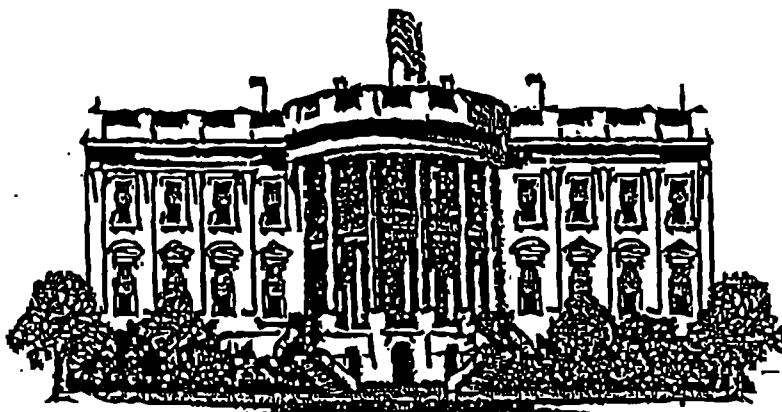


Race – Florida Affirmative Action

PHOTOCOPY
PRESERVATION



RACE -

FLORIDA

AFF. ACT.

THE WHITE HOUSE

Domestic Policy Council

DATE: 12/8/99FACSIMILE FOR: Bruce Reed / Eric Lin

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FAX: () 6-2878

FACSIMILE FROM: IRENE B. BUENO

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FAX: (202) 456 7028 or 5581

NUMBER OF PAGES (INCLUDING COVER): 7☐ FOR YOUR REVIEW☒ PER MY E-MAIL OR VOICE-MAIL MESSAGE TO YOU☐ PER YOUR REQUESTCOMMENTS: FL Affirmative Action

Irene Bueno

12/08/99 02:37:23 PM

Record Type: Record

To: Bruce N. Reed/OPD/EOP, Eric P. Liu/OPD/EOP, Andy Rotherham/OPD/EOP

cc: Anna Richter/OPD/EOP

Subject: FL Affirmative Action Program

As I mentioned during the team leaders meeting, the President will raise the FL affirmative action initiatives and Gov Jeb Bush's affirmative action plan when he is Florida this weekend. Speechwriting is drafting statements on this issue that I will send to you for your review when I receive it.

Attached for your review are a set of qs and as that Eddie Correla and I drafted on this issue. Also, attached is a background piece this issue. I will also fax the press release and executive order on Gov. Jeb Bush's plan. Please let me know if you have any comments or need more info. Thanks.



Fla AA Q and A's -- revised.



Affirmative Action in Florida

12/07/99 TUE 04:53 FAX

11-18-99:11123AM:Hon. Carrie Meek D.C

:2022260777

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JEB BUSH
GOVERNOR

STATE OF FLORIDA

Office of the GovernorTHE CAPITOL
TALLAHASSEE, FLORIDA 32399-0001**FOR IMMEDIATE RELEASE**
TUESDAY, NOVEMBER 9, 1999**CONTACT: JUSTIN SAYFIE**
or LUCIA ROSS
(850) 488-5394**GOVERNOR BUSH ANNOUNCES HIS
ONE FLORIDA INITIATIVE***-An Innovative Plan to Increase Opportunity and Diversity while Ending Racial Preferences and Set-Asides in State Contracting and University Admissions- -*

TALLAHASSEE - -Providing strong leadership to unite all Floridians behind a plan of opportunity, diversity and fairness, Governor Jeb Bush today announced his One Florida Initiative.

"With my One Florida Initiative, we can increase opportunity and diversity in the state's universities and in state contracting without using policies that discriminate or that pit one racial group against another," Governor Bush said. "Behind a common vision that unites us, we can ensure that the promise of Florida's future will be shared by all of Florida's residents, regardless of race, ethnicity, neighborhood, or background."

The education component of the One Florida Initiative includes the following elements:

- Eliminate race and ethnicity as a factor in university admissions.
- The "Talented 20" Program will guarantee state university admission to the top 20 percent of students in every Florida high school senior class. Even with the elimination of race and ethnicity as a factor in admissions, the "Talented 20" Program will result in a net increase in minority enrollment in the state university system.
- An increase in need-based financial aid by 43 percent, a \$20 million increase.
- Proposed funding to make the Preliminary Scholastic Achievement Test available to all Florida tenth-graders so that Florida's eleventh-graders will be better prepared to take the Scholastic Achievement Test.

(more)

12/07/99 TUE 04:54 FAX

11-18-99; 11:29AM: HON. CARRIE MEAK D.C.

:2022280777

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ONE FLORIDA INITIATIVE- -Page Two

- Increased availability of Advanced Placement courses in low performing schools.
- A new partnership with the College Board to improve college preparation for students at low performing high schools.
- The creation of the Equity in Educational Opportunity Task Force to make recommendations on eliminating inequities in our K-12 educational system. Sen. Daryl Jones, of Miami, will serve as the Chairman of the Task Force.

The state-contracting component of Governor Bush's One Florida Initiative includes the following:

- The elimination of racial set-asides and racial price preferences. The time has come to eliminate these legally suspect practices that never fully achieved their goals. These programs are constitutionally suspect and account for a miniscule amount of money for minority businesses each year.
- Reform of the procurement process to encourage the pursuit of diversity by making the state's procurement agents more accountable for their purchasing decisions. Procurement officers will report directly to the Governor and their positions will be reclassified from career service to select exempt status.
- Reduction of the red tape in the minority certification process to encourage more minority businesses to become certified.
- Enhancement of minority business development through financial and technical assistance programs that target the legitimate development needs of emerging minority businesses, minority construction firms and minority franchisees.

"My initiative ends racial preferences, racial set-asides and race-based university admissions, not affirmative action properly understood," Governor Bush said. "The One Florida Initiative transcends traditional notions of affirmative action and increases opportunities for Floridians of all racial backgrounds in ways that unite us, not divide us."

Joining Governor Bush for today's announcement were the Chancellor of the State University System Adam Herbert, Speaker of the House John Thrasher, College Board President Gaston Caperton and D.J. Miller, president of D.J. Miller and Associates, the state's professional consultants.

Governor Bush also signed an agreement and two executive orders with Caperton. The agreement with the College Board will assist in identifying, motivating and better preparing students in low performing schools. Executive Order 99-281 reaffirms the Bush/Brogan administration's commitment to non-discrimination in state hiring, contracting, education, and directed the Governor's agency heads not to use optional race and gender set-asides and preferences in their agencies.

(more)

ONE FLORIDA INITIATIVE--Page Three

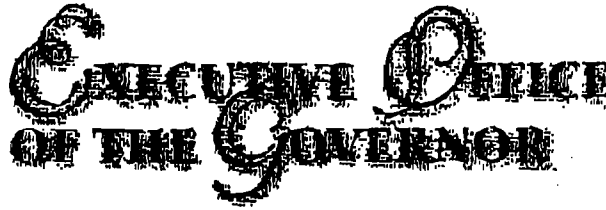
Executive Order 99-280 creates the Equity in Educational Opportunity Task Force.

"I firmly believe that with the One Florida Initiative, we can prevent our state from being divided along racial lines," Governor Bush said. "It is my hope that the One Florida Initiative can replace conflict with consensus in providing opportunity with diversity and fairness in our state."

For more information on Governor Bush's One Florida Initiative, visit the Governor's Website at www.flgov.com.

12/07/99 TUE 04:54 FAX

Florida Governor's Executive Order...rding Diversity - November 9, 1999/www.state.fl.us/eog/executive_orders/1999/november/eo99-281.htm



Executive Order 99-281

WHEREAS, the Florida Constitution provides that all natural persons, female and male alike, are equal before the law and that no person shall be deprived of any right because of race or national origin; and

WHEREAS, Florida's government has a solemn obligation to respect and affirm these principles in its policies relating to employment, education and contracting; and

WHEREAS, the use of racial and gender set-asides, preferences and quotas is generally inconsistent with the obligation of government to treat all individuals as equals without respect to race or gender; and

WHEREAS, the use of racial and gender set-asides, preferences and quotas is considered divisive and unfair by the vast majority of Floridians, produces few, if any, long-term benefits for the intended beneficiaries, and is of questionable legality; and

WHEREAS, the laudable goal of increasing diversity in Florida's government and institutions of Higher Education, and in the allocation of state contracts, can and should be realized without the use of racial and gender set-asides, preferences and quotas; and

WHEREAS, the obligation of Florida's government to root out vestiges of discrimination can and should likewise be accomplished without resort to remedies involving the use of racial and gender set-asides, preferences and quotas.

NOW, THEREFORE, I, JEB BUSH, as the Governor of the State of Florida, by virtue of the authority vested in me by the Constitution and laws of the State of Florida, do hereby promulgate the following executive order effective immediately:

Section 1: Non-Discrimination in Government Employment

(a) It is the policy of my Administration to provide equal opportunity to all qualified Floridians, to prohibit discrimination in employment because of race, gender, creed, color or national origin, and to promote the full realization of equal employment opportunity through a positive, continuing program in each Executive Agency and the Office of the Governor. This policy of equal opportunity applies to every aspect of employment policy and practice in my Administration.

(b) It is the policy of my Administration to seek out employees for hiring, retention and promotion who are of the highest quality and ethical standards, and who reflect the full diversity of Florida's population.

* (c) Unless otherwise affirmatively required by law or administrative rule, neither the Office of the Governor nor any Executive Agency may utilize racial or gender set-asides, preferences or quotas when making decisions regarding the hiring, retention or promotion of a state employee. Any law or administrative rule requiring or allowing the use of racial or gender set-asides, preferences or quotas in hiring, retention or promotion shall be brought to the attention of my General

Counsel by any affected Executive Agency no later than
December 31, 1999.

Section 2: Non-Discrimination in State Contracting

(a) It is the policy of my Administration to provide equal state contracting opportunities to all qualified businesses, to prohibit discrimination in contracting because of race, gender, creed, color or national origin, and to promote the full realization of equal contracting opportunities through a positive, continuing program in each Executive Agency and the Office of the Governor. This policy of equal contracting opportunities applies to every aspect of contracting policy and practice in my Administration.

(b) Unless otherwise required by law or administrative rule, neither the Office of the Governor nor any Executive Agency may utilize racial or gender set-asides, preferences or quotas when making state contracting decisions. Any law or administrative rule requiring or allowing the use of racial or gender set-asides, preferences or quotas, or artificial, arbitrary goals in state contracting shall be brought to the attention of my General Counsel by any affected Executive Agency no later than December 31, 1999.

(c) The Department of Management Services and the Minority Business Advocacy and Assistance Office at the Department of Labor & Employment Security are hereby ordered to develop an implementation strategy for all other aspects of my Equity in Contracting Plan by January 31, 2000, and to present that plan to my Office of Policy and Budget for appropriate action.

Section 3: Non-Discrimination in Higher Education

(a) It is the policy of my Administration to support equal educational opportunities for all qualified Floridians, to prohibit discrimination in education because of race, gender, creed, color or national origin, and to promote the full realization of equal educational opportunities throughout the State.

(b) I hereby request that the Board of Regents implement a policy prohibiting the use of racial or gender set-asides, preferences or quotas in admissions to all Florida institutions of Higher Education, effective immediately.

(c) The Office of Policy and Budget is hereby ordered to develop an implementation strategy for all other aspects of my Equity in Education Plan by December 31, 1999.

Section 4: No Legal Cause of Action

Nothing in this Executive Order shall be construed to create a cause of action or any legal remedy not otherwise provided for by law.

IN TESTIMONY WHEREOF, I have hereunto set my hand and seal of the State of Florida to be affixed at Tallahassee, the Capitol, this 9th day of November, 1999.



Jeb Bush
Governor

ATTEST:
/s/ Katherine Harris
Secretary of State