

## Box 9

Race  
Race 2  
Race 3  
Race hate crimes  
Race initiatives  
Ratings  
R rated movies  
Regional  
Regional rx  
Regional reform  
Rego  
Reinvention impact center initiative  
Religion  
Religious liberty  
Research  
Resources  
Resumes  
Rlpa  
Roll out  
Rosen  
Rural agenda  
Rural agenda 2  
Rural agenda 3  
Rural agenda 4  
Sad  
Safe food  
Safe kids  
Sba  
Scholastic event  
School age child care  
School breakfast  
School bus safety  
School choice  
School consultants  
Schools  
School takeovers reconstitution  
School violence  
Seatbelts  
Segal  
Second chance teachers program  
Steinberg  
Sex offender  
Sex offender registry

Sexual orientation  
Slamming

10-7-97

Race  
wvCopied  
Sperling  
Reed  
Winston  
COScc: EK, Tom, Jose -  
We should do  
something w/ this study.  
Maybe bring authors  
to present at Town Hall.  
-BR

File: Pres Has Seen



THE WALL STREET JOURNAL TUESDAY, OCTOBER 7, 1997

## ECONOMY

## Nonwhites Wake to 'American Dream'

Survey Finds Hot Pace in Housing, Business, Education

By JOSEPH N. BOYCE

Staff Reporter of THE WALL STREET JOURNAL

The three major minority groups are purchasing homes, starting businesses and attaining college degrees at such a rapid pace they could reach parity with whites over the next 10 years, according to initial findings of a study to be released today.

The survey also found that whites still have substantially greater household income than African-Americans and Hispanics, although less than the third minority group, Asian-Americans, and that the annual rate at which minorities are increasing their incomes is virtually equal to that of whites.

Conducted jointly by three firms specializing in minority marketing and demographic research, the study examines minorities' progress in the areas they say are components of the commonly held notion of the "American Dream."

Members of minority groups, including immigrants, will make major strides in these categories over the next decade, provided the economy remains healthy, say researchers, who based their projections on U.S. Census and Federal Reserve data and reports from the Conference Board, a private economic analysis group.

## Harvard Center's Report

The study shows a "significant pattern" of minority progress that argues against "an outdated mindset" that their influence in the economy is marginal, says Alfred L. Schreiber, vice president of Graham Gregory Bozell, one of the companies conducting the analysis. "This is the reality that will explode the myth that there is less-than-significant participation," he says. Also contributing to the survey are MSR Consulting, of New York, and DemoGraph Corp., of Miami.

Some economists were somewhat skeptical of the yearlong study, which researchers say will be completed in January.

But its findings coincide with several recent surveys that indicate minorities are doing better. Harvard University's Joint Center for Housing Studies recently released a report that shows minorities accounting for nearly 30% of the nation's new homeowners, while they make up only 15% of all homeowners.

The Census Bureau last month issued a report noting that the home-ownership rate for native-born citizens in 1996 was about the same as that for foreign-born citizens and that foreign-born Hispanic citizens were more likely to own a home than those born in the U.S.

A study issued in September by Target

Please turn to Page A14, Column 1

Continued From Page A2

Market News Inc., a Chicago-based market-research firm, found that, contrary to the popular notion that black households are being left behind in the technological era, middle-class black households are purchasing computers and on-line services at a faster clip than whites. The study didn't mention Asians or Hispanics.

Researchers of the latest study, which they call the Multi-Cultural American Dream Index, point out that the population of the three minority groups surveyed increased by a little more than 3% from 1986 to 1996, while the white population grew by only 1.67%. However, minority-owned businesses grew by nearly 10% between 1987 and 1996 and college degrees by more than 7% during the same period. Mortgage originations advanced by more than 13% between 1993 and 1996.

When it comes to income, Asian-Americans already have passed whites. According to the Census Bureau's latest numbers, issued last week, Asian-Americans had median household income in 1996 of \$43,276, compared with \$24,906 for Hispanics (of any race), \$23,482 for African-Americans and \$37,161 for whites. The Census Bureau said these levels weren't significantly different than the 1995 levels, except for Hispanics, for whom the median rose 5.8%.

By 2000, researchers estimate, minorities will purchase 22% of all mortgages while representing 22% of all households, making their share equal to their portion of the population. Similarly, by 2004, they predict, minority students will be getting 29% of all college degrees, a share corresponding to their presence in the overall population. And, by 2007, minorities should own 23% of small businesses, while representing 23% of all households, say researchers.

## 'Phenomenal' Speed

"In terms of absolute numbers, ethnic Americans have not reached overall parity yet, but the speed at which growth rates have advanced, almost doubling over the last 10 years, is phenomenal," says Laura Teller, the chief executive of DemoGraph Corp.

Some of those learning of the report's findings were cautious. Dr. Cecilia Conrad, an associate professor of economics at Pomona College in Claremont, Calif., while noting there "is certainly supporting evidence for each of the categories having an increase" in minority participation, speculates that the projections might be too upbeat. Some of the business start-ups, she suggests, may be by minorities who have hit corporate "glass ceilings" and decided to go out on their own.

"If opportunities open up in corporations and other companies, which we expect them to do - then many are not going to be going into small businesses," she says.

## Unanswered Questions

And, because of measures such as California's Proposition 209, which has banned college admissions preferences based on race, "the immediate outlook is not too good for blacks and Hispanics."

Ms. Conrad says of projections for attaining college degrees.

Ms. Teller acknowledges that the survey leaves some questions unanswered. A recession or anti-immigrant sentiment could retard minority progress, she says. "When it comes to jobs, minorities are often the last people in, so maybe they'll be the first out," she says.

However, she adds that the numbers in the report "don't lie. This is not something we made up or was on a wish list. We see

with our own eyes the importance of this group to the economy."

Dr. Joe W. Chamberlin, New York City physician and African-American whose life mirrors some of the study's findings, worries, however, that it could be used as an argument against continuing affirmative-action policies. "People could say, 'See, we've done more than what's required,' " to end inequality, says the 37-year-old doctor. "In an ideal country, there wouldn't be any racism. But there is."

Gerrit / Reed / Winston

Fehl  
Bo



**U.S. Department of Justice**

Community Relations Service

Office of the Director

Washington, D.C. 20530

**ONE AMERICA IN THE 21st CENTURY:  
SUSTAINING THE PRESIDENT'S INITIATIVE ON RACE**

**A Proposal Submitted by  
the Department of Justice, Community Relations Service**

President Clinton in his inaugural address called for an end to racial divides. The President's Initiative on Race articulates his vision for an "One America in the 21st Century." Americans all over the country have responded to his call by beginning to have honest conversations about race. The President of the United States has used the bully pulpit of his office to elevate the discussion of race and engage the American people.

In Fiscal Year 1998, when the President's Initiative on Race (PIR) completes its work, the little ripples that the President has prompted need to be sustained to turn into a wave of positive change in race relations and racial understanding.

President Clinton has declared his interest in sustaining the race dialogues and other efforts to heal the racial divide, beyond the life of PIR. This proposal outlines a comprehensive strategy to bring about racial reconciliation throughout America, building on the momentum, interest and community actions initiated by the President's Initiative.

The proposal envisions an integrated interdependent approach which includes: identifying, testing and replicating promising practices; conducting constructive race dialogues - a problem-solving method to identify and resolve issues that cause racial divides towards bridging racial polarization; and, enhancing community mediation for racial disputes and conflicts to move our country to a stronger, more just and unified America.

|                                                                                |                    |
|--------------------------------------------------------------------------------|--------------------|
| <b>TOTAL COSTS:</b>                                                            | <b>\$7,200,000</b> |
| <b>I. Identifying and Testing Promising Practices in Racial Reconciliation</b> | <b>\$2,000,000</b> |

In fiscal year 1998, CRS proposes to initiate a comprehensive program to test promising practices in twenty jurisdictions across the country. Preliminarily, an identification, screening and selection process will be designed and implemented to determine promising practices for model sites and replication program.

Under the Promising Practice Program (PPP), cities or counties faced with high racial tensions and hate crimes rates, will be selected to test and implement one or more of the promising practices as identified by PIR.

Jurisdictions will be selected for the Promising Practices Program through a limited competition. CRS will invite up to 20 jurisdictions to participate in the planning process which will result in a comprehensive strategy for addressing race relations. Selection of the planning sites will be made on the basis of the jurisdiction's race relations issues, willingness to participate in the planning process, and history of implementing new and innovative programs.

The strategy must include the following:

- \* An analysis of the race relations issues, with special attention to acts of hate crimes, housing discrimination, and school violence, in each area of the jurisdiction.
- \* An description of current efforts regarding community race relations.
  - \* An inventory of all community resources which are or could be directed toward addressing race relations.
  - \* A description of coordination and cooperation efforts within the local and state government agencies.
  - \* A description of the specific strategies and innovations that will be employed to respond to the problems identified.
  - \* An implementation plan.
  - \* A plan for assessing how well the strategy was implemented and the extent to which it impacted the identified problems.

## **II. Conducting One American Dialogues - The First Step Towards Resolution \$ 1,025,000**

President Clinton has called upon the American people to have an honest and frank discussion about race. He is providing the leadership for the country. The President knows that talking is a first step towards action. Race relations experts also agree that constructive dialogue is widely accepted as one of the most effective "promising practices" in addressing race relations.

A "How to Dialogue Kit," supplemented by training and technical assistance to groups conducting dialogues can be implemented with this proposal, including "train the trainer" sessions. By this program, an infrastructure to coordinate and sustain community race dialogues can be institutionalized. By training trainers and building local community capacities, the President's voice will be amplified throughout the country at the grassroots level.

## **III. Expanding Community Racial Conflict Resolution Capacities \$1,025,000**

Violence and tensions arise when communities lose faith in government institutions, elected representatives, and the criminal justice system. Alternative dispute resolution can and should be used to resolve and prevent civil rights and racial disputes which arise at the community level. This program would develop and provide model dispute resolution and community mediation models to specifically address race disputes and conflicts. Technical assistance also will be provided to local

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governments and other entities in resolving racially motivated disputes and community conflicts.

**IV. Promising Practices Replication: Technical Assistance,  
Field Training and Technology Transfer**

**\$2,150,000**

Independent of the model sites, CRS will survey and disseminate on-site training and materials to community representatives on promising practices. Whether from urban, suburban or rural communities, planning teams will be provided on-site training at field sites in communities where innovative programs in race relations have improved race relations and the quality of life. After visiting model communities, these teams would return to their own community and be provided hands-on training and technical assistance by selected trainers from the model communities. This program will address the diverse needs of different communities across the country, based on differences in demographics, size, and problems.

**V. Sharing and Promoting Promising Practices:  
Information Dissemination**

**\$1,000,000**

State-of-the-art information will be developed and made available through Internet, the print media, video tapes, and other media. There is presently no national archive available to address the different facets of race relations. It would be considered a national library of reference materials addressing race relations and different avenues of promoting racial harmony. Information would be sent through Internet, print, and other media. As appropriate, satellite conferences would be offered as an economical and expedient manner of communications.

###

# One America - In the 21st Century Comprehensive Strategy to Institutionalize the President's Initiative on Race

## Proposed Budget

**\$7,200,000**

### **I. America One Dialogue - Bridging the Gap**

**1,025,000**

|                                                                                   |         |
|-----------------------------------------------------------------------------------|---------|
| Dialogue facilitator training conferences                                         | 200,000 |
| 3 Day training for 200 attendees<br>including travel, per diem & conference costs |         |
| Dialogue training materials                                                       | 25,000  |
| Facilitator Training manual                                                       |         |
| "How to" manual                                                                   |         |
| Local/Community Dialogues                                                         | 500,000 |
| Facilitator, travel & costs                                                       |         |
| 400 Sessions                                                                      |         |
| Personnel Costs                                                                   | 300,000 |
| Staff, Office, Travel                                                             |         |

### **II. Promising Practices Model Sites**

**2,000,000**

|                                                    |           |
|----------------------------------------------------|-----------|
| Planning Conference                                | 175,000   |
| Two Day Conference - 80 participants               |           |
| Staff, training, materials, facilities             |           |
| Site Project Coordinators                          | 1,000,000 |
| 20 sites @ \$50,000                                |           |
| 20 contracts @ \$25,000 per year                   |           |
| Implementation/ Follow-up Conference               | 175,000   |
| Problem-solving, technical assistance and training |           |
| Two Day Conference: 80 participants                |           |
| Staff, training, materials, facilities             |           |
| Post-Program Appraisals & Dissemination            | 50,000    |
| Program Materials Printing & Distribution          |           |
| Personnel Costs                                    | 600,000   |
| staff, contractors, office, travel etc.            |           |

**III. Community Conflict Resolution and Mediation 1,025,000**

|                                               |         |
|-----------------------------------------------|---------|
| Mediation training conference                 | 200,000 |
| 3 Day training for 200 attendees              |         |
| including travel, per diem & conference costs |         |
| Mediation training materials                  | 25,000  |
| Local Mediation/Conflict Resolution Training  | 500,000 |
| Personnel Costs                               | 300,000 |
| Staff, Office, Travel                         |         |

**IV. Technical Assistance Transfer and Training 2,150,000**

|                                            |           |
|--------------------------------------------|-----------|
| Technical Assistance and Training Staff    | 150,000   |
| Technical Assistance & Training            | 2,000,000 |
| Travel and training at model sites,        |           |
| with follow-up training at community sites |           |

**V. Information Dissemination 1,000,000**

Archive of printed and multi-media information  
Multi-media and hard print distribution  
Satellite conferencing and Internet distribution  
Will consider utilizing existing DOJ contracts where feasible.



# ONE AMERICA IN THE 21<sup>ST</sup> CENTURY

## The President's Initiative on Race

November 30, 1997

President William J. Clinton  
The White House  
Washington, DC 20503

*The New Executive Office Building*  
Washington, DC 20503  
202/395-1010

Tom Friedman  
67431

Dear Mr. President:

Since our appointments, your Advisory Board members have received many reports containing information about discrimination and racial disparities in several key areas including education, housing, employment, health and in the administration of justice. You may recall that on September 30, 1997, the Advisory Board discussed and reviewed research about the nature, extent and manifestation of contemporary racism. On November 10th, a number of Advisory Board members participated in the White House Hate Crimes Conference and discussed major shortcomings in hate crimes data collection and enforcement of civil rights laws related to hate crimes prosecution.

More recently, the Initiative staff provided, at my request, a summary of key racial discrimination and civil rights enforcement research material. This material formed part of the Advisory Board meeting held on November 19, 1997 at the University of Maryland. While there is much more that we need to know and discuss about race and national origin discrimination, there are several areas upon which the Board would like to provide recommendations to you.

The data we have received and reviewed indicate that actionable illegal discrimination on the basis of race and national origin is still active and the source of harmful consequences to men, women, and children who are the targets of this discrimination. Such discrimination in education, housing, and employment contribute to growing isolation and feelings of alienation. They further impede our ability to live, work, and grow together as One America, free from prejudicial, stereotypical thinking and discriminatory behavior.

Information we have received also make clear that for the last two decades, civil rights enforcement agencies have had their budgets and staffing reduced while many of their responsibilities have been increased. While there have been some increases in funding in recent years, often the funding level has not kept pace with the increasing volume of cases or the need for careful compliance investigations.

The increasing demands on civil rights enforcement agencies make it particularly difficult, in the view of the Advisory Board, for these agencies to devote sufficient time and attention to training staff and providing technical assistance to recipients of Federal funds to recognize and act to prevent discrimination. This is especially true for the increasingly subtle and complex forms of contemporary discrimination which have largely supplanted more blatant forms of discrimination typically found in earlier decades.

Page 2 - President William J. Clinton

November 30, 1997

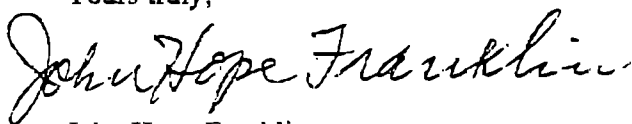
On behalf of the entire Board, I recommend the following actions to you for further attention:

- Strengthening civil rights enforcement throughout the United States: in the FY 1999 budgets, help create partnerships with States and localities that enforce comparable laws to those that operate at the Federal level, with the goal of strengthening all of the agencies' capacity to effectively enforce the civil rights laws they administer;
- Expanding and strengthening the Federal government's ability to collect, analyze, and disseminate reliable data on the nature and extent of discrimination based upon race and national origin, not of course to the exclusion of data collection on other protected classes. A well-designed and coordinated process of generating relevant indicators would then become part of an annual report covering such areas as education, health, employment, housing, and the administration of justice. Such a report would not only assist policy makers but help to increase cooperation among the various Federal agencies involved in civil rights enforcement and education. The information will also aid the public by identifying trends, and these reports and indicators can be replicated with data for local areas. Central to our concerns is the need to significantly improve the level of information about *all* minority groups.
- Implementing fully the series of bold new initiatives announced at the White House Hate Crimes Conference aimed at better data collection, enforcement, and prevention. Improved hate crimes prosecutions along with HUD's initiative to assist victims of hate crimes obtain money damages from their attackers are necessary complements to an improved capacity at the FBI to identify and track trends in hate violence.

I expect that the Board will address these issues again in subsequent meetings, and I look forward to reporting back to you on our findings and further recommendations. I would, of course, be pleased to discuss these recommendations with you.

My best wishes.

Yours truly,

A handwritten signature in cursive script that reads "John Hope Franklin". The signature is written in dark ink and is positioned above the printed name.

John Hope Franklin

Chris, Mike, Cynthia, Tom, Tori, Diana —  
We have an internal meeting on  
Friday. Start thinking about  
"non-budgetary policies" and get  
your "clear time lines" in order.

October 14, 1997

**MEMORANDUM FOR RACE INITIATIVE WORKING GROUP MEMBERS**

Bruce —  
Did you  
get this?

Elena  
Race

**FROM: SYLVIA MATHEWS AND JUDITH WINSTON**

**SUBJECT: Follow-up on Last Friday's Meeting**

First of all, we would like to thank you for all your work in preparation for last Friday's meeting with Erskine Bowles and other White House staff. We made a lot of progress over the past few weeks.

At 3:00 p.m., on Thursday, October 23, we will meet again with Erskine. In the meantime, there are a number of follow-up actions to complete in response to last Friday's meeting. Also, there are a number of other items on which we need to follow through to accomplish some near-term goals. The list below details those items which need follow-up.

On Monday, October 20, we will hold a meeting with the team leaders to review our progress on near-term goals and Bowles follow up. This meeting also will help us prepare for the meeting with Erskine next Thursday.

**Specific tasks to be completed by the dates indicated:**

**All Working Groups:**

By October 20, each group should further develop their work plans so that clear time lines are established and tasks are assigned. Refined and detailed work plans should be prepared by and brought to the Monday meeting.  
Please bring approximately 30 copies of each work plan to the meeting.

**Promising Practices:**

By October 20, determine the criteria for reviewing promising practices, and create and implement a process for review and set a realistic deadline for getting practices on the Web: *Susan, Lin, Kevin.*

**Dialogue:**

By October 20, establish a theme for the first Town Hall meeting, propose a site and mix of attendees: *Ann, Claire, Michael.*

**Policy/Enforcement:**

By October 23, identify non-budgetary policies that can be announced in the short term: *Elena, Lin.*

Starting this week, include a section on race in the DPC's weekly report to the President: *Elena.*

By October 23, discuss the possibility of creating a cross-cut on race for FY 99 budget: *Elena, Frank, Gene, Judy, and Sylvia.*

#### **Recruiting Leaders:**

By October 20, determine the criteria for selecting and vetting leaders and determine specifically the things the leaders will be asked to do: *Maria, Mickey, and Mike.*

#### **Hard Questions/Tough Issues:**

By October 17, outline the difficult issues that the President and the Race Initiative will attempt to address: *Chris, Sid.*

#### **Communications:**

By October 20, develop talking points on what the Initiative has accomplished to date: *Ann, Claire.*

#### **Outreach:**

By October 23, get a structure up and running to engage the corporate sector. Be ready to announce our corporate effort by October 28: *Maria, Mike.*

By October 23, convene a meeting with conservatives/Republicans to get them engaged in the Race Initiative: *Maria, Janet.*

By October 20, touch base with Roger Wilkins: *Maria.*

#### **Cabinet Affairs:**

By October 23, meet with Blacks in Government and other groups to identify affirmative measures the Initiative can pursue: *Goody.*

By October 23, develop a plan, process, and structure to pursue the "At the table" idea: *Goody, Michele.*

#### **Miscellaneous:**

Starting this week, communicate with the working groups and submit a draft weekly report for the Race Initiative to Judy and Sylvia every Thursday evening: *Jacinta*.

To: Race Initiative Contacts in Federal Agencies  
From: Judith Winston

*Prue*

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sk.

Thank you for agreeing to be the President's Initiative on Race's contact in your agency and for all the work you have done already in that capacity. We are currently trying to gather data on race in the United States. We believe that the federal agencies already have the information we are seeking, so we are requesting your help in compiling the data.

We have identified key demographic data, as well as eight broad categories that require researching. Data elements for each of these categories are outlined on the attached sheets. These elements are only suggested, so please feel free to substitute statistics you feel are better measurements for the information we are seeking. For each of these categories, we would like to identify the following information:

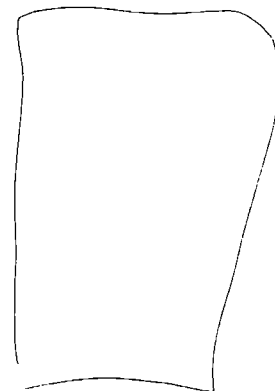
1. Key indicators of progress- the best ways of measuring success in each category
2. Trends in disparities among races
  - where have positive changes occurred (especially those where government intervention has made a difference)
  - where are disparities growing
  - where are disparities due to race and where are they due to class
  - what are the effects of urban/rural location
3. Costs of discrimination
4. Data sources, upcoming studies, other sources of information

I have asked Michele Cavataio of my staff, Jose Cerda of the Domestic Policy Council, and Sandy Korenman of the Council of Economic Advisors to pull together a meeting with you and the appropriate statistician/researcher in your agency to discuss what data your agency has available. This meeting will take place on Wednesday, August 20, from 2-3 PM in the Old Executive Office Building, room \_\_\_\_\_. We would appreciate it if you would come prepared to discuss the information on the attached sheets. In addition, we suggest that you share this information with and obtain input from your civil rights division. Please call Michele Cavataio at 395-1013 to confirm your attendance or if you have any questions.

Thank you very much. We look forward to meeting with you soon.

*P./lw.*

*1. Initiatives  
- 5/20/97 / School reform*



## Brainstorming Meeting Notes: President's Race Initiative August 9, 1997

### Getting started

1. 5 goals:
  - a. Articulate the President's vision of a just, unified America
  - b. Educate all Americans about the facts of race
  - c. Promote a constructive dialogue
  - d. Encourage leadership
  - e. Identify and disseminate solutions
2. study-dialogue-action
3. Need a common language to build one America / can we agree on shared values?
  - a. common ground
  - b. opportunity
  - c. family
  - d. race has impeded building of one America

### Measures of success

1. Nation is better educated
  - a. Number of blacks in the US is not 50 percent
  - b. Percentage of minorities in America is changing so that there will be no majority race in a few decades
  - c. Discrimination exists
2. Judicial system
  - a. Vigorously enforce civil rights' laws/ commit adequate resources
  - b. Tie federal funds to training
3. Education system
  - a. Broad support for testing
  - b. What kind of public education system do we want? Consider resources, access.
  - c. Admission's criteria -- how to help schools measure all characteristics of a candidate and value diversity
  - d. Quality education at lower levels ensures qualified students in the pipeline

### Dialogue

1. Don't let debate focus only on affirmative action
  - a. We need to treat the symptoms until we cure the disease, but we also need to focus on the disease.
2. Debate should move us to acknowledge racial tensions in our history
3. Debate should move from English only to English plus

4. Difference between prejudice which is a belief and racism which is acting on prejudice
5. America needs to agree on common values / aspirations
6. We need to educate Americans on the facts e.g. why are there haves and have nots? What are impediments to equal opportunity?
7. Recognize that not everyone will be starting in the same place
8. Should group membership include people from different races in proportion to population?
  - a. What adjustments do we need to bring about this result?
9. Helpful to understand what majority thinks.
  - a. Whites don't recognize their own privilege
  - b. Where do poor whites fit in the discussion?

### **Outcomes**

1. Is the nation better educated about racism?
2. Do they care?
3. Are they willing to do something about it?

### **Strategies for realizing outcomes**

1. Convince folks that diversity is important. Why?
  - a. Enlightened self interest, globalization of the economy
  - b. We don't have a person to waste
  - c. Reality: whites aren't majority in the future
  - d. Cost of discrimination (need to measure)
2. Use the bully pulpit (President, Cabinet)
3. Bring together CEOs from majority and minority communities
4. Get kids to talk to each other
5. Sponsor a Race for the Races - footrace before town meetings
6. Identify what works and share this information broadly
7. Involve public officials e.g. U.S. Conference of Mayors
8. Involve the media
  - a. Challenge networks to hold their own town meetings
  - b. Create PSAs/ Network sponsorship of primetime PSAs
  - c. Encourage commercials rather than lengthy specials
  - d. Need to educate media, too
9. Sponsor unity concerts

### **Audience**

1. White soccer moms
2. Internet users
  - a. Email (85% has been very positive)
  - b. Capture best practices on website
  - c. Sponsor interactive dialogues
3. Folks who aren't invested

4. People who don't believe that racism exists
  - a. Mystery shopper testing is a good way to demonstrate existence of racism
5. Whites and other races - need to measure changes in attitudes
6. Policy makers
7. Corporate America -- believes in traditional meritocracy, need to broaden vision of what merit is
8. Federal Government must model behavior
  - a. E.g. military believes every person can achieve with adequate support/training
  - b. How to respond to the culture of entitlement, especially for non-performers

**Concluding remarks**

1. Year long initiative needs to lay foundation for continued progress
2. Need to narrow focus of initiative to concrete goals



# ONE AMERICA IN THE 21<sup>ST</sup> CENTURY

## The President's Initiative on Race

The New Executive Office Building  
Washington, DC 20503  
202/395-1010

### MEMORANDUM

To: Data Collection Working Group  
From: Judith Winston *JW*  
Date: August 13, 1997  
Re: Data collection needs

Thank you for your help collecting data for the President's Initiative on Race. In addition to the data requests in this document, we would also like you to provide us with basic demographic data including:

- the racial composition of the U.S. population, including origin of recent immigrants
- the geographic distribution of races, ethnicities, immigrants
  - distribution among rural, suburban, and urban areas
- components of change, including birth, death, immigration and migration
- projections for the future

as well as any other data you deem useful.

We have identified eight broad categories that require researching. Suggested data elements for each of these categories are outlined on the attached sheets. For each of these categories, it would be helpful for you to identify the following information:

1. Key indicators of progress
2. Trends in disparities among races
  - where have positive changes occurred (especially those where government intervention has made a difference)
  - where are disparities growing
  - where are disparities due to race and where are they due to class
  - what are the effects of urban/rural location
3. Costs of discrimination
4. Data sources, upcoming studies, other sources of information

We assume that you will work with relevant federal agencies to obtain this information. We would like to have a first draft of the statistics by the end of the month. Please contact Michele Cavataio at 395-1013 if you need assistance.

Thank you very much.

① 50 pgs CEA report (Addendum)  
② "A Common Destiny"

## **1. Economic status**

### **a. Income, poverty, child poverty**

### **b. Labor markets**

- employment (specified for age/sex), unemployment, non-employment
- hours (and number of jobs held)
- wages and non-wage compensation (health benefits, pension)
- occupation/industry (manufacturing vs. service)
- non-wage characteristics of jobs (e.g. working conditions, health risks)
- impact of immigration on labor markets
- promotion/mobility/leadership positions
- segregation
- access/enrollment in job training
- success rates of job training
- access to transportation to jobs
- access to child care
- is there some way to measure social networks?

### **c. Wealth/credit**

- wealth
- business ownership
- home ownership
- retirement wealth
- access to credit and credit institutions
- AFDC/food stamps/ other forms of assistance

## **Possible Resources:**

DOL Glass Ceiling Reports

Small Business Association

Bureau of Labor Statistics

EEOC, Job Patterns for Minorities and Women in Private Industry

## **2. Educational status**

### **a. Early childhood education**

- family reading to young children
- access to kindergarten/early childhood programs

### **b. Enrollment**

- grade retention
- expulsion/suspension rates
- remedial education, tracking, special education
- dropout rates
- detached youth (youth neither in school nor working)
- post-secondary enrollment
- immediate transition from high school to college
- college completion (2 year, 4 year)
- enrollment in vocational schools
- graduate schooling
- access to after-school programs
- education attainment levels
- receive student aid (federal, private)
- receive school breakfasts/lunches

### **c. Quality of schooling**

- access to technology
- teacher quality (% teachers with degree in subject they are teaching)
- teacher/student ratios; class size
- funding
- facilities
- parental involvement
- perception of safety at school
- parent perception of school quality
- desegregation; impact of desegregation (successes and failures)

### **d. Achievement**

- NAEP math, science and reading at 4, 8, 12 grades
- achievement gaps between high and low poverty schools
- SATs/ACTs

### **e. LEP**

- children with difficulty speaking English
- children who speak something besides English at home
- access to/quality of bilingual education

## f. Civil Rights Complaints

### Possible Resources:

Federal Interagency Forum on Child and Family Statistics

National Center for Education Statistics:

    Youth Indicators 1996

    Digest of Education Statistics

    The Condition of Education 1997

Department of Education Planning and Evaluation Service

U.S. Department of Health and Human Services, Office of the Assistant  
Secretary for Planning and Evaluation

Children's Defense Fund

### **3. Health Status and Health Care**

- a. Pregnancy and Infancy
  - access to early prenatal care
  - infant mortality
  - low birthweight
- b. Childhood and young adulthood
  - child mortality rates
  - homicide rates/victims of violent crimes
  - Prime killers of children and youth (e.g. motor vehicles, firearms)
  - immunization
  - children in households reporting "not enough to eat"
  - teen birth rates
- c. Adulthood
- d. Older ages
- e. Specific diseases or conditions
- f. Health Care
  - access to insurance
  - availability of health services
  - comparative costs of health services
  - quality of health services
- g. Health behaviors
  - drug, alcohol, tobacco use
  - fire arm access

#### **Possible Resources:**

Federal Interagency Forum on Child and Family Statistics  
National Center for Education Statistics, Youth Indicators 1996  
U.S. Department of Health and Human Services, Office of the Assistant  
Secretary for Planning and Evaluation  
Centers for Disease Control  
Children's Defense Fund

#### **4. Civic Behavior and Attitudes**

##### **a. Political Behavior**

- voting, by age cohort
- holding public office, by different levels and rural vs. urban
- impact of having minorities in public office
- causes of transitions in big cities from black to white mayors
- redistricting
- other political participation

##### **b. Religious behavior**

- church attendance
- political/educational activity through church
- church segregation/integration

##### **c. Social behavior**

- peer influence
- TV watching
- computer use
- civic disengagement

#### **Possible Resources:**

Southwest Voter Research Institute

Midwest/Northeast Voter Education Project

LEAP

Native American Law Center, Boulder, CO

National Indian Youth Council, Albuquerque, NM

Joint Center for Political and Economic Studies 1997 National Opinion Poll

Gallup Poll

University of Michigan, Institute for Social Research

Professor Robert Putnam, Harvard (civic disengagement)

## **5. Criminal Justice**

- a. Nature and distribution of offenses, offenders
- b. Bias in criminal justice system (sentencing, death row, probation)
- c. Characteristics of offenders/victims
- d. Recidivism
- e. Literacy of prisoners/ prisoner education opportunities
- f. Public attitudes towards criminal justice system
- g. Jury participation by race
- h. Police brutality
- i. Hate crimes
  - violent crimes
  - vandalism

### **Possible Resources:**

Bureau of Justice Statistics Sourcebook of Criminal Justice Statistics  
Anti-Defamation League  
U.S. Sentencing Commission  
DOJ Study on Police Brutality

## **6. Kinship Relationships**

- a. 2 parent vs. single parent
- b. female-headed households
- c. multi-generational households
- d. family size
- e. foster care/adoption
  - inter-racial adoptions
- f. care of elderly
- g. child care patterns
- h. child support

Possible Resources:

Census

## **7 . Housing and Residential Patterns**

- a. homelessness
- b. residential stability
- c. % in poor neighborhoods
- d. quality of housing
- e. segregation
- f. impact of change in neighborhood composition on property values

### **Possible Resources:**

HUD

Lawyers Committee on Civil Rights

Professor Massey, U. Penn (residential segregation)

## **8. Race Relations**

- a. Racial attitudes (intergenerational differences)
- b. Developments in the 1990's
  - Rodney King beating, trials, and riots
  - OJ Simpson trials
  - The Bell Curve Controversy
  - Challenges to Affirmative Action in California
  - Immigration Scapegoating
  - Positive developments, for example:
    - responses to hate crimes (e.g. Boise, ID)
    - inter-racial, inter-denominational rebuilding of burned churches
    - US military

### **Possible Resources:**

ACD?

Harvard/ Kaiser Washington Post Polling Data

Joint Center for Political and Economic Studies 1997 National Opinion Poll

Gallup Poll

National Conference- Louis Harris

Time

Newsweek

Children's Defense Fund

USA Today/CNN poll on affirmative action

Community Relations Service

US Commission on Civil Rights

COPY ALL DATE START

## RACE INITIATIVE Qs & As

### THE INITIATIVE

**Q: Is systemic racism and bigotry still a crucial problem for the United States? Is race still an impediment to opportunity and progress in America?**

A: America is moving closer to fulfilling its fundamental promise of equality and the opportunity of advancement for all. President Clinton has worked to restore the American dream by expanding the economy, investing in education and making our communities safer. However, more needs to be done. We face new challenges and a very different America in the next century.

For instance, there are four school systems in the country right now, including one across the river (in Virginia) where the school children represent over 150 nations and speak over 100 different languages all in a single district. We should embrace such diversity.

Unfortunately, there are some disturbing examples of going backward: the lack of economic progress among Hispanic Americans; the greatly reduced number of African-American and Hispanic students in California and Texas universities; and the young, African-American boy in Chicago who was dragged from his bicycle and beaten just because of his color.

**Q: How was this initiative developed? Who did the President call on among the White House staff?**

A: The President charged Erksine Bowles and Sylvia Mathews with developing the parameters of an initiative that would move to fulfill America's promise of opportunity and fairness for all Americans, and that would promote unity while preserving cultural differences.

Sylvia convened an internal working group of approximately 25 individuals from different offices within the White House and from different races. The group met regularly starting in March, and daily for the past few weeks. Erskine and other members of the senior staff participated periodically in the working group meetings. The President received regular updates on the group's direction and progress.

**Q: How can the President ask others to "get their houses in order" on this subject, when the White House itself lacks diversity, especially in its upper ranks?**

A: President Clinton is proud of the record diversity of his Administration. He has appointed more African Americans, Hispanics and Asian Americans than any other President.

Cabinet: 15% African American [Alexis Herman (Labor), Rodney Slater (Transportation), Jesse Brown (Veterans Affairs) and Frank Raines (OMB)]; 12% Hispanic [Bill Richardson (UN), Aida Alvarez (SBA), Federico Pena (Energy)].

Presidential Appointments: 13% African American (twice as many as any previous Administration); 8% Hispanic; 3% Asian American; 1% Native American.

**Q: Isn't this just the President's reactionary position after the Administration has neglected to take stronger stances on behalf of minorities?**

A: The President wants *this issue* to get more media attention. The President has consistently said he had three goals in running for the office: to keep the American Dream alive for everyone who wanted to work for it; to keep America a force in the world for peace and democracy; and to keep us "One America," a nation coming together instead of coming apart.

The Administration has made real progress on issues of economic opportunity, strengthening families, reducing crime rates, and foreign policy (the first two goals).

Economic policies that have helped the entire country have also helped minorities.

- The unemployment rate for Hispanic Americans in May was about 7 percent, down from 11 percent when President Clinton took office.
- The African-American poverty rate dropped to 29 percent in 1995 -- its lowest level since data was collected.
- The Administration has approved more than \$2 billion in Small Business Administration loans to Asian Americans.

The time is right to move forward more aggressively on the President's third goal. Already the President has taken action in this area with his apology, on behalf of the federal government, to the victims of the Tuskegee experiment and his commitment to a White House conference on hate crimes. In addition, an interagency group is exploring how to address the problem of declining diversity in student bodies.

### **PRESIDENT'S COMMITMENT**

**Q: The President seems to waiver in his commitment to this issue. One day he asks the Supreme Court not to hear an affirmative action case and the next day he announces an initiative on improving race relations. How serious is he about this initiative?**

A: The President is very serious about this initiative. He has been steadfast throughout his life and professional career in his pursuit of equality and opportunity for all.

- The President's experiences with discrimination are rooted in the South's legacy of slavery.

- As a candidate, the President has consistently said one of his main goals in running for the office was to keep the American Dream alive for everyone who wanted to work for it and to keep us “one America,” a nation coming together instead of coming apart.
- As President, he has been a constant voice in pressing racial healing and unity. For instance: speeches in Memphis, Tennessee, in 1993 and Austin, Texas, in 1995; inaugural and State of the Union addresses this year; and remarks at the Jackie Robinson anniversary commemoration.

President Clinton’s personal history and conviction to lead this country in finding strength in our diversity make him well-suited to help forge alliances and reconcile differences among us. The President will be actively involved in the initiative and will help provide its intellectual leadership.

**Q: Does the President really expect this initiative to make a difference or is it just a way for him to get more media attention?**

**A:** This initiative will attempt to identify and create solutions for improving race relations and the circumstances of Americans of all races. Those solutions will be designed for individuals, communities, religious congregations, educational and non-profit organizations, businesses, state and local governments, and other groups to implement. The Administration will develop wholly new policy and refocus existing policy. Some policies will respond to information arising as the initiative moves forward. Other policies will attempt to address longstanding problems in new and creative ways.

## **EXPECTATIONS**

**Q: Will this initiative address the serious imbalances in opportunity that can be attributed to race?**

**A:** This initiative will study the imbalances in opportunity that can be attributed to race, open channels for discussion about those imbalances and create or refocus policy to address those imbalances.

We will strive to identify and create solutions for improving race relations and the circumstances of Americans of all races. Those solutions will be designed for individuals, communities, religious congregations, educational and non-profit organizations, businesses, state and local governments, and other groups to implement.

**Q: How can the President hope to improve race relations and the lot of minorities without dedicating significant funds to the problems that arise from racism?**

**A:** Different times call for different solutions. The choice is not between massive programs and nothing. Much can be done within the confines of tighter federal spending that we face today and going forward. Funds can be reallocated, as they were, in the balanced

budget agreement, to provide health coverage to five million uninsured children. And we can seek creative ways to generate new funds, not just from federal and state spending.

**Q: What can we expect to see change as a result of this initiative?**

A: We will promote a better understanding of and a greater respect for both the similarities and differences between people of different races.

We will challenge leaders and “doers” will step forward, in communities throughout the nation, to find and put into practice ideas to improve race relations and stimulate opportunity for all.

We will identify and disseminate proven practices for promoting racial harmony.

We will analyze critical issues affecting race relations in this country and propose government actions and policies to address these issues.

**Q: How does the President intend to keep this from becoming just a big talk fest?**

A: The effort will be a balance of study, dialogue and action -- including fact finding and policy.

We will seek to promote honest dialogue on the issues of race and to develop real solutions that can be implemented by individuals, communities, religious congregations, educational and non-profit organizations, businesses, state and local governments, and other groups. We will undertake fact finding (e.g.: what are the stereotypes and what are the facts), dialogue and policy/action (e.g.: best practices, positions on minority enrollment in higher education) concurrently and through an iterative process.

**Q: Civil rights groups have expressed dissatisfaction that they have not been consulted and dismay at the lack of substance to the initiative. How do you respond?**

A: In the process of defining this initiative, we sought comments and ideas from numerous individuals and organizations. More importantly, we have created plenty of opportunities for future consultation. This is only the beginning of an initiative that will be a uniquely inclusive and broad-ranging year-long effort. We encourage those willing to engage in tough, honest dialogue to join us.

The President is prepared to design wholly new policy and to refocus existing policy. We will look for and implement solutions in areas such as economic opportunity, housing, health care, crime and the administration of justice. We have said all along that we will not outline a full set of proposals and recommendations at the outset. The Administration will unfold policy changes and developments over the course of the year.

## **LOGISTICS**

**Q: When will the advisory board hold its first meeting? When will it conclude its work?**

**A:** The advisory board will meet for the first time in the next six weeks or so. An exact date has not yet been determined. At this point, the board will likely disband after the President submits his report to the American people.

**Q: When can we expect to see the first action or policy recommendations from the advisory board?**

**A:** As a result of this initiative, we expect the President to implement wholly new policies as well as to reshape existing policies. The Administration's actions and policy changes will take place over the course of the year-long initiative. We cannot say when the first announcement will be. It will be several weeks before the advisory board, the initiative staff and Administration representatives start working.

## **ADVISORY BOARD**

**Q: Why did the President appoint an advisory board rather than an independent commission?**

**A:** This initiative is designed to use presidential leadership to prepare the American people for the next century. President Clinton's personal history and conviction to lead this country in recognizing the strength in our diversity make him well-suited to help forge new alliances among citizens. The President will be actively involved in the initiative and will help provide its intellectual leadership. He will also involve the American people in an unprecedented way.

The board members will serve as partners in the initiative by reaching out to various communities, amplifying the President's efforts and recruiting more leaders on this issue. The advisory board members were selected based on the concept that they would excel in these responsibilities and be respected, if not well known, in what is a Presidentially-led effort.

**Q: Wouldn't you have been better off with individuals with name recognition?**

**A:** In identifying an advisory board, the working group sought individuals who could reach out on behalf of the President to various communities, provide guidance and analysis on topics concerning race and recruit more leaders to implement solutions that will improve race relations.

We also looked for a group of individuals who would provide diversity on a number of fronts, be respected in their fields and work well together exemplifying the relationships we hope the whole initiative will engender.

Many of the advisory board's members are familiar ones, especially in their communities or areas of expertise.

**Q: How much is this initiative going to cost?**

A: We are working with the appropriators on a Justice Department reprogramming of funds for the initiative. The approximate cost of the initiative is \$2.9 million.

**Q: What is the \$2.9 million for?**

A: The funding will enable us to bring the advisory board to the American people and for providing staff who will study the issues and reach out to the American people.

**Q: Why are there no Native Americans on the advisory board?**

A: The advisory board is small in number. These individuals represent diversity in race, age, gender, background and political perspective. There will be many, many opportunities (for example: staff appointments, Presidential town hall meetings, advisory board outreach) over the course of the initiative for the President and the advisory board to work with and hear from individuals whose diversity is not reflected on the board.

THE WHITE HOUSE  
WASHINGTON

MEMORANDUM TO CHIEFS OF STAFF

FROM: CABINET AFFAIRS

SUBJECT: UPDATING ACCOMPLISHMENT DOCUMENTS

DATE: JUNE 2, 1997

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Attached are accomplishment documents produced in the fall of 1996. Please review the documents and send to Cabinet Affairs any updates your agency has made in these areas.

We need the updated information by **Friday, June 6 at 12:00pm**. If you have any questions or comments, please call Bibb Hubbard or David Beaubaire at 456-2572.

Thank you.

## AFRICAN-AMERICANS

America is moving closer to fulfilling its fundamental promise of ensuring equality and the opportunity for advancement for all. President Clinton has worked to restore the American dream by expanding the economy, ensuring equal opportunity, investing in education and making our communities safer. Since President Clinton entered office, the economy has created over 10 million new jobs, the unemployment rate for African-Americans has declined nearly 30% and over 100,000 new African-American businesses have been created.

But more needs to be done. The unemployment rate for African-Americans remains twice that of whites and discrimination remains a daily fact of life for too many Americans. African-Americans are still more likely to be victims of murder, robberies and aggravated assaults. That is why President Clinton will continue to work to ensure that all Americans have the security and equal opportunity needed to develop to their full potential.

### A RECORD OF ACCOMPLISHMENT:

- **Helping Every American Achieve Economic Security in the New Economy:**
  - Oversaw the creation of more than 10 million new jobs in just over three years -- a faster annual rate of job growth than any Republican Administration since the 1920's.
  - For adult African-Americans, the unemployment rate dipped to 8.7% in June -- one of the lowest rates in 20 years. This is the 25th consecutive month that the unemployment rate for adult African-Americans has been in the single digits. (When President Clinton took office in January 1993, the unemployment rate for African-American adults was 12.5%.)
  - The incomes of African-American households increased 5% in 1994 -- the first real increase since 1988. The median income of married-couple African-American households increased by more than 11% between 1993 and 1994.
  - More than 1.3 million African-Americans would directly benefit from the President's proposal to raise the minimum wage to \$5.15 an hour.
  - Made new tax cuts available to 90% of small businesses.
  - Lowest combined rate of unemployment and inflation since 1968.
- **Fighting for Equal Opportunity:**
  - Appointed the most diverse Cabinet and Administration in history.
  - Members of the Clinton Cabinet include two African-Americans, two Hispanic-Americans and five women.
  - Fourteen percent of all Administration appointees are African-American.
  - President Clinton has to date nominated 42 African-Americans to the federal bench -- over 18% of total federal bench nominations. Overall, 68% of President Clinton's judicial appointees have been rated "well qualified" by the American Bar Association -- the highest percentage achieved by any Administration since the ABA began rating judicial candidates during the Eisenhower Administration.
  - Over 55% of the President's judicial nominees are women and minorities -- the highest proportion ever.
  - More African-American appointees (45) are serving in the White House than at any time in history.

- Ordered a review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand educational and economic opportunity.
- The Administration argued in federal court to expand the Voting Rights Act and defended racially fair redistricting plans against claims they were unconstitutional.
- The Justice Department's Civil Rights Division has filed more cases in the last three years to enforce fair housing laws than any other Administration -- a record 457 cases.
- The Department of Housing and Urban Development actively intervened and desegregated a Vidor, Texas public housing complex.
- The Treasury Department, working with the Justice Department, ordered a Mississippi bank to implement remedial lending plans for minority customers once denied loans by the bank.
- Made voting easier for more than 11 million Americans by creating more accessible "motor-voter" registration locations. (National Voter Registration Act)

• **Providing Educational Opportunities for the New Century:**

- A record percentage of African-Americans were enrolled in post-secondary education in 1994 -- 35.6% of African-American high school graduates.
- In 1995, the number of PhD's awarded to African-American students increased 17% over 1994.
- Increased funding for Historically Black Colleges by nearly \$250 million since FY1992, an almost 25% increase.
- Established the President's Board of Advisors for Historically Black Colleges and Universities to strengthen the capacity of historically black colleges and universities to provide quality education by advising on ways to increase the private sector's role in these institutions.
- Increased Head Start funding by nearly \$800 million to provide early education to tens of thousands of additional children in need.
- Supported the development of standards of excellence for students while encouraging grassroots reforms to improve our schools. (GOALS 2000: Educate America Act)
- Gave schools greater flexibility to use federal aid and develop effective teaching innovations to help students achieve their full potential. (Improving America's Schools Act)
- Launched an Educational Technology Initiative to connect every classroom to the Information Superhighway and provide all students with access to computers by the dawn of the next century.
- Proposed spending \$5 billion to help local communities and states rebuild the nation's schools.
- Encouraged schools, colleges and employers to join in creating school-to-work opportunities, providing students with work-based learning and giving them new pathways from high school to good jobs and post-secondary education. (School-to-Work Opportunities Act)
- Enabled 45,000 volunteers to earn money for college by serving their communities and their country in the AmeriCorps program, with African Americans comprising one-third of all participants. (National Service Act)

- Reformed the federal student loan program, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans. Over 1,700 schools, representing 50% of the total amount of loans, are expected to participate in the Direct Lending program this year. (Student Loan Reform Act)
- Proposed America's Hope Scholarships to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year. This \$1,500 tax credit will pay for more than the full cost of tuition at the national average-priced community colleges.

#### • **Cherishing Children and Strengthening Families:**

- Provided tax relief for 15 million working families by increasing the Earned Income Tax Credit to allow more families to qualify for tax rebates. In 1994, the EITC lifted over 700,000 African-Americans, including 370,000 African-American children, out of poverty.
- Helped families move from welfare to work by authorizing 40 states to bypass existing welfare rules and set time limits on benefits, require recipients to work or stay in school, provide child care and give employers incentives to hire welfare recipients.
- Helped move 1.3 million people from welfare to work -- decreasing welfare rolls by 10% since taking office.
- Breaking the cycle of welfare dependency by requiring teenage mothers to live at home, stay in school and turn their lives around.
- Implemented a new child support enforcement project to help track down non-paying parents across state lines; challenged states to adopt new hire programs to catch delinquent parents who move from job to job; and issued new regulations to require women who apply for welfare to comply with paternity establishment requirements before receiving benefits, except in cases of rape or threat to the mother's safety.
- Collected a record \$11 billion in child support in 1995 through tougher enforcement -- a nearly 40% increase over 1992.
- Worked with community, business and religious leaders to form a new National Campaign to Prevent Teen Pregnancy.
- Enabled workers to take up to 12 weeks of unpaid leave to care for a family member without fear of losing their jobs. (Family and Medical Leave Act). The President has proposed expanding the Family and Medical Leave Act to better help workers care for their families without sacrificing their work obligations. The expansion will allow workers to take up to 24 hours of unpaid leave in support of their children's educational needs, older relatives' health care and other family medical and dental obligations.
- Proposed an employee choice flex-time initiative that will allow workers to agree with their employers to work overtime in exchange for up to 80 hours of paid time-off ("flex-time"). Under the President's proposal, workers could choose to receive time-and-a-half in flex-time or in cash pay for each hour of overtime and could use their accumulated flex-time for any purpose.

- Established a Childhood Immunization Initiative to ensure vaccinations and healthy futures for all children. In 1995, 75% of two-year-old children were properly immunized, an historic high.
- Put the Women, Infants and Children Program (WIC) on a full funding path.
- Established the Office of Minority Health Research and Alternative Medicine at the National Institute of Health.
- Proposed a comprehensive initiative to cut off children's access to tobacco products and reduce their appeal to children.
- Gave parents greater control over what their children watch on television by announcing a breakthrough agreement with the media and entertainment industry to develop a television ratings system and by requiring the installation of anti-violence screening chips ("V-chips") in all new televisions.

• **Taking Back Our Streets From Crime, Gangs and Drugs:**

- Focused the nation's attention and resources to help stop the rash of church burnings across the country, prosecute those responsible and speed the rebuilding process.
- Filed a record 42 cases involving hate crimes in FY 1995, involving 66 defendants -- the second highest number charged in one year.
- Signed into law the toughest, most comprehensive Crime Bill ever, which puts 100,000 new police officers on the street -- more than 43,000 officers have already been funded.
- Stood up to the gun lobby and won passage of the Brady Bill -- as a result, more than 60,000 fugitives and felons have already been blocked from buying guns.
- Banned the manufacture and importation of 19 of the deadliest assault weapons while specifically protecting more than 650 legitimate sporting weapons. (Assault Weapons Ban)
- Keeping dangerous weapons out of our children's classrooms by enforcing a "Zero Tolerance" gun policy in schools.
- Reducing violence and drug abuse in our schools by investing in school security, drug prevention programs and counseling. (Safe and Drug Free Schools Act)
- Encouraged schools to consider adopting school uniform policies to reduce violence while promoting discipline and respect; communities to implement curfews to get children off the streets and out of harms way; and teachers and law enforcement to enforce truancy laws so that children are learning about life in school and not on the streets.
- Instituted a tough "One-Strike-And-You're-Out" policy in public housing for those who engage in criminal activity.
- Developed a comprehensive National Drug Control Strategy that will reduce illegal drug use through law enforcement, prevention, treatment and interdiction.

• **Creating Opportunity in America's Communities:**

- Created nine Economic Empowerment Zones and 95 Enterprise Communities that use tax incentives and flexible grants to promote economic empowerment and private sector job creation in 104 distressed communities across America.

- Creating a network of community development banks and financial institutions in low and moderate-income communities which leverages \$10 of private investment for every \$1 of federal investment. With \$50 million appropriated for 1995 and \$1.625 billion requested in the President's budget proposal for the next seven years, matching capital and other assistance will be provided to create and expand community development banks and financial institutions. (Community Development Banks and Financial Institutions Fund)
- Made the Low-Income Housing Tax Credit and Mortgage Revenue Bond Program permanent increasing opportunities for affordable housing development by the private sector.
- Reformed the Community Reinvestment Act to focus on performance -- actual lending, investments and basic banking services -- rather than paperwork. The reforms will unleash billions in new credit to low- to moderate-income communities.

• **Leaving Our Environment Safe and Clean for the Next Generation:**

- Issued an Executive Order on Environmental Justice, ensuring that low income citizens and minorities do not suffer a disproportionate burden of industrial pollution.
- Identified 20 environmental justice pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities and turn them into useable space, creating jobs and enhancing community development.
- Launched a Brownfields Initiative to return land to productive use by providing tax incentives to clean-up old industrial waste sites.
- Completed nearly as many toxic waste site clean ups in each of the past two years as were completed in the previous 10 years. Fought Republican Congressional attempts to gut the Superfund law that makes polluters -- rather than taxpayers -- pay to clean up toxic dumps.

• **Maintaining America's Leadership in the Fight for Freedom and Peace:**

- Restored democracy to Haiti, enabling the first transfer of power from one democratically elected president to another in Haitian history.
- Assisted South Africa's transition to democracy, providing support for elections and development.
- Hosted the first White House Conference on Africa in July 1994.

July 1996

## ASIAN-PACIFIC AMERICANS

Every sector of American life has benefited from the extraordinary leadership of those who trace their roots back to Asia and the Pacific Island region. In the arts and sciences, business, law, academia and government, Asian-Pacific Americans have expanded our horizons and successfully embraced the opportunities of the American Dream.

President Clinton believes that our nation stands at the dawn of a new era of hope and opportunity. We depend as never before on the active involvement of every American to meet the challenges of our changing world. That is why the President has worked to ensure economic security, educational opportunity and equal opportunity for all Americans.

### **A RECORD OF ACCOMPLISHMENT:**

- **Helping Every American Achieve Economic Security in the New Economy:**
  - Oversaw the creation of more than 10 million new jobs in just over three years -- a faster annual rate of job growth than any Republican Administration since the 1920's.
  - Unemployment has fallen to 5.3% from 7% when President Clinton first took office.
  - Approved nearly 8,500 Small Business Administration loans totalling nearly \$2 billion to Asian-American businesses.
  - Funded an SA program targeted to Asian-American women that provides training and counseling to thousands in the Chinatown section of New York City.
  - Secured commitments from Asia-Pacific Economic Cooperation leaders to eliminate barriers to open trade in the Asia-Pacific region in 2020.
  - Helped increase exports to Asia by more than 44% since taking office; our exports to Asia account for over 2 million jobs in the United States.
  - Made new tax cuts available to 90% of small businesses.
  - Passed the largest deficit-cutting plan in history -- saving more than \$1 trillion over 7 years.
  - Lowest combined rate of unemployment and inflation since 1968.
- **Fighting for Equal Opportunity:**
  - Appointed the most diverse Cabinet and Administration in history.
  - Appointed over 185 Asian-Pacific Americans to the Administration-- three times as many Asian-American appointees as the previous Administration.
  - Nominated more Asian-Americans to the federal bench than any other Administration; President Clinton's first Asian-American nomination to a federal court was the first in almost 14 years. Overall, 68% of President Clinton's judicial appointees have been rated "well qualified" by the American Bar Association -- the highest percentage achieved by any Administration since the ABA began rating judicial candidates during the Eisenhower Administration.
  - Over 55% of the President's judicial nominees are women and minorities -- the highest proportion ever.
  - Ordered a comprehensive review of the government's affirmative action programs which concluded that affirmative action is still an effective and important tool to expand education and economic opportunity to all Americans.

- Authorized a nationwide investigation of discrimination by financial institutions to help end discrimination in the provision of home mortgages.
- Made voting easier for more than 11 million Americans by creating more accessible "motor-voter" registration locations. (National Voter Registration Act)

• **Providing Educational Opportunities for the New Century:**

- Hosted two Asian-Pacific American Education Forums to address the needs of Asian-American students and their teachers.
- Increased funding for Office of Bilingual Education & Minority Languages Affairs.
- Restructured Foreign Language Assistance Program to assist local schools in establishing programs in Chinese, Japanese and Korean.
- Increased Head Start funding by nearly \$800 million to provide early education to tens of thousands of additional children in need.
- Supported the development of standards of excellence for students while encouraging grassroots reforms to improve our schools. (GOALS 2000: Educate America Act)
- Gave schools greater flexibility to use federal aid and develop effective teaching innovations to help students achieve their full potential. (Improving America's Schools Act)
- Launched an Educational Technology Initiative to connect every classroom to the Information Superhighway and provide all students with access to computers by the dawn of the next century.
- Proposed spending \$5 billion to help local communities and states rebuild the nation's schools.
- Enabled 45,000 volunteers to earn money for college by serving their communities and their country in the AmeriCorps program. (National Service Act)
- Reformed the federal student loan program, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans. Over 1,700 schools, representing 50% of the total amount of loans, are expected to participate in the Direct Lending program this year. (Student Loan Reform Act)
- Proposed America's Hope Scholarships to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year. This \$1,500 tax credit will pay for more than the full cost of tuition at the national average-priced community colleges.

• **Cherishing Children and Strengthening Families:**

- Provided tax relief for 15 million working families by increasing the Earned Income Tax Credit to allow more families to qualify for tax rebates.
- Helped families move from welfare to work by authorizing 40 states to bypass existing welfare rules and set time limits on benefits, require recipients to work or stay in school, provide child care and give employers incentives to hire welfare recipients.
- Helped move 1.3 million people from welfare to work -- decreasing welfare rolls by 10% since taking office.
- Breaking the cycle of welfare dependency by requiring teenage mothers to live at home, stay in school and turn their lives around.

- Implemented a new child support enforcement project to help track down non-paying parents across state lines; challenged states to adopt new hire programs to catch delinquent parents who move from job to job; and issued new regulations to require women who apply for welfare to comply with paternity establishment requirements before receiving benefits, except in cases of rape or threat to the mother's safety.
- Collected a record \$11 billion in child support in 1995 through tougher enforcement -- a nearly 40% increase over 1992.
- Worked with community, business and religious leaders to form a new National Campaign to Prevent Teen Pregnancy.
- Enabled workers to take up to 12 weeks of unpaid leave to care for a family member without fear of losing their jobs. (Family and Medical Leave Act) The President has proposed expanding the Family and Medical Leave Act to better help workers care for their families without sacrificing their work obligations. The expansion will allow workers to take up to 24 hours of unpaid leave in support of their children's educational needs, older relatives' health care and other family medical and dental obligations.
- Proposed an employee choice flex-time initiative that will allow workers to agree with their employers to work overtime in exchange for up to 80 hours of paid time-off ("flex-time"). Under the President's proposal, workers could choose to receive time-and-a-half in flex-time or in cash pay for each hour of overtime and could use their accumulated flex-time for any purpose.
- Established a Childhood Immunization Initiative to ensure vaccinations and healthy futures for all children. In 1995, 75% of two-year-old children were properly immunized -- an historic high.
- Put the Women, Infants and Children Program (WIC) on a full funding path.
- Established the Office of Minority Health Research and Alternative Medicine at the National Institute of Health.
- Proposed targeted measures to cut off children's access to tobacco products and reduce their appeal to children.
- Gave parents greater control over what their children watch on television by announcing a breakthrough agreement with the media and entertainment industry to develop a television ratings system and by requiring the installation of anti-violence screening chips ("V-chips") in all new televisions.

• **Taking Back Our Streets From Crime, Gangs and Drugs:**

- Signed into law the toughest most comprehensive Crime Bill ever, which puts 100,000 new police officers on the street -- 43,000 officers have already been funded.
- Stood up to the gun lobby and won passage of the Brady Bill -- as a result, more than 60,000 fugitives and felons have already been blocked from buying guns.
- Banned the manufacture and importation of 19 of the deadliest assault weapons while specifically protecting more than 650 legitimate sporting weapons. (Assault Weapons Ban)
- Filed a record 42 cases involving hate crimes in FY 1995, involving 66 defendants -- the second highest number charged in one year.
- Keeping dangerous weapons out of our children's classrooms by enforcing a "Zero Tolerance" gun policy in schools

- Reducing violence and drug abuse in our schools by investing in school security, drug prevention programs and counseling. (Safe and Drug Free Schools Act)
- Encouraged schools to consider adopting school uniform policies to reduce violence while promoting discipline and respect; communities to implement curfews to get children off the streets and out of harms way; and teachers and law enforcement to enforce truancy laws so that children are learning about life in school and not on the streets.
- Instituted a tough "One-Strike-And-You're-Out" policy in public housing for those who engage in criminal activity.
- Developed a comprehensive National Drug Control Strategy that will reduce illegal drug use through law enforcement, prevention, treatment and interdiction.

• **Supporting Legal Immigration:**

- Made "naturalization" a top priority of the Immigration and Naturalization Service in order to continue fostering legal immigration while combating illegal immigration.
- Launched Citizenship USA to ensure that by September 1996, eligible persons who apply for citizenship will be approved by the Immigration and Naturalization Service within six months. Citizenship USA has been implemented in Los Angeles, San Francisco, New York, Miami and Chicago -- cities that represent more than 75% of all pending citizenship applications.

• **Creating Opportunity in America's Communities:**

- Created nine Economic Empowerment Zones and 95 Enterprise Communities which uses tax incentives and flexible grants to promote economic empowerment and private-sector job creation in 104 distressed communities across America.
- Creating a network of community development banks and financial institutions in low- and moderate-income communities which leverages \$10 of private investment for every \$1 of federal investment. With \$50 million appropriated for 1995 and \$1.625 billion requested in the President's budget proposal for the next seven years, matching capital and other assistance will be provided to create and expand community development banks and financial institutions. (Community Development Banks and Financial Institutions Fund)
- Made the Low-Income Housing Tax Credit and Mortgage Revenue Bond Program permanent, increasing opportunities for affordable housing development by the private sector.
- Reformed the Community Reinvestment Act to focus on performance -- actual lending, investments and basic banking services -- rather than paperwork. The reforms will unleash billions in new credit to low- to moderate-income communities.

## HISPANIC-AMERICANS

One of our nation's greatest strengths is its vast diversity. Since our country's inception, Hispanic-Americans have always had an integral role in shaping America's history, economy and traditions. Many of the ideals that all Americans live by are deeply rooted in the Hispanic values of a strong sense of family, hard work, service to country and religious faith.

President Clinton is leading the way to enable Hispanic-Americans to participate at all levels of American society and have a greater role in boardrooms, schoolrooms and the halls of government. The President has worked to make the American dream a real possibility for all Americans and to ensure that the hopes and dreams of Hispanic-Americans are attainable.

### **A RECORD OF ACCOMPLISHMENT:**

- **Helping Every American Achieve Economic Security in the New Economy:**
  - Oversaw the creation of more than 10 million new jobs in only three-and-a-half years -- a faster annual rate of job growth than any Republican Administration since the 1920's.
  - The President proposed to raise the minimum wage to \$5.15 an hour -- directly benefitting more than 1.6 million Hispanic-Americans.
  - The unemployment rate for Hispanic-Americans in May was 8.8%, down from 11.3% when President Clinton first took office.
  - Over 220,000 new Hispanic-American-owned businesses have been created in the first three years of the Clinton Administration.
  - After more than a decade of decline, 1 million new manufacturing and construction jobs have been created since President Clinton took office.
  - Passed the largest deficit-cutting plan in history -- saving more than \$1 trillion over 7 years.
  - Lowest combined rate of unemployment and inflation since 1968.
  - Made new tax cuts available to over 90% of small businesses.
  - Proposed safeguarding workers' pensions and health care by simplifying pensions and protecting health insurance for people who change or lose their jobs.
- **Fighting for Equal Opportunity:**
  - Appointed the most diverse Cabinet and Administration in history. Members of the Clinton cabinet include two Hispanic-Americans, Henry Cisneros, Secretary of Housing and Urban Development, and Frederico Pena, Secretary of Transportation.
  - A record number (20) of all judicial appointments are Hispanic-Americans, including the first Mexican-American judge in Los Angeles and the first Hispanic judge in Chicago. Overall, 63% of President Clinton's Latino judicial appointees have been rated "well qualified" by the American Bar Association -- the highest percentage achieved by any Administration since the ABA began rating judicial candidates during the Eisenhower Administration.
  - Over 55% of the President's judicial nominees are women and minorities -- the highest proportion ever.

- Appointed more Hispanic-Americans to senior level positions than any President in American history. Significantly, these appointments are outside what had been considered the "traditional" Hispanic areas of interest.
- Ordered a comprehensive review of the government's affirmative action programs which concluded that affirmative action remains an effective and important tool to expand education and economic opportunity to all Americans.
- Opposed California's Proposition 187 due to its detrimental impact on children and its threat to public health.
- Authorized a nationwide investigation of discrimination by financial institutions to help end discrimination in the provision of home mortgages.
- Made voting easier for more than 11 million Americans by creating more accessible "motor-voter" registration locations. (National Voter Registration Act)

- **Providing Educational Opportunities for the New Century:**

- Established an advisory commission to oversee the improvement in education for Hispanics and to ensure that Hispanic-serving institutions will have more input regarding educational goals and issues of concern to Hispanic-Americans. (Executive Order on Educational Excellence for Hispanic-Americans)
- Increased funding for the Office of Bilingual Education & Minority Languages Affairs and opposed plans to abolish bilingual education.
- Opposed congressional efforts to deny the children of undocumented immigrants the right to an education.
- Increased Head Start funding by nearly \$800 million to provide early education to tens of thousands of additional children in need.
- Supported the development of standards of excellence for students while encouraging grassroots reforms to improve our schools. (GOALS 2000: Educate America Act)
- Gave schools greater flexibility to use federal aid and develop effective teaching innovations to help students achieve their full potential. (Improving America's Schools Act)
- Launched an Educational Technology Initiative to connect every classroom to the Information Superhighway and provide all students with access to computers by the dawn of the next century.
- Proposed spending \$5 billion to help local communities and states rebuild the nation's schools.
- Encouraged schools, colleges and employers to join in creating school-to-work opportunities, providing students with work-based learning and giving them new pathways from high school to good jobs and post-secondary education. (School-to-Work Opportunities Act)
- Enabled 45,000 volunteers to earn money for college by serving their communities and their country in the AmeriCorps program, with Hispanics comprising 14% of all participants. (National Service Act)
- Reformed the federal student loan program, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans. Over 1,700 schools, representing 50% of the total amount of loans, are expected to participate in the Direct Lending program this year. (Student Loan Reform Act)

- Proposed America's Hope Scholarships to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year. This \$1,500 tax credit will pay for more than the full cost of tuition at the national average-priced community colleges.
- Called for a tax deduction of up to \$10,000 per year for the cost of college tuition and training. Families could deduct up to \$10,000 in tuition and fees for post-secondary education. Over 17 million students and over 14 million families stand to benefit from this proposal for tax relief to working families.

• **Cherishing Children and Strengthening Families:**

- Provided tax relief for 15 million working families by increasing the Earned Income Tax Credit to allow more families to qualify for tax rebates. In 1994, the EITC lifted over 850,000 Hispanic-Americans, including 440,000 Hispanic children, out of poverty.
- Helped families move from welfare to work by authorizing 40 states to bypass existing welfare rules and set time limits on benefits, require recipients to work or stay in school, provide child care and give employers incentives to hire welfare recipients.
- Helped reduce welfare rolls almost 10% since taking office -- 1.3 million fewer recipients.
- Breaking the cycle of welfare dependency by requiring teenage mothers to live at home, stay in school and turn their lives around.
- Implemented a new child support enforcement project to help track down non-paying parents across state lines; challenged states to adopt new hire programs to catch delinquent parents who move from job to job; and issued new regulations to require women who apply for welfare to comply with paternity establishment requirements before receiving benefits, except in cases of rape or threat to the mother's safety.
- Collected a record \$11 billion in child support in 1995 through tougher enforcement -- a nearly 40% increase over 1992.
- Worked with community, business and religious leaders to form a new National Campaign to Prevent Teen Pregnancy.
- Enabled workers to take up to 12 weeks of unpaid leave to care for a family member without fear of losing their jobs. (Family and Medical Leave Act) The President has proposed expanding the Family and Medical Leave Act to better help workers care for their families without sacrificing their work obligations. The expansion will allow workers to take up to 24 hours of unpaid leave in support of their children's educational needs, older relatives' health care and other family medical and dental obligations.
- Proposed an employee choice flex-time initiative that will allow workers to agree with their employers to work overtime in exchange for up to 80 hours of paid time-off ("flex-time"). Under the President's proposal, workers could choose to receive time-and-a-half in flex-time or in cash pay for each hour of overtime and could use their accumulated flex-time for any purpose.

- Established a Childhood Immunization Initiative to ensure vaccinations and healthy futures for all children. In 1995, 75% of two-year-old children were properly immunized -- an historic high.
- Put the Women, Infants and Children Program (WIC) on a full funding path.
- Established the Office of Minority Health Research and Alternative Medicine at the National Institute of Health.
- Proposed a comprehensive initiative to cut off children's access to tobacco products and reduce their appeal to children.
- Gave parents greater control over what their children watch on television by announcing a breakthrough agreement with the media and entertainment industry to develop a television ratings system and by requiring the installation of anti-violence screening chips ("V-chips") in all new televisions.

- **Taking Back Our Streets From Crime, Gangs and Drugs:**

- Signed into law the toughest most comprehensive Crime Bill ever, which puts 100,000 more police officers on the street -- more than 43,000 officers have already been funded.
- Stood up to the gun lobby and won passage of the Brady Bill -- as a result, more than 60,000 fugitives and felons have already been blocked from buying guns.
- Banned the manufacture and importation of 19 of the deadliest assault weapons while specifically protecting more than 650 legitimate sporting weapons. (Assault Weapons Ban)
- Filed a record 42 hate crime cases in FY 1995, involving 66 defendants -- the second highest number charged in one year.
- Keeping dangerous weapons out of our children's classrooms by enforcing a "Zero Tolerance" gun policy in schools.
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- Encouraged schools to consider adopting school uniform policies to reduce violence while promoting discipline and respect; communities to implement curfews to get children off the streets and out of harms way; and teachers and law enforcement to enforce truancy laws so that children are learning about life in school and not on the streets.
- Instituted a tough "One-Strike-And-You're-Out" policy in public housing for those who engage in criminal activity.
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- **Supporting Legal Immigration:**

- Made "naturalization" a top priority of the Immigration and Naturalization Service in order to continue fostering legal immigration while combating illegal immigration.
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- **Creating Opportunity in America's Communities:**
  - Created nine Economic Empowerment Zones and 95 Enterprise Communities which use tax incentives and flexible grants to promote economic empowerment and private-sector job creation in 104 distressed communities across America.
  - Creating a network of community development banks and financial institutions in low- and moderate-income communities which leverages \$10 of private investment for every \$1 of federal investment. With \$50 million appropriated for 1995 and \$1.625 billion requested in the President's budget proposal for the next seven years, matching capital and other assistance will be provided to create and expand community development banks and financial institutions. (Community Development Banks and Financial Institutions Fund)
  - Launched a program to increase the homeownership rate of Hispanic-Americans in the U.S. through advertising, education and counseling programs and by working with lending institutions to better serve the Hispanic community.
  - Made the Low-Income Housing Tax Credit and Mortgage Revenue Bond Program permanent increasing opportunities for affordable housing development by the private sector.
  - Reformed the Community Reinvestment Act to focus on performance -- actual lending, investments and basic banking services -- rather than paperwork. The reforms will unleash billions in new credit to low- to moderate-income communities.
  
- **Leaving Our Environment Safe and Clean for the Next Generation:**
  - Issued an Executive Order on Environmental Justice, ensuring that low income citizens and minorities do not suffer a disproportionate burden of industrial pollution.
  - Identified 20 environmental justice pilot projects to be undertaken across the country to redevelop contaminated sites in low-income communities and turn them into useable space, creating jobs and enhancing community development.
  - Launched a Brownfields Initiative to return land to productive use by providing tax incentives to clean-up old industrial waste sites.
  - Completed nearly as many toxic waste site clean ups in each of the past two years as were completed in the previous 10 years. Fought Republican Congressional attempts to gut the Superfund law that makes polluters -- rather than taxpayers -- pay to clean up toxic dumps.
  
- **Maintaining America's Leadership in the Fight for Freedom and Peace:**
  - Increased efforts to promote a peaceful, democratic transition in Cuba including toughening sanctions following the brutal shoot down of U.S. civilian aircraft over international waters and signing the Helms-Burton Act to penalize those who traffic in confiscated properties in Cuba. Awarded a landmark \$500,000 grant to Freedom House to assist human rights activists in Cuba.
  - Working with the 33 democratically-elected leaders of Western Hemisphere countries to create a Free Trade Area of the Americas to produce new jobs and opportunities for workers by eliminating tariffs and trade barriers in the region.
  - Took decisive action in assembling a financial support package for Mexico. The President's leadership prevented a prolonged financial crisis in Mexico and its spread to other Latin American countries.

## WOMEN

*"It is time for us to recognize a simple, but profound truth: by improving the lives of American women, we are making a vital investment in America's future. By investing in women, we enable them to reach their fullest potential as individuals and as members of our society. When women thrive, their families thrive. When families thrive, communities flourish, and our nation reaps the benefits."*

President Bill Clinton  
January 1996

President Clinton has an unprecedented record of supporting women and families. He understands that by improving the lives of American women, we make a vital investment in America's future. Today, 61 million American women are in the workforce, comprising half of all workers. Women are usually the primary caretakers for our children and our families. Each day, women working outside the home balance job and family responsibilities.

The Clinton Administration is committed to providing more economic and educational opportunities for women, to providing quality health and child care, to preventing violence on the streets and at home, and to ensuring that women's voices are heard at every level of our government.

### A RECORD OF ACCOMPLISHMENT:

#### Expanding Opportunities

- Over 40% of President Clinton's appointees are women, by far the highest percentage of any Administration. Of these, five women hold Cabinet-level posts, the most ever.
- Appointed women for the first time to the following high level posts: the first woman Attorney General, Chair of the Council of Economic Advisors, Secretary of Energy, Office of Management and Budget Director and White House Deputy Chief of Staff.
- Over 55% of the President's judicial nominees are women and minorities -- the highest proportion ever. The President has appointed a record number (73) of women to the federal bench. Overall, 68% of President Clinton's judicial appointees have been rated "well qualified" by the American Bar Association -- the highest percentage achieved by any Administration since the ABA began rating judicial candidates during the Eisenhower Administration.
- Created the White House Office for Women's Initiatives & Outreach; the Department of Justice's Violence Against Women Office; and the Interagency Council on Women's Business Enterprise to ensure that women's economic concerns are addressed at the top levels of his Administration.

#### Helping Every American Achieve Economic Security in the New Economy

- Won enactment of the largest deficit-cutting plan in history -- cutting the deficit by more than half within four years, after it quadrupled during the previous two Administrations

- Every budget submitted by President Clinton has included increases to improve and expand child care services.
- President Clinton has worked to make child care programs more consistent and coordinated. By streamlining the management of four major child care programs into a single Child Care Bureau, the Clinton Administration has linked services and programs, reduced red tape, improved quality and given states more flexibility. The Administration also launched the Healthy Child Care Campaign to create partnerships between the health care and child care communities to ensure safe and healthy environments for children.
- Enacted the Family and Medical Leave Act to enable workers to take up to 12 weeks of unpaid leave to care for a family member without fear of losing their jobs. The President has proposed expanding the Family and Medical Leave Act to better help workers care for their families without sacrificing their work obligations. The expansion will allow workers to take up to 24 hours of unpaid leave in support of their children's educational needs, older relatives' health care and other family medical and dental obligations.
- Proposed an employee choice flex-time initiative that will allow workers to agree with their employers to work overtime in exchange for up to 80 hours of paid time-off ("flex-time"). Under the President's proposal, workers could choose to receive time-and-a-half in flex-time or in cash pay for each hour of overtime and could use their accumulated flex-time for any purpose.
- Provided tax relief for 15 million working families by increasing the Earned Income Tax Credit (EITC) to help ensure that parents who work full-time do not have to raise their children in poverty. Nearly half of all EITC recipients with children are female heads of households.
- Fostered growth of women-owned businesses through improved access to capital, an expanded federal procurement market and increased business training and technical assistance. From 1993 to 1994, the volume of loans to women increased by 86%.
- Supported effective, fair and balanced affirmative action programs that provide opportunities for minorities and women.
- Helped families move from welfare to work by authorizing 40 states to bypass existing welfare rules and set time limits on benefits, require recipients to work or stay in school, provide child care and give employers incentives to hire welfare recipients. These waivers are making work and responsibility a way of life for 75% of all welfare recipients.

Strengthened enforcement of child support laws resulting in a record \$11 billion collected in 1995, an increase of 40% since 1992. Over that same period, paternity establishments rose by more than 40%.

- Implemented a new child support enforcement project to help track down non-paying parents across state lines; challenged states to adopt new hire programs to catch delinquent parents who move from job to job; and issued new regulations to require women who apply for welfare to comply with paternity establishment requirements before receiving benefits, except in cases of rape or threat to the mother's safety. In addition, the President issued an Executive Order to help track down federal workers who fail to pay child support.

### **Expanding Access to Quality Health Care**

- Fought to give all Americans quality health care and helped put the focus on rising health care costs. Last year, medical inflation had the smallest increase in nearly two decades.
  - Revoked the Reagan/Bush restrictions on abortion counseling (the "gag rule"), abortions in military hospitals and the "Mexico City" policy. Supported permitting Medicaid coverage for abortion services for poor women who are victims of rape or incest. Ensured clinic safety by signing the Freedom of Access to Clinic Entrances Act to fight violence and intimidation against women and their doctors.
  - Increased funding for breast cancer research by 65% and initiated the National Action Plan on Breast Cancer, a public/private partnership to fight the disease.
  - Fought to preserve the guarantee of Medicaid coverage for women, children, people with disabilities and older Americans in the 1996 budget. Sixty percent of all Medicaid beneficiaries are women. Today, Medicaid covers prenatal care, check ups for children, long-term care and other vital services.
  - Strengthened Medicare by enacting savings and structural changes that extended the life of the Medicare Hospital Insurance Trust Fund for an estimated three years. The President's balanced budget proposal would extend the life of the Medicare Trust Fund by over a decade from now through specific savings and policy changes without any new beneficiary cuts. The Clinton Administration also launched "Operation Restore Trust" to combat Medicare fraud and abuse, which has already paid \$42.3 million in restitution, fines, settlements and recovery of payments. Women comprise over 20 million, or 57%, of the 37 million Medicare recipients and nearly 5 million women, or 23% of women aged 65 or older, depend solely on Medicare to help with their medical bills.
  - Improved the quality of health care services provided to Medicare and Medicaid beneficiaries in managed care through a number of initiatives.
- Launched the Medicare Mammography Campaign to educate older women about the importance of detecting breast cancer early and about Medicare coverage of mammography services.

- Working to correct inequities of clinical research, which has traditionally focused primarily on men, by: 1) enacting legislation requiring that women and minorities be included in all clinical research supported by the National Institutes of Health; and 2) issuing guidelines to encourage participation of women in all phases of clinical drug development.
- Put the Women, Infants and Children Program on a full funding path.
- Requested annual budget increases for the federal Family Planning Program in order to help women reduce the risk of unintended pregnancies.
- Vetoed legislation that failed to protect women's health by banning a certain abortion procedure without an exemption for cases when, in the medical judgment of a physician, it is the best hope for the woman to avoid serious health consequences.

### **Providing Educational Opportunities for the New Century**

- Supported education equity and leadership training for girls.
- Increased Head Start funding by nearly \$800 million to provide early education to tens of thousands of additional children in need.
- Supported the development of standards of excellence for students while encouraging grassroots reforms to improve our schools. More than 45 states and thousands of schools participate in Goals 2000 and have developed their own strategic plans for educational improvement based on raising academic standards, improving teaching, increasing parental involvement and expanding the use of technology in the classroom.
- Signed the School-to-Work Opportunities Act which broadens educational, career and economic opportunities for students not immediately bound for four-year colleges through local partnerships among businesses, schools, community organizations and state and local governments. By equipping students with the knowledge and skills necessary to pursue work or post-secondary training, this initiative helps ensure that America will be capable of performing and prospering in a competitive global economy.
- Reformed the student loan program, making college more affordable this year for millions of students in the Direct Lending program and others who will have access to flexible repayment options, including pay-as-you-earn plans. The President also enabled 45,000 volunteers to earn money for college by serving their communities and their country in the Americorps program.
- Proposed America's Hope Scholarships to make access to two-years of college universal by providing students with a \$1,500 refundable tax credit for full-time tuition in their first year of college and another \$1,500 credit in their second year if they work hard, stay off drugs and earn at least a B average in their first year. This \$1,500 tax credit will pay for more than the full cost of tuition at the national average-priced community colleges.

## **Making Homes and Communities Safer**

- Broke six years of Congressional gridlock by signing the toughest and smartest Crime Bill ever with bipartisan support and endorsements from every major law enforcement organization. This legislation:
  - Included the Violence Against Women Act, the first national effort to reduce violence against women. The Act tripled funding for battered women's shelters and has already provided \$156 million in state grants to bolster law enforcement, prosecution and victims' services.
  - Created the first nationwide 24-hour Domestic Violence Hotline, providing immediate crisis intervention, counseling and referrals for women in need.
  - Increased penalties for sex offenders and imposed a registration requirement for violent sexual offenders.
  - Imposed a targeted "Three-Strikes-and-You're-Out" provision to put career violent offenders behind bars for life.
  - Banned 19 of the deadliest assault weapons and their copies, but specifically protected more than 650 legitimate sporting weapons.
  - Created the COPS program, putting 100,000 more community police officers in cities, towns and rural areas. In addition, the Clinton Administration has awarded more than \$46 million to help 336 communities fight domestic violence by strengthening community policing and its ties to local victims' services.
- Fought for and signed the Brady Bill, which has prevented over 60,000 convicted felons, fugitives, stalkers and other criminals from buying handguns.

## **Leaving Our Environment Safe and Clean for the Next Generation**

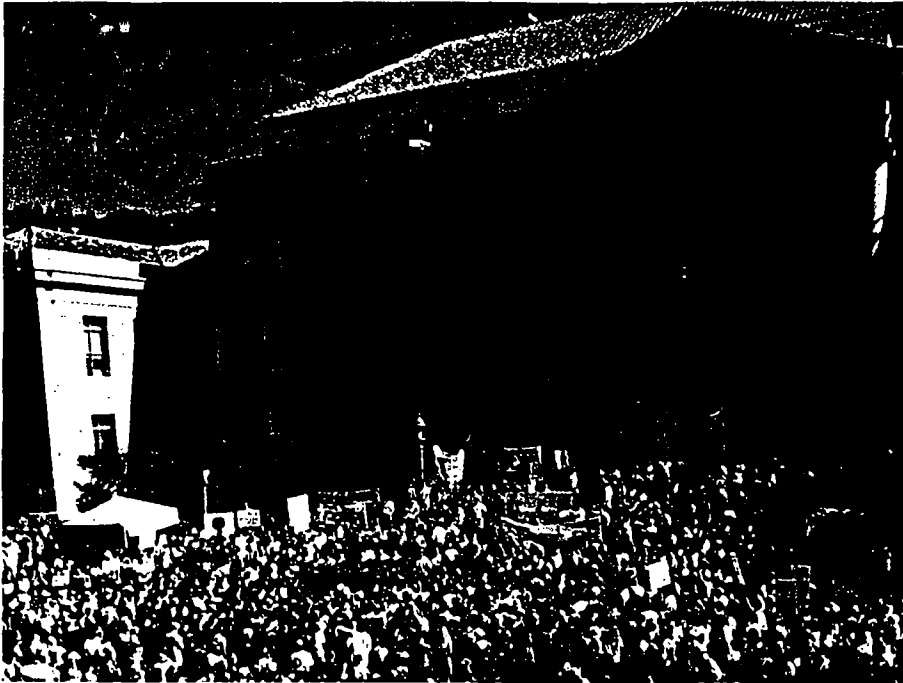
- Issued a "Pollution Disclosure" Executive Order requiring industry to disclose information about toxic releases to their neighbors and nearly doubling the number of chemicals that industry must report.
- Required drinking water systems to test for and eliminate dangerous contaminants and introduced comprehensive Safe Drinking Water reforms.
- Made the air we breathe cleaner by issuing new standards to cut toxic pollution from chemical plants by 90% and dangerous incinerator emissions by 98%.
- Issued new safeguards to protect consumers from *E. coli* contamination in meat.

## **THE CHALLENGES AHEAD:**

America is moving in the right direction. Crime, teen pregnancy and poverty rates are down. Real median family income has increased during the Clinton Administration, after falling 4% during the previous four years. The combined unemployment, inflation and mortgage rate is at its lowest level since 1968. Over 10 million new jobs have been created in just over three years -- 93% of all new jobs created are in the private sector and nearly 4 million new jobs in high-wage industries have been created since 1993. From 1993 to 1995, the number of women-owned businesses has grown from 6 million to 7.8 million -- almost double the rate of growth in businesses overall.

But we still have more to do before every American has a chance to fulfill his or her promise. The Clinton Administration will remain committed to reinforcing basic values by working together to cherish children, strengthen families, increase access to education and high-wage jobs and create greater opportunities for a better future. We have a historic opportunity and a responsibility to lead the world in our efforts to better the lives of women. That is why President Clinton:

- Will continue to protect women's health and safety, and the right of American women to make their own reproductive choices.
- Will continue to fight against drastic budget cuts that threaten Medicare, Medicaid, education and the environment.
- Will continue to invest in education and to help Americans invest in their children's future with public school choice, charter schools, a \$10,000 deduction for higher education, Hope Scholarships which guarantee the first two years of college through refundable tax credits and a \$2 billion Technology Literacy Challenge Fund to help communities and the private sector ensure that every student is equipped with the computer literacy skills they need for the 21st century.
- Will continue fighting for an increase in the minimum wage to provide the opportunity for working Americans to lift themselves and their families out of poverty. Almost 60% of all minimum wage earners are women.
- Is committed to providing more relief for working families through a \$500 per child tax credit.
- Will continue to support affirmative action consistent with Supreme Court rulings and work with federal agencies to reform programs so that they are stronger where needed. The Administration will oppose legislation that will turn back the clock on the federal government's historic, bipartisan commitment to equal opportunity.
- Will continue to fight for meaningful health insurance reform to allow people to keep coverage when they change jobs and prevent denial of coverage due to pre-existing conditions. In addition, President Clinton introduced proposals as part of his balanced budget plan to improve the health security of all Americans, help workers transitioning to new jobs pay for health insurance, strengthen and modernize Medicare, and protect the guarantee of health coverage for Medicaid recipients.
- Will continue to challenge businesses to create workplaces that allow workers to be both productive employees and caring and responsible family members; to provide the security that a living wage, safe and affordable child care, health care and pension benefits can give; to recognize that investments in employees are as important as investing in factories and equipment; to give employees a greater voice in the workplace; and to protect the health and safety of employees.



# Back to the Future

Forced to scuttle affirmative action, law schools see minority enrollment plummet to 1963 levels

By S.C. GWYNNE AUSTIN

ANYONE CURIOUS TO KNOW WHAT America's universities might look like in the absence of affirmative action got a chilling glimpse of the future last week in California and Texas. The best law schools in both states—recently ordered not to consider the race of their applicants—said the number of blacks and Hispanics enrolling for next year had fallen to levels not seen in decades. At the University of Texas, which has produced more minority lawyers than any other school in the country—and where, typically, 30 to 40 blacks enter each year—only 11 blacks were accepted and none had enrolled; the number of Hispanics dropped from more than 50 to 14. In California the schools at both Berkeley and UCLA saw black admissions drop 80%, while the number of Hispanic students fell 50% and 32%, respectively.

What happened at these schools was a mystery to no one. Blacks and Hispanics generally do not do as well as whites and Asian Americans on law boards or have high grade-point averages, both factors which law schools—in the absence of other criteria, such as race—give enormous weight. "We foresaw this," says Michael Sharlot, dean of the U.T. law school, adding

that "one has to distinguish between a surprise and a tragedy. We warned the Texas legislature about this. It's a disaster."

In most of the U.S., the 1978 Bakke decision—prohibiting racial quotas but allowing schools to use race as a factor in admissions—remains the law of the land. Most schools see real value in maintaining a racially diverse student body. But Texas and California, for different reasons, find themselves on the leading edge of a movement to roll back even such nonquota efforts at affirmative action. The entire Texas university system was forced to change its policies when the Supreme Court let stand an appeals court's 1996 ruling in favor of four white students who sued U.T. law school for racial discrimination. This has caused significant drops in undergraduate minority admissions at U.T. and Texas A&M, the leading schools in the state system, and may result in an even greater drop-off in enrollment, since financial aid must also now be color-blind. In California's case, the impetus for revising its university admissions policies is Proposition 209, the successful 1996 ballot initiative. The changes

**BATTLE OVER ADMISSIONS** Democrats backed minorities in 1995 at Berkeley.

implemented by the law schools won't apply to undergraduates until 1997.

Critics of affirmative action say results in California and Texas bear out what they have been saying all along—that affirmative schools rely far too heavily on racial standards. Some, like Abigail Thernstrom, co-author of a forthcoming book on race, used the new numbers to zero in on what she feels is the real problem: the public schools. "Our high schools graduate blacks and Hispanic students who are way behind whites and Asians in basic cognitive skills," she says. Admitting minorities with low scores "lets these schools off the hook." That is why even such anti-affirmative-action crusaders as Ward Connerly, the University of California regent who led the Proposition 209 campaign, are calling for "outreach" targeted efforts to help minority high school students perform better. "I am in favor of things that will reach out to those families who have never had anyone go to the University of California or go to college," he told a TIME town meeting last week in Sacramento. The University of California is proposing such a program; it wants to spend tens of millions of dollars to mentor students in some of the state's poorest school districts.

In Texas, meanwhile, a group of minority state senators threatened to cut off funding for the University of Texas if it did not find a way to maintain minority enrollment and the legislature just passed a bill that attempts to redress the problem by requiring state universities to automatically admit students in the top 10% of their high school classes and allowing the universities to consider "a variety of other factors" in assessing the top 15% to 25%. Some schools, such as the state-owned University of Houston law school, encourage applicants to write about their family background as a way around the requirement that the application contain no "race" box to check.

A recent study of 90,000 law school applicants by Linda Wightman of the University of North Carolina at Greensboro illustrates both the challenge of recruiting minorities and the payoff. She found that of the 3,485 blacks accepted by law schools in 1991, just 687 would have been admitted only on the basis of board exams and grades. Yet these same minority students had graduation and bar-exam pass rates similar to whites—and they had an incalculable value to the black community, as both professionals and role models.

—With reporting by Julie Grace/Sacramento

**Berkeley's  
Boalt Hall**

**saw  
black  
admissions  
drop  
80%**

# President's plan to address divide on backlog in bias civil rights

By DeWayne Wickham

USA Today  
6-10-97

COLLEGE PARK, Md. — It was a foolproof plan. Each member of my daughter's University of Maryland graduating class was given a white card before walking across the stage to receive his or her diploma. Printed on most of the cards were simply the student's name and major. Those given to the small contingent of honors graduates also carried a listing of the student's academic achievements. The job of the two faculty members stationed at opposite ends of the stage was to alternate reading aloud the information.

"Zenita Ann Wickham," one of them called out when my daughter handed over her card.

That was it. Nothing else.

## Case backlog

As the current fiscal year began last Oct. 1, the Equal Employment Opportunity Commission had more than 79,000 pending cases of bias and discrimination claims — about the same number as actual complaints filed that year. The backlog from fiscal 1990 through March 1997:

|      |        |
|------|--------|
| 1990 | 41,367 |
| 1991 | 45,717 |
| 1992 | 52,856 |
| 1993 | 73,124 |
| 1994 | 88,946 |
| 1995 | 88,289 |
| 1996 | 79,448 |
| 1997 | 74,541 |

\*Fiscal years run from Oct. 1 through Sept. 30  
Source: EEOC

on race relations.

And just what will this body do? It will oversee a year-long effort to solicit and gather research on the racial problems that have afflicted this nation over the past 50 years — and then forecast how things might get better in the next half century.

Once done, Clinton will write a report to the nation on what all of us can do to root out racism. While waiting for his commission to produce the Cliff Notes for this presidential treatise, Clinton will hold a series of town hall meetings to take the pulse of the nation on the issue of race.

This sounds like an awful waste of time to me.

We don't need another study or one more White House-generated report on our racial problems. All the uninited need to know about the past 50 years of racial strife they can get from a quick reading of two books.

One is the Kerner Commission Report that was published in 1968 in the wake of a series of violent racial disturbances.

The other is *From Slavery to Freedom*, a work about the black experience in America written by Dr. John Hope Franklin, the man rumored to be Clinton's choice to head the advisory commission.

After flipping through those pages of history, the president should turn his attention to the present.

Currently, the Equal Employment Opportunity Commission has a backlog of nearly 75,000 discrimination cases. The position of assistant attorney general for civil rights — the federal government's top civil rights job — is vacant. The U.S. Commission on Civil Rights hasn't had a staff director in months. There's a movement in Congress to scuttle federal affirmative action programs, and Ward Connerly, the black face out in front of California's Proposition 209, is exporting that anti-affirmative action crusade to other states.

All this has happened on Clinton's watch.

Before the president goes probing into the past and projecting into the future, he needs to deal with these more immediate problems.

In the short term, he can't change people's attitudes about race, but he can do something about the harm done by the bigots among us. He can speed up the handling of EEOC complaints, appoint someone to run the Justice Department's civil rights division and give the Civil Rights Commission a staff director.

These things don't require a study, just the courage to do something to the understanding of the depths of our racial divisions and help plot a course out of this bog.

But for millions of Americans caught in racism's tight grip, the future is now.

"You're not finished," my daughter said, jabbing a finger in the direction of the words on the small piece of paper that the woman had failed to notice. The reader took a second look at the card and with an embarrassed smile finished the job.

"Magna cum laude and dean's scholar," she said.

On Saturday, President Clinton will unveil his plan for improving race relations in this country, an idea that — if press reports of its contents are right — is as blind to the realities of our racial divide as that white professor was to the words that proclaimed the outstanding academic performance of my daughter, a young black woman who graduated in the top 3% of her class.

In a commencement address, the president is expected to announce the creation of a seven-member advisory commission

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## LEVEL 1 - 1 OF 16 STORIES

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BODY:

Second of two parts

Race relations have been a constant issue since this nation's founding. Almost every day, it seems, the subject gets national attention. Wednesday, for example, Texaco issued a broad plan to diversify its work force and do more business with companies owned by minorities and women, after agreeing to settle a race discrimination case for \$ 176 million. And only last month, California voters approved a proposition banning what has been at the center of a hot political debate: affirmative action. An important voice in that debate is author Shelby Steele, a professor at San Jose State University who has written on his opposition to affirmative action programs. He was interviewed by a group of journalists taking part in a fellowship at Stanford University: Star Tribune Washington Bureau Chief Tom Hamburger, Marcia Stepanek of Hearst Newspapers, Cheryl Devall of National Public Radio, Mike Stanton of the Providence Journal and Jocelyn Noveck of the Associated Press.

Tom Hamburger: Would you be concerned, if you were a regent of a state academic institution, about the school's ethnic and gender makeup?

SS: I know nobody wants to hear this because it doesn't sound redemptive. But I think it is redemptive. I'd want to make sure a lot of Americans are represented on campus. I'd want to make sure the campus has an admissions policy that's not just test-score and grade-point-average focused, that is truly broader than that because we all know many ways to show talent and intelligence than test scores and GPAs.

In California now, in the UC system, race is now out the door. That doesn't mean that we're going to give the whole UC system over to GPAs and test scores. There ought be ways to reward people for all sorts of different talents. Universities have to get busy and devise criteria that are more sensitive than that, that look at personality, that look at articulateness, writing skills, and so forth. My guess is that if you do this, you'll get a lot of people that affirmative action got.



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Tom: You're not using the word but it seems to me you're talking diversity.

SS: I am not talking about ethnic diversity. I'm talking human diversity. Just because I'm a member of an ethnic group doesn't tell you anything about me. What does it tell you?

Mike: But you still have this whole generation coming up that's not prepared. What do you do with them?

SS: Nothing. They languish. We should not have quotas based on race and ethnicity. And let's find other ways to bring in the greatest diversity of human beings that we can.

Cheryl Devall: I keep thinking, though, is it time yet to let white people off the hook? Do you think it's time?

SS: It's past time, because they're not on the hook, for one thing. I mean, I think that one of the great illusions that minorities have is that we will get ahead, we'll all benefit by keeping white people on the hook, that we'll get something from that, that we'll get affirmative action, or we'll get more whatever. But what we get is a distraction. We put all of our energy into keeping them on the hook - our whole politics entirely revolves around keeping them on the hook and we're not developing educationally, we're not developing economically, we're not owning businesses, we're not putting our energy anywhere in any of those enduring sources of power.

I think part of the racial symbiosis that is sad about America is that we're strung out behind white people and what little crumbs they can give us. This belies the fact that we've not yet learned to have faith in ourselves. We're keeping white people on the hook to avoid our real challenges.

Marcia Stepanek: In your book, "The Content of Our Character," you mentioned the need for very tough enforcement of anti-discrimination laws as a solution to the nation's racial troubles.

SS: I advocate that **racial discrimination be criminalized**, that if you're caught doing gender and ethnic discrimination, that when convicted you not just



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pay a fine but do jail time. A lot of people disagree with that, and say that would clog up the courts, and it's a difficult solution but I think that's where we should've gone originally, beginning in 1964. I think that the cause of all of this that we're dealing with today is discrimination, where I can discriminate against you because you're a woman or a minority, that evil is what sent us on this road to balkanization that we have today.

So I feel we ought to have sanctions and they ought to be Draconian. They ought to be very serious sanctions. I mean, if you can steal a stereo out of my car and go to jail for it, you ought to go to jail if you stop my career because of discrimination, or if you stop me from living somewhere I want to live because of race. I think the EEOC ought to be quadrupled; it ought to be one of the biggest agencies in American government because the problem is just that serious. D

Unless I feel as a minority comfortable that my government is monitoring, is going to protect me against that, by law or by sanction, then I'm going to be given to this politics of victimization. I'm going to be asking for preferences. I'm going to be building a separate society. I'm going to not want to be a part of the common culture.

So what America owes all of its people who are different is that kind of protection.

Marcia: In your view, are any of these interventions successful?

SS: [Black conservative] Stanley Crouch uses this example. In the civil rights movement, in the sit-ins in the South where blacks would go into a restaurant, white kids would pour ketchup on their heads and put cigarettes out on their backs. Those white kids - who were about 14, 15, 16 years of age - are still alive today. They're my age now. Why aren't they doing that now? Are they not doing that because of affirmative action? They're not doing that because it's against the law and they'd go to jail. And they know they'd be severely punished for that. And so let's go after the evil itself, but let's use the law to do that.

You'll notice that in black politics today, many blacks become orgasmic when they find discrimination. They become delighted because there's more power, more justification for my preference. So we have this deep investment in racism, and in sexism, and in all of this sort of thing, and we have an investment in always presuming the worst of other people and holding them accountable to the worst and we have no way for giving people credit for being civilized.

Cheryl: OK, and your assessment of the way black people play with this issue is astute. But one thing I'm worried about is that in your model, it's not acknowledged that there is a history of injustice, and when it's not acknowledged, it can be very easily forgotten. I worry that if people are not made, somehow, to acknowledge it, and at least talk about it, that it will be



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forgotten and no one will want to own up to it. I'm not talking about letting someone roast on the spit, but about being honest about what our shared history is and what all of our ancestors bring to the discussion about who we are. I'm amazed about what people don't know and have never bothered to learn about American history. How do we get to that point where it's a matter that people will talk about?

SS: I would disagree with you regarding that people don't know. I think people know almost to the point where they have become callous, they just can't hear it anymore. I think it's a real problem for white Americans - how much can I hear? Look at attitudes toward a person like Jesse Jackson, who is more moderate than many. You see this utter exhaustion.

Cheryl: But isn't that more a matter of ignorance than people willfully not wanting to pay attention?

SS: One way I understand it is to think about it in terms of the group you're opposite of. I'm a man and I get a little exhausted by the feminist line. What can I do with that? How many times can I hear that? But more than my exhaustion is that I feel very often that I'm being had. It's like moral judo. I'm being wrestled into supporting a preference for this group. No evidence is shown to me of suffering - and you notice when blacks talk about their victimization, they often go back before 1964.

These things have - the stories, legends of our various victimizations - have become so stylized and politicized that they're just now part of our political culture and no longer something we're trying to investigate and learn about and discover. We're too jaded as a culture to America's history of racism. We've been down that road for 40, 50 years now, and so that's where the trust breaks down. If I'm a white person, at the end of the discussion, I'm going to think that there's a bill that has to be paid, that I'm going to have to give homage.

That's one of the ways I think our dialogue on race has become corrupt. And this is one of the things also distressing to me, having taught black American literature and African literature for two decades. When black Americans talk about our story now, we reduce our entire culture to the dimension of our victimization, which has got to be one of the dumbest, most self-destructive things that any group can do. I mean, you're talking about a people who have, number one, made the most original musical contribution to the 20th century. . . . We have, as a people, redefined democracy, and from Tiananmen Square, it's our image of democracy that everyone else looks up to, which South Africa relies on - this little group of people in America! And yet all we ever talk about is that we suffer from racism because again, we think that's where our power lies, so we cut off our nose to spite our faces.



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My biggest beef about affirmative action is that it's a way for a society preoccupied not with black uplift but with white redemption to avoid uplifting black people. The public school system has been abandoned. They've been completely ignored, given over to every kind of social pathology which nobody has any concern about

. . . because I think again that in the spirit of redemption what we said was that if we hold them to really rough, really difficult academic standards, their self-esteem could be hurt. We say they should learn about Africa and that we should not expect that much from them and we have this paternalism which constitutes an oppression. You couldn't devise a better system for keeping black people down. Affirmative action is part of the oppression that black people suffer in America. It's not their liberation.

Mike: Seventy percent of black students drop out of college. Are they dropping out because of this political indoctrination and stigmatization, or because they can't do the work?

SS: That's part of it. One of the interesting studies, that the higher they come, the higher their GPAs and the higher their test scores, the more likely they are to drop out .

Mike: So maybe affirmative action isn't the problem, that getting them there isn't the problem, but the job that colleges are doing may be the problem.

SS: No. Here's what it is. You bring black kids on campus. You can pick any group you want. White males. You bring them on campus and immediately, you separate them out, and you separate them out on the premise that they're going to have difficulty, that there's something wrong with them, that they're weaker in some way than other people, that they're here by virtue of a certain politics and that they better get smart and invest in that politics, and that the only people they can really trust are people in their own racial group. All of these messages are hammered into these kids. Then they go back to the dorm and of course many of those kids then know they have, in fact, have been admitted by virtue of affirmative action, so they know. The meta-message here is that you're inferior, this is a dangerous place for you, not many people like you do well

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here, you're going to be completely dependent on your own group in order to do well and so forth. And then we wonder why they drop out?

Marcia: But how do you get beyond past injustices?

SS: Have you ever had a tragedy in your life? I've had tragedies in my life, no more or less than anybody else. Unfairnesses that happened as a result of fate. What do we do with a tragedy? How do we get over a tragedy? Do we put the tragedy on our sleeve and say now the world owes me, I'm going to develop a politics out of my tragedy, out of my victimization and thus I'm going to ask that I get a preference on the basis of my tragedy? No. We don't do that. We say this is one of the terrible things of life, but one of great things is the opportunity to overcome the tragedy, to put them behind us, to move ahead, to let them become a source of knowledge, to deepen us as people, as human beings, then move ahead. I'm saying what happened to black Americans, it's time for us to move ahead.

Mike: You said in your book that the original purpose of affirmative action was to enforce equal opportunity. What should the government be doing now?

SS: The obvious thing is that they should enforce the courts, the institutions of society in the areas where many, many black people live in poverty, like the school system. We don't need Great Society programs to make the school system work. We've already got the kids there. They're a captive audience. Why not teach them? Why don't the police go into those communities and literally stop the drug traffic, stop the gang violence? In other words, protect the peace? In every other community, Beverly Hills, you protect the peace. But in South Central L.A., you don't protect the peace.

Mike: Is it a financial question, then?

SS: No, it's a moral question. The source of these problems are found always in human character. We're weak. We don't have resolve. Race is one of these issues where the contest between expediency and principle is brought powerfully to light. Your arguments are, no offense, all expedience. You're going to get a diverse picture in an easy way, in an expedient way through manipulation of numbers and preferences. By math. But not the hard, honest way, the principled way, by developing people.

Marcia: Where will the impetus for the changes you seek come from?



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SS: It won't be on the presidential level or on the congressional level. [The Rev. Martin Luther] King came from the black churches. That was enormous power; that was the power of principle. Probably that's where it will come from. It won't come from government; it won't come from the corporate world. The corporate world loves affirmative action. American institutions - period - love affirmative action. They love the expedience of it. And when I talk to them, they say you can't give me any substitute for this expedience. You can't make it easy for me, therefore the hell with you.

If you're waiting for President Clinton or some vote to make it happen, it's not going to happen.

It can happen tomorrow if you have the imagination and get up and make it happen. That's democracy. You can make all these institutions work, but people they're serving must be the ones to make it work.

And this is my message: You can make it happen tomorrow. You don't have to change the politics of America or wait until the next millennium. You can do it right now. But you have to stop thinking that your history of victimization is going to somehow bring you, deliver you from this agony that you're in.

Raise the standards. They'll integrate; they'll perform. They'll come up to standards. Have some faith.

The stigma of affirmative action is absolute. Every black under 50 years of age got to where they did because of affirmative action. That's the stigma. And nothing stigmatizes more than affirmative action. There's no way to lift the vulnerability. It's absolute.

GRAPHIC: Photograph

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Subject: NBC: Meet The Press, 4/27/97

**NBC ``MEET THE PRESS''  
WITH HOST: TIM RUSSERT  
JOINED BY: TOM BROKAW  
GUESTS: COLIN POWELL AND JIMMY CARTER  
AIRTIME: SUNDAY, APRIL 27, 1997**

MR. RUSSERT: And with us now here in the largest Quaker meeting house in the world, General Colin Powell. Welcome.

MR. POWELL: Good morning, Tim. Good morning, Tom. How are you both?

MR. RUSSERT: Four presidents are here. You're here. Thirty governors, 90 mayors. What is going to happen--what do you hope is going to happen over the next few days that America can watch?

MR. POWELL: I hope what will happen is that we'll see a catalytic action, where Americans coming together here representing government, representing the private sector profit, private sector non-profit, institutions of faith, schools, every aspect of American society represented here, coming together to say, ``We can do more in the private sector to help our young people who are in need," and that the spirit of Philadelphia that I hope will be created here can spread across the country and some of the things that we're going to have discussed here, some of the great ideas that we're going to have exposed here, will be shared with communities all over the country, and every community will pick up from the spirit and do the same thing at home.

MR. RUSSERT: Let me put on the screen for our viewers the five goals that you have established for this conference, and we'll put them there--one, an ongoing relationship with a mentor, safe places to learn and grow, a healthy start, a marketable skill through effective education, and opportunity to give back through community service.

Let me just go through those. The first--what do you mean by the first? If someone--if someone, General, doesn't want to get in for the long haul, should they even start mentoring?

MR. POWELL: They ought to be prepared for the long haul, because mentoring is a difficult task, and it's an essential task, though, if we're really going to crack this problem we have.

There are too many young people in America who do not have a responsible, caring adult in their lives, and all the research says to us that if we don't provide that resource to young people

who do not now have it, then they are headed in the wrong direction. And if we do provide this resource, then we can start to turn these youngsters around.

All young people need structure, discipline. They have to have the traditions and taboos and experiences of the past passed on to them by a caring, responsible adult.

But if there is not one in the family, and we're going to bring in a mentor, the mentor has to be prepared to stick with it. It's a tough job.

MR. RUSSERT: A safe place to learn and grow. Does that mean we need more police?

MR. POWELL: We may need more police, but we're looking beyond that. We're looking at places like Boys' and Girls' Clubs, YMCAs, after-school activities, activities in school earlier in the day--all sorts of programs where we give our children an alternative to the streets, an alternative where they'll be safe, secure, away from drugs, away from violence, away from crime, and, at the same time, in a nurturing environment where they can learn and be exposed to adult role models at the same time.

MR. RUSSERT: A healthy start. Would a program like Head Start, expanding that program, help as well?

MR. POWELL: Head Start is a part of it, lots of similar programs. The point is that when youngsters arrive in school, in kindergarten or first grade, they should be healthy. They should have had their eyes checked, if they need glasses, get them. They should have all of their immunizations. They should start out their life in as healthy a condition as God and nature intended, and we can do more than we're doing now as a nation and a society.

MR. RUSSERT: As you know, there are about 10 million children without health care in the community. Volunteerism can't deal with that.

MR. POWELL: Volunteerism cannot deal with that, but volunteerism can start to compensate. I'm involved in a number of programs. We're not waiting to see what the government does with health insurance, but we're doing something about it.

The Children's Health Fund in New York, for example, provides mobile vans that go all over the city--there's also a program that's spreading across the country--go all over the city to provide health care to homeless children who have no other source of health care.

So there is something the volunteer effort can do, but the need is far too great to expect that voluntary efforts will solve the health care problem alone.

MR. RUSSERT: There is some bipartisanship in Washington on this issue. Orrin Hatch, Republican, Ted Kennedy, Democrat, have said, "Hey, let's raise the tax on cigarettes 42 cents a pack and use that money to give health care to kids." Good idea?

MR. POWELL: I think it's an interesting idea. I don't want to endorse the idea without knowing more about it, and in this program that I'm involved in, what we're not going to do is sort of get involved in the daily Washington debates on different pieces of legislation. Our focus is going to be on what the private sector can do to complement whatever it is the government decides to do on these various issues.

MR. RUSSERT: A marketable skill through effective education.

MR. POWELL: Yes.

MR. RUSSERT: Catholic schools can play a role here, Jewish schools?

MR. POWELL: Catholic schools, Jewish schools--but one of the principal things I'm interested in is getting industry and corporate America to play more of a role, to open up

internships and traineeships so that more and more youngsters at an early age can be exposed to the job market, so they can see what work is like and why education is important and how you link education to a specific work experience, and that's how you get ahead in life.

So I think we can do a lot more in the private profit sector in opening up a marketable skill opportunity to youngsters through traineeships and internships.

MR. RUSSERT: An aggressive--an opportunity to give back through community service. Would you be in favor of having mandatory community service in order to receive a high-school diploma?

MR. POWELL: Yes, I think it's a good idea. It's being done in a number of places. Maryland is one example where, in order to get your high-school diploma, you have to perform some number of hours of community service.

I've kidded about this. People have said, "Well, you know, this is not fair. You shouldn't force children to do such horrible things," and I just reflect on my own high-school experience. The most horrible thing inflicted on me was integral calculus, and I would much rather have taken community service--the point being that community service can be an essential part of the growing up educational learning experience, part of the social studies program that teaches you what it is to be a good, contributing citizen.

And so I think that community service as part of the overall educational experience is a good idea.

MR. RUSSERT: What about compulsory national service, either the military, the Peace Corps, Vista, Americorps, something like that?

MR. POWELL: I don't think I would take that route. I don't think you should make it compulsory, say, beyond the high-school level, where it's part of the educational experience. I think the time has passed for such programs, and I'm not in favor of restoring the draft or essentially forcing young adults 18, 19 years old into programs that they're going to not wish to be a part of, because they could be in college or performing some other, more important role for our society. So I don't support compulsory programs beyond the high-school level.

MR. RUSSERT: Let me ask one last question on this general area. The root cause, it seems, to many people of some of the problems our kids are facing--you alluded to it earlier on--is that they grow up in a home without two parents, particularly teenaged kids who are having kids.

I read an interview you gave the other day, and you said, "The greatest gifts my parents gave me were unconditional love and a set of values."

Shouldn't the focus of our society be not just on volunteerism, but on saying to the young kids of America, "YOU have to finish school, learn a skill, get a job, get married, and have a baby, in that order"?

MR. POWELL: I couldn't agree more. I say it all the time. The question is who is in the best position to give that message to young people? Hopefully, it would be parents, parents who are united in marriage and committed to each other for life, and it is out of that union that children come.

But there are too many young people now who don't see that model, don't see that model of two people committed to each other in marriage, and, in fact, they are--they are the children of children, and some of the tragic stories we've seen in the news lately, the young man in New York City, aged 16, who was killed by the officer, set aside that tragedy and just look at his life--at the age of 16, he was already a father and he was on probation and now, tragically, he's dead.

Hopefully, we could have intervened in his life earlier to give him these resources that might have kept him away from this path.

The family, I think, is essentially the most important building block we've got to try to re-create, and the family has to begin with the concept of marriage again, where marriage is important

and it is out of that commitment of two people, one to each other, that children come from.

MR. RUSSERT: When two out of every three black children born in America today, however, are born to a single parent, what do we say to those young kids?

MR. POWELL: We say to them that this is not right. In fact, we go so far as to say, "It is wrong. You are too young to be having children. You are too young to be thinking sexually until you are, you know, much older." There are many programs that do this--Best Friends is one particular program that I'm very familiar with, created by Elaine Bennett, the wife of Bill Bennett, that my wife found and is deeply involved in, and they essentially tell these girls in the seventh, eighth, and ninth grade, "We're going to turn you into young ladies. We're going to give you structure and discipline. Abstinence is what we expect from you now. Maintain chastity for a while longer, you're not ready for this."

And guess what? Those young girls respond, because they have been waiting for some caring, responsible adult in their life to give them that message or to reinforce that message, if that message has been given to them by their single parent--mother, most often. And so they're looking for reinforcement.

Children do not want to grow up without structure and discipline. They want structure and discipline, however much they may complain about it, and that structure and discipline has to come from a combination of adults--a parent, school, church, synagogue, or other place of worship, extended family--and when those pieces are missing, then I think there is a burden put on the rest of us to try to compensate, to substitute with mentors and other caring adults who will perform that role for the youngster.

MR. RUSSERT: Tom?

MR. BROKAW: General, there are about a hundred million volunteers in this country already, but only about 8 percent of them are doing anything in the area of social services. Four percent are mentoring, less than 2 percent are involved in things like drug abuse.

The instances that you've just cited--young teenaged mothers, for example, the case in New York of that young man--those are cases in neighborhoods where a lot of people simply do not want to go. They like the idea of volunteering in a museum or maybe working with their church, but how do you get people to go into the tough neighborhoods and work on the hard cases?

MR. POWELL: It's very, very hard. It's, frankly, best if you can find adults, responsible adults, who are already in those neighborhoods, and I think that ought to be part of our focus, but we

do find people who are willing to take on that responsibility and to take on some of the risk associated with it, and what we have to do is just try to convince more and more Americans that it is worth their effort, it is worth whatever inconvenience or level of risk that comes with it.

There are other ways to do it, such as the Boys' and Girls' Clubs of America, which are expanding at the rate of 200 clubs a year, and increasingly we are directing the construction of clubs in the inner-city neighborhoods, where youngsters have a safe place and mentors can come to a safe place and meet up with youngsters, and the youngsters can walk there. They don't have to take a bus, they don't have to take a car or be chauffeured around.

But it is not an easy problem, and you're quite right. The numbers of volunteers that are in this direct contact relationship with young people is quite small, and that's the area we have to focus on the greatest.

MR. BROKAW: But we should have no illusions about how complex this is, how expensive it is, and, to do it right, it's going to require a whole new structure in America, because it does require training and it does require a kind of commitment over the long term.

MR. POWELL: It does, and part of the follow-on program from the summit, which will be known as America's Promise to the Alliance for Youth, will include training so that as people identify themselves and say that they are willing to participate in this program, they have to be given the right kind of training so they understand what they're getting into and they understand the dangers and risks of entering into this kind of emotional relationship with a youngster if you're not willing to stick with it.

MR. RUSSERT: We have to take a quick break. We'll be right back with more of our conversation with Colin Powell, right after this--live from Philadelphia.

(Announcements.)

MR. RUSSERT: We're back with General Colin Powell, and Tom Brokaw has another question.

MR. BROKAW: General, the president is very proud of the Americorps program, the national public service program, but many members of your party, the Republican Party, are extremely critical of it, because they say it's simply not cost efficient. It's spending too much money. Do you think it's a good program?

MR. POWELL: Well, I don't know if it's cost efficient or not. It is a program that the president is very proud of, and I think it has some merit in that in addition to what Americorps volunteers, as they are called, do, they also leverage other volunteers into work that is not subsidized or paid for by the government. So I think there'll be a continuing dispute between the administration and the Congress as to the level of funding for such programs, which are quasi-volunteer, and so far the president has succeeded in getting the Republican-led Congress to continue funding the program.

MR. BROKAW: But is that an appropriate model for the future, a kind of quasi-volunteer program, where there's a compact, if you will, between the private and the public sector? The Army, your old institution, now, the volunteer Army is now offering a \$40,000 bonus to sign up, for example, for the volunteer Army.

MR. POWELL: Well, it's a volunteer army in the sense that we're not drafting anybody, but, at the same time, it's a job. We are getting wonderful young men and women who are joining the Army as a career or just for a job or for the educational benefits, and Americorps sort of is a similar model.

The part of it that I'm working on is not compensated service, but service where people are willing to give their time, talent, and treasure with the reward being the satisfaction that they have made a contribution to the future of the next generation of our society.

MR. BROKAW: Doesn't hurt to have some incentive, though.

MR. POWELL: Doesn't hurt to have some incentives, but I will let the Congress and the administration debate the merit of Americorps and its cost effectiveness. I think that is being debated now and will be debated this next legislative session, as well.

MR. BROKAW: Are some current policies in Washington, however, exacerbating the problem? For example, the new welfare reform bill is going to put about a million kids on the

street without a safety net beneath them. We're also now pulling back from the benefits that we provided in the past to legal immigrants in this country, and it's putting a big burden on a lot of states out there. You come from an immigrant experience yourself.

Do you think that the welfare reform bill went too far in just those two areas?

MR. POWELL: I think welfare reform was necessary, and I think both parties recognized this and the American people realized that the welfare system had to be changed. I think that we may have gone too far, both with respect to the legal immigrants, and I think we will have to watch very, very carefully in the months ahead to see whether or not we have ripped apart too much of the social safety net.

My view is that Americans are a caring, compassionate people, and they are very willing to support fellow Americans who are temporarily in need, but they're not willing to support those that plan to stay in need forever and pass it on to succeeding generations or for those who are not willing to pull themselves up. And I think we are going to through a period of transition and we may have to make some adjustments in the welfare reform bill that was passed last year, but I'm not prepared to say it's been a total failure and the whole safety net has been abandoned, because that's not the case.

MR. RUSSERT: Do you think, since we have now stated that 15 million Americans are in need--or at risk--that the government can do more?

MR. POWELL: I think the government is doing a lot and probably can do more, but I think the form of government involvement in the future may not be just raising taxes and passing new programs, it might be private-public partnerships, such as the kind that Mayor Rendell has just done such a great job here in Philadelphia, getting ready for the summit. This is volume one of the Philadelphia pledge, and there are hundreds of commitments in here from the non-profit sector, from the profit sector, from every aspect of Philadelphia society that is working in partnership with the mayor on the summit and on how they plan to address these problems in Philadelphia.

I hope that every community in the country, watching what happens here in the summit, will undertake a similar program which gets the community involved with every institution within the community--private profit, private non-profit, schools, especially churches, synagogues, and other institutions of faith. I mean, that's one of our great weaknesses right now, restoring a sense of spirituality to our young people, as well.

MR. RUSSERT: But what about the American people as a whole? You told Barbara Walters a few weeks ago that they speak with forked tongue, that they say, "Cut my taxes, but don't touch Social Security or Medicare." The fact is, in order to take care of our children, won't we have to adjust the amount of money people get for Social Security and Medicare to have the resources necessary?

MR. POWELL: I think that is going to happen sooner or later. We're going to have to make some very tough choices with respect to the entire entitlements system that exists in this country, whether it's Medicare or whether it's mortgage insurance or whether it's the CPI, but it is a political third rail, as you know, and politicians tend to shy from political third rails. And the reason it's a third rail is the American people do sometimes speak with forked tongue. We all want less government. We all want to pay fewer taxes--but, at the same time, as long as it doesn't affect my portion of the entitlement system.

Well, we can't keep going that way, folks, and if you really want to put the fiscal situation in this country on a more sound footing, we're going to have to start dealing with the entitlement

system in a far more aggressive way than we have so far.

MR. RUSSERT: Role models connect with kids. Have you thought about getting Tiger Woods involved in your effort?

MR. POWELL: Well, I have a few calls in to Tiger. I haven't reached him yet. He's a very busy young man, but I most certainly have thought of that.

MR. RUSSERT: He said the other day that he's not black, that he is Cabonesian.

MR. POWELL: Yeah.

MR. RUSSERT: If you have an ounce of black blood, aren't you black?

MR. POWELL: Well, I'm black. I'm also—I have a little Arawak Indian, I have a whole lot in me, but in order to not come up with a very strange word such as Tiger did, I consider myself a black American, and I'm very proud of it. I'm proud to be an American, I'm proud to be a black American.

And I can also tell you that in this country, which I love to the depth of my heart and soul, if you look like me, you are still considered black.

MR. RUSSERT: In the year 2000, there'll be a new census, and there's a big debate whether or not we should check off Caucasian, black, Hispanic. They want to have a new category called "multiracial." Should we do that?

Census  
Multiracial

MR. POWELL: I don't know what that would mean. I have not spent a lot of time worrying about this. You can—my own judgment is call yourself whatever you choose. I don't know what they require for census purposes. I'm a black American, an African-American, whatever rolls off your tongue most easily.

MR. RUSSERT: Tom?

MR. BROKAW: General, so much of what we're talking about here in Philadelphia, the volunteer summit and the needs of this country, so much of that is caught up in race. Is it time to have a national summit on race in this country, as well as one on volunteerism?

Conference  
on Race

MR. POWELL: If we have a specific purpose for such a summit. I mean, the reason that this summit came together as well as I think it has is we've had specific goals—young people, 15 million at risk, and we had five areas that we wanted to apply resources.

So we could have a national summit meeting on race, but it had better be well thought out ahead of time so it isn't just a palaver with people giving speeches. We'll have enough speeches here at Philadelphia, but the real work of Philadelphia will take place after the summit and in the months ahead with America's promise.

MR. BROKAW: But what do you think this country does need to do to get on with the business of resolving what plainly is the kind of racial polarization that not only exists but, in the minds of a lot of people, is more serious than it was, say, 20 years ago as we go into the millennium?

MR. POWELL: It's not more serious, but that part which we haven't dealt with is getting harder and harder to deal with, because the racial divide is now also matched by an economic divide, an educational divide. The youngsters that are being left further and further behind on the wrong side of this economic gap also tend to be minority, more than non-minority.

We have got to realize that the revolution is not yet over. The wonderful words that were spoken in this marvelous city over 200 years ago are still not reality to all Americans, and the suggestion that we have reached the point in this country where your skin color doesn't make any difference is fine if you're Tiger Woods or Colin Powell. It doesn't mean the same thing to a young black kid in the inner section of Philadelphia. Anyone who thinks so is just wrong.

We have to realize color regrettably still makes a difference in this country. We still need the kind of programs that break down barriers, that get the youngsters into our economic system, into our educational system, who have them believing once again that they can go anywhere they want to, as I believe, regardless of my skin color, because I have the education and there are opportunities going to be available to me. Too many of our youngsters, especially minority youngsters, are in places where they are losing that belief, they are losing that hope, and that's why this summit is so important and that's why we have to continue to strive for break--continue to strive to break down these barriers of racism, and that's why affirmative action is still so very, very important--proper, constitutionally sound affirmative action.

MR. RUSSERT: The latest Gallup poll has you a favorable rating of 77 percent, unfavorable, 7 percent. Who are those seven?

MR. POWELL: (Laughs.) Well, maybe two of them are sitting here, I don't know. (Laughter.)

MR. RUSSERT: Have you found them? Do you plan to find them?

MR. POWELL: That's very flattering, but I think it reflects the fact that I am trying to do something and my life right now is moving in a direction that most Americans support. I am not in the hurly-burly of political life, where I have to fight, as politicians do, hour after hour, day after day, creating enemies and allies on a rapidly changing basis.

So I understand the difference between--

MR. RUSSERT: Would your numbers come down dramatically--

MR. POWELL: --celebrity status--

MR. RUSSERT: --if you got in the game?

MR. POWELL: Of course.

MR. BROKAW: But isn't there another danger, that as you continue to preach and as the country responds to you and as the country admires what you're doing here, for example, at the same time are you not in danger of becoming someone like Mario Cuomo, who lost his voice in the public arena because he only preached and he chose not to run for the big job, and then he became only another voice in the crowd?

MR. POWELL: Well, I think Mario Cuomo remains a very, very important voice. I don't think he's lost his voice. I think he speaks out powerfully on these issues. He writes on these issues, and he also, with his wife, Matilda, who is very active in these areas, is putting his time, talent, and treasure to good use.

Now, I plan to continue speaking out on these issues, but also working myself on these issues--

MR. BROKAW: But you would agree that he's less influential now than he was when he was governor or with the thought that he was going to be in the White House?

MR. POWELL: Well, influence is in the eye of the beholder. I don't think I have to be in political office to be influential. I think I can be influential in private life, which is where I've chosen to spend my time and to use whatever standing I have in the country.

MR. RUSSERT: General, wouldn't the most inspiring thing in the world be, to millions and millions of black American children, the fact that you became the first black American president?

MR. POWELL: I think that--

MR. BROKAW: Or candidate, even.

MR. POWELL: I think that one of the things all black American youngsters should see now is that the possibility is there, because I have had all this attention directed my way. So the

possibility is there. You can be anything you want in this country, if you're willing to work hard for it, if you have the ambition for it, and if that is what you want to do with your life.

But at the end of the day, you have to do that which you think is best for you, best for your family, and allows you to serve your country in the way that you think is best for all.

MR. RUSSERT: I'm going to mentor you. I'm going to put something on the screen and help you read, if you could look at this right here: ``If nominated, I will not accept. If elected, I will not serve." Can you read that?

MR. POWELL: Yes. (Laughter.)

MR. RUSSERT: Let's put it back up. Would you please read it?

MR. POWELL: Well, I never plagiarize from other generals, and poor General Sherman, who said those words, had to answer the question for almost 20 years in his retirement. But it would be not appropriate to plagiarize from General Sherman and to use such well-known words, but to use my own words, I'm very happy in private life and I believe I'm making a significant contribution in private life.

MR. BROKAW: There is, I know, a credo in your former life, your military life, that to really succeed as a military man, you've got to get your boots muddy and you've got to get shot at, at some point.

MR. POWELL: And I've done all those things.

MR. BROKAW: That's true. In political life, at some point, you have to run.

MR. POWELL: But I'm not in political life. That's what I keep telling everybody. I'm in private life, and I was never a politician.

I was a public servant as a soldier for 35 years. And just because I took off my uniform does not mean I instantly transformed myself into a political figure, and so I am certainly a public figure, but I want to pursue my public interests in public life and not in political life.

MR. RUSSERT: Is it fair to say the chances are extremely unlikely you will be a candidate in the year 2000?

MR. POWELL: It sounds fair to me, Tim. (Laughter.)

MR. RUSSERT: All right. Let me show you what General Sherman said. Now, this is General Sherman, and there's Colin Powell, April 27, 1997. (Laughter.)

We thank you very much for joining us. Good luck with your conference and this important work here this weekend.

MR. POWELL: Thank you very much, Tim. Tom.

MR. BROKAW: Thank you, General.

MR. RUSSERT: Coming next, former President Jimmy Carter and our ``Meet the Press" minute with a man whose vision inspired this conference 28 years ago.

(Announcements.)

MR. RUSSERT: A former president who is a volunteer--Jimmy Carter. Right after this station break.

(Announcements.)

MR. RUSSERT: Welcome back to ``Meet the Press." We're live from the president's summit in Philadelphia, and with us now, the 39th president of the United States, Jimmy Carter.

Mr. President, welcome.

MR. CARTER: It's nice to be with you.

MR. RUSSERT: How about this Colin Powell? Would he make a good president?

MR. CARTER: Oh, I think so, yes.

MR. RUSSERT: He's a Republican.

MR. CARTER: I understand that, but he'd make a good president, no matter which party.

MR. RUSSERT: Let's turn to the summit. We have here four presidents, 30 governors, 90 mayors, hundreds of delegates from all across the country. When they all leave and the limousines are gone, the brass bands are gone, what's going to be left behind?

MR. CARTER: Well, I think there'll be an image of volunteerism being an acceptable thing, maybe even an enjoyable and adventurous thing that will permeate the country.

We've been working on a similar program in Atlanta for five and a half years called the Atlanta Project, and we've formed a very close partnership between major corporations and universities on the one hand and very low income people on the other, and it's been a stimulating sort of experience, and I think one that will be very long lasting in Atlanta, so I think the same thing can happen all over the country.

MR. RUSSERT: Should the government be doing more for the poor of the country?

MR. CARTER: Well, there's been a meanness and a bitterness and, I think, a withdrawal of government support at all levels of government in the last 15 or 20 years. A couple of weeks ago I was with Presidents Ford and Bush, and we all agreed that since we left office, there's been kind of a decrease in the commitment of government to the kinds of programs that would help the poor people, and this has been going on I think maybe even for 16 years.

MR. RUSSERT: What happened?

MR. CARTER: It's hard to say. When I was governor, for instance, back in the '70s, there was a competition among governors to see who could reduce our prison population the most with halfway houses and work-study programs and career planning, volunteer probation officers, and now the competition among governors is who can build the most prisons and keep the people in there longest with three strikes, you're out--and in Georgia, two strikes, you're out--and the welfare bill that was changed this past year. I think there's a harshness about it.

So I think it's just a wave of public opinion, but this makes some alienation exist between the people who are powerful and rich and secure on the one hand and those who are kind of forlorn and ignored on the other hand, but I think it also makes much more important volunteerism among people who are not in government.

MR. RUSSERT: Colin Powell used an interesting phrase. He said the American people speak with a forked tongue--that they want to cut taxes, but they don't want to touch their entitlement programs, and they want a balanced budget, too.

MR. CARTER: Well, I don't think there's any doubt about that. One of the easiest and simplest ways, I think, to deal with the entitlement programs becoming more and more dominant on the budget level would be maybe to change the Consumer Price Index--

MR. RUSSERT: The cost-of-living increase.

MR. CARTER: --the cost-of-living increase, yeah, which is now, I think, a little bit too great. If we reduced it slightly, it would give us a lot of flexibility in the future that we don't have now.

MR. RUSSERT: But you have Democrats in Congress saying no and the president even seems reluctant.

MR. CARTER: Well, I understand that.

MR. RUSSERT: It would take political courage to do it.

MR. CARTER: Yes, and I think a willingness on the part of the American people to stop

speaking with a forked tongue--(laughter)--and to say, "Okay, we're willing to make a little bit of sacrifice to have more sharing and a more equitable society."

But one of the things we found, particularly in the Atlanta Project, and I go in there and build houses on occasion, is a generosity of people if they're presented with a specific thing that they can do, and if you can break down the barrier between the people like us who have everything and people who don't have very much, that that barrier's hard to penetrate, because we tend to build a cocoon around ourselves, and we like to associate with folks just like us who share our security, who share our wealth, and folks that are different from us are kind of strange and even fearsome.

But to break down that barrier between us and reach out is a very exhilarating and adventurous and, I'd say, unpredictable and gratifying experience.

MR. RUSSERT: Tom Brokaw.

MR. BROKAW: Mr. President, I've been a personal witness in your involvement in the Habitat for Humanity program, and it really is one of the great American success stories when it comes to volunteerism, but at the same time, it seems to me that it represents, in some ways, the contradictions of the problems that we face in society. You do get a lot of people who come and build homes and a safe place to live is so important for folks who can't afford them, but they spend just one week of their lives doing that, and then they leave something behind, which is--it is there and it's demonstrable in terms of the work that they've done and it's tangible in terms of what it means to people, but those poor people who live in those homes, then their lives go on for a long, long time after that, and the question is how do we get people to make the long-term commitment to the harder problems of what goes on in that house, not just having the house around them?

MR. CARTER: Well, Ros and I go back to visit some of the families with whom we've worked to build the first decent house they've ever had, and I think it's accurate to say that their lives are transformed. Instead of being hopeless and despairing and alienated from society, they often become positive, they become taxpayers. Their lives are improved in general terms, and a lot of the volunteers go back year after year after year, and some of them even work almost full-time as volunteers.

This is just one indication of what has happened since I left office, for instance, since Gerald Ford left office. For every dollar that we used to spend from the federal government on housing for low-income families, working families, we now spend 7 cents. There's been a 93 percent reduction, and Habitat for Humanity, although it's now finished about 55,000 houses, is really kind of a drop in the bucket.

But I think that what we do in that respect can be permanent in nature, Tom. I don't think it's just a transient thing that happens in a person's life. And when you give a decent home to some family that hasn't had one maybe for two or three generations, I think it makes a positive impact.

MR. BROKAW: You raised earlier the problem of a growing prison population in this country and the consequences of welfare reform. In both instances, there are people who would say, "Well, we had to do something about this terrible drug problem that we have in America and about crime and violence," and the only way to do it was to drop the jail door, so to speak, and also welfare had gotten out of control.

But the pendulum seems to have swung all the way across now, and the question is how do we get back to a kind of centered place and so that we have a set of priorities for dealing with these

problems in a more reasoned way?

MR. CARTER: I don't know the magic answer. I was at supper last night with a federal judge, a very idealistic woman who's been a judge now for three years, and she and I were bemoaning the fact that the federal judicial system is in just. She had--

MR. BROKAW: Because of the sentencing laws, primarily?

MR. CARTER: The sentencing laws, the mandatory sentencing laws, and the fact--let's just take one for instance, the difference between the penalty for crack cocaine, on the one hand, which is used by poor people--

MR. BROKAW: Right.

MR. CARTER: --and white cocaine that's used by rich people. There's a disparity of about 10 to one as far as the severity of the penalty given for someone who's caught with cocaine. And if you take a kid who makes a mistake, including drugs, which may be the only way they can see a good life when they're in a ghetto area (isn't ?) inexcusable, but then put them in jail for eight years or 10 years in a mandatory way, their lives are gone.

And there has to be some balance to it, but I think we've swung now to the harshest element of society, as far as emphasizing the death penalty, which always is applied to poor people who can't afford rich lawyers and who sometimes are mentally retarded, on the one hand. People in our realm of life rarely have to face a death penalty. So the disparity that is there is not recognized and it's not addressed. Maybe there will be a pendulum-type swing.

I grew up in the south during the racial segregation days, when separate but equal was the magic words, and there were no sterling voices within the federal judiciary system, the great judges of our nation, the great lawyers of the American Bar Association never spoke out against this. It was the rare voice that you heard. And I think eventually, as was the case with civil rights, maybe we'll start looking at the injustices that exist now.

In the meantime, we'll do the best we can with volunteer work.

MR. BROKAW: Yeah, but how does volunteerism, for example, then get at the essence of that problem?

MR. CARTER: I think there's a way.

For instance, in Atlanta, we have United Parcel Service and Marriott Hotels and Coca-Cola Company and Delta Airlines and Nationsbank all sending vice presidents to work side by side with communities of very low income people that they have never even recognized before as having a problem, and they get to know each other.

And I think when you get these sterling business leaders, for instance, and the presidents of universities actually going into the low-income areas and seeing that there is an element of need here and an element of appreciation when something is done and that those people who are sometimes even despised because they are not as successful as we, we see that they are just as intelligent, ambitious, their family values are equal to us, that the mutuality of understanding I think will eventually cause the pendulum to swing back into a more just system.

MR. RUSSERT: (Coughs.) Mr. President--excuse me--we're all here, volunteers, particularly to help the 15 million children in need. Some would say the reason these kids are in need is because of their home life, and the reason that their home life is shattered is because they're born into a single-parent household.

MR. CARTER: Yes, exactly.

MR. RUSSERT: If you are, as I mentioned to General Powell, 18, unmarried, without a job, and you have a baby, the chances are 80 percent your children will grow up in poverty. If you

are 18, married, with a job, the chances are 8 percent. Shouldn't the fundamental effort here this week be to say to the 15-, 16-, 17-year-old kids in the country, "Don't have babies"? And how do we enforce that?

MR. CARTER: Well, that's easy to say, but it's difficult to convince them.

You know, one of the things we've done in the Atlanta Project is to eventually learn ourselves some basic truths that should have been self-evident. For instance, we deal with drug addiction, juvenile delinquency, teenaged pregnancy, school dropouts, with our Chamber of Commerce directors and mayors and former presidents and so forth, and we don't realize that the ones who know about this and can correct it and be responsible are the young people themselves, the juvenile delinquents, the teenaged mothers.

So what we've done in Atlanta is form a Future Force--finally. It took us a long time to realize this. We have about 2,000 kids in it now who've been--who've had problems, and we give them leadership training at Fort Benning--the military helps us a lot with this--we take them to the north Georgia mountains for a wilderness experience in leadership, and they are the ones now that are working with the middle-school kids, the 13, 14 year olds, to try to keep them from making the same mistakes that these high-school kids have made.

So I think that we've got to involve the young people themselves in correcting the problems that they have already experienced. They share what they know with the younger kids.

MR. RUSSERT: So teach them to read and write, but also teach them right from wrong and discipline and responsibility.

MR. CARTER: Exactly. Exactly. Give them a chance to see that there is an element of life they haven't seen before.

I was at Fort Benning the week before last, watching these kids go through a commando course. These are gang leaders, and about half of them were girls. Some of them had babies already at the age of 14 or 15. But they're learning this is a new lease on life, if they want it.

MR. RUSSERT: Tom.

MR. BROKAW: One of the most controversial figures in America is Minister Farrakhan, and yet in the black community in this country, a lot of people are beginning to admire him more and more less for his outspoken political views than for the values that he represents.

Are you able to embrace the values that Minister Farrakhan talks about in terms of family and responsibility and the place of men in a family?

MR. CARTER: Well, let me separate myself from Minister Farrakhan, if you don't mind, but I think those kind of values are very important.

We have about 500,000 people that we've targeted in the Atlanta Project, and we targeted the groups that only have a single parent and also the ones that have teenaged mothers, and this is the most serious need of these young people, is to have a male role model with whom they can relate, and, quite often, it's the drug dealer and the pimp with whom they come in contact and who are the success stories--they are the ones who drive the Cadillacs around and so forth, but I think that that Big Brother, Big Sister, Colin Powell example--this gives these young people something that they can admire in a male role model. It's very important.

And the strict Muslim aversion to drugs, to cigarettes, to alcohol, I think is a very fine example, and I don't say that our Christian faith doesn't mirror the same value.

MR. BROKAW: Your friend Ted Turner suggested last summer sometime that there ought to be a reverse Forbes list in this country, not about the wealthiest Americans, but that we ought to

celebrate those wealthy Americans who give away the most money and find some listing for that. Do you think that's a good idea?

MR. CARTER: It is. American wealthy people are extremely stingy. The ones who give money are the fairly low income families who have friends and acquaintances who actually have some needs in a financial way. The very wealthy people never see, never come in contact with anybody who is in need and who can experience a better life if they get a small gift or helping hand.

So I think what Ted Turner said is very good. If Americans would be generous not only with their time, volunteering a few hours a month or whatever, but also would be a little more generous in giving away some of their surplus funds for worthwhile causes, it would be a very good change in this country.

MR. RUSSERT: Mr. President--(clears throat)--excuse me--let me ask you a political question before you go. (Laughter.)

I was going through some research about your presidency. You pushed very hard for campaign finance reform. You pushed very hard for independent counsels to look into corruption in the post-Watergate era. There's a new report in "Time" magazine that money may have come from a Hong Kong banker into the Republican Party of Haley Barbour, Bob Dole, Newt Gingrich, all the allegations about Chinese influence into the Clinton, Democratic National Party. Shouldn't we just appoint an independent counsel to look at this whole mess and let the chips fall where they might?

MR. CARTER: Well, if the independent counsel was given authority to look at both parties equitably, I think it'd be very good, and I would like to see a blue-ribbon commission that would look at campaign finance reform and present a very responsible bill to the Congress with what you might say is a fast-track result so Congress would have to either vote yes or no, and couldn't amend it. This might be a way to get out of this quagmire of the ever-increasing cost of campaigning and ever-increasing unwarranted influence of lobbying groups who get selfish benefits to the detriment of the average American citizen.

I think that campaign reform is something that is extremely needed, but is very unlikely to be passed, because most people now in politics are benefiting from it.

MR. RUSSERT: After Watergate, the country was cynical and jaded towards politics. How would you describe the atmosphere now?

MR. CARTER: I think the atmosphere in Washington, where I don't visit very often, is probably much more divided, much more highly partisan, and I think there's a more jaundiced attitude toward politics than there was, you know, 15 or 20 years ago. Don't think there's much doubt about that.

Maybe here again we need the pendulum to start swinging the other way.

MR. RUSSERT: That has to be the last word. Former President Jimmy Carter, thanks very much for joining us. Enjoy the summit.

MR. CARTER: Thank you.

MR. RUSSERT: And we'll be right back with our "Meet the Press" minute--28 years ago, Governor George Romney, whose idea was this very summit.

(Announcements.)

END

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include qte. on p. 2  
as prelude.

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## LEVEL 1 - 2 OF 16 STORIES

Copyright 1996 The Austin American-Statesman  
Austin American-Statesman

November 24, 1996

SECTION: Insight; Pg. H1

LENGTH: 1336 words

HEADLINE: Army overcomes bias in action, if not attitude

BYLINE: Mark Bowden

BODY:

Eddie Murphy performed a clever skit some years ago on 'Saturday Night Live' poking fun at racial suspicions in America.

In the skit, a black man boards a bus full of white passengers who are all stiff, quiet, dignified and polite -- caricatures of white people. Then, dressed and made up as a white man, he reboards the same bus. Not realizing a black man is present, the whites begin dancing, whooping, singing, high-fiving and in general having a splendid time.

The recent revelation of racist banter and conspiracy in the high corporate offices of Texaco confirmed, in an ugly way, the same suspicion. It suggests that progress in race relations and integration is a sham, that secretly even educated white-collar Americans remain racist. It suggests that affirmative action and civil rights laws have done little to alter the culture, to change what white people in private, talking among themselves, actually believe.

Is it possible to change people by enacting laws and enforcing rules? If the top executives at Texaco who ridiculed blacks are punished, as they have been, will that solve the problem?

Similarly, if soldiers are proved to have victimized young female recruits at the Aberdeen Proving Grounds and are prosecuted and cashiered, will that make honorable and sensitive leaders of those who replace them?

It won't. This was the nugget of truth in the opposition to the civil rights movement of the '60s. White conservatives argued that enacting laws wouldn't change men's hearts. It would take generations to fully integrate society, they said, no matter what steps the government took. The same argument is made today against allowing women equal status in the military.

Military traditionalists argue that rules and regulations cannot alter the basic impulses that make for trouble when young men and young women are thrown together in close quarters.

At a time when all branches of the armed forces are engaged in a very public struggle to integrate women in the ranks, there are still drill sergeants who prey upon the young women entrusted to their charge. This seemed clear in the recent revelations of sexual abuse at Army training facilities, at the Aberdeen



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Proving Grounds and elsewhere.

Racist conversation and conduct in one corporate office is, of course, no indictment of all corporate offices, nor even of Texaco's overall management. But it does bruise arguments that racism is dead in mainstream America.

And the arrest of a few lecherous male sergeants doesn't mean the Army is unsafe for young females, although it will likely make recruiting women more difficult. However, it certainly raises the question of the long-term prospects for equal treatment of women, both in the military and in society at large.

Despite its current difficulties, the Army offers the best counter to those who might question the usefulness of battling discrimination actively and aggressively.

In the past two decades it has become a model of racial integration, despite the presence of unreformed racists in the ranks. It did it, according to "All That We Can Be," a new study of racial progress in the Army by Charles Moskos and John Sibley Butler, partly by acknowledging the impossibility of eradicating racist beliefs.

The uphill climb

"Civilian organizations, especially universities, try to improve the racial climate by eradicating racist statements and symbols," Moskos and Butler wrote. "Lamentable as the presence of white racists may be, it is not the core issue. Afro-American history testifies eloquently that black accomplishment can occur despite pervasive white racism. It would be foolhardy to consider the absence of white racists as a precondition for black achievement."

A similar argument could be made about sexism. Women who succeed in the military and elsewhere in this society often do so despite the attitudes of men.

The Army's success, the authors write, resulted from changing behavior, not changing beliefs. Officers who expressed racist opinions were not punished, but they weren't promoted, either.

"Racist behavior ends a person's career," the authors write. "That racial remarks are rarely heard among Army NCOs and officers, even in all-white groups, reflects how strictly this norm is adhered to. ... **Criminalizing racial discrimination** has, in a manner of speaking, been accomplished 'de facto' in the military."

Accompanying this policy has been an aggressive effort to train and promote black soldiers. This has not meant elevating the unqualified, but broadening the pool of well-trained black candidates. The Army has discovered that nothing so effectively counters racism as highly visible black competence. Gen. Colin Powell, the former chairman of the Joint Chiefs of Staff, was just the most visible black commander in an organization noted for black leadership.

Changing racist attitudes is not only unnecessary, it's not necessarily effective. There is little doubt that overt white racism has been in retreat during the last half-century. Blacks have made very visible strides in most professions, and many major cities have seen their emerging black middle class assume significant, if not controlling, political influence. Studies by Harvard



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researchers Howard Schuman, Charlotte Steeh and Lawrence Bob, in their book 'Racial Attitudes in America,' show a dramatic turnabout. In 1944, when white Americans were asked if blacks and whites should have equal chances for any kind of job, less than half said yes (45 percent). In 1972, nearly everyone (97 percent) said yes. D

Nevertheless, 24 years after that shift in belief was measured, a time long enough for every person starting a career in 1972 to have matured to a high level of experience and success, only about one-sixth of black families had incomes exceeding \$50,000. The rate for whites is double that. Just believing in equality doesn't achieve it.

The Texaco tapes resonate with such ugliness because the United States continues to struggle with the legacy of slavery and oppression. Blacks have their own demons to confront. Author Shelby Steele, who is black, writes of becoming reflexively defensive in the presence of a white cashier in an airport shop who spoke with a thick Southern accent:

'I could condemn this woman, or at least be willing to condemn her and even her region, not because of her racial beliefs, which I did not know, but because her accent had suddenly made her accountable to my voluminous and vivid memory of a racist South. Because of this accent and my Northern lack of familiarity with it, I was not encountering the woman so much as my own memory of an extremely powerful and dreaded enemy -- the Old South. ... I think one of the heaviest weights that oppression leaves on the shoulders of its former victims is simply the memory of itself.'

#### The big picture

So the callous remarks and practices of a few white corporate executives may be seen by whites as an unfortunate exception, but by blacks as a break in the wall of conspiracy, a peek behind the polite curtain of white America at the larger truth.

The lesson of the Army's success, despite its current embarrassment, is that we don't have to resolve these hoary, conflicting beliefs to move ahead.

Perhaps the most significant thing about the Texaco tapes and the Army's sex scandal is not the fact that they exist, but that they have caused such a furor. Twenty years ago, the kind of casual racist conversation recorded in Texaco's office was relatively commonplace, and sex scandals at basic training were uncommon only because women weren't allowed.

The idea that great social adjustments like these will proceed without setbacks is naive. It does take more than laws, rules and regulations to change how people think, but there's no question they can change what people do.

GRAPHIC: Powell

LOAD-DATE: November 24, 1996



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## **M E M O R A N D U M**

**TO: ELENA KAGAN**

**CC: BRUCE REED**

**FROM: TOM FREEDMAN, MARY L. SMITH**

**RE: EEOC REFORM**

**DATE: JUNE 6, 1997**

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### **SUMMARY**

Attached is a concise history and description of the workings of the EEOC, a categorization of its problems, including case backlog and limited authority, and potential ameliorating reforms.

### **I. BACKGROUND**

The EEOC was created in 1964 to investigate employment discrimination charges relating to race, color, religion, sex, or national origin. Since that time, the EEOC has become responsible for administering additional laws: (1) the Equal Pay Act of 1963, (2) the Age Discrimination in Employment Act of 1967, (3) the Equal Employment Act of 1972, (4) Section 501 of the Rehabilitation Act of 1973, (5) the Americans With Disabilities Act (ADA) of 1990, and (6) the Civil Rights Act of 1991.

Critics of the Commission assert that the 1964 Civil Rights Bill did not provide the EEOC with sufficient remedies for victims of discrimination because of Southern opposition to the bill. Numerous commentators, including Bill Bradley, Shelby Steele, and Jesse Jackson, have noted the delays and ineffectiveness associated with the Commission, the major administrative enforcement mechanism designed to remedy discrimination in our country. They note that the Commission's failure to promptly and effectively remedy claims of discrimination demoralizes individual victims of prejudice and sabotages national efforts at creating a society based on equal opportunity.

### **II. PROCESS**

("EEOC Process Chart" attached)

- Plaintiff has 180 days to file a charge of discrimination with EEOC.
- EEOC investigates whether there is cause to believe discrimination occurred
  - However, even if EEOC investigation is not completed, 180 days after the charge is filed, a plaintiff can request a “right to sue” letter, which permits the filing of the case in federal court
  - Plaintiff has 90 days to file complaint in federal court after receiving “right to sue” letter
- If the EEOC does investigation, then it either issues a “cause” finding or a “no cause” finding
  - “Cause” finding issued: EEOC encourages the parties to enter into conciliation procedures which either result in a settlement or if no settlement, the plaintiff is given a “right to sue” letter
  - “No cause” finding issued: potential plaintiff is given a “right to sue” letter and the EEOC’s determination of “no cause” is entitled to no deference in court

### III. STRUCTURE

- EEOC carries out its mission through 50 field offices that receive, investigate, and resolve charges of discrimination in the private sector, and it coordinates these activities in the public sector.
- A 5-member commission heads the EEOC. The President appoints the members, with the consent of the Senate, for rotating 5-year terms. No more than 3 members can be from the same political party. The President designates one member to serve as Chairman and another as Vice Chairman. The current chairman is Gilbert F. Casellas.

### IV. CURRENT STATUS

- For 1998, the EEOC has requested a budget of \$246 million, an increase of \$6 million, or 2.65 over the current level for 1997.
- During 1994, the EEOC issued 36,377 determinations following a full investigation, and 94.7% or 34,451 resulted in “no cause” findings in favor of the defendant. There were only 1,926 determinations of “cause,” a mere 5.3% of the total determinations.
- In 1992, the EEOC filed 347 substantive lawsuits, 26% involved sex discrimination, 21% involved age discrimination, and 19% concerned race discrimination. The majority, 53% involved unlawful termination, 18% concerned discriminatory hiring.

## V. PROBLEMS

- **Backlog.** The backlog of cases or number of charges awaiting investigation. At one time the backlog was over 100,000 cases, but recently Mr. Casellas testified before Congress that this backlog has been reduced to 75,000.
- **Delay.** The increasing time it takes EEOC to investigate and process charges. In 1994, the EEOC stated that the average investigation of a claim took 328 days and that its backlog would take 18.8 months to clear. Attorneys at DOJ report that it is not uncommon to commence cases after 5 years have elapsed since the the incident that prompted the original complaint.
- **Scope.** The limited number of litigation actions and systemic investigations initiated by the EEOC. In 1992, the EEOC filed 347 substantive lawsuits.
- **Impact.** The EEOC spends its time and effort collecting statements, investigating charges, and issuing determinations. But these determinations are without legal impact.

## VI. POSSIBLE SOLUTIONS

- **Resources.** More funding for staff to address the backlog
- **Authority.** Give the EEOC “cease and desist” authority, that is, authority to issue injunctions in cases of egregious violations
- **Authority.** Give judicial deference to an EEOC determination of “cause” or “no cause,” permitting only appellate review based on a “substantial evidence” standard of review
- **Authority.** Encourage binding ADR on an accelerated schedule before EEOC does investigation
- **Possible Criminalization.** Strengthen inducements to changing behavior, as the Army has done. Criminalize job discrimination in the strongest cases, where there is profound damage and willful violations of the law with direct economic impact. Professors Moskos and Butler note in their study of the military that “racist behavior ends a person’s career. That racial remarks are rarely heard among Army NCOs and officers, even in allwhite groups, reflects how strictly this norm is adhered to....criminalizing racial discrimination has, in a manner of speaking, been accomplished de facto in the military.”

- **Structure.** Transform the EEOC structure, streamlining its decisionmaking into something more similar to the National Labor Relations Board (NLRB). Key components include: General Counsel appointed by the President and consent of the Senate responsible for overseeing investigation and prosecution of unfair labor practices; regional field officers appointed by the General Counsel; minimal backlog; consider use of Administrative Law Judge (ALJ); and
- **Structure.** Improve quality of EEOC training and staff

## **VII. POTENTIAL CRITICISMS OF PROPOSALS**

- More bureaucracy and ineffective.
- Interferes too much in private employers relationships. Making the EEOC's determinations binding will cause an uproar among businesses.
- Does not solve the problems.
- Denies complainants their day in court.

## **VIII. SOLUTIONS THE EEOC HAS ADOPTED ALREADY**

- In 1996, the EEOC adopted a national enforcement plan that sets priorities for the processing of charges and litigation on the national and local level. Priority is placed on class-action lawsuits, claims that involve allegations of company-wide discrimination, and those that are likely to develop key legal principles. The reforms mark a fundamental change for the agency because it no longer fully investigates every charge it receives. Instead, charges are prioritized so those with little merit are dismissed without a probe while priority cases are investigated.
- The EEOC beefed up its mediation strategy, using many volunteer mediators under the Administrative Dispute Resolution Act.
- The agency is also targeting high-profile cases to bring suit such as the Mitsubishi sexual harassment suit in Illinois.

## **IX. CRITICISMS OF EXISTING SOLUTIONS**

- The priority system creates incentives to dismiss cases and avoid investigations.
- EEOC gets involved in court cases only in big cases after private attorneys have made some progress.

## MEMORANDUM

TO: Tom

FROM: Neera

RE: Strengthening the E.E.O.C.

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Former Senator Bill Bradley has spoken repeatedly for a stronger E.E.O.C. because he believes that there is no adequate remedy for discrimination today. Basically, he argues that the 1964 Civil Rights Bill was weak on remedies for victims of discrimination because of Southern opposition to the bill. It basically gave the EEOC no teeth as a tradeoff for passage.

Senator Bradley claims that the EEOC's structural weakness has led to the current backlog of roughly 100,000 cases. In response, Senator Bradley has urged the President to give the EEOC cease-and-desist authority, along the lines of the National Labor Relations Board. [San Francisco Examiner, 2/14/97]

### According to Senator Bradley:

"The issue [of enforcement] arose during the consideration of the 1964 Civil Rights Act: Do we put an administrative enforcement mechanism in the law to remedy discrimination in employment? The Republicans in the Senate said they would join the Southern Democrats and filibuster the bill if President Johnson gave the soon-to-be-created EEOC an administrative enforcement mechanism, so he dropped it out. Now, if there is an act of discrimination, what you do is file a petition with the EEOC. But there is no way to bring the issue to a conclusion. So, the case languishes indefinitely. There are now 97,000 cases backlogged at the EEOC. Imagine you're a competent mid-level clerk in a company that has promoted Whites, but rarely a Black, or you're the 25th African American who's applied for a job with a police department in a city that is overwhelmingly African American, and not one has ever been accepted and so you decide to bring a case at the EEOC. After five years you get no remedy. So then you go to court for another five years, at the end of which you may or may not get a remedy, which means for people of modest means, you don't have a remedy for discrimination because you can't afford a lawyer for ten years in order to get your promotion from a \$ 30,000 to a \$ 40,000 a year job.

The EEOC should have the same power that the National Labor Relations Board has, which is cease and desist authority, the ability to bring a case to a conclusion and say, yes, there was discrimination and this is a remedy, or say, no, there was no discrimination, this is frivolous. With a more streamlined procedure for resolving charges of discrimination, companies would pay less to lawyers defending them against frivolous cases and individuals who have a legitimate claim would get a more timely resolution to the problem of discrimination. But once given real power the EEOC has to resist ridiculous interventions that allow Americans who don't want to fight discrimination an excuse to discredit the whole EEOC effort. Self-indulgence at the EEOC breeds disrespect for what should be a mechanism of our national self-respect." [Senator Bill Bradley, Vital Speeches, 2/1/96]

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February 17, 1997, MONDAY, Late Sports Final Edition

SECTION: FIN; Pg. 47

LENGTH: 499 words

HEADLINE: 'Reformed' EEOC is still bogged down, critics say

SOURCE: ROBERT A. DAVIS

BYLINE: BY FRANCINE KNOWLES

BODY:

Twenty months after the U.S. Equal Employment Opportunity Commission launched a system to speed case handling, critics say the agency remains mired in problems.

Agency officials and others say gains have been made but that it's too soon to measure the results of reforms that are just now being fully implemented.

Attorney Candace Gorman, who is representing plaintiffs in a discrimination suit against R. Donnelley & Sons, says she has seen no significant improvements.

"I'd characterize it as basically the same," she said. "The problems start when people walk in the door. Their (staff) people aren't adequately trained, and their mission is just to get people out of there."

Others are more charitable.

"They are responding quicker, and I have seen a tremendous turnaround in just two years," attorney Steven Platt said.

After years of complaints, including a 1988 federal report that found up to 80 percent of cases dismissed by the EEOC weren't adequately investigated, the EEOC launched reforms.

Among reforms implemented in June, 1995, was a priority handling system, which helped the agency reduce its backlog by 30 percent in 18 months, from a high of 112,000 in mid-fiscal 1995 to less than 80,000, said Gilbert F. Casellas, EEOC chairman.

Locally, the EEOC's backlog fell from more than 5,000 to less than 3,300, while its number of investigators dropped from 36 in fiscal 1995 to 27 today, EEOC regional director John P. Rowe said.

Under the priority system, charges are rated based on the quality of the evidence, witnesses and potential for successful resolution.

An "A" case has the highest priority because evidence and witnesses indicate it's likely that discrimination took place. "B" cases aren't as clear and are pursued as resources allow. "C" cases have the least likelihood of success and are closed.

"I think we have addressed the concerns of many critics about the pending backlog," Casellas said.

Others suggest the priority system creates incentives to dismiss cases and avoid investigations.

"It's a bad system if it's good charges they've gotten rid of," said Rick Seymour, director of the employment discrimination project for the Lawyers' Committee for Civil Rights Under Law.

Casellas says he has taken steps to address that issue by ending previous administrations' policies of evaluating staff on the number of case closures.

He and Rowe acknowledge that problems continue but say it's too soon to judge the full impact of the changes.

The priority system is only part of reforms adopted a year ago, and new local enforcement plans have just been put in place at many sites around the country, they said.

The program includes allowing the agency to hire mediators to resolve issues between parties. The agency also is targeting high-profile cases, such as the Mitsubishi sexual harassment case in Illinois.

"We have changed an approach that's been in place for years. You aren't going to get immediate results," Casellas said.

GRAPHIC: The Equal Employment Opportunity Commission's local backlog fell from more than 5,000 cases to less than 3,300, regional director John P. Rowe says.  
See related chart page 47.

LANGUAGE: English

LOAD-DATE: February 20, 1997

Sun-Sentinel (Fort Lauderdale, FL)

April 10, 1997, Thursday, FINAL EDITION

SECTION: BUSINESS, Pg. 3D

LENGTH: 379 words

HEADLINE: EEOC RENEWS ATTACK ON DISCRIMINATION;  
ACTION DOUBLES IN FIRST PART OF '97

BYLINE: Bloomberg News

DATELINE: WASHINGTON

BODY:

Companies once again are finding themselves on the wrong end of Equal Employment Opportunity Commission lawsuits.

After a year in which the number of lawsuits filed by the U.S. civil rights enforcement agency dropped dramatically, the EEOC is stepping up its legal attack on employers that violate federal anti-discrimination laws.

In the first three months of fiscal 1997, the agency nearly doubled the rate at which it files complaints and intervenes in private lawsuits. That increase comes after a year in which the EEOC focused primarily on reducing the backlog of charges filed with the agency by workers, often by declining to file suit.

"It's like a pendulum," said former EEOC general counsel Don Livingston, now a lawyer with the firm Akin, Gump, Strauss, Hauer & Feld. "It swung over to emphasis on reducing the backlog. They looked over and said, whoops, we weren't focusing enough on litigation, so the pendulum since has swung back."

Although the EEOC still isn't filing as many lawsuits as it did in previous years, agency officials say they're devoting their limited resources to higher-impact cases, such as the pending class action suit against Mitsubishi Motor Manufacturing of America.

The EEOC last year outlined a new enforcement strategy, which gives priority to class-action suits, cases involving companywide discrimination, and cases likely to develop key legal principles. In the past, the agency's policy was to pursue every meritorious case, a system that tended to bog agency lawyers in cases that affected only a few people.

The EEOC also has opened itself to criticism that it's merely piling on in big cases, intervening only after private attorneys have made progress.

That's what happened in the highly publicized race discrimination lawsuit against Texaco, according to former EEOC general counsel Charles Shanor. The agency intervened only after private attorneys secured a \$ 176 million settlement that included appointment of an independent task force to ensure racial diversity at the oil company.

In fact, in some of the biggest recent discrimination cases including suitsa gainst Mitsubishi, Home Depot and Publix Super Markets the EEOC got involved only after the private plaintiffs filed suit.

LOAD-DATE: April 16, 1997

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APRIL 16, 1997, WEDNESDAY

SECTION: IN THE NEWS

LENGTH: 6722 words

HEADLINE: HEARING OF THE COMMERCE, JUSTICE, STATE AND JUDICIARY  
SUBCOMMITTEE

OF THE HOUSE APPROPRIATIONS COMMITTEE

SUBJECT: FY98 APPROPRIATIONS - EQUAL EMPLOYMENT OPPORTUNITY

CHAired BY: REPRESENTATIVE HAROLD ROGERS (R-KY)

WITNESS:

GILBERT CASELLAS, EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

H-310 CAPITOL BUILDING

WASHINGTON, DC

3:00 PM

BODY:

REP. HAROLD ROGERS (R-KY): This afternoon we would like to welcome the Chairman of the Equal Employment Opportunity Commission, Gilbert Casellas. Is that correct?

MR. GILBERT CASELLAS: Yes sir.

REP. ROGERS: He will testify in support of the budget request and activities of the EEOC, the federal agency responsible for enforcement of law which prohibit employment discrimination based on race, sex, religion, national origin, age, and status. For 1998, the EEOC has requested a budget of \$246 million, an increase of \$6 million, or 2.6 percent over the current level for 97. In 97 we provided an additional \$7 million to help you make some progress in resolving the pending backlog and to help make investments in new programs and automations that would improve the effectiveness of your case reduction efforts. We're glad to hear you've made some progress. We hope that progress will continue and that you will continue to look for ways to streamline your own review of complaints and avoid any duplication of effort between the EEOC and other federal, state, and local agencies and the courts in review of these cases.

Fiscal 98 will bring another tight budget year for us. Your request is modest compared with previous requests, but it will still be difficult to find any additional resources within amounts that are already likely to be available to the subcommittee. Mr. Chairman, we will insert your written statement in the record at this point, and you may proceed if you'd like with a brief oral statement.

MR. CASELLAS: Thank you, Mr. Chairman. Thank you for the opportunity to appear, for this now being my 2 and a half years that I have served as chairman. This is my third appearance before the committee. You may recall my first appearance as we just improved the comprehension review of the agency through the task force that I had set up. We're about ready to launch these major changes. The problems, as you may recall, were enormous. A

backlog of 100,000 cases and growing, an antiquated technology system that was on the verge of collapse, demoralizing internal management problems that limit input from our constituents and our stakeholders, and very little guidance to facilitate voluntary compliance with the laws we enforce in (R&R ?). I asked, at that time for more power and more money. I asked for a chance to see these changes through and thankfully, with this committees support and your support, Mr. Chairman, and as a recommendation of our oversight committee, you did empower our corporation for fiscal 96 and we were funded at the same level in 96 as we had been in 95. In my second appearance last year, we had instituted many changes, some of them only a couple of months old. I said, at that time as well that it was still too soon to tell whether our priority charge handling procedures, our national and local enforcement plan, we'd get the dialog down, but whether we'd get the legislative go ahead that would permit us to move ahead -- we used volunteers for our mediation initiative; yet again, I asked for more time and more money. Mr. Chairman, thanks to your help on the floor last Summer, the effort that had been initiated and spearheaded by DC Delegate Eleanor Holmes Norton and the EEOC chair, as well Congressman J.C. Watts, we developed a small but critical increase for fiscal 97. This is my third attempt. I hope that the third time indeed is a charm, cause I do have good news to report. The backlog is down by more than 30 percent from the time we initiated our changes, from 111,000 to 75,000. It is the lowest it has been in 5 years. Last year we resolved more charges than any time in the agencies 41 year history and are now more current in our inventory.

We put in place alternatives to seek resolution. In the past 6 months we've resolved over 300 charges through mediation and collected benefits of about \$4 million dollars from employers. We've increased education outreach and technical -- (inaudible) -- of business to facilitate voluntary compliance. Our technical assistance programs for employers are at an all time high. Hundreds of others were turned away, and we're going to have twenty new programs this year, bringing it up to about 70 of these programs. Our bill pack, in addition, made 1,364 presentations of a technical assistance nature to more than 65,000 persons representing employees. We responded to over 400,000 requests for our publications from members of the -- (inaudible). In terms of employee training, we've spent \$1.5 million dollars, not a lot of money, but 5 times the amount annually spent in the past 4 years for employee training. It's still not enough, but critical when teaching people how to do their job in a changing environment.

In terms of technology, I used to always say that on the information super highway we were road kill. We've finally reached the one to one ratio where PC's and all our computers are now 486's or above. We hope to have a more -- (inaudible) -- environment shortly. We just launched a home page on the internet this year to better disseminate our information.

Throughout all of this we've increased benefits to victims of discrimination. Our ways of finding reasonable cause is now almost double what it was last year. In the past 2 years in my tenure we have collected over \$350 million dollars for victims of discrimination, and with what we have changed from the first half of fiscal 97, we expect that figure is now well over \$200 million dollars. About 80 percent of these deficits have come from our administrative enforcement activities, not from litigation.

In terms of litigation, we filed half the number of cases in fiscal 96 as we did in fiscal 95k but we collected twice the monetary benefits as we are more strategic and more selective in our litigation cases. Mr. Chairman, we accomplished all these things with the lowest staffing level in 20 years. I am proud of what we accomplished. I have done what this Congress

asked me to do.

The backlog is down significantly, ADR is in play, we're working with employers and with the community, we are operating with the lowest staff in 20 years while enforcing more (backing ?), and the rights of victims of discrimination have not been sacrificed or compromised. I ask for your continuing support with this effort. Our request for \$6 million dollars over last years appropriations, a relative small but crucial increase you would have to consider consolidating or closing field offices, an agency wide furlough, further -- (inaudible) -- or limiting implementation of ADR, and continue the level of our technology initiative. Mr. Chairman, we can't afford to go back. I thank you for your support and I look forward to answering any questions.

REP. ROGERS: Thank you very much.

Now, as you have indicated, we have supported your work to achieve case load reductions and to improve your response to new complaints, and we are pleased with the improvements that we've seen. As the result of your new priority charge handling procedures, which have now been in effect for almost 2 years, you've reduced your backlog by almost 32,000 cases. When you dismiss these cases do the respondents by law, do you have to issue a right to sue letter?

MR. CASELLAS: Yes sir.

REP. ROGERS: Some critics, as you know, are -- (inaudible) -- simply pushes these 32,000 cases in to the court. Is that an accurate criticism?

MR. CASELLAS: No it's not. For a couple of reasons, number 1, it's not at all clear that everyone who receives a right to sue letter looks at it closely and files a law suit. We are just essentially an administrative mechanism and we can't deny anyone the right to go in to court. We investigate their case, we make a determination. If they don't like our determination then they are in court. They don't have an attorney in court, so the cases that end up in court are hard for us to track, in fact we don't track them at all unless they are own cases that we bring. It's difficult to say that those cases that we have, I guess yes, and they are category C cases -- that those cases result in law suits. As a matter of fact, some people think that most of the people don't end up in court because it's difficult to find a lawyer who is going to take a case that has already been investigated by the EEOC which has -- power which can look at records which use community witnesses, and in part determine who is going to be paid or not paid depending on the --cases. This doesn't look like a good case, I'm not going to waste my time. So it's hard really to determine whether many people end up in court.

REP. ROGERS: Once you've initiated a right to sue letter, are you completely out of the picture then?

MR. CASELLAS: Yes.

REP. ROGERS: Would there be instances where you might reinstate an investigation after it has already been resolved by your standards?

MR. CASELLAS: I guess I am not sure I understand.

We can always go back to an employee based on either a -- (inaudible) -- or the information.

REP. ROGERS: Let me clarify. Once you've issued a right to sue letter, and lets say that person then goes into court, is there a way that you could get back into it after the court has taken it over?

MR. CASELLAS: There are a number of ways. We can file an -- amicus brief with the district court, or more likely the court of appeals department, we can intervene, or we could be asked to intervene. Yeah. The best example, the most recent example was in the

technical case that the lawyers in that case sought to certify this group as a -- (inaudible) -- and the federal judge referred them to us and said we want you to go back in to EEOC, have the EEOC do an investigation on the current allegation before I would consider it.

REP. ROGERS: That's not the necessary picture so I don't know much about the -- (inaudible) -- of that case, but just in general. Once you have issued the right to sue letter it means you have determined that there is a case there, is that correct?

MR. CASELLAS: Well, not necessarily. We can also issue the right to sue where we have found cause, but we have decided not to litigate. We don't litigate every case in which we find cause. When we find reasonable cause we will go through a conciliation which is an attempt to resolve it. If we can't resolve it, then a determination is made as to whether we are going to file a law suit or not. We don't file law suits in every separate case in which there is cause. Recently the -- (inaudible) -- has changed that, and so we make a separate determination of whether there is cause -- (inaudible) -- for litigation purposes. So we will issue a right to sue letter in that instance as well.

REP. ROGERS: I'm just trying to get a -- (inaudible) -- trying to extend our knowledge as widely as we can because they are so limited. If it's true that EEOC and the source are both looking at the same case, then there's is a waste of some money somewhere.

MR. CASELLAS: Well we're not looking at the same page. What happens is there's a whole new review by the court and that has always been the case.

REP. ROGERS: Why with any given case would you issue a right to sue letter meaning you have disposed of it in your own process. First it goes to court and then you re-enter the case in any fashion and dispute or otherwise, why would you do that?

MR. CASELLAS: Again, we have the implication and a legal issue that arose and in the course of the case as a result of -- (inaudible) -- evidence that came up --

REP. ROGERS: -- after you have

MR. CASELLAS: -- after we have concluded our investigation. In many cases, because of the prioritizing of these cases it may be that cases get characterized a certain way based on the evidence, and subsequently we change by giving them another number. A few months ago in Detroit we won a \$5 and a half million dollar verdict for an epileptic who had been denied any kind of accommodation in a particular job situation. That case has been characterized as a C case. It would have been dismissed except for the fact that the attorney -- (inaudible) -- as a sort of double check thought that they won something for that case, and so that case is dealt back into the system before a determination has been made, evidence was obtained, conciliation failed, they went to court and it resulted in a reverse. All I am saying is that a case is changed depending on the investigation, depending on the knowledge that you have at that particular time.

REP. ROGERS: Is this few or many cases that we're talking?

MR. CASELLAS: In terms of our intervention?

REP. ROGERS: Yes.

MR. CASELLAS: Very, very few. As a matter of fact, -- five or six in which we intervene in a year.

REP. ROGERS: Why don't you provide us a list of the ones where you have taken such an action.

MR. CASELLAS: I can say that in 1994 there were 8 cases where we intervened, in 95 there were 6, in 96 there were 4, and so far in 97 there have been 2.

REP. ROGERS: If you could provide a list of those so we can put that in the record.

MR. CASELLAS: Yes sir.

REP. ROGERS: I have a number of retail questions in that vein that I will submit for the record and we won't delay your appearance today, but I would appreciate your answering them for the record. Nevertheless, even though you have these new procedures in place to review current and new cases and determine which requires full investigation, your budget indicates that the backlog for 1999 will be almost at the same level as it was in 1995 when you first initiated your case load reduction strategy. Did you intend that the new charge processing figure would only have a one time impact?

MR. CASELLAS: The hope was that we'd keep it down. It's all a function of the number of people we have dedicated to the function. Right now we have experienced a big drop off because we've gone through the cases. We've separated the wheat from the chaff, but a number of cases are still coming in and the number of people who are working on those cases is still about the same. It's going to now take us longer to work on the cases that we have because we're focusing on those cases and trying to get rid of the ones that don't happen. So we have done these projections based on the case load and work load.

REP. ROGERS: Well, you're new cases, the fresh cases that are coming in, not all of those will be given a full treatment. There should be the same percentage of those new cases that are checked as -- (inaudible) -- than the original back logs. Is that right or wrong?

MR. CASELLAS: That's right. The determination is made at the outset and is a little more complicated than I might have suggested. When a case is filed it's categorized A, B, C. The determination of whether something is a B case may take longer than when it is a C case. C cases are one of your most critical -- (inaudible) -- and we can't stop people from filing charges either, just like we can't keep anybody from filing a law suit in court. They have a right to file and we've got to make a determination. That determination sometimes can take place on the spot, and other times it may take a little while to determine.

REP. ROGERS: Mr. Dixon.

REP. JULIAN C. DIXON (D-CA): Thank you Mr. Chairman. I just have one question, and that relates to the FEPA agencies. You're doing some kind of collaborative efforts with them?

MR. CASELLAS: Yes sir.

REP. DIXON: Are you paying these state agencies to seek assistance?

MR. CASELLAS: We have to subsidize them in parts is what it is. We pay them \$500 dollars per charge. We don't pay them for all the full universal charges. There are far more charges that tapers down. We do file charges till we complete them. We do pay them part of that. We also offer them training. We also try to give them some technology so that we teach statistical information they can put away, and that has been going on for at least in terms of payment, for about 20 years. (Inaudible) -- some of their statutes are the same, some of them are different.

REP. DIXON: How has it impacted your case load? I heard you say in your testimony that 46,000 referrals were made.

MR. CASELLAS: That is a net of about 6,5000 as a net -- (inaudible).

REP. DIXON: Thank you.

REP. ROGERS: To briefly follow-up on Mr. Dixon's -- (inaudible) -- are there any questions?

Your 98 request includes an increase of \$6 million, primarily for pay raises and inflation so that you can maintain your current spending level of \$2,680 for

FTE's. How many of those would you need to reduce if you were level funded at the 97 level?

MR. CASELLAS: How many FTE's would we lose if we leave that -- (inaudible).

REP. ROGERS: Last year we gave you a \$7 million dollar increase and increased that ear marked for state and local agencies by \$1 million as you requested. In last years budget you said in the defense of the EEOC and the state and local agencies shared work loads and their capacities in investigating complaints. Have either of you or the state and local agencies affected the work load of the other? Your budget request for 98 now proposes to reduce that ear marked \$9 million dollars. Tell us, if you will, what that means as it relates to the relationship between the state agencies and the EEOC. What case work do they handle and how does the federal funding support that case work? I'm not sure I understood you earlier.

MR. CASELLAS: It honestly varies by agency. We pay each of them with whom we have these work sharing agreements, \$500 dollars per charge as they resolve. Some worked on thousands of them, some we have contracts with do a smaller number. They use that money in obviously different ways. Some of use it to pay staff, some of them use it for training. It's just a dollar amount applied to a charge that they investigate.

REP. ROGERS: Could the amounts of that program be reduced any further with only a minimal impact on case processing?

MR. CASELLAS: They determine that, and I think that probably not. I think that they are at the bare minimum. Five hundred dollars per charge is not a lot of money that the government pays versus what it actually costs them. Getting a lawyer to testify before the EEOC costs about \$1500 dollars to investigate a charge and we pay them \$500 dollars. We are only a partial subsidy and if we took that away we face cutting back on our own civil rights law enforcement which really affects the overall goal of civil rights enforcement in the United States.

REP. ROGERS: Last year you told us that you had not yet implemented alternatives to C resolutions because of lack of resources. You have not yet passed the resolution to C resolutions. We gave you a \$7 and a half million dollar increase last year when we passed the act on September 20, 1996. Have you started that program yet and what level of funding are you committed to?

MR. CASELLAS: We have started it. The level of funding is difficult to break down because we have trained mediators in selective offices. Some offices are using voluntary mediators pursuant to the statutory obligation. Other offices are using the services of federal mediation conciliation service in which we have contracted for about 400 charges and the amount of that, about \$200,000 dollars is what the federal mediation conciliation charges. We continue to train our people as mediators. We continue to support the efforts in the local offices to design mediation programs that fit their local constituents.

REP. ROGERS: How much are you spending on outside federal mediation services? Do you know that?

MR. CASELLAS: That would require us to figure out how much the training has meant to people and then what their -- (inaudible) -- otherwise we wouldn't keep those figures.

REP. ROGERS: How about getting it for the record then.

MR. CASELLAS: Yes sir.

REP. ROGERS: Do you know how many cases are going to the ADR process?

MR. CASELLAS: Well we have, as I have said, I think in the opening statement, we have so

far been in place for 6 months, and we've resolved over 300 of them through mediation. We've collected benefits of about \$4 million dollars of those 300 charges, and there are about 800 plus pending --

REP. ROGERS: --

pending meaning

MR. CASELLAS: -- meaning that they are waiting for mediation.

REP. ROGERS: That have been referred to mediation and are not yet decided.

MR. CASELLAS: Yes, that's right.

REP. ROGERS: Is that a very efficient process instead of getting rid of the -- (inaudible)?

MR. CASELLAS: Sir, I'm not sure I understand the question. Is it mediation generally or just --

REP. ROGERS: Yes. Is it a good way to do business?

MR. CASELLAS: Well, it's one good tool to have. Mediation, number 1 will never solve all our problems in terms of back log. Number 2, not everybody wants it and you can't enforce it on folks. Just on Monday I met with the president and CEO of the American Arbitration Association and a number of his staff people and we were comparing notes on the fact that many people are suspicious of any kind of different program like mediation, ADR, because if its proposed then hence they're definitely at a disadvantage. Tactically, the only reason you are suggesting it is because you've got an advantage over them. It's going to take a while for people to, I think, accept the fact that you're going to try to be honest brokers when it comes to our mediation program, and that this mediation program, in effect, is nothing different than what we now try to do by statute, which is conservative, but we're going to do it at the front end instead of awaiting a lengthy investigation and finding reasonable cause.

REP. ROGERS: What you told us last year was that the use of ADR would free up EEOC personnel to handle cases that require full investigation. Is that true?

MR. CASELLAS: After 6 months we think it is, but it's hard to know. We have only had this in place for about 6 months.

REP. ROGERS: Well maybe federal and private sector agencies are using ADR to mediate conflicts, but your projected decrease in new case receipts, doesn't reflect, I believe, that you hold that much prospect that ADR is going to make a big difference.

MR. CASELLAS: ADR doesn't affect the cases that come in the door. It only affects how they are resolved. We're still going to get the number of cases that we get.

REP. ROGERS: (Inaudible) -- pursue this case, FEPA, can you just basically tell me how that works?

MR. CASELLAS: Yes. When an individual files a charge of discrimination with a -- (inaudible) -- and because Washington DC has its own human relations commission and human rights commission, we are required by statute to defer to that agency for an investigation pursuant to the work share agreement. When they conclude their investigation it comes back to the EEOC for what's called a substantial rate review, that is by statute we're required to do a substantial rate review on what both the state and local agencies have completed it. Following the review we essentially issue a check of how it is done and the case then goes either to -- (inaudible) -- or litigation. They actually resolve and handle, these are cases that they would have to do any way, so they are handling thousands of cases,

but we pay them.

REP. ROGERS: For some of them. In other words, you use the local FEPA as kind of an extended staff to do a workup on things?

MR. CASELLAS: Sometimes it works the other way around. They have a case that's filed with them they send to us. In net cases, as sometimes we transfer cases back and forth, it is about 6,500.

REP. ROGERS: Do you pay them a fee if a person walked in to the district and filed?

MR. CASELLAS: Yes. The case would then be categorized a case that we pay for. (Inaudible) -- disability cases, that's different. In some cases they are very helpful. The state of Texas, for example, they have a local fair employment practices agency where we don't have one. State agencies do these cases as well and then send them over to us and we enter in to that depending on the agreements we have with them.

REP. ROGERS: I think the budget is what, \$25-\$26 million?.

MR. CASELLAS: \$26 and a half million.

REP. ROGERS: Is that an increase from the last year?

MR. CASELLAS: No. It's the same amount that we had last year. It's the same amount that we got. Last year we had \$26 and a half for the FEC agency. When we had the increase, there was \$7 million dollar increase in EEOC and of that \$7 million \$1 million went to the -- (inaudible).

REP. ROGERS: Thank you Mr. Chairman. You asked for a million dollar increase last year to what, \$27.5?

MR. CASELLAS: Last year it was appropriated.

REP. ROGERS: That was a result of the vote taken on the floor?

MR. CASELLAS: Right.

REP. ROGERS: And you apportioned \$1 million dollars of it --

MR. CASELLAS: -- we were essentially told to take a million of it --

REP. ROGERS: I'm looking at your budget request and on page 43 you ask for \$27,000.

MR. CASELLAS: I thought it was -- (inaudible) -- I thought it was the budget where we asked for more money for ourselves.

REP. ROGERS: Well let me pull from page 42. You state quote "with a requested level of \$27.5 in fiscal year 1997 the EEOC will be able to increase the number of -- (inaudible) -- under contract, blah, blah, blah, blah, and so forth.

Does someone have different information? Speak up if you do. I noticed a lot of shaking of the heads and drawing for guns back there.

MR. CASELLAS: Mr. Chairman, it's \$27.5, I'm sorry.

REP. ROGERS: So, then you're actually asking for less money this year than you received last year? You're asking for a decrease?

MR. CASELLAS: We also asked for \$35 million dollars more for EEOC. That's what I asked for EEOC.

REP. ROGERS: All right, finally, the revolving funds. In 1992 a revolving fund for training activities gave you the authority to charge fees for that training as a way to reduce the need for appropriated funding. Your budget request

indicates that this fund was carrying a balance of about \$2.2 million. Is that correct?

MR. CASELLAS: The current balance is about \$1.2 million today. From this amount we still have to make some additional allocations to field offices, cover seminar costs. It will cost approximately \$250,000 so we'll have about \$850,000.

REP. ROGERS: By the end of the year, any collections you're going to be making on the fees, by the end of the year it will be about \$2.2, right?

MR. CASELLAS: No. Part of the problem with this revolving fund is that we have not yet figured out how to take a private separate type "profit making" activity and allocate overhead costs or staff costs. We're supposed to reimburse the agency for employee time or travel in connection with this and after the business --

REP. ROGERS: When looking at your budget submission on page 53 you show a year end balance of \$2.339 million.

MR. CASELLAS: Right. That balance constantly changes.

REP. ROGERS: How can you balance the budget if you can't depend upon your submission?

MR. CASELLAS: Because the revolving fund doesn't have anything to do with this budget. You gave us \$1 million dollars to set up technical assistance programs for employers and it's supposed to be self sustaining. It doesn't and it's not supposed to supplant the money that we get from out of the agency.

REP. ROGERS: Well that's not for you to decide.

MR. CASELLAS: You decided it. The statute set this up separately. I know it's not for me to decide. You've already decided it. You gave the agency at the end of 92 a million dollars, and you said --

REP. ROGERS: -- well we set it up, but you're not charging your expenses back.

MR. CASELLAS: Well, sir we are. We did get reimbursed for some. What I am saying to you, what I've set up now, and we've put together a business plan to be able to problematically benefit. I know that because I've been in the private sector. Quite honestly, no one knows how to pay government employees overhead, for their time, and do a calculation and say okay, this is what the agency is owed for its time of its employees in training employers how to follow the law. So I hope -- (inaudible) -- so that this -- (inaudible).

REP. ROGERS: Now you've lost me.

MR. CASELLAS: For example, we have what we call a marketing plan where this amount of money is set aside to use to train employers.

REP. ROGERS: Are you saying that you don't know how many people you are --

MR. CASELLAS: -- No.

REP. ROGERS: You use them to do training, and therefore you don't know how much training they have done for you? MR. CASELLAS: No. Should the agency decide, should my time be reimbursed for going out and giving a top program?

REP. ROGERS: Probably. It's set up for them.

MR. CASELLAS: That's exactly right.

REP. ROGERS: Well, I'll tell you, your deficit says you're going to have \$2.3 carry over in