

DRAFT

EXECUTIVE ORDER #

Equal Employment Opportunity in the Federal Government

By the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

SEC 1. Executive Order No. 11478, as amended, is further amended by substituting “age, or sexual orientation” for “or age” in the first sentence of Sec. 1.

United States Code, other than sections 4102, 4111(b), and 4112; and designate any such agency or part thereof, or any employee or employees therein previously excepted, as again subject to chapter 41 of Title 5, United States Code, or any provision of that chapter.

(b) The authority under section 4111(a) of Title 5, United States Code, to fix by regulation the extent to which the contributions, awards, and payments referred to in that section may be made to and accepted by employees.

[Sec. 401 amended by EO 12107 of Dec. 28, 1978, 44 FR 1055, 3 CFR, 1978 Comp., p. 264]

SEC. 402. The authority vested in the President by section 4101(6)(B) of Title 5, United States Code, to designate a foreign government or international organization or instrumentality of either as eligible to provide training, is hereby delegated to the head of each agency for his employees except that each such designation shall be made only after the agency head concerned has obtained and given due consideration to the advice of the Department of State thereon prior to the first use of such training facility and thereafter periodically but not less often than every three years.

PART V—REVOCATION OF PRIOR ORDER

SEC. 501. Executive Order No. 10800 of January 15, 1959, is hereby revoked.

Executive Order 11478—Equal employment opportunity in the Federal Government

SOURCE: The provisions of Executive Order 11478 of Aug. 8, 1969, appear at 34 FR 12985, 3 CFR, 1966–1970 Comp., p. 803, unless otherwise noted.

Under and by virtue of the authority vested in me as President of the United States by the Constitution and statutes of the United States, it is ordered as follows:

SECTION 1. It is the policy of the Government of the United States to provide equal opportunity in Federal employment for all persons, to prohibit discrimination in employment because of race, color, religion, sex, national origin, handicap, or age, and to promote the full realization of equal employment opportunity through a continuing affirmative program in each executive department and agency. This policy of equal opportunity applies to and must be an integral part of every aspect of personnel policy and practice in the employment, development, advancement, and treatment of civilian employees of the Federal Government.

[Preamble deleted and sec. 1 amended by EO 12106 of Dec. 28, 1978, 44 FR 1053, 3 CFR, 1978 Comp., p. 263]

SEC. 2. The head of each executive department and agency shall establish and maintain an affirmative program of equal employment opportunity for all civilian employees and applicants for employment within his jurisdiction in accordance with the policy set forth in section 1. It is the responsibility of each department and agency head, to the maximum extent possible, to provide sufficient resources to administer

such a program in a positive and effective manner; assure that recruitment activities reach all sources of job candidates; utilize to the fullest extent the present skills of each employee; provide the maximum feasible opportunity to employees to enhance their skills so they may perform at their highest potential and advance in accordance with their abilities; provide training and advice to managers and supervisors to assure their understanding and implementation of the policy expressed in this Order; assure participation at the local level with other employers, schools, and public or private groups in cooperative efforts to improve community conditions which affect employability; and provide for a system within the department or agency for periodically evaluating the effectiveness with which the policy of this Order is being carried out.

SEC. 3. The Equal Employment Opportunity Commission shall be responsible for directing and furthering the implementation of the policy of the Government of the United States to provide equal opportunity in Federal employment for all employees or applicants for employment (except with regard to aliens employed outside the limits of the United States) and to prohibit discrimination in employment because of race, color, religion, sex, national origin, handicap, or age.

[Sec. 3 amended by EO 12106 of Dec. 28, 1978, 44 FR 1053, 3 CFR, 1978 Comp., p. 263]

SEC. 4. The Equal Employment Opportunity Commission, after consultation with all affected departments and agencies, shall issue such rules, regulations, orders, and instructions and request such information from the affected departments and agencies as it deems necessary and appropriate to carry out this Order.

[Sec. 4 amended by EO 12106 of Dec. 28, 1978, 44 FR 1053, 3 CFR, 1978 Comp., p. 263]

SEC. 5. All departments and agencies shall cooperate with and assist the Equal Employment Opportunity Commission in the performance of its functions under this Order and shall furnish the Commission such reports and information as it may request. The head of each department or agency shall comply with rules, regulations, orders and instructions issued by the Equal Employment Opportunity Commission pursuant to Section 4 of this Order.

[Sec. 5 amended by EO 12106 of Dec. 28, 1978, 44 FR 1053, 3 CFR, 1978 Comp., p. 263]

SEC. 6. This Order applies (a) to military departments as defined in section 102 of title 5, United States Code, and executive agencies (other than the General Accounting Office) as defined in section 105 of title 5, United States Code, and to the employees thereof (including employees paid from nonappropriated funds), and (b) to those portions of the legislative and judicial branches of the Federal Government and of the Government of the District of Columbia having positions in the competitive service and to the employees in those positions. This Order does not apply to aliens employed outside the limits of the United States.

SEC. 7. Part I of Executive Order No. 11246 of September 24, 1965, and those parts of Executive Order No. 11375 of October 13, 1967, which apply to Federal employment, are hereby superseded.

SEC. 8. This Order shall be applicable to the United States Postal Service and to the Postal Rate Commission established by the Postal Reorganization Act of 1970.

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MEMORANDUM

TO: BRUCE REED, GENE SPERLING

FROM: TOM FREEDMAN, JONATHAN KAPLAN

RE: AN DPC/NEC STRATEGY FOR DEVELOPING A LONG-TERM
PLANNING AGENDA

DATE: JULY 18, 1997

Both of you have raised the fact that, as we approach closure on the budget in the coming months, it will be critical to lay out a post-budget domestic and economic agenda to serve as the Administration's 1998 -- or longer-term -- policy blueprint. Already, several memoranda have been circulated, from both external and internal sources, sketching some of the broader themes on which the White House might focus.

The limited purpose of this preliminary memorandum is two-fold: (1) to outline our *ongoing DPC and NEC policy processes and projects* within a thematic construct, and (2) to lay out a three-staged *strategy for the DPC/NEC to develop new policy ideas* -- generated by White House staff, agencies, and outside groups.

We would very much like to discuss this plan with you in the coming days.

I. THEMATIC OUTLINE OF ONGOING NEC AND DPC PROCESSES

The outline below is based on themes articulated by Mark Penn in his memorandum of June 9, 1997. We have listed within this framework some of the key policy processes on which our councils have been or are currently working.

1. *Preparing our economy to meet the challenges of the new global economy and the information age*

- Opening up new markets (fast track; Africa trade initiative; CBI)
- Growth for all communities (community empowerment)
- Electricity deregulation
- Legal reform efforts (products liability; securities litigation reform; patent reform)
- Worker training (Skill Grants)
- Protecting Consumers (managed care commission, privacy, food safety)

2. *Caring for America's children*

- Expanding health care coverage to children
- Ensuring greater access to better child care
- K-12 agenda (educational standards; school construction; America Reads; educational technology, after school expansion, urban and failing schools)
- Higher education agenda (higher education reauthorization; Pell Grant-Chakah Fattah proposal)
- Reduce teen pregnancy
- Protecting our children from smoking

3. *Preparing our families and communities for the 21st Century*

- Safer communities (more police, Brady laws/gun control, criminal registries)
- Welfare reform (welfare to work, training, transportation, child care)
- Creating the balance between family and work (FMLA expansion; comp time)
- Expanding health care coverage (workers between jobs, contraceptives)
- Caring for our parents and rebuilding families (elder care, adoption)
- Safe working conditions (sweatshop initiative)
- Promoting retirement savings and security (saving initiatives; pension reform)
- Making a clean environment consistent with economic growth (PM/Ozone; Global Climate Change; Superfund, right to know)
- Protecting our values (controlling the internet, liquor ads)

4. *Making government work again*

- Restoring discipline (balanced budget; long-term entitlement reform)
- Regulatory reform
- Adapting the federal bureaucracy to change (REGO reforms; FAA overhaul; State Department overhaul)
- Electoral reform (campaign finance)

5. *Reconciling the forces of diversity and make them our greatest strength*

- Racial reconciliation
- Creating opportunity while demanding responsibility (community empowerment agenda; welfare-to-work; housing)
- District of Columbia

6. *Maintaining America's leadership in science and technology*

- Making technology available to every child, rich or poor (educational technology)
- Advancing fight against dread diseases (increase research budget for fighting leading killers)
- Controlling the new dangers/ethical dilemmas that science presents (family-friendly internet; cloning)
- Preparing for the technology needs of the 21st Century (Next Generation Internet)
- INTELSAT restructuring
- Encouraging exploration (NASA, genome project)

II. *THREE-STAGED STRATEGY FOR DEVELOPING NEW IDEAS*

We would suggest that our policy development effort be divided into three stages.

- Taking stock of all ongoing long-term processes and projects and evaluating how they might fit within an overall thematic plan (as described above);
- Getting working groups in gear and beginning to develop new ideas; and
- Developing and fully vetting new policy ideas, and announcing them.

Stage 1: Draft Long-Term Planning Document and Begin to Originate New Ideas (July-August)

- a. Draft preliminary long-term planning memorandum of ongoing DPC and NEC processes with a thematic structure (started herein) (late July)
- b. Contact other White House offices (Vice President, First Lady, OSTP, CEQ, ONDCP, NSC) and Cabinet agencies for additional domestic and economic policy ideas and projects; incorporate these into long-term planning memorandum (August)
- c. Provide initial memorandum (on NEC and DPC processes and themes) for comment to Chief of Staff and other senior administration officials, including several initial policy ideas (August)
- d. Incorporate senior staff's comments and ideas into long-term plan

Stage 2: Pull Together New Ideas (August-December)

- e. Ensure that NEC and DPC working groups in key policy areas are up and running; start new groups where necessary (August-September)

- f. Working groups develop new policy ideas after consulting with elected officials, academics, friends of the Administration, and others (September-December)

Stage 3: Develop, Fully Vet, and Announce New Ideas (September-mid 1998)

- g. Fully vet new ideas through the standard NEC and DPC processes (September-December)
- h. Involve Legislative Affairs, Political Affairs, and others in the discussions of “new idea” strategy, as it relates to a 1998 strategy (September-December)
- i. Schedule events and announcements around new policy initiatives (November-mid 1998)

MEMORANDUM

TO: BRUCE REED, GENE SPERLING

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