauthorization Act and Senator Dole's Medicare reform bill, but perhaps most significantly, sponsored the BasiCare Health Access and Cost Control Act (S. 325). Her initiative is designed to provide for comprehensive health care access expansion and cost control through reform and simplification of private health care insurance and other means.

SENATOR JOHN MCCAIN:

Senator John McCain of Arizona, a traditional conservative, has submitted, without co-sponsors, the Children's Health Care Improvement Act of 1993 (S. 28), which seeks to improve the health of America's children. He also sponsored, and Senator Craig co-sponsored, the Medicare Provider Payment Equity Act of 1993 (S. 31), which would repeal the reduced Medicare payment provision for new providers. The Senator also co-sponsored Senator Dole's Medicare reform bill.

SENATOR MITCH MCCONNELL:

Kentucky's junior Senator, Mitch McConnell, co-sponsored Senator Dole's Medicare reform bill. The Senator was recently named head of the Better America Foundation, which was developed to form Republican positions on issues like health care reform.

SENATOR FRANK MURKOWSKI:

Alaska Senator Frank Murkowski is generally a free-market oriented conservative. In the 102d Congress, Senator Murkowski co-sponsored Senator Hatch's Health Care Access and Affordability Act.

SENATOR DON NICKLES:

Senator Don Nickles of Oklahoma has been very active in setting the overall tone of Republican policy as Chair of the Senate Republican Policy Committee. Senator Nickles co-sponsored Senator Dole's Medicare reform bill. When asked for a point of agreement between Republicans and Democrats, Senator Nickles said, "Streamlining and coordinating administrative costs in health care." [Gannett, 12/18/92] During his campaign this fall, Senator Nickles emphasized medical malpractice reform and vouchers for people unable to afford health insurance.

SENATOR ROBERT W. PACKWOOD:

Senator Bob Packwood of Oregon was an important co-sponsor on the Family and Medical Leave Act, and attended the Rose Garden signing ceremony. He also co-sponsored Senator Mitchell's Freedom of Choice Act, Senator Harkin's Contraceptive and Infertility Research Centers Act of 1993, Senator Pryor's Rural Primary Care Act of 1993 and the State Health Service Corps Demonstration Act (S. 241). On the Republican side, Senator Packwood co-sponsored Senator Dole's Medicare bill. During his campaign last fall, Senator Packwood singled out health care as an issue on which he was closer to then-Governor Clinton than his opponent, Representative Les AuCoin.

SENATOR ALAN SIMPSON:

Senator Alan Simpson of Wyoming enjoys a position in the Senate Republican leadership as Minority Whip. He has taken partisan positions on issues like the Clean Air Act and other environmental issues, but breaks with many Republicans in his pro-choice stance. Senator Simpson sponsored no health care legislation in the 102nd Congress and has neither sponsored nor co-sponsored health care legislation in the 103rd Congress.

SENATOR ARLEN SPECTER:

Pennsylvania's Senator Arlen Specter has long staked out his territory on traditionally Democratic issues, like support for labor and women's rights. During last fall's campaign against Lynn Yeakel, Senator Specter proposed a health care reform package focussed on preventative care, while increasing federal funding for health care from his position on the Labor, Health and Human Services, and Education Subcommittee of the Appropriations Committee. He also touted his co-sponsorship of the "Health Care Access and Affordability Act of 1992," a consumer choice based health care reform proposal.

SENATOR TED STEVENS:

Senator Ted Stevens of Alaska has recently co-sponsored Senator Wellstone's Antiprogestin Testing Act of 1993 (S. 222), which requires the Commissioner of Food and Drugs to collect information regarding the drug RU-486 and review the information to determine whether to approve RU-486 for marketing as a new drug. He also co-sponsored Senator Lautenberg's Preventing Our Kids From Inhaling Deadly Smoke (PRO-KIDS) Act of 1993 (S. 261).

SENATOR JOHN W. WARNER:

Senator John Warner of Virginia has generally taken conservative positions although he is pro-choice and favors repeal of the Hatch Act. Senator Warner sponsored no health care legislation in the 102nd Congress and has neither sponsored nor co-sponsored health care legislation in the 103rd Congress.

March 9, 1993

NAACP-LEGAL DEFENSE & EDUCATIONAL FUND LUNCHEON

DATE: March 10, 1993
LOCATION: Mayflower Hotel
TIME: 12:00 p.m.
FROM: Kim Tilley

I. PURPOSE

To honor Elaine Jones, the first woman to serve as Director Counsel of the NAACP - Legal Defense and Education Fund.

II. BACKGROUND

Founded in 1940, NAACP-LDF traditionally has focused on equal education, fair employment, fair housing, and voting rights. Recognizing additional barriers to advancement, Ms. Jones is shifting the focus of LDF to include:

- 1) health care access - through litigation, education and advocacy, LDF is expending health care access and challenging substandard services for people of color and the poor;
- 2) environmental justice - LDF is fighting against environmental racism -- the use of minority and poor communities as dumping grounds for hazardous waste and polluting industries;
- 3) reform of the criminal justice system - LDF is working to stop police misconduct and is fighting all other forms of bias against the poor and minorities in the criminal justice system.

III. PARTICIPANTS

Elaine Jones, Director Counsel, NAACP-LDF
Julius Chambers, former Director Counsel (1984-1992), NAACP-LDF
Maureen Bunyan, broadcaster and event MC
William T. Coleman, Chairman, NAACP-LDF
Dr. G. Daniel Jones, Pastor, Grace Baptist Church of Germantown, Philadelphia, PA
Jack Greenberg, former Director Counsel (1961-1984), NAACP-LDF
Robert Priskel, President, NAACP-LDF

(NOTE: Program participants will be at the head table.)

IV. PRESS PLAN

Open Press.

V. SEQUENCE OF EVENTS

- o Meet Elaine Jones in holding room (additional participants include: William T. Coleman, Robert Priskel and Mrs. Thurgood Marshall [tentative]);
- o Proceed to photo-op w/ Elaine Jones;
- o MC - Maureen Bunyan;
- o Welcome - William T. Coleman;
- o Invocation - G. Daniel Jones;
- o Musical interlude - Duke Ellington School for the Performing Arts - D.C.;
- o Tribute to Thurgood Marshall, Jr. - Jack Greenberg;
- o **Introduction of HRC - Julius Chambers;**
- o Musical interlude - Shepherd Elementary School - D.C.
- o **General remarks and Introduction of Elaine Jones - HRC;**
- o Brief remarks - Elaine Jones;
- o Closing - Robert Priskel

IV. REMARKS

It has been suggested that your remarks tie Elaine Jones' accomplishments with both NAACP-LDF's history and new direction. (You may also wish to tie in your meeting with CDF's Black Community Crusade for Children.)



NAACP LEGAL DEFENSE
AND EDUCATIONAL FUND, INC.

Regional Office

Suite 301

1275 K Street, NW

Washington, DC 20005 (202) 682-1300 Fax: (202) 682-1312

March 8, 1993

Mrs. Hillary Rodham Clinton
Office of the First Lady
The White House
Room 100-Old Executive Office Building
Washington, D.C. 20500

Dear Mrs. Clinton: *Hillary*

Effective February 15, 1993 the Board of Directors unanimously selected me as the Fourth Director-Counsel of the NAACP Legal Defense & Educational Fund.

I am the first woman to serve as head of this historic civil rights, public interest law firm.

Justice Thurgood Marshall was the founder of this organization in 1940 and served until 1961 as its first director-Counsel. As the nation's foremost law firm in the area of racial justice, ours is a rich legacy. Over the past 53 years the principles and issues for which we have fought have given definition and meaning to the term "equal justice under law". We are especially pleased that these labors have benefitted Americans regardless of race, creed or gender.

On Wednesday, March 10, 1993, LDF has scheduled a luncheon to announce my selection as director-counsel. The luncheon will be held in Washington, D.C. from 12-2pm in the Grand Ballroom of the Mayflower Hotel. I would be most grateful if you would attend the luncheon, participate with me in the photo session and introduce me to those attending the event.

The event is not a fundraiser and the number of participants has been kept to approximately 600 people. As the invitees are assembling, I would like to provide the press with a photo opportunity between noon - 12:30pm in the East Room (directly across from the Grand Ballroom). Your standing with me in that session extending the support you have always shown will provide very special encouragement. If you accept, invitees will be already assembled as we enter the ballroom at 12:30pm; the program begins at 1 pm; and we plan to depart no later than 1:50pm.

Office of the First Lady
Mrs. Hillary Rodham Clinton
March 8, 1993
Page 2

During the brief program Julius Chambers, our former director-counsel, will introduce you and, if I am lucky enough, you will say some introductory words about me and LDF. I will then speak briefly.

Attached for your information is my biographical data, and a typed copy of the packet which will be printed and made available to the press.

On Monday, March 8th, after talking with your staff we will forward by close of business any additional materials that may be useful.

Thank you sincerely,

Elaine R. Jones

Elaine R. Jones
Director-Counsel

ERJ/da

The New York Times

FRIDAY, JANUARY 29, 1993

Memories Drive NAACP Fund's New Leader

By CATHERINE S. MANEGOLD

In the fall of 1967, when Elaine R. Jones was studying law at the University of Virginia, she took a break one day in a lounge off the women's restroom, the only place female students could congregate then. She remembers sitting in a "state of shock," intimidated by the intricacies of legal theory and daunted by the massiveness of her legal texts. But before she could recover from that bout of first-year blues, she had another shock.

"A middle-aged white woman came in," Ms. Jones recalled. "She looked at me sitting on the sofa and said, 'I know you're on your lunch break, honey, but when you finish could you please clean out the refrigerator?'"

It dawned on the startled 23-year-old: "She thinks that I'm the cleaning lady!"

Now 48 and telling that story over a winter's lunch of lobster cakes in the Jefferson Hotel in Washington, Ms. Jones let out a rolling laugh. She never forgot the slight. Neither did she let it break her stride. Instead, she became the first black woman to graduate from the law school and, later, to become a prominent civil rights advocate in Washington.

To Head Rights Group

On Feb. 15, the legal expertise she has garnered over the last quarter-century will take her one step further. Realizing an ambition born in a more inchoate form when she was 8, Ms. Jones will be the first woman to head the NAACP Legal Defense and Educational Fund, a civil rights organization that long ago severed its bureaucratic ties with the National Association for the Advancement of Colored People and that works with a broad spectrum of law cases, including discrimination, hate crimes and equal access to health care.

As director-counsel, Ms. Jones will stand at the forefront of evolving civil rights law with a \$9.5 million budget and a staff of 28 lawyers — and a long way from the misperception that marred her early days in law school.

With the change to the Clinton Administration after 12 years of Republicans in the White House, Ms. Jones is facing a set of political realities in flux. She described her new challenge as that of addressing policies and rights rolled back in several Supreme Court decisions. She also said she wanted the education fund to tighten its focus on issues of racial balance in hiring and in appointments to Federal judgeships.

Ms. Jones said she expected to concentrate on health and education issues. She cited a Federal lawsuit filed recently over plans by St. Luke's-Roosevelt Hospital Center to move from Harlem to a more affluent area in midtown Manhattan as an example of one effort to preserve accessible health care for the urban poor.

'We Have a Long Way to Go'

"People have got to understand that if something is not in the law, then you've got nothing," Ms. Jones said. "We have made some progress, but we have a long way to go still — in struggles with race."

As only the fourth director-counsel in the 57-year history of the NAACP Legal Defense and Educational Fund, Ms. Jones will join a roster of civil rights leaders who've shaped legal history during crucial battles over segregation, education and the death penalty.



By Paul Burnett/The New York Times

As head of the NAACP Legal Defense and Educational Fund, Elaine R. Jones will be following a trail blazed by Thurgood Marshall for 21 years as he

gave shape to the evolving civil rights law. "People have got to understand that if something is not in the law, then you've got nothing," she said.

Thurgood Marshall headed the organization from 1940 to 1961, before becoming a Federal appeals court judge and, in 1967, the first black to sit on the Supreme Court. In 1961, Mr. Marshall gave up his position to Jack Greenberg, who argued 40 cases before the Supreme Court before turning to academia. In 1989, Mr. Greenberg became dean of Columbia University's undergraduate college. The fund's present director, Julius L. Chambers, is leaving to become chancellor of the North Carolina Central University in Durham.

Ms. Jones's route to the top position at the New York-based institution began in childhood. She described her early political awakening as "the oldest story in the world." Her father, a Pullman porter who belonged to the nation's first black union, brought politics to the dinner table, mixing talk of racial realities and segregation with family matters and second helpings. Her mother, a college-educated teacher, added the conviction that the world could accommodate her daughter's boldest ambitions.

'They Said We Couldn't Stay'

But it was the nation itself, in the 1940's and 1950's, that had the sharpest lessons to teach, she said. Ms. Jones says she remembers growing up in a world that never presumed her to be equal. And she vividly described moments when that reality stung. One such incident occurred on a trip to Chicago with her father, sister and brother in the early 1950's. "We had reservations at a hotel," Ms. Jones said. "But when we got there, they said we couldn't stay."

Other hotels were suddenly booked up, and the family wandered through Chicago's windy downtown until they finally found a room at a YM-YWCA. "That experience really shaped me," she said.

In college, the political percolations of the 1960's underscored her commitment to civil rights work. After a stint in the Peace Corps, she set out to study law. In her last year at law school, she nearly accepted a job with a Wall Street law firm, Mudge, Rose, Guthrie & Alexander.

"If I had gone there," she said, "I probably would be making a million dollars a year by now." Instead, she said, she got cold feet about turning away from her primary goal, civil rights work.

"By the time Christmas came around, I couldn't look at myself in the mirror," she recalled. She told the law firm she would not be signing on.

Ms. Jones stopped, instead, at the New York offices of the Legal Defense and Educational Fund, where she worked with a team of lawyers to help prisoners appeal their death sentences. Five years later, in 1975, she moved to Washington to work as a special assistant to William T. Coleman, President Gerald R. Ford's Secretary of Transportation.

After two years in the Washington bureaucracy, she returned to the education fund as a lawyer and lobbyist, becoming an outspoken critic of the Reagan and Bush Administrations' records on civil rights.

Irrked by G.O.P. Appointments

Ms. Jones says she was particularly irked by several Republican appointments. When President Ronald Reagan asked J. Harvie Wilkinson 3d, a well-connected 38-year-old law professor at the University of Virginia, to fill a Federal Appellate Court vacancy in Virginia, Ms. Jones testified at the confirmation hearings about his lack of judicial experience.

She also testified that Mr. Wilkinson had never had a primary election debate, even in 1990.

ten a legal brief on his own.

She was also critical of the Reagan Administration's backing of William Bradford Reynolds as Associate Attorney General and, in 1989, of Mr. Reynolds's chosen successor, William Lucas, a black lawyer from Detroit whose views on civil rights enforcement had drawn widespread criticism from minorities. Fearing that Mr. Lucas would continue Mr. Reynolds's challenges to affirmative action and efforts to overturn school busing programs, Ms. Jones joined other civil rights leaders in criticizing his inexperience in civil rights law.

Still bitter over the Republicans' "dismal" record on civil rights hiring practices, she complained in the interview over lunch that while the Carter Administration had appointed 37 blacks to the Federal judiciary, only 17 of 558 such appointments went to blacks in the last dozen years. Now, cautiously, she looks toward the Clinton Administration to help to improve the hiring record and perhaps some inspiration.

Ms. Jones also has her strategy: She never did get an apology from the woman who asked her to clean out the refrigerator, she said. But she did benefit in an odd way.

"I saw that woman later," Ms. Jones said. "She was the dean's secretary. When she saw me later, she didn't say anything about that incident. But, I'll tell you, the whole time I was at that school, there was never anything that I needed but the dean's office that I didn't get."

Elaine R. Jones, Biographical Sketch

Elaine R. Jones is the first woman to head the NAACP Legal Defense and Educational Fund, the legal arm of the movement for racial justice, founded in 1940 by the late Thurgood Marshall. As Director-Counsel, Ms. Jones will be stepping into the national spotlight after more than 20 years as a litigator and civil rights activist who often worked behind the scenes, and was a leader on a range of issues. She has been directly involved in monitoring judicial appointments and legislation, fighting discrimination in court, combating capital punishment, promoting voting rights, and securing fair housing. Her appointment punctuates a lifetime of breaking barriers and achieving historic firsts.

Born in Norfolk, Virginia in 1944, in the Jim Crow South, Ms. Jones grew up in a world that treated her as less than equal. She learned early on its painful lessons--from having to drink at a "colored" water fountain, to being turned away from hotels and restaurants because of her race. At home, however, she learned about politics and pride. Her father, a Pullman porter, and member of the nation's first organized black trade union, helped her understand racial realities and segregation. Her mother, a college-educated teacher, helped her believe that she could achieve her highest goals. By the time she was eight, Ms. Jones knew she wanted to be a lawyer, the beginning of a lifelong commitment to equal justice under law.

After graduating with honors from Howard University in 1965, with a BA in Political Science, she enlisted for a two-year stint as a Peace Corps volunteer. She became one of the first African Americans to be posted to Turkey. When she returned to the states, she broke a much bigger barrier: in 1967 she became the first black woman to enroll in the University of Virginia School of Law. Three years later, she became its first black woman graduate.

After graduation, she was offered a job with one of the nation's most prominent Wall Street firms. But she turned it down, knowing that her lifetime commitment was to civil rights. In 1970 she began a career as an attorney with LDF, joining its New York office. She was once again a trailblazer when she became one of the first African American women to defend deathrow inmates. Some of the toughest involved African American defendants throughout the South, where the Ku Klux Klan tried to intimidate her by surrounding Southern courthouses as she argued motions and tried cases on behalf of capital defendants. She didn't back down. With her keen instincts and her command of the law, she fought effectively for her clients at all levels of the court system. Just two years out of law school, she served as a counsel of record in *Furman v. Georgia*, a landmark U.S. Supreme Court case that abolished the death penalty in 37 states.

At the LDF New York Office, Jones also brought class action employment discrimination cases against some of America's biggest companies who were represented

by large law firms. From 1973 to 1975, Jones served as managing attorney, overseeing LDF's law practice, and gaining administrative experience.

Jones broadened her experience in other ways, too. In 1975, she left LDF to serve two years as one of two Special Assistants to then U.S. Secretary of Transportation William T. Coleman Jr. where she literally opened roads, built bridges, and took the lead in opening the U.S. Coast Guard to women. And she learned from the inside how the Washington policy establishment works.

In 1977, Jones achieved another first. She returned to LDF to head its Washington, DC office and became the organization's first official legislative advocate. In that capacity, Jones earned a reputation both as skillful negotiator who could give an ardent voice to those most denied and shut out, and as a strategist who kept LDF at the leading edge of the struggle for justice and equality.

She has been effective both publicly and behind the scenes. She worked tirelessly with nominees, bar associations and Congress to secure confirmation of judicial appointments. Jones also worked throughout the '80's to secure passage of Civil Rights initiatives of the House and Senate. She delivered testimony and consulted with members of Congress. She built bridges from the civil rights community to business and to women's groups. During the Clarence Thomas nomination proceedings, she was an expert commentator on the McNeil-Lehrer Report, appearing on national television every night. And she became the person that the established leaders of the civil rights movement turned to first for advice and counsel on key issues.

Jones' efforts helped pass scores of civil rights laws such as the Voting Rights Act Amendments of 1982, the Civil Rights Restoration Act of 1988, the Fair Housing Act of 1988 and the Civil Rights Act of 1991. She helped to defeat some of the worst judicial appointments during the 1980's.

Jones continued to represent civil rights plaintiffs in employment discrimination class actions in the federal courts. And in one of her most compelling cases, she appealed the conviction of a retarded African American defendant in Alabama who had been sentenced to life for rape. Jones won the appeal, got the new trial moved to a different city, and successfully convinced a jury that the defendant was not competent to stand trial. This case was another first for Ms. Jones -- the first time a jury in Alabama had ever decided on the competency of a defendant.

Ms. Jones broke another barrier in 1989, one that had endured for more than a century. A member of the American Bar Association House of Delegates, Jones was elected to the ABA Board of Governors in 1989 for a three-year term, the first African American elected to the board.

She also served on the ABA Commission on Women and currently sits on the ABA Council on Individual Rights and Responsibilities. Throughout her legal career, she has been active in the Old Dominion Bar Association and the National Bar Association and serves as cochair of the NBA's Judicial Selection Committee. She has served on the board of the Mexican-American Legal Defense Fund and currently serves on the board of the National Women's Law Center, and the executive committee of the Leadership Conference on Civil Rights.

In recognition of her tireless efforts to protect the civil rights of Americans, Elaine R. Jones has received numerous awards and honors. A small sample of these include the Career Achievement Award of the Women's Bar Association of the District of Columbia in 1992, the Gertrude E. Rush Award of the National Bar Association in 1992, an honorary doctorate from the District of Columbia School on Law in 1991, and additional honors from the Southern Christian Leadership Conference, National Council of Jewish Women, National Association of Black Women Attorneys, and Harvard University.

A teacher and mentor, Elaine has served as a guest lecturer at Oxford College in England, Tel Aviv University School of Law, and the University of Khartoum in the Sudan, as well as the schools of law at American University, Catholic University, Georgetown University, Harvard University, Howard University, Temple University, and College of William and Mary. She has also participated in numerous conferences, panels, seminars, and media programs.

Ms. Jones has been admitted to the Bar of the Supreme Court of Virginia and the District of Columbia Court of Appeals; United States District Courts for the Eastern District of Virginia and the District of Columbia; United States Court of Appeals for the Fourth, Fifth and Eleventh Circuits; and the Supreme Court of the United States.

**THE NAACP Legal Defense and Educational Fund:
In Defense of Justice**

Many of our most cherished notions of justice and equality have the force of law thanks to the NAACP Legal Defense and Educational Fund (LDF). Under LDF's new Director-Counsel, Elaine R. Jones, the organization continues to push for social justice while attacking the root causes and brutal effects of poverty.

Ms. Jones, LDF's fourth Director-Counsel, is the first woman to hold the post. Her appointment continues a lifetime of breaking barriers and achieving historic firsts. During a 26-year career as a litigator and civil rights activist, she has been a leader on every major issue including monitoring judicial appointments, fighting discrimination, combating capital punishment, promoting voting rights, and securing fair housing.

Under Jones' leadership, LDF will continue to focus on the programs that have led to so many historic victories for racial justice-- equal education, fair employment, fair housing, and voting rights. To meet the complex social, economic, and political challenges of the 21st Century, Jones has launched innovative programs in the areas of health care, environmental justice, and the reform of the criminal justice system.

LDF is organized around nine litigation areas:

- ◆ **Poverty and Justice.** LDF challenges discrimination and deprivation, which victimize millions of impoverished Americans.
- ◆ **Education.** LDF works to abolish segregation, promotes equality of opportunity and fair distribution of resources for education, and attacks barriers to higher education for minorities.
- ◆ **Voting Rights.** LDF fights laws and practices that deny minorities full, equal participation in the democratic process.
- ◆ **Fair Employment.** LDF battles employment practices in court that discriminate against people of color and shut them out of the economic mainstream.
- ◆ **Capital Punishment.** LDF is working to abolish the death penalty by changing a judicial system that is biased against people of color,

the poor, the vulnerable and the disabled.

- ♦ **Administration of Criminal Justice.** LDF is working to stop police misconduct and is fighting all other forms of bias against the poor and minorities in our criminal justice system.
- ♦ **Fair Housing.** LDF uses innovative litigation strategies to help victims of overt or subtle discrimination in housing. LDF is also attacking homelessness and substandard housing.
- ♦ **Health Care.** Through litigation, education and advocacy, LDF is expanding health care access and challenging substandard services for people of color and the poor.
- ♦ **Environmental Justice.** LDF is fighting against environmental racism--the use of minority and poor communities as dumping grounds for hazardous waste and polluting industries.

LDF also administers scholarship programs to support black law students nationwide, and awards scholarships to undergraduate students.

LDF, headquartered in New York City, maintains offices in Washington, D.C. and Los Angeles. LDF's Washington Office litigates civil rights issues, responds to requests from Congress for information and advice on civil rights legislation, prods federal agencies to enforce civil rights laws, monitors key Presidential appointments, and educates the public on civil rights. LDF's Western Regional Office has been involved in the recent battles around police brutality and anti-black bias that followed the videotaped beating of black motorist Rodney King by Los Angeles police.

Founded in 1940 by the National Association for the Advancement of Colored People, LDF has been a separate and distinct organization for more than thirty years, with its own staff, program, budget and Board of Directors. LDF's first Director-Counsel was the late United States Supreme Court Associate Justice Thurgood Marshall, who led LDF in a successful campaign to have the courts declare unconstitutional the "separate but equal" doctrine, the legal basis for segregation. Under the leadership of Jack Greenberg, who became LDF's second Director-Counsel in 1961, LDF defended sit-in demonstrators, including Dr. Martin Luther King, Jr., and

other civil rights activists who put their lives on the line for freedom. Under Julius Chambers, LDF helped ensure enforcement of the Voting Rights Act, defended Supreme Court challenges to the Voting Rights Act and the Civil Rights Act of 1866, and significantly contributed to the adoption of the Civil Rights Act of 1991.

A Portrait of Inequality

Although most Americans, are less concerned than they once were about racial discrimination, gross and persistent racial disparities in health care, income, education and general living conditions -- issues most important to all Americans -- paint a tragic portrait of inequality.

HEALTH AND HEALTH CARE ACCESS

- In 1989, the infant mortality rate for African-Americans was more than double the rate for whites.
- In 1990, the life expectancy at birth was only 64.8 years for an African-American male, 72.6 for a white male, 76.3 years for an African-American female, and 79.3 for a white female.
- The age-adjusted death rates in 1989 for African-Americans was sixty-percent higher than those for their white counterparts.
- In 1989, 22 percent of African Americans had no health coverage, compared to 14.5 percent of whites.

WIDENING INCOME GAP

- The median household income was \$18,807 for African Americans in 1991, compared to \$31,569 for whites.
- 32.7 percent of African Americans are living below the poverty line, compared to 11.3 percent of whites. Approximately 46 percent of African-American children, and 16.8 percent of white children lived below the poverty line.

WORK AND WAGES

- Discrimination, verified in analyses of employment practices, has been a major contributor to African American joblessness.
- In November 1991, unemployment for African Americans (13.8 percent) was almost twice the rate for whites (7.2 percent).

EDUCATIONAL OPPORTUNITIES

- By the year 2000, most jobs will require education beyond high school, yet the proportion of African-Americans enrolled in college has been steadily declining since the mid 1970s.
- In 1990, the annual high schools drop out rate was 3 percent for whites and 6.1 percent for blacks.

- Forty-four percent of African-American adults are functionally illiterate, compared to 16 percent of whites.

AFFORDABLE, FAIR HOUSING

- Studies around the country have found that when African Americans try to rent housing, they face overt discrimination 59 percent of the time. When they try to buy housing, they face bias 56 percent of the time.
- In America's 30 largest cities, approximately 46 percent of the homeless are African American, and 34 percent are white.

ENVIRONMENTAL JUSTICE

- Three out of five African Americans and Hispanics live in a community with one or more hazardous waste sites.
- Three of the five largest hazardous waste sites in the U.S. are located in minority communities.

HATE CRIMES ON THE RISE

- Between 1980-81 and 1988-89, racially motivated vandalism against minorities increased almost 1,500 percent; racially motivated arson almost 500 percent; cross burnings and racial threats against minorities almost 400 percent.

CRIMINAL JUSTICE

- A study of federal sentences for drug trafficking and firearms offenses found that the average sentence for African Americans was 28 percent higher than for whites in 1984 -- and 49 percent higher in 1990.
- Nearly half of all inmates waiting on death row are minorities.
- Minorities in capital cases are often represented by appointed lawyers who have no experience in capital cases and little in criminal law. In many criminal cases, minorities are tried by all-white or nearly all-white juries and before white judges.
- Nearly one in four African-American men between 20 and 29 years old was in jail or on probation or parole on any given day in 1990. For whites the rate was only one in sixteen.
- The rate of incarceration for African-Americans was 40 percent higher than for Black citizens of South Africa.

- While 80 percent of those who use illegal drugs are white, nearly 80 percent of those sentenced to long prison terms for any offense are black.
- While over 60 percent of the homicide victims in Georgia, Alabama, and other states are African-American, more than 80 percent of the cases that result in death sentences in those and other states involve white victims.

SCHEDULE FOR HILLARY RODHAM CLINTON
DATE: WEDNESDAY, MARCH 10, 1993
FINAL

PREV RON The White House

9:00 am - **PVT MTG W/Maggie & Patti**
9:15 am HRC's Office

9:15 am - **PVT MTG W/Maggie**
9:30 am HRC's Office

9:30 am - **PVT MTG W/Ira & Carol**
9:45 am HRC's Office

12:20 pm **DEPART** The White House South Portico
 EN ROUTE The Mayflower Hotel

12:25 pm **ARRIVE** The Mayflower Hotel
 Curbside Greeters: Anthony Stewart Moore
 General Mgr. Mayflower

12:30 pm - **MEET W/Elaine Jones**
12:35 pm Cabinet Room

Participants:

Elaine Jones - Incoming Dir. Counsel
William T. Coleman-Chm of the Board NAACP
Robert Priskel-Pres. of the Board
Mrs. Thurgood Marshall (possible)

12:35 pm **PROCEED TO PHOTO-OP W/Elaine Jones**
 Just outside Cabinet Room

12:40 pm **PROCEED TO LUNCH**

12:45 pm - **NAACP LEGAL LUNCH**
1:45 pm Mayflower Hotel
 Grand Ballroom
 (202) 347-3000

Program Format: Julius Chambers - Former
Dir.-Counsel will intro HRC, HRC intros
Elaine Jones - Incoming Dir.-Counsel,
Elaine Jones remarks.
(Expanded program in briefing book)

Participants: 410 attendees

Contact: Elaine Jones
682-1300

OPEN PRESS

1:45 pm

PROCEED TO EXIT

1:50 pm

DEPART Mayflower Hotel
EN ROUTE The White House

1:55 pm

ARRIVE The White House

2:30 pm -

PVT MTG W/Chm. David Wilhelm - DNC
HRC's Office

3:30 pm

Participants: Maggie, Melanne, Rahm

4:15 pm

DEPART The White House South Portico
EN ROUTE Capitol Hill

4:25 pm

ARRIVE Capitol Hill

4:30 pm -
TBD

REPUBLICAN SEN. HEALTH CARE TASK FORCE MTG
Room S-230

Format: Intro & remarks by Sen. Dole,
HRC remarks, general discussion regarding
health care.

Participants: Complete list in briefing book
24-35 Senators.

Contact: Shelia Burke
224-6521

RON

The White House

*Task Force but Dole's
show*

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Kim

**The NAACP Legal Defense and Educational Fund
Building a Living Legacy for Equal Justice**

Many of our most cherished notions of justice and equality have become the force of law because of the NAACP Legal Defense and Educational Fund (LDF). Founded in 1940 by the National Association for the Advancement of Colored People, LDF has been a separate and distinct organization for more than 30 years, with its own staff, program, budget and Board of Directors. Under the leadership of Director-Counsel Elaine R. Jones, LDF is crafting a comprehensive agenda built on activism and advocacy to redress crippling poverty and injustice plaguing our nation.

LDF's program areas include the traditional focus on equal education and fair employment, alongside new and innovative programs aimed at equal access to health care, environmental justice and the creation of a criminal justice system that safeguards African Americans from police misconduct and unfair prosecution and sentencing. LDF's current priorities blend the best of its rich tradition with the still unmet needs of today that render equal justice an unrealized goal.

William L. Coleman, Jr. Vernon E. Jordan, Jr.

invite you to celebrate

the appointment of

Elaine R. Jones

as

Director-Counsel

NAACP Legal Defense and Educational Fund, Inc.

at lunch

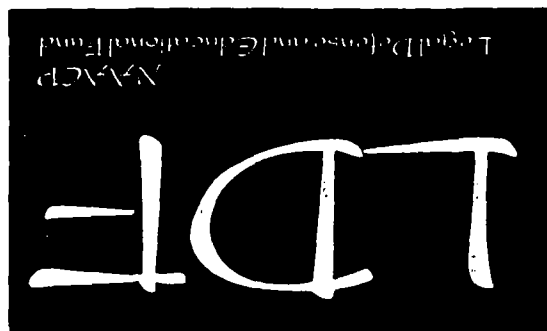
Introductory remarks by
Hillary Rodham Clinton

Wednesday, March tenth
twelve o'clock

The Mayflower Hotel
1127 Connecticut Avenue, N.W.
Washington, D.C.

Rsvp.
Card enclosed

After March 3
Call 202-636-8743



NAACP Legal Defense and Educational Fund, Inc.

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President of the Board

Robert H. Preiskel

Vice President

Barrington D. Parker, Jr.

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Harriet Rabb

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Director-Counsel

Elaine R. Jones

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Gordon G. Greiner

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Harvey C. Russell

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Norman C. Francis

John Hope Franklin

Anna J. Julian

Connie S. Lindau

Robert McDougal, Jr.

James M. Nabrit, Jr.

Contact:

PRESS : ?

THE WHITE HOUSE
WASHINGTON

Need another copy
of bio

Gwen McKinney NAACP
737-6225

• info pkg

Mayflower Hotel

Lauren 347-3000
2145

—
THE WHITE HOUSE
WASHINGTON

NAACP

2.

MC Maureen Bunyan
WS

2. Wm T. Coleman
Chairman LDF
welcome

3. Invocation
G, & Daniel Jones

4. Musical
Duke Ellington sc of

5. Jack Greenberg
fr Dir Council
NAACP LDF

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3.

7. Intro of HRC
Chambers for Dir Con LAF
8. Shep^{herd}~~per~~ Elem^{school} Club. ~~will sing~~
9. HRC intro remarks
 - more
 - imp of work ~~imp~~
 - current Issues reshift
 - health care access poor
 - env. justice
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+ minority
 - ? of reform of crime justice

THE WHITE HOUSE
WASHINGTON

4.

tie in to charge

THE WHITE HOUSE
WASHINGTON

L.A.

Bruce Reed

Put together a list
of what we have done

George Latimore

~~708-0005~~

HUD

708-0005

Mayer St Paul

Davis Levy

~~#~~ Maureen Warren

works w/ George L.

- 2 THINGS for
1. HUD & other Agg Tues.
• What's been done

2. TIK PB/Homes
increase needed

Latimore
Maur Warren
Rm 10120 HUD
457 7th SW

20410

(FAX) 708-3794

Senate Republican Task Force for Health Care

John H. Chafee, Chairman

SENATORS

* Christopher S. Bond
Hank Brown
Conrad Burns
* John H. Chafee
Dan Coats
* Thad Cochran
* William S. Cohen
* Larry E. Craig
* John C. Danforth
* Robert Dole
- * Pete V. Domenici
* Dave Durenberger
* Slade Gorton
Charles E. Grassley
Judd Gregg
* Orrin G. Hatch
* Mark O. Hatfield
* James M. Jeffords
* Nancy Landon Kassebaum
Trent Lott
Richard G. Lugar
Connie Mack
* John McCain
* Mitch McConnell
* Frank H. Murkowski
* Don Nickles
* Bob Packwood
Larry Pressler
William V. Roth, Jr.
* Alan K. Simpson
* Arlen Specter
+ Ted Stevens
Strom Thurmond
Malcolm Wallop
* John W. Warner

* designates that the Senator is attending the conference.

February 25, 1993

SENATE REPUBLICAN TASK FORCE ON HEALTH CARE

DATE: February 26, 1993
LOCATION: Annapolis, MD
TIME: 1:30 p.m.
FROM: Meeghan Prunty
Kim Tilley
Nestor Davidson

I. PURPOSE

To address the Senate Republican Task Force on Health Care at their health care reform conference and answer their questions about the President's Task Force on Health Care Reform.

II. BACKGROUND

- As Chris Jennings mentioned in your meeting on Thursday, these Senators are very interested in the workings of the Task Force and especially in the role that Republicans will play in this process.
- The Senate Republican Task Force on Health Care was formed almost three years ago. Senator Dole tapped Senator Chafee to chair the task force because of his long standing interest and activities in this area. The task force meets every Thursday that the Senate is in session to discuss health care issues.
- Many of the members of this group -- led by Senators Chafee and Dole -- have drafted a health care proposal, very similar in its limited scope to a proposal that President Bush introduced just days before the New Hampshire primary last year. It is an incremental attempt to repair parts of the system without attempting comprehensive reform. It fails to control costs or provide security. [Please see the attached summary of their proposal as well as our critique about their plan.]
- As you are aware, Congressional Republicans in general are very worried about the taxes that may be raised to finance health reform and the increased role of the government that is contemplated by many advocates of reform. They generally oppose global budgets, employer mandates, and other attempts to increase government regulation of the private sector.

- These Senators, under Chafee's leadership, wanted to form a bipartisan working group last year to find solutions to a number of the smaller health care issues -- realizing that the larger issue of health reform would have to wait until after the election. The Democrats ostensibly agreed to the proposal but were not very active -- wary of taking the issue away from Bill Clinton or producing a small package which would dispel some cries for reform and for which George Bush would take the credit. This group felt that the Democrats did not make a good faith effort and publicly concluded that Democrats are using health care as a political issue but are not serious about health care reform.
- Melanne wanted to remind you that many of the members in this meeting could be potential votes (Chafee, Durenberger, Kassebaum, Cohen, and Bond in particular). Many of them have worked on this issue for several years and they are eager to hear what you have to say.

III. PARTICIPANTS

Twenty four of the thirty-five Senators that comprise the Task Force will attend the meeting. Please see the attached list and brief descriptions of the health care positions taken by these Senators.

IV. PRESS PLAN

Closed press for the meeting. Open press - arrival and departure.

V. SEQUENCE OF EVENTS

- o Introductory remarks by Senator Dole;
- o HRC remarks (15-20 minutes)

IV. REMARKS

- In light of their sensitivity on the issue of their inclusion, you might mention, that you hope this will be the first of many opportunities to listen to their concerns and engage in substantive discussions on the issue of health care reform.
- Recognize Senator Chafee's leadership in this area (as you may remember, he is the one who extended the invitation to you).

AS OF FEBRUARY 22
11:00 a.m.

**REPUBLICAN TASK FORCE ON HEALTH CARE
1993 ANNAPOLIS CONFERENCE**

Thursday, February 25

4:00 p.m. - 5:00 p.m.	Check-in
5:00 p.m. - 6:00 p.m.	Paul Ellwood: How Managed Competition Works and the Controversial Issues
6:00 p.m. - 6:45 p.m.	Heritage Foundation: Critique of Managed Competition
7:00 p.m.	Reception and Dinner Robert Blendon: What America thinks about health reform

Friday, February 26, 1993

7:00 a.m. - 8:00 a.m.	Continental Breakfast
8:00 a.m. - 8:45 a.m.	Stan Jones: Gaming the System
8:45 a.m. - 9:30 a.m.	Jack Meyer: Expanding Access -- Individual and Employer Responsibilities
9:30 a.m. - 10:15 a.m.	Steve Rosenberg and Sara Rosenbaum: Delivery Issues a. Rural b. Public Health Programs and Urban Areas
10:15 a.m. - 10:30 a.m.	Break

10:30 a.m. - 11:45 p.m.

**Paul Ellwood, Don Moran, Hank Gutman,
and Robert Reischauer:**

Cost Containment Issues

- 1. How Will Managed Competition Control Costs?**
 - a. Tax Issues
 - b. Managed Care Networks
- 2. What If It Doesn't Work?**
 - a. Cost Goals
 - b. Data Gathering
 - c. Global Caps and Enforcement
 1. Benefit Cuts/Increased Cost Sharing
 2. Rate Setting
 3. Limits on premium increases
- 3. How are federal programs such as Medicare, Medicaid, Veterans, DOD, and FEHBP affected?**
 - a. Incorporate into Managed Competition
 - b. Control Programs Separately
 1. Caps
 2. Cost shifting issues

11:45 p.m. - 1:00 p.m.

**Discussion on proposed options
Moderator: Stan Jones**

1:00 p.m. - 2:30 p.m.

**Lunch and Remarks by
Hillary Rodham Clinton
Chair of the National Task Force
on Health Care Reform**

2:30 p.m.

Depart